
**DELAWARE VALLEY REGIONAL PLANNING COMMISSION
TRI-COUNTY WATER QUALITY MANAGEMENT BOARD**

MINUTES OF SEPTEMBER 8, 2008

Place: Burlington County Office of Resource Conservation
1900 Briggs Road
Mt. Laurel, NJ 08054

WQMB Membership:

Burlington County Freeholder	Gina Berg (alternate)
Burlington County Elected Municipal Official	not present
Burlington County Citizen	Donald Bryan
Camden County Freeholder (vice chair)	Andrew Levecchia (alternate)
Camden County Elected Municipal Official	Larry Pennock
Camden County Citizen	Ed Shorr
Gloucester County Freeholder (chair)	Chuck Romick (alternate)
Gloucester County Elected Municipal Official	not present
Gloucester County Citizen	not present
Camden City	not present
Camden City Citizen	not present

Staff and Guests:

DVRPC	Alison Hastings
DVRPC	Chris Linn
DVRPC	Suzanne McCarthy
DVRPC	Amy Miller
New Jersey Schools Development Authority	Andrew Oakley

The meeting was called to order at 6:08 pm by Chairperson Chuck Romick.

1. Minutes of the June 9, 2008 Meeting

Mr. Romick reviewed the minutes of the meeting of June 9, 2008. The minutes were approved on a motion by Mr. Shorr and seconded by Ms. Berg. The motion was passed unanimously.

ACTION ITEMS

2. Amendments to the Tri-County Water Quality Management Plan

a. Camden County Municipal Utility Authority (05-C-1)

Ms. McCarthy reviewed the proposed amendment. The amendment appeared in the *New Jersey Register* on July 7, 2008. The board received a letter regarding the proposed amendment on June 11, two days after its last meeting, and the 60-day window for review has passed. However, NJDEP would still like the board to review the proposed amendment.

The proposed amendment would revise the Camden County Municipal Utility Authority (CCMUA) Wastewater Management Plan (WMP) and the Tri-County Water Quality Management Plan regarding four site-specific changes pertaining to Bellmawr and Chesilhurst boroughs, Waterford and Winslow townships, and the elimination of the Sicklerville and Ancora Sewage Treatment Plans and conveyance of their flows to the Delaware No. 1 Sewage Treatment Plant (STP) in Camden City.

This amendment would revise the CCMUA WMP and the Tri-County Water Quality Management Plan as follows:

1. Increase the flow allocation for Bellmawr Borough by 850,000 gpd (to a total of 2.61 mgd)
2. Increase the flow allocation for Chesilhurst Borough by 30,000 gpd (to a total of 180,000 gpd)
3. Increase the flow allocation for Waterford Township by 82,000 gpd (to a total of 592,000 gpd)
4. Increase the flow allocation for the Cedarbrook section of Winslow Township by 188,000 gpd (to a total of 728,000 gpd)
5. Eliminate the Sicklerville sewage treatment plant, located in Winslow Township, and convey its flow to the Delaware No. 1 Water Pollution Control Facility (WPCF) in Camden City, and
6. Eliminate the Ancora sewage treatment plant, located in Winslow township, and convey its flow to the Delaware No. 1 WPCF in Camden City.

There is no inter-basin transfer in Bellmawr, although there is an inter-basin transfer involved in Chesilhurst, Waterford, and the Cedarbrook section of Winslow. There is an inter-basin transfer cap in the Camden County WMP that was adopted in 1999 and limits how much can be moved from the Atlantic Basin into the Delaware Basin. Currently the inter-basin transfer cap is set at 1.2 mgd, and these increases would raise it to 1.5 mgd. It requires the approval of the Pineland Commission, which has been granted. A study by the Pinelands

Commission showed no significant impacts from the increases. The two STP eliminations were also approved by the Pinelands Commission.

Regarding the Ancora STP elimination, the first mention in the Agreement of Understanding was that the water source was going to come from the Piney Point Aquifer, although it seems from the notice in the *Register* that the source is a pipeline coming from the Delaware Basin. Since Piney Point is not specifically a Delaware Basin aquifer, it was a little unclear. Mr. Shorr asked if that could be confirmed. Mr. Levecchia noted that there is a new pipeline through Winslow Township that would be the source.

Ms. McCarthy noted there were other agreements made with the Pinelands Commission and the NJDEP. One of these is that there will be no extension of sewer service in areas identified by the Landscape Project as ranking 3, 4, or 5, which are areas where the presence of threatened or endangered species has been documented. Another agreement is that sewer service will not be extended into areas listed by the Natural Heritage Priority Program due to the presence of threatened or endangered plant or animal species. Sewer service is also not to be extended into floodplains, wetlands, or other areas under EPA grant conditions. Regarding the Ancora site, approximately 50% of the site will be deed-restricted as open space and any buildings in the open space area that are not being used in connection with the sewer system will be removed. If future sewer in the village of Elm becomes necessary due to health problems, there could be a connection made to the Ancora sewer pipes to be carried to CCMUA.

