

Colts Neck Township Municipal Building

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January 22, 2009

Laurelwood Project Manager, Code EV21
NAVAL FACILITIES ENGINEERING COMMAND, ATLANTIC
LRA Building A, 6506 Hampton Boulevard
Norfolk, Virginia 23508

RE: *Code EV21 Laurelwood Housing Comments*

Gentlemen:

I have reviewed the Draft Environmental Impact Statement for Laurelwood Housing Area Access, Naval Weapons Station Earle Colts Neck, New Jersey prepared by NAVFAC dated November 2008 and comment that due to significant deficiencies in the report, combined with the need for additional studies the Draft EIS should be revised and opened for additional public comment prior to preparing the Final EIS. The reasons for this request are as follows.

Wetlands

Executive Order 11990 directs the Navy to "minimize the destruction, loss or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands". The permanent loss of wetlands for each of the alternatives range from 1.31 acres to 2.22 acres. The impact to transition areas range from 6.62 acres to 9.75 acres. Where does the Draft EIS satisfy this order? The Draft EIS fails to adequately address the destruction, loss, and degradation of up to 2.22 acres of wetlands as well as up to another 9.75 acres of transition acres. The Draft EIS should list specific construction activities, more accurately identify their locations and amount of distribution to wetlands for each activity within the four alternatives. There is no discussion of measures to minimize impacts by use of retaining walls or gabions. Where does the Draft EIS list specific mitigation projects and activities that will be required to enhance the natural and beneficial values of the on-site wetlands above their presently existing values once the wetlands have been filled and buffers have been cleared?

Executive Order 11990 requires the Navy to "avoid new construction located in wetlands unless the head of the agency finds that there is no practical alternative to such construction". Has the Secretary of the Navy made a finding that there is no practical alternative other than filling up to 2.22 acres of



wetlands and disturbing up to 9.75 acres of wetland buffers, including the No Action Alternative? By not evaluating the No Action in a realistic manner this requirement has been subverted.

Executive Order 11990 dictates "early public review of any plans or proposals for new construction in wetlands". The Draft EIS references a wetland delineation performed by Amy Greene & Associates. However, a copy of the wetland delineation report was not provided in the Draft EIS. The Draft EIS should be republished with this report to facilitate early public review.

The wetland delineation was also performed in 2007. With Individual Wetland Permits the NJDEP allows pre-application meetings and public hearings. How does publishing the Draft EIS with no NJDEP input on the accuracy of the wetlands delineation, the wetland disturbance, potential mitigation projects, and detail review of the No Action Alternative advance the Navy's obligation to provide early public input on new construction in wetlands? This could have been easily achieved, since the wetland report was prepared in April 2007 and the Draft EIS was not released until November 2008. The Draft EIS should also be amended to fully analyze the No Action Alternative as will be required by NJDEP, and analyze the specific mitigation projects that will be required by the NJDEP in turn for allowing the destruction of up to 2.22 acres of wetlands and up to 9.75 acres of transition areas. I also question if delaying the publication of DEP freshwater wetland mitigation requirements until the Final EIS or ROD advances early public input.

Traffic

Page 4-28 states that the NJDOT Access Code provides guidance on the amount of allowable decrease in level of service permissible when comparing an action alternative to the No Action Alternative. For movements operating at a level of service E or F, the DOT allows no deterioration of service.

Appendix A, Figure 3, Morning Peak Hour Levels of Service, November 2007, shows Colts Neck Road (Route 537) operating at a level of service F for east and westbound movements and a level of service F for northbound movements on Route 34. Figure 4, Evening Peak Hour Level of Service, November 2007 also shows a level of service F for east and west bound movements on Colts Neck Road. However, Figures 7 and 8, Year 2010 No-Build weekday AM and PM Levels of Service shows these same movements operating at a level of service C and D. The only way these failing intersections would operate at an acceptable level of service in 2010 is to assume that the Route 34/Route 537 intersection improvements called for in the Route 34 Highway Access Management Plan have been installed. In fact, Section 4.5.2.2 states that this intersection improvements will be completed prior to 2010 and will include multiple lanes on all approaches, greatly increasing the intersections capacity. This is a **huge assumption** that is **absolutely incorrect**.

