

PUBLIC COMMENTS SUBMITTED AT HIGHLANDS  
COUNCIL MEETING ON JANUARY 22, 2015

## **Comments on Land Equity Program Resolution – January 22, 2015**

My name is Deborah Post, harmed property owner, Chester Township.

I requested a copy of the Landowner Equity and Land Preservation Program referenced in this resolution when it appeared on this posted agenda. My request was denied. I am attaching the denial to my comments here.

Public comment is required under the Procedures Act prior to the resolution vote of any state agency. How is the public to comment in an informed manner if the documents referenced in this resolution have not been available for our review?

The proposed resolution posted on your website referred to a final draft document. A resolution may not be based on an in-process changing draft. You can't hide behind "preliminary".

This is another example of the opaque process of this Council with not even the semblance of transparency or legally required participation by those impacted by your actions.

I reiterate and re-emphasize a comment I have made before which is ignored. The HDC must be embraced as the Highlands currency. Any marketplace for this currency must be broad with real world demand. I have recommended that this Council call upon the Governor to establish a Highlands Just Compensation Task Force to develop a plan for such an HDC marketplace. Task forces are the usual precedent and prerequisite for legislation with any prayer of passage. Indeed such a just compensation marketplace should be viewed as a pilot concept that could be extended throughout the State where society's concern with the environment collides with property owners equity.

I recently took the opportunity to review the bios of your staff. 100% green and planning without even a speck of the financial background need to develop private market demand for the Highlands currency.

This resolution further buries any hope of a land equity program with viability by delegating it to those with no expertise and no sincere interest.

Subj: **Program Document Request**  
Date: 1/20/2015 4:09:06 P.M. Eastern Standard Time  
From: [Kim.Kaiser@highlands.nj.gov](mailto:Kim.Kaiser@highlands.nj.gov)  
To: [DAPost2@aol.com](mailto:DAPost2@aol.com)

Ms. Post,

We have received your request by email dated January 20, 2015 asking for:

A copy of the Land Owner Equity and Land Preservation Program, a final draft of which has been vetted through the

Committee pursuant to proposed Resolution posted for January 22 consideration.

With respect to your request, please be advised that the Land Owner Equity and Land Preservation Committee will be reviewing the Land Owner Equity and Land Preservation Program (Program) at its next meeting prior to the Council meeting on January 22, 2015. As a result, a final draft of the Program will not be available before the Council meeting. However, a copy of the Program will be available after the Highlands Council votes on the resolution at the Thursday meeting. Assuming the Council moves the Program, copies of the Program will be on the table outside of the meeting room and will be added to the Highlands Council webpage at [www.highlands.state.nj.us](http://www.highlands.state.nj.us)

Very truly yours,

Kim Ball Kaiser

Kim Ball Kaiser, Esq.  
Senior Counsel  
New Jersey Highlands Council  
100 North Road (Route 513)  
Chester, New Jersey 07930-2322  
T. (908) 879-6737 ext. 131  
F. (908) 879-4205  
[kim.kaiser@highlands.state.nj.us](mailto:kim.kaiser@highlands.state.nj.us)

*Please consider the environment before printing this e-mail*

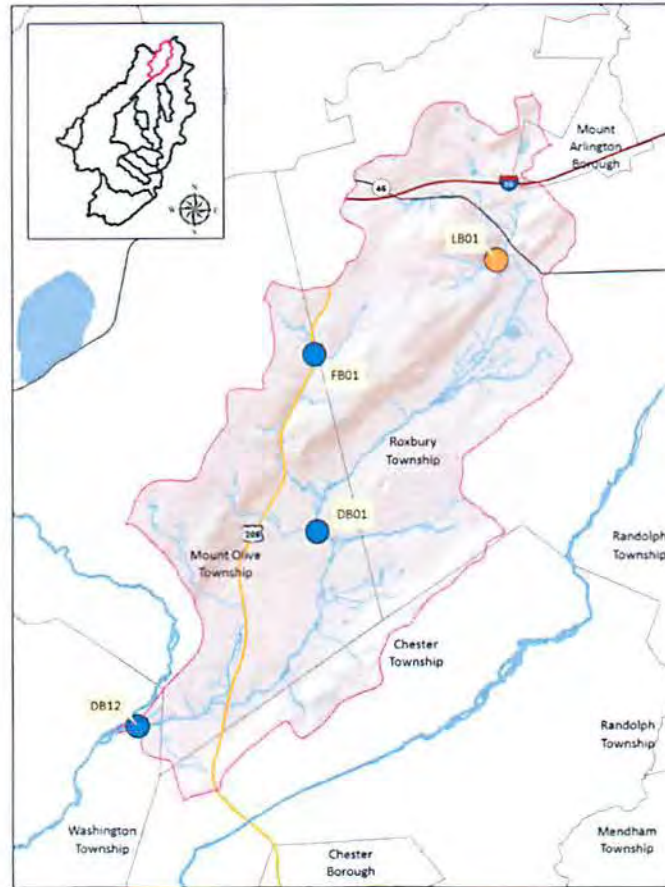
## CONFIDENTIAL LEGAL COMMUNICATION/WORK PRODUCT

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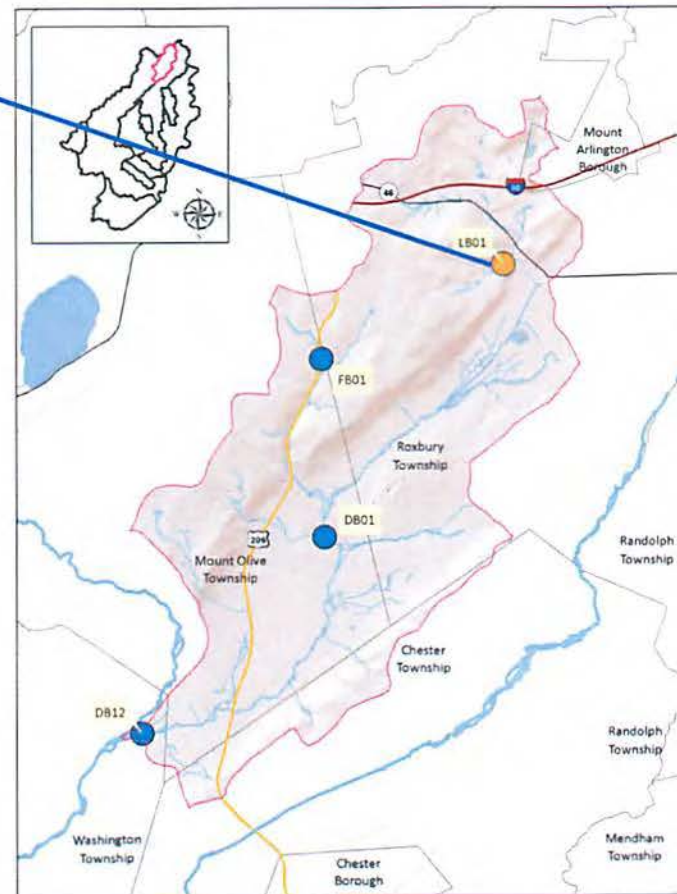
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Thursday, January 22, 2015 AOL: DAPost2

# Fenimore Landfill & Ledgewood Brook

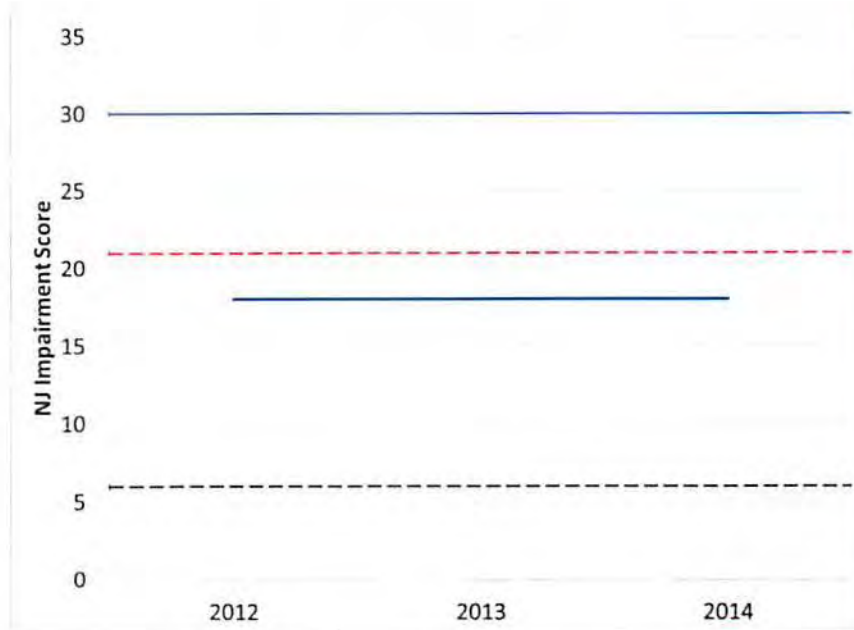


# Water Quality: Ledgewood Brook Site 1

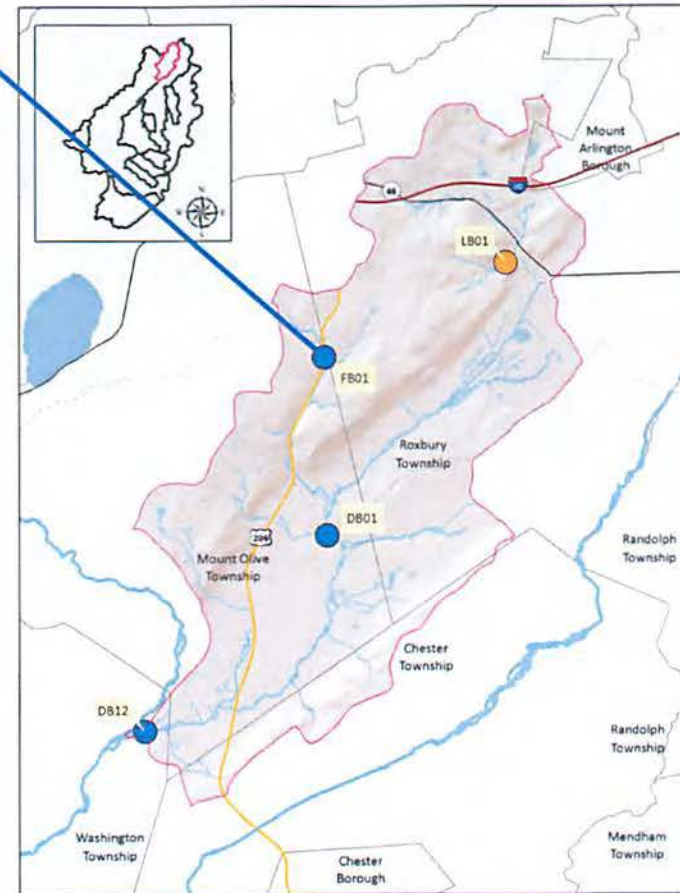
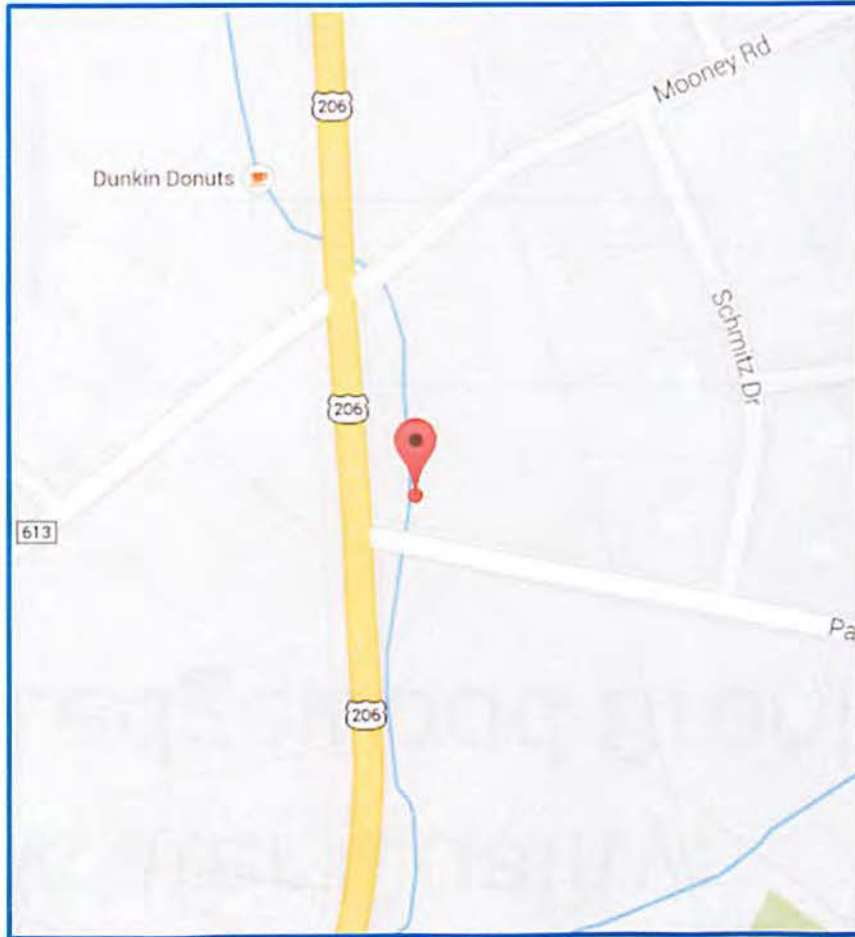