Regarding the proposed amendment's relationship to other plans, Ms. McCarthy noted that part of this area is in the Pinelands and is identified as a Rural Conservation Area in the DVRPC Destination 2030 Land Use Plan. The Ancora site is located in a Rural Development Area in the New Jersey State Development and Redevelopment Plan. However, because it is a problem site where the sewer was failing and was operating with lagoons, the need to resolve this problem supersedes the restrictions these plans would mandate for these locations.

Mr. Levecchia noted the amount of preservation of open space and wetlands and the fact that no new development is being planned also supports the amendment changes. Ms. McCarthy commented that the proposed amendment seems to solve a lot of problems. For example, the lagoons were discharging to streams, which was a problem that would be eliminated with this amendment.

Mr. Levecchia noted that the inter-basin transfer will be eliminated by bringing in a water pipeline. . If they are taking from and discharging to the Delaware Basin, then there is no inter-basin transfer.

Ms. McCarthy noted that something that was mentioned in the Agreement but was not mentioned in the *Register* was the CCMUA's WMP, which hasn't been

adopted. Again, this is superseded by the problem-solving situation of the proposed amendment.

Mr. Shorr made a motion to approve the amendment. Ms. Berg seconded the motion. The motion passed unanimously.

b. Schools Development Authority, Proposed Early Childhood Care Center, Pemberton Township (06-B-3)

Mr. Linn reviewed the proposed amendment. A representative from the New Jersey Schools Development Authority was in attendance regarding this proposed amendment and noted they have been waiting for two and a half years to have this passed. The NJDEP had some issues with the original submission, the most serious of which was the 63-acre parcel that was originally proposed for sewer service in its entirety. The school and its grounds were to occupy only a portion of that parcel, and the remainder of the parcel had very high value habitat. The amendment was resubmitted with only 18 acres of the parcel proposed for sewer service that would go to the Pemberton Township Municipal Utilities Authority (PTMUA) Sewage Treatment Plant (STP). NJDEP then approved the submission. The school would serve 600 students with a proposed wastewater flow of 9,000 gpd. The conveyance to the PTMUA STP would not require an expansion of the STP or its permitted flow. The PTMUA STP operates under NJPDES permit NJ0024821 with a permitted discharge of 2.5 mgd to the North Branch of the Rancocas Creek (FW2-NT).

Mr. Linn noted that the site is outside the boundary of the Pinelands. It is located in a Rural Conservation Area in the DVRPC Destination 2030 Land Use Plan and is located in a Rural Planning Area (PA4) of the 2000 New Jersey State Development and Redevelopment Plan. It is in the Rancocas Creek watershed.

The amendment was received by DVRPC on July 17, 2008, and was noticed in the *New Jersey Register* on July 21, 2008.

Ms. Berg asked if the proposed amendment involves a well or water line. Mr. Oakley noted that the plans he has seen indicate a water line. Mr. Linn noted that they tried unsuccessfully to reach the PTMUA regarding this. Ms. Berg commented that there could be a problem with a water line because the site is in a critical water area and is located in a PA4 area where there should not be water lines. There was a previous situation in Mansfield Township that resulted in a lawsuit regarding a water line transiting a PA4 area. Ms. Berg was aware of potential changes to zoning at the site to accommodate the school, although this was not noted in the updated amendment. The extension of sewer through a PA4 area could open up the possibility for a lawsuit from the county, state, or developers who want similar treatment. Mr. Shorr noted that the extension would be very short. Mr. Levecchia noted that the extension would be for a school, a public purpose. This differs from the residential development involved in the

Mansfield lawsuit, according to Ms. Berg. Mr. Oakley noted that the school district has given a letter to the NJDEP stating they will retain ownership of the sewage portion in perpetuity and will not extend the sewer line for future development. Ms. Berg asked if the school district would have ownership of the water line. Mr. Oakley responded no, because it is in the public right of way. Mr. Oakley also noted that they are only building on 16.2 acres and the remaining land will be preserved. Combined with the site's proximity to the high school, Mr. Oakley did not know what possible future development could occur near the site.

Ms. Berg noted an agreement with the Mount Holly Water Company and the state that prohibits a water utility line or sewer line through a PA4 area in a critical water area. Mr. Shorr suggested they ask for an opinion on this issue.

Mr. Levecchia made a motion to approve the proposed amendment with a condition that the NJDEP confirms there is no incursion of a water line through a PA4 area, or if there is, that there is a reasonable legal basis for the incursion. Ms. Berg seconded the motion. The motion passed unanimously.

[Subsequent to the meeting, DVRPC staff confirmed that the new facility's water line will only be a connection to the line already serving the high school. It will not be a new line that would cross any new PA4 areas.]

