



Resolution of the Township of Bernards

1 Collyer Lane, Basking Ridge, NJ 07920

Phone: 908-204-3001; Fax: 908-204-3015; Website: www.bernards.org

Resolution #2013-0405

Supporting a Coordinated Effort and NJDEP Grant Application to Address De-snagging in the Passaic River Basin involving Municipalities and County Park Commissions
Within Somerset, Morris and Union Counties

WHEREAS, On August 7, 2013, Governor Christie signed into law P.L. 2013, c. 100, which allocates \$3,000,000 to provide grants to local governments for de-snagging and shoal dredging in the Passaic River Basin; and

WHEREAS, the NJ Department of Environmental Protection (NJDEP) is administering this Grant Program, and is encouraging municipalities with related projects to submit their letters of interest in participating in this grant program as one coordinated project through their County, and

WHEREAS, NJDEP will rank grant applications based upon previous flood damage in each applicant community, the likelihood of success of proposed projects in alleviating flood impacts, and whether municipalities or counties are willing to contribute matching funds to the project, among other considerations, and

WHEREAS, combined project applications will be ranked in NJ DEP's grant priority list based upon the highest ranking municipality in the group.

WHEREAS, Bernards and Warren Townships and the County Park Commission in Somerset County; Summit, New Providence, Berkeley Heights in Union County and the County of Union; and Florham Park, Chatham Borough, Chatham Township and Long Hill in Morris County and Morris County Park Commission are currently considering participating in a joint grant application, being coordinated and compiled by Union County Bureau of Government Relations and Community Outreach, and

WHEREAS, Somerset County, its municipalities, residents and businesses within the Passaic River Basin will directly benefit from de-snagging for the Passaic and its tributaries by reducing local and regional flooding risks and removing public safety and environmental hazards.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Bernards supports participation by Bernards Township in this joint grant application, which is being coordinated and compiled by the County of Union.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Somerset County Board of Chosen Freeholders, and the Bureau of Government Relations and Community Outreach of the Department of Parks & Community Renewal in the County of Union.

Agenda and Date Voted: 10/29/2013

CERTIFICATION

I hereby certify this is a true and exact copy of a resolution adopted by the Bernards Township Committee on 10/29/13.


Denise Szabo, Municipal Clerk

Explanatory Statement:

Since the grant award possibility is heavily slanted in favor of multi-jurisdictional applications, we decided to combine our needs with those of our neighboring communities in the Passaic River Basin. One unresolved item in the joint application is the "matching funds" item. Future joint meetings should determine the level of these funds required from each participant to obtain grant funds. A future resolution will be brought to the Township Committee on a matching funds commitment if applicable.

Bruce D. McArthur, Township Administrator 10-24-13



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

OFFICE OF THE COMMISSIONER

Mail Code 401-07

P.O. Box 402

Trenton, NJ 08625-0402

TEL (609) 292-2885

FAX (609) 292-7695

cc: BM
TT
PM
TJ

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

February 24, 2014

Ms. Amy C. Wagner
County of Union
Bureau of Governmental Relations and Community Outreach
10 Elizabethtown Plaza
Elizabeth, NJ 07207

Re: De-snagging and Shoal Dredging Grants

Dear Ms. Wagner:

I am pleased to inform you that the Department of Environmental Protection has conditionally approved your joint request for a grant for de-snagging and shoal dredging in the Passaic River Basin.

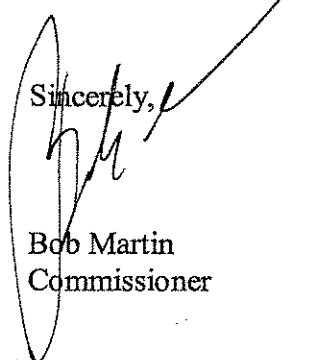
The grant was made possible when Governor Christie signed into law P.L. 2013, c.100, which allocated \$3 million to reduce flooding risks in communities throughout the Passaic River region. The amount of the joint grant will be \$300,000.

All projects must be designed and implemented in accordance with the Freshwater Wetland Protection Act Rules (N.J.A.C. 7:7A) and the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13). Attached is a copy of the Division of Land Use Regulation's Guidelines for Stream Cleaning. Please try to identify activities that can be completed without permits or under Flood Hazard Area General Permit One or a Freshwater Wetlands General Permit 26 to minimize potential permitting costs.