# Water Quality: Ledgewood Brook Site 1

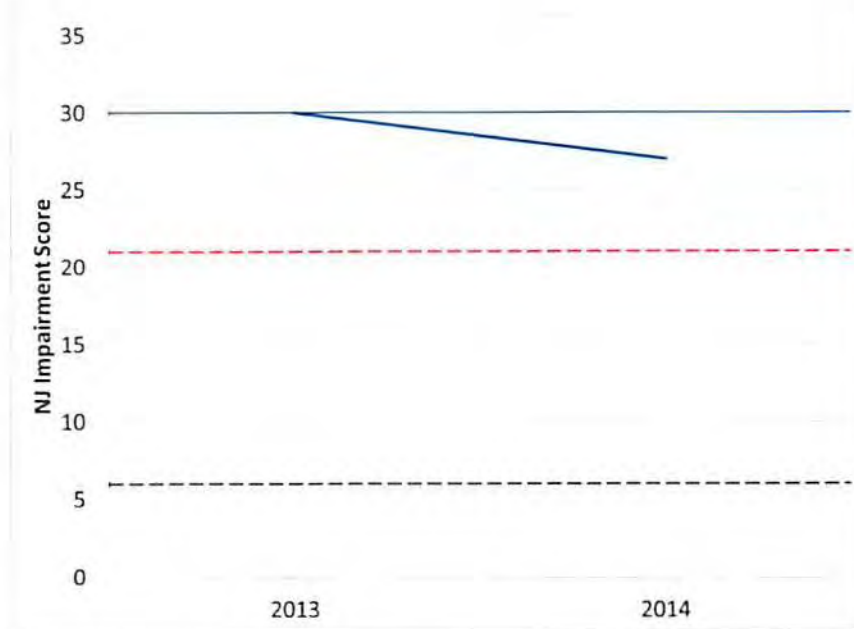


# Sites Neighboring Fenimore: Flanders Brook Site 1



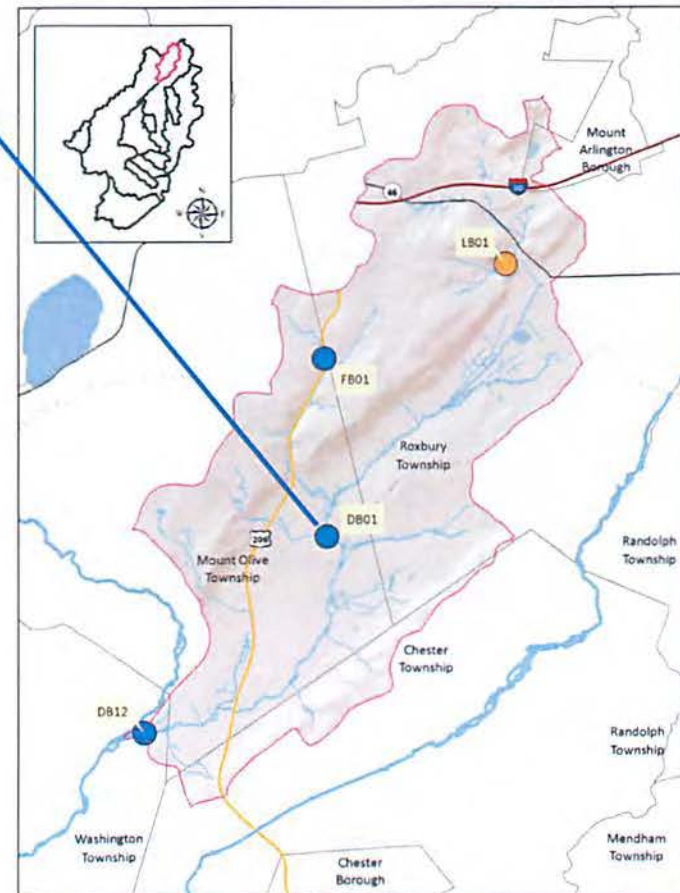


# Water Quality: Flanders Brook Site 1

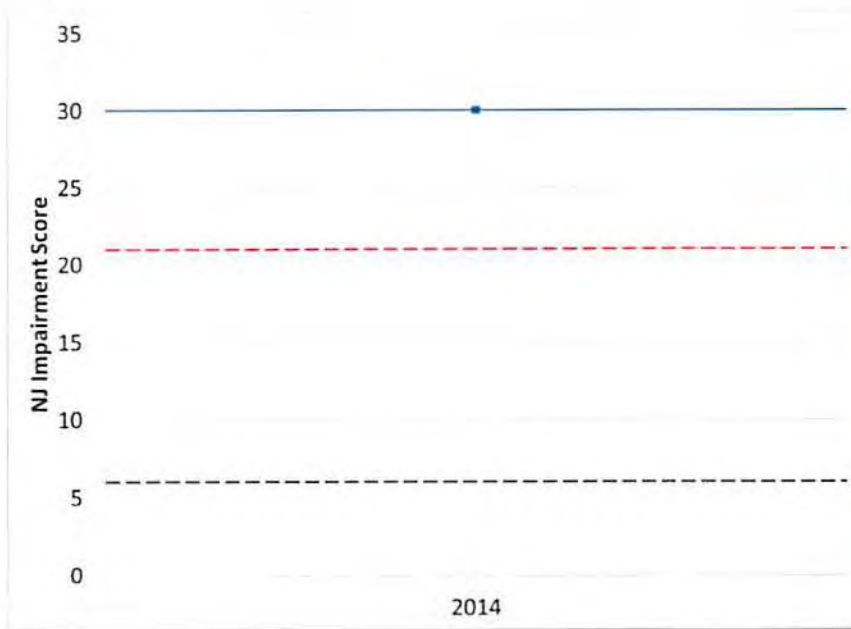




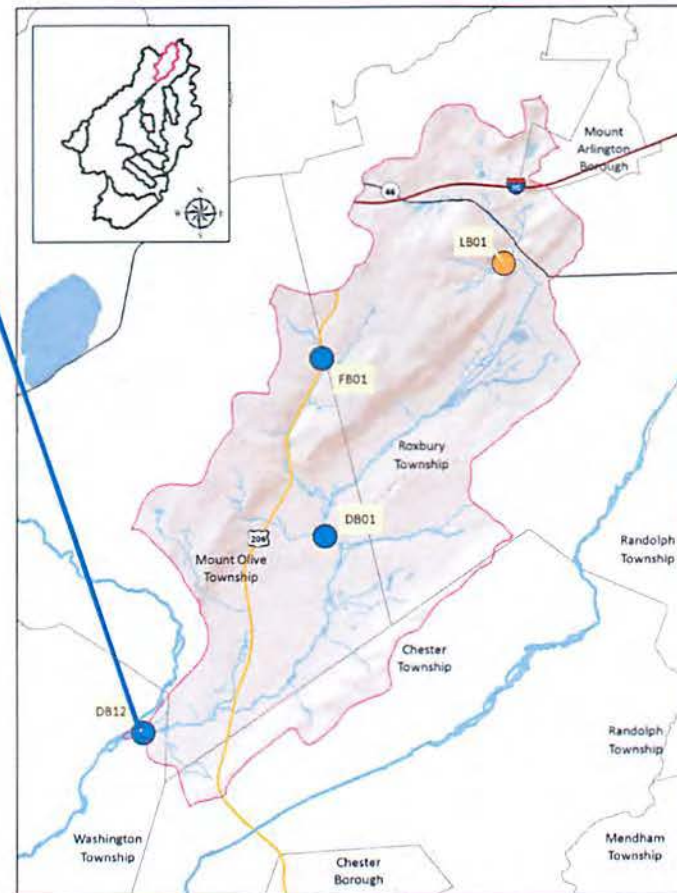
# Sites Neighboring Fenimore: Drakes Brook Site 1



