

DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF WATER RESOURCES MANAGEMENT COORDINATION

Proposed Amendment to the Lower Delaware Water Quality Management Plan

Public Notice

Take notice that the New Jersey Department of Environmental Protection (Department) is seeking public comment on a proposed amendment to the Lower Delaware Water Quality Management Plan (WQMP). This amendment, prepared by the Salem County Planning Department and Sickels and Associates, and submitted on behalf of the Salem County Board of Chosen Freeholders, as the wastewater management planning agency, would adopt a partial Wastewater Management Plan (WMP) for Salem County. The proposed Salem County WMP incorporates the current Pennsville Township WMP; replaces the current Salem City, Alloway Township, and Quinton Township WMP; replaces the outdated Carneys Point Sewerage Authority WMP (which includes Carneys Point Township and Penns Grove Borough), Lower Alloways Creek Township WMP, and Woodstown Sewerage Authority WMP; and creates WMP chapters for all other municipalities that never had an adopted WMP, which are Elmer Borough, Elsinboro Township, Mannington Township, Oldmans Township, Pilesgrove Township, Pittsgrove Township, and Upper Pittsgrove Township.

This amendment has been prepared pursuant to the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., the Water Quality Management Planning rule, N.J.A.C. 7:15, and P.L. 2011, c. 203, as supplemented and amended by P.L. 2013, c. 188, which allows the wastewater management planning agency to prepare and submit, and the Department to accept and adopt portions of a WMP, in addition to that portion that provided for the designation of a sewer service area (SSA). The Salem County Future Wastewater Service Area (FWSA) map, which designates SSA for Salem County, was adopted on September 19, 2013 (45 N.J.R. 2403(a)). Utilizing the updated FWSA map, with the addition of approximately 148 acres of proposed SSA in Pittsgrove Township for the “Pepco development” (described in detail further in this notice), the County has performed a County-wide build-out analysis, which determines future wastewater need,

evaluated the capacity of treatment facilities to meet future wastewater needs, and completed a septic area carrying capacity analysis (referred to as “Nitrate Dilution Analyses” in the WMP) as well as a water supply availability analysis. The proposed WMP summarizes the analyses and results in a County summary, while also detailing the analyses in individual municipal chapters. The WMP also includes maps depicting existing and future treatment works facilities and associated SSAs, sewer infrastructure mapping, municipal zoning, and environmentally sensitive area mapping on individual municipal maps as well as larger County-scale mapping. Finally, the WMP includes a County-wide Septic Management Plan and Appendices containing a separate nitrate dilution analyses report for non-compliant analyses as described below, a previously prepared WMP for Pilesgrove Township referenced in the Pilesgrove municipal chapter, and a septic area carrying capacity analyses for Pittsgrove Township prepared by Clarke Caton Hintz, all for reference only.

Where the visual depiction of future SSA on County and municipal mapping does not clearly indicate the specific sewer service area associated with the wastewater treatment facilities, the Statewide digitized Sewer Service Area mapping does. The publically available Sewer Service Area mapping is available for viewing on NJ Geo-web at <http://www.nj.gov/dep/gis/geoweb splash.htm>. It is also available for download to use in ArcGIS at <http://www.nj.gov/dep/gis/stateshp.html>.

As stated above, this amendment adds approximately 148 acres of proposed SSA to the previously adopted Salem County FWSA map on Block 2701, Lot 63; Block 3001, Lots 1, 2, 20, 22, 22.01, 38, and 39; and Block 3002, Lot 1, in Pittsgrove Township, Salem County for the “Pepco development”, which is pursuing a New Jersey Pollutant Discharge Elimination System (NJDPES) surface water discharge permit for approximately 12,000 gallons per day of wastewater. In accordance with N.J.A.C. 7:15-5.24, environmentally sensitive areas (ESAs) have been assessed to determine what areas are appropriate for inclusion in the proposed SSA. ESAs are defined as contiguous areas of 25 acres or larger consisting of habitat for threatened and endangered species as identified on the Landscape Project Maps of Habitat for Endangered, Threatened or Other

Priority Species, Natural Heritage Priority Sites, Category One (C1) special water resource protection areas, and wetlands, alone or in combination. This site removes from proposed SSA a 300 foot C1 buffer on a Maurice River tributary in the northeastern portion of the site as well as a 300 foot C1 buffer on Muddy Run on the western portion of the site. Additionally, Landscape Project Mapping Version 3.1 identified State Endangered Bald Eagle and State Threatened Red Headed Woodpecker habitats onsite. A Habitat Suitability Determination Report, completed by the Lomax Consulting Group (November 2013) was reviewed by the Department. The Department found, additionally, that Landscape Project Mapping Version 3.1 did not incorporate a 2011 State Threatened Barred Owl sighting to the south, and, taking into account the suitability of Bald Eagle and Red Headed Woodpecker habitats, as well as Barred Owl, the Department recommended removal of these habitat areas from the proposed SSA. The proposed SSA mapping for the Pepco site reflects these recommendations.

