



Army Corps' report for August 14, 2017.

1. Summary of conditions and remediation efforts:
 - a. Condition of Basins – While most of the basins have saturated sand, they do not contain standing water at the present time. Over the last couple of days, Walters (subcontractor) has been placing additional sand in some of the basins in preparation for the possible implementation of a point sump system, which would involve, among other things, the installation of pipes under the dune to facilitate the drainage of the basin areas by carrying water to the ocean side of the dune. The basins are depicted in the 13 attached photographs taken this morning.
 - b. Fencing – The Corps, through its own employees and Walters (subcontractor), completed the fence installation covered by item 2 of the Order by Saturday morning, August 12, 2017. When work is done on the basin areas, the fencing may need to be removed temporarily. But, as soon as possible after that work is completed, the fencing will be replaced. Once the Project work resumes, the Corps will install fence around the actively-working areas. Late today, Margate's counsel provided the Corps with a photo that appeared to depict a heavy piece of machinery that was not in a fenced area. The Corps will instruct its contractor to make sure that work areas and heavy equipment are within fenced areas.
 - c. Water Quality Testing – The Corps is ready to commence water quality testing in accordance with item 3 of the Order, however, none of the ponding areas fit within the parameters for required testing. That is, at present, the basins do not contain ponding of 2 inches or more in depth that has sat for more than 24 hours without percolating.
 - d. Pumping – Walters (subcontractor) stands ready to pump, as quickly as possible, any ponded water levels that reach 4 inches in depth, in compliance with item 4 of the Order.
 - e. Excavation – In an attempt to comply with item 5 of the Order, requiring the removal of any sludge layer existing as a result of ponding that did not percolate within 36 hours, the Corps has worked with Margate to fulfill the intent of item 5 by scarifying/raking the basins and then covering the area with clean sand. The Corps understands that this practice will neutralize any sludge layer, to the extent one was present, and is consistent with NJDEP's best management practices. While the top layer of material/sand left after water recedes has been described as a sludge layer, the Corps is not sure this is properly described as sludge and may be sand with algae. In any event, whether or not it is sludge or sand with algae, the Corps believes that the scarifying/raking of the basins, which broke up that top layer, and the mixing of that broken up layer with clean sand, complies with the intent of item 5 of the Order and properly remediated/addressed any health concerns about that layer.
 - f. Elevated Walkway – In an effort to comply with item 6 of the Order – which requires the Corps to construct elevated walkways, where feasible, and maintain existing elevated walkways across the basins on the beach to minimize fencing, facilitate safe beach access, and avoid contact with standing water and/or sludge – the Corps has completed its construction of elevated walkways,

using built up sand, and is maintaining the existing elevated walkways. In the status conference of this afternoon, the Court directed the Corps to provide ADA compliant walkways at reasonable intervals. As soon as possible, the Corps will undertake making at least some of the walkways ADA compliant. The Corps will advise of the status of this undertaking.

- g. Additional Remediation Actions/Plans – Walters (subcontractor) continued placing additional sand in graded areas, including basins, in preparation for the possible implementation of a point sump system. The Corps has discussed the possible implementation of such a system with Margate, but it appears that continued discussions will take place. Today the Corps provided the engineering plans for such a system to Margate’s Mayor and counsel. The point sump system would involve, among other things, the installation of pipes under the dune to facilitate the drainage of the basin areas by carrying water to the ocean side of the dune. I have asked Margate’s counsel to review these plans and discuss any questions or concerns with the Corps by the end of the day tomorrow. The system is a remediation measure that would help reduce ponding in the basins. Assuming the Corps decides to implement this system, the Corps believes the system should be implemented as soon as possible, but not any earlier than Wednesday, August 14, 2017.
2. Project Activities and Plans - The dredge is scheduled to arrive mid-day tomorrow and, assuming everything goes according to schedule, the pumping of sand to the Margate beach will begin in the evening.
3. Other Relevant Activities, Information, Problems and Communications – The parties had a telephone status conference with the Court today at 4:30 pm. Keith Watson, the Project Manager, and Mayor Becker spoke earlier in the day. Mr. Watson provided the Mayor and Bill Dixon, of NJDEP, with the plans for the point sump system. The Corps anticipates discussions tomorrow with Margate and NJDEP about the Corps’ possible implementation of the point sump system. While Margate has not yet reviewed the plans in full, it appears that Margate has concerns and strong reservations about the system, and seems opposed to such a system. The Corps anticipates discussing all concerns and reservations tomorrow with Margate and NJDEP. Also, the Corps continues to gather data and analyze long-term solutions, including alternatives that would require improvements to Margate’s storm water management system. The data gathered is connected to efforts to verify the elevation of the water table and borings taken by the Corps to help evaluate infiltration rates.
4. Photographs – I have attached 13 photos that the Corps took of the basin areas this morning.

Please let me know if you have any questions.

Respectfully,

s/ J. Andrew Ruymann

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