

DRAFT ENVIRONMENTAL ASSESSMENT

**DISPOSAL OF HEISLERVILLE WMA PARCELS
ACQUIRED UNDER W-35-L**

March 2022

Wildlife and Sport Fish Restoration, U.S. Fish and Wildlife Service

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Table of Contents

PROJECT BACKGROUND	1
CHAPTER 1: PURPOSE AND NEED	1
Introduction.....	1
Purpose and Need	2
Proposed Action.....	3
Action Area.....	4
CHAPTER 2: ALTERNATIVES	4
The No- Action Alternative.....	4
The Proposed Action Alternative	5
Other Alternatives Considered and Dismissed	5
CHAPTER 3: AFFECTED ENVIRONMENT.....	5
Physical Environment.....	5
Biological Resources: Listed Species, Species of Concern, Wildlife, Habitat.....	8
Historic & Cultural Resources.....	10
Socio-Economic	10
Recreation	11
CHAPTER 4: ENVIRONMENTAL CONSEQUENCES OF THE ALTERNATIVES.....	11
Biological Resources: Listed Species, Species of Concern, Wildlife, Habitat	11
<i>Alternative A (Proposed Action)</i>	11
Historic & Cultural Resources	11
<i>Alternative A (Proposed Action)</i>	12
Socio-Economic	12
<i>Alternative A (Proposed Action)</i>	12
Recreation	12
<i>Alternative A (Proposed Action)</i>	12
Cumulative Impacts	12
<i>Alternative A (Proposed Action)</i>	12
Biological Resources: Listed Species, Species of Concern, Wildlife, Habitat	12
<i>Alternative B (No Action)</i>	12

Historic & Cultural Resources	13
<i>Alternative B (No Action)</i>	13
Socio-Economic	13
<i>Alternative B (No Action)</i>	13
Recreation	13
<i>Alternative B (No Action)</i>	13
Cumulative Impacts	14
<i>Alternative B (No Action)</i>	14
SUMMARY OF ENVIRONMENTAL CONSEQUENCES	14
CHAPTER 5: PREPARER	15
List of Preparers	15
CHAPTER 6: COMMENTS & COORIDNATION.....	15
Public Involvement	15
Coordination and Review of the EA	15
CHAPTER 7: APPENDICES	16
Appendix I – Cadwalder Leases	16
Appendix II – Kaplan Certification	16
Appendix III -Reconstructed 1956 lease map.....	16
Appendix IV – NJ Treasury Circular 08-PMC/OMB.....	16
Appendix V – Section 7 ESA Letter.....	16
Appendix VI - SHPO Letter	16

List of Figures

Figure 1. Improvements found within action area at time of acquisition (1956)	3
Figure 2. Proposed Matt’s Landing Conveyance	4

Figure 3. Improvements Block 316/Lot 44.01	6
Figures 4 & 5. Improvements Block 316/Lot 44.02	7
Figures 6 & 7. Improvements Block 316/Lot 44.03	7
Figure 8. Improvements Block 316/Lot 44.04	7
Figure 9. Improvements Block 294/Lot 1	7
Figure 10. Matts Landing Habitat Rank	10

List of Tables

Table 1. Matts Landing leases and acreages.....	6
Table 2. Threatened and endangered species known in the region but not observed on the action area. There are no critical habitats found within the action area.	8
Table 3. Migratory birds of conservation concern and potentially present in the action area.	8
Table 5. Comparison of effects of the action alternatives for the proposed Matts Landing disposal parcels on the Heislerville WMA	14

PROJECT BACKGROUND

The Heislerville Wildlife Management Area was created in 1956 with an initial purchase of 2,205 acres with funds from a Wildlife Restoration (WR) grant (W-35-L) and state funds from the Division's dedicated public shooting and fishing grounds fund. The purpose of the acquisition was to acquire marshes and uplands adjacent to the Maurice River and Delaware Bay that would be improved and managed for the benefit of waterfowl and furbearers. Planned developments for the site included the creation of additional water surface, dike construction, improvement of aquatic food facilities, and improvement of upland food and cover facilities. Supplemental benefits afforded through the acquisition included public access to 1000 feet of Delaware Bay frontage for crabbing, fishing, and boating activities. The Heislerville WMA is operated and maintained with Wildlife and Sport Fish Restoration (WSFR) funds under the Division's FW-63-D-31 Statewide Development grant.

At the time of acquisition, a portion of the Heislerville Wildlife Management Area known as Matt's Landing was leased by the owner of record, John Cadwalder, to ten individuals for concessions such as boat liveries, vessel fueling stations, and bait shops (Appendix I). Although the land on which the concessions and improvements existed was owned by the Cadwalder family, the improvements made at Matt's Landing were owned by the lessees. Despite the presence of these leases at the time of purchase (Appendix II), the Deputy Attorney General, Sidney Kaplan, certified in 1958 that the title conveyed to the Division and State of New Jersey was free and clear of all encumbrances. The leases were brought to the attention of the WSFR program following an April 1965 site inspection, but there is no evidence in the historic record that WSFR believed the leases interfered with the primary purpose of the grant or that payments received by the Division should have been treated as anything other than license revenue.

Since its purchase in 1956, the Division has managed the greater Heislerville WMA in a manner that is consistent with the primary purpose stated above. The Division has also allowed the continuation of the concessions that were in place at the time of purchase, per 50 CFR 80.134 (d), because they did not interfere with the purpose of the grant. However, after careful review of the grant record, the Division believes the 5.58 acres known as Matt's Landing, and the leases located thereupon, should be disposed of because the commercial nature of the improvements on the leased parcels do not benefit waterfowl or furbearers and they do not support the creation of additional water surface, dike construction, improvement of aquatic food facilities, or improvement of upland food and cover facilities.

CHAPTER 1: PURPOSE AND NEED

Introduction

The New Jersey Division of Fish and Wildlife (Division), in cooperation with the U.S. Fish and Wildlife Service (USFWS), has prepared this Environmental Assessment (EA) to evaluate the potential effects to physical, biological, and cultural resources and socioeconomic conditions which may result from the disposal of a 5.58-acre portion of the Heislerville Wildlife Management Area (WMA) located in Maurice River Township, Cumberland County, New

Jersey. The parcels, locally known as Matt's Landing, were purchased in 1956 with WR funds. Due to the commercial nature of the development located on the Matt's Landing parcels, and the management challenges associated with them, the Division has determined the parcels no longer serve the primary purpose of the grant under which the Heislerville WMA was acquired.

As a federal action with the potential to affect the human environment, approval of this disposal by the U.S. Fish and Wildlife Service (USFWS), WSFR Program requires an analysis of its potential impacts according to the National Environmental Policy Act (NEPA), 42 U.S.C. 4321-4347. WSFR will use this Environmental Assessment to determine if the proposed action is likely to result in significant impacts to the environment. If it is determined that none are likely, the Service will issue a Finding of No Significant Impact (FONSI) and allow the disposal of the proposed 5.58-acres that was purchased with WR funds. If disposal of these parcels is approved, the Division would re-allocate the sale proceeds to acquiring land that is more likely to provide the high-quality wildlife habitat and recreational opportunities envisioned in the original purpose of the W-35-L grant.

Purpose and Need for Proposed Action

Purpose

The purpose of the proposed action is to dispose of 5.58 acres of land acquired by the Division in 1956 with WR funds. The parcels are located within the Heislerville WMA in Maurice River Township, Cumberland County. Because of the commercial nature of the development and improvements located on these parcels, the property does not support the primary purpose of the W-35-L grant to provide habitat protection and habitat development opportunities for waterfowl and furbearer species.

Need for Proposed Action

When acquired in 1956 by the Division, a small portion of the Heislerville WMA, then known as the Cadwalder (or Cadwalader) tract, had ten active lease agreements on 5.58 acres of the property locally known as Matt's Landing (Appendix III). Per the terms of the existing agreements, the tenants were permitted to make improvements to the land under lease. Several improvements were present on the parcels at the time of acquisition (Figure 1), and although the Division took ownership of the land on which these leases were located, it did not receive rights to the improvements made under the agreements executed by John Cadwalder and then the Estate of John Cadwalder. Over time the improvements have fallen into disrepair creating a management and enforcement challenge for the Division. Due to the fragmented nature of ownership and the degraded condition of the improvements, the Division believes the Matt's Landing parcels contribute no conservation value to the Division, or the local fish and wildlife populations the Division manages and should be divested from the larger Heislerville WMA.



