



AMERICAN LITTORAL SOCIETY

16 North High Street, Suite I, Millville, NJ 08332

September 21, 2010

Karl Hartkopf, Director
Office of Smart Growth
Department of Community Affairs
PO Box 204
Trenton, New Jersey 08625-0204

**RE: Comments of the American Littoral Society
Middle Township Master Plan materials for Plan Endorsement**

Dear Director Hartkopf:

Please accept these comments by the American Littoral Society on Middle Township's efforts to obtain State Plan Endorsement through required updates to the town Master Plan and Land Use Plan (Master Plan). Since 2006, the Society has been extensively involved in Middle's efforts to attain plan endorsement and has provided written and verbal testimony on several occasions before the State Planning Commission, to the OSG Director, and at local hearings. While the Society has serious concerns about the level of future growth called for under the proposed Master Plan, and need for greater emphasis on protecting resources like water quality and upland forest habitat, we also recognize the tremendous progress that all parties have made to date. For example, excepting a few instances addressed in this letter, we are largely in agreement with the size and location of the proposed growth centers, and applaud the town's consideration of several important measures to better protect natural resources.

However, after careful review of the Master Plan materials against state plan endorsement policies and regulations, CAFRA standards, the MLUL, and consultation with concerned residents and advocates of the Cape May National Wildlife Refuge, we have several concerns and suggestions for you to consider when reviewing Middle's application for endorsement. These comments were shared with the township planning board in an abbreviated form at its recent hearing on the Master Plan that was held on June 24th, where the board unanimously approved the draft Master Plan.

Build-out

According to the proposed Master Plan, over the past ten years Middle Township lost 33% of its vacant land to development, while also losing over half of its remaining farms. Indeed, according to the draft plan, Middle only has about 3,500 upland acres of vacant land and/or farmland left, while 700 acres of that is already spoken for in approved subdivisions yet to be built, which will result in 2,270 new residential units. Add existing

approvals to the number of units called for under the proposed zoning changes (2,780), and the township's future build-out will result in 5,054 new houses, plus over 2 million square feet of office and commercial space.

In addition, the town's zoning plans calls for the development of over 1,004 acres of vacant land and/or farmland within seven growth centers, and 958 acres in the environs, leaving only approximately 1,538 unconstrained acres undeveloped. Taken together, the new zoning increases the town's population from 16,405 residents today to 28,029 at build-out — that is 11,624 more residents - a 70 percent increase in population. This increase does not include the 96,440 additional new summer residents projected to be visiting the county by 2025.

The benefits of high density center designation are supposed to be balanced with measures that adequately avoid sprawling and unsustainable development patterns in environs, and in fact conserve that part of the landscape. We don't see how Middle can claim this has been achieved when the town's build-out calls for developing nearly as much land in the environs (958 acres) as it does in the growth centers (1,004 acres). Given how much open space and productive farmland was lost in Middle Township over the past few decades, we believe committing 1,962 acres to impervious surface cover — particularly in a town where water quality and open space - critical to eco-tourism and critical habitat should be of paramount importance. The proposed zoning with its grandfather clause (15,000 sq. ft. of uplands per lot) and a relatively high density for single family development (1 and 3.5 acres per lot) within the environs, only accelerates this unsustainable and highly consumptive land use pattern in an area of the state where protection of the natural environment and living resources is fundamental to both the quality of life and a significant portion of the local economy..

Given that Middle's housing growth rate between 2000 and 2008 was 22% (1,634 units) compared to the to the rest of the state, which saw a 6% growth over the same period, there is little to suggest that this level of growth pressure won't return as the economy recovers. Middle Township officials and this plan (and by extension, the state agencies involved in the negotiations surrounding the proposal) have failed to seriously consider the implications and impacts that such growth and habitat fragmentation will have on the community character, traffic, water quality, and natural resources of international importance. Indeed, the findings of the recently released report by NJDEP: Future Water-Supply Scenarios, Cape May County, New Jersey, 2003-2050 confirms that existing development within the county has already far exceeded the carrying-capacity of the land base with severe and intensifying impacts to freshwater resources — from salt water intrusion to reduced and degraded ecological base-flow to streams and wetlands. For reference, please refer to below excerpt taken from the abstract in the report.

Abstract: Baseline Scenarios 1, 2, and 3 represent withdrawals using existing wells projected until 2050.

