



c/o Delaware River Greenway Partnership, PO Box 15, Stockton, NJ 08559
www.lowerdelawarewildandscenic.org
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1 of 3

March 26, 2021

Wayne B. Willever
Chairman
Land Use Board
Township of Pohatcong
50 Municipal Drive
Pohatcong, NJ, 08865

Dear Mr. Willever,

RE: Riverline Aggregates Application

As you may be aware, Pohatcong Township sits in the Lower Delaware Wild & Scenic River (www.lowerdelawarewildandscenic.org) corridor. The National Wild and Scenic Rivers System was created by Congress in 1968 (Public Law 90-542; 16 U.S.C. 1271 et seq.) to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations. The Lower Delaware River, and three main tributaries to the River – the Tinicum, Tohickon and Paunacussing – were added to the Act in 2000.

The governing body of the Lower Delaware Wild and Scenic River, namely the Management Council, follows issues that could impact River resources. We are writing since the Riverline Aggregates application before your board is located in close proximity to the Delaware River and we are interested in working with Pohatcong Township on this submission to ensure the best possible project outcomes.

Our primary concern is that water and air quality be carefully considered to avoid any negative impacts. We suggest that all environmental matters be carefully vetted during the application review process due to the increase in capacity and change in materials processing since August 2020 when quarry ownership changed hands. Please consider impacts, appropriate mitigation requirements and long-term enforcement measures for the following:

- The potential for stormwater runoff into the river, or the impact of stormwater management practices on the property,
- The potential for leaching of materials into the groundwater/local aquifers,
- The location of the operation in a flood plain,
- The potential for soil erosion due to the nature of the operation, and
- The potential for air quality impacts from dust generated from processing recycled asphalt payment.

Further, we recommend:

1. Final project approvals be granted only after the applicant has met all local, state, and federal permitting obligations including any permits mandated by environmental agencies, soil and riparian conservation districts, and the Army Corps of Engineers. Note that under the Wild and Scenic River Act, the National Park Service has a formal review authority of any projects within ¼ mile of the River that has federal assistance involved.
2. Review the large number of items selected as “not applicable” or “waived” on the Pohatcong site plan checklist. Examine what agency permits are not being sought, why an environmental impact statement, stormwater plans, wetlands/geologic/utility maps, and the like, are not being provided. Consider if informed decisions can be made without such documents or analysis.
3. Compare the traffic study completed after the change in materials processing occurred last summer, to the traffic prior to August 2020, and how any increase in traffic will impact air quality, water quality, and soil conservation.
4. Research any local, state, or federal height restrictions applied to material stockpiles maintained near residential areas and waterways.
5. Review crisis management plans for the removal of stockpiles in anticipation of high water events.

Finally, there are two documents that would be of interest to your professionals and fellow board members. First, the Lower Delaware Wild and Scenic Management Plan is the document agreed to by all municipal and agency parties at the time the River was designated as a National Wild and Scenic River; the Plan lists six primary goals for conserving the River, including water quality, open space preservation, and protection of natural resources. The full plan can be found at: <https://lowerdelawarewildandscenic.org/index.php/resources/documents/lower-delaware-wild-and-scenic-management-plan>. See page 24 of the Plan:

Water Quality: Maintain existing water quality in the Delaware River and its tributaries from measurably degrading and improve it where practical. Policies: (1) Achieve the highest practical state and federal water quality designation for the river and its tributaries. (2) Manage point discharge and storm water non-point runoff to minimize degradation of the river. (3) Encourage the use of Best Management Practices in the areas within the river corridor to minimize water quality degradation from storm water runoff. (4) Encourage the use of Best Management Practices for activities other than agricultural that could result in water quality degradation from storm water runoff. (5) Discourage inappropriate development in floodplain, wetlands, steep slopes and buffer strips along the Lower Delaware River and its tributaries.

Second, our Stewardship Handbook can be found at <https://lowerdelawarewildandscenic.org/index.php/resources/documents/guides/stewardship-handbook/>. Pages 10-15 of the Handbook also includes commentary about storm water management and water quality.

Feel free to contact Maryann Carroll, Executive Director of the Delaware River Greenway Partnership, who serves as the administrator of the Lower Delaware Wild and Scenic Management Council, with any questions. She can be reached at maryann@delawarerivergp.org. Please provide notice to her if further application documents are submitted to the Township or additional meetings are scheduled to review the application.

Thank you for your consideration.

Sincerely,

Richard Dodds

Chairman

cc: Wanda Kutzman, Clerk, Pohatcong Twp
Barbara Margolese, Land Use Board Secretary, Pohatcong Twp
David Slack, Mayor, Pohatcong Twp
Ingrid Gray, Councilwoman, Pohatcong Twp
Anthony Sposaro, Esq., Counsel to the Pohatcong Twp Land Use Board