

# In court, U.S. Army Corps at a loss for solutions to Margate's dune lake.



**AMY ROSENBERG / STAFF**

Ponding on the Margate beach on August 8, 2017, more than 24 hours after rainfall.



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CAMDEN – Confronted with photos of deep ponding forming behind newly constructed dunes on beaches in Margate, a U.S. Army Corps of Engineer project manager was at a loss for solutions Wednesday even as the Corps asked a federal judge to allow it to continue further into Margate.

“I would ask for suggestions,” testified Keith Watson, the project manager for the Absecon Island Storm Damage Reduction project, a \$63 million federally funded dune and beach replenishment project that Margate has fought for years, when asked by Margate’s attorney, Jordan Rand, what the city could do “right now” to ease the issue.

The parties were in U.S. District Court in Camden before Judge Renee Marie Bumb five days after a state judge in Atlantic City ordered the project halted while the parties worked out a solution to the vexing drainage issue, which has led to a half mile of ponding between the dunes and the bulkhead after several recent rainfalls.

The Army Corps attended one meeting the day after the judge’s ruling and did not return, city officials said. The Army Corps has filed a motion in federal court asking that the state order be lifted.

The ponding has angered and upset residents and city officials, who says it presents a health and safety risk, both long and short term, and cuts them off from their beaches. Four members of the Margate City Beach Patrol were in court in Camden, all in shorts, one in flip flops, ready to testify about rashes they say were the result of bacteria in the pond, as well as the risk to small children from the water, which was 3 feet deep in places, and out of sight of lifeguard stands.

Bumb is the same judge who dismissed a Margate-hired engineer’s predictions of bacteria, mosquito and oil-filled ponding as “fantastical,” and ordered the project to proceed over Margate’s objections.

Following Hurricane Sandy in 2012, Gov. Christie ordered that dunes be built along the state’s 127 coastline.

Asked if the Army Corp’s design, in which a trench was dug out behind the dunes to collect storm water, and which could result in routine ponding that sits on beaches for 24 to 36 hours, was acceptable to the Corps, Watson said, “I have no answer for that.”

Watson said the ponding following the rainstorm had exceeded what corps engineers had predicted, but that one possible solution of making the trenches more shallow, might lead to more street flooding. The trenches were incorporated into the design because Margate had previously drained stormwater runoff by digging trenches from the bulkheads to the ocean to allow the water to seep into the sand and ocean. The dunes now block that.

Watson’s testimony outraged residents who packed the hearing, and have mobilized in recent weeks to decry the damage they see being done to beaches they considered pristine prior to the project.

“He’s stumped,” said Debby Bleznak, “They don’t even know how to fix the problem. The solution is to fill the holes. Put the sand back. Do not do Longport. Longport! Save your beaches.”



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"They're stumped," said Debby Bleznak, after testimony from Army Corps re: Margate.  
"They don't even know how to fix the problem."

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Rand, Margate's attorney, noted that months of work went into the Army Corps's engineering study that proposed the trench solution and predicted, wrongly, that storm water would percolate into the sand within 24 to 36 hours.

"Would you agree that an equally detailed and considered approach is needed to determine what to do next?"

Watson agreed.

Rand said: "The Army Corps won't know for how long now how to solve this problem, but wants to keep building anyway."

"That's correct," Watson said.

The hearing was to continue Wednesday afternoon. The city plans to present an engineer, Gary Brown, who said he will testify that the Army Corps dug out "illegal sewage lagoons" on the beach that should have required permits.

Assistant U.S. Attorney Anne Taylor stressed the public safety consideration of the project as a whole and said the ponding was a “short term condition,” that would be resolved once the project was completed.

Bumb, the judge, seemed to be looking for short term assurance that the Army Corps could get rid of the ponding, which would allow the impasse to be resolved “properly and soon.”

The construction, especially at the height of summer, has left local residents and those with summer homes deeply distressed. “I’m sick to my stomach,” said Patti DeRoo, who lives at Essex and the beach. “I grew up on these beaches. I’ve been nauseous since the day they started.”

Assemblyman Chris Brown, R-Atlantic, testified that the ponding crisis was the result of the state “ramming one size fits all” onto its citizens and said the government was “more concerned with moving ahead despite knowing it’s a complete and utter failure.” He also said he lives in Ventnor, where he agreed that dunes in that town, where any ponding is hidden by a boardwalk, aided in damage prevention during Sandy.

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