Baseline Scenario 3 represents the estimated full build-out water demands. Baseline Scenarios 1, 2, and 3 represent withdrawals using existing wells projected until 2050. Baseline Scenario 1 represents average 1998-2003 withdrawals, and Scenario 2 represents New Jersey Department of

Environmental Protection (NJDEP) full allocation withdrawals. These withdrawals do not meet projected future water demands. Baseline Scenario 3 represents the estimated full build-out water demands. Results of simulations of the three baseline scenarios indicate that saltwater would intrude into the Cohansey aquifer as much as 7,100 feet (ft) to adversely affect production wells used by Lower Township and the Wildwoods, as well as some other near-shore domestic wells; water-level altitudes in the Atlantic City 800-foot sand would decline to -156 ft. The ecological water supplies when simulated with Scenarios 1, 2, and 3 show maximum water-level declines in the water-table aquifer of 0.1 ft in Lower Township and 0.7 ft in Middle Township. Base flow in streams decreases on the peninsula by 3 to 26 percent but decreases by less than 5 percent in northern Cape May County.

Environs

Middle township defines “environs” as non-sewered areas outside of centers. Its draft zoning plan states, “lands in environs will be low-density development in the Rural Conservation Zone (RC)”. We do not see how either 3.5 acre zoning in the Rural Conservation Zone, or 1 acre zoning in the Suburban Residential Zone accomplishes this when the combined build-out of both zones identifies 958 acres of unconstrained vacant land available for development. Far too much of the township’s upland forest has already been lost to wholesale clearing and development. The town should be required to balance the more intensive land uses called for in the centers, by doing more to protect vulnerable upland forest and wetland transition areas within the environs; actions that permanently conserve these resources are needed.

The proposed Suburban Residential Zone (SR) proposes a suburban density of 1 unit per acre with a minimum of 35,000 sq. ft. of uplands that will result in the development of over 218 acres. As with the RC Zone, much of the SR Zone is identified as Environmentally Sensitive Areas (ESA) by DEP and the town’s Natural Resource Inventory (NRI). This level of density does not demonstrate consistency with the State Plan policies and Coastal Zone Management Rules that encourage the protection of natural resources, and will lead to greater fragmentation of valuable forest resources that provide an important buffer for the protection of sensitive aquatic resources.

In her letter to the township on April 26, 2006 former OSG Director Eileen Swan noted that suburban densities between the Middle’s centers would “dilute the rural character between centers, as well as efforts to maintain and enhance centers”. We couldn’t agree more and don’t see how the proposed suburban densities within the environs maintains the prevailing rural character of the areas between the centers. We believe the densities in the RC (3.5) and SR (1) Zones are too high to adequately protect either the Landscape Project Critical Habitat Areas, or the Natural Heritage Program Priority Sites (NHPS) as identified by the DEP.

In addition, in his letter to the township on December 30, 2008, former OSG Director, Ben Spinelli reminded the town that “the zoning ordinance revisions and/or new ordinances must implement the policies and recommendations of the master plan and accurately reflect center boundaries and/or planning area changes, and ordinances that implement appropriate environs protection measures, including zoning, resource protection, and site plan and subdivision ordinance revisions.”

Based on the zoning being proposed in the environs, it seems Middle is all too eager to benefit from center designation, without undertaking the state plan-required measures to balance the resultant growth intensities with meaningful steps to protect the environs. Middle's land use strategy falls short of accomplishing this, and will result in densely developed cores surrounded by residential sprawl, which is clearly not what was envisioned in the center designation process, and is in fact contrary to and inconsistent with the State Plan.

If protection of the township's remaining critical upland forest habitat and productive farmland is a state and municipal goal, then the town should be required to further reduce the proposed zoning densities in the environs beyond that currently proposed. The Littoral Society has gone on record on several occasions urging the town to consider ten acre zoning in the environs – zoning the township itself recommended over seven years ago in its 2003 Master Plan Land Use Recommendations for the Sensitive Lands District. Considering how much habitat and farmland has been lost due to the prior Township Committee's failure to adopt those recommendations, the need to protect what remains has become more critical than ever.

Request for Center expansion

We oppose the request to expand the proposed regional centers to include the PA-3 Fringe Area and Suburban Residential Zone. The proposed centers are already overlarge and propose an unending swath of suburban and urban development from Swainton to Rio Grande (over ten miles), which will significantly change community character and rural quality of life for thousands of residents. We request that OSG and DEP share and articulate the process it used to determine how certain areas designated as ESA where suitable for inclusion in the proposed centers.

