

## Peckman River Chronology

1. Surface Water Quality Standards Proposed Amendments are transmitted to DEP Commissioner Bradley Campbell via a “Rulemaking Launch memorandum, 10/11/02.
2. Joe Riggs, Khovnanian, sends email to Brad Campbell “Potential for trout production waters” opposing upgrades to Peckman River and other high quality waters, 10/28/02 12:26 pm
3. Bradley Campbell to DEP staff distributing Khov email 10/29/02 12:07 pm with the comment:

“He makes a valid point re the Peckman, methinks”

4. The Peckman and eight other streams are proposed for upgrades on 1/6/03.
5. The Peckman was dropped from consideration on adoption, the only one of the nine streams proposed. The adoption document was published on 11/3/03. “With exception of the proposed reclassification of the Peckman River from FW2-Ntto FW2-TM, the Department is adopting the amendments proposed on January 6, 2003 at 35 N.J.R. 158(a).’  
see: <http://www.state.nj.us/dep/wmm/sgwqt/troutadoption.pdf>

The stated reason why the Department dropped the Peckman does NOT include impacts on the Hilltop development or Joe Rigg’s Khov’s 10/28/02 email in opposition:

“The Department has decided not to adopt the proposed upgrade of the segment of the Peckman River. While the fisheries sampling indicates that this segment of the Peckman River may be capable of supporting adult trout and trout associated species, other types of sampling indicate that the water quality conditions are not supportive of the FW2-TM classification. The stream temperature in this section of the Peckman River frequently exceeds the criteria established for maintaining trout populations. This inherent conflict with the documented ability to support trout associated species and stream temperature warrants the development of site-specific criteria for temperature, dissolved oxygen, suspended solids and ammonia to protect the existing use. The communities of Verona and Cedar Grove have done a tremendous job restoring the water quality of this section of the Peckman River. The upgrades completed at the two wastewater plants provide high quality effluent into the stream. Therefore, prior to requiring additional wastewater treatment, the Department believes that it is appropriate to develop

site-specific criteria for the Peckman River, which will ensure the protection of trout and trout associated species. This approach will ensure that the water quality conditions necessary to support trout associated species are used to determine whether additional upgrades in wastewater treatment are necessary while avoiding unnecessary upgrades to the already upgraded, 'state of the art' sewage treatment plants. By maintaining the status quo until site-specific criteria are adopted for the Peckman River, the existing uses are not expected to be adversely impacted.”  
<http://www.state.nj.us/dep/wmm/sgwqt/troutadoption.pdf>

6. The Asbury Park Press reports on June 18, 2005 that a Hovnanian affiliate recently cleared a swath of land up to the banks of a Shark River tributary, and leased it to a farmer, in order to exploit loopholes in rules designed to protect a 300 foot vegetated buffer along the Shark River from development. The Shark River was recently given what are known as “Category One” clean water protections because it is a source of water supply for thousands of residents of the region.

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