

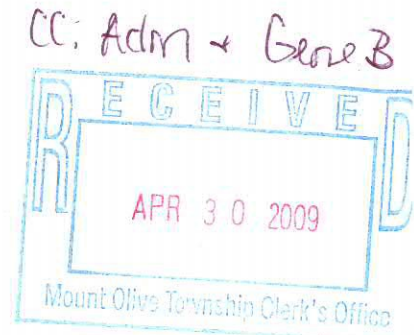


State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Watershed Management
Bureau of Watershed Regulation
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JON S. CORZINE
Governor



MARK N. MAURIELLO
Acting Commissioner

**Highlands Applicability and Water Quality Management Plan (WQMP) Consistency
Determination Application Form**

Notice of Technical Incompleteness

Certified Mail # 70051160000409654400
Return Receipt Requested

APRIL 24, 2009

William Sohl
Business Administrator
Township of Mount Olive
204 Flanders-Drakestown Road
Budd Lake, New Jersey 07828

Re: Goldmine-Morris Chase Interconnection
Block: 3904, Lot(s): Lots 14 & 25
Dyrham Road & Woodbine Avenue
Mount Olive Township, Morris County
Upper Raritan Water Quality Management Plan (WQMP)
Program Interest No.: 435434
Activity No.: CSD090004

Dear Mr. Sohl:

Your application dated February 13, 2009 and received on February 24, 2009, has been under technical review since it was deemed administratively complete on February 24, 2009. The application includes a request for an exemption under N.J.A.C. 7:38-2.3(a)11 for the routine maintenance and operations, rehabilitation, preservation, reconstruction, repair or upgrade of public utility lines, rights-of-way, or systems by a public utility, provided that the activity is consistent with the goals of purposes of the Highlands Water Protection and Planning Act.

During our March 31, 2009 meeting, your consultant was notified that additional information would be necessary for the Department of Environmental Protection (Department), Bureau of Watershed Regulation to complete the Highlands Applicability and Water Quality Management

Plan Consistency Determination (HAD) review. In anticipation of that meeting, the Department prepared a revised project description based on prior discussions with your consultant as to the scope of activities that would potentially qualify for an exemption. At the meeting's conclusion, your consultant was informed of the application's technical deficiencies, given a copy of the Department-revised project description and further informed that a certified site plan and revised project description would need to be submitted. To date, those items have not been received; however, they may have been mistakenly incorporated into the Highlands Preservation Area Approval (HPAA) pre-application materials binder submitted to the Department on April 15, 2009.

Please be aware that the HAD and HPAA are separate processes and must remain as separate applications. Furthermore, it is the Department's understanding that the project addressed by the pending HAD (a limited interconnection to the Morris Chase/Morris Hunt PCWS to access the storage tank adjacent to Fennimore Court right-of-way) is part of a short-term response to address the emergent situation at Goldmine, while the long-term solution (full interconnection between Tinc, Lynnwood, Goldmine, and Morris Chase/Morris Hunt) will be addressed by the pending HPAA with waiver. As such, the items required for further review of the subject HAD application are listed below:

- A site plan certified by the appropriate licensed New Jersey Professional showing the existing and proposed public utility lines, rights of way, or systems. The untitled site plan prepared by CMX, dated March 13, 2009 and received on March 20, 2009, did not adequately depict the proposed project and existing systems. Furthermore, it was not certified. The submitted site plan, at a minimum, must show the Goldmine water system, point of proposed interconnection to Morris Chase/Morris Hunt (MC/MH), proposed location of isolation valving, and location of the existing MC/MH water tank and lines subject to the interconnection.
- A revised project statement. The Department-revised draft (copy enclosed) restricts the proposed activities to those site-specific activities that were previously identified as qualifying for an exemption under N.J.A.C. 7:38-2.3(a)(11).
- An updated certification page (page 16 of the application).

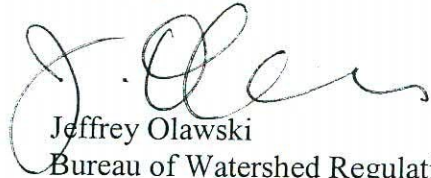
A copy of the submittal that you send in response to this letter, as well as supporting information, must also be sent to those parties listed at N.J.A.C. 7:38-9.2(b)5.

You have 30 days from the date of receipt of this letter to submit the information required above. If after 30 days the required information is not submitted or fails to satisfy the deficiencies listed above, your application may be either cancelled or issued a determination based on the information included in your current application, the later of which may result in a Not Exempt determination. Be sure to include a copy of this letter with the additional required information that you submit.

Please reference the program interest number and the activity number found above in all written

correspondence submitted to the Division of Watershed Management regarding this matter. Should you have any questions regarding this matter, you may contact me directly at (609) 633-7053.

Sincerely,



Jeffrey Olawski
Bureau of Watershed Regulation

Enclosure

c: David Applegate, Vice President, CMX Engineering
Patrick Cole, CMX Engineering
Lisa Lashway, Mount Olive Township Clerk
Gary Lindsay, Mount Olive Construction Official
Joseph Fleischner, Mount Olive Planning Board Chair
James Smith, Mount Olive Environmental Commission Chair
Ray Zabihach, Director, Morris County Planning Board
Christine Ross, Highlands Council
Terry Pilawski, NJDEP, Bureau of Watershed Regulation (w/o enclosure)
Barry Miller, NJDEP, Bureau of Watershed Regulation (w/o enclosure)
Susan Michniewski, NJDEP, Bureau of Inland Regulation (w/o encl.)
Wade Wertman, NJDEP, Bureau of Water Systems & Well Permitting (w/o encl.)
Bureau of Watershed Regulation - File

PROJECT DESCRIPTION

REVISED – March 31, 2009

The purpose of the proposed project is to provide the Goldmine PCWS access to the Morris Chase/Morris Hunt PCWS storage tank located at [insert location]. This access is part of a short term solution, in conjunction with the authorized emergency use of Turkey Brook Well, to supply water to existing homes typically served by the Goldmine PCS and to provide appropriate storage capacity to meet peak demand of the existing Goldmine system. The remainder of the Morris Chase/Morris Hunt PCWS will be isolated from the Goldmine PCWS by appropriate isolation valving, as depicted on the site plan [provide cite], to prevent any transfer of water across HUC-14 boundaries. Connection to the storage tank would require a short run of pipe (approximately 10 LF), a meter chamber, and shut-off valves, as necessary for isolation.

DRAFT