

Holland Township Environmental Commission Minutes

February 2, 2022 7 PM Meeting

Chairman Keady called the meeting to order. I call to order the February 2, 2022 Regular Meeting of the Holland Township Environmental Commission. Adequate notice of this meeting was given pursuant to the Open Public Meeting Act Law by the Environmental Commission Secretary by:

1. Posting such notice on the bulletin board at the Municipal Building.
2. Publishing the notice in the December 9, 2021 edition of the Hunterdon County Democrat
3. And faxing to the Express-Times for informational purposes only.

HOLLAND TOWNSHIP ENVIRONMENTAL COMMISSION PUBLIC NOTICE TOWNSHIP OF HOLLAND

NOTICE OF CHANGE OF FORMAT OF REGULAR TOWNSHIP ENVIRONMENTAL COMMISSION MEETING AND PUBLIC PARTICIPATION FOR THE MEETING SCHEDULED FOR 7:00 PM WEDNESDAY FEBRUARY 2, 2022. PLEASE TAKE NOTICE. THE MEETING FORMAT HAS BEEN CHANGED FROM IN-PERSON ATTENDANCE AT THE MUNICIPAL BUILDING, 61 CHURCH ROAD, TO TELECONFERENCE DUE TO THE COVID-19 OUTBREAK. IN LIEU OF IN-PERSON ATTENDANCE, THE PUBLIC MAY ATTEND THIS MEETING VIA TELECONFERENCING AND COMMENT DURING THE DESIGNATED PUBLIC COMMENT PORTION IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT. OFFICIAL ACTION TO BE TAKEN

Join Zoom Meeting:

<https://us06web.zoom.us/j/86951555427?pwd=MGpMWGxCWTE5eThsT3lhd1ZpRjlBdz09>

Meeting ID: 869 5155 5427

Passcode: 616733

One tap mobile

+1 646 558 8656,,84315407419#,,,,*524225# US (New York)

All recited the pledge of allegiance.

All were reminded to turn off their cell phones or put them in silent mode.

Members Present: Regina Barna, Jerry Bowers, David Harrison, Mike Keady, Susan Meacham, Ray Note, Dwight Pederson, Township Committee Liaison Dan Bush (left at 8:30 pm) and Secretary Maria Elena Jennette Kozak.

Absent: Township Committee Alternate Liaison Thurgarland

Guest: Tony Rizzello

Let the record show we have a quorum.

Minutes: A motion was made by Jerry Bowers and seconded by David Harrison to dispense with the reading of the minutes of the December 1, 2021 and January 5, 2022 meetings and to approve the minutes as recorded.

All present were in favor of the motion. Motion carried.

Township response to Delaware River Basin Commissions proposed rules on fracking water in the basin: Mike Keady and Jerry Bowers

Chairman Keady presented a little history of the DRBC:

The **Delaware River Basin Commission (DRBC)** is a [United States government agency](#) created in 1961 by an [interstate compact](#), signed into law by President [John F. Kennedy](#), between four states ([Pennsylvania](#), [Delaware](#), [New Jersey](#), and [New York](#)).

Purpose and activities



Delaware River watershed

The purpose of the Commission is to bring the [Delaware River](#) under collective and balanced control, and to ensure fair usage by the states. To this end, the Commission conducts programs related to [water quality](#) protection, [water supply](#) allocation and [water conservation](#), [regulatory review](#) and permitting, [watershed](#) planning, [drought](#) management, [flood mitigation](#) and loss reduction, and recreational activities (such as [fishing](#)).

The DRBC was one of the first government agencies in the United States to address the problem of [water pollution](#). The agency predates the establishment of the [United States Environmental Protection Agency](#) (1970) and the [Clean Water Act](#) (1972).^[1]

Membership

The five members of the Commission include the four [state governors](#) of the member states and the Division Engineer, North Atlantic Division, [U.S. Army Corps of Engineers](#), who serves as the ex-officio U.S. member.