# Water Quality: Drakes Brook Site 1

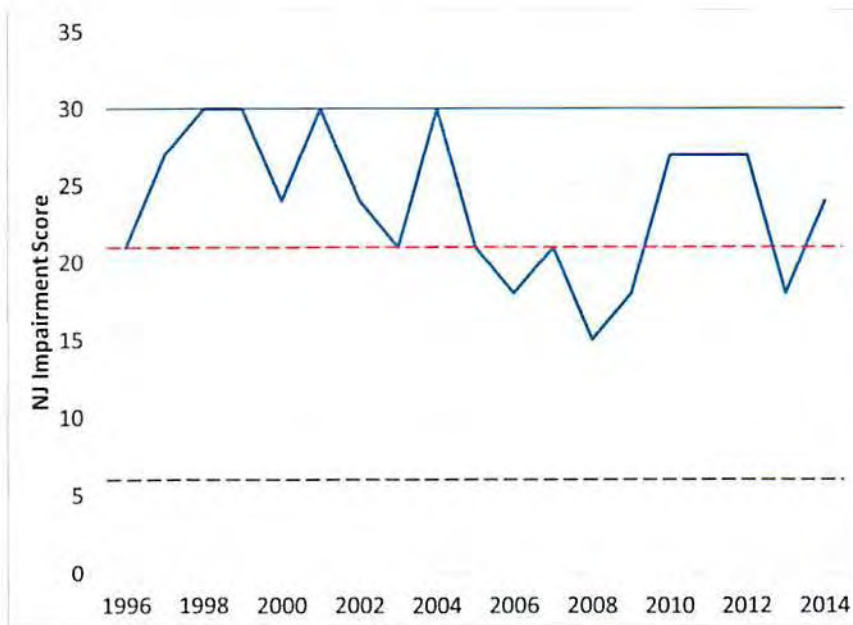


# Sites Neighboring Fenimore: Drakes Brook Site 12





# Water Quality: Drakes Brook Site 12





**Summary of Laboratory Analysis - Ground Water and Leachate  
Former Fenimore Landfill  
Roxbury, NJ**

| <b>LOCATION</b>      | <b>Leachate Pond</b> | <b>Leachate Breakthrough</b> | <b><i>NJDEP Surface<br/>Water Screening<br/>Criteria</i></b> | <b><i>NJDEP Ground<br/>Water Quality<br/>Standard</i></b> |
|----------------------|----------------------|------------------------------|--|---|
| <b>SAMPLED BY</b>    | <b>DEP</b>           | <b>DEP</b>                   |  |   |
| <b>SAMPLE ID</b>     | <b>184431</b>        | <b>184434</b>                |  |   |
| <b>SAMPLING DATE</b> | <b>1/10/2013</b>     | <b>1/14/2013</b>             |  |   |
| <b><i>Metals</i></b> |                      |                              |  |   |
| <b>Aluminum</b>      | <b>8440</b>          | <b>4010</b>                  |  | <b>200</b>  |
| <b>Antimony</b>      | <b>0.9</b>           | <b>57.8</b>                  | <b>5.6</b>   | <b>6</b>  |
| <b>Arsenic</b>       | <b>1.72</b>          | <b>637</b>                   | <b>0.017</b>   | <b>0.02</b>   |
| <b>Lead</b>          | <b>32</b>            | <b>214</b>                   | <b>5</b>   | <b>5</b>  |
| <b>Manganese</b>     | <b>1050</b>          | <b>3840</b>                  |  | <b>50</b>   |

**Notes:**

All concentrations expressed as ug/L

~~REDACTED~~  

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**From:** "Themeachams" <themeachams@ptd.net>  
**Date:** Thursday, January 22, 2015 1:42 PM  
**To:** ~~REDACTED~~  
**Attach:** HIGHLANDS TALK READING VERSION.sdm.\_doc  
**Subject:** Please print.2.....THANK YOU.....

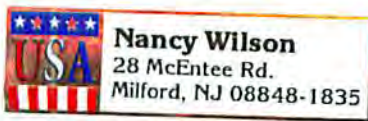
Good afternoon. I am Susan Dodd Meacham, Phillips Road, Holland Township. In 1965 my mother, newly widowed, moved me out of New York and began turning the abandoned historic Hager Grist Mill into our home. Sheep farming gave us the farm assessment that meant Mother could afford the property taxes and give me the kind of life she and my father envisioned, and today, we are three generations that continue to cherish that 25 acre homestead. Our front stream still runs strong – it was the power source for the mill, and the earthen sluesways that carried its water are still visible.

The Highlands Council has earned this regions' sincere thanks for holding the line, despite criticism, against many threats like predatory developers. We are now under siege from the natural gas industry. Penn East seeks to open an easement corridor through Hunterdon County for a 36" natural gas transmission line from Pennsylvania to Trenton. We know there are at least four other projects waiting in the wings to see if the Federal Energy Regulatory Commission grants this easement. If so, these other pipeline companies will surely seek the right to widen those easements for their transmission lines. And I don't have to tell you that once ruined, our ecologically sensitive rural areas can never ever be returned to their original state. My 25 acres alone supports tremendously diverse marsh plants, rare bugs and beautiful creatures like Bobcats, Coyote, muscrats and beaver, Great Blue herons, kingfishers, hawks, owls and other raptors; our trout streams support rare mudpuppies and countless species of salamanders, toads and frogs. This is what Hunterdon County is about.

Penn East has swept into this county with hollow promises of jobs which I personally confirmed with a union rep are temporary and will not be sourced locally. Promises of cheap gas – meant for other parts of the country and I'm **morally certain** meant for export. They promise millions in tax revenue which will be eaten up by costs of road repairs from construction traffic, increased municipal hazard insurance, storm water runoff remediation caused by cleared land; reduced tax revenues from lowered home values due to pipeline easements and people moving away; loss of income for local farmers, dairies and wineries who cannot farm on the easement or who will lose their organic certifications. But Penn East has offered grant money under the guise of helping our townships, in what is essentially thinly veiled bribery - they think we're stupid enough to feel beholden to them if they offer us these paltry gifts.

We're being asked to sacrifice everything - land, waterways, our safety and our very way of life so PennEast can snatch up preserved farm land for less than market value, blast and cut through it for a 100 foot wide working right of way, for what? So they can rake in huge profits. WE invested our hard work and WE invested our money to live here because WE value the interdependent web of life above many other things. It's ironic that Hopewell asked for natural gas service years ago, but the gas companies turned their backs on them saying it was too expensive to install.

I know I speak for many people in beseeching you as the Highlands Council to exercise your fullest authority over this project and continue your noble fight for our rural way of life. Please continue to preserve the fragile, beautiful watershed areas that WE and your Council have worked so hard and invested so much to preserve.



My name is Nancy Wilson, I am a member of Holland Township Concerned Citizens Against the Pipeline. I am here to testify about the proposed Penn East Pipeline. It is a 108 mile 36" buried high pressure natural gas pipeline proposed to run from northeastern PA to Mercer County, NJ. Part of this pipeline is proposed to run for approximately 8 miles of the Highlands Planning area in Holland Township, Hunterdon County. It serves no local market, as in our rural area there are very few natural gas customers.

When I first heard of this pipeline, my first thought was about the Highlands Act. I knew that the act required a 300 foot buffer zone around C-1 streams. The proposed pipeline will cross at least 20 creeks and their tributaries in Holland Township. When asked at a local meeting, how they would cross streams, PennEast spoke of temporarily diverting the water so they could build the pipeline, and restoring the waterways to the original condition afterwards. I now know that this is impossible. These streams are now mostly in there free flowing natural state, and stocked annually with trout. Any disturbance of the creek bed or bank would affect the quality of the water and risk sedimentation and storm water runoff problems.

As part of the Highlands Council's development of a Regional Master Plan, (RMP) the council developed the Highlands Environmental Inventory for Holland Township. Using data from that document, the Holland Township Committee drafted a resolution against the pipeline. I have included a copy with this testimony. It lists seven points related to the pipeline's noncompliance with the RMP.

Penn East Pipeline company has not shown any real regard for our local water laws as the company assumes that their federal designation exempts them from local jurisdiction. This is not entirely true. Interstate pipeline construction falls under the jurisdiction of the Federal Energy Regulatory Commission or FERC. FERC is currently compiling data for their Environmental Impact Statement. The deadline for submission is currently Feb. 27, 2015. I hope you can submit a comment to them before that date.

Penn East Pipeline company has met with the NJ DEP, although, to my knowledge they have not yet submitted a permit application. It is my understanding that when they do, you will be called upon to do a Consistency Determination. I have recently learned that the powers that FERC has under the Natural Gas Act do not preempt NJ DEP regulations. This is rather complex and hard to explain. FERC's authority cannot be in conflict with another FEDERAL regulation, even if it supersedes state regulations. NJ DEP regulations on wetlands, streams and their buffers are the STATE's mechanism for enforcing the federal Clean Water Act. In Connecticut, this situation resulted in the denial of a water quality certificate for a pipeline, and the ruling held up in court. Therefore the Highland Council's input can be instrumental in protecting our natural resources from this pipeline construction.

I thank you for listening to me today and for all you do to protect our natural resources in this part of the Great State of New Jersey.



**Township of Holland**  
**IN**  
**HUNTERDON COUNTY**

**61 Church Road**  
**Milford, New Jersey 08848**  
**Phone (908) 995-4847 ext 210**  
**Fax (908) 995-7112**

[www.hollandtownship.org](http://www.hollandtownship.org)

**RESOLUTION**  
**A RESOLUTION OF THE TOWNSHIP OF HOLLAND**

WHEREAS, PennEast Pipeline Company, LLC, a joint project of AGL Resources, NJR Pipeline Company, a subsidiary of New Jersey Resources, South Jersey Industries, PSEG Power and UGI Energy Services, a subsidiary of UGI Corporation, proposed the construction of a new pipeline for the transfer and delivery of natural gas generated by deep well "fracking" in areas of Marcellus Shale in Pennsylvania; and

WHEREAS, the proposed pipeline is approximately one hundred (100) miles long of thirty-six inch (36") buried pipe crossing parts of Luzerne, Carbon, Northampton and Bucks Counties in Pennsylvania and Hunterdon and Mercer Counties in New Jersey, with approximately 8 miles of pipeline being located in Holland Township; and

WHEREAS, the New Jersey Highlands Water Protection and Planning Act (*N.J.S.A.* 13:20-1, et. seq.) ("Act") was passed in 2004 to protect the sources of water for half the population of New Jersey, and Holland Township was included as one of the 88 municipalities in the Highlands Region of the state; and

WHEREAS, the Act created the Highlands Council and charged them with developing a Regional Master Plan (RMP) to which the 88 municipalities could conform their municipal Master Plans, their Land Use Code and other documents; and

WHEREAS, The Act placed Holland Township entirely within the Highlands Region, with 13% of the Township's land included in the Preservation Zone, where conformance to the RMP is mandatory. Additionally, Holland Township has voluntarily conformed to the RMP in the Planning Area, where the proposed PennEast pipeline route is located; and

WHEREAS, as one of the steps toward full conformance to the RMP, the Highlands Council developed a Highlands Environmental Resources Inventory (ERI) for Holland Township, using the latest scientific data. This Highlands ERI was adopted by Holland in November 2013 and made an element of the Township's Master Plan; and

WHEREAS, Holland Township can, therefore, accurately gauge the impacts of the proposed PennEast pipeline on its natural resources because a state agency has compiled and authenticated an inventory of those resources using the latest and most up-to-date data, and that information provides the basis of the following points:

1. The proposed pipeline will cross at least 20 creeks and their tributaries in three of the five subwatersheds in Holland, the Hakiokake Creek (HUC-14 code 02040105170020), the Hakiokake Creek (02040105170030), and the Hakiokake to Musconetcong subwatershed (02040105170010). Not only will the pipeline disturb these streams but it will also intrude on the mandatory 300-foot buffer on each side of the streams. These buffers contain vegetation that shadows the stream and keeps the water cool, and the vegetation slows run-off into the stream, mitigating flooding. The majority of these waterways are classified Category-One (C-1) by the New Jersey Department of



Environmental Protection (NJ DEP), indicating that trout can reproduce because the water in those waterways is the cleanest in the state. Because trout lay their eggs on the bed of these streams, any silt introduced during construction can precipitate to the bottom and smother the eggs. Damage to these streams and buffers will affect water users in Holland and the millions of users to the east who depend on the Highlands for municipal water.