Mapping discrepancies with the “Agreed upon Centers Map”

Action Plan Item B1: *Township will work with state agencies to finalize boundaries for its proposed centers. The boundaries will take into account existing environmental resources and capacity constraints.* Many areas identified in the DEP's Landscape Project for 3, 4 & 5 ranked habitat have not been removed from the proposed centers. In addition, the proposed centers include several areas that are designated Natural Heritage Priority Sites (NHPS), or ESA's, which are in direct opposition to numerous policies, and regulations within the state. Further, the availability of sufficient water supply and sewage treatment capacity to support the centers should be demonstrated.

Suburban Residential Zone

The township proposes a density of 1 acre per unit in the Suburban Residential Zone. While many areas within this zone are partially developed and may be suitable for some low-density infill development, other areas remain undeveloped and represent critical habitat in upland forest that should be protected. Indeed, several SR Zones overlay DEP designated (NHPS), and Landscape Project areas. For these reasons we strongly believe the proposed SR Zone should either be folded into RC Zone or have its zoning reduced to a minimum of 3 acres.

Rural Conservation Zone

The township's Draft Zoning Plan recommends 3.5 acre per unit zoning in the RC Zone. It seems the only benchmark the township is attempting meet with this density is compliance with the state nitrate dilution standards. However, the township and state agencies are also required to address several other criteria such as the protection of water resources, biological resources, threatened and endangered species, critical habitat and special ecological communities. We do not believe the proposed levels of density will adequately protect NHPS, Landscape Project and federal refuge land acquisition sites. We therefore recommend the state agencies encourage Middle to instead follow the example Upper Township made in Plan Endorsement and reduce the zoning density to 10 acres per unit.

Grandfather Provision

We strongly oppose the township's proposed grandfather provision, which would permit existing undersized lots above 35,000 sq. ft. to be developed under prior standards, even upon the adoption of the new zoning regulations. Indeed, much of contiguous upland forest remaining within the township occurs where many of the undersized lots are located. Their development would facilitate even more damaging forest fragmentation and sprawl in several environmentally sensitive areas identified for conservation..

Another major shortcoming of the provision is that would allow a minimum of only 15,000 sq. ft. of uplands per lot for homes serviced by private septic. In addition, it grandfathers lots up to 1,000 ft. from a dedicated roadway, which only ensures that more roads and houses will be located within woodland interiors. While the town may meet the nitrate dilution standards through larger lot densities elsewhere in the township, the 15,000 sq. ft. minimum poses unacceptable risks for adverse impacts to fragile wetlands and other important surface water bodies. Moreover, the 35,000 sq. ft. minimum lot size ensures that resultant development will maximize impacts to neighbors and neighboring protected lands by providing little or no buffer between land uses. These lots are just too small to adequately protect on and off-site resources, or surface water resources, and therefore we recommend the town increase the minimum unconstrained acreage to 2 acres with the requirement of 250 ft. of frontage on a dedicated road.

Swanton Center and environs

The center includes a Natural Heritage Priority Site (General Biodiversity Interest), which appears to be only partially developed, with large areas of unfragmented forest and vacant land extant. We fail to understand why DEP and the town have apparently decided to leave this area within the center, and we recommend it be placed in the proposed RC Zone. The massive land area included in the SR Zone, which surrounds the Swanton Center and bound by GSP (East), RC Zone (West), CMCH Center (South), and Dennis Twp (North) includes large areas of forest habitat ranked F3,4&5 under the Landscape Project.

We recommend that the entire SR Zone associated with the center be added to the RC Zone. About two-thirds of the proposed SR Zone is within the Cape May Bays and Tribes East Overlay Zone where applicants will be required to demonstrate conformance with state nitrate dilution standard. In addition, the freshwater creek just south of 601 (South Creek), which drains to Great Sound and abuts a large area of preserved farmland to the south, represents one of the few remaining forested creeks between R-9 and the Parkway within the township. This important tributary to Great Sound, plus the preserved farmland should be placed in the RC Zone to protect water quality and aquatic resources.

CMCH Center and environs

SR Zone southwest

The SR Zone between the Cape May Court House and Burleigh-Whitesboro Centers bound by Sound Drive (South), Sea Shore RR (East), Shell Bay Rd (North), and the RC Zone (West) overlays one of the most significant NHPS (B2 Very High Significance) areas within the county. The area is also within the headwaters of Dias Creek, where unfragmented forested buffers are a key to protecting water quality and aquatic resources. We recommend the township to place all contiguous habitat associated with the NHPS area into the RC Zone.

