

Holland Township Environmental Commission Minutes

May 3, 2017 7 PM Meeting

Chairman Keady called the meeting to order. He read the notice satisfying the Open Public Meeting Act. All stood for the pledge of allegiance. All were reminded to turn off their cell phones or put them in silent mode.

Members Present: Jerry Bowers, Ted Harwick, Mike Keady, Susan Meacham, Dwight Pederson, Rick Schrack and Secretary Maria Elena Jennette Kozak.

Absent: Rick Schrack
Absent: Township Committee Liaison: Robert Thurgarland

Let the record show we have a quorum.

Minutes: A motion was made by Susan Meacham and seconded by Dwight Pederson to approve the April 5, 2017 minutes as presented. All present were in favor. Motion carried.

PennEast Pipeline Update: Mike Keady and Susan Meacham reported that all has been quiet. DEP deals another blow to PennEast pipeline project

By DAVID GIAMBUSSO

04/26/17 06:28 PM EDT

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The PennEast pipeline suffered another significant blow Wednesday when the state Department of Environmental Protection ruled that the company developing the interstate, natural gas pipeline had submitted an incomplete application for water permits that are necessary for construction to begin.

The project has faced stiff opposition from property owners

along the proposed 118-mile route from Luzerne County, Pa., to Mercer County, N.J. Landowners have refused to give PennEast surveyors permission to access their land, meaning the pipeline's application lacks significant data regarding environmental impact.

On Wednesday, the DEP said the breaches were too great for it to consider the application.

“DEP has determined that the application is administratively incomplete — meaning it is missing key information needed for us to effectively verify the extent of wetlands and transition areas within the limits of the proposed project, as well as review and assess impacts to those areas in accordance with the rules,” department spokesman Bob Considine said.

The ruling comes on the heels of a similar determination by the U.S. Army Corps of Engineers, which also found gaps in the application.

The DEP ruling is significant also in that Gov. Chris Christie has supported other natural gas infrastructure. PennEast has 30 days to fill in the blanks, but

without landowners' consent, that may be a tough obstacle.

"Without owner consent or the authority to condemn, DEP has no independent authority to access properties to validate the application information," Considine said. "Additionally, without site-specific information, DEP is unable to determine what, if any, detrimental environmental impacts there are to the project."

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PennEast, which is being developed by a group of energy companies, some of whom own utilities in New Jersey, maintained a positive outlook despite Wednesday's setback.

"As evidenced by the few outstanding items, which PennEast is working to address, PennEast believes it is a strong application that is substantially complete," said company spokeswoman Patricia Kornick. "PennEast will continue to work with NJDEP to address the issues noted by the Department to ensure that PennEast is working within the rules established by the federal

government for interstate pipeline infrastructure projects.”

The Federal Energy Regulatory Commission issued a final environmental impact statement for the project earlier this month. It said the project’s environmental impacts would be manageable, but DEP is now the second regulatory agency to say it did not have enough data to make such an assessment.

Last week, the [Army Corps](#) [wrote](#) that data gaps in the application “make it simply impossible to attempt to determine a permit issuance at this time.”

The rulings by the two agencies have raised questions about FERC's process.

“FERC should have never released the final EIS in the first place,” said Jeff Tittel, president of the New Jersey Sierra Club. “How can FERC’s EIS be considered final with all of PennEast's missing information? Not only has DEP come out against them because of a lack of information, but also the Army Corps. This shows the whole EIS process is a sham.”

Tittel is a frequent critic of the DEP, but praised its decision in this case.

Others, however, said the department should have gone farther.

“DEP should have rejected PennEast's application for permits outright,” said Tom Gilbert, campaign director for ReThink Energy NJ. “It fails to meet the basic procedural requirements under the law that allow DEP to review it — especially their lack of legal rights to most of the properties in question.”

DEP has warned PennEast in the past about missing data, as has the U.S. Environmental Protection Agency.

Read the DEP ruling [here](#).

The basic decision that needs to be addressed is what should Holland Township do next. The Army Corps of Engineers said they would not issue any permits. The NJDEP gave them 60 days to come back with information. NJDEP also requested that permission signed by the landowners be provided. FERC can issue conditional approval subject to items being needed. The reports we have in the Municipal Building need to remain on file. PSE&G has pulled out. Eminent Domain would allow multiple pipelines beyond just PennEast.