2. The eastern and western ends of the pipeline will intrude upon Prime Groundwater Recharge Areas in Holland as identified by the Highlands Council. Compaction of the earth by heavy equipment will impair the ability of these areas to recharge water. This is significant because the Highlands Council has determined that all of Holland Township has a water deficit, so we cannot afford to have recharge areas impaired.
3. The Highlands ERI also identifies Carbonate Rock Areas in Holland Township. Underlying materials such as limestone and dolomite can be dissolved by surface or ground water causing sinkholes, sinking streams and caves. The Highlands ERI explicitly warns, "Sinkholes present a geologic hazard as they may undermine such infrastructure as stormwater basins, roads, sewer lines, septic systems, and natural gas lines." The proposed route of the PennEast pipeline will cross a carbonate rock area immediately after the Delaware River crossing and another when it crosses Church Road.
4. The vast majority of the pipeline route intrudes upon Critical Habitat mapped in the Highlands ERI. The Highlands Council utilized NJDEP's Endangered and Nongame Species Program Landscape Project data to delineate suitable critical wildlife habitat for species of concern, employing the latest Version 3 of the Landscape Project. Among the threatened and endangered species occupying Critical Habitats in Holland Township are Great Blue Herons, Bobolink, Cooper's Hawk, Osprey, Wood Turtles, Bobcats, Northern Harriers and Vesper Sparrows.
5. The Highlands Council determined that Holland Township contains 4,483 acres of Severely Constrained Slopes (20% or greater slope), and the proposed PennEast pipeline crosses many areas of these Severely Constrained Slopes. On the western end, the pipeline encounters the steep slopes of Musconetcong Mountain; in the middle of the route it crosses Gravel Hill; and on the eastern end it encounters slopes above 20% along the stream routes. The Highlands ERI cautions that "Disturbance of areas containing steep slopes can trigger erosion and sedimentation, resulting in the loss of topsoil. Silting of wetlands, lakes, ponds and streams damages and degrades wetland and aquatic habitats, especially trout streams that are found throughout the Highlands and receive the State's highest water quality protections. Steep slope disturbance can also result in the loss of habitat quality, degradation of surface water quality, silting of wetlands, and alteration of drainage patterns."
6. The pipeline also intrudes upon the Forest Resource Area identified by the Highlands Council. Most of this disturbance is in the Gravel Hill area, which is classified as High Integrity Forest Area, defined as "Predominantly forested, including a high proportion of forest cover consisting of high core area, large patch size, and a low distance to nearest patch."
7. Finally, Holland Township has spent many years and hundreds of thousands of state taxpayer dollars to achieve full conformance with the Highlands RMP. The Township is on the cusp of adopting the Highlands Land Use Ordinance, which will drastically update the Townships code. Developers and citizens will have to obey much stricter laws,

including increased lot sizes, with the objective of protecting our rural environment. It is a travesty that the good intentions and resources of the state of New Jersey and the Township of Holland can simply be tossed aside by private corporations and a Federal agency to transport natural gas that will likely benefit no one in our community.

WHEREAS, the proposed route crosses properties that were purchased with New Jersey Department of Environmental Protection Green Acres Funds, New Jersey Department of Agriculture Funds, Hunterdon County Open Space Funds, Holland Township Open Space Funds, Federal Farm and Ranch Protection Program Funds, New Jersey Water Supply Authority Funds, as well as other properties that are subject to conservation easements and/or deed restricted against development; and

WHEREAS, the proposed route crosses or affects properties that were purchased by non-profit land conservation and protection organizations including the New Jersey Conservation Foundation and the Hunterdon Land Trust; and

WHEREAS, the route crosses over 10 farms, totaling 1,031 acres, which the taxpayers of the State of New Jersey, Hunterdon County, Holland Township, as well as foundations and individual donors and farmers and landowners, have invested \$4,865,469 to permanently preserve in perpetuity. In addition, the route crosses 7 lots of preserved open space on Gravel Hill and Milford bluffs, all owned by NJDEP costing about \$2,180,780 to preserve; and

WHEREAS, the proposed route crosses the Pursley's Ferry and Bunn Valley historic districts, in addition to 12 historic sites, all but one of which are listed in the 1979 County Survey Sites of Historic Interest. The rural agriculture landscape and its built environment are unique and irreplaceable cultural resources; and

WHEREAS, the proposed route will impact Township owned open space, privately held open space, and scenic vistas; and

WHEREAS, the proposed route and the construction of pump stations along the way will impact ground water that Holland Township residents depend on for domestic consumption, wetlands, springs, and C-1 designated streams, all of which are highly valued by residents and visitors, are necessary for Holland Township's way of life, and are irreplaceable; and

WHEREAS, the proposed route of the pipeline passes directly through property that Holland Township has worked diligently for years to have developed for affordable housing. With the consent of the property owner, the site has been designated by the New Jersey Council on Affordable Housing as a site for affordable housing. After several years of inaction, the property owner within the last year has begun active efforts to construct market and affordable housing units on this site. Permitting the pipeline to pass through this property will prevent the development of that housing, thereby depriving low and moderate income people of the opportunity to have affordable housing in Holland Township. Even though Holland Township has substantial open space and undeveloped land, most of it is located in an area that does not have sanitary sewer capacity, is environmentally fragile or the property owner is not interested in seeing affordable housing built on it. Permitting the pipeline to pass through this property will set back the efforts of Holland Township to satisfy this very important Constitutional obligation; and

WHEREAS, the proposed pipeline also cause damage to Holland Township residents by potentially lowering property values, raising health concerns, raising safety concerns, impacting farms

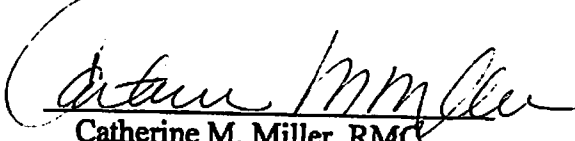
and residences, and generally degrading their quality of life and the historic, environmental and cultural resources they have dedicated themselves to protecting.

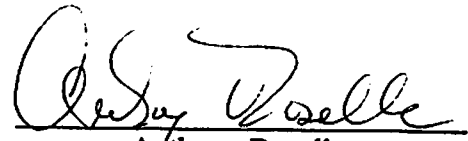
**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Holland, Hunterdon County, New Jersey as follows:

1. The Holland Township Committee does hereby object to the design and construction of a thirty-six (36) inch pipeline passing through and under Holland Township, Hunterdon County. The construction and operation of the pipeline will significantly damage C-1 protected streams, wildlife habitat, existing farm operations, and the quality of life in Holland Township.
2. The Holland Township Committee calls for a moratorium on any and all planning for the PennEast Pipeline and requests that any such project, if approved, be removed from the pristine reaches of Hunterdon and Mercer Counties in New Jersey and Luzerne, Carbon, Northampton and Bucks Counties in Pennsylvania.
3. The Holland Township Committee seeks the cooperation of other similarly located and affected municipalities, asking that all nearby affected municipalities adopt a similar resolution.
4. The Holland Township Committee adopts, and calls upon similarly situated municipalities to adopt a resolution authorizing each municipality to join together to enter their appearance in any proceeding before the Federal Energy Regulatory Commission, the Delaware River Basin Commission, the New Jersey Public Utility Commission, and any other regulatory authority, so that by the strength of numbers they may successfully oppose the PennEast Pipeline project and have the ability to cause the relocation or termination of the project so as to prevent environmental degradation and to protect the environment envisioned by the State of New Jersey.
5. The Holland Township Committee will act as an Intervener and/or Objector to the proposed PennEast Pipeline.
6. The Holland Township Committee will appoint a Holland Township subcommittee to help the governing body in its efforts as an intervenor in the FERC process and provide guidance in submitting written objections to FERC in opposition to the pipeline.
7. Working with its non-profit partners, local groups, and other municipalities, the Holland Township Committee will exercise careful fiscal oversight in this opposition process.
8. The Holland Township Committee recognizes that the pipeline could be beneficial to society through potentially lower natural gas prices in the national economy, though Holland Township will not currently benefit from any of the natural gas being transported through this pipeline. The Holland Township Committee determines that the damage to the Township outweighs any benefit the Township will gain based on the information known to date.
9. The Holland Township Committee genuinely hopes PennEast and its partners respond to the public outcry over the proposed route of the pipeline and re-route all or parts of the proposed pipeline in response to the numerous concerns raised in this Resolution and other similar ones.

10. The Holland Township Committee encourages PennEast and its partners to develop creative ways to avoid or greatly minimize the damage the pipeline will cause to the environment, preserved properties, the aquifer and, most importantly, the homes and lives of the citizens of Holland Township.

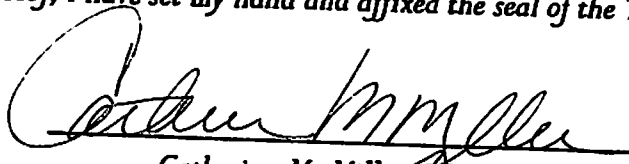
ATTESTED:

  
Catherine M. Miller, RMC  
Municipal Clerk  
Township of Holland

  
Anthony Roselle  
Mayor  
Township of Holland

*I Catherine M. Miller, Municipal Clerk, hereby certify that the foregoing resolution is a true and accurate copy of a resolution adopted by the Township Committee of the Township of Holland at a regular and duly convened meeting held on October 21, 2014.*

*In witness thereof, I have set my hand and affixed the seal of the Township of Holland this 24<sup>th</sup> day of October 2014.*

  
Catherine M. Miller, RMC  
Municipal Clerk, Holland Township

*Copies of this Resolution have been sent to the following:*

Governor Chris Christie  
Congressman Leonard Lance  
Senator Cory Booker  
Senator Robert Menendez  
Congressman Rush Holt

Senator Michael J. Doherty  
Assemblyman John DiMaio  
Assemblyman Erik C. Peterson

Freeholder Robert G. Walton  
Freeholder Matthew Holt  
Freeholder John King  
Freeholder John Lanza  
Freeholder Suzanne Lagay

New Jersey State League of  
Municipalities

Delaware River Keeper  
Network  
New Jersey Sierra Club  
Washington Crossing Audubon  
Society  
NJ Highlands Council  
Hunterdon Land Trust  
Federal Energy Regulatory  
Commission  
PennEast Pipeline Company

Municipalities in New Jersey  
Township of Alexandria  
Township of Kingwood  
Township of Delaware  
Township of West Amwell  
City of Lambertville  
Township of Hopewell

Municipalities in Pennsylvania  
Township of Dallas  
Borough of West Wyoming  
Wyoming Borough  
Kingston Township  
Jenkins Township  
Plains Township  
Bear Creek Township  
Kidder Township  
Penn Forest Township  
Towamensing Township  
Lower Towamensing Township  
Moore Township  
Upper Nazareth Township  
Lower Nazareth Township  
Williams Township  
Bethlehem Township  
Lower Saucon Township  
Durham Township  
The Borough of Riegelsville  
East Allen Township



## Beverly Budz Vernon twp. North Jersey Pipeline Walker

Good evening, the last time I stood before you Northern New Jersey had about 200 thousand more trees on its landscape and in its state parks.

Let's take a look back at what you allowed to happen to New Jersey by voting yes to the El Paso Company's Tennessee Gas pipeline upgrade project, now owned and operated by Kinder and Morgan.

**Major Deforestation** took place in our State Parks, including the selling and profiting of 100's of thousands of trees by this gas company.