Figure 1. Matts Landing improvements at time of acquisition

Proposed Action

The proposed Action would authorize the sale of 5.58 acres of the Heislerville WMA locally known, and referred to throughout this document, as Matt's Landing. The Division will dispose of the land through the Ogden-Rooney process which culminates in a review by the State House Commission (Appendix IV). The process requires consideration of all advantages, disadvantages, benefits, and detriments of the proposed disposal and an assessment of all potential environmental and recreational impacts. In addition, the Ogden-Rooney law requires the value of the lands be based upon their intended use upon conveyance or upon their highest and best use, whichever is greater. This will ensure the WSFR Program and the Division receive the highest value for the disposal.

The proposed action will require no additional Federal funds. The Division will use state funds to pay for all necessary costs, i.e. appraisals, surveys, and title searches, associated with the sale of the Matt's Landing parcels. If the proposed action is approved, the federal share of the proceeds would be re-allocated to other land acquisition projects in the Division's W-80-L-1, Wildlife Management Area Conservation land acquisition grant. The purpose of the W-80-L-1 grant is to "acquire land for the purpose of increasing public access to wildlife associated recreation and the conservation of game and non-game species" and is consistent with the original stated purpose and objectives of the W-35-L grant.

Action Area

The subject property is located at the northwest terminus of Matts Landing Road and the

south side of the Maurice River Township. It has a tax map identification of Block 294, Lot 1, Block 316, p/o Lots 44, 44.01, 44.02, 44.03 and 44.04, Township of Maurice River, County of Cumberland, State of New Jersey. See Figure 2.



Figure 2. Matt's Landing proposed land conveyance

CHAPTER 2:

ALTERNATIVES

The No-Action Alternative

Under the No-Action Alternative, The Division would retain the five parcels comprising the 5.58 acres near Matt's Landing. Under this alternative there would be no land disposal and ownership of the parcels would not change. The alternative of not disposing of the 5.58 acres Matt's Landing portion of the Heislerville WMA would continue the fragmented nature of ownership within the Matt's Landing portion of the Heislerville WMA and facilitate the continued degradation of the parcels as some lessees allow their improvements to deteriorate. Proceeds from the sale of Matt's Landing would not be made available to the Division for acquisition of more desirable properties that would benefit wildlife species and enhance access to wildlife associated recreation.

Proposed Action Alternative

The Proposed Action Alternative would involve the disposal of five parcels comprising the 5.58 acres near Matt's Landing. The property would be offered for sale to a willing buyer via the New Jersey Department of Treasury's Circular 08-06-PMC/OMB. A yellow book appraisal would be obtained at the Division's expense to establish a certified market value of the parcels prior to disposal and ensure both the Division and WSFR receive the highest and best value for the sale of land.

Under the Proposed Action Alternative, the federal share of the proceeds generated from the sale of the proposed disposal property would be added to the Division's Wildlife Management Area Conservation grant (W-80-L) for the purpose of acquiring land for the conservation of wildlife habitat and enhancing public access to wildlife associated recreation. Acquired properties will be operated and maintained as a state WMA under the Division's FW-63-D Statewide Development grant.

The State share of the sale proceeds will be returned to the Division's dedicated hunter and angler account as license revenue per 50 CFR 80.20 (c). This revenue will be used to defray costs associated with the preparation of surveys, appraisals, and legal documents necessary for the disposal.

Other Alternatives Considered and Dismissed

The Division investigated developing a Request for Proposal to obtain third-party management services of lessees operating and maintaining improvements at Matt's Landing. The potential lease manager would have overseen and ensured compliance of all agreements developed by the Division. Management fees would have been supported by annual rents collected from lessees operating and maintaining improvements at Matt's Landing. Rates would have been based upon fair market value of comparable commercial activities.

The Division dismissed this alternative as not being consistent with its mission. The alternative would have introduced yet another layer of administration that likely, would have exacerbated the fragmented nature of ownership at Matt's Landing and would have further complicated management control of the site.

CHAPTER 3: AFFECTED ENVIRONMENT

3.1 Physical Environment

Heislerville (Matt's Landing) Parcels – Proposed for Disposal

The subject property consists of five parcels totaling 5.58 acres of waterfront property along the Maurice River. The property has approximately 2,900± linear feet of waterfront frontage at the state pier head-line. This frontage is located at a cove just north of the Delaware Bay. Paved

access is limited to the northwest end of Matt's Landing Road in the Heislerville WMA. The tract has an estimated 1,700 linear feet along the north side of a partially paved loop road and 800 linear feet along the south side. It also has approximately 1,200 linear feet access along another road (north side of Matt's Landing Road) referred to as "Earth Dike" on the municipal tax maps. The overall tract is generally level and clear with portions bulk headed. Portions of the subject parcel along the river appear to lie within the mean high-water line and have riparian rights to the adjacent tidelands.

The subject parcels in question consist of approximately five current or former operating Marinas (Table 1). In 2012, the subject parcels received extensive damage as a result of coastal flooding during the Superstorm Sandy event. The improvements, and their current condition, can be seen in Figures 3-9 below.

Table 1: Leases and acreage

Block	Lot	Address	Owner	Ac./NJACTB	Acquisition Ac.
316	44.01	140 Matts Landing Road	NJDEP c/o Lupton	1.67	0.66
316	44.02	132 Matts Landing Road	NJDEP	2.45	1.08
316	44.03	122 Matts Landing Road	NJDEP c/o Haase	1.12	1.13
316	44.04	114 Matts Landing Road	NJDEP c/o Haase	0.76	1.16
294	1	108 Matts Landing Road	NJDEP c/o Castroff	7.0	1.54



Figure 3: Block 316/Lot 44.01



Figure 4: Block 316/Lot 44.02 NE view



Figure 5: Block 316/Lot 44.02 SW view



Figure 6: Block 316/Lot 44.03 NE view



Figure 7: Block 316/Lot 44.03 SW view



Figure 8: Block 316/Lot 44.04 NE view



Figure 9: Block 294/Lot 1 NE view

3.2 Biological Environment

3.2.1. Listed, Proposed, and Candidate Species

Section 7 of the Endangered Species Act (ESA) of 1973 (7 USC §136, 16 USC §1531 et seq.), as amended, requires federal agencies to consult with the USFWS if listed species or designated Critical Habitat may be affected by a Proposed Action. Although no threatened or endangered wildlife species are known to be observed on the Matt's Landing parcels (Appendix V), the following species are present in the greater Heislerville WMA region (Table 2). There is no critical habitat identified in the proposed action area.

Table 2. Threatened and endangered species known in the region but not observed on the action area.

Common Name	Scientific Name	Status
Mammals		
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Threatened
Birds		
Eastern Black Rail	<i>Laterallus jamaicensis ssp. jamaicensis</i>	Proposed Threatened
Red Knot	<i>Calidris canutus rufa</i>	Threatened
Fish		
Atlantic sturgeon	<i>Acipenser oxyrinchus oxyrinchus</i>	Threatened
Plants		
American Chaffseed	<i>Schwalbea americana</i>	Endangered
Knieskern's Beaked-rush	<i>Rhynchospora knieskernii</i>	Threatened
Sensitive Joint-vetch	<i>Aeschynomene virginica</i>	Threatened
Swamp Pink	<i>Helonias bullata</i>	Threatened

3.2.2. Birds of Conservation Concern

According to the USFWS Information, Planning and Conservation System (IPaC) (accessed on April 8, 2020), the species listed in Table 3 are migratory birds identified as being birds of conservation concern potentially having a seasonal occurrence on the greater Heislerville WMA. Birds of conservation concern are species that, without additional conservation actions, are likely to become candidates for listing under the ESA.

