



NEW JERSEY HIGHLANDS COALITION

508 Main St. Boonton, NJ 07005 • 973-588-7190 • www.njhighlandscoalition.org

Township of Fredon
443 Route 94
Newton, NJ 07860

Re: PSE&G Major Diversion Application
Block 1602 Lot 8
Block 1602 Lot 10

August 4, 2010

Dear Mayor McCracken and members of the Township Committee:

I am writing on behalf of the forty-seven member organizations that comprise the New Jersey Highlands Coalition. We urge you to deny the application for the Major Diversion Application for the above referenced properties, known as Coursen's Meadow.

As you are aware, you represent the public trust for all of New Jersey in the management of preserved open-space properties within the township once funds are utilized from the statewide Green Acres program for their purchase. This applicant proposes to re-align its existing utility right-of-way, creating a new right of way across the project site and resulting in new disturbances on environmentally sensitive lands within Coursen's Meadow.

I have attached four maps for illustration purposes:

Map 1: From PSE&G's Updated Site Plan, Susquehanna – Roseland Transmission Project, 12/12/08, John P. Ribardo (Sheet 9), with overlay showing Coursen's Meadow, Existing ROW, Proposed new ROW and anticipated new disturbance.

Map 2: PSE&G's Sheet 9, with overlay showing NJDEP GeoWeb Landscape v3.0 – Species Based Patches layer, accessed Friday, July 30, 2010.

Map 3: PSE&G's Sheet 9, with overlay showing NJDEP GeoWeb Landscape v3.0 – Vernal Habitat layer, accessed Friday, July 30, 2010.

Map 4: PSE&G's Sheet 9, with overlay showing NJDEP GeoWeb Landscape v3.0 – C-1 Streams & 300' Buffer layers, accessed , July 30, 2010.

The GIS layers of maps 2, 3 and 4 reveal the presence of Federally Listed, State Endangered, State Threatened and Special Concerned species within the anticipated new disturbances and throughout Coursen's Meadow; the existence of potentially certified vernal habitat surrounding the areas of potential new disturbance; and the two areas of potential new disturbance are located wholly and partially within the undisturbed 300-foot buffer of a category-1 waterway (an unnamed tributary of the Paulinskill, FW2-TP).

N.J.A.C. 7:36 – 5(e) 6 specifically requires that-

“The Department may deny a proposed diversion or disposal that would: Have a significant adverse impact, including fragmentation, on a documented occurrence of a threatened, endangered, or rare species, or on the habitat of such species, including, but not limited to rare, threatened or endangered wildlife habitat ranked 3, 4 or 5 according to the Landscape Maps; Substantially interfere with Federal, State or local water quality protection efforts, including programs to protect water quality [and] Category One (C1) waterbodies.”

Coursen’s Meadow has been inventoried as habitat for bog turtle (federal endangered), bobolink (state threatened), bobolink (state endangered), and foraging for great blue heron (special concern). It should be noted by the Township that PSE&G, while performing routine ROW maintenance, has been cited recently by NJDEP and the federal government for the destruction of bog turtle habitat in the Great Swamp National Wildlife Refuge in Morris, Somerset and Union counties.

Coursen’s Meadow provides extraordinary values to the citizens of Fredon and the state of New Jersey, as demonstrated by the state’s willingness to provide funds to Fredon towards its purchase. These values are found in its unfragmented rare and endangered species habitat and its undisturbed buffer to a recognized highest quality waterbody. This integrity of these values must not be minimized in the consideration of a diversion of this public land. It cannot be understated that the PSE&G Transmission Project has been and continues to be arduously opposed, within Fredon Township and on regional and state-wide levels, for the numerous documented risks and threats it poses to wildlife habitat, water quality and other significant quality of life issues.

The New Jersey Highlands Coalition, therefore, urges you to deny PSE&G’s application.

It should be emphasized that a Green Acres Diversion application has particular and separate rules and outcomes that are distinct from any concurrent permit applications PSE&G might have before NJDEP or any other state agencies for this project. This includes any FWW, FHA or any other permit applications, whether approved, withdrawn, or denied. In addition, any proposed mitigation to satisfy the requirements for another permit application should not be applied to this application.

