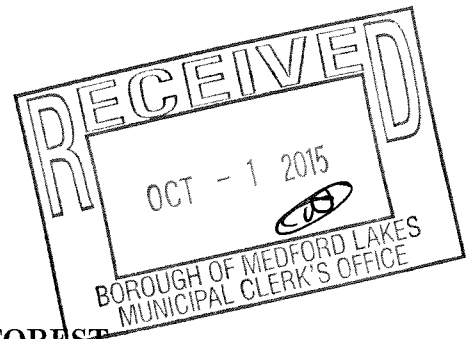


SHAMONG TOWNSHIP
RESOLUTION 2015R-70



**STATING CONCERNS ON WHARTON STATE FOREST
MOTORIZED ACCESS PLAN AND OPPOSING CURRENT DRAFT**

WHEREAS, the Township of Shamong (“Township”) held a public meeting on September 1, 2015; and

WHEREAS, prior to the meeting, the Township officials were contacted by numerous residents and neighboring municipalities with respect to the Wharton State Forest Motorized Access Plan (“MAP”), and as a result, invited the DEP to be present at the meeting; and

WHEREAS, at the meeting, the Township Committee and the public received a presentation from DEP, including the Division of Parks and Forestry on the MAP, followed by extensive public input both in support and opposed to the MAP or elements thereof; and

WHEREAS, Shamong Township is a rural, Pinelands municipality with nearly 60% of the Township in State lands, much of that falling within the Wharton State Forest; and

WHEREAS, the Township recognizes the need for regulation of the Forest and its resources but desires to see a more reasonable and open process and result than the MAP as currently proposed, and in order to formally state its position on the MAP, passes this Resolution, in the best interests of the health, safety and welfare of the residents of the Township and the public at large.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Township Committee of the Township of Shamong, County of Burlington, State of New Jersey, that the Township Committee makes the following determinations and requests:

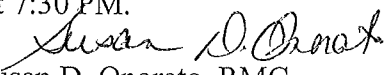
1. Of utmost concern is the ability of fire, police and EMS to have full access to deal with emergencies. The Forest Fire Service, which falls under DEP, testified in favor of the plan; however, comments from the EMS and State Police both indicated concern with regard to reduced points of access. This is particularly so where those responders may be less familiar with the Forest than the Fire Service personnel. The Township requests that the State consider the MAP and any potential closures from a first responder perspective first and foremost and include all branches in that process.
2. While the State testified that no roads are being physically blocked, that statement appears to be one of semantics and not fact. Testimony at the public hearing also indicated that volunteers were using trees and debris to physically block “illegal points of access.” There appears to be no clear, discernible delineation within the MAP to determine what physically has served as a road or travelled cartway for decades. Testimony was received from the public that many historically travelled routes are now permanently closed. Simply declaring those points of access something less than a

“road” and therefore subject to permanent closure is arbitrary, capricious and unreasonable. The Township requests that the State start with the presumption that all historically traveled routes are roads, and that they should only be closed under clearly discernable criteria (i.e. – specific environmental damage, cartway too narrow for passage, impassable conditions, and the like).

3. All testimony presented indicated that there is a lack of enforcement, particularly with respect to “monster” trucks and similar vehicles that cause damage to the Forest. The Township requests that enforcement be considered as a primary mechanism to address the environmental damage created by users who abuse the natural resources of the Forest.
4. The Township, and much of the public, first learned of this MAP through word of mouth and social media. The Township’s officials and personnel have been inundated with questions and comments on the MAP. Municipal entities within the Forest have a significant, vested interest in the management of the Forest, and the Township respectfully requests that the State provide a formal mechanism for communication with the State on the MAP to allow for continued dialogue and input.
5. The Township is concerned that the MAP will not resolve the issues of environmental damage that it is designed to address. Further, it has the effect of closing off significant points of use and enjoyment of the Forest from many law-abiding, responsible residents. The Township heard impassioned and emotional pleas from residents who frequent the Forest in motorized vehicles on a regular basis and have done so with family for generations. Some testified to having limited mobility absent a motorized vehicle. The Township fears that these residents are being unfairly impacted due to a smaller percentage of bad actors that are engaging in activity that is already illegal. The MAP, as currently proposed, is a sea change with respect to motorized access, and the Township asks that the State not institute it in its present iteration, but revisit it through a public process and take a much more cautious and measured approach with respect to future closures.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be sent to the office of the Governor, the Commissioner of the Department of Environmental Protection, the Director of Division of Forestry, the Regional State Parks Manager, the Regional Forest Fire Service, the Regional State Park Police, the State Senate and Assembly Representatives, the Burlington County Freeholders, and surrounding municipalities.

The above entitled Resolution was passed at a meeting of the Township Committee of the Township of Shamong at the regularly scheduled meeting on September 22, 2015 at the Municipal Building, 105 Willow Grove Road, Shamong, New Jersey at 7:30 PM.


Susan D. Onorato, RMC
Municipal Clerk