Table 3. Migratory birds of conservation concern and potentially present the greater Heislerville WMA region but not observed on the action area.

Common Name	Scientific Name	Bird of Conservation Concern (BCC)	Seasonal Occurrence in Project Area
American Oystercatcher	<i>Haematopus palliatus</i>	Yes	Breeding
Bald Eagle	<i>Haliaeetus leucocephalus</i>	Yes	Year-round resident
Black Skimmer	<i>Rynchops niger</i>	Yes	Breeding
Black-billed Cuckoo	<i>Coccyzus erythrophthalmus</i>	Yes	Breeding
Bobolink	<i>Dolichonyx oryzivorus</i>	Yes	Breeding
Canada Warbler	<i>Cardellina canadensis</i>	Yes	Breeding
Clapper Rail	<i>Rallus crepitans</i>	Yes	Breeding

Dunlin	<i>Calidris alpina arctica</i>	Yes	Breeds elsewhere
Eastern Whip-poor-will	<i>Antrostomus vociferus</i>	Yes	Breeding
Gull-billed Tern	<i>Gelochelidon nilotica</i>	Yes	Breeding
Hudsonian Godwit	<i>Limosa haemastica</i>	Yes	Breeds elsewhere
Kentucky Warbler	<i>Oporornis formosus</i>	Yes	Breeding
King Rail	<i>Rallus elegans</i>	Yes	Breeding
Least Tern	<i>Sterna antillarum</i>	Yes	Breeds elsewhere
Lesser Yellowlegs	<i>Tringa flavipes</i>	Yes	Breeding
Nelson's Sparrow	<i>Ammodramus nelsoni</i>	Yes	Breeding
Prairie Warbler	<i>Dendroica discolor</i>	Yes	Breeding
Prothonotary Warbler	<i>Protonotaria citrea</i>	Yes	Breeding
Red-headed Woodpecker	<i>Melanerpes erythrocephalus</i>	Yes	Breeding
Red-throated Loon	<i>Gavia stellata</i>	Yes	Breeds elsewhere
Ruddy Turnstone	<i>Arenaria interpres morinella</i>	Yes	Breeds elsewhere
Rusty Blackbird	<i>Euphagus carolinus</i>	Yes	Breeds elsewhere
Seaside Sparrow	<i>Ammodramus maritimus</i>	Yes	Breeding
Semipalmated Sandpiper	<i>Calidris pusilla</i>	Yes	Breeds elsewhere
Short-billed Dowitcher	<i>Limnodromus griseus</i>	Yes	Breeds elsewhere
Whimbrel	<i>Numenius phaeopus</i>	Yes	Breeds elsewhere
Willet	<i>Tringa semipalmata</i>	Yes	Breeding
Wood Thrush	<i>Hylocichla mustelina</i>	Yes	Breeding

3.2.3. Other Wildlife Species

Although no wildlife species are known to be observed on the Matt's Landing parcels, migratory waterfowl such as northern pintails, buffleheads, ruddy ducks, red-breasted and hooded mergansers, scaup, scoters, blue and green-winged teal, American widgeon, and gadwall may be observed elsewhere within the greater Heislerville WMA. Eastern wild turkey, white-tailed deer, and most common upland game and furbearer species may be observed on the greater Heislerville WMA.

3.2.4. Habitat/Vegetation

The Matt's Landing parcels are identified by NJDEP's 2012 Modified Anderson System as an "URBAN" land use cover type and an "INDUSTRIAL" land use classification. This type of land cover is characterized by intensive land use where the landscape has been altered by human activities and includes such structures as buildings, parking lots, access roads, and other appurtenances like those found on the Matt's Landing parcels. Although the parcels are located along the Maurice River in a riparian zone, there is no wildlife habitat and little vegetation present due to the commercial improvements found on the properties.

According to the Division's landscape project, the Matt's Landing parcels have a habitat ranking of "1"; the lowest level a habitat patch can receive (Figure 10). This rank is assigned to patches when no documented occurrences of imperiled or special concern species have been observed.

3.2.5. Surrounding Habitat/Vegetation

The Matt's Landing parcels are flanked to the northeast and southwest by the Heislerville WMA.

The WMA's habitat includes river and tidal marsh, saltwater impoundments, diked hay meadows, mixed wooded wetlands, deciduous wooded wetlands, and oak-pine uplands. The Division's landscape project has assigned the habitat patches contiguous with the Matt's Landing parcels with habitat rankings of "3" and "4". Rank "3" is assigned to species-specific patches containing one or more occurrences of State threatened species and rank "4" is assigned to species-specific habitat patches with one or more occurrences of State endangered species.

Figure 10. Matts Landing Habitat Rank



3.3 Historic and Cultural Resources

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies to consider the effects of their actions on historic properties. There are no known historically significant structures present on the parcel proposed for disposal, and no historic preservation concerns were observed during the Division's geo-spatial review of the proposed disposal. In compliance with the NHPA, the Division requested a Section 106 review from the New Jersey State Historic Preservation Office and received a written response that "no historic properties are affected within the area of potential effects of this undertaking" (Appendix VI).

3.4 Socio-Economic Conditions

Maurice River Township is a township in Cumberland County, New Jersey with a total area of 95.760 square miles of which 93.107 square miles is land and 2.653 square miles is water. According to the United States Census Bureau, the total 2018 estimated population within

Maurice River Township was 6,030 persons and was a 21.2% decrease from the 2010 census. The population density was 85.7 per square mile. There were 994 households in the township with a median value of \$155,700. The Census Bureau's 2018 American Community Survey showed the median household income was \$73,218.

3.5 Recreation

As a result of severe coastal flooding caused the by 2012 weather event named Superstorm Sandy, the infrastructure located on the Matt's Landing parcels suffered significant damage. Not all lessees recovered from the economic losses brought about by the storm event and many of the leases and improvements were abandoned. In summary, while the surrounding Heislerville WMA offers a number of fish and wildlife associated recreational opportunities, the demand for recreational access on these waterfront parcels appears relatively limited.

CHAPTER 4: ENVIRONMENTAL CONSEQUENCES

4.1. Alternative A- Proposed Action

Alternative A (Proposed Action) is to dispose of 5.58 WSFR acquired acres of the Heislerville WMA, known as Matt's Landing. The property would be disposed of through sale, and the proceeds would be used to fund future acquisitions within the Division's wildlife management area system.

4.1.1. Biological impacts

The action of divesting and disposing of the property in and of itself will create no impact. Improvements have been found on the Matt's Landing parcels since the time of acquisition by the Division. The area surrounding the parcels is preserved WMA and will continue to be operated and maintained for the conservation of wildlife species and fish and wildlife associated recreation.

4.1.2. Listed, proposed, and candidate Species

No listed, proposed, or candidate species are expected to be present on the property. Therefore, no adverse impacts are expected.

4.1.3. Birds of Conservation Concern

No birds of conservation concern are expected to be present on the property. Therefore, no adverse impacts are expected.

4.1.4. Other wildlife species

No other wildlife species are expected to be present on the property. Therefore, no adverse impacts are expected.

4.1.5. Habitat impacts

Improvements have been found on the Matt's Landing parcels since the time of acquisition. There is currently no habitat valued by wildlife on the property. The action of divesting and disposing of the property in and of itself will create no adverse impact. If in the future the land is re-developed or improved, there could be an impact to habitat.

4.1.6. Historic & cultural resources

The Division requested a National Historic Preservation Act Section 106 review from the State Historic Preservation Office and received a written response that "no historic properties are affected within the area of potential effects of this undertaking." Therefore, no impacts from the proposed action are expected.

4.1.7. Socio-Economic Conditions

The proposed action will have a benefit and improve the socio-economic conditions in the local area. The land disposal will transfer the Matt's Landing parcels from Division to other public or private ownership. Government entities will have the opportunity to collect property or sales tax revenue that can be used to provide and support services for residents of the local area.

