



PINELANDS PRESERVATION ALLIANCE

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May 12, 2010

Mr. John C. Stokes, Executive Director
The Pinelands Commission
P.O. Box 7
New Lisbon, NJ 08064

**Re: Ancora Psychiatric Hospital
Amendment to March 18, 2008 MOA
Testimony of Richard Bizub**

Dear Mr. Stokes:

The Pinelands Preservation Alliance (PPA) is pleased to offer the following comments on the above referenced amendments (dated April 28, 2010) to the March 18, 2008 Memorandum of Agreement (MOA). For simplicity our comments are presented according to the same numerical order as under "Now Therefore" of the amendments.

5. **Comment:** This paragraph indicates that the New Jersey Department of Human Services (DHS) shall immediately implement, to the extent that it has not done so already, the emergency water conservation measures delineated in the March 18, 2008 MOA, and as required by emergency permit conditions of its May 29, 2003 ACO with the New Jersey Department of Environmental Protection. Such actions were to include, but not be limited to the conversion to low flow fixtures and the installation of water conserving "tunnel washer" laundry equipment. The primary intent of the measures spelled out in the referenced documents was to reduce the amount of water entering a failing wastewater disposal system to minimize the impacts of a growing public health hazard. Water conservation for the purpose of reducing demand on the Kirkwood-Cohansey aquifer and minimizing potential stream flow impacts was not the goal of the emergency water conservation measures.

Recommendation: The May 29, 2003 ACO should be reviewed to determine if the measures listed can be enhanced and included in the amendments to the MOA to reduce demand on the Kirkwood-Cohansey aquifer. For example, it is unlikely that a limitation on lawn watering was included in the ACO since this has no effect or impact on the failing wastewater disposal system. However, if Ancora Psychiatric Hospital (APH) irrigates any of its managed turf areas, this practice should be strictly prohibited and language included in the amendment to prohibit lawn irrigation. The same should apply for using water from the Ancora wells for the purposes of street sweeping or any other non-essential uses. Again, the ACO should be reviewed from

the perspective of reducing demand on the wells and not from the original goal of limiting wastewater loadings.

8. **Comment:** It is stated in this section that the NJDEP water allocation permit for the three existing Kirkwood-Cohansey wells expires on March 31, 2011 and that DHS agrees to diligently pursue a modified water allocation permit to utilize one or more of the existing wells for emergency use only. However, NJDEP- Bureau of Water Allocations has recently published for public comment a Notice of Application by DHS for Ancora Psychiatric Hospital that they are seeking to include two new Piney Point aquifer wells into their water allocation permit (See attached). Public comment is being accepted until May 27, 2010. This is in direct contradiction of what has been presented by APH at recent Public & Government Programs Committee meetings and the proposed amendments to the March 18, 2008 MOA.

Recommendation: The Pinelands Commission should not take final action on the proposed amendments until APH provides proof that they have withdrawn their water allocation application (No. 2175P) currently posted for public comment.

Comment: The NJDEP-Bureau of Water Allocation draft Staff Report dated April 21, 2010 for the above referenced Notice of Application recommends that the Piney Point wells not be used for fear of impacts to other users of the aquifer. In addition, the draft report notes that on April 13, 2010 DHS-Ancora amended the application to include only Well 8 for future use in case of an emergency. Well 8 is 167 feet deep and is the most productive well onsite capable of producing 525 gallons per minute.

Recommendation: The Commission should remove language from sections 7 and 8 stating that "...one or more of the three existing K/C Aquifer wells..." will be used for emergency purposes, and replaced with language that only *one* well will be used for emergency purposes. This is only logical since this is what; 1) APH originally asked for in their original water allocation request, 2) is what NJDEP included in their draft "Permit Requirements" and 3) is the most productive of all the wells onsite.

13. **Comment:** It is stated that 89 acres of land which currently includes 10 existing wastewater infiltration lagoons will be deed restricted and serve to provide a minimum level of protection to the resources of the Pinelands as required by CMP (N.J.A.C. 7:50-4.52(c)2).

