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JOHN R. WEINGART  
*Chairman*

EILEEN SWAN  
*Executive Director*

November 21, 2008

Mr. Lawrence J. Baier, Director  
Division of Watershed Management  
New Jersey Department of Environmental Protection  
P.O. Box 418  
Trenton, NJ 08625-0418

Re: Proposed Amendment to the Upper Raritan Water Quality Management Plan  
Somerset County/Upper Raritan Wastewater Management Plan  
Hamilton Farm Golf Club, LLC  
Bedminster Township, Somerset County  
NJDEP Activity # AMD 070003

Dear Mr. Baier:

On behalf of the Highlands Water Protection and Planning Council (Highlands Council), in accordance with N.J.A.C. 7:38-1.1(k), please accept the enclosed Consistency Determination (CD) on the above-referenced proposed amendment. The CD for the Proposed Amendment is based upon our review of the project file as provided to us by the applicant, Highlands Council information, and public comment, relative to the standards and policies set forth in the Regional Master Plan (RMP). The Highlands Council approved a resolution on November 20, 2008 (Resolution 2008-72, enclosed) authorizing the Executive Director to provide this CD to NJDEP on behalf of the Highlands Council.

Please find also enclosed a document that summarizes the public comments received on the Highlands Council's draft CD, and the site images used in the Highlands Council's review. Materials received from the applicant include a revised site plan that differs significantly from the originally proposed sewer service area (as published in the New Jersey Register). The Highlands Council finds that the proposed project is inconsistent with the Regional Master Plan. Primary issues include:

- 1) The originally proposed sewer service area encroaches upon forests within the Forest Resource Area; Severely Constrained Slopes; Highlands Open Water Buffers for streams, wetlands and ponds/lakes; Critical Wildlife Habitat; and Prime Ground Water Recharge Areas. If NJDEP adopts the revised limits of disturbance as provided by the applicant, Forest Resources and Steep Slopes will be avoided. Even if a revised limit of

disturbance is adopted to avoid these particular issues, the other inconsistencies would remain.

- 2) The proposed WQMP amendment does not recharge 125% of the pre-construction recharge volumes for the affected Prime Ground Water Recharge Area. However, the applicant has indicated through a revised site plan to reduce the extent of incursion into the Prime Ground Water Recharge Area to 0.3% and to provide recharge mitigation.

The findings of inconsistency with the RMP are based on the New Jersey Register notice and supporting materials regarding this project. Commentary is provided to NJDEP for informational purposes regarding reductions in the inconsistencies based upon the revised site plan, but these comments are valid only if the revised site plan and commitments of Hamilton Farms Golf Club are incorporated into the WQMP amendment. However, even though the applicant has provided a revised site plan and has made certain commitments, the project as modified by these revisions and commitments remains inconsistent with the RMP.

If you have any questions or comments regarding this matter, please feel free to contact me at (908) 879-6737.

Sincerely,



Eileen Swan  
Executive Director

cc: Service list  
Enclosures –

Consistency Determination  
Public Comment Summary  
Highlands Council Resolution  
Site Images:

[http://www.highlands.state.nj.us/njhighlands/implementation/project/hamilton\\_gc\\_maps.pdf](http://www.highlands.state.nj.us/njhighlands/implementation/project/hamilton_gc_maps.pdf)