The Highway Access Management Plan was adopted in 1997. It is now 12 years later and the first phase of the plan (Route 34/Colts Neck Road intersection improvements) have not been installed. In fact, this intersection improvement still requires preliminary design, permitting, right-of-way acquisition and allocation of final Construction funds. What did the authors of the Draft EIS use to base their opinion that these intersection improvements would be completed by 2010? Did a NJDOT representative commit to completing a project that has now taken over 12 years in just two years? Based on our understanding of the status an optimistic date for the state to perform the required improvements would be 2020. The Navy should amend and republish the Draft EIS and address the NJDOT's requirement of no further deterioration to failing intersections by analyzing the 2010 No-

Build Level of Services without assuming that the Route 34/Colts Neck Road intersection improvements will be completed.

Figure 9, Directional Distribution of Site Traffic in Appendix A shows that 46% of the traffic will utilize Route 18. Another 21% of the traffic will pass over Route 18 via Route 34 South, Colts Neck Road and Hockhockson Road. Why was the Route 18/Route 34 interchange not analyzed? This interchange will receive 67% of the projects traffic. This was a concern that was specifically noted in the scoping comments. I question why the Draft EIS analyze the Hockhockson Road/Colts Neck Road intersection, which receives 1% of the traffic, but did not analysis the Route 18/Route 34 intersection which receives an overwhelming 67% of the traffic? Therefore, the Draft EIS should address this omission and analysis of the Route 18/Route 34 interchange.

Section 4.4.7 Stormwater Management

The Draft EIS does not address the steps necessary to satisfy the State's Stormwater Management Control Act (N.J.A.C. 7:8) nor the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13). These regulations will require enhancements to water quality, reduction in total suspended solids, reduction to peak runoff rates and increased groundwater recharge for the new access road. What new types of stormwater management control facilities will be required to satisfy these regulations? What are the environmental impacts associated with constructing these new stormwater management control facilities and will these facilities result in the further disturbance to wetlands and transaction areas?

Miscellaneous

The Executive Summary on page 9 lists several issues that were raised during the public scoping period. However, there is no clear chart or reference that indicates where in the document these issues are addressed. A reference to where in the report these issues are addressed should be added to the Executive Summary. For example, traffic impacts to Route 34 and 18 were a concern. However, I fail to see where this intersection was analyzed even though it will receive 67% of the projected traffic. A footnote in the Executive Summary directing me to where the Route 18 impacts as well as other issues listed on page 9 is necessary. Then it would be more apparent which concerns and issues have not been adequately addressed in the DEIS.

In Section 3.3.4, Recreation, the first sentence indicates that residents at NWS Earle have recreational resources on station available to them including sports fields, playgrounds, recreation centers and a youth center. Will the residents at the Laurelwood units have access to these NWS Earle facilities? If not, why is this information included? If yes, will other Colts Neck residents also have access to these facilities?

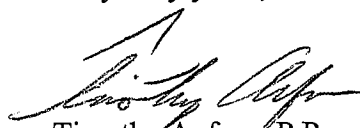
The Draft EIS indicates that the Laurelwood housing area includes ten playgrounds, one tennis court and four basketball courts. A map showing the location of these facilities as well as a description of them should be added to the EIS. Is there adequate parking associated with these facilities, and how will other Colts Neck residents obtain access to these recreation facilities?

Section 3.3.1.2 lists private schools in the Tinton Falls/Colts Neck area. Other local high schools such as Christian Brothers Academy, Red Bank Catholic and St. John Vianney should be added to the list. In addition, there is no discussion of existing enrollments and available capacity in each of the private schools. This information is needed because the DEIS indicates that there would be no impact to

private schools because they could regulate and control their enrollment. If there is no available capacity at this time, how could the top of page 4-13 contain an indication that of the 145 school age children, 100 would attend public schools? With no analysis of the existing capacity of the private schools, how could it be assumed that capacity exists for 45 children. The Draft EIS should be amended to analyze the capacity of private schools or reanalysis all children attending public schools.

Based on the above, it is respectfully requested that the Navy address these deficiencies and omissions through an amended Draft EIS and hold another round of public hearings prior to proceeding with a Final EIS.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy Anfuso". The signature is fluid and cursive, with a prominent initial "T" and "A".

Timothy Anfuso, P.P.
Township Planner
TA/rl