

Adopted November 17, 2017

CMP POLICY & IMPLEMENTATION COMMITTEE MEETING

Richard J. Sullivan Center
Terrence D. Moore Room
15 C Springfield Road
New Lisbon, New Jersey
October 24, 2017- 9:30 a.m.

MINUTES

MEMBERS IN ATTENDANCE: Robert Barr, Ed Lloyd, Ed McGlinchey and Richard Prickett

MEMBER ABSENT: Candace Ashmun, Paul E. Galletta and Chairman Sean Earlen

STAFF PRESENT: Executive Director Nancy Wittenberg, Stacey P. Roth, Larry L. Liggett, Susan R. Grogan, Gina Berg, John Bunnell, Brad Lanute, Joel Mott and Betsy Piner. Also present was Tyler Yingling with the Governor's Authorities Unit.

1. Call to Order

Acting Chairman McGlinchey called the meeting of the Comprehensive Management Plan (CMP) Policy and Implementation (P&I) Committee to order at 9:40 a.m.

2. Pledge Allegiance to the Flag

All present pledged allegiance to the Flag.

3. Adoption of minutes from the September 29, 2017 CMP Policy & Implementation Committee Meeting

Commissioner Prickett moved the adoption of the September 29, 2017 meeting minutes. Commissioner Barr seconded the motion. The minutes were adopted with all Committee members voting in the affirmative.

4. Discussion of a revised Memorandum of Understanding among the Pinelands Commission, Winslow Township and the Camden County Municipal Utilities Authority regarding water use in the Great Egg Harbor River Watershed

Commissioner McGlinchey welcomed Winslow Mayor Barry Wright and the Township professionals who accompanied him (Joe Gallagher, Township Administrator, and George Hann with Remington & Vernick).

Ms. Wittenberg noted the Commission has been working on these challenging water use issues with Winslow Township for quite some time.

Ms. Berg made a PowerPoint presentation (*posted on the Commission's web site at <http://www.nj.gov/pinelands/home/presentations/P%20&%20I%20committee%20102417.pdf> and included as Attachment A to these minutes.*)

Ms. Berg reviewed the background and conditions of the original Memorandum of Understanding (MOU) amongst Winslow Township, the Camden County Municipal Utilities Authority (CCMUA) and the Pinelands Commission, signed in 2010. She said, at that time, Winslow had been having issues with sewer capacity and the New Jersey Department of Environmental Protection (NJDEP) imposed a sewer ban on the Township. She said the CCMUA had wanted to close its Sicklerville (outside the Pinelands Area) treatment plant and its infiltration basins as they are at capacity, with the intent of sending the sewage to the Camden City treatment plant on the Delaware River. She said while a portion of Winslow's sewer service area is in the Great Egg Harbor River (GEHR) watershed within the Pinelands Area, most of the GEHR is outside. As a result, NJDEP required a sign-off by the Commission to allow a Water Quality Management Plan (WQMP) amendment that would address the sewer ban and move the sewage outside the GEHR to the Delaware River.

Ms. Berg said the Commission wanted to impose certain conditions before commenting favorably on the WQMP amendment and that generated the need for the MOU. The CCMUA built pipes to the Camden treatment plant that allowed the sewer ban to be lifted but it also led to the transfer of water from the headwaters of the Great Egg Harbor River (the Kirkwood/Cohansey[K/C aquifer]) to the Delaware River watershed. The MOU dealt with the transfer of water and its loss from the K/C and required Winslow to purchase water from a non-K/C source to replace that water that was no longer infiltrating at the Sicklerville treatment plant.

Ms. Berg said one of the problems with the MOU is that it instituted a moving target in terms of water supply as it said that any "new" water had to be purchased from a non-K/C source, but it was difficult to determine what was "new" water. The MOU also required a period of stream-flow monitoring and made it difficult to plan for water management planning for droughts. The stream monitoring was supposed to address adverse ecological impacts but it was difficult to know when and where that impact would occur. She said the intent of the MOU was good but the implementation of this aspect was difficult.

In response to a question from Commissioner Prickett regarding stream flow monitoring, Ms. Berg said that not all the monitoring stations were in the Pinelands.

Ms. Berg said that Winslow's water use has decreased (*see Slide 5*), in part due to an ordinance that adjusts the rate structure to discourage water waste. She said Winslow wants to receive "credit" for its water conservation efforts that have occurred between the years 2008 and 2013.

Commissioner Lloyd asked if the base value of K/C water use is taken as that of 2008, does the MOU require the Township to stay at that lowest level.