4.1.8. Recreation

No impacts to recreation are expected from the proposed action. The Division does not operate or maintain public access to fish and wildlife associated recreational opportunities on the Matt's Landing parcels. There will be no impacts to existing access to fish and wildlife associated recreational opportunities found on or near the Heislerville WMA parcels surrounding the proposed action area.

4.1.9. Cumulative Impacts

The commercial nature of the infrastructure currently located on the Matt's Landings parcels have generally existed within the action area since the time of acquisition. New Jersey coastal zone management regulations will only permit the Matt's Landing parcels to be redeveloped with the same types of improvements that already exist on the properties. Therefore, there would be little cumulative impact from future projects on the Matt's Landing parcels if disposed.

4.2. Alternative B- No Action

4.2.1. Biological impacts

The "No Action" alternative would result in no change in the current condition of the 8.6 acres in the Matt's Landing section of the Heislerville WMA, and therefore, no change in biological impacts.

4.2.2. Listed, proposed, and candidate Species

The “No Action” alternative would result in no change of ownership, and therefore, no adverse impacts to listed, proposed, or candidate species are expected because none are currently present on the property.

4.2.3. Birds of Conservation Concern

The “No Action” alternative would result in no change of ownership, and therefore, no adverse impacts to birds of conservation concern are expected because none are currently present on the property.

4.2.4. Other wildlife species

The “No Action” alternative would result in no change of ownership, and therefore, no adverse impacts to other wildlife species are expected because none are currently present on the property.

4.2.5. Habitat impacts

The “No Action” alternative would result in no change in current habitat management of 8.6 acres in the Matt’s Landing section of the Heislerville WMA because no habitat valued by wildlife species is present on the parcels.

4.2.6. Historic & cultural resources

The “No Action” alternative would result in no change to the current historic and cultural resources of the 5.58 acres in the Matt’s Landing section of the Heislerville WMA because no historic and cultural resources are found on the parcels.

4.2.7. Socio-Economic Conditions

The “No Action” alternative would result in no change in the ownership the 8.6 acres in the Matt’s Landing section of the Heislerville WMA. The action area would remain in the public domain.

4.2.8. Recreation

The “No Action” alternative would result in no change in the fish and wildlife recreational opportunities found on the 5.58 acres in the Matt’s Landing section of the Heislerville WMA. The Division does not operate or maintain public access to fish and wildlife associated recreational opportunities on the Matt’s Landing parcels. There will be no change in existing access provided by the Division to fish and wildlife associated recreational opportunities found on or near the Heislerville WMA parcels surrounding the proposed action area.

4.2.9. Cumulative Impacts

The “No Action” alternative would result in no change for the 8.6 acres in the Matt’s Landing section of the Heislerville WMA.

4.3. Summary of Environmental Consequences by Alternative

Attribute	Alternative A	Alternative B
Biological Impacts	The action of disposing of the property in and of itself will create no impact.	No change
Listed Species	Little or no change because no listed species are present within the action area.	No change
Birds of Conservation Concern	Little or no change because no birds of conservation concern are present within the action area.	No change
Other Wildlife	Little or no change because no other wildlife species are present within the action area.	No change
Habitat Impacts	The action of disposing of the property in and of itself will create no impact.	No change
Historic & Cultural Resources	Little or no change because no historic or cultural resources are present within the action area.	No change
Socio-Economic	Disposal will create ratable for local government entities generating new tax revenue for local programs and services	No change
Recreation	No change. The Division does not operate or maintain access or infrastructure within action area for fish and wildlife associated recreation	No change
Cumulative impacts	There are no expected impacts, given existing conditions within the action area and the surrounding Heislerville WMA.	No change

Table 4. Comparison of effects of the action alternatives for the proposed Matts Landing disposal parcels on the Heislerville WMA

CHAPTER 5: PREPARERS

List of Preparers

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CHAPTER 6: COMMENTS AND COORDINATION

Public Involvement

There will be two public hearings:

The **first public hearing** will be held on Thursday, December 8, 2022 from 2:00 PM to 4:00 PM or close of public comment (whichever is earlier). Members of the public who do not have internet access may participate in the hearing by calling (856) 338-7074 and using the Conference ID number 475956596#.

The **second public hearing** will be held on Tuesday, January 10, 2023 from 6:00 PM to 8:00 PM or close of public comment (whichever is earlier). Members of the public who do not have internet access may participate in the hearing by calling (856) 338-7074 and using Conference ID number 32049723#.

Coordination and Review of the EA

The Service is seeking public review of the proposed action and will accept all public comments related to this proposed action for a thirty day (30) from the date the EA is published on the website. The Draft EA can be found at: <https://dep.nj.gov/otpla/public-notice/#PLA-NJDEP-property-conveyances>.

Written comments will be accepted until January 24, 2023, and can be mailed or emailed to the

address below:

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New Jersey Fish and Wildlife
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All comments must be in writing and submitted via email or US Mail.

CHAPTER 7: APPENDICES

CHAPTER 7: APPENDICES

Appendix I – Cadwalder Leases

Appendix II – Kaplan Certification

Appendix III -Reconstructed 1956 lease map

Appendix IV – Ogden-Rooney Law

Appendix V – Section 7 ESA Letter

Appendix VI - SHPO Letter

Leases on the Cadwalader Tract

Refer to map-June 14,1956

(1)

Name: Leslie Hunter

Footage: 500 feet of river front(from Cadwalader records)

Per foot: 50¢ per foot

Amount \$250.00

Yearly Expiration date: April 3,1957

Address: Mauricetown,N.J.

Location: Beginning at a point in the easterly line of the road from Matts Landing to Heislerville, said point being 11.63 ft. from the intersection of the easterly line of said road and the wharf at Matts Landing, and runs thence North 53 degrees 26 minutes East, 102.45 ft. to a stake set in the bend of the bank of the Maurice River; thence South 59 degrees 5 minutes East, 81.35 ft. to a stake set in the bend of the river bank; thence North 37 degrees 57 minutes East, 382.20 ft. to a stake set where the new bank intersects the old bank; thence North 27 degrees 38 minutes East, 142.70 ft. to a break in the old river bank, formerly a sluice gate. The total length of this stretch of river bank front is 708.70 feet.

(2)

Name: Louis Tomlinson

Footage: 200 feet of river front(from Cadwalader records)

Per foot: 50¢ per foot

Amount: \$100.00

Yearly Expiration date: July 20,1956

Address: Moore's Beach Road

Location: Beginning at a stake in the bank of the Maurice River, said stake being set the following two courses(South 49 degrees 16 minutes West,34.45 ft. and South 52 degrees 53 minutes West, 41.8 ft.) from a spike set at the intersebtion of the centerline of the road from Matts Landing to Heislerville and the centerline of the river bank, (said spike also being located North 43 degrees 1 minute East , 43.635 ft. from the Coast and Geodetic Reference marker "Matts # 2"), thence South 52 degrees 53 minutes West, 200.0 feet to another stake in the river bank.

Leases on the Cadwalader Tract

Refer to map-June 14,1956

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Name: Leslie Hunter

Footage: 500 feet of river front(from Cadwalader records)

Per foot: 50¢ per foot

Amount \$250.00

Yearly Expiration date: April 3,1957

Address: Mauricetown, N.J.

Location: Beginning at a point in the easterly line of the road from Matts Landing to Heislerville, said point being 11.65 ft. from the intersection of the easterly line of said road and the wharf at Matts Landing, and runs thence North 53 degrees 26 minutes East, 102.45 ft. to a stake set in the bend of the bank of Maurice River; thence South 59 degrees 5 minutes East, 81.35 ft. to a stake set in the bend of the river bank; thence North 37 degrees 57 minutes East, 382.20 ft. to a stake set where the new bank intersects the old bank; thence North 27 degrees 38 minutes East, 142.70 ft. to a break in the old river bank, formerly a sluice gate. The total length of this stretch of river bank front is 708.70 feet.

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Name: LeRoy Webb

Footage: 300 feet river front(from Cadwalader records)

Per foot: 50¢ per foot

Amount: 150.00

Yearly Expiration date: September, 1, 1956

Address: Maurice River, N.J.