**Uncontrollable fires** broke out along the 300 line right away, which were unreachable by first responder due to the location. **A Major mud slide** which surrounded dwellings and engulfed automobiles took place in Vernon twp. Which ultimately closed down the main artery of our town along rt 94. **West Milford** also suffered their own horrific mud slide, again generated from the construction of the 300 line upgrade project. The water quality of Lake Look Over has been compromised due to the pipeline construction on steep slopes. **Toluene, benzene, Vocs, Total Petroleum Hydrocarbons and other nasty chemicals** have been spilled thru at least 3 sensitive wetlands in Waywayanda State Park, and as we all know, water migrates, the contamination has most likely gone far beyond the permitted right away. **Natural springs** adjacent to the Newark Watershed property have lost their ability to feed vital streams that run to the reservoir due to their rerouting, which intentionally or unintentionally took place during the process of wet ditch dredging, this process actually digs the heart out of these vital water bodies and is the most preferred method because it is cost effective for the company, however it is a death sentence to all that call water home. Pipeline company's unfortunately choose the dirtiest,



cheapest, and fastest, way to clear trenches thru wetlands rather than care about the wildlife that depend on it for sustainability. **This is just another constant reminder of how abrasive this project really was to the protected Highlands.** The Park has suffered a huge loss of indigenous wildlife, including migratory and endangered bird species where wetlands were once abundant with life frequenting the park for nourishment, now with no aquatic life, and the loss of nutrient rich water plant species a glimpse is very rare. **Collateral damage:** Miles of wind shears have been created thru Waywayanda State Park which has caused thousands of trees to free fall, having no buffer to protect them. Wawaynda has lost almost all of its Tamaracks adding to the already 200 foot wide scar gutting thru Northern New Jersey, so much devastation for a 30 inch pipe. In my opinion hiring logging companies to clear the land for pipeline projects, and giving them full custody of the hardwoods resources encourages the taking of a lot more trees. **Let's talk heat:** Waterbodies that have new pipes running thru them are drying up by the minute, this rather surprising devastation is caused by the intense heat given off by the pipelines whose operational temperature is running between 90 and 125 degrees, did any of you on the council think to ask or see mention of the operating temperature in the gas companies applications? Either did I. **Invasives:** Plants and grasses not indigenous to New Jersey have been documented along the 300 line in both Vernon and West Milford, and strange species of ticks and leaf hoppers not common to New Jersey are becoming the norm. **Litter:** There are thousands of pounds of debris that have been left behind from construction, which is still suffocating anything that could possibly remain in our 2,200 feet of precious wetlands in the state park. **Let's review** not only have the wetlands been contaminated with documented spills, they have been dumped on with rotting broken road mats that were used to transport trucks and machines thru them,



now to add insult to injury the protected wetlands are burning up from the inside out from 2 pipes running at high heat temperatures 24- 7. (Quite the parting favors the gas company has left us with). **Now let's talk about the land**, the soil has not been graded as required by the DEP it has also been stripped of all nutrients as top soil has been seen and photographed leaving in 1000's of white bags, some for profit, and some because of ground contamination endangered plant species such as ground pine have been photographed dead along the right away. **The reforestation project** has been a flop from the beginning! 2 foot whips have been introduced to dry barren nutrient depleted soil and expected to flourish, let's get serious here, the No New Lose Law has been violated over and over again throughout this project and even after TGP was fined by the DEP it has become very apparent they cannot, ever replace what they took away. The reforestation that is required to be done after deforestation must be heavily baby sat which ultimately means more state workers in the field and more taxes from me and you so in all honesty the project is costing New Jersey in a lot of ways! **(By granting pipeline companies the right to self-regulate when spills and contamination occur, mitigation will take place when, how, and if, the gas company deems necessary, and only to their standards which we saw firsthand in our town.** The depth of the pipelines is also in question, as quick as snow falls on the pipelines in Vernon twp. It melts. How much does this council personally know about the cumulative damage these pipelines are causing in New Jersey? And how much do you care to recognize. **What have we learned**, do we feel more informed, the old adage is, History will repeat itself. (By now you may be wondering why have I come here this evening,) **because**, there is a new pipeline player knocking on New Jerseys door, and its name is **Pilgrim**, how will the Highlands council answer the door this time? With arms wide open and eyes hiding behind rose colored glasses, **This time**

around ladies and gentlemen; excuses of being unfamiliar to a project such as this, and relying on dirty, greedy, companies that hide behind a Disney Land facade but in actuality see New Jersey as nothing more than a conduit to push their environmentally insensitive agenda forward will not be tolerated. The truths and track records of projects such as this speak volumes of negativity to New Jersey. (Face the Facts) You have no excuses for granting another pipeline company access to our Highlands you simply just know better this time, we all know better, we the residents of New Jersey will not let you, let history repeat itself. It is your charge as you sit on this commission to: Firmly commit to the goals of the landmark Highlands Water Protection and Planning Act, which not only protects exceptional forest lands, wetlands, and wild habitat, but safeguards water supplies for more than 5 million people. (It is time for your redemption!) You must do your job and protect the highlands.



Good evening and thank you for your time.

My name is Diane Wexler. I am a Northjersey Pipeline Walker. I live in Vernon.

I am here to talk to you and hopefully offer enough information to assist you in considering realizing how bad the furtherance of fossil fuel industry expansion can be as yet another pipeline project is being discussed.

As I was reading **only** the beginning of the Highlands Act, it stated that the Highlands Region is an essential source of drinking water, **and** containing approx 110,000 acres of agriculture in active production, **and** are important resources to be preserved. But you know that

As I read further, it stated that

"because of its vital link to the future of the State's drinking water supplies and other key natural resources, is an issue of State level importance that cannot be left to the uncoordinated land use decisions of 88 municipalities, seven counties, and a myriad of private landowners; that **the State should take action** to delineate within the New Jersey Highlands a preservation area of exceptional natural resource value that **includes watershed protection** and other environmentally sensitive lands **where stringent protection policies should be implemented;**" but you know that too

And further I was reading:

The Legislature therefore determines, that it is in the public interest of all the citizens of the State of New Jersey

To enact legislation setting forth a comprehensive approach to the **protection** of the water and other natural resources of the New Jersey Highlands; pretty sure you know this also.

I came before you years ago with regard to the Northeast Upgrade Project by TGP. Those of you that were on the council may remember we said we'd be back. Hello.

Saturday January 17th a Baken Crude pipeline ruptured in Montana. I am sure you all heard about it, but just in case... I am here to make sure you know. You may be considering the Pilgrim Pipeline at some point off in the future, this disaster **can** happen here.

You cannot take the chance, that **on your watch because of a decision you may have made**, would cause millions of households to go without water.

If we spoil our water supply here what benefit is it to be "business friendly" to NJ? Without water you have nothing.

I have a realtors license, used to be an active realtor in Sussex County where wells provided our water. If your well was bad or dry, you could not sell your house. What do you think benzene in your well would do to the value of your homes.



**Northjersey Pipeline  
Walkers**  
To Inform the Public

e-mail address:  
[info@northjerseypipelinewalkers.com](mailto:info@northjerseypipelinewalkers.com)





**BILLINGS GAZETTE**

## Pipeline breach spills oil into Yellowstone River



JANUARY 18, 2015 3:26 PM • BY MATTHEW BROWN ASSOCIATED PRESS

Montana officials said Sunday that an oil pipeline breach spilled up to 50,000 gallons of oil into the Yellowstone River near Glendive, but they said they are unaware of any threats to public safety or health.

The Bridger Pipeline Co. said the spill occurred about 10 a.m. Saturday. The initial estimate is that 300 to 1,200 barrels of oil spilled, the company said in a statement Sunday.

Some of the oil did get into the water, but the area where it spilled was frozen over and that could help reduce the impact, said Dave Parker, a spokesman for Gov. Steve

Bullock.

"We think it was caught pretty quick, and it was shut down," Parker said. "The governor is committed to making sure the river is cleaned up."

Bridger Pipeline Co. said in the statement that it shut down the 10-inch-wide pipeline shortly before 11 a.m. Saturday. "Our primary concern is to minimize the environmental impact of the release and keep our responders safe as we clean up from this unfortunate incident," said Tad True, vice president of Bridger.

The EPA and state Department of Environmental Quality have responded to the area about 9 miles upriver from Glendive, Parker said.

An ExxonMobil Corp. pipeline broke near Laurel during flooding in July 2011, releasing 63,000 gallons of oil that washed up along an 85-mile stretch of riverbank.

Montana officials are trying to determine if oil could have been trapped by sediment and debris and settled into the riverbed.

ExxonMobil is facing state and federal fines of up to \$3.4 million from the spill. The company has said it spent \$135 million on the cleanup and other work.

Montana and federal officials notified Exxon that they intend to seek damages for injuries to birds, fish and other natural resources from the 2011 spill. The company also is being asked to pay for long-term environmental studies and for lost opportunities for fishing and recreation during and since the cleanup.

**The New York Times** <http://nyti.ms/1KXTiIG>



U.S.

## Cancer-Causing Agent Detected in Water After Pipeline Spill

By THE ASSOCIATED PRESS JAN. 20, 2015, 6:00 P.M. E.S.T.

GLENDIVE, Mont. — Eastern Montana residents rushed to stock up on bottled water Tuesday after authorities detected a cancer-causing component of oil in public water supplies downstream of a Yellowstone River pipeline spill.

Elevated levels of benzene were found in water samples from a treatment plant that serves about 6,000 people in the agricultural community of Glendive, near North Dakota.

Scientists from the federal Centers for Disease Control and Prevention said the benzene levels were above those recommended for long-term consumption, but did not pose a short-term health hazard. Residents were warned not to drink or cook with water from their taps.

Some criticized the timing of Monday's advisory, which came more than two days after 50,000 gallons of oil spilled from the 12-inch Poplar pipeline owned by Wyoming-based Bridger Pipeline Co. The spill occurred about 5 miles upstream from the city.

Adding to the frustrations was uncertainty over how long the water warning would last. Also, company and government officials have struggled to come up with an effective way to recover the crude, most of which appears to be trapped beneath the ice-covered Yellowstone River.

A mechanical inspection of the damaged line Tuesday revealed the breach occurred directly beneath the river, about 50 feet from the south shore, Bridger Pipeline spokesman Bill Salvin said.



The cause remained undetermined.

By Tuesday, oil sheens were reported as far away as Williston, North Dakota, below the Yellowstone's confluence with the Missouri River, officials said.

"It's scary," said 79-year-old Mickey Martini of Glendive. "I don't know how they're going to take care of this."

Martini said she first noticed a smell similar to diesel fuel coming from her tap water Monday night. Officials previously didn't know whether the spill happened beneath the iced-over river or somewhere on the riverbank.

Martini said she was unable to take her daily medicines for a thyroid condition and high cholesterol until she picked up water from a public distribution center later in the day.

Representatives from the state and the U.S. Environmental Protection Agency earlier said preliminary monitoring of the city's water showed no cause for concern. The water treatment plant operated until Sunday afternoon, more than 24 hours after pipeline operator Bridger Pipeline discovered the spill, officials said.

Additional tests were conducted early Monday after residents began complaining of the petroleum- or diesel-like smell from their tap water. That's when the high benzene levels were found.

Benzene in the range of 10 to 15 parts per billion was detected from the city's water, said Paul Peronard with the EPA. Anything above 5 parts per billion is considered a long-term risk, he said.

Peronard acknowledged problems in how officials addressed the city's water supply, including not having the right testing equipment on hand right away to pick up contamination. But Peronard and others involved in the spill response said officials acted based on the best information available.

"Emergencies don't work in a streamlined fashion," said Bob Habeck with the Montana Department of Environmental Quality. "It's a process of discovery and response."

Several residents interviewed by The Associated Press said they first heard about the water problems through friends and social media sites, not

the official advisory.

"They could have been more on top of it," Whitney Schipman said as she picked up several cases of bottled water for her extended family from a water distribution center. "As soon as there was a spill, they should have told everybody."

Officials took initial steps Tuesday to decontaminate the water system. Glendive Mayor Jerry Jimison said it was unknown when the water treatment plant would be back in operation.

Until that happens, Salvin said the company will provide 10,000 gallons of drinking water a day to Glendive.