Recommendation: PPA does not agree with including existing wastewater infiltration lagoons as part of an offset to provide a minimum level of protection. DHS should provide only genuine open space to meet the minimum level of protection requirement of the CMP. If this is not practical at the APH facility, then DHS should recommend other land that will be permanently restricted within the Pinelands to meet this requirement.

With regards to the wastewater lagoons, the Commission should require that DHS provide documentation that the sediments in the lagoons meet state standards and are

not leaching contaminants into the groundwater system. This documentation should be provided to the Commission prior to final action being taken on the amendments.

Additional Comments on the Amendments: Even though not intended as a scientific study, this MOA will offer the Commission a unique opportunity to study the interactions of groundwater withdrawals and potential streamflow depletion within Blue Anchor Brook. From a hydrologic perspective the MOA will essentially create two conditions worthy of study. First there are the existing conditions of groundwater being removed from the shallow aquifer and returned to the ground surface (and recharged) via spray irrigation. The second condition will occur when the sewer is placed online and wastewater is sent offsite to the Camden treatment plant. This will create a net loss of approximately 10 million gallons of groundwater per month from the aquifer. The third condition will occur when the Kirkwood Cohansey wells are turned off, except for emergency use, and the aquifer rebounds from lack of use. These scenario's are analogous to a typical aquifer test where an aquifer is monitored prior to pumping to determine antecedent conditions, during pumping to assess hydrologic conditions under stressed conditions from pumping, and then after pumping has ceased to assess aquifer rebound. During the three phases, this would be an ideal time to monitor stream flow trends in Blue Anchor Brook down stream of APH to determine the interactions of water withdrawals on streamflow. The information obtained may be useful to help inform future policy decisions at similar wastewater recharge sites in Hammonton Township, Buena Borough and Evesham.

Recommendations: The Commission should investigate the feasibility of monitoring streamflow in Blue Anchor Brook near the APH during the three phases identified above.

Should you have any questions, I can be reached at (609) 859-8860 ext. 16.

Respectfully Submitted,

Richard G. Bizub
Director for Water Programs



State of New Jersey

Department of Environmental Protection

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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

NOTICE OF APPLICATION

IN THE MATTER OF:

NJDHS, Ancora Psychiatric Hospital

Application No. 2175P to divert water
from five wells in Winslow Township,
Camden County

NOTICE OF APPLICATION, DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF WATER SUPPLY, TRENTON, NEW JERSEY. Pursuant to provisions of the Water Supply Management Act, N.J.S.A. 58:1A-1 et seq., New Jersey Division of Human Services, Ancora Psychiatric Hospital, 301 Spring Garden Road, Ancora, NJ, 08037-9699, filed an application on May 8, 2009, for approval to divert 14 mgm and 168 mgy of water, at the maximum rate of 950 gpm, from two new wells completed in the Piney Point aquifer and three existing wells completed in the Kirkwood-Cohansey aquifer. All wells are located at the Ancora Psychiatric Hospital in Winslow Township, Camden County. Diversion is to be used for water supply at the institution of Ancora Psychiatric Hospital. This request represents the addition of two new wells completed in the Piney Point aquifer and also represents the request to change the main source of water supply at the facility from the Kirkwood-Cohansey aquifer wells to the Piney Point aquifer wells.

NOTICE IS HEREBY GIVEN that a public hearing will be scheduled regarding this application if comments, requesting that a hearing be held, are received from any person, including the applicant or the Department. All comments must be received no later than May 27, 2010

and submitted to:

Ovidiu M. Petriman
Department of Environmental Protection
Division of Water Supply
P.O. Box 426
Trenton, New Jersey 08625

If a timely request is received during this period, or if it is determined by the Department that a hearing would be in the public interest, public notice will be given in order to schedule a public hearing pursuant to N.J.A.C. 7:19-2.8.

If no hearing is held, the decision maker shall make a final determination whether or not to issue the permit and the conditions to be contained therein.

The application and pertinent data may be examined, by appointment only, by contacting Ovidiu M. Petriman of the Bureau of Water Allocation, Division of Water Supply, 401 East State Street, Trenton, New Jersey 08625. The Bureau of Water Allocation can be contacted at (609) 292-2957.