Location: Beginning at a stake set in the bank of the Maurice River, said stake being located South 52 degrees 53 minutes West, 25.0 ft. from the southwest corner of the stretch of river front leased to Louis Tomlinson by the New Jersey Division of Fish and Game, and running thence South 52 degrees 53 minutes West, 63.0 ft; thence South 67 degrees 56 minutes West 113.275 ft; thence South ~~85~~ degrees 59 minutes West, 36.4 ft; thence South 71 degrees 9 minutes East, 198.30 ft; thence South 74 degrees 40 minutes West, 25.0 ft. The total length of this stretch of river front is 435.975 ft.

(4)

Name: Frank Slaney

Footage: 100 feet river front(from Cadwalader records)

Per foot: 50¢ per foot

Amount: \$50.00

Yearly Expiration date: June 2, 1956

Address: Heislerville, N.J.

Location: Beginning at a stake in the bank of the Maurice River, said stake being located South 74 degrees 40 minutes West, 25.0 ft. from the southwest corner of the stretch of river front leased to LeRoy Webb by the New Jersey Division of Fish and Game, and running thence South 72 degrees 10 minutes West, 100 ft. to a stake.

(5)

Name: Charles C. and Charles G. Lee

Footage: 100 feet river front (from Cadwalader records)

Per foot: 50¢ per foot

Amount: \$50.00

Yearly Expiration Date: March 22, 1957

Address: Leesburg, N.J.

Location: Beginning at a stake set in the bank of the Maurice River, said stake being located South 73 degrees 17 minutes West, 25.0 ft. from a stake marking the southwest corner of the stretch of river front leased to Frank Slaney by the New Jersey Division of Fish and Game, and running thence South 79 degrees 29 minutes West, 57.38 ft; thence South 86 degrees 43 minutes West, 42.62 ft. The total length of this stretch of river front is 100.0 feet.

(6)

Name: John Mellor

Footage: 200 feet river front (from Cadwalader records)

Per foot: 50¢ per foot

Yearly Expiration date: August 4, 1956

Address: Hucks Place, Millville, N.J.

Location: Beginning at a stake set in the bank of the Maurice River, said stake being located South 86 degrees 43 minutes West, 97.03 ft. from the stake marking the southwest corner of the stretch of river front leased to Charles C. and Charles G. Lee by the New Jersey Division of Fish and Game, and running thence South 86 degrees 43 minutes West, 36.55 ft; thence South 86 degrees 5 minutes West, 163.45 ft. The total length of this stretch of river front is 200.0 ft.

(7)

Name: Peterson and Lee

Footage: 100 feet river front(from Cadwalader records)

Per foot: 50¢ per foot

Amount: \$50.00

Yearly Expiration date: April 11,1957

Address: Fred Peterson, Heislerville,N.J.

Location: Beginning at a stake in the bank of the Maurice River, said stake being located the following two courses from a stake set in the river bank over the center of Deep Sluice(South 72 degrees 25 minutes East 125.20 ft. and South 85 degrees 5 minutes East, 115.0 ft); thence running South 85 degrees 5 minutes East, 100 ft.

(8)

Name: Laurence Slaney

Footage: Roach Farm

Yearly Expiration date: April 13,1956(all rent due to Cadwalader has now been paid).

Amount: \$300.00 per year

Address: Heislerville,N.J.

Location: The Roach Farm, located on the road from Heislerville to Thompson's Beach, with a frontage on said road of 2760.0 ft., bearing North 7 degrees 45 minutes East. The farm consists of house, barn, and 30 acres of farmland, pasture land and hay fields. Note: This lease should include a provision that Lawrence Thompson, holder of a lease to cut hay on the State owned marshes, be permitted the use of the lane which crosses the ~~hay~~ field on the Roach Farm to transport hay from the marsh to the Thompson's Beach-Heislerville Road.

(9)

Name: New Jersey Bell Telephone Co.

Amount:\$41.00

Yearly Expiration date: April 30,1956

Address: Millville,N.J.

Description: License for poles.

(10)

Name: Charles Chance

Address: Heislerville, N.J.

Acreage: 5

Amount: \$15.00 per year

Date Due: October 1, 1956

Description: The tillable section of the farm located on the road from Heislerville to Matts Landing, known as the Tomlin Farm. This plot of land has a frontage of 546.0 feet on the aforesaid road with an average width of 418.0 ft. measured from the centerline of said road and at right angles thereto.

78 1035-1

CERTIFICATE OF TITLE

THIS IS TO CERTIFY that I have examined the deed between Thomas F. Cadwalader, Last Surviving Executor and Trustee of the Estate of John Cadwalader, deceased, and the State of New Jersey, Acting by and through the Division of Fish and Game in the Department of Conservation and Economic Development, consisting of ten parcels described in said deed, dated April 18, 1956, and recorded in the Office of the Clerk of Cumberland County in Book 851 of Deeds, pages 554, etc., and have examined an abstract of title prepared by Maxwell M. Kratz dated May 10, 1956, and a map prepared by Joseph Henry Bennett, Land Surveyor, New Jersey License No. 4030, Port Morris, New Jersey, dated January 17, 1956, said map being made from aerial photographs and plotted descriptions but the findings being subject to an accurate survey, and I have also examined said map which had superimposed on it the boundaries of the several parcels acquired by the above mentioned deeds.

In addition thereto I am familiar with the fact that the area in question had been in the Cadwalader family for approximately 100 years, that there are adjacent and adjoining ownerships, and that the outbounds of the parcels which comprise the entire area below Heislerville and bounded by the Maurice River and the Delaware Bay are fairly well outlined and that the owners of same are familiar with the limits of their respective properties.

I Certify that the title to parcels 1, 2, 3, 4, 5, 7, 8, 9, and 10, as shown on the map of the Cadwalader Tract dated January

N.J. W-35-2-1

1956, drawn by Joseph Henry Bennett, Land Surveyor, License #4030, is vested in the State of New Jersey, and is free and clear of all encumbrances, and that the map represents the property conveyed to the State of New Jersey with a good and valid title in fee simple excepting the rights of the several tenants who occupy a portion of the premises and excepting easements and rights of way for utilities of record, the rights of the public in tidal and other streams of water courses crossing or affecting the premises, and excepting private and public rights in any public roads crossing or bounding or affecting the premises in question, and excepting the properties as listed on the map and shown as exceptions at Heislerville Station; the property of the Estate of Walton Stowman, deceased; the property of Charles Lee, Sr.; and the property of Louisa Compton.