Sincerely,

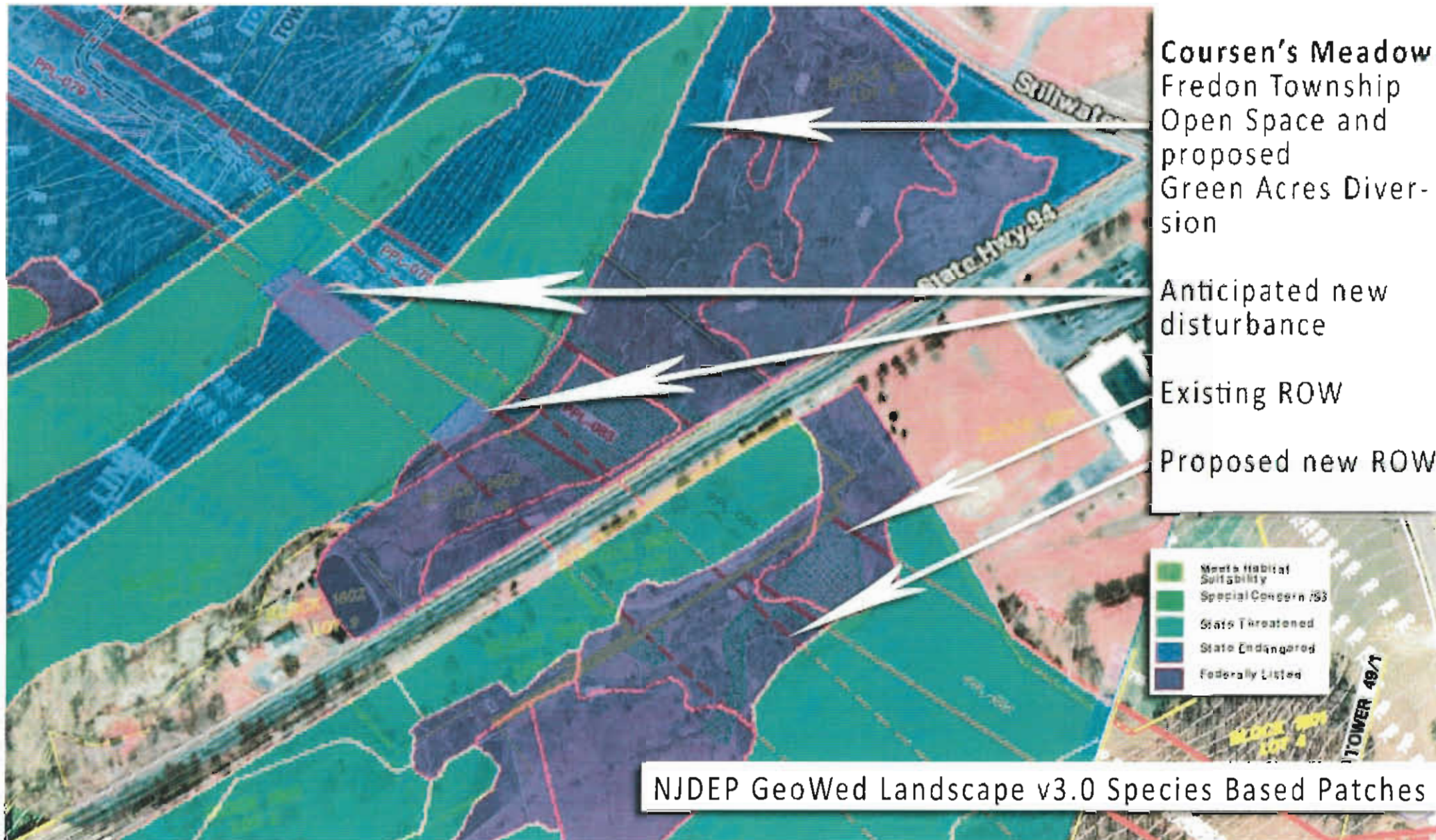


Elliott Ruga

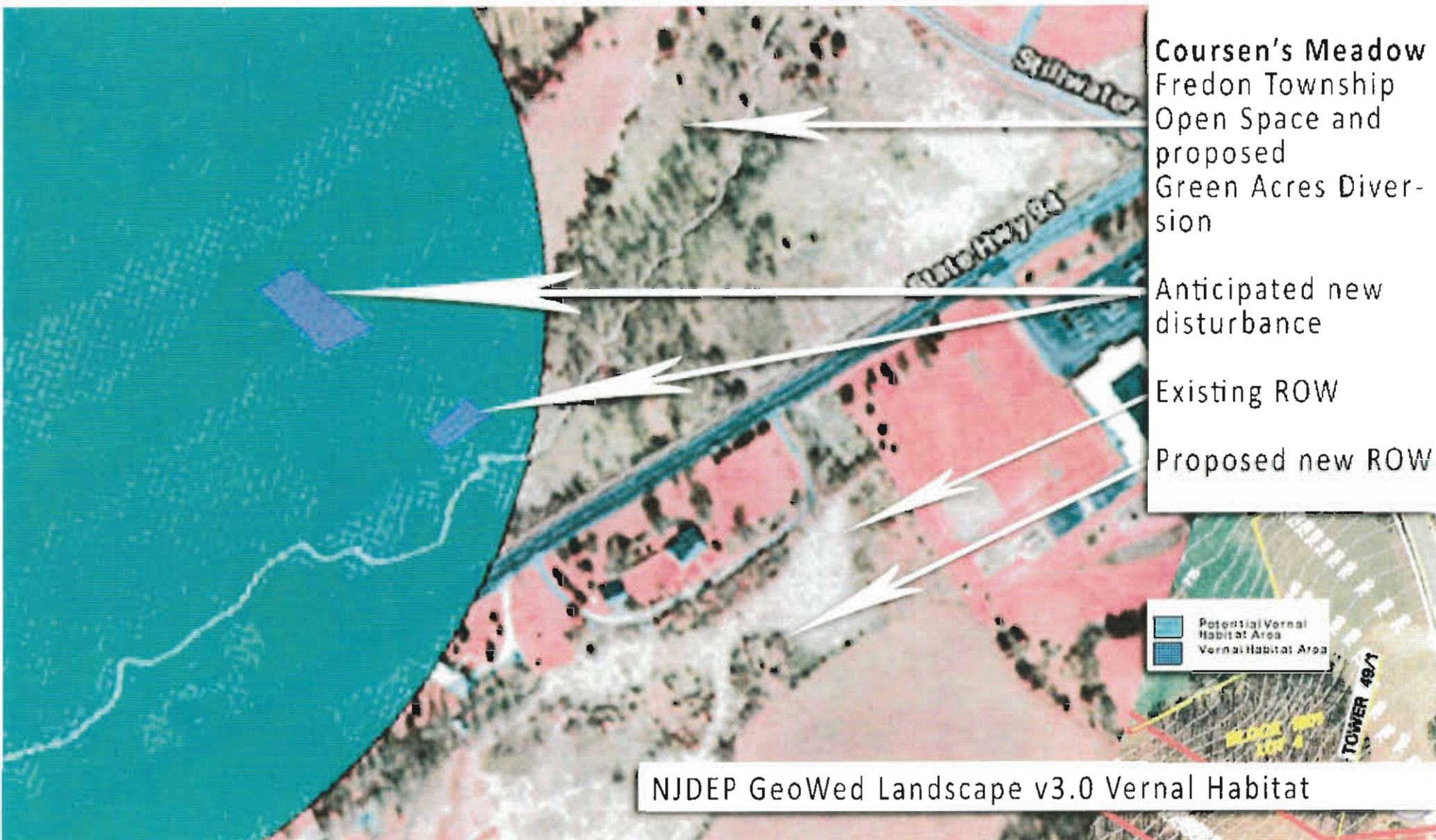
Campaign and Grassroots Coordinator

encl.

cc: Ray Cantor, NJDEP
Cindy Randazzo, NJDEP
NJDEP Green Acres Program
Dr. Emile DeVito, NJ Conservation Foundation



MAP 2



Coursen's Meadow
 Fredon Township
 Open Space and
 proposed
 Green Acres Diversion