The process for this letter would be for the Environmental Commission to review and to then submit to the Holland Township Land Use Board for them to consider recommending to the Township Committee. As discussed at the last meeting, some background was presented along with a draft letter:

DRAFT 2 – DRBC Fracking Water Rules

My name is Dan Bush, and I am the Mayor of Holland Township in Hunterdon County, New Jersey. I submit these comments on behalf of the Holland Township Committee. As a local governing body, we believe we have a responsibility to protect our citizens' health and

welfare. Holland's western border is the Delaware River, so we take great interest in any proceeding to change regulations in the Delaware Basin.

We thank the Commission for banning fracking in the Delaware Basin. This next move to control fracking wastewater is much needed, but **the current proposed rules fall woefully short**. By limiting the rules to only banning discharge to land or water, the Commission creates loopholes for the industry to exploit. Most obvious, discharge to the air is not mentioned or prohibited, thus poisonous substances can simply take a longer journey toward contaminating our land and water than if they were directly discharged.

In our view, the only effective approach is to entirely ban the importing of contaminated fracking water into the basin. The industry is now drilling bigger wells in Pennsylvania's Marcellus Shale region, with one well producing as much as three million gallons of contaminated water during its productive lifetime. Drillers need vast new treatment facilities, and the new rules open the door to placing them in the conveniently located Delaware Basin.

How can you regulate what you don't know? That will be the question hanging over the importing of poisonous flowback water from fracking wells. We know that waste products from the Marcellus Shale have high levels of radioactivity, but the amount in each load of wastewater would vary. Literally unknowable are the ingredients in the fracking fluids that the industry has successfully classified as "trade secrets." So, it will be impossible to design best practices for transporting, handling, and certifying the safety of substances that legally must remain a mystery.

Holland Township is likely threatened by imported wastewater in the Basin even if we were to have no storage or treatment plants. We work closely with the two non-profits that take stewardship of the Delaware and Musconetcong Rivers. We consulted experts at both organizations and they were in agreement that there is a hydrologic connection between the Delaware River and the aquifers in Holland Township. A spill or accidental discharge north of us could leave toxic wastewater entering tributaries and eventually the Delaware, contaminating the drinking water in Holland. Most Holland residents rely on private wells, and even the very limited public water system depends completely on wells in the Township. Local industries such as farming and tourism would be decimated.

Holland recently completed a study that shows that our water sources are in deficit, so the idea of exporting water seems like a fantasy to us. Holland Township is in the New Jersey Highlands region and we are working with the NJ Highlands Council to conform to the Highlands Regional Master Plan. As part of that effort the Council funded a Water Use and Conservation Management Plan for the municipality. The study showed that of the three HUC-14 stream systems for which Holland Township is responsible, two are in deficit and the third has a slight surplus, but only because it formerly served solely a mill that has now closed and so draws no water. Below is a link to that study (adopted in September 2020) on the Highlands Council's website:

https://www.nj.gov/njhighlands/hunterdon_county/holland/municipal_approved_docs/holland_WUCMP_adopted.pdf

The proposed rules allow what seems to be the industry's preferred new means of processing fracking water. Only a couple of years ago, Elcon Recycling Services was proposing a plant in Falls Township, Pennsylvania, that employed Thermal Oxidation, with emissions going into the air rather than land or water. Meanwhile, getting the water to processing facilities near the Delaware will bring new dangers because the federal government does not classify fracking waste as hazardous material, so it gets less oversight. Inevitably, there will be accidents involving tanker trucks or rail cars carrying toxic materials.

The only way to ensure public safety from fracking wastewater is to forbid it from entering into the Delaware Basin. We look forward to your development and implementation of the measures that will ensure that outcome.

The summary is that Holland Township is asking the Delaware River Basin Commission to not allow fracking fluids into the Delaware River.

Guest Anthony Rizzello – 8 Crestview Drive worked with Chairman Keady and Member Bowers with this letter. Some additional pros and cons were discussed with cons outweighing any type of pro for such a project.

Liaison Bush recognizes that Pennsylvania permits fracking while New Jersey has a different understanding and interpretation of fracking. We are asking the agency to look into the project and to recognize the potential effects on New Jersey with emphasis on our economy and our desire not to see fracking wastewater dumped into the Delaware River water basin, which is drained by a river that is shared by many. There can be an environmental consequence that needs to be recognized. More discussion took place on the approach of the letter. The subcommittee will work on revisions which will be forwarded to all. Secretary Kozak will put this item on the agenda of the Land Use Board for that boards' review and comment. The LUB will be advised by Secretary Kozak that the Environmental Commission prepared the letter, and that MS. Kozak would forward the letter (once revised and submitted to her by the LUB) to the Township Committee.