Respectfully submitted,

GROVER C. RICHMAN, JR.
ATTORNEY GENERAL OF NEW JERSEY

By *Sidney Kaplan*
Sidney Kaplan
Deputy Attorney General

Dated: 11/21/58

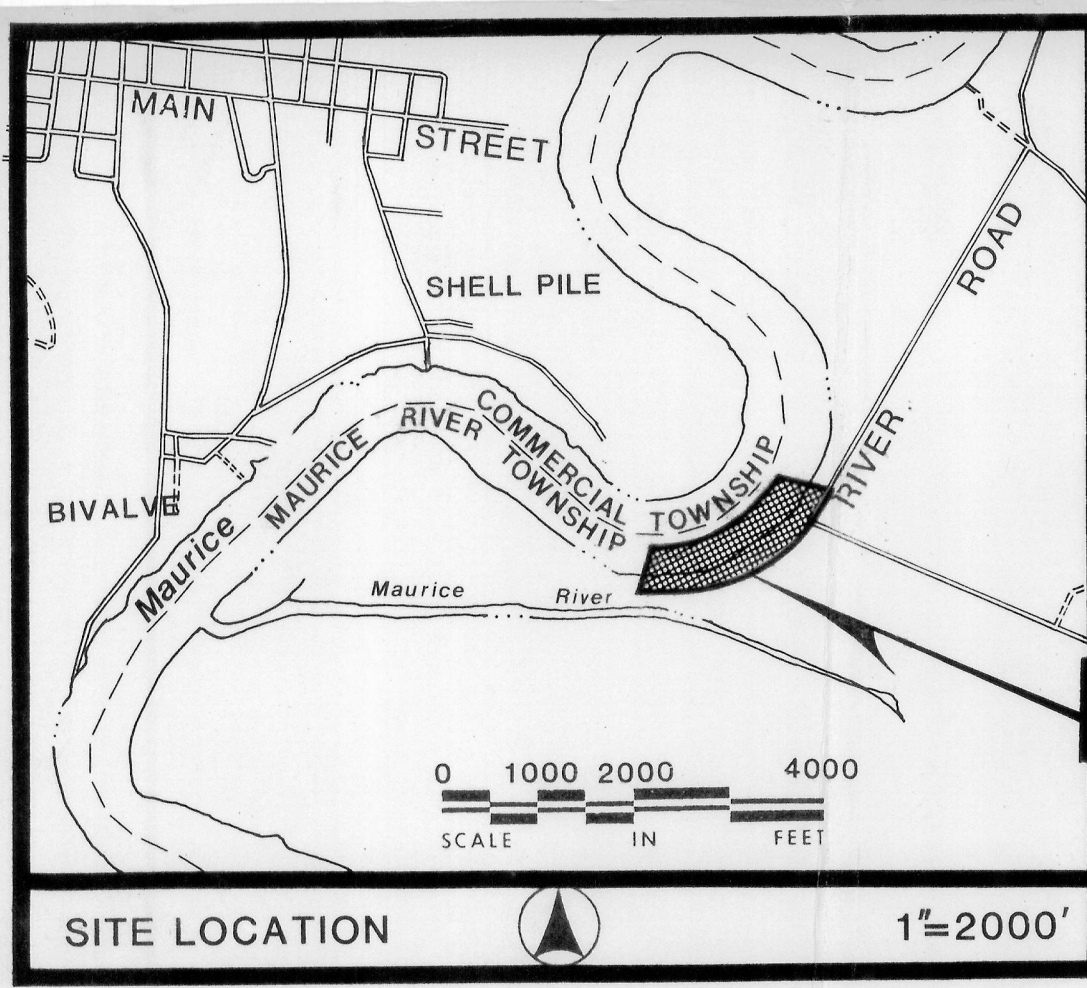
Area of 2140 acres

~~Area~~ and description certified correct
~~official~~

as per survey plat dated Jan. 17, 1956

Attest: *James Henry* CIVIL
Cadastral Engineer,

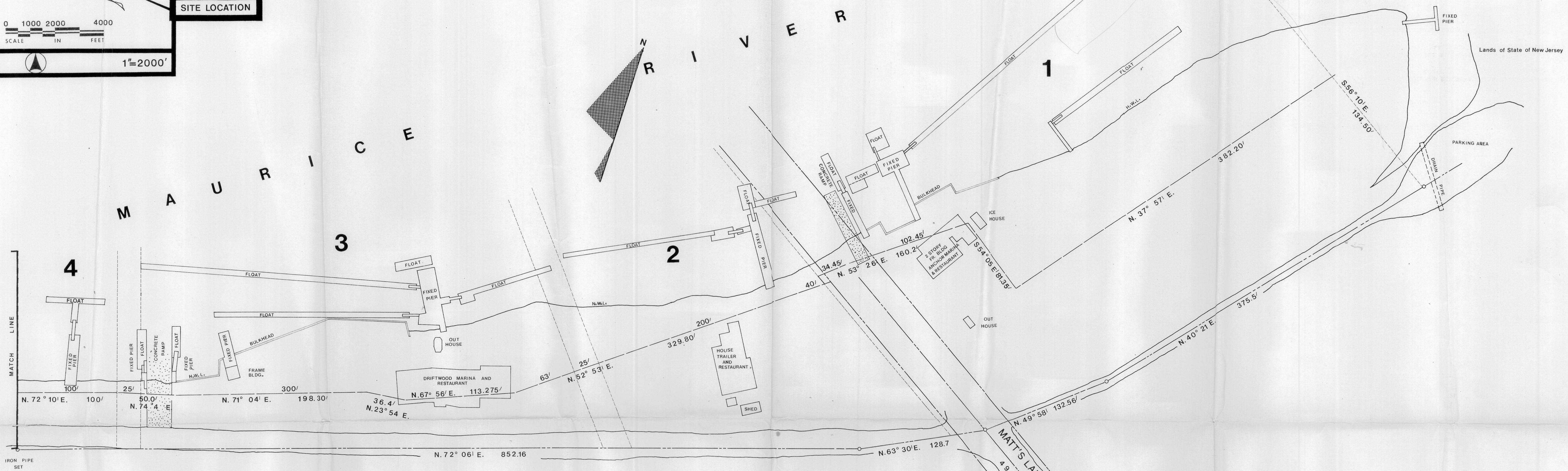
Branch of Engineering, this March 26, 1956
date



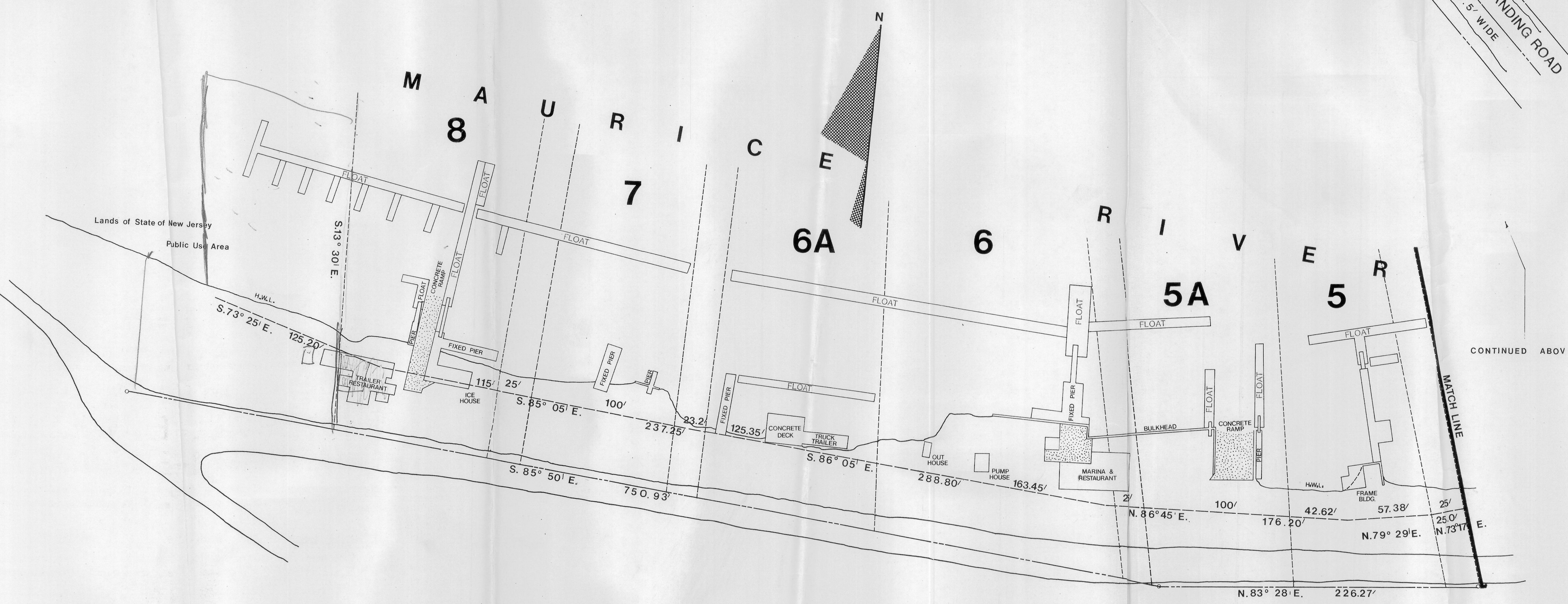
SITE LOCATION

SITE LOCATION 1"=2000'

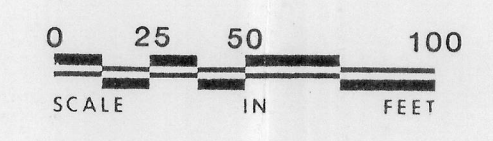
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IRON PIPE SET



