



Borough of Hillsdale

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John J. Ruocco, Mayor

May 10, 2019

Commissioner Catherine McCabe
New Jersey Department of Environmental Protection
Mail Code 401-07
401 East State Street
PO Box 402
Trenton, NJ 08625-0420

Dear Commissioner:

For several years, Hillsdale, Woodcliff Lake, and Park Ridge have been trying to gain regulatory approval and grant financing for a 20 foot-wide nature walking trail project that will cover several miles of recreational trails with cross border access to the residents of those three towns. The trail would offer increased recreational opportunities for the approximately 28,000 residents who live in the three towns, as well as thousands of other residents of the Pascack Valley. The contemplated trail system would originate in northern Park Ridge, extend into Woodcliff Lake along the Woodcliff Lake Reservoir owned by Suez Water, and terminate in Hillsdale at the southern end of the reservoir.

All three municipalities had submitted applications to the NJDEP for matching grant monies under the Recreational Trails Program. Park Ridge and Woodcliff Lake did so in 2015, and Hillsdale a year later. I understand that the grants to Park Ridge and Woodcliff Lake have been rescinded, subject to further discussion with them. Moreover, I understand that Hillsdale's application has been removed from consideration due to a change in the approval criteria used by the NJDEP, instigated by a federal government audit of NJDEP's grant criteria.¹ This removal of our grant application will delay this excellent project, to the detriment of all the residents of the Pascack Valley, after months and years of planning and seeking regulatory approval.

All three municipalities have expended considerable time and effort over many months to negotiate a License Agreement with Suez Water New Jersey Inc. that would sanction the trail. Those efforts culminated in a draft agreement in early 2018. The property is a regulated and protected watershed resource subject to a conservation easement enforced by NJDEP. That conservation easement is the result of a settlement agreement approved by the Watershed Property Review Board ("WPRB") in 2009.

¹ Hillsdale has not received written confirmation of this decision.

Accordingly, the nature trail needed several levels of State review and approval. The NJ Board of Public Utilities needed to approve security measures, and did so in February 2018. Suez Water submitted the License Agreement for review to the NJDEP's Natural & Historic Resources area in August 2018 and received notice in October 2018 that the License Agreement was consistent with the conservation easement. However, Suez Water and the three municipalities were told at that time that a final review of the License Agreement was needed by the Watershed Property Review Board² which meets infrequently. Suez Water had initially requested formal approval of WPRB in April 2018, but supplemented its request in December 2018. The WPRB approved the nature trail project in April.

Throughout the entire regulatory review and approval process, the three municipalities, aided by Borough professionals, Bergen Swan, The Hackensack River Keeper, The Rutgers Environmental Law Clinic, and environmentally-dedicated volunteers & commission members, have worked in a cooperative manner with Suez Water for a common goal & vision. The municipalities agreed to share in the cost of the improvements needed for the trail, and work closely to ensure all environmental safeguards and necessary precautions to protect the watershed are undertaken. The cancellation of Hillsdale's grant application by the NJDEP at this time, after the three towns and Suez Water cleared virtually all regulatory hurdles over a three-year time span, is disappointing and unfair to our residents. Moreover, it is inconsistent with the State's goal of increasing responsible access for its citizens to the recreational treasures of New Jersey.

If at all possible, I am asking for a reconsideration of the decision to set aside Hillsdale's 2016 grant application. If that is not possible, then I would respectfully ask that when Hillsdale is allowed to reapply for grant funding relating to our portion of the trail, expedited treatment be given to processing the new grant application.

Respectfully,



Mayor John J. Ruocco

² The proposed nature trail was first discussed by the WPRB in its May 2016 meeting, followed by a site visit.