Ms. Roth responded that, as the base is declining, it could be interpreted that 2013 was the base under the existing MOU because that was the lowest level of water use since the signing of the MOU.

In response to questions from Commissioner Prickett regarding improvements to infrastructure, Ms. Berg said Winslow had saved some 272,000 gallons of water due to repaired sewer lines. She added that, under the MOU, the CCMUA was allowed to install two new sewer lines but they have not yet needed to activate both lines. Only one line has been put into service, so far.

(Mr. Liggett arrived at 9:45 a.m.)

Ms. Berg said staff suggests that Winslow be allowed the credit for its conservation efforts. She said, by using 2008 values for water withdrawals as the base year, staff believes that it is both recognizing the conservation efforts and partly addressing the 2007 highest withdrawals and their resulting adverse ecological impacts shown in the Water Supply Plan. Under the existing MOU, "new" water must be purchased for all development. She said under the proposed MOU, grandfathered projects will be identified and Winslow will have a solid base for future planning purposes.

Mr. Liggett added that, in addressing future water use, the revised MOU recognizes that in no case will Winslow be using more water than in the past and that there has been a steady decline in water use since 2008. He said the Township will continue to pursue its conservation efforts and staff believes the Great Egg Harbor River will be protected. He said it is implicit in the State Water Supply Plan that communities will be asked to resolve past use issues and this is an example where the Commission can get a head start in that regard. He added that, obviously, the Township does not want to have to buy unnecessary non-K/C water.

Commissioner McGlinchey said he thought the old (2010) MOU led to a lot of interpretations and this new language will be clearer. He said he hoped the proposed schedule (for approving and signing the MOU) could be maintained.

Mr. Liggett said several years ago, Winslow proposed some rezonings that generated a review of the old MOU. He said if this MOU is revised, he expected the Township will then return with those requests.

In response to a question from Commissioner Prickett regarding what conservation measures had been taken by the Township, Mr. Hann said the Township had adopted an ordinance with water

use restrictions, and it has been mentioned at every municipal meeting over the past seven years. He said the rate structure has led to an 80 million gallon per year (mgy) reduction in water use. The Township has also worked with USGS to determine which wells should be used and has applied to the Environmental Infrastructure Trust Fund to fund more than \$1 million worth of sewer projects (infiltration and inflow projects which reduce leakage from the aquifer).

In response to Commissioner Barr's question as to the time line for approving the MOU, Mr. Liggett said staff was pursuing the schedule outlined in Ms. Berg's presentation (*review with the P&I Committee at its November 17, 2017 meeting and approval by the full Commission at its December 8, 2017 meeting*) and believed it was likely to happen accordingly. He noted that some specific language change was needed and that the CCMUA had not yet seen the proposal. Mr. Liggett noted that Mr. Fred Akers with the Great Egg Harbor Watershed Association (GEHWA) and Mr. Rich Bizub, with the Pinelands Preservation Alliance (PPA,) were here today and staff wants to review the proposal with them.

In response to Commissioner Lloyd's question as to what action NJDEP is expected to take, Mr. Liggett said that of 20 watersheds, four are stressed now and 19 of 20 will be stressed at full allocation so as yet unspecified steps must be taken. He said NJDEP believes that sharing water will be part of the answer and that might work in north Jersey but is not practical here.

Commissioner Lloyd said the Commission needs to get out ahead of the state to reduce water consumption.

Mr. Liggett said all water purveyors have to perform audits of water use as do some municipalities when applying for new water allocations.

Ms. Berg said the Water Supply Plan tries to account for "extra water" that which is not paid for such as water used for fire hydrant flushing. She said it is a permissible use but is not purchased in the sense of an individual rate payer account.

In response to Mr. Liggett's statement that some conveyance systems are old, Mr. Hann said typically one cannot account for about 15% of the water in a public water supply system.

In response to Commissioner Prickett's question as to the age of Winslow's water supply system, Mayor White said it was built in the 1970's when the Levitt development started. He added that the Township is dedicated to its conservation efforts and that by raising water rates some 300%, it has shown its willingness to do so even when politically difficult.

In response to Commissioner Lloyd's question if the Science Office has been looking at impacts to the GEHR, from the audience Mr. Bunnell said his office monitors water quality but has not looked at water quantity.

Commissioner Prickett said the circumstances regarding Hammonton's water issues served as a good primer for what the Commission is dealing with in Winslow. He said it was a good thing when the municipalities take water conservation seriously.

