

**STILLWATER TOWNSHIP
ENVIRONMENTAL COMMISSION**

June 10, 2024

**Regular Meeting
In-Person/Zoom**

MEMBERS PRESENT: Mr. Branagan, Mrs. Emmetts, Dr. Mattes, Mr. Szabo, Mrs. Tracey, Ms. Wills, Mr. Dvorsky, Ms. Coriston

MEMBERS ABSENT: None

Chairperson Coriston called the meeting to order at 7:08 p.m. with the statement that this meeting is in compliance with the Open Public Meetings Act. This was a regular meeting of the Stillwater Township Environmental Commission. Regular meetings are held on the second Monday of the month at 7:00 p.m., at the Stillwater Township Municipal Building located in Middletown, New Jersey unless noticed or it is a legal holiday.

The flag was saluted and roll call taken.

PRESENTATION: The Paulins Kill Partnership Wild & Scenic River Project

Christine Dunbar, Paulins Kill Watershed Coordinator/Foodshed Alliance and **Tara Mezzanotte**, who is instrumental to the Wild and Scenic Program and Partnership Program; a Knowlton Land Use member and appointed NJDOT liaison, appeared before the Environmental Commission (EC).

Ms. Mezzanotte briefly discussed her background as a Knowlton resident living in close proximity to the Delaware River. She provided a PowerPoint presentation, handouts of which were distributed to the EC members. Ms. Mezzanotte stated she is the Warren County representative to the Management Council for the lower Delaware Wild & Scenic River. She reviewed a map of the Delaware River explaining the upper portion (Port Jervis and above), the middle section consisting of the Delaware Water Gap National Recreation Area (DWGNRA) boundaries (Milford PA to Knowlton) which is under the purview of the National Park Service, and the lower portion extending from Knowlton to Trenton. These waters as well as the Paulins Kill travel all along privately owned land. The private owners and the municipalities must be favorable to the partnership for it to work. The Wild and Scenic River (WSR) partnership is what we are along the Paulins Kill and the traditional Wild and Scenic River system is the National Park Service. She pointed out the length of the Paulins Kill River and its tributaries noting there has been a successful partnership with local communities since its origin in 2000.

She asked the EC to see the value in having them study Stillwater's segment of the Paulins Kill to see if it is eligible and suitable to be included in the WSR program. If so, a resolution would be drafted for the EC and Township Committee to review and consider.

The program system was a response movement to stop damming of precious pristine rivers and as a result the Wild and Scenic River Act was established in 1968 to protect certain rivers that possess outstanding remarkable values (ORVs) scenic, recreational, geologic, fish and wildlife, historic sites, cultural or similar values in their present and future generations.

The reason the WSR partnership works (with private owners and municipalities) is that there is no chance of eminent domain and this element has been written into the legislation.

Local communities and governing bodies are required to support the concept of this study or it cannot be accomplished and there will be no designation. Private property rights are required to stay the same, including no public access. Local communities are represented on a Management Council by their municipality.

The best way to protect the lower Delaware River was to expand to our tributaries including the Paulins Kill. Knowlton, Hardwick and Blairstown have been studied and local organizations that provided their support were the Foodshed Alliance and Paulins Kill Watershed Community, the Nature Conservancy, Paulins Kill Valley Trail Committee, Ridge and Valley Conservancy, NJ Highland Coalition, Appalachian Mountain Club, the Land Conservancy and NJ Sierra Club and Skylands Group.

The Paulins Kill appears to qualify for its own study as it has trout producing waters, threatened and endangered species, unique geological features, and historic places among other criteria. Once the potential eligibility and suitability are evaluated and a resolution is passed, congressional representatives seek a Paulins Kill WSR study bill. Once approval is received, both the National Park Service (liaison) and grant funding become available. The study would be fully funded by Congress (\$75,000 per year) and must be completed within three years. Once completed, the study goes before Congress for designation consideration. If approved, a designation bill would then be introduced to Congress, Senate and the President and if approved again it would become law. The designation would be the fifth wild and scenic river. The entire process could take up to six years to complete.

Ms. Mezzanotte further explained the timeline as follows:

- Initial "study" or "recognizance" to see if the municipality and landowners support the program could take up to one year.

- Congressional representative pursues the WSR study bill – 1-2 years

- The study – must be completed within 3 years

- Approval of Congress, Senate and the President and language specific to the Paulins Kill amending the 1968 Wild and Scenic Rivers Act to include the Paulins Kill.

