



## TOWNSHIP OF HARDYSTON

HARDYSTON, NEW JERSEY 07419

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March 31, 2016

**VIA ELECTRONIC MAIL ONLY**

David.golden@dep.nj.gov  
David M. Golden, Chief  
Bureau of Land Management, NJ Division of Fish and Wildlife  
NJ Department of Environmental Protection  
P.O. Box 420  
Trenton, New Jersey 08625-0420

**VIA PHYSICAL MAIL ONLY**

David Chanda, Director  
Sparta Mountain WMA Forest Stewardship Plan Comment  
NJ Division of Fish and Wildlife  
Mail Code 501-03C  
P.O. Box 420  
Trenton, NJ 08625-0420

**RE: Sparta Mountain Wildlife Management Area Forest Stewardship Plan**

Dear Mr. Golden and Mr. Chanda:

The Township of Hardyston and its citizens have numerous significant concerns with regard to the Forest Stewardship Plan for the Sparta Mountain Wildlife Management Area (hereinafter "SMWMA"). Following careful and thorough review of the Forest Stewardship Plan and in consideration of public comments provided by a wide array of our citizenry at a recent public meeting of the Hardyston Township governing body, the Township Council has developed the proceeding list of its core concerns. The Township submits this letter of comment registering their own objections and also in support of the New Jersey Highland's Coalition's comment letter on the Plan dated March 8, 2016, wherein they enumerated similar concerns.

For all of the reasons set forth below, the Township of Hardyston wishes to make it clear to the Bureau of Land Management, the NJ Division of Fish and Wildlife and the NJ Department of Environmental Protection (hereinafter "NJDEP") that the Township unequivocally and strenuously objects to the proposed Forest Stewardship Plan for Sparta Mountain based on the following beliefs and opinions:

- 1) The Forest Stewardship Plan (hereinafter "Plan") poses an imminent danger to the natural forest and wildlife on Sparta Mountain.

- a. The Plan indicates that it was developed based upon economic and not land preservation and management. This is evident in the fact that the Plan includes removing mature trees and replacing them with young trees. This will cause harm to the habitats of the wildlife residing on Sparta Mountain.
  - b. The objection letter filed by the New Jersey Highlands Coalition (hereinafter "NJHC") demonstrates the NJDEP's flawed view of a healthy forest. At page 32 of their letter, the NJHC points out that "If one of the goals of the plan is to create habitat for species of birds that use young forest, other alternatives to cutting down large swaths of mature forest in the interior SMWMA should be considered."
  - c. The Plan does not contemplate thinning of the current mature forest, nor does it consider the select removal of older, sick or dying trees. The Township strongly feels that these alternatives to the wholesale removal of healthy, mature forest should have been considered.
  - d. Sparta Mountain has never had such vast deforestation proposed, in the spirit of conservation, in order to replace with young forest.
- 2) The Plan presents potential dangers to wildlife, water supply, land and natural resources.
- a. The Plan fails to address buffers for the sensitive wetland streams located on Sparta Mountain and in the surrounding areas. Within the Plan, C1 streams with trout producing waters only have a 40' stream management zone. This is in direct violation of the NJDEP's own regulations requiring 300' buffers for all C1 waters.
  - b. For areas adjacent to residential zones, the Plan fails to provide any plan for handling the additional run-off that will be caused by the lack of a full, mature forest.
  - c. The Plan fails to address the impact it will have on drainage issues both on Sparta Mountain and in the surrounding areas.
- 3) The Plan presents potential danger to the homes and infrastructure in the area of Sparta Mountain.
- a. The Plan fails to establish or provide for buffers between the areas where tree cutting and removal will occur and the surrounding structures within the residential zones.
  - b. The Plan fails to address the concerns involving potential negative consequences associated with heavy equipment moving through residential areas and aged road systems in order to access the forest area.
  - c. The Plan fails to address the topic of damage to property, land or roads that the heavy machinery may cause. Who will be liable for paying for repair or replacement in the event that the heavy machinery causes any damage?
  - d. The Plan fails to address the impact of commercial traffic traveling through residential areas for an undetermined period of time, at various hours of the day.
- 4) The Plan risks interference with the aesthetics on the surrounding area.
- a. The visual impact of removing a large cluster of mature forest, in the middle of Sparta Mountain, cannot be understated. The residences in the area of Sparta Mountain have an aesthetic that their properties look upon and to cause a large