The company established a hotline for people with questions about the water supply and to report any wildlife injured by the spill: (888) 959-8351.

Another pipeline spill along the Yellowstone River in Montana released 63,000 gallons of oil in July 2011. An Exxon Mobil Corp. pipeline broke during flooding, and oil washed up along an 85-mile stretch of riverbank.

Exxon Mobil faces state and federal fines of up to \$3.4 million from the spill. The company has said it spent \$135 million on the cleanup and other work.

The Poplar pipeline involved in Saturday's spill runs from Canada to Baker, Montana, picking up crude along the way from Montana and North Dakota's Bakken oil-producing region.

The pipeline receives oil at four points in Montana: Poplar Station in Roosevelt County, Fisher and Richey stations in Richland County, and at Glendive in Dawson County. The section of pipeline that crosses the Yellowstone River was last inspected in 2012, in response to the Exxon accident, according to company officials.

At that time, the line was at least 8 feet below the riverbed where it crosses the Yellowstone.

No cost estimate for the Glendive spill was yet available.

Alice Orrichio  
431 Church Road,  
Milford, NJ 08848

NJ Highlands Meeting  
Jan., 22, 2015

I would like to state up front that I am against this 108 mile GREENFILEDs natural gas pipeline proposed by PennEast .

8 MILES of which are slotted to occupy my community of Holland TWP, NJ in Hunterdon County.

I understand that my town is (1) of 88 municipalities included within the NJ Highlands Water Protection & Planning ACT's MASTER PLAN.

I am just (1) of many residents who SUPPORT this PLAN for it PROTECTS the sources of my TWP's water supply as well as many others outside of my community.

I live in this area because it IS UNDEVELOPED and we as a community have consistently supported open space and the preservation of land efforts in order to maintain the health and bucolic resonance of this area.

I would like to offer the following (5) points, some of which are taken from Holland TWP's resolution against PennEast via The Highlands Environmental Resources Inventory (ERI), using the latest scientific data. Please correct me if I have misinterpreted any information from this ERI.

---

1. This pipeline will cross at least 20 creeks and their tributaries in (3) of the (5) subwatersheds in Holland.

Many of these waterways are classified (C-1) by the (NJ DEP). We have trout in these streams.

The physical installation of this 36" pipeline will create massive amounts of earth disturbance. It will also intrude on the mandatory 300-foot buffer on each side of these waterways. Any silt introduced during construction of any type can precipitate to the bottom of these streams rendering any trout eggs inviable.

2. The eastern and western ends of the pipeline will intrude upon Prime Groundwater Recharge Areas in Holland. Compaction of the earth by heavy equipment will impair the ability of these areas to recharge water.

This is significant because I believe this Council has already determined that ALL of Holland Township has a water deficit, so we cannot afford to have recharge areas impaired.

3. This ERI also identifies Carbonate Rock Areas in Holland Township. This can lead to sinkholes. The ERI explicitly warns (*and please correct me if I am mistaken*), that sinkholes present a geologic hazard as they may undermine such infrastructures as storm-water basins, roads, sewer lines, septic systems, and natural gas lines.

*(present picture of sinkhole rendered during the 2005 flood);*

*Note to file: This is the area PennEast wants to horizontal directional drill (HDD) underneath the Delaware River --emerging at railroad tracks in front of the Georgia Pacific Box Factory --per URS Engineer Bernie Holchome at OCT 1, 2014 Holland TWP meeting with PennEast).*

This proposed pipeline will cross a carbonate rock area immediately after it enters NJ from PA under the Delaware River and another carbonate rock area ½ mile away when it crosses underneath Church Road.

4. Holland Township contains 4,483 acres of severely constrained slopes (20% or greater).

This pipeline crosses much of these areas.

5. Finally, Holland Township has spent many years and hundreds of thousands of state taxpayer dollars to achieve full conformance with the Highlands RMP.

We are on the cusp of adopting the Highlands Land Use Ordinance, which will drastically update the Township's code. We will need to comply with much stricter laws with the objective of protecting our rural environment.

This pipeline will undermine all of these painstaking efforts to protect this fragile watershed. We need to keep it from degradation and harm.

I ASK THE NJ HIGHLANDS COUNCIL TO EXAMINE AND INSPECT THIS PENNEAST PROJECT WITH GREAT CARE AND DILIGENCE AND EXERCISE YOUR FULL JURIDICTION OVER IT.

I thank you very much for the opportunity to speak here tonight as well as all of the hard work you have already put into the development of the NJ Highlands Master Plan.

Regards,

Alice Orrichio  
431 Church Road,  
Milford, NJ 08848









Comments submitted at Highlands Council  
Meeting on January 22, 2015 by Alice Orrichio  
Page 4 of 9

Flood of 2005 - Holland Twp



Georgia  
Pacific  
Box Factory  
Behind  
the bldg.

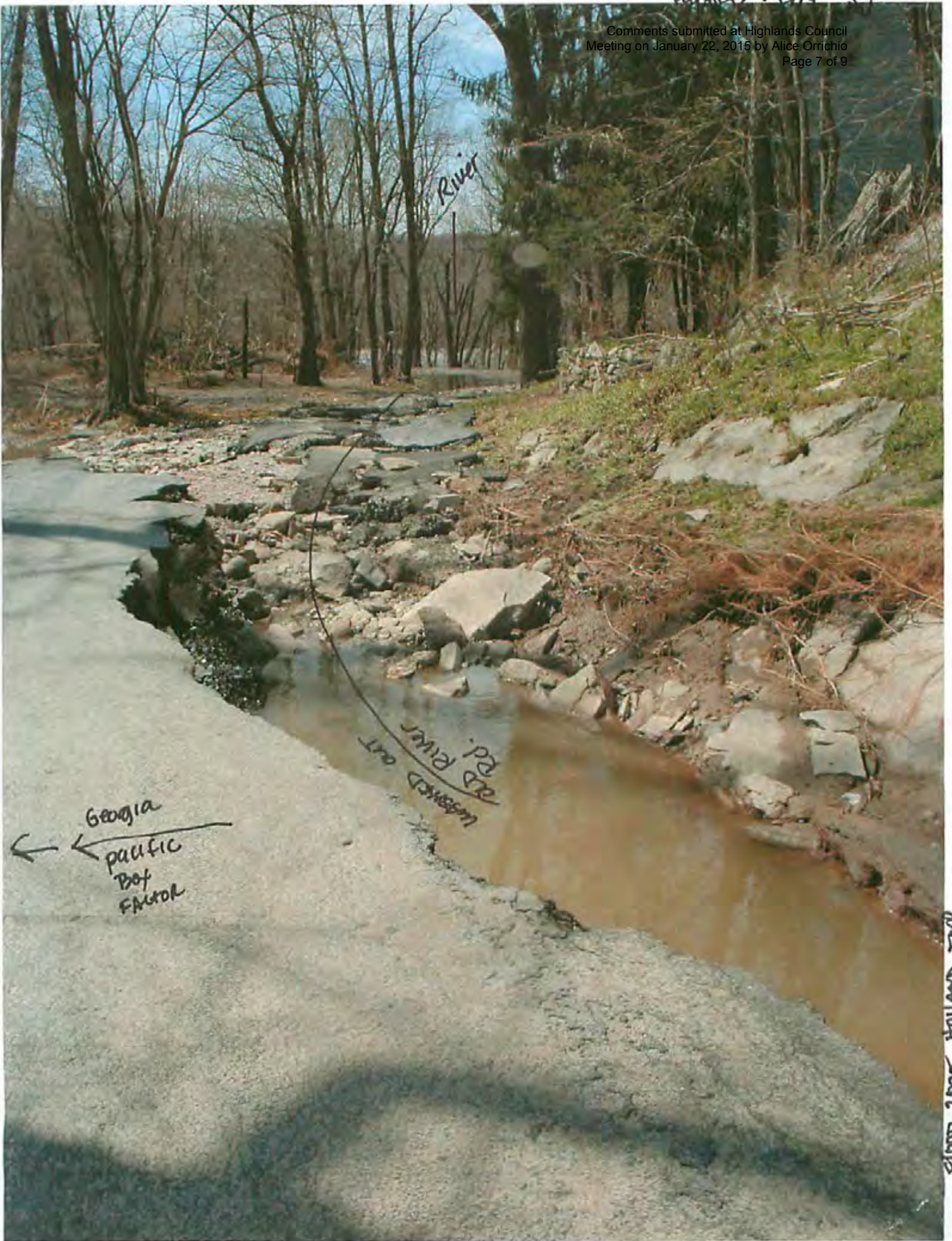


Georgia  
Pacific

Georgia Pacific  
Back Entrance ←



Parsippany Ferry S.



Ed. River 2005 Hollard 120

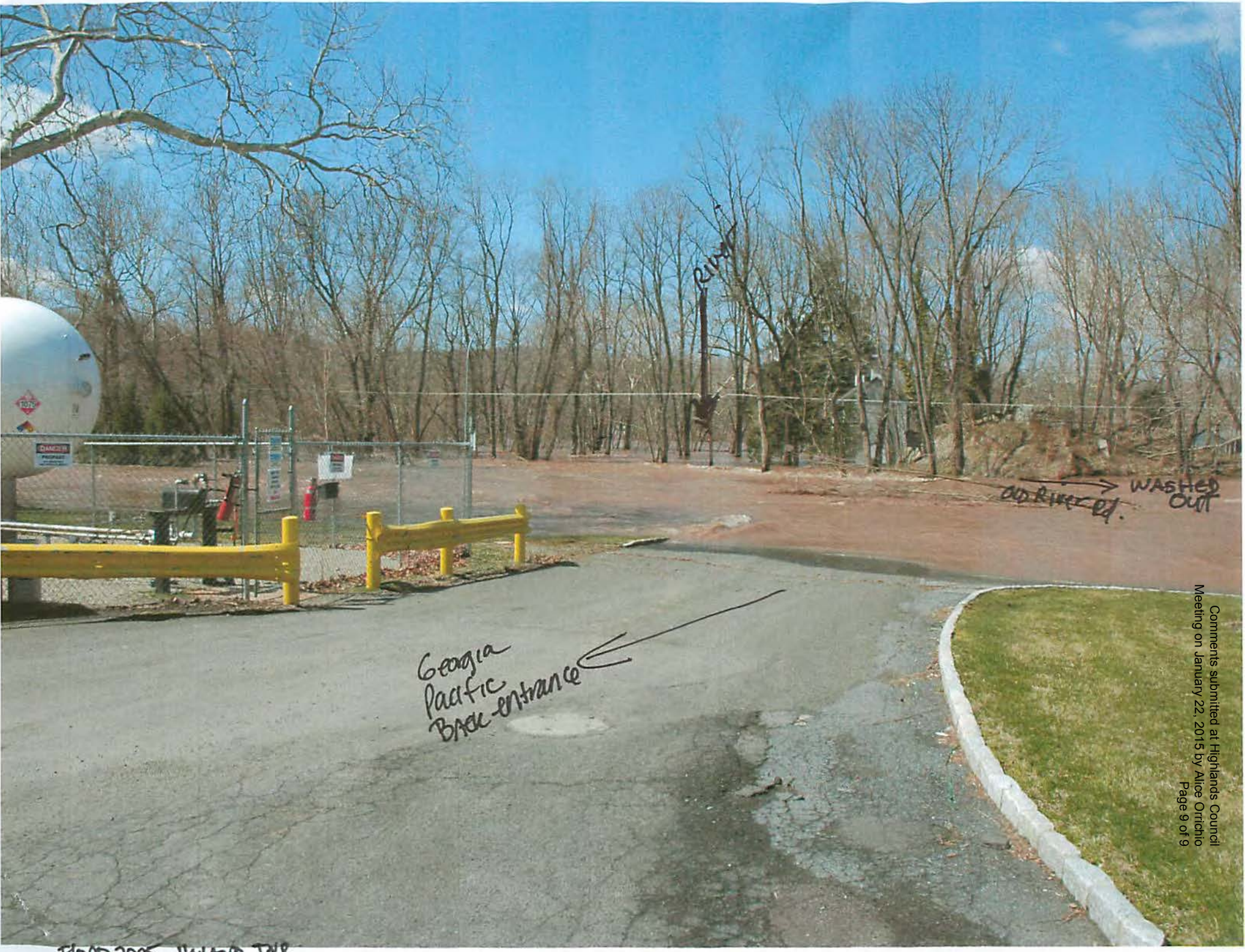




Comments submitted at Highlands Council  
Meeting on January 22, 2015 by Alice Orrichio  
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FLOOD 2005 HOLLAND TWP





River

WASHED OUT  
OLD RIVER RD.

