

# Public Notice

## **ENVIRONMENTAL PROTECTION DIVISION OF COASTAL AND LAND USE PLANNING**

### **Proposed Amendments to the Atlantic County, Cape May County, Lower Delaware, Ocean County, and Tri-County Water Quality Management Plans**

#### Public Notice

**Take notice** that the New Jersey Department of Environmental Protection (Department) is seeking public comment on proposed amendments to the Atlantic County, Cape May County, Ocean County, Lower Delaware, and Tri-County Water Quality Management (WQM) Plans. The Department is proposing these amendments to modify sewer service area (SSA) boundaries depicted on the Future Wastewater Service Area (FWSA) maps adopted by the Department for Atlantic County on November 6, 2013 (see 45 N.J.R. 2499(a)), Burlington County on May 7, 2013 (see 45 N.J.R. 1415(a)), Camden County on June 18, 2013 (see 45 N.J.R. 1856(a)), Cape May County on November 6, 2013 (see 45 N.J.R. 2488(a)), Cumberland County, Rural District, on February 1, 1999 (see 31 N.J.R. 689(a)), the non-consolidated portion of Gloucester County on September 4, 2013 (see 45 N.J.R. 2268(b)), the consolidated portion of Gloucester County on December 8, 2008 (see 41 N.J.R. 671(a)), and Ocean County on February 7, 2013 (see 45 N.J.R. 474(b)). The proposed amendments will modify the SSA delineation in portions of these counties within the Pinelands Areas in order to be consistent with the Pinelands Comprehensive Management Plan (CMP) pursuant to the Memorandum of Understanding (MOU) executed between the Department and the New Jersey Pinelands Commission (Commission), dated April 9, 2012.

In recognition of the nature and scope of the Commission's oversight and regulation of land use and development within the Pinelands Area, and for purposes of implementing the Department's WQM Planning rules at N.J.A.C. 7:15, the MOU executed between the Department and the Commission recognizes the management area designations and boundaries established by the Commission for lands located within the Pinelands Area. The MOU provides that all lands located within a Pinelands Village, Pinelands Town, Regional Growth Area, substantially developed portions of a Military and Federal Installation Area, and any other area designated by the Commission for the development of centralized waste water treatment and collection facilities pursuant to either N.J.A.C. 7:50-6.84(a)2 to address a public health problem or a memorandum of agreement pursuant to N.J.A.C. 7:50-4.52(c) of the CMP, as specified in geographic information system coverage provided by the Pinelands Commission, shall be deemed by the Department to be within a SSA. Such areas included in SSA pursuant to the MOU may include environmentally sensitive areas as described in N.J.A.C. 7:15-5.24(b).

Specifically the proposed changes involve the modification of SSA on the aforementioned adopted FWSA maps to add areas within a SSA pursuant to the MOU that were previously not included within a SSA and to remove areas from SSA where the CMP would not authorize sewer service within Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, and Ocean Counties. Areas proposed for removal from a SSA are not designated by the CMP or by action of the Commission for the development of centralized waste water treatment and collection facilities pursuant to either N.J.A.C. 7:50-6.84(a)2 to address a public health problem or a memorandum of agreement pursuant to N.J.A.C. 7:50-4.52(c) of the CMP. The proposed mapping changes can be viewed at <http://www.nj.gov/dep/wqmp/wmpnotices.html>.

The Department is proposing SSA mapping changes that would correct various "gores," "gaps," "slivers," and other mapping aberrations that were created during the cartography process undertaken by each County in developing their SSA boundaries. Other, more significant proposed changes involve the inclusion into a SSA or removal from a SSA of parcels of land to ensure compliance with the CMP as stipulated by the MOU. These proposed changes would result in a total of 13,003 acres being added into SSA throughout the affected counties, as discussed below.

The inclusion in SSA of land within designated Regional Growth Management Areas is proposed for the following portions of the Pinelands Protection Area. In Atlantic County's Regional Growth Management Areas, a total of 277 acres are proposed to be added to SSA within Egg Harbor, Hamilton, and Galloway Townships. In Burlington County's Regional Growth Management Areas, a total of 201 acres are proposed to be added to SSA within Evesham, Medford, Pemberton, Shamong, Southampton and Tabernacle Townships and Medford Lakes Borough. In Camden County's Regional Growth Management Areas, a total of 70 acres are proposed to be added within Berlin, Waterford and Winslow Townships and Berlin and Chesilhurst Boroughs. In Gloucester County's Regional Growth Management Areas, a total of 256 acres are proposed to be added to SSA within Monroe Township. In Ocean County's Regional Growth Management Areas, a total of 2269 acres of SSA are proposed to be added within Barnegat, Berkeley, Jackson, Manchester, Ocean, Stafford, and Toms River Townships and Beachwood and South Toms River Boroughs.