The DEP's Office of Engineering and Construction will soon contact and inform you of further instruction for finalizing the grant award.

If you have any questions, please call Dave Rosenblatt at 609-292-9236.

Sincerely,



Bob Martin
Commissioner

cc: Christine Marion, County of Morris
Mayor Mark Taylor, Borough of Florham Park
Mayor Bruce A. Harris, Borough of Chatham
Mayor Guy Piserchia, Township of Long Hill
Mayor Ellen Dickson, City of Summit
Mayor Brooke Hern, Borough of New Providence
Mayor Joseph G. Bruno, Township of Berkeley Heights
~~Mayor John Carpenter, Township of Bernards~~
Mayor Gary Dinardo, Township of Warren

Guidelines for Stream Cleaning
NJ Department of Environmental Protection
Division of Land Use Regulation
Revised May 1, 2012

Major stream cleaning activities in New Jersey's streams and rivers require permits pursuant to the Freshwater Wetland Protection Act Rules (N.J.A.C. 7:7A) and the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13). However in some instances, stream cleaning activities can be conducted without the need to obtain either permit.

1. The following activities may be conducted without the need to obtain either a Flood Hazard Area Permit or a Freshwater Wetland Permit.
 - i. Hand removal and desnagging of tree limbs and other debris that are obstructing flow.
2. Activities that are authorized by a Flood Hazard Area Permit by Rule (See N.J.A.C. 7:13-7.2(a)5 and N.J.A.C. 7:13-7.2(d)3) and don't require a Freshwater Wetland Permit provided that Freshwater Wetlands and/or Transition Areas are not disturbed for access:
 - i. The use of machinery to remove a major obstruction from a regulated water that can not be removed by hand, such as a fallen tree, abandoned vehicles, furniture and other large debris provided:
 - a) The timing restrictions set forth at N.J.A.C. 7:13-10.5(d) are observed.
 - b) No live trees are disturbed in the riparian zone of the stream.
 - c) The machinery is situated outside of the stream where possible.
 - d) No fill or accumulated sediment is removed from the stream.
 - ii. Removal of sediment around bridges, culverts and stormwater outfalls along a public roadway and/or on public property provided:
 - a) Heavy machinery is not used;
 - b) No trees are removed;
 - c) Sediment removal is limited to within 100 feet from the structure;
 - d) The timing restrictions set forth at N.J.A.C. 7:13-10.5(d) are observed;
3. Activities conducted by a public entity may qualify for a Flood Hazard Area General Permit One (N.J.A.C. 7:13-8.3) or a Freshwater Wetland Permit General Permit 26 (N.J.A.C. 7:7A-5.26), if the project consists of:
 - i. The removal of accumulated sediment and silt from a water body with a natural bed, provided:
 - a) The water body is no more than 15 feet wide;
 - b) The work is limited to less than 500 feet in length;
 - c) The water is NOT classified as Pinelands, C-1 or documented habitat for T&E;
 - ii. Desnagging, removal of debris and garbage from any channel or the removal of any accumulated material from a channel previously lined with concrete or similar material.
 - a) There are no limits on stream width or length of work area for these activities.

Please be advised that if a FWWGP26 is obtained, then the FHAGP1 is not required.

The removal of accumulated sediment and silt from a water body does not require a Freshwater Wetland Permit unless freshwater wetlands or transition areas are disturbed for access to the water. However, if sediment has accumulated to the point that vegetation is growing in it, the area may have become freshwater wetlands and a Freshwater Wetlands Permit may be required. Please contact the Division for additional guidance as needed.



Man, 4-year-old granddaughter rescued from rushing Passaic River after kayak capsizes

comments

Print (http://blog.nj.com/somerset_impact/print.html?entry=/2013/06/man_granddaughter_rescued_from_a_swift_passaic_river_after_their_kayak_capsized.html)
 (<http://connect.nj.com/user/wjobrien/index.html>) By Walter O'Brien/NJ.com
 (<http://connect.nj.com/user/wjobrien/posts.html>)
[Email the author](#) | [Follow on Twitter \(https://twitter.com/NJcomsomerset\)](https://twitter.com/NJcomsomerset)
 on June 11, 2013 at 6:22 PM, updated June 11, 2013 at 6:29 PM