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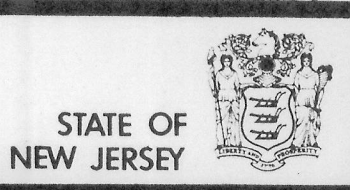


REVISIONS		
DATE	BY	NOTES

DIVISION OF FISH, GAME AND WILDLIFE HEISLERVILLE WILDLIFE MANAGEMENT AREA



GREEN ACRES PROGRAM
RIVERFRONT LEASES, MATT'S LANDING
DEPARTMENT OF ENVIRONMENTAL PROTECTION



SCALE	DATE	DRAWN	CHECKED	COUNTY	TWP.
1"=50'	9-11-85	EML	EML	CUMBERLAND	MAURICE RIVER

PLAN SHOWING MODIFIED CONDITIONS OF FISH, GAME AND WILDLIFE RIVERFRONT LEASES-MATT'S LANDING, HEISLERVILLE, WILDLIFE MANAGEMENT AREA, MAURICE RIVER TOWNSHIP, CUMBERLAND COUNTY NEW JERSEY DIVISION OF FISH, GAME AND WILDLIFE AS OF SEPT. 11, 1985

ORIGINAL PLAN DRAWN BY ALVIN C. HERMAN ASSOCIATES, INC., CONSULTING ENGINEERS, LAND SURVEYORS, CAPE MAY COUNTY COURTHOUSE, AUG. 15, 1977

NTE
BEARINGS AND DISTANCES TAKEN FROM MAP - "NEW JERSEY DIVISION OF FISH, GAME AND SHELL FISHERIES-MAP OF RIVER FRONT LEASES- CADWALADER TRACT" DATED 6/14/66 AND REVISED 12/26/12



JOINT CIRCULAR

STATE OF NEW JERSEY

DEPARTMENT OF THE TREASURY

NO.: 08-06-PMC/OMB	ORIGINATING AGENCIES: PROPERTY MANAGEMENT & CONSTRUCTION OFFICE OF MANAGEMENT & BUDGET	PAGE 1 OF 3
EFFECTIVE DATE: 11/1/07	EXPIRATION DATE: INDEFINITE	SUPERSEDES: 99-02-PMC/OMB
SUBJECT: DISPOSAL OF SURPLUS STATE REAL PROPERTY & GRANTING OF EASEMENTS/LICENSES ACROSS STATE LANDS		
ATTENTION: ALL DEPARTMENTS AND AGENCIES		
FOR INFORMATION CONTACT: GENE HAYMAN, CHIEF OFFICE OF REAL PROPERTY MANAGEMENT		PHONE: (609) 292-9694

I. Policy and Pertinent Changes

A. Circular Letter No. 99-02-PMC/OMB, dated July 1, 1998, is hereby superseded.

- B. The disposal of surplus State real property (other than the Department of Transportation Right-of-Way properties) and the granting of easements across State lands will be coordinated by the Division of Property Management and Construction (the Division or the DPMC), Department of the Treasury, in accordance with N.J.S.A. 52:31-1.1 et seq.

II. Disposal Procedures

- A. A department or agency having jurisdiction over unused State property will declare it surplus by completing and forwarding Form DPMC/RPR-1 to the Division providing all pertinent facts about the property. A cover letter must accompany the DPMC/RPR-1 form from the department head or deputy. Upon declaring a property surplus, the department or agency having jurisdiction must arrange for the removal of all surplus equipment and the property must be left in a broom swept condition prior to the property being sold. The Division will take no action to dispose of a property without receiving a completed Form DPMC/RPR-1. The Division will then circulate copies of the surplus land notice to all departmental Land Review Officers for review and receive comments back within 30 days.

Notice of the disposal will also be provided to the local municipality in accordance with N.J.S.A. 52:31-1.8.

- B. If issues, problems, or potential conflicts surface during the 30-day real property review period, the Division will conduct meetings of interested parties to resolve such matters prior to issuing a clearance letter.
- C. If no problems or conflicts exist regarding the property, or if problems or conflicts exist and they have been resolved, a clearance letter will be issued by the Division approving the action.
- D. At the time of the issuance of a clearance letter to the department, the State Treasurer or his/her designee, will determine whether the property shall be maintained by the DPMC or the State agency. The responsible agency will maintain the property in good order until passage of title.
- E. A State House Commission pre-meeting committee will coordinate the activities and approvals associated with the marketing and sale of surplus real property. This committee will consist of four members, to include the Assistant State Treasurer, Governor's Counsel, or his designee, State House Commission Secretary and Chief of the Division's Office of Real Property Management.
- F. The Division will develop a fair market value for the surplus real property by arranging for a full narrative appraisal from a member of the Appraisal Institute. This appraisal will be reviewed internally by Division staff.
- G. The Division will arrange for a licensed land surveyor to prepare a legal metes and bounds description and site survey whenever required for property disposal or for granting of easements across State property.

- H. Should legislation be required, the Division will draft such legislation and submit it through normal channels. Sales will not be completed until required legislation is enacted.
- I. The disposal of all surplus real property will be by public internet auction or through negotiated sale. N.J.S.A. 52:31-1.4 also requires the Division to notify former owners of record of any pending surplus property sales, and offer them first right of refusal at fair market value. Such notice is given to former owners when the State has held title to real property for 10 years or less. The address listed on previous correspondence will be utilized to contact former owners for this purpose.

1. Public Internet Auction

- a. The disposal of surplus real property will be by internet bid auction to the highest bidder, unless the State House Commission otherwise directs.
- b. Notice of auctions will be advertised at least five days prior to the date of auction in a minimum of two newspapers published in the State, one of which will be in the county where the property is located.
- c. If an auction is not successful, properties will be reauctioned at a later date or reappraised and resubmitted to the State House Commission for further consideration.

2. Direct Sale

- a. Direct sales of surplus real property will be in accordance with the terms and conditions of the State House Commission and may be to a local governmental agency, an organization presently leasing State premises, to a property owner bordering a State owned parcel of land, or to a former owner of the property in accordance with N.J.S.A. 52:31-1.4, or in certain cases to a nonprofit organization.
- b. In addition, the Division shall:
 - (1) Notify all adjacent landowners within 200 feet of surplus property, via certified mail, of any proposed direct sales to an owner of property bordering State land. The adjacent landowners will have 10 business days to respond to the Division indicating an interest in the property.
 - (2) If at least one adjacent landowner responds and expresses interest in acquiring the surplus property within ten business days, the property will be placed before the State House Commission with the recommendation that it be disposed of at internet auction at fair market value in accordance with I. (1.) above.

3. Sale of Employee Residences

- a. In connection with the disposal of surplus State employee housing units approved for sale by the State House Commission or authorized by legislation, the following order for disposal, whether occupied or unoccupied, at fair market value will be followed:
 - (1) The current occupant has first right of refusal provided he/she is an employee and has lived in the residence for at least two years.
 - (2) If the State employee who occupied the residence is deceased, his/her dependents have the next right of refusal providing they have lived in the residence for at least two years.
 - (3) The municipal government where the property is located has the next right of refusal to acquire the residence.
 - (4) The county where the property is located has the fourth and final right of refusal to acquire the property.
- b. The State employee or dependent has 60 days to respond to the disposal notice, while the county and municipality have 30 days to respond.
- c. Unless directed otherwise by the State House Commission or specific legislation, the Division shall have discretion to set the terms of sale of a State-owned employee residence, including interest rates, term of payments, etc. Normally the interest rate will be the prime rate in effect on the day formal agreements are executed as established by the Federal Reserve Bank-Southern New York Region.
- d. A contract of sale, prepared by the Division in cooperation with the Office of the Attorney General will be executed at the time of the auction or negotiated sale or easement.
 - (1) The contract will contain the terms and conditions of the sale. The contract will be signed by the purchaser and will be contingent on execution by the State Treasurer and the Director of the Division. A copy of the contract will be mailed to the purchaser following execution by State officials. A complete property survey, if available, together with a metes and bounds description will be appended to the contract. The cost of the property survey and description will be paid by the purchaser.
 - (2) The fully executed contract together with other pertinent information will be transmitted to the Office of the Attorney General who will complete legal details to close title. In general, closing will be scheduled 90 days following the internet auction.