DISCUSSION ITEMS

3. Status Report on any Recently Proposed Amendments, Revisions, and Determinations of Consistency to the Tri-County Water Quality Management Plan

Ms. McCarthy reviewed the status report. Of the 9 projects listed in the status report, the following projects were discussed in more detail, as noted below:

a. Medford Township WMP Update

NJDEP is about to send out a deficiency letter, but there are no further details about what the deficiencies are.

b. Camden County MUA WMP Update

The original plan was disapproved and CCMUA is now operating under the agreement that allowed the site-specific amendments that were just approved. A new WMP is being worked on.

c. Bordentown MUA WMP Update

The plan was reviewed and as of September 4, 2008, there are two minor deficiencies to remove and there should be a notice in early October, 2008.

d. Mount Holly MUA WMP

There are some additional deficiencies to be addressed as of September 4, 2008 that relate to mapping changes that have not been made yet.

e. Mansfield Township Updated WMP

This was submitted to NJDEP but has very serious deficiencies.

f. Logan MUA WMP

This is about to receive a letter of deficiency. Most of the requirements are fairly easy to correct. There is an issue with the Woolwich receiving area for their TDR program. The receiving area may be pulled out of the plan and dealt with as part of the county's WMP.

Ms. McCarthy added that there will be only two wastewater management plans coming to the Tri-County board, and so an October meeting will not be needed. The next meeting would be postponed from November 10 to November 17 due to the Veterans Day holiday on November 11. This is a tentative date dependent on what is received from NJ DEP.

4. By-laws of the Tri-County Water Quality Management Board and potential revisions to By-laws or quorum requirements.

Ms. McCarthy reviewed the issue that was raised at a previous meeting concerning the board's By-Laws, which state that a Camden City Representative must be present to have a quorum. Fred Martin is attempting to be appointed as a Camden City Representative, although the status of this effort is unknown. Mr. Shorr suggested that Tri-County or DVRPC could encourage the effort or facilitate a response from Camden City regarding Mr. Martin's appointment. Ms. McCarthy stated that this issue should be resolved before the next meeting of the Tri-County Board.

5. Water Quality Management Rule adoption – brief report

a. DVRPC information projects to assist County Wastewater Management Plans

Ms. McCarthy distributed copies of two documents. The "Locations of new provisions and major changes to the Water Quality Management Planning Rules (N.J.A.C. 7:15)," which compares the old Rules with the new Rules that were adopted in July of this year. The second document is a template to be used for drafting a County Wastewater Management Plan.

b. Speakers and topics of interest

Ms. McCarthy discussed the possibility of bringing in speakers to the Tri-County meetings to talk about topics of interest to the board. This idea was suggested by Jack Sheppard at the meeting on June 9, 2008. Ms. McCarthy suggested that these could be expert speakers such as a representative from

New Jersey American Water (NJAW) who would talk for 30 minutes at a maximum. There could be a press release and the public could be encouraged to attend these meetings. One topic for NJ American Water could be locations of current and proposed water pipelines. Ms. McCarthy also suggested that DVRPC could do research or mapping regarding water supply issues that would be helpful in drafting the County WMPs.

Ms. Berg discussed the data issues Burlington County has encountered regarding their WMP, such as overlapping or missing data. A major data problem involves missing information on as-built sewers. Mr. Levecchia noted that Camden County has information on county-owned sewer lines, but not on municipally-owned sewer lines.

Ms. McCarthy noted that the new Rule asks for information on allocation estimates by each MUA, and water availability by HUC-11. Ms. Berg stated that her understanding was that they could ignore the latter section until the Water Supply Plan was done in December. Mr. Levecchia inquired about the relationship of water supply to water treatment. Ms. Berg responded that there are issues of inter-basin transfer, management of ecology in watersheds, and other issues. McCarthy added that DEP is not allowing expansion of sewer if there is not sufficient allowable water supply. This may not be an issue in the Tri-County area, although it is an issue in other counties. Ms. Berg noted that there is a lack of GIS staff in the Burlington County office. Ms. McCarthy responded that the Tri-County budget could be used for some mapping projects, and offered to explore that topic further.

Ms. McCarthy asked if there were interest in having a speaker at the next meeting. Ms. Berg responded that the issue was that the Tri-County Board had stopped being a planning organization, and that further knowledge could help them plan better and put things into context to a greater extent. For example, they could have a better grasp on what being in a critical water area really means, or NJAW could tell the board where they hope to grow. However, in general, the Board does not feel there is a great need for speakers, with the exception of wanting to hear from NJ American Water.

6. Adjournment

Mr. Levecchia made a motion to close the meeting, which was seconded by Mr. Shorr. The meeting was adjourned at 7:25 pm. The next meeting is tentatively scheduled for November 17 starting at 6:00 pm, with a light dinner served at 5:30 pm.