Georgia Pacific Bree entrance

Flood 2005 Holland Twp



## **Comments to Council – January 22, 2015**

My name is Deborah Post, harmed property owner Chester Township.

My comments today are a status update on the Monitoring Program from a viewpoint of other than your staff's.

An impacted stakeholders meeting was held on December 10, 2014. Comments were submitted by landowners per the format requested. We demand the opportunity to read and review the staff's "summary" of the landowner meeting before it becomes a formal document of the Council's record. The staff and consultants appear to have 100% control over the summary of a meeting that was not theirs. It is not a secret that landowner public comments at council meetings are regularly misrepresented, truncated, misunderstood and obfuscated in the council meeting minutes. Our request that our written comments be part of the minute record is often ignored or denied. Obviously we have no trust that similar tactics will not be employed in the Monitoring Programs purported summary reports, hence our demand for review and editorial input.

The impacted stakeholders meeting was not rescheduled when the evening produced icy roads and stormy weather. It was not well attended by either landowners or the Council. The meeting was chaired by a junior consultant reminding me of a training exercise.

The Council has accepted TAC nominations from the Highlands Coalition and its affiliates. The Council has not actively reached out to those who have expertise for the TACs but are not allied with the Highlands Coalition. The Council has demanded that we landowners produce the nomination suggestions – despite most of us not having such a network – and then added the demand that a resume be included before consideration which, of course, relegates our personal suggestions to the garbage pail. The process is revealing itself to be as biased as we expected and evidences our reiterated concerns that the staff is biased.

Last September this Council denied an opora request of mine to identify the "ten stakeholder groups" presented here in the staff's July power point presentation. Obviously my intent was to learn whether or not the landowners were deemed stakeholders in the Highlands process. Whether or not my colleagues and I needed to focus – and waste – our three minutes per month demanding stakeholder status was a piece of information we should not have been denied. My opora was denied because the landowners were not one of the staff's "ten stakeholder groups" in the original July presentation and the staff needed to scurry to cover up this truth.

The October and November stakeholder meetings were held in secret without disclosure of the identification of focus of each stakeholder meeting or its invitees. In late November the Council provided me with long after the fact listings of the meetings and attendees because I filed a complaint with the Government Records Committee.

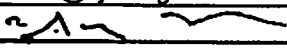
The attendee lists at the October 22 meetings show the same Highlands Coalition representatives attending two even three meetings. Not only is the Highlands Coalitions privy to "preliminary" information, the staff allows them to crash meetings to which they were not invited. We see Julia, Erica, Eliot, George and Wilma listed without their last names in a rather comic effort to disguise their inappropriate attendance. Seriously?

**STAKEHOLDER MEETINGS**  
**COUNTY COLLEGE OF MORRIS**  
**11/13/14**

| Water Resources 1-2:30 |                    |  |   |
|------------------------|--------------------|--|---|
| First Name             | Last Name          | Organization                                 | E-mail                                  |
| Paul                   | Zarrillo ✓         | Greenwood Lake Commission                    | pzarrillo@gwlc.org                      |
| Laurie                 | Howard             | Passaic River Coalition                      | lhoward.passaicriver@gmail.com          |
| Gindy Bill             | Ehrenclou Kibler ✓ | Raritan Headwaters Association               | cehrenclou@raritanheadwaters.org        |
| Sara                   | Malone ✓           | Sustainable Raritan River Initiative         | jashaw@ejb.rutgers.edu                  |
| Hazel                  | Ingrid ✓           | Great Swamp Watershed Association            | sruhin@greatswamp.org ALSO ATTENDED AG. |
| Dr. Daniel             | Van Abs            | Rutgers - The State University of New Jersey | vanabs@aesop.rutgers.edu                |
| Frank                  | Hadley             | NJAW   |   |
| DAVID                  | Pringle ✓          | Cleanwater                                   | dpringle@cleanwater.org                 |
| Dan                    | Betto ✓            | NJ STATE PARKS SVC                           |   |
|                        |                    |  |   |
| JULIA                  |                    |  |   |
| ERICA                  |                    |  |   |
| ELLIOT                 |                    |  |   |
| GEORGE                 |                    |  |   |
| WILMA                  |                    |  |   |
|                        |                    |  |   |
|                        |                    |  |   |

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 M. SOBETICH

**STAKEHOLDER MEETINGS**  
**COUNTY COLLEGE OF MORRIS**  
**11/13/14**

| Agriculture and Forestry 3-4:30 |           |   |   |
|---------------------------------|-----------|---|---|
| First Name                      | Last Name | Organization                                  | E-mail  |
| Elmer X                         | Platz     | NJ Forestry Association                       |   |
| Ed ✓                            | Wengryn   | NJ Farm Bureau                                | peterf@njfb.org   |
| Gregory ✓                       | Keller    | Morris County Agriculture Development Board   |  |
| Tony                            | McCracken | Somerset County Agriculture Development Board |   |
| ✓ Louis                         | Badulini  | Warren County Agriculture Development Board   |   |
| ✓ Peter J.                      | Nitzsche  | Morris County Cooperative Extension           | nitzsche@njaes.rutgers.edu  |
| Amy                             | Rowe      | Passaic County Cooperative Extension          | kunicki@njaes.rutgers.edu   |
| Nick                            | Polanin   | Somerset County Cooperative Extension         | minch@njaes.rutgers.edu   |
| ✓ Bruce M.                      | Barbour   | Warren County Cooperative Extension           | barbour@njaes.rutgers.edu   |
| ✓ Hurcan                        | Harkness  | NJ Farm Bureau                                |   |
| ✓ Hazel                         | Ingrid    | Great Swamp                                   |   |
| ERIKA                           |           |   |   |
| WILMA                           |           |   |   |
|                                 |           |   |   |
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## STAKEHOLDER MEETINGS

### COUNTY COLLEGE OF MORRIS

11/13/14

[illegible]

HuT2  
CE

My name is Carol Tistan

I am a lifelong resident of Kingwood TWP, Hunterdon County, NJ

I am here with my sister who lives in Holland TWP.

I came here today to present the NJ Highlands Council with a copy of a letter that was written to the Federal Energy Regulatory Commissioner: Kimberly Bose.

This letter was posted on FERC's e-comment site this past weekend by Tullis Onstott who is a prominent Geoscience Professor from Princeton University and was listed among TIME Magazine's 100 most influential people in the world in 2007.

Professor Onstott goes into significant detail regarding PennEast Pipeline Company's decision to enter underneath the Delaware River into Holland TWP. He describes the real potential of danger to our water supply since this route cuts through the boundary fault zone of the Triassic Newark Basin which is the most seismically active region in New Jersey. He is concerned that the ground shaking, though not severe, could create significant leaks in this high pressure gas pipeline.

*On a personal note:*

I would like to add that my sister's brand new built in swimming pool did experience some pipe damage after one of these ground shaking events.

Professor Onstott also speaks about the argillite belt that runs through Hunterdon County. This belt is the main source of arsenic found in the groundwater in our region. He mentions how excavation of this pipeline would cut right through the arsenic hot spot where it can do the most damage to the drinking water supplies .

*Another personal note:*

*My sister's neighbor already has arsenic in their well water and currently needs to remediate it. This neighbor also received a letter from Penn East back in August 2014 identifying his property as one that is slotted for this pipeline's route.*

**Professor Onstott's letter goes into much more detail and outlines the real hazard potential of this pipeline on our water supply. Please accept a copy of his letter and include it as a part of today's official record.**

Many Thanks,  
Carol Tistan

Tullis Onstott, Princeton, NJ.

Dear Ms. Bose,

I have recently become aware of the revised pipeline map posted by PennEast on their website on last week. As a geologist/microbiologist in the Dept. of Geosciences at Princeton University I have questions concerning both the safety and the environmental consequences that I believe requires PennEast to seriously reconsider their proposed pipeline route. I cannot offer the details of these questions in this format, but can be discussed during the scoping meeting or a presentation to FERC. I plan to meet with my colleagues at the New Jersey Geological Survey and the New Jersey Department of Environmental Protection next week to discuss these issues. But briefly, my concerns are two fold.

The first is the proposed route crossing the Delaware River into Holland Township. The route crosses the boundary fault zone of the Triassic Newark Basin and it the most seismically active region in New Jersey. Within the last 10 years four magnitude 2 to 4 earthquakes have occurred 2 by 5 mile zone. Many lower magnitude earthquakes occur along this zone much more frequently. All of the epicenters of these earthquakes are less than a mile from the proposed pipeline and in some case right beneath the proposed route. Although the earthquake magnitudes seem small, the epicenters for these quakes are less than a mile to two miles deep. My concern is that the ground shaking, though not severe, could create significant leaks in the high pressure gas pipeline. Currently existing pipelines crossing from Pennsylvania into New Jersey have all managed to skirt this seismically active region. I find it very odd that PennEast would not do the same and avoid New Jersey's most seismically active fault zone. I am also concerned about exactly where they plan to lay the pipeline beneath the Delaware River and that location with respect to the fault zone.

My second concern, however, is far more significant. The proposed route through Hunterdon County cut right through the Triassic shales of the Passaic and Lockatong Formations. It has been long established that these formations, particularly the Lockatong argillite belt that runs through Hunterdon, are the sources of arsenic in the groundwater in this region. Several New Jersey Geological Survey reports document the high arsenic levels in the wells in Hunterdon and Mercer counties. This belt of rocks form an arsenic hot spot. The groundwater supply is known to be vulnerable in these counties, but Hunterdon county is uniquely vulnerable because the farms and rural homes all rely upon well water. They have no access to the public water utilities of their much more populated neighbors. The privately-owned wells are the source of drinking water for the families and for their livestock. These wells tap a surficial, unconfined, fractured rock aquifer in the Lockatong, Passaic and Stockton formations. The proposed PennEast pipeline cuts right through the arsenic hot spot where it can do the most damage to the drinking water supplies of the inhabitant. The soil cover is thin, so in order to bury the 36" diameter pipeline they have to trench or drill through the bedrock. This excavation will aerate the rock formation and expose the arsenic-bearing



pyrite to oxidation which will released the arsenic as arsenate into the groundwater. This will occur on every ridge of ever drainage divide the pipeline will cross and I am told that the proposed route crosses 87 drainage divides. These same drainage divides are the recharge zones for the groundwater used by the farmer and rural residences. This, however, is not the worst aspect of the pipeline. Once the pipeline is buried, its components and any methane that leaks from the pipeline provides reductants that will be consumed by anaerobic bacteria. These anaerobic bacteria will reduce the oxidized iron in the environment and will reduce the arsenate to arsenite, the highly mobile and toxic arsenic species. The pipeline will continue to do this throughout it operational lifetime and, if left in the ground, after its lifetime. In summary the construction phase will generate arsenic and the operational phase will mobilize arsenic. By running the pipeline through the arsenic hotspot of New Jersey, PennEast will create an arsenic pipeline that emanates into the drinking water supply along its route and there is precious little that PennEast can do about it as long as it cuts across the strike of the Triassic basin units from northwest to southeast.