Environmental Commission accomplishments for 2021 for submission to Township Committee: EC members need to work on a list and to send their list to Secretary Kozak who will send out to everyone for consideration. This will be on the March Agenda.

Environmental Commission goals for 2022 – Everyone needs to work on a list and to send their list to Secretary Kozak who will send out to everyone for consideration. This will be on the March Agenda.

Sub-Committees Reports

Trails – Jerry Bowers, Ray Note and Regina Barna.

Brochures: discussion took place on refilling the holder at the Holland Park Trail. David Harrison offered to check and refill on a monthly basis. David Harrison also will distribute flyers with the local bird seed shop. Future ideas for brochures were discussed. Susan Meacham has a friend who is knowledgeable about mushrooms.

Community Forestry Management Plan – Ray Note, David Harrison, and Secretary Kozak
The 2021 annual report is due February 2022. David Harriosn will work on this with Secreary Kozak. Secretary Kozak will gather the financial information and will reproduce the 2020 report submitted for comparison. As a reminder....the Community Forestry Plan Goals for 2021 have been outlined monthly.

Core trained: David Harrison (volunteer) and Maria Elena Jennette Kozak (employee). Elizabeth McKenzie has been listed for Holland Township as Core Trained. Regina Barna and Mike Keady are Core Trained. Mayor Bush is also exploring becoming Core Trained. More to follow.

These are the 2022 Community Forestry Management Plan goals to which we are committed:

- 1) Plant a tree for Arbor Day
- 2) Track hours and expenditures for the Community Forestry Program
- 3) Identify and label individual trees on township properties
- 4) Continue and improve outreach efforts at community events
- 5) Complete annual training requirements (8 Continuing Education Units, AKA CEUs)
- 6) If funding is available apply for a Township Seedling Giveaway
- 7) Submit 2 tree or forest related articles to local and regional newspapers and to the township website
- 8) Begin implementing the Riparian Planting Project
- 9) Apply for a CSIP grant to implement a Green Stormwater Management System
- 10) Complete a Forest Inventory if CSIP funding has been received (this must be here in error since we already did the inventory)
- 11) Apply for CSIP funding to remove invasive species on township owned land
- 12) Adopt the Model Highlands Shade Tree Ordinance

Tree Map update – Secretary Kozak is working with Dwight Pederson. The Google account has been created.

Stormwater Education – Mike Keady, Jerry Bowers, Susan Meacham and Maria Elena Jennette Kozak – nothing new at this time. Secretary Kozak to work on an update of the 2021 Stormwater breakdown and share the criteria.

Highlands Conformance – Jerry Bowers, Mike Keady and Dwight Pederson. – Nothing new to report.

Community Education and Outreach – Jerry Bowers, Dwight Pederson, and Susan Meacham – The EC webpage is: <http://www.hollandtownshipnj.gov/bds-committees/environmental-commission>. Everything will first go to Susan Meacham for review and then to Secretary Kozak for distribution to the website or Facebook.

Inventory of Fauna and Flora subcommittee - David Harrison, Dwight Pederson, Ray Note – David Harrison is working on a list of birds and trees etc.

Musconetcong River Management Council – Dwight Pederson
Wild and Scenic – progress is being made but nothing new to report.

Public Comment: Mr. Rizzello edited the DRBC letter while the meeting was going on and sent his suggested text to Mr. Keady and Mr. Bowers for discussion and review. Once the final document is ready, it will be forwarded to Secretary Kozak as outlined earlier.

Board Comment – a discussion of Zoom meetings vs. In Person. The Township Committee lifted the mask requirement. After some discussion on comfort levels with in person meetings, it was decided that the Environmental Commission would continue using Zoom meetings until the weather breaks. A benefit of using Zoom in bad weather is that we can still have a meeting without people traveling in the inclement weather.

At 8:55 pm Susan Meacham made a motion to adjourn.

Respectfully Submitted

Maria Elena Jennette Kozak

Maria Elena Jennette Kozak
Environmental Commission Secretary