The Holland Township Pipeline subcommittee consisting of Larry LaFevre, Dan Bush and Mike Keady are to have a meeting. Retired Committeeman Vogel is no longer on the subcommittee and will not be replaced yet. Susan Meacham offered

to come up with some facts for Mike Keady . We also need to develop a financial plan if push came to shove on what it will cost Holland Township. Our attorney fees associated to this project are nothing compared to the commitment of other municipalities. Mike Keady will reach out to Assessor Trivigno to see what she has relating to the project. She might be able to see if property values diminished when the Elizabethtown Gas 8” line came thru Holland Township. Some property owners in town did receive money for allowing the pipe to go through their property.

2017 NJ Tree Recovery Campaign

Seedling pickup is Thursday May 4, 2017 – Ted Harwick and Dwight Pederson will pick up again. As stated before, once the trees are assigned to Holland Township, a call will be made to secretary Kozak so she can do the information printing. Secretary Kozak will meet Dwight Pederson and Ted Harwick at the recycling center to put the trees away. Secretary Kozak will work with Alfons to get tables set up for the event. The meeting time is 8:15 am on May 6, 2017 with the Boy Scouts arriving around 8:30 am. Pictures will be sent to Secretary Kozak.

Holland Township School Green Fair – April 26, 2017 from 4 pm to 6 pm. The event was well attended. The fishing game was a huge success. Participation at future events will need to be evaluated. Many people asked about the Emerald Ash Borer.

Sub-Committees:

Stormwater Education – Mike Keady, Rick Schrack and Maria Elena Jennette Kozak as Secretary –nothing new to report.

Trails – Ted Harwick, Jerry Bowers and Richard Schrack. –

Ted Harwick attended the Holland Park Association meeting in April and voiced his concerns about a “nice” parking lot which he was told is something Holland Township needs on this property. It is his feeling that the Environmental Commission (EC) should step back from the Park Association regarding the parking lot and just concentrate on the DEP grant awarded to Holland Township with the EC’s involvement. Jerry Bowers suggests compromise and negotiation. Jerry Bowers is still in favor of a moderate parking lot facility. Chairman Keady suggested just concentrating on the trails. TC Liaison Thurgarland is to work with Engineer Roseberry about “wetland” concerns.

We are going to wait to hear back from our engineer as to trails and wetlands so no action is needed tonight. We will let you know the findings.

Rick is finalizing the estimates for the parking lot and part of the EC grant as approved by the EC will be used to cover some of the engineering costs the rest the township will figure out and for trails clearing we might have an in house alternative which I will update you all later on.

Bob

Robert Thurgarland, Committeeman
Holland Township

Community Education and Outreach – Jerry Bowers, Dwight Pederson, and Ted Harwick – If you see additional corrections that are needed please send them to Secretary Kozak. The link is as follows: <http://www.hollandtownshipnj.gov/14-ec/46-environmental-commission.html>.

Highlands Conformance – Jerry Bowers (chair) and Mike Keady. Moving forward. Jerry Bowers has made comments on the Highlands Land Use Ordinance document vs. Group Melvin notes from the last review of the document. Mike Keady will review the information and one document will be created to present to Darlene Green for review. The EC just reviews the documents. The Planning Board and the Township Committee will have the official role. .

Shade Tree and Community Forestry Plan Sub-Committee – Ted Harwick, Dwight Pederson and Maria Elena Jennette Kozak as secretary.

Secretary Kozak will reach out to Henry Gore to see if he will do another Tree Educational Seminar like last year. Just a reminder, if you participate in a webinar please provide Secretary Kozak with your certificate so she can work with the state on keeping track of the hours. We will also need to discuss having someone move forward with CORE Training.

Public Comment: No comments were expressed.

Planning Board Application update:

“Block 2 Lot 1.02 & Block 4 Lot 1– Mill Road Solar Project LLC – 10 Mill Road – Preliminary and Final Site Plan – Solar Project – Deemed incomplete February 8, 2016. Revised Site Plans Received into our office June 21, 2016 – 45-day completeness deadline July 31, 2016. Board Action needed.” Deemed incomplete. Additional information submitted to the Planning Board with a completeness hearing to take place at the next scheduled meeting of September 12th. Extension

granted to October 10, 2016. Additional information submitted for consideration. Extension granted to November 14, 2016 meeting. Deemed Complete. Public Hearing scheduled for January 9, 2017, February 13, 2017 , March 13, 2017 and carried to May 8, 2017.

The applicant asked for a continuation till the scheduled May meeting. There is nothing new to report. So Ted Harwick and Mr. Bowers will not recuse themselves as they are an abutter. He did not leave the building.

All were reminded to take pictures at all events. Please send to Secretary Kozak.

At 9:00: pm Dwight Pederson made a motion to adjourn.

Respectfully Submitted

Maria Elena Jennette Kozak

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Environmental Commission Secretary