Finally, I have been told that PennEast will be tunneling underneath the water drainages. In Hunterdon county these drainages all run along fracture line faults into the Delaware River. That means during the construction phase the drilling contaminants will enter the water shed. During the operational phase arsenic concentrations will likely increase in the water sheds as well. But since PennEast does not have to comply to any kind of wetland restrictions, I am not sure that they could be held accountable to this form of pollution. That is tragic, but as I said earlier, my principle concern is about the drinking water supply in this rural part of New Jersey, the arsenic hot zone.

Yours sincerely,  
Prof. Tullis Onstott  
Dept. of Geosciences  
Princeton University  
Princeton, NJ 08544

cc. Senator Robert Menendez  
cc. Senator Cory Booker  
cc. Congresswoman Bonnie Watson Coleman

①

My name is Hank Klumppe. I own 150 acres in Hunterdon County that has had its real estate value stolen from me and left me with no equity.

I have stood before the Council asking to see the scientific study that put my farm in the Highlands Preservation Area for going on eleven years. Finally, I'm learning that there is no scientific study that robbed me - it was and still is all political. In 2004, Sen. Bob Smith told everyone that he was working with the Governor to get the money to compensate everyone who

②

had property values taken.

He has done nothing - Sen. Smith held a hearing on Dec. 8<sup>th</sup> asking for ideas on how the state should use the 77 million dollars allocated for open space. He has forgotten all about the Highlands debt - But has this council refreshed his memory? The Council has been given documents outlining evidence of scientific misconduct concerning the Highlands Act and the Council has not addressed any of the evidence



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that was submitted. The Council has failed to address evidence submitted that its planning policies contradict the findings of state and federal studies, and there is evidence that the Council's technical reports, required by the Act and essential to reaching the legislative goals, contain knowingly false statements and representations.

I believe that the Council has a duty and a responsibility to conduct an immediate and fully independent investigation because

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the potential violations may be  
the result of actions by current  
and/or past Council employees.

It is being said that the  
Council hired an organization -  
Regional Plan Association - with  
no water experience to review  
the regional master plan. Is

there any truth to this? Isn't  
the Act about water?

The frustrating thing is that  
I hear about all this evidence and  
nothing is done about it - but  
I am still paying the price  
along with everyone else who

⑤

has had their property value and equity taken away so unfairly, and we feel this Council has really failed us all.

It is written in the Highlands Act that the Council has an ongoing duty, not limited to the regional master plan, to consider and comment on public input.

It is hard to understand what kind of an oath Council members took to uphold their mission.

24 Longview Road  
Lebanon, N.J. 08833

Hank Klumpp

ANDREW DRYSDALE

32 East Fox Chase Road  
Chester, New Jersey 07930

January 22, 2015

Highlands Council  
100 North Road  
Chester, NJ 07930

Good Afternoon,

My name is Andrew Drysdale, My wife's name is Lois Drysdale, We live at 32 East Fox Chase Road in Chester Township New Jersey. Our home is located on a 2 acre lot which adjoins a 16.5 acre lot of farmland, both of which we own. I am now 79 years old and my wife is 77.

In 2003 we began preparing plans to subdivide the farm lot so that we could retire. The first attempt was a 4 lot major subdivision which was delayed several times by the Township until it was finally killed by the New Jersey Highlands Act in 2004. Our second attempt was a 2 lot minor subdivision which was killed in 2005 by the DEP septic density standards. At that point we had spent approximately \$60,000 in various fees.

Regarding the septic density standards of 25 and 88 acres, I believe that they are extremely excessive and should be reviewed based on real science confirmed by outside sources. For us to use our 2 lot plan the minimum lot size would need to be reduced to the original town flag lot zoning of 6 acres.

Please Review the science.

Sincerely,

A handwritten signature in blue ink that reads "Andrew Drysdale". The signature is fluid and cursive, with the first name "Andrew" and last name "Drysdale" clearly legible.

Andrew Drysdale.



**ANDREW DRYSDALE**  
Land Surveyor  
32 East Fox Chase Road  
Chester, NJ, 07930  
Tel. 908-234-1079 Fax 908-234-1326

November 3, 2005

Highlands Council  
100 North Road  
Chester, NJ 07930

Good Afternoon,

My name is Andy Drysdale, I live at 32 East Fox Chase Road in Chester Township and I hope the following comments will be helpful to everyone.

Since I spoke with you at the meeting in August, I have met some other landowners whose land is in the preservation area and whose land has lost much of its value because of that. These people need to be compensated 100% for that lost value. Many of these landowners are farmers who have taken care of this land for generations, making Northern New Jersey the beautiful place that it is.

Farming is hard work and long hours at low pay, the main saving grace financially, has always been the increase in the value of their land.

I am a Farmer and a Professional Land Surveyor; I am not an Engineer though I have been closely associated with that field for many years. Following are what I perceive to be Major Flaws and extremes in the Highlands Legislation and the Rules set down by the D.E.P.

- 1) More funding should have been in place prior to the enactment of this Law.
- 2) No provision was made to give credit against the extreme maximum 3% impervious coverage for underground seepage pits and drywells which could greatly improve groundwater recharge. This is extremely important, having lived on the side of a hill since the 1930's I have seen what happens when the ground is frozen solid and deep, making the entire surface impervious, then comes a heavy snow followed by heavy rain which melts the snow and it all runs off, often creating flooding conditions and very little if any groundwater recharge.
- 3) The extreme 25 acre requirement for a septic system is I believe far from what is really needed. The Raritan Basin Watershed Management Plan received an award from New Jersey Planning Officials in May 2003 for its plan. In the executive summary of this plan it is stated that based on a NJ Geological Survey model using a 5.5 milligrams per liter nitrate target level, it says in bold type, "no Basin subwatershed can support septic systems at average densities higher than 1.6 acres per septic system".

In summary, I believe that everyone thinks clean water is a noble goal, but rather than jump off the edge of the cliff because it is the quickest way to get to the bottom. Lets take a sure-footed common sense way that does not injure anyone.

Thank You

200 Creek Rd.  
Phillipsburg, NJ 08865

January 22, 2015

Highlands Water Protection and Planning Council  
100 North Road (Route 513)  
Chester, NJ 07930

Re: Highlands WPPA RMP Comments

Dear Chairman and Council:

I have not been able to make your community outreach meetings but I would like this opportunity to offer my comments pertaining to your Regional Master Plan review.

My husband and I are landowners of 43 Acres in Pohatcong Township. We are in the Highlands Preservation Area because our Township Council, behind closed doors, drafted a letter asking DEP to include us in the Preservation Area (you see we didn't meet the criteria to be in the Highlands and we weren't suppose to be included in the Highlands).

Our 43 Acres is broken into 4 lots. 1 lot should be a building lot but because of the Highlands Water and Protection Planning Act it currently is ineligible. This lot is a 28 Acre lot that was formed by merging 2 building lots we owned prior to the Act and then we preserved it with a 2 acre non severable exception. The problem is the driveway. At the time of preservation in 2006, we found out we were subject to the Stormwater Management Act since our property borders a newly designated category 1 stream, we now had certain distance requirements for building and in addition, DEP and SADC could only agree on the present location for the non severable exception, as a result, making the driveway 1/4 acre long to get to the non severable exception. The agricultural easement doesn't limit this lot's potential to build 1 home/farm, the Highlands Preservation rules do. And the zoning/building officer would issue a permit for a driveway but said no one could build because the driveway maxed out the 1/4 impervious cover even though it was farm ground with approximately 3-4 acres of woodland.

I feel that the septic density requirements and the ¼ acre impervious cover rules are entirely too rigid and should be reconsidered. The development potential of this lot is minimal because the preservation nullifies development potential to a minimum, but the Highlands Rules make it impossible. This isn't a newly created lot but a preexisting lot from 1982. We have no intention of building a home on this lot ourselves but wanted a viable building lot to sell to someone, which was the reason we purchased the 2 lots initially, prior to the Act in 2000.

Prior to the Highlands Act, our neighborhood was zoned R-1 (5 Acre Minimum) building lots. It is a farming community area in Pohatcong with Creeks flowing to the Delaware River. We already had restrictions in place to limit large developments such as the 5 Acre lots, a slope and sight distance ordinance, and our streams that flow to the Delaware, became category 1 streams, limiting development potential as well. But now any development is next to impossible with the added rigid restrictions.

This Act has cost the land owners in the region dearly, with little or no compensation for their limited development potential. While many of the farms in the area chose preservation out of fear of loss of value, many of the smaller property owners have no way to recoup their loss in property value because there is no source of funding if you aren't eligible for some type of farmland, ranchland or woodland preservation. Many small land owners didn't even know how the Highlands Act would affect them until they went to sell their home and found that the next owner was subject to development restrictions making their property less desirable than in other neighborhoods without the Act. We are just across the river from Pennsylvania and it is quite common for neighbors who are trying to sell their home to be told you are in the Highlands and people can just go across the river where they aren't restricted in what they can do with their property from the Highlands Act. If you want to sell your home you have to make the price a gargain. Again, the Act has cost the landowner and there is no fund set up to compensate these property owners for their newly restricted development property, creating financial hardship for many.

I don't feel is it fair for a property owner in the Highlands Preservation area to make such a sacrifice to preserve water for the benefit of someone located somewhere else who doesn't have any stake in the cost of that

preservation. You need to develop a fund, paid for by those that benefit from the water preservation or eliminate the Act.

In addition, I don't think it should cost a landowner who has just been forced to sacrifice their development rights more money to apply to DEP for a determination letter. I feel it should be free or you should establish a fund to offset the cost of same. Again, costing the Preservation Area landowner more hardship.

One last comment, since 2004, the passage of the Act, Pohatcong Township has preserved 1022+ Acres of land, mostly because landowners felt they had no other recourse to recoup the lost value. I'm sure many people in other municipalities, located in the preservation area of the Highlands, have done the same; thus you have accomplished restricting development, at no cost to those who have benefited by the Act.

I hope you will take the public comments you are receiving seriously and consider how it feels to be in the shoes of those who have had to make the sacrifice for others.

Yours truly,

A handwritten signature in cursive script that reads "Wendy Willever". The signature is fluid and elegant, with the first name "Wendy" and last name "Willever" clearly distinguishable.

Wendy Willever



I hope that when the issue of Pilgrim Pipeline is eventually brought in front of the Council formally it will be seen that the risks of an oil spill will make the proposal inconsistent with the intentions of the Highlands Act.

On the technical side, it seems unfair that landowners have so many restrictions on development and any consideration for this project ~~can't~~<sup>shouldn't</sup> be taken seriously. The choice to develop lands should first go to landowners and not a private utility who seeks to take what isn't theirs through condemning property through eminent domain.

Brendan L. Keating 2 Garden Place Chatham, NJ 07928