



## Borough of Stockton

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### RESOLUTION

NO. 2021-61

ADOPTED: December 16, 2021

**WHEREAS**, the middle and lower Delaware River segments were designated a National Wild and Scenic River by Congress and President Jimmy Carter in 1978, and the lower Delaware River was designated by Congress and President Bill Clinton in 2000; and

**WHEREAS**, The New Jersey Department of Transportation (NJDOT) intends to construct rockfall mitigation in Kingwood Township on cliffs adjacent to approximately 3 miles of Route 29 from Mile Post 27.3 near Byram to a point, north of the Devil's Tea Table locality, at Mile Post 30.43, including the removal of trees and vegetation, blasting on much of the rockface, rock removal and reinforcement, installing metal mesh or "draping" materials to the rockface, the creation of a new barrier or a "catchment ditch," and applying concrete to the smoothed rockface including to the Devil's Tea Table geologic structure, to keep rocks from falling onto Route 29; and

**WHEREAS**, the river bluffs from Byram to Devil's Tea Table are noted as having "remarkable scenic values" in the Lower Delaware Wild & Scenic River corridor; and

**WHEREAS**, the area parallels the Delaware River Scenic Byway, a designation by the USDOT, endorsed by the NJDOT, and subject to the Delaware River Corridor Management Plan; and

**WHEREAS**, the bluffs along Route 29 contain world famous outcrops of Triassic-age lake cycles, known as van Houten cycles, providing the textbook record of lake formation due to climate change in the Jurassic and Triassic Periods of the Mesozoic Era, and which could be considered "geologic heritage" due to possessing aesthetic, intrinsic or scientific and educational value, and providing unique insight into geological processes; and

**WHEREAS**, the Devil's Tea Table geologic formation also has unique local, historical and geological significance, and is believed to hold religious significance to Native American peoples; and

**WHEREAS**, the archaeological record of the Kingwood Township Route 29 corridor revealed artifacts of Indigenous people and prehistoric man inhabiting this portion of the river corridor dating from 6500 B.C. through the 1700's, when the Turtle clan of the Lenapi Indians occupied the area; and

**WHEREAS**, the NJDEP Natural Heritage Priority Sites Coverage was created to identify critically important areas to conserve New Jersey's biological diversity, with particular emphasis on rare plant species and ecological communities, and the area known as Devil's Tea Table, including siltstone and shale cliff and adjacent dry woods overlooking the Delaware River, is designated by NJDEP as Natural Heritage Priority site number S.USNJHP1\*203 because it "Contains an occurrence of a shale cliff natural community and populations of endangered and special concern plant species" and the area known as Byram cliffs and wooded rocky diabase

hillside is site number S.USNJHP1\*151 because it contains “One special concern plant species plus historically documented plant species”; and

**WHEREAS**, the project will also negatively impact rare, threatened and endangered plants and wildlife including American Bald Eagles, copperheads, and several species of bats and fish; and

**WHEREAS**, Route 29 is the north-south commuting route in the area and the project will cause significant traffic delays and detours for several months or years during construction and will impact residents and commuters in Frenchtown Borough, Kingwood Township, West Amwell Township, the City of Lambertville and Stockton Borough; and

**WHEREAS**, residents and governing bodies in the communities impacted by this rockfall mitigation project desire and deserve a more robust and comprehensive community stakeholder process with the NJDOT to discuss and thoroughly vet mitigation options for the purported rockfall problem and to explore potential alternatives to the project as presented;

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Borough Council of the Borough of Stockton, County of Hunterdon, State of New Jersey does hereby call upon the NJDOT to pause moving forward with the rockfall mitigation plan for Route 29 in Hunterdon County and to immediately engage a robust stakeholder process with residents and local officials within the communities impacted by the proposed project;

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Borough of Stockton respectfully urge the NJDOT and the North Jersey Transportation Planning Authority (NJTPA) to examine alternatives to the proposed rockfall mitigation plan as presented.

**ATTEST:**

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Michele D. Hovan  
Borough Administrator/Clerk

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Timothy J. Nemeth  
Mayor