

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATERSHED MANAGEMENT

ADOPTED AMENDMENT TO THE OCEAN COUNTY WATER QUALITY
MANAGEMENT PLAN

Public Notice

Take notice that on **FEB 17 2009** pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., and the Statewide Water Quality Management Planning Rules (N.J.A.C. 7:15-3.4), an amendment to the Cape May County Water Quality Management (WQM) Plan was adopted by the Department. This amendment also modifies the Cape May County Wastewater Management Plan. This amendment, submitted on behalf of Morgan Management, allows for the connection of the Lake Laurie Campground (Campground) as well as three additional lots located in Lower Township, to the Lower Township Municipal Utilities Authority (LTMUA) sewage treatment plant. The Campground is an existing 86 acre facility located east of Route 9, west of the Garden State Parkway and south of the Cape May National Golf Club in Lower Township, Cape May County and is comprised of Block 510 Lots 4.01, 5, 20, and 21.03 through 21.12. The additional parcels are located directly to the south of the Campground and include Lots 7.03, 19 and a portion of Lot 7.01 which is leased by the Township from the Department, in Block 510. The Campground is operated on a seasonal basis and consists of 742 camp/trailer sites. Water is currently provided by a series of private wells and wastewater treatment is by on-site T-1 (Sanitary Subsurface Sewage Disposal System General Permit) permitted septic systems that are currently identified in the WMP as operating under New Jersey Pollutant Discharge Elimination System (NJPDES) permit number NJG0084981. Lot 7.01 is owned by the Department, with a portion leased to the Township as Freeman Douglas Park. The park consists of 3 lighted playing fields, a hockey rink, tennis and basket ball courts, a concession stand, playground, and restrooms. Lot 7.03 contains an existing 3-bedroom single family home and Lot 19 contains an existing 3-bedroom single family home and five existing one-bedroom cabins. The three lots are currently served by septic systems and are designated in the WMP as an Individual Subsurface Sewage Disposal System Area of Less Than 2,000 gallons per day (gpd). The projected wastewater flow of all the properties, calculated in accordance with N.J.A.C. 7:14A-23.3, is 151,440 gpd.

This amendment has been reviewed in accordance with Executive Order 109 (2000) and N.J.A.C. 7:15-5.18. The Department's review determined that portions of the undeveloped areas of the Campground are designated as wetlands and threatened and endangered species habitat. To protect these environmentally sensitive resources this amendment is subject to the following conditions and limitations for the Campground properties: 1) The proposed public water and sanitary sewer systems shall be installed only within the existing roadways; 2) No clearing or disturbance of existing vegetation is permitted; 3) No development in or disturbance of wetlands and wetlands buffers is permitted; 4) Connection to sanitary sewer and public water is limited to currently existing structures and the 742 existing camp/trailer sites and; 5) No increase or expansion beyond existing structures and campsites is permitted as depicted on the site plan entitled "Plan of Existing Conditions For Lake Laurie Campground", prepared by Edward Belski dated 4/11/08.

The expansion of the sewer service area shall only apply for the property's current use as a seasonal campground. Any redevelopment and/or change in use from a seasonal campground will require an amendment to remain in the sewer service area.

An evaluation of the potential impact to base flows that would result from the cessation of groundwater discharges on the site determined that most of the groundwater extracted by the Campground's five shallow wells is later recharged by the septic fields creating a "water balance" on the Campground property. This balance would be maintained by elimination of the wells which will no longer remove water from the ground. Public water would then be supplied by the LTMUA. Therefore there will be no impact to the base flow of streams and wetlands in the vicinity and the local water table will not be altered.

Most of Lot 7.01 is located within the Cold Spring Salt Marsh Natural Heritage Priority site and contains extensive wetland areas, a large area of threatened and endangered species habitat, and the riparian corridor of the Little Mill Creek (FW2-NTC1/SE1). The proposed sewer service area shall be limited to the building footprint of the currently existing wastewater generating structures in Freeman Douglas Park.

This amendment proposal was noticed in the New Jersey Register on July 7, 2008 at 40 N.J.R. 4238(a). A public hearing on the proposed WQMP amendment, conducted by Cape May County, was held on Tuesday, October 28, 2008. The Cape May County Department of Health and the Department received comments during the comment

period. The Cape May County Board of Chosen Freeholders (Freeholders) considered the proposed amendment on December 23, 2008. In accordance with the Cape May County WQMP Amendment Procedures, the Freeholders formally endorsed the amendment in the form of Resolution 970-08. The comments received and the Department's response are as follows:

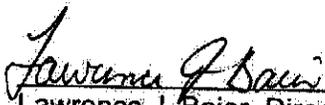
COMMENT: The Lower Township Taxpayer's Association (LTPA) is opposed to the proposed amendment to the Cape May County Water Quality Management Plan. It is LTPA's opinion that the ongoing health hazards of Lower Township year round residents must take priority in any water supply or sewer application. LTPA believes that as the allocation of the public water supply is very limited and as funds to run water and sewer lines are limited as well; residential areas of the Villas, Cape May Beach, Townbank and North Cape May should be given priority for public water and sewerage over this seasonal campground and the other low usage properties included in the proposed amendment. In addition, monies available to run water and sewer lines are also very limited and must be prioritized. (Janet Pitts, President of the Lower Township Taxpayer's Association)

RESPONSE: The Department's Division of Water Supply believes that water could potentially be provided to the Lake Laurie Campground from the LTMUA with the issuance of a water main extension permit once all appropriate Water System Construction Permit applications have been submitted to the Department. As for the ability of the LTMUA to provide water to the other areas identified by the commenter, the Division of Water Supply cannot provide a firm answer at this time since the commenter has not provided enough details that would lead to a determination of how much additional water demand would be generated from these residential areas of the Villas, Cape May Beach, Townbank and North Cape May. This demand information would be evaluated in relation to the firm capacity limit of the LTMUA system along with the monthly and annual limits set forth within LTMUA's existing water allocation permit. The Division of Water Supply suggests that each of these individual areas contact the LTMUA prior to the planning of any particular project associated with a water main extension in order to verify the specific amount of water that could be available from LTMUA, as that quantity of available water may have changed dependent upon water demands within the entire LTMUA system.

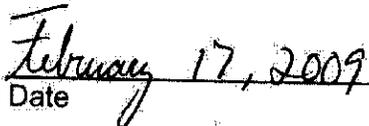
Decisions regarding the prioritization of expenditures for financing of water and sewer lines are the responsibility of local entities. Questions concerning these issues should be addressed at the local level by the LTMUA and Lower Township.

The Department recognizes the need to consider water supply issues in conjunction with the planning and designation of sewer service areas. To that end, the Department recently readopted the Water Quality Management Planning rules (rules) (N.J.A.C. 7:15) with amendments on May 20, 2008. The rules, which became effective on July 7, 2008 require a buildout analysis and a depletive/consumptive water use analysis in Wastewater Management Plans in order to improve the coordination between future development and the maintenance of adequate water supplies. The rules require a county-wide Wastewater Management Plan, with the above mentioned analyses, to be submitted to the Department by April, 2009.

This amendment represents only one part of the permit process and other issues may need to be addressed prior to final permit issuance. Additional issues which may need to be addressed may include, but are not limited to, the following: compliance with stormwater regulations; antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works (pump stations, interceptors, sewers, outfalls, wastewater treatment plants); and development in wetlands, flood prone areas, designated Wild and Scenic River areas, or other environmentally sensitive areas which are subject to regulation under Federal or State statutes or rules.



Lawrence J. Baier, Director
Division of Watershed Management
Department of Environmental Protection



Date