

WQM Docket, Wastewater Management Program
Division of Land Use Planning
P.O. Box 420 Mail Code 401-071
401 East State St.
Trenton, NJ 08625
August 1, 2011

**Subject: Mansfield Township Wastewater Management Plan
Amendment to Tri-County Water Quality Management Plan
The Ignored Residual Effects to Liberty Lake Day Camp**

To Whom It May Concern:

This is a formal request for a public hearing to allow the public to provide comment regarding the proposed Mansfield Township Wastewater Management Plan (WMP). The significant amount of public interest and concern regarding the adoption of the WMP can only be properly accommodated through the public hearing process.

Liberty Lake Day Camp offers my child, as well as thousands of other children throughout Mercer, Burlington, Camden, Ocean and Monmouth Counties the opportunity to enjoy and explore nature through swimming, fishing, boating, and nature activities in the Liberty Lake/ Crafts Creek watershed. The Crafts Creek watershed runs through Mansfield, Florence and Bordentown, in areas served by septic systems- not providing any additional wastewater treatment before discharging into the watershed. Families and children have used Liberty Lake/Crafts Creek for recreation and enjoyment for over 40 years. **The water quality impact to Crafts Creek and Liberty Lake by the proposed Margolis project directly adjacent to and surrounding Liberty Lake/ Crafts Creek under outdated regulations runs contrary to the Department's Core Mission Statement, which promises protection of the air, waters, land, and natural and historic resources of the State to ensure continued public benefit.**

The comments that we wish to present during the public hearing include impacts of nonpoint source under EO109, which were applied to this proposal under outdated regulations, riparian corridor issues, unreported onsite subsurface soil conditions which significantly impact the water quality of the watershed, as well as the grandfathered status of the Land Use Approvals issued under the currently outdated regulations. Issues and comments are summarized below:

ENVIRONMENTAL IMPACTS:

Water Quality:

1. The impact of the Margolis project on surface water and ground water quality is equal to that of 314 additional new residential units served by septic systems in the Crafts Creek Watershed allowable under existing zoning within Mansfield Township. Does the EO109 nonpoint source analysis for the Craft Creek Watershed meet the 2ppm nitrate ground water quality standard including the 314 additional units?
2. Increased flooding of Crafts Creek and it negative impact on an EXISTING COMMERCIAL OPERATION.
3. Degradation of Crafts Creek streambed and banks – increased sediment loads which flood the culvert under Route 295.
4. Stormwater runoff from the proposed impervious surface from Margolis Project will impact water quality leading to increased stream temperature, which will negatively impact the swimming, fishing, boating, and nature activities in the Liberty Lake/Crafts Creek watershed.
5. The Mansfield Township engineer, Remington & Vernick, stated in a letter addressing technical deficiencies in the Mansfield WMP application, that no sewage will be discharged on the back lot (building #4) due to poor soil conditions and perched water table conditions. The Mansfield WMP does NOT reference or address this condition, so the NJPDES-DGW permitting program would be

unaware of this water quality condition/concern. This back lot, which contains the largest proposed warehouse and impervious surfaces, poses the most significant concern to the water quality of Liberty Lake/Crafts Creek Watershed and the operation of the existing Liberty Lake Day Camp commercial business from the impact of stormwater and wastewater.

6. The New Jersey Turnpike Widening Project should have forced the developer, Margolis, to change their Project Plans (which they have not done so as of this date) due to the elimination/reduction of retention basins, resulting in changed stormwater calculations. The new calculations must be reviewed and addressed through the submittal of revised and/or modified applications in accordance with Department regulations.

Air:

1. Increased traffic volumes (24-hour trucking) will result in increased auto emissions.
2. Numerous studies have shown that diesel emissions are toxic to children, including a recent school bus study done by the DEP: <http://www.nj.gov/dep/dsr/schoolbus/>
3. According to the New Jersey Environmental Federation and Clean Water Fund, New Jersey is the nation's 2nd greatest cancer risk state from diesel soot in the nation. NJ is also considered the 4th worst state in the nation for other non-cancer impacts.
4. Asthma is at epidemic levels in New Jersey with 12% of school age children diagnosed with asthma. The proposed project is for a 24 hour trucking warehouse, alongside a recreational facility where thousands of children play each year from May through September.

