

Musconetcong River Management Council

Minutes of a general meeting, October 20, 2020

The meeting was convened at 7:00 via video conferencing under the direction of President Charlie Fineran. Attendance is per the attached sign in sheet. Notice was given of this meeting as published in the Star Ledger and the Express Times in accordance with the NJ Open Public Meetings Act. There was a quorum. There were no guests.

The first order of business was the approval of the August minutes. The minutes that were sent out with the meeting notification were approved as distributed on a motion by Steve Ratner that was given second by Pam Bailly.

Under New Business the first order of business was a discussion of the proposed Wild and Scenic Film Festival. Karen Doerfer reported that she had attended a video conference on this year's films. Everything must be pre-recorded although the meeting she attended appeared to be live. There were national sponsors including alcohol purveyors. Apparently, we can do a lot with the festival virtually. Everything is either live or on-demand for 24 hours. Later on-demand attendees will not be able to access any live chat functions. There will be about a \$1500 total expense for the festival. We do need some money to get the festival going. Volunteers for this year's event will be engaged in outreach and communication during the program.

Charlie suggested that the festival follow the existing virtual format. Instead of tables, there would be short video snippets from the sponsors with photos and logos. We would be charging for that sponsor participation. We would not be using Centenary's facilities and that will save us some expense. We can promote the event everywhere – there is no geographic limitation due to the virtual presentation. Ticket prices for the California show that Karen viewed was \$10.00. Karen proposed \$6 to \$7 as a ticket price. Last year we got a discount from the film festival and we got a stipend from the Park Service. Attendance at our prior free festivals was less than expected. It can't hurt us to charge for participation.

Charlie proposed we ask our member townships for funding to help defray expenses. Karen proposed \$100 per township and that would cover our full expenses. Townships have Open Space and other community education funds in their budgets. Note was made that municipalities are more apt to pay an invoice than make a contribution.

Alan proposed we form a film committee to work with Karen on sponsorship, membership fees and other components. The group would be meeting in January. Charlie Fineran, Bill Leavens and Katie Parrish expressed interest. Motion was made by Bill Leavens and Al Ivany gave second to form the committee. After limited discussion, the motion passed with no opposition.

The next order of business was a discussion of the Holland Township Solar project. The MRMC submitted a letter to the Planning Board requesting additional public access to the site for parking. Dwight Pederson then said that he had been attending Holland Planning Board meetings. They have also been discussing the visual buffering of the site. The applicant was in agreement with hiding the view of solar panels from the river. It is a former brownfield and DEP has been involved in monitoring and decommissioning the adjacent farm fields. A fabric had been installed to stop the spread of pollutants. The solar panels would be installed on top of that fabric cap. The Planning Board was assured that it was possible and practical to install the panels without further environmental impact. The owners were amenable to installing a parking lot on the property for four or five cars. He is hoping that the lot could be deeded to Fish and Wildlife. He also discussed a donation of land along the river that could not be used for a solar array. The Environmental Commission is pursuing that avenue. He noted that the applicant's property is quite large.

Charlie asked if the MRMC should offer a letter of support to the Town Council. That has already been drafted and submitted. Dwight had met with the town's Open Space 'person' and Gary Pohorely of MWA who had ideas on how to move the riverfront public access portion of the property forward. Alan had advised seeking an easement on the river front.

The next discussion involved the proposed construction of a Wawa store in Byrum Township. A Lubbers Run tributary is adjacent to the site and has a 300 foot buffer. Another adjacent site has also been proposed for development. Comments will be presented to the Planning Board about the environmental sensitivity of these sites to the Planning Board. Keri Greene commented that the Wawa site was exempt from the Highlands Act because there was a pre-existing structure on the site. Highlands resources are not part of the discussion.

Paul Kinney asked if there was any storm water plan associated with the projects? A drainage basin has been proposed for the Wawa and on the other site there would be underground stormwater facilities used. Paul Kenney suggested that the plans be sent to him so that the Park Service could evaluate the proposal for stormwater remediation. Steve Ratner noted that Byram has 80,000 gallons of sewer allocation. They may be currently close to their limit for sewer allocation.

Under Old Business, there was a discussion of recreational usage of the river. Pam Bailey noted that on a recent weekend day there were about 20 cars at Point Mountain. People were hiking and the area was clean. There was no garbage at Hampton Borough Park. The area around Stevens State Park has been very busy with teams of bicycles

along the river road. There were cars parked along the road near Stevens. Charlie did not see the heavy public usage as a problem.

Melissa Castelton reported that Stevens State Park re-opened on October 1 for fishing, hiking and biking. They are getting a lot of local and out-of-the-area visitors. The issue of Waterloo Road [TRUCK TRAFFIC?] has diminished. She has noted that some of the fishermen who recreate in the area leave trash wherever they go. She noted that appropriate signage about the fragility of the park area is always good. Usage is at a level that is seen to be appropriate for these unusual times. She also noted that the lakes in the watershed will be having annual drawdowns that will be starting shortly.

The next topic of discussion was the inclusion of the Segment C Designation of Holland and Pohatcong Townships. Paul Kenney reported that there was a 'flurry' of emails about the designation. It culminated today in a Federal Register notice about the proposed designation. This is currently being reviewed by the regional NPS Director and by the National Secretary of the Interior. The letter that the River Management Council sent must have had some impact. Paul is very happy to see it moving. Washington is preparing a response to the MRMC letter. Perhaps this is related to election timing. However, there has been a lot of movement in the last four or five days. Things are moving. The Council concept has proven to be effective in this.

Following this there was a discussion of tree fall blockages along the river. We previously ratified a resolution that we could appoint individuals and groups to investigate blockages with the permission of landowners and DEP. Funds were allocated to the MRMC to advance blockage investigation and our opportunity to respond to inquiries about blocks has been memorialized in that resolution.