Chairman McGlinchey invited members of the public to comment on the proposed MOU.

Mr. Fred Akers, Administrator, GEHWA, provided a handout (*Attachment B to these minutes*) regarding various projects that his organization is funding to deal with impervious cover and stormwater runoff. He noted that Dr. Chris Obropta, with Rutgers University, is developing a list of shovel-ready projects to reduce stormwater runoff and he felt that these concepts might be helpful to Winslow. Finally Mr. Akers said that in 1992, 129 miles of the Great Egg Harbor River was given the federal designation as Wild and Scenic and that, as a member of the Great Egg Harbor River Council, Winslow has had a good relationship with the GEHWA.

In response to Commissioner Prickett's question as to where the new development is occurring in Winslow, Mr. Gallagher said it is outside the Pinelands Area.

Mr. Rich Bizub, referencing Ms. Berg's September 29, 2017 presentation of the draft state Water Supply Plan, said the Report was nebulous and contained nothing of substance. He said the Commission will need to work in a much more detailed manner and it is up to the Commission to protect the aquatic resources of the Pinelands. Mr. Bizub said unaccounted for water is not necessarily from leaking pipes as inaccurate meters, street sweeping and flushing also contribute. He said Winslow's unaccounted loss was between 5% and 8% and that is very good. He said, in 2009, PPA supported the Winslow MOU because it set triggers for appropriate development and conservation measures. He said PPA looked forward to reviewing the MOU amendment.

5. Other Items of Interest

Commissioner McGlinchey noted that he had read an article in the Press of Atlantic City recognizing Mr. Akers and the 25 years of activity by the GEHWA, (*An article is located at http://www.pressofatlanticcity.com/pac/after-years-as-wild-scenic-the-great-egg-harbor-river/article_43531ba4-e813-5586-bb6a-c735f8d1b8a3.html.*)

Commissioner Prickett asked for a report on the events of October 20th and 21st, 2017 (*World Water Monitor Challenge, conducted at Batsto Village on Friday October 20th and the Pinelands Archaeology and Anthropology Symposium on Saturday October 21st*).

Mr. Mott said that 150 students participated in the 13th annual World Water Monitoring Challenge. They were involved with hands-on activities such as water sampling, soil boring, and wetlands delineation. He said Wharton State Forest personnel were available to demonstrate the sawmill and the exhibits at the nature center. He said the program is always well received.

Ms. Grogan said the Archaeology symposium on Saturday featured numerous presentations by those doing specific projects in the Pinelands and staff had received great feedback.

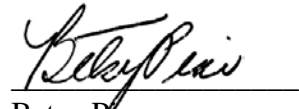
In response to Commissioner Lloyd's question regarding the off-road vehicle issues in Wharton State Forest, Ms. Wittenberg said she had not yet had a meeting with NJ Department of Environmental Protection Commissioner, Bob Martin.

6. Public Comment on Agenda Items

There was no public comment offered at this time.

There being no other items of interest, the meeting adjourned at 10:35 a.m. (moved by Commissioner Barr and seconded by Commissioner Prickett).

Certified as true and correct:



Betsy Piner,
Principal Planning Assistant

Date: November 8, 2017



REASONS FOR ORIGINAL MOU

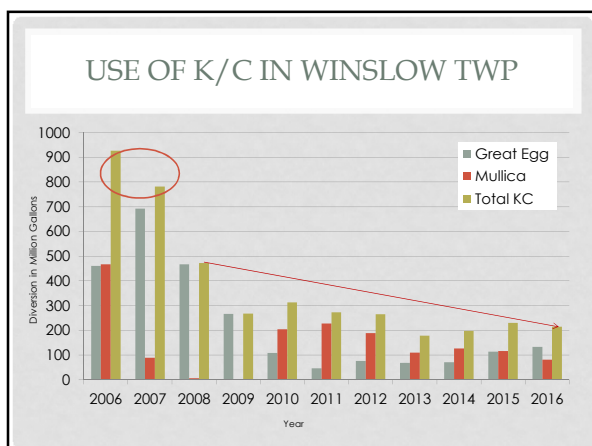
- DEP instituted a sewer ban in Winslow Township
- CCMUA planned closure of Sicklerville treatment facility AND the Sicklerville plant was outside the Pinelands area
- Required a Water Quality Management Plan amendment that necessitated sign-off by Pinelands Commission

RESULTS OF ORIGINAL MOU

- Original MOU final signature on **February 1, 2010**
- Allowed **closure of the Sicklerville** wastewater infiltration basins which were outside the Pinelands Area
- Allowed construction of wastewater mains to CCMUA (**lifted sewer ban** through WQMP amendment)
- Resulted in **water transfer** from headwaters of the Great Egg Harbor watershed to the Delaware River

RESULTS OF ORIGINAL MOU (CONT.)