In response to EC questioning, Ms. Mezzanotte explained the National Park Service liaison would provide guidance for the study using the framework of all the wild and scenic rivers, but every decision would still be made by the municipality.

Mr. Dvorsky expressed concerns about property owners' rights, and he felt they should be allowed to provide input on the process. Ms. Mezzanotte explained that public hearings would be held during the study to allow for their comments and views. At this point, she is only asking for the support of the resolution and the recommendation to the Township Committee for their support of the initial phase.

Mr. Szabo spoke about the Swartswood Watershed Lakes Association and the communication difficulties they are having with the State. The association president and an engineer/water quality expert have worked many hours on three grants for the lake, which is property owned by the State, and they are unable to get in touch with anyone from the State for assistance. He has basic reservations as his own experience has shown him that every time the government is involved there is trouble. He felt local residents have a handle on the river and if there is something that needs to be addressed it is. He felt that ideas that come along such as this usurp what local people have been doing successfully for quite a while. He could not see any one benefit for getting involved with the program. He stated he had read each page of the information and is not satisfied that this is a good idea and would like to consider the matter further.

Ms. Coriston stated she reviewed as much of the voluminous information as possible and asked if there was a central location to view other management plans. Ms. Mezzanotte stated the website rivers.gov is the WSR program page and she recommended looking at the Musconetcong River study and management plan as it has similar aspects to the Paulins Kill. Ms. Dunbar also suggested looking at the River Management Society as a reference.

Ms. Coriston stated she is in favor of collective actions but once she realized it was a National Park Service project, she felt that could be an issue as many residents in Stillwater are opposed to the Delaware Water Gap National Recreation Area proposed designation change. This should definitely be considered. Also to be considered are the farmers along the river who have livestock in the water.

Ms. Coriston would like to review the sample resolution with further discussion prior to making any recommendation.

Dr. Lippencott asked if the "recognizance" was administrative or field work. Ms. Mezzanotte stated it is done using the NJDEP GIS website along with a lengthy checklist including such elements as historic sites, threatened and endangered species, town ordinances, geologic features, etc. She again referred to the rivers.gov website and suggested he visit the site and view the Musconetcong information as it has similar aspects to the Paulins Kill. She stated municipalities that were hesitant to sign on initially, have now chosen to participate.

Dr. Lippencott asked what will change in how the Paulins Kill is protected now vs. what is being proposed. He was not sure what the benefits would be as State regulations are already in place for the protection of the river. Ms. Mezzanotte explained with the designation comes a 501(c)(3) and funding of \$210,000 per year to be used to support the management plan, riparian programs, education, etc. The budget would be overseen by the Paulins Kill Wild and Scenic River Council. It would be a river wide agreement on how to manage the river. Funding would also be used for support staff to oversee the website and other details.

Dr. Lippencott felt the EC should consider what federal requirements may be imposed due to federal funding being received. He added that the Wild and Scenic River Council covers several municipalities and would be dictating what would be occurring in our township and how to manage it.

Ms. Coriston asked what power the township representative would have on the Council, and would they be able to obtain input from the Township Committee on decisions or would that rest solely with the representative. Ms. Mezzanotte stated it would depend on the by-laws and how they are structured. She stated the decisions would not be about changing land use laws, zoning, ordinances or interfering with State decisions. The decisions would include the appropriation of the budget to add value along the river and implement programs.

There being no further questions, the presentation concluded. Ms. Dunbar agreed to email the resolution to the EC for their review and also offered to attend a future meeting for further discussion and to address any questions. The EC thanked Ms. Dunbar and Ms. Mezzanotte for the presentation.

Minutes

Mr. Branagan made a **motion** to approve the minutes of March 11, 2024, seconded by Ms. Wills.

Roll Call Vote: Mr. Branagan, yes, Mrs. Emmetts, abstain, Dr. Mattes, yes, Mr. Szabo, yes, Mrs. Tracey, abstain, Ms. Wills, yes, Ms. Coriston, yes

Mrs. Emmetts made a **motion** to approve the minutes of May 13, 2024, seconded by Ms. Coriston, with the spelling correction of “Abigail” Looney to “Abighaile” Looney where noted.

Roll Call Vote: Mr. Branagan, yes, Mrs. Emmetts, yes, Dr. Mattes, abstain, Mr. Szabo, yes, Mrs. Tracey, yes, Ms. Wills, abstain, Ms. Coriston, yes

Bills

Mrs. Emmetts made a **motion** to approve the following bill, pending availability of funds, seconded by Mr. Branagan:

Secretary: \$255.00

Roll Call Vote: Mr. Branagan, yes, Mrs. Emmetts, yes, Dr. Mattes, Mr. Szabo, yes, Mrs. Tracey, yes, Ms. Wills, yes, Ms. Coriston, yes

At this point, this portion of the meeting was opened to the public at 8:15 p.m.