Anticipated new
 disturbance

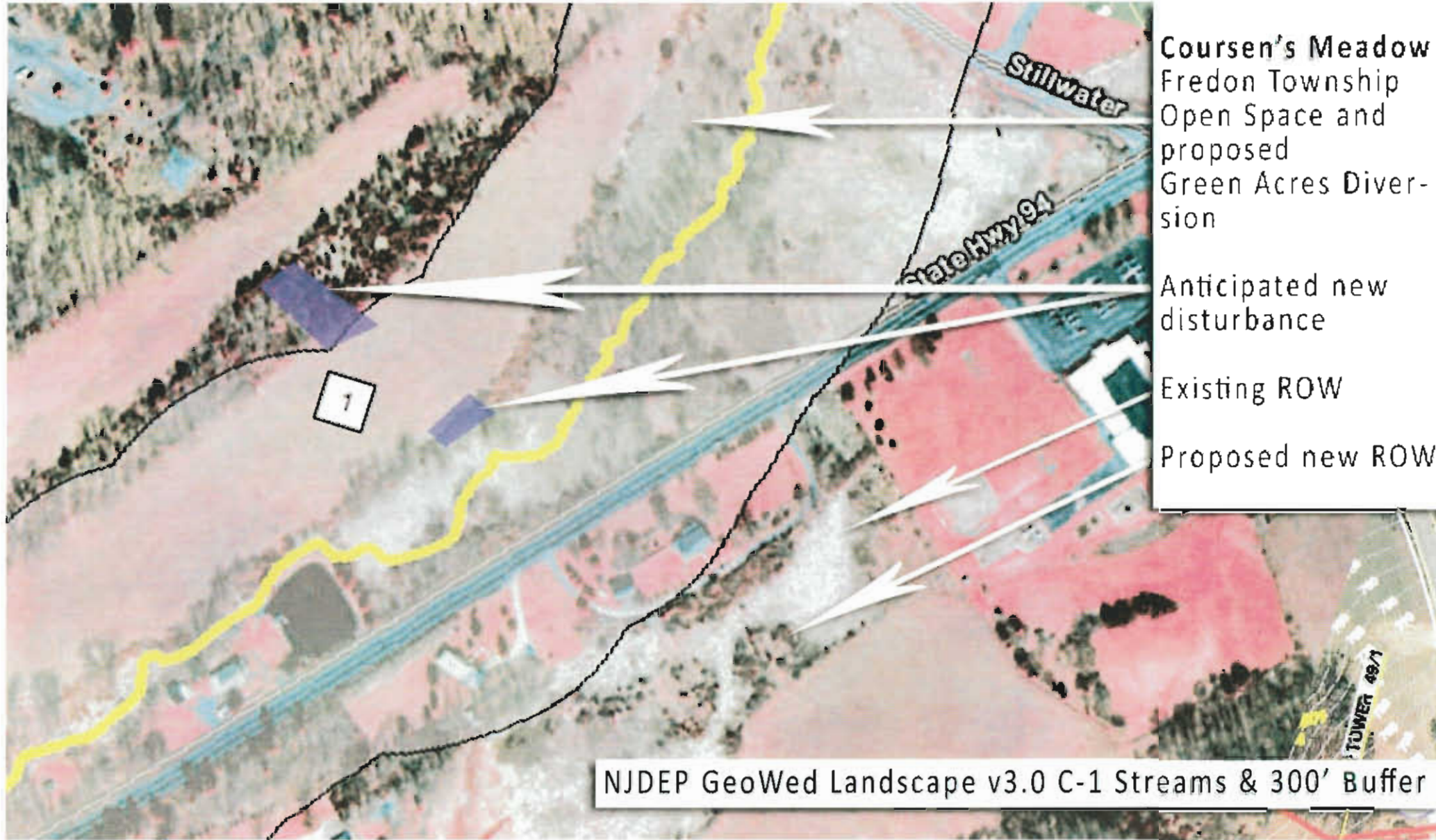
Existing ROW

Proposed new ROW

Potential Vernal
 Habitat Area
 Vernal Habitat Area

NJDEP GeoWed Landscape v3.0 Vernal Habitat

MAP 3



Coursen's Meadow
Fredon Township
Open Space and
proposed
Green Acres Diversion

Anticipated new
disturbance

Existing ROW

Proposed new ROW

NJDEP GeoWed Landscape v3.0 C-1 Streams & 300' Buffer

MNP 4