0

Share

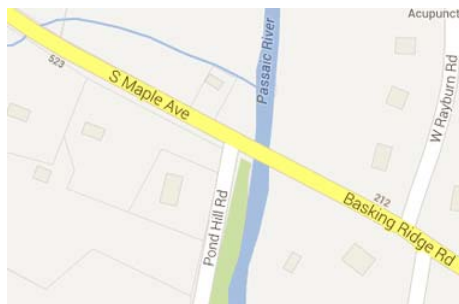
0

Pinterest

Email

BERNARDS

(<http://nj.com/bernards>) — Thanks to the heroic efforts of a township police officer and firefighter, a man and his 4-year old granddaughter whose kayak capsized were saved from the rushing waters of the Passaic River as his daughter watched from the riverbank, police said.



The Passaic River at South Maple bridge in Basking Ridge, Bernards Township.

Google Maps

At about 2:45 p.m. Sunday, Sgt. Glen Amerman of the Bernards Township Police was called to the Passaic River between Haas Road and South Maple Avenue on the report of three stranded kayakers, according to Chief Brian Bobowicz of the Bernards Township Police.

John Schulenburg of Basking Ridge and his 4-year-old granddaughter were trapped in the rushing waters following the flipping of their kayak, Bobowicz said. The granddaughter lives with her mother in Long Hill Township, Bobowicz said.

Schulenburg's daughter, Molly Schulenburg, also of Basking Ridge, had managed to make it to the riverbank in her own kayak, Bobowicz said.

"Sgt. Amerman and Liberty Corner Asst. Fire Chief Pete Aprahamian risked their own safety to wade out to the victim and bring them to shore," Bobowicz said.

Amerman said that while on his way to the scene, he contacted the county to make sure that the fire department and a water rescue unit were on their way, and also arranged for other officers from Bernards to head to the South Maple overpass on the Long Hill border "in case the victims were being whisked down the river."

"I pulled into a Pond Hill Road residential driveway and headed down the steep embankment toward the river," Amerman said. "The river was very swollen due to the storms over the last 48 hours. There were multiple large trees down across the river making channels of swift moving water that had made crossing the river extremely difficult."

Amerman said that Schulenburg, who was not wearing a life vest, was trapped in the middle of the river holding onto his 4-year-old granddaughter, who was wearing a life vest. Schulenburg's kayak was caught in a tree, Amerman said.

"I was concerned that John was going to lose his footing and the current was going to take his granddaughter and himself down the river," Amerman said. "There were more trees and brush further down the river that they could have gotten stuck under."

Amerman said he quickly took off the heavy parts of his uniform and walked into the river, leaving his weapon with officers onshore.

"I waded through chest deep water to get as close as I could to John and his granddaughter," Amerman said. "Pete Aprahamian entered the water to assist me. Pete and I were able to tie a rope to the second kayak and I pushed the kayak to John. John put his granddaughter in the kayak and I pulled it back to me."

Amerman and Aprahamian took the 4-year-old out of the kayak and handed her off the other rescue personnel, then sent the kayak back to John so he would have a flotation device to hold onto in case the fast-moving waters sent him further downriver.

Schulenburg held onto the kayak as Amerman lowered him down the river to an island closer to the riverbank, at which point he was able to make it to shore, Amerman said.

All the victims were checked out by Liberty Corner First Aid Squad with no injuries, Amerman said.

Liberty Corner Fire Department, Somerset Medical Center Mobile Intensive care unit and the Bedminster-Far Hills Swift Water Rescue Team also assisted, Amerman said.

"My very humble compliments and praise for Sgt. Amerman and Asst. Chief Aprahamian," Bobowicz said. "They professionally faced dangerous and life-threatening conditions to save this multigenerational family. To say I am impressed is an extreme understatement."

Related Stories	
<p>(http://www.nj.com/messenger-gazette/index.ssf/2013/11/naval_academy_gospel_choir_performs_at_fellowship_village_in_bernards_township)</p>	<p>(http://www.nj.com/somerset/index.ssf/2013/11/convicted_sex_offender_charged_in_sexual_contact_with_14-year-old_girl.html)</p>

Video of the Day



Bronx man sentenced to 24 years for fatal accident in East Brunswick
(http://videos.nj.com/star-ledger/2013/11/bronx_man_sentence)

N.J. News In Your Inbox

From local news to politics to entertainment and sports, the twice daily Right Now eNewsletter has all of the New Jersey news you need!