In accordance with N.J.A.C. 7:15-5.25(c) and (d)1 an environmental build-out analysis (build-out) was conducted for each SSA. For parcels in the existing SSA that are already connected to the associated treatment works facility, wastewater flow is calculated utilizing discharge monitoring report data (actual wastewater flows). Wastewater flow that would arise from undeveloped developable land within the future SSA is calculated in accordance with N.J.A.C. 7:14A-23.3 using a parcel based method, utilizing zoning. The existing wastewater flow and future wastewater flow are combined to determine the total projected wastewater flow for each SSA and that total is then compared to the permitted capacity of the associated treatment works facility serving that area. The build-out for Penns Grove Borough is based on population data as detailed in the proposed Salem County WMP instead of the parcel-based build-out method as this municipality meets the definition of an "Urban Municipality" as defined at N.J.A.C. 7:15-1.5.

In accordance with N.J.A.C. 7:15-5.25(d)2, potential wastewater generation from each SSA shall not exceed the permitted capacity for each facility. However, pursuant to P.L. 2011, c. 203, as supplemented and amended by P.L. 2013, c. 188, the Department, in consultation with the applicable wastewater management planning agency, may approve

the inclusion of land within a SSA notwithstanding that existing treatment works may not currently have the assured capacity to treat wastewater from such land without infrastructure improvements or permit modification. Therefore, amendments may be approved if such actions are compliant with the applicable sections of the Water Quality Management Planning rule regardless of whether capacity has been fully assessed. The following facilities will require new or expanded capacity to accommodate the SSA at build-out: Carneys Point Sewerage Authority (SA) wastewater treatment facility, which is permitted to discharge 1.3 million gallons per day (MGD) serves Carneys Point Township and Oldmans Township. The SSA build-out for Carneys Point is 2.192 MGD and the SSA build-out for Oldmans is 1.362 MGD, with a total Carneys Point SA SSA build-out of 3.554 MGD, resulting in a future wastewater capacity deficit of 2.254 MGD. Elmer Borough's SSA would discharge to a future facility, which would need to treat 0.142 MGD of wastewater as projected by the build-out analysis, and the buildout-out for the proposed future Pepco SSA in Pittsgrove Township is projected to be 12,000 gallons per day.

In areas outside of SSAs, the wastewater management alternative is onsite discharge to groundwater of 2,000 gallons per day or less, commonly referred to as septic systems. The assessment of water quality impacts from development on septic systems relies on nitrate concentrations; therefore, the septic carrying capacity analysis determines the capacity to support septic systems without violating the groundwater quality standard for nitrate of 2 mg/L. The analysis compares the total number of septic systems allowed in each HUC 11 watershed, in each municipality (based on the number of acres per septic system allowable that provide adequate dilution of nitrate, calculated using the Department's Wastewater Estimator tool), to the total number of systems projected in the septic area based on current zoning. If the number of septic systems based on zoning is greater than the number of systems allowed to reach nitrate dilution standards, then that municipality does not meet the 2 mg/L standard. Even though P.L. 2013, c. 188 allows portions of a WMP to be submitted and adopted, those phased portions must still comply with the nitrate dilution standard and the Water Quality Management Planning rule at N.J.A.C. 7:15-5.25. Salem County has included for adoption septic carrying capacity

analyses for the City of Salem, Woodstown Borough, and Penns Grove Borough, all of which comply with N.J.A.C. 7:15-5.25(e) and the nitrate standard, while analyses for the remaining municipalities are not compliant and are included for reference only in Appendix A. These municipalities do not have sufficient ability to meet nitrate standards as currently zoned, and have not yet taken measures to ensure compliance as outlined at N.J.A.C. 7:15-5.25(e)iv-v.

In accordance with N.J.A.C. 7:15-5.25(f), water supply analyses have been performed to evaluate whether the water supply needs can be met with existing, new or expanded water supplies that do not conflict with the currently adopted New Jersey State Water Supply Plan (NJSWSP). Where the Department determines that there is insufficient existing water supply available to provide for the needs identified based on existing water allocation permits and the available water supply established in the current NJSWSP, regional water supply plans or adopted TMDLs, the WMP agency