

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

DIVISION OF COASTAL AND LAND USE PLANNING

**Proposed Amendment to the Upper Raritan Water Quality Management Plan**

Public Notice

**Take notice** that pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1, et seq., the Statewide Water Quality Management (WQM) Planning rules, N.J.A.C. 7:15, and P.L. 2011, c. 203, the New Jersey Department of Environmental Protection (Department) is proposing an amendment to the Upper Raritan WQM Plan. This proposed amendment would remove the B-2 Commercial District and the B-5 Low Intensity Commercial District along Route 202/31 in the southern portion of Raritan Township from sewer service area (SSA) and designate it as Septic Area (Individual Subsurface Sewage Disposal System [ISSDS] of less than 2,000 gallons per day). This amendment is proposed at the request of the Board of Chosen Freeholders of Hunterdon County as the responsible wastewater management planning agency for Hunterdon County. Pursuant to N.J.A.C. 7:15-5.24, the wastewater management planning agency may exclude areas from SSA based on local planning objectives.

Please note that within this same issue of the New Jersey Register is the notice of adoption of the Hunterdon County FWSA map. Notice of the FWSA map

amendment proposal was published in the New Jersey Register on September 4, 2012, at 44 N.J.R. 2208(a). A public hearing was held on Monday, October 15, 2012. The comment period on the proposed Hunterdon County FWSA map amendment closed on October 30, 2012. The FWSA map amendment was adopted on April 22, 2013, and the B-2 Commercial District and the B-5 Low Intensity Commercial District along Route 202/31 in the southern portion of Raritan Township was included in SSA as a result.

During the public comment period on the proposed Hunterdon County FWSA map, Raritan Township submitted information demonstrating that inclusion of the B-2 Commercial District and the B-5 Low Intensity Commercial District along Route 202/31 in the southern portion of Raritan Township within SSA was inconsistent with the Raritan Township Master Plan and zoning ordinance, and would require expansion of the Raritan Township Municipal Utilities Authority (MUA) treatment plant due to capacity constraints and entail substantial costs. Raritan Township also stated that other areas of Raritan Township with failing septic systems and a redevelopment area are a higher priority for sewer service, pursuant to the Raritan Township Master Plan. In addition, Raritan Township adopted Resolution #12-169A specifically noting that it did not consent to the adoption of the area in question as SSA in the proposed Hunterdon County FWSA map.

Specifically, Raritan Township submitted Master Plan and zoning documentation to demonstrate that the inclusion of the area in question in SSA is inconsistent with local planning objectives. An analysis by Hunterdon County demonstrated that future development of the majority of parcels in the area in question would not generate wastewater flows greater than 2,000 gallons per day (gpd), and so is

more appropriately designated as wastewater service area to be served by septic systems with design flows of equal to or less than 2,000 gpd.

Further, the Raritan Township MUA submitted information showing that the area addressed in this amendment would result in a build out flow of 4.251 million gallons per day (mgd), resulting in a capacity deficit of 0.45 mgd over the current permitted capacity (NJ0022047) for the Raritan Township MUA treatment plant of 3.80 mgd. The Raritan Township MUA also provided a cost estimate to accommodate the additional flow of \$10,000,000 to \$20,000,000.

This preliminary notice represents the Department's determination that the proposed amendment is in compliance with the WQM Planning rules. Approval of this amendment would not eliminate the need for any permits, approvals, or certifications required by any Federal, State, county, or municipal review agency with jurisdiction over any project/activity. Approval of this amendment does not provide any implied approval for any other aspects of any project or needed permits and approvals.

**This notice** is being given to inform the public that a plan amendment has been proposed for the Upper Raritan WQM Plan. All information related to the WQM Plan and the proposed amendment is located at the Department, Division of Coastal and Land Use Planning, 401 East State Street, P.O. Box 420, Mail Code 401-07C, Trenton, New Jersey 08625. The Department's file is available for inspection between 8:30 A.M. and 4:00 P.M., Monday through Friday. An appointment to inspect the documents may be arranged by calling the Division of Coastal and Land Use Planning at (609) 984-6888.

**Interested persons** may submit written comments on this amendment to WQM Program Docket, Division of Coastal and Land Use Planning, at the Department address cited above, with a copy sent to Mr. Ken Bogen, Principal Planner, Hunterdon County Planning Department, Route 12 County Complex, P.O. Box 2900, Flemington, New Jersey 08822-2900. All comments must be submitted within 30 days following the date of this notice. All comments submitted prior to the close of the comment period shall be considered by the Department in reviewing the amendment request.