The inclusion in SSA of land within designated Pinelands Town Management Areas is proposed for the following portions of the Pinelands Protection Area. In Atlantic County's Pinelands Town Management Areas, a total of 39 acres are proposed to be added to SSA within Buena Vista, Galloway, Hamilton, and Mullica Townships and Egg Harbor City, Hammonton Town and Buena Borough. In Burlington County's Pinelands Town Management Areas, a total of 0.1 acres are proposed to be added to SSA within Wrightstown Borough. In Cape May County's Pinelands Town Management Areas, a total of 0.1 acres of SSA are proposed to be added within Woodbine Borough. In Ocean County's Pinelands Town Management Areas, a total of 476 acres are proposed to be added to SSA within Manchester Township and Lakehurst Borough.

The inclusion in SSA of land within designated Pinelands Village Management Areas is proposed for the following portions of the Pinelands Protection Area and Preservation Area. In Atlantic County's Pinelands Village Management Areas, a total of 149 acres are proposed to be added to SSA within Buena Vista, Galloway, Hamilton, Mullica, Weymouth Townships, Estell Manor, Port Republic and Egg Harbor Cities and Folsom Borough. In Burlington County's Pinelands Village Management Areas, a total of 92 acres are proposed to be added to SSA within Bass River, Pemberton, Shamong, Southampton, Tabernacle, Washington and Woodland Townships. In Camden County's Pinelands Village Management Areas, a total of 51 acres are

proposed to be added to SSA within Waterford and Winslow Townships. In Cape May County's Pinelands Village Management Areas, a total of 31 acres are proposed to be added to SSA within Upper and Dennis Townships. In Cumberland County's Pinelands Village Management Areas, a total of 2,703 acres are proposed to be added to SSA within Maurice River Township. In Ocean County's Pinelands Village Management Areas, a total of 1812 acres are proposed to be added to SSA within Barnegat, Jackson, Lacey, Little Egg Harbor, Manchester, Ocean and Stafford Townships.

The inclusion in SSA of land within designated Military and Federal Installation Areas is proposed for the following areas. In Atlantic County at the Atlantic City Airport and FAA Technical Center, a total of 298 acres are proposed to be added to SSA within Egg Harbor, Galloway, and Hamilton Townships. Within the Burlington County portion of Joint Base Maguire/Dix/Lakehurst (JBMDL), a total of 2,797.3 acres are proposed to be added to SSA within New Hanover, North Hanover, Pemberton, and Springfield Townships and Wrightstown Borough. Within the Ocean County portion of Joint Base Maguire/Dix/Lakehurst, a total of 1348.4 acres are proposed to be added to SSA within Jackson, Manchester and Plumsted Townships and Lakehurst Borough.

Areas designated by the Commission for the development of centralized waste water treatment and collection facilities pursuant to N.J.A.C. 7:50-6.84(a)2 to address a public health problem, where not previously included in an adopted SSA, along with areas designated by the Commission for the development of centralized waste water treatment and collection facilities pursuant to a Memorandum of Agreement established by the Commission pursuant to N.J.A.C. 7:50-4.52(c) are proposed to be included within a SSA. Consequently, 93 acres of a Rural Development Area in Galloway Township and 4 acres of a Forest Area in Buena Vista Township are proposed to be added to SSA because they are areas designated by the Commission for the development of centralized waste water collection and treatment facilities pursuant to a Memorandum of Agreement established by the Commission pursuant to N.J.A.C. 7:50-4.52(c).

The Pinelands Commission has identified approximately 1070 acres of land for which it seeks removal from SSA depicted on the FWSA maps previously adopted by the Department in Atlantic, Burlington, Camden, Cape May, Gloucester, and Ocean Counties. The Commission seeks the

removal of these lands from SSA because sewage collection and treatment facilities are not permitted to service these areas pursuant to the CMP as they are located outside of Pinelands Villages, Pinelands Towns, Regional Growth Areas, and substantially developed portions of Military and Federal Installation Areas.

The removal from SSA of a total of 5 acres of land from within a designated Military and Federal Installation Area is proposed within JBMDL in Pemberton Township in Burlington County and Manchester Township in Ocean County.

In the Preservation Area District of Atlantic County, an area of less than 0.1 acres is proposed to be removed from SSA within Mullica Township. In the Preservation Area District of Burlington County, a total of 10.8 acres are proposed for removal from the SSA in Bass River, Shamong, Washington, and Woodland Townships. In the Preservation Area District of Ocean County, a total of 3.3 acres are proposed for removal from the SSA in Manchester Township.

Within the Special Agricultural Production Management Areas in the Preservation Area District of Burlington County, a total of 0.5 acres are proposed to be removed from SSA in Washington and Woodland Townships.