- Required **Winslow to purchase water** from a non-K/C source to replace lost infiltrated effluent at Sicklerville
- Instituted a **"moving target"** for water use limitation: all "New" use to be non-K/C source
- Required advanced **water management planning** for droughts
- Required establishment of stream flow **monitoring** by CCMUA and flow analysis by Winslow
- Required **water use reporting** by Winslow and **sewage flow reporting** by CCMUA
- Set a standard for and disallowed **Adverse Ecological Impact** to the GEHR



CURRENTLY

- Winslow Township requests credit for successful conservation efforts (2008 to 2013)
- Winslow Township requests amendment to set base annual volume from the Kirkwood /Cohansey at the 2008 level (total water use 1023 MGY; K/C use 472 MGY)
- DEP adopted the statewide Water Supply Plan that indicates actual peak use in 2007 for the upper GEHR would have ecological impact (>25%LFM)

RECOMMENDED AMENDMENT TO MOU

Commission staff recommends

- Recognizing conservation success- current use in 2016 is 213.76 MGY from the K/C in Winslow Township;
- Using the year **2008** withdrawals as the **base** year
- Limiting **withdrawals from K/C** in Winslow (combined Mullica and GEHR) **to no more than 472 MGY plus 39.5 MGY for "grandfathered" development;**
- initiating collaborative effort to delineate methods and actions to reduce existing water use in the GEHR watershed in response to state Water Supply Plan

BASIS FOR AMENDED MOU

- Gives Winslow assurance of K/C volume for planning purposes
- Both clarify the definition of "Adverse Ecological Impact" and address a portion of the ecological impact in the GEHR watershed outlined by state Water Supply Plan
- Township continues to submit water use data and CCMUA continues to report sewer flows, but Township and CCMUA will no longer have to finance stream monitoring and flow analysis

NEXT STEPS

- Parties are reviewing revisions to language of MOU
- Finalize revisions in November
- Return to November P & I meeting for review
- Bring to December Commission meeting for approval

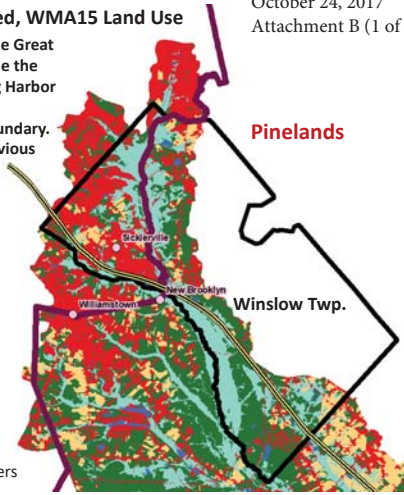
Great Egg Harbor Watershed, WMA15 Land Use

Approximately 15,000 acres of the Great Egg Harbor Watershed are outside the Pinelands, because the Great Egg Harbor River was used for the Pinelands boundary, not the watershed boundary. Much of this land is urban impervious cover that doesn't infiltrate.

Legend 1 inch = 1.74 miles

- Winslow Twp.
- Pinelands
- 2012WetlandsWMA15
- 2012WaterWMA15
- 2012UrbanWMA15
- 2012ForestWMA15
- 2012BarrenLandWMA15
- 2012AgricultureWMA15
- Atlantic_City_Expressway

GEHWAGIS 10/24/17, Fred Akers



CMP P&I Committee
October 24, 2017
Attachment B (1 of 3)

**Watershed Management Plan
for
New Brooklyn Lake**



April 2004

Prepared for:

Camden County, New Jersey

Prepared by:

Document on line at:

<https://rucore.libraries.rutgers.edu/rutgers-lib/35154/>

Urban Engineers, Inc. and
530 Walnut Street
Philadelphia, PA 19106
www.urbanengineers.com

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CMP P&I Committee
October 24, 2017
Attachment B (2 of 3)

CMP P&I Committee
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Attachment B (3 of 3)



**Impervious Cover Assessment and Reduction
Action Plan for Hammonton, New Jersey**

http://www.water.rutgers.edu/Recent_Presentations/Obropta_ICA-Feasibility%20Study-Hammonton.pdf

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April 12, 2017