Noise:

- Increased noise from trucks and traffic, including diesel engines, and backing-up beeping.

As outlined on the DEP website, the Department's Core Mission Statement "**is advanced through effective and balanced implementation and enforcement of environmental laws to protect these resources and the health and safety of our residents,**" yet the regulations under which the proposed Mansfield Township WMP, including the proposed Margolis Warehouse project, is GRANDFATHERED UNDER OUTDATED REGULATIONS. The Department's Core Mission Statement continues "**the Department's mission is advanced through effective and balanced implementation and enforcement of environmental laws to protect these resources and the health and safety of our residents. At the same time, it is crucial to understand how actions of this agency can impact the State's economic growth, to recognize the interconnection of the health of New Jersey's environment and its economy, and to appreciate that environmental stewardship and positive economic growth are not mutually exclusive goals: we will continue to protect the environment while playing a key role in positively impacting the economic growth of the state.**" Supporting the construction of 1,900,000 square feet of warehouse space in the Turnpike Exits 6-7 corridor of Central New Jersey seems illogical with the current regional warehouse vacancy rates estimated between 20 and 50% (twice the national average), and rents at half of what they were a year ago. How is it possible that this project, grandfathered under significantly outdated regulations, where new, possibly omitted information is available, be considered a "**balanced implementation and enforcement of environmental laws to protect these resources and the health and safety of our residents?**" The DEP needs to address this, before it's too late for the environment and the citizens of New Jersey.

The DEP's website continues to state that the "**DEP needs to have a new and very clear direction based on a set of realistic priorities that are known to all and managed by strong leadership from the top of the organization.**" This is the reason why we are asking the DEP to allow the public the opportunity to provide public comment on this proposal. The DEP must make decisions that are in the best interest of the environment as well as all the people of New Jersey, which includes not only developers- but also the thousands of children, which swim, fish, boat and study nature in Liberty Lake/Crafts Creek.

The implementation of the outdated Land Use regulations and outdated Water Quality Management Planning regulations (the current updated regulations being recently upheld by the Appellate Court) runs contrary to the Core Mission Statement, mandating "**flexibility while ensuring a net environmental gain to the state.**" The construction of over 3,000,000 square feet of potentially vacant and unused IMPERVIOUS SURFACE, for a project being approved under outdated regulations can hardly qualify as ensuring "**net environmental gain to the state.**" Liberty Lake's property already floods on a regular basis (there are numerous photos to prove this), as all the retention basins drain

into the Creek, which floods the ball fields and pavilions at Liberty Lake Day Camp- photo slideshow available online at www.WeLoveLibertyLake.com

As outlined by the DEP's Core Mission Statement, ***"all entities interacting with the DEP must be treated fairly and as our customers. Our actions must be transparent and we must be accountable."*** It is within this spirit that we as customers and residents of New Jersey and the parents, families and neighbors of children swimming, boating and fishing in Liberty Lake/Crafts Creek watershed request a public hearing to voice our specific concerns regarding the impact to the water quality of Liberty Lake, Crafts Creek, Mansfield Township and the Delaware River.

As outlined by the DEP's Core Mission Statement ***"the DEP must incorporate economic analysis into its decision-making processes. This does not mean that economic factors override environmental factors; however, a realistic assessment of potential environmental gain and public health advancement must be measured against the economic impact."*** The State of New Jersey does not need another warehouse project in the same region where warehouse space is glaringly vacant. Where is the ***"environmental gain and public health advancement"*** in comparison to the construction of 1,900,000 square feet of additional warehouse space in central NJ under outdated regulations in a wetlands watershed where negative water quality and runoff impacts are already a day-to-day concern?

As I read the Department's Core Mission Statement, I am more concerned than ever regarding the proposed Mansfield Township WMP and agree that as stated, ***"the DEP must focus on the end result: protecting the environment and resources of the State."*** Please provide the transparency and customer service upon which the DEP Core Mission Statement is established and provide the opportunity for those concerned with the impacts to the water quality of Liberty Lake, Crafts Creek, Mansfield Township and the Delaware River to provide specific comment regarding the Mansfield Township WMP.