Dr. Bob Lippencott stated he would be providing his final water testing analysis report and presentation at the next EC meeting, with highlights followed by a question-and-answer period. He would provide a draft copy of the report for the EC to review beforehand.

Dr. Lippencott mentioned the environmental impact to the Oak trees by the gypsy moth. Mayor Chamings indicated the State had conducted a survey and found no areas of concern. Since that time there has been an increase. She will ask the Clerk to send an email to the State to see if spraying could still be considered. Dr. Lippencott felt timing would be off for spraying and it may be too late at this point.

There being no further members of the public wishing to speak, this portion of the meeting was closed at 8:23 p.m.

Correspondence: None

Old Business

TREX Program Update:

Ms. Coriston reported the program ended the school year with a total collection of 660 pounds. She spoke with Ms. Ciccolella and the collection will continue through the summer. An additional 340 pounds is

needed to meet the goal of 1,000 pounds by November. Ms. Coriston will store the collection at her house, and she may need assistance from the DPW in the future with transporting it to the school. A training session was recently held for rising 4th graders on weigh-ins and entering information on the TREX site.

Stream Water Study Subcommittee Update (if necessary): No report.

Fishing Line Collection:

All lines are to be cleaned of litter/leaves, hooks and lead sinkers. Lead sinkers are to be provided at the meeting for recycling.

New Business

July EC Meeting Date:

Following a brief discussion on member availability for the July EC meeting, Mrs. Emmetts made a **motion** to cancel the July 8, 2024, Environmental Commission meeting with adequate notice to be provided, seconded by Ms. Coriston.

Roll Call Vote: Mr. Branagan, yes, Mrs. Emmetts, yes, Dr. Mattes, Mr. Szabo, yes, Mrs. Tracey, yes, Ms. Wills, yes, Ms. Coriston, yes

Volunteer/Member Recognition:

- Mr. Szabo for attending the Swartswood Lakes Association meeting.
- Ms. Coriston for her continued work on the TREX program.
- EC members for the fishing line collection.
- Dr. Lippencott for the massive amount of work he is doing for the EC on the stream water testing study analysis.

Endangered and Threatened Species:

It was noted that Eagles are being considered for removal from the State's endangered list.

At this point, this portion of the meeting was opened to the public at 8:28 p.m.

There being no members of the public wishing to speak, this portion of the meeting was closed at 8:28 p.m.

Planning Board (PB) Liaison Report: Ms. Wills

The May meeting was cancelled.

Township Committee (TC) Liaison Report: Mayor Chamings

May 21, 2024:

- Two codification ordinances were introduced to update the code book with minor changes. The 2nd reading would be at the June 18th TC meeting.
- The Recreation Commission held Stillwater Day with a good turnout and games and prizes awarded.
- Miss Stillwater – Paige DeCaro; Little Mister – Emmett Delaney; Little Miss – Amelia Guild
- Following a presentation by Sandy Hull on the Delaware Water Gap National Recreation Area designation change, a resolution was passed by the TC and forwarded to the appropriate officials.
- Engineering was approved on Phase III of work on Mt. Benevolence Road.

-Applications (48) were received for the position of receptionist at town hall. The list has been narrowed down and interviewing will begin at the July TC meeting.

-Beth Martin resigned from the Recreation Commission due to a conflict with her employment schedule. Mayor Chamings asked that everyone keep George Scott in their thoughts and prayers.

Ms. Coriston commended the Recreation Commission for a job well done at Stillwater Day. Mayor Chamings also acknowledged their accomplishments at the Community Center as well as their busy workload. Ms. Coriston mentioned how thoughtful it was that RC Chair Tara Tosti had emailed her to thank her daughter Abby for performing at Stillwater Day.

Mr. Branagan recommended EC members watch a program entitled, "Violent Earth," on Sunday at 9 p.m. on CNN – about tornadoes, fires, tsunamis, earthquakes, etc.

With no further business to come before the Commission, Mrs. Emmetts made a **motion** to adjourn the meeting at 8:40 p.m., seconded by Ms. Coriston. In a voice vote, all were in favor.

Respectfully submitted,

Kathy Wunder, Secretary