- e. Transfer of title is effective when the deed has been signed, and the balance of sale monies paid.
- (1) Signatures on the deed required by N.J.S.A. 52:31-1.2 will be obtained by the Division.
 - (2) Monies derived from all property sales must be in the form of guaranteed funds made payable to the Treasurer, State of New Jersey, and deposited in the General Treasury of the State in accordance with N.J.S.A. 52:31-1.1 or should legislation be required, in accordance with such legislation.
 - (3) Formal closings will take place in the Office of the Attorney General to transfer title, receive payment, and make necessary adjustments for taxes, utility payments, etc.

III. Easements

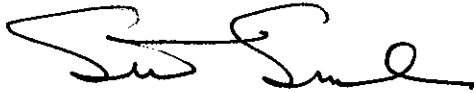
In general, easements across State Lands that directly benefit the State will be granted at nominal value (\$1.00), as approved by the State House Commission. Other easements will be at fair market value in accordance with terms as directed by the State House Commission. Should legislation be required, the Division shall draft such legislation and submit it through normal channels. In such instance, the easement will not be granted until the required legislation is enacted.

IV. Licenses/Rights-of-Entry

When it is necessary to enter upon State property temporarily, the Division will consult with the Office of the Attorney General to prepare a license or right-of-entry. This right-of-entry or license will contain necessary hold harmless language and will be executed by the Chief, Office of Real Property Management.

- V. The Division will maintain its inventory files of State lands and buildings in the Statewide Land and Building Asset Management System by retiring the property which was sold from its records and maps following closing by the Office of the Attorney General. The deed into the State for the property will be removed from the Division's active files including any Building Location Code files if applied. The Division will also notify the Bureau of Risk Management for insurance purposes, as well as the Office of Management and Budget for fixed assets reporting purposes.

This Circular Letter is effective on the date hereof.



Steven Sutkin, Acting Director
Division of Property Management & Construction



Charlene M. Holzbaur, Director
Office of Management & Budget



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

NATURAL AND HISTORIC RESOURCES

DIVISION OF FISH AND WILDLIFE

P.O. BOX 420; MAIL CODE: 501-03

TRENTON, NJ 08625-0420

TEL: (609) 292-2965; FAX: (609) 984-1414

VISIT OUR WEBSITE: WWW.NJFISHANDWILDLIFE.COM

David M. Golden, Director

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CATHERINE R. MCCABE
Commissioner

June 5, 2020

Robert Longcor
Grants Coordinator
NJ Division of Fish and Wildlife
PO Box 420; Mail Code 501-03
Trenton, NJ 08625

RE: Disposal of Heislerville WMA Parcels Acquired Under W-35-L

Mr. Longcor:

I have reviewed the EIS prepared to evaluate the proposed "Disposal of Heislerville WMA Parcels" that were acquired under federal WSFR grant W-35-L. The EIS addressed the proposed purpose and need associated with the disposal of the 8.6 acre action area and addressed project alternatives, the affected environment, and studied environmental impacts and consequences associated with various project alternatives.

The Endangered and Nongame Species Program specifically reviewed the assessment concerning potentially affected biological resources (Chapter 3) and concurs with the assessments found in Sections 3.2.1, 3.2.2 and 3.2.3. The Program's only note in regard to Section 3.2.3 is that northern diamondback terrapin (*Malaclemys terrapin*, proposed "species of special concern") also occur within the greater Heislerville WMA area, though are not known to occur on the subject site.

As a result of this review, the Program concurs with the finding that the proposed disposal of the (approximately) 8.6 acre action area will have no adverse impacts upon State of federally listed wildlife species. Thank you for submitting the EIS for our review.

Best regards,

John H. Heilferty, Chief
Endangered and Nongame Species Program
NJ Division of Fish and Wildlife

Disposal of Matt's Landing Heislerville Wildlife Management Area (WMA); HPO Project #20-1036-1

Marcopul, Kate <Kate.Marcopul@dep.nj.gov>

Tue 5/26/2020 4:02 PM

To: Longcor, Robert <Robert.Longcor@dep.nj.gov>

Cc: Baratta, Meghan <Meghan.Baratta@dep.nj.gov>; Maresca, Vincent <Vincent.Maresca@dep.nj.gov>

****This e-mail serves as the official correspondence of the New Jersey Historic Preservation Office as we switch to a temporary remote work environment in response to the ongoing novel coronavirus (COVID-19) outbreak.****

HPO Project #20-1036-1
HPO-E2020-128

Robert Longcor
Grants Coordinator
Office of Business Administration
New Jersey Division of Fish and Wildlife
Mail Code 501-03
PO Box 420
Trenton, NJ 08625-0420
Robert.Longcor@dep.nj.gov

Dear Mr. Langcor:

As Deputy State Historic Preservation Officer for New Jersey, in accordance with 36 CFR Part 800: Protection of Historic Properties, as published in the Federal Register on December 12, 2000 (65 FR 77725-77739) and amended on July 6, 2004 (69 FR 40553-40555), I am providing continuing consultation comments on the following proposed undertaking:

**Cumberland County, Maurice River Township
Disposal of Matt's Landing
Heislerville Wildlife Management Area (WMA)
U.S. Fish and Wildlife Service**

800.4 Identification of Historic Properties

Thank you for providing the Historic Preservation Office (HPO) with the opportunity for review and comment on the potential for the above-referenced project to affect historic properties. The above referenced undertaking involves the disposal of Matt's Landing (Block 294, Lot 1, Block 316, p/o Lots 44, 44.01, 44.02, 44.03 and 44.04) within the Heislerville Wildlife Management Area (WMA) purchased in 1956 from the Cadwalder family with U.S. Fish and Wildlife Service (USFWS) Wildlife and Sport Fish Restoration funds (WSRF). HPO records do not currently identify any historic properties at this location.

Upon review, Matt's Landing Road was present by 1842 running from the uplands through the banked and reclaimed marshland to the edge of the Maurice River probably as a landing for

local and regional commercial activities. The 1862 county atlas provides the first detailed information shows the landing road under the ownership of General G. Cadwalader but no structures are identified at the landing location. Late nineteenth century maps continue to show Matts Landing Road present with the 1930 aerial confirming little had changed at the landing location and no structures were present. The 1940 aerial is the first to document structures and marina-type docks present with development moving south of the original landing location along the edge of the Maurice River. Based on this initial investigation, Matt's Landing does not appear to have been involved in the regionally important nineteenth century oyster industry.

Based on the history of Matt's Landing and review of the current structures, Matt's Landing does not appear to contain above-ground qualities that would make it eligible for inclusion on the National Register of Historic Places. However, the location of the former nineteenth century landing (parts of Block 294, Lot 1 and Block 316, Lot 44.04) does possess archaeological sensitivity but only archaeological survey could confirm the present or absence of archaeological historic properties (and any shipwrecks) within the 8.6 acre disposal area.

In light of the information above and lack of known historic properties, the HPO recommends to USFWS that **there are no historic properties affected** for the diversion of the 8.6 acre Matt's Landing. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless the project scope changes or additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

Additional Comments

Thank you again for providing the opportunity to review and comment on the potential for the above-referenced undertaking to affect historic properties. Please reference the HPO project number **20-1036** in any future calls, emails, submission or written correspondence to help expedite your review and response. If you have any questions, please feel free to contact Vincent Maresca of my staff at (609) 633-2395 or vincent.maresca@dep.nj.gov.

Sincerely,

Katherine J. Marcopul, Ph.D., CPM
Administrator and
Deputy State Historic Preservation Officer
 Historic Preservation Office
 NJ Department of Environmental Protection
 501 East State Street, Trenton, NJ 08625
kate.marcopul@dep.nj.gov
 T (609) 984-0176 | F (609) 984-0578



Connect with us:



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