In Forest Management Areas of Atlantic County, a total of 79 acres are proposed to be removed from SSA within Buena Vista, Galloway, Hamilton, Mullica, and Weymouth Townships and Egg Harbor and Estell Manor Cities, Hammonton Town and Folsom Borough. Included in these proposed changes are 4 existing single family dwellings that are connected to a sewage collection and treatment system. The parcels lie along the north eastern shore of Lake Lenape in Hamilton Township, Atlantic County, specifically Block 588, lots 64, 65, 75.01 and 75.02. The Commission has represented to the Department that the Commission will not seek to physically remove the sewer system connections for these properties. In Forest Management Areas of Burlington County, a total of 5.1 acres are proposed to be removed from SSA within Pemberton, Southampton and Medford Townships. In Forest Management Areas of Camden County, a total of 3.5 acres are proposed to be removed from SSA within Waterford and Winslow Townships. In the Forest Management Area of Cape May County, a total of 116 acres are proposed to be removed from

SSA within Dennis Township. In the Forest Management Area of Gloucester County, a total of 14 acres are proposed to be removed from SSA within Monroe Township. In Forest Management Areas in Ocean County, a total of 52.4 acres are proposed to be removed from SSA within Barnegat, Jackson, Manchester, Ocean and Stafford Townships. Included in these proposed changes are 4 existing single family dwellings that are connected to a sewage collection and treatment system. The parcels front Hilltop Street in Manchester Township, Ocean County, and are known as Block 82.01, lots 62, 63, 65.01 and 66.01. The Commission has represented to the Department that the Commission will not seek to physically remove the sewer system connections for these properties.

In Agricultural Production Management Areas of Atlantic County, a total of 4.1 acres are proposed to be removed from SSA within Buena Vista Township, Hammonton Town, Buena and Folsom Boroughs. In Agricultural Production Management Areas of Burlington County, a total of 7.5 acres are proposed to be removed from SSA within Pemberton, Southampton, Shamong, and Tabernacle Townships. In Agricultural Production Management Areas of Camden County, a total of 25.1 acres are proposed to be removed from SSA within Waterford and Winslow Townships. In Agricultural Production Management Area of Gloucester County's, a total of 80.1 acres are proposed to be removed from SSA within Monroe Township.

In Rural Development Management Areas of Atlantic County, a total of 39 acres are proposed to be removed from SSA within Buena Vista, Galloway, Hamilton, and Mullica Townships and Egg Harbor City and Folsom Borough. In Rural Development Management Areas of Burlington County, a total of 26 acres are proposed to be removed from SSA within Bass River, Evesham, Medford, Pemberton, Shamong, Southampton and Tabernacle Townships and Medford Lakes Borough. In Rural Development Management Areas of Camden County, a total of 133 acres are proposed to be removed from SSA within Berlin, Waterford and Winslow Townships. In Rural Development Management Areas of Cape May County, a total of 6.7 acres are proposed to be removed from SSA within Dennis Township. In Rural Development Management Areas of Gloucester County, a total of 313.2 acres are proposed to be removed from SSA within Franklin and Monroe Townships. In Rural Development Management Areas of Ocean County, a total of 144 acres are proposed to be removed from SSA within Jackson and Manchester Townships.

Approval of these amendments 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 these amendments would 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 the Department is proposing amendments to the Atlantic County, Cape May County, Ocean County, Lower Delaware, and Tri-County Water Quality Management (WQM) Plans. Information related to the proposed amendments is on file with the Department at the Office of Coastal and Land Use Planning, P.O. Box 420, 401 East State Street, Mail code 401-07C, Trenton, New Jersey 08625. The Department's file is available for inspection between 9:00 A.M. and 4:30 P.M., Monday through Friday. An appointment to inspect the proposed changes filed may be arranged by calling the Division of Coastal and Land Use Planning at (609) 984-6888. In addition, the proposed mapping changes can be viewed on the Department's website at <http://www.nj.gov/dep/lum/>

**A public hearing** concerning this proposal will be held at the Richard J. Sullivan Center for Environmental Policy and Education, 15C Springfield Road, New Lisbon, New Jersey, 08562, on Tuesday, August 12, 2014, from 4:00 P.M. to 6:00 P.M. or close of testimony, whichever comes first.

**Interested Persons** may submit written comments on the proposed amendments to WQM Program Docket, Division of Coastal and Land Use Planning, at the Department address cited above. Comments concerning the mapping change shall be directed to Rick Brown, P.P., at the Department's address noted above, with a copy provided to Paul W. Tyshchenko, Principal Planner, Pinelands Commission, P.O. Box 359, 15 Springfield Road, New Lisbon, New Jersey, 08064. All comments must be submitted within 15 days following the public hearing. All comments submitted prior to the close of the comment period shall be considered by the Department in reviewing the amendments.