Residential Zone center/east of GSP

The portion of R Zone in the Cape May Court House Center bound by GSP (West), Jenkins Ave (North) and First Ave (South) overlays part of a NHPS (B5 General Biodiversity Interest) area. We recommend the entire area be changed to the RC Zone to protect the integrity of the NHPS area.

Conifer Project Site

Despite the Zoning Board's denial of the Conifer Project on Railroad Ave in Cape May Court House, as well as the site's inclusion in the federal refuge acquisition boundaries, it remains within the proposed CMCH Center boundaries. The site is surrounded by the federal refuge on three sides in an area with documented vernal pools and federally threatened, Tiger Salamanders and other listed amphibians species which spend part of their life-cycles in upland habitat.

The 2003 Master Plan recommended that the "Township should continue to protect and enhance the Cape May National Wildlife Refuge by supporting the protection of natural resources and water quality of lands adjacent to this area." We don't see how the town's selection of this site to meet its Affordable Housing obligations implements these objectives and we strongly believe that all lands within the USFWS boundaries should not be included in centers and instead be placed in the RC Zone. Indeed, we are also aware of two other instances (CMCH - Goshen RD 615 & Rio Grande – Secluded Acres) where the town proposes to extend the proposed centers into the federal land acquisition boundaries. We strongly oppose the town's decision in all cases.

Whitesboro-Burleigh Center and environs

SR East (Wildwood Gardens)

The SR Zone immediately east of the Whitesboro-Burleigh Center and bound by Edgewood Village (north), Grand BLVD/Marlyn Manor (south), and GSP (east), appears to be entirely vacant land. The site consists of important upland forest, wetlands and a C-1 waterway (Mommy Teel Creek, which drains into Richardson Cove. Much of the site assigned the second highest ranking (F4) for forest habitat under the state Landscape Project. We believe the entire area should be changed to the RC Zone.

TR Zone/center north The TR Zone within the Whitesboro-Burleigh Center and bound by Indian Trail Road 618 (South), Pennsylvania Ave (East), Sound Drive (North), and Fishing Creek (West). The site is located within the largest remaining upland forest areas in the township and should be protected. The proposed density within this district is 12,000 sq. ft. per unit with sewer, which is a completely unacceptable density for an area of such importance that is assigned the second-highest ranking (F4) under the state Landscape Project. We believe the entire site should not be included in the proposed center and placed in the RC Zone.

Tower/Carpino Tract

Referred to as the Tower/Carpino Tract, the site is located along Indian Trail Road (south) and bound by Fishing Creek Road (West), Sound Drive (North), and West Blvd (East). The township is petitioning OSG to include the site within the proposed center. According to a letter from the former Director of OSG addressed to the Twp on Dec 30, 2008, the land in question is currently vacant and provides habitat for federally endangered species. The letter also states that the township must submit a new proposal for site inclusion to address habitat protection and restoration. Has this been submitted? The site is ranked (F4) by the Landscape Project, and serves as headwaters to Dias Creek. We strongly oppose center inclusion of this site and instead recommend it be included in the RC Zone.

Hildreth Village Center

Hildreth Village is located on a bay island. The majority of the proposed center is tidal wetlands and appears to consist of only 26 acres of unconstrained land in filled wetlands available for development. Actual acreage and breakdown between constrained and buildable land is not provided. The Master Plan proposes “a smaller center geared toward redevelopment at a density higher than the other village centers.” It appears there is a large amount tidal wetland acreage included in the proposed center beyond the 26 acres deemed suitable for redevelopment. If this is the case, we request they be removed. The Future Land Use Plan recommends a density of 6 units per acre with a Noncontiguous Parcel Density Clustering (NCPDC) bonus of an additional four units per acre. We do not support the proposed high density in an area nearly surrounded by tidal meadows and Grassy Sound. Nor do we support use of NCPDC on bay islands. The entire site is subject to flooding and located within the Flood Hazard Area.

Clustering

We strongly support the proposed Clustering and Noncontiguous Parcel Density Clustering (NCPDC) options, which will go a long way toward reducing growth-related impacts in the environs. We would like Middle to make clustering mandatory for all major development proposals in both the proposed RC and SR Zones, as well as require 60% open space set-aside. We further recommend that applicants be required to either provide a Letter of Interpretation for conventional yield plans that would otherwise require a wetlands permit, or LOI in order to verify boundaries of unconstrained lands and required transition areas.

