

The Fight for Indian Trail Doesn't End Here

While the Middle Township Zoning Board's vote is disheartening it's not shocking. In the end this decision became somewhat inevitable after The Township Committee's 2007 grant of a mining license to the applicant – before its site plan was even submitted or approved. By the time the application reached this Board, the opportunity to block it became much more difficult. Board members were put in a very difficult position, and while we may disagree with the outcome, this Board demonstrated enormous patience.

This fight does not end here. Future Mining's misguided plan must now go before The New Jersey Department of Environmental Protection (NJDEP) for the all-important CAFRA Permit, and we believe there are significant grounds for denial.

The Littoral Society will join with the many friends of Indian Trail in presenting our arguments against granting this permit.

Once NJDEP's Land Use Regulatory Program receives an application from Future Mining, Inc. for a CAFRA permit, the Society will organize a letter writing campaign from our website (http://www.littoralsociety.org/Protecting_Delaware_Bay.aspx) and post a sample letter the public can use to require DEP to hold its public hearings within Cape May County. CAFRA regulations require that all developments must be reviewed against rigorous standards to protect freshwater resources, endangered wildlife and irreplaceable natural areas. *The Indian Trail tract undeniably represents all of these.*

Middle Township residents must learn from this experience and demand change. These types of bad development projects will continue unchecked until Middle's officials are made to restore the Township Environmental Commission they disbanded in 1999, as well as the standards that were abolished in 2005, which required major development proposals to include legitimate community impact statements meant to protect the public.

By removing these last lines of defense, the Township's officials took away the few tools residents had to review projects that will forever impact their lives. These actions have done incredible damage to the process of participatory democracy by shifting the burden of proof to the affected public while making developers more immune to necessary public scrutiny.

The Indian Trail fight is a painful example of what happens when a community's right to self-determination is handed off to developers who care little about worsening traffic, quality of life and increasing taxes. Unless the checks and balances are restored with sound planning and meaningful environmental standards, there's little doubt that developers will rapidly finish off what remains of Middle Township's unprotected forests and farms.

Township officials have known what needs to be done for years. Indeed, the Township Master Plan of 2003 sought to relieve some of the heavy development-pressure by changing its zoning from 1 to 3 acres to reduce urban densities of growth in sensitive

areas. When developers balked, Mayor Doughty and fellow committeemen simply tabled their own Planning Board's recommendations.

As a result, the Township's zoning continues to facilitate enormous levels of growth which its roads, schools, water supply and residents can neither bear nor sustain.

Middle Township desperately needs to enact new zoning and land use standards that protect its residents and the environment. It must enact forest protection standards to prevent wholesale clear-cutting of the critical forest habitat that purifies and recharges residential water supplies.

It needs to restore the Township Environmental Commission with talented persons from the community. It needs to re-institute strong review standards for community and environmental impact for new development. And it needs to complete its backlog of overdue planning commitments to the State Office of Smart Growth, which has been trying to get the town to address costly urban sprawl and environmental degradation for years.

If this doesn't happen then the public will continue to be cut out of local decision-making, while ever more development projects are proposed in the worst locations and sail through without consideration of important resources – be it the refuge, our drinking water or our own backyard.

According to the Nature Conservancy, Cape May County represents one of the "World's Last Great Places," a designation sparingly used.

Its global importance to songbirds, shorebirds and other wildlife is why the Refuge, Conservation Fund and Nature Conservancy are focused on places like Indian Trail and Great Cedar Swamp and it's why the Littoral Society is going to keep holding all levels of government accountable until they adequately protect the county's dwindling woodlands upon which these resources and an \$500-plus million ecotourism industry depend.

We urge the public to defend their county's water supply and natural treasures by telling their freeholders and elected officials that the preservation of the Cape May Forest must become a priority.

(Matt Blake manages the American Littoral Society's Delaware Bay Program.)