LOCAL ECONOMIC IMPACTS, NOT BEING CONSIDERED BY MUNICIPALITY

1. Increased police and fire services for 5 huge warehouses, and 24-hour trucking
2. Increased traffic on already overburdened road systems
3. According to an August 2010 Wall Street Journal article referencing a CoStar Group Real Estate data study, ***"a full 48% of the 7.2 million square feet of warehouse space near Exit 7A is vacant, with an average three-year down time. Asking rents in this submarket have dropped by as much as 40% since the golden days of a half-decade ago."***
4. According to a recent study done by NJ Future- a NJ state funded Smart Growth organization, data explicitly shows that building warehouses and shopping centers into money-starved communities does NOT reduce or even stabilize their taxes: ***"whatever the reason, any municipality that thinks the secret to beating its neighbors at the property tax game is to score the next office park or shopping mall should probably take a look at the data first. As far as the race for non-residential property goes, the conventional wisdom is simply not supported by the evidence."***

LIBERTY LAKE- ONE OF NEW JERSEY'S GREATEST RESOURCES- *Serving the local community for close to 50 Years*

1. **Liberty Lake Day Camp:** One of the largest, most successful children's summer camps in the country- with over 1000 children from 800 families, and 200 employees each season. www.LibertyLakeDayCamp.com
2. **Liberty Lake Picnics and Special Events:** Picnics, School Field Days, Family Reunions, Corporate Events, The New Jersey Renaissance Faire, Charity Events, Weddings, Union Gatherings and Political Fundraisers. Serving 75-100 groups, and over 30,000 people per year: www.LibertyLakePicnic.com
3. **The New Jersey Renaissance Faire:** The largest Renaissance Faire in NJ, with 5000 attendees this past Spring: www.NJRenFaire.com
4. **Liberty Lake Foundation** teams up with local school districts, youth serving organizations (Family Services, DYFS, etc.) and Special Needs Children organizations-providing Camp, scholarships, trainings, and opportunities for hundreds of local children who would not otherwise be able to go to Camp during the summer: www.LibertyLakeFoundation.org

5. A youth project Blog with many followers, and often quoted, tweeted, and linked to by other prominent social media outlets: www.LibertyLakeDayCamp.blogspot.com
6. Promotes healthy active lifestyle – Rates of childhood obesity are at an all-time high.
7. Promotes nature appreciation – Today’s children spend most of their days in front of TV, computer and phone screens.
8. Source of childcare to over 800 families every summer- most who are “dual income” families, with few options for their elementary school aged children.
9. Liberty Lake has a 2000 member coalition to raise awareness about this warehouse project: www.WeLoveLibertyLake.com, as well as a Facebook FanPage and “Cause” page, with over 1500 supporters.

Currently, Liberty Lake/Crafts Creek floods on a regular basis during the wet months of December through May. Coincidentally, data submitted by the Margolis Warehouse Developer was taken during the driest months. Pictures of this flooding are available at www.WeLoveLibertyLake.com. Liberty Lake and its low grounds function as a natural basin for the surrounding areas. Thus when it rains over 2 inches, these areas immediately flood, but eventually recede when the rain ends. **With 3,000,000 square feet of additional impervious surface creating millions of additional gallons of stormwater run-off directed into the already compromised Crafts Creek- the result could be devastating to the existing Liberty Lake commercial operation, as well as the culvert under Route 295, just downstream.** The proposed Margolis project crunches the numbers to lead you to believe that the existing situation will not worsen. If you visit the actual site, see the pictures, and read the DEP report from Steve Jacobus, you will quickly see that their calculations defy common sense and eyesight. Additionally, the current New Jersey Turnpike Widening project has already significantly worsened the situation, as the depth of Liberty Lake has been significantly compromised by the poor soil erosion controls (many pictures available).

Please incorporate the comments outlined above into the administrative record for the Mansfield Township proposed Wastewater Management Plan, and schedule a public hearing to afford the public with the opportunity to provide more specific comments and additional information to the administrative record.

Sincerely,

NAME	ADDRESS	PHONE/EMAIL
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cc:	Timothy Staszewski, Project Manager Remington Vernick Engineers 232 Kings Highway East Haddonfield, NJ 08033-3899
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Bob Martin, Department of Environmental Affairs Commissioner 401 E. State St. 7th Floor, East Wing P.O. Box 402 Trenton, NJ 08625-0402
