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Highlands Water Protection and Planning Council
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JOHN R. WEINGART
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EILEEN SWAN
Executive Director

September 23, 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 Wastewater Management Plan
Trump National Golf Course
Bedminster Township, Somerset County

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 memorandum and project review checklist on the above-referenced amendment. The conclusions and recommendations for the proposed amendment are based upon our review of the project file as provided to us by the applicant, Highlands Council information and public comment. The Highlands Council approved a resolution on September 18, 2008 authorizing the Executive Director to provide the following conclusions and recommendations to NJDEP (the Department) on behalf of the Highlands Council.

Please note that this review is based upon the standards and policies set forth in the Final Draft Regional Master Plan (RMP) because the application was deemed administratively complete and reviewed before the Highlands Council's Natural Resources Committee on February 14, 2008. Although no official decision was rendered at that time, the review process began prior to the July 17, 2008 adoption of the RMP. Therefore, the adopted RMP was not used in this review. However, the Highlands Council does reserve the right to apply policies and standards from the adopted RMP should the Council deem necessary.

The review of the proposed WQMP/WMP amendment reveals several inconsistencies with the Final Draft RMP, including the disturbance of Highlands Open Water Protection Areas, Riparian Areas, Forest Resource Areas, prime ground water recharge areas, and critical habitat.

Additionally, the project's proposed consumptive/depletive water use will cause or exacerbate net water availability deficits, as the proposed amount exceeds the available water for the three source subwatersheds. A 125% mitigation requirement for consumptive/depletive use from the deficit subwatersheds is required. Further, the use of that water does not reflect the water availability priorities of the affected Land Use Capability Zones. The Highlands Council's net water availability analysis should be updated to reflect the use associated with the current golf course since 2004.

The Highlands Council recommends that the Department **not approve** the application unless it is modified to address the following inconsistencies:

1. Environmentally Sensitive Areas: The disturbance of Highlands Open Water Protection Areas, Riparian Areas, Forest Resource Areas, Prime Ground Water Recharge Areas, and Critical Habitat. These areas should be avoided by the project, except where NJDEP determines using more site-specific information that the resource constraint does not exist.
2. Water Availability: As the applicant is seeking a modified water allocation permit, the net water availability analysis should be based on the most recent annual water use data available. The applicant should prove that the project will not exceed net water availability, will not exceed the conditional water availability, and will provide 125% mitigation of consumptive or depletive water uses from Current Deficit Areas.

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

Enclosures: WQMP Review Memorandum
WQMP Review Checklist