- vacancy in the center will greatly disturb that aesthetic. The Plan is devoid of any discussion of same.
- b. Additionally, the Plan does not appear to have taken into consideration the impact on the quality of life this reforestation project will have on the residents in the surrounding area. From the noise and dangers that will be caused by the project itself, to the potential run-off and drainage issues, the Plan has not addressed any of these concerns.
  - c. The Plan ignores the fact that the lack of a full, mature forest in the area will create an unattractive nuisance, especially for illegal ATV and off-road vehicle users; and thoroughly fails to provide and plan for preventing same.
  - d. The Plan failed to address several areas that they had already clear cut, as the result of a prior plan, that have failed to vegetate. As noted by many residents who hike and visit the areas within the great woods where these barren swaths exist, they appear to look like moonscapes, as a result of the aggressive clearing efforts employed by the NJDEP; however, little attention has been given to ensure that reforestation and repopulation of any healthy undergrowth occurred. This in itself seems like a fatal flaw. Primarily since the projected action did not work to achieve the goal of healthy reforestation and secondly, that despite the fact that there were clearly at least segmented failures in the field of the proposed plan, there has been no attention to addressing the failure. The only correlation seems to be to propose more of what now appears to be a bad thing.
- 5) The NJDEP did not conduct any preliminary testing to determine the “real life” impact on the Plan as proposed.
- a. There was no evaluation of the impact on existing wildlife.
  - b. The NJDEP provided no testing results, expert opinions, or data establishing that the suggested reforestation is necessary for Sparta Mountain.
  - c. Nor has the NJDEP established that the proposed Plan will be successful.
- 6) The NJDEP failed to work cooperatively with Sussex County officials and local governments in developing the Plan.
- a. The Plan as proposed is in direct conflict with the purposes of conservation and preservation associated with the designation of the area as Green Acres property, under which program said land was acquired.
  - b. Due to the property being Green Acres restricted, all funds generated from this project should be set aside in an escrow account – established for the sole purpose of preservation of Sparta Mountain – in accordance with the NJDEP’s regulations relating to Green Acres properties.
  - c. The NJDEP did not provide any opportunity for the local governments, who know the area well, to participate in development of the Plan.
  - d. There was neither time nor opportunity provided for the local governments or area residents to participate, comment on or consider the Plan.
  - e. Prior to issuance of the Plan, there was no information supplied upon which the Plan could be evaluated or questioned by the local governments and/or the residents.
  - f. The Plan has been devoid of any impartial review process. The NJDEP has reviewed and approved of its own Plan. Nothing has been provided to indicate that the Plan has been reviewed by any other State authority or experts in the field.

- g. Since the NJDEP is seeking to engage in a disturbance of the forestry on Sparta Mountain, it does not have to obtain local planning board approval for this proposed plan. In lieu of such a process and in an effort to provide information to the Township's leadership, the NJDEP offered to make a formal presentation before the governing body of Hardyston Township and field questions on the proposed plan from a very passionate public and the members of the governing body of Hardyston Township. Their willingness to do so was appreciated by the Hardyston Township Council and public; however, it should be noted that the Township of Hardyston continues to advocate that a formal public hearing be scheduled in a large enough venue within the Sussex County for a length of time that will give all of those wishing to comment ample time to do so and also learn more about the proposed plan. While the information session was helpful, as was the extension of time to make formal comments on the plan, considering the limited involvement local stakeholders had in the development of the plan, the extension was still less than what was hoped for to give all interested parties an opportunity to thoroughly review and comment, support or oppose the plan.

We note that the process of developing the Plan began in 2012, unbeknownst to Hardyston Township and its residents. The initial phase of developing this Plan resulted in the issuance of an extensive 87 page report prepared by two (2) New Jersey approved foresters with references and literature cited from over 50 different sources. The Sparta Mountain property consists of over 3,000 acres of land and the Township was afforded approximately six (6) days in which to review all of the materials and provide comments. This is an extensive project and undertaking by the NJDEP and the Township objects to the Plan and all manner of the process in which it was developed.

In conclusion, the Township of Hardyston cannot accept or approve of the Sparta Mountain Wildlife Management Area Forest Stewardship Plan. The Plan failed to consider numerous factors that will impact the residents of the Township, it failed to address significant safety issues and failed to consult with the local governments as to the potential impacts of the Plan.

Very truly yours,

*Mayor Leslie Hamilton*  
*Deputy Mayor Stanley Kula*  
*Councilman Carl Miller*  
*Councilman Frank Cicerale*  
*Councilman Santo Verrilli*

Hardyston Township Mayor and Council

Cc: Senator Steven Oroho  
Assemblyman Parker Space  
Assemblywoman Gail Phoebus  
Sussex County Board of Chosen Freeholders  
All Sussex County Municipalities

Lake Tamarack Association, Tom Morro, President  
Beaver Lake Realty Company, Doug Marshall, President  
Harriet Gerard  
Jamie Gerard  
Lake Gerard Fish and Game Club, Michael Carroll, President  
Lake Stockholm Association, Julie Lacatena, President  
Summit Lake Homeowners Association, Robert Kolesar, President  
Deer Trail Lakes/10 Acre Lake Association, Ernie Bailey, President  
Deer Trail Lake Association, Rod Schmidt  
Rock Lodge Properties, Howard Lentner  
Cindy Randazzo, NJDEP, Director, Office of Local Government Assistance