Mr. Hunt then gave his report as Executive Director's Report. He first discussed the Asbury Mill. It is well on the way to being an interpretive center. We are at the end of a project to achieve a limited certificate of occupancy for public access in order to conduct tours and seasonal events.

The next report was on the Bacteria TMDL project that Montclair State has undertaken with Highlands Council funding. The farmers in the area seem to be doing their part to minimize non-point source pollution, but the current issue is homeowner septic systems. The municipalities are supporting the effort along the Warren County side of the river. Septic impairments are connected to groundwater contamination. We have a number of municipal letters of support on the project.

The Great Waters project was the next topic. This reflects a William Penn grant to the Musconetcong Watershed Association, ANJEC, the Watershed Institute, Delaware ???..., Highlands Coalition, and Trout Unlimited. How can the recreational use of the river be

monitored to assess impairments to water quality and wildlife habitat? He is looking for insight from Council members on how to address municipalities about recreational use of the rivers. The enhancement of water quality is the goal.

Alan then reported on Interpretive Signage Development. We are working on two signs to interpret the Asbury Mill site with Hunter Research. Paul Kinney has been reviewing. We are also creating an interpretive sign at Rieglesville for the historic aspects of both the Musconetcong and the Delaware Rivers.

Cindy Joerger then reported on the River Corridor Zoning Analysis. With funding from the National Park Service, we have been looking at an evaluation of the municipal zoning among the river communities. An open bid process was completed and HM has been selected as the contractor. MWA does not have a legal advisor on their board but we have been working with a pro bono firm to evaluate contracts. Thus far we have been well advised on the issue. All of the outstanding issues have been resolved and we are moving forward on developing a scope of work. We will be signing a contract shortly.

Alan added that we are looking at a 'traffic light' scheme to evaluate the sensitivity of different riverfront areas. There will be comparisons between the municipalities and established ordinance standards, noting that the Highlands Council has funding to address zoning issues.

Another project is the Sustainability Journal Article about West Portal Creek. The 'Journal of Sustainability' is looking at sustainability along Wild and Scenic rivers. How did we get the outcome on West Portal Creek of substantial reduction of non-source pollution on the creek? The Journal has been looking at how we have worked with landowners and done it on a watershed-wide sustainable basis. The article is far along in production.

Next was a discussion of the Warren Glen Dam Feasibility Study. Alan reported that MWA was awarded a cooperative agreement to work on a feasibility study for the Warren Glen Dam removal. This will focus on wildlife habitation restoration under a two-year cooperative agreement. This work will likely start in January. We have had interest expressed from some of the local radio stations. DEP has a liaison, Kerry Kirk Pflugh, who can address municipal concerns about the Warren Glen dam removal. The state is part owner of the dam and recognizes that it is out of compliance. That is driving the removal project.

Most important is Volunteer Hour Tracking. We have a new way of tracking. Please use the Google spreadsheet form that has been developed. Council members will be asked at the end of the month for their contributed hours. Keep your hours up to date. Those

hours are clearly tied to our NPS funding. The form may be revised for simplicity, ease of use and to provide good information.

Paul Kenney then gave the National Park Service Report. He touched base on the Tobias Farm warehouse project in Franklin Township. Beth Styler Barry will be distributing information on the next Franklin Township Planning Board Zoom meeting. Paul has determined that NPS has jurisdiction to do a review on the project depending on the nature of the stream that bisects the subject property. That is now being reviewed at the highest NPS levels. It appears to be a documented stream and NPS will be appealing to the US Environmental Protection Area because they believe that the state has made an error in their determination that it is not a stream. It appears that there was no process followed by the state in evaluating the site but it is coded as a trout maintenance stream in the state records. This is under Federal EPA jurisdiction under the Clean Waters Act. Paul noted that any individual can send a letter requesting a reversal of the state decision to EPA. Then the Park Service can do their review of the project.

Charlie asked if the Hampton site could also be reviewed in the same way because there is a stream going through the middle of that project. Paul noted that there was no surface water at the Hampton site although there was a lot of subsurface water. The Park Service has not received a response to their previous inquiry from NJDEP. He noted issues on two other Wild and Scenic rivers where fill is being dumped and is leeching into the rivers. Appealing to US EPA on the Tobias Farm seems to be a stronger move. Alan noted that the Tobias property has a mapped stream. The Haberman property site is mapped only by US Department of Agriculture.

Under Committee Reports, Charlie is moving forward on the mule silhouette project at Waterloo, but it is slow. When the project is done, there will be some sort of public acknowledgement.

Under Municipal and NGO Reports, the recreational sites have been mapped on the river. Albert Krouse reported that he has GPS locations for fishing and boating access sites. He created a web application that allows people to get descriptions of the activities available at the sites. He will provide links to the trail and access map to municipalities and other public websites. Charlie noted that the map should also be shared with the Scenic Rt. 57 Byway.

From other municipalities and organizations, Keri Green reported that Highlands Council's state funding has been unfrozen. Municipalities are urged to reach out to the Council for funding for any protect that helps in their effort to update the Regional Master Plan. She noted that Holland Township is one of the star Highlands municipalities. Dwight Pederson was grateful for the Highlands Council assistance and support.

Cinny MacGonagle reported that Bethlehem Township removed the COAH designation on property that fronts on the Musconetcong.

Under the Public Portion, there was no public questions or input. –

On a motion by Bill Leavens that was given second by Cindy Joerger, the meeting was adjourned at 9:05 P.M.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "John B. Leavens". The signature is fluid and cursive, with a long horizontal stroke at the end.