Environs Protection Standards

We strongly support municipal adoption of the Master Plan recommended, Environmental Assessment Regulations, Performance Standards and NRI. We also strongly support adoption of the proposed, Cape May Bays & Tributaries East Overlay Zone, which is necessary to enabling the town to meet the state's Nitrate Dilution requirements.

Build-out analysis of septic areas

According to the Master Plan, at full build-out, the Cape May Bay & Tributaries East HUC11 Watershed is projected to exceed its 88 unit target by 214 units, with 302 potential new septic units. In order to limit this impact the town and DEP propose an overlay Zone be created, which would allow for properties to be developed in accordance with the proposed zoning so long as all future subdivisions demonstrate compliance with the NJDEP Nitrate Dilution Model at the property boundaries. DEP must require the town to reduce zoning densities to the compliance target of 214 units.

Coastal Development/Coastal Residential Districts

We do not support the proposed density of 1 acre on private septic in either CD or CR Zones. Middle's Natural Resource Inventory clearly states that groundwater within the township has already been degraded by contamination from underground septic disposal. The proposed density in these zones threatens to exacerbate this serious issue by placing septic in locations and soils that are entirely unsuitable for it. Moreover the existing built densities in these areas is already excessive given their proximity to coastal wetlands, tidal creeks and back bays, which are all subject to flooding and located within the Flood Hazard Area. All development subdivisions in the CD & CR Zone should be required to adhere to the zoning of the RC Zone or demonstrate compliance with the NJDEP Nitrate Dilution Model at the property boundaries.

The Pierces Point Road CD Zone is overlain by Landscape Project (5) Emergent Wetland/Bald Eagle Foraging Area. Both the **Reeds Beach (655) and Cape May Tributaries West (R-47) CD Zone** is surrounded by the Cape May NWR and abut Bidwell Creek, and are overlain by Landscape Project (5) Emergent Wetland/Bald Eagle Foraging Area.

Stone Harbor Boulevard CR

The Master Plan Reexamination report recommends "encouraging new development along Stone Harbor Boulevard. We disagree and believe it should be discouraged to

avoid marring the viewshed along the highly scenic route, and to prevent further degradation and access to the adjacent salt marsh. These impacts are inconsistent with the state's rules on coastal management, which the PE petition must be measured against. Remaining unbuilt lots along the Boulevard should be considered for possible preservation for public access and protection of this environmentally sensitive area that serves as critical habitat for terrapins and other wildlife. Area is overlain by Landscape Project (4) Emergent Wetland.

The Del Haven CR Zone (Delaware Ave) is outside the proposed Del Haven Center, appears to be vacant and abuts the Cape May NWR, Fishing Creek Park and the Nature Conservancy's Sunray Beach Preserve. Landscape Project (4) Emergent Wetland

County Park/Zoo

We do not support the township and county request to change state planning area designation for the Cape May County Park and Zoo from PA5 to PA3. Area is overlain by Landscape Project (4) Forest.

Campgrounds

Many of the township's 834 acres of campgrounds occur in the environs and areas of the township overlain by ESA's. Many fall within the project areas of the USFWS and various state and non-profit land trusts. Campgrounds, which are important to the tourism and affordable access to the coast for families are vulnerable to residential development. Middle should prepare a strategy discourage conversion to other uses.

Farmland

According to Middle's draft Background Land Use Plan, since 1986, the township lost 769 acres of farmland, as well as over half of all its farms over the past ten years. These are very alarming considering the township NRI reports that only 3% (450 acres) of the township's land cover remains farmland assessed. According to the Cape May Open Space & Farmland Preservation Program (2005) there are 1,274 acres of preserved farmland in the township. The township should be required to provide a strategy to preserve and protect this critical, yet dwindling cultural resource. We do not believe the proposed density of 3.5 acre in the RC Zone is low enough to discourage suburbanization of this rapidly dwindling cultural resource. Therefore, we strongly recommend the township significantly lower densities in agricultural areas to 10 or more acres per unit.

Golf Courses

We strongly oppose the township's proposal to allow new golf courses in the SR and RC Zones given the enormous amount of water use and removal of vegetation required, and fact there is already an ample amount of courses already in existence within the township and county. In fact, given the environmental impacts associated with golf courses, the town should be required to demonstrate the need for new courses as measured against the utilization of existing facilities.

Water resources

According to the township's NRI, ground water resources are under increasing stress from a variety of factors effecting both available supplies and quality. The NRI states that "groundwater has been the subject to degradation by underground septic disposal, over application of fertilizers and pesticides and leaking underground fuel and other chemical storage tanks" Indeed, the findings of the recently issued 158-page Investigations Report, entitled "Future Water Supply Scenarios, Cape May County, 2050," by the USGS in cooperation with DEP, clearly indicate that over-pumping of the shallow groundwater aquifer has already resulted in adverse impacts to several vernal pools near the Wildwood well field in Middle Township.

The report documents declining water levels from present sources, increasing saltwater intrusion, and other impacts to water-dependent habitats. For example, the report states that, "Use of the potable and ecological water supply of Cape May County has exceeded the safe yield of the groundwater and surface water in an undesirable number of areas of peninsular Cape May."

The report predicts that unless other sustainable water-supply alternatives are implemented, that serious negative impacts could result, including a decrease of base-flow to streams by as much as 3-26%. The report also warns that salt-water intrusion could migrate another 7,100 feet inland to contaminate several major municipal water production wells.

With these serious issues in mind we can't understand why the Master Plan is silent on how it will address the report's findings. For example, the proposed zoning densities only reflect conformance with the state's nitrate dilution standards, while failing to consider how the resultant build-out will effect the overall water supply crisis and impacts to ecological base-flow. Such a demonstration is required under the rules on coastal zone management for all development within the CAFRA zone, and the PE petition should be required to make a similar demonstration.

In addition, the proposed Master Plan lacks any discussion about how Middle will protect future well locations within the township. Indeed, the seventh scenario in the USGS report discusses the drilling of 6 new wells along the spine of Middle Township, while the proposed Master plan offers no plan to protect these areas and their underlying aquifers from inappropriate development and contamination – aquifers, which the report concludes are already experiencing water-level declines, saltwater intrusion and external contamination.

The protection and sustainable use of water supply represents the most critical planning imperative in Cape May County. As such, the PE process set a high priority on advancing planning activities that enhance, and not jeopardize the protection and sustainable use water resources. Therefore, we strongly believe that OSG and DEP have an obligation to not endorse plans with build-out projections that would result in adverse impacts to ground and surface water resources. Middle's proposed zoning and resultant build-out fails to do this, and we request they be required to demonstrate sustainable yield.

Moreover, the town should be required to implement water conservation measures for existing use and new development.

Conclusion

According to DEP, as of 2002, 13% of Middle's land area was dedicated to urban land use, while only 15% remained forested. It is widely held that once 10% of a watershed is dedicated to impervious surface cover water quality plummets. Far too much of the township's critical woodlands and farms have already been lost to development. These are resources which provide for groundwater recharge, buffer and protect wetlands and waterways of international importance. To be consistent with the policies and objectives of the State Plan, the township and agency partners must enact measures to insure the conservation and protection the town's best remaining open space and farmland – not support a zoning and build-out plan that only guarantees more reckless suburban sprawl and enormous population growth.

Despite documenting serious environmental and sustainable growth issues in its reports and support documents, the town has produced a petition for plan endorsement which fails to act upon these issues, and fails to demonstrate consistency with the State Plan and other requirements across a range of important issues.

The state agencies must insure that the township implements sustainable land use patterns and densities that protect Middle's water resources and critical habitat in a manner that reflects the actual carrying capacity of the aquifers and natural systems they sustain. The more intensive land uses and impervious cover called for in the centers must be offset with additional conservation measures for water re-use, recharge, and reduced demand in tandem with significant reductions to density in the environs.

The current Master Plan as proposed, fails adequately strike this balance, and we therefore reaffirm our opposition to Middle's petition for plan endorsement until additional measures are taken to address these concerns.

Again, thank you for this opportunity to provide comment. Should you have any questions, or would like to further discuss our concerns and recommendations, please do not hesitate to contact us.

Sincerely,

Matt Blake, Manager
Delaware Bay Program

cc: Middle Township Committee
Rick Brown, NJDEP Office of Planning and Sustainable Communities
Bill Purdie, NJDEP Office of Planning and Sustainable Communities
Sandy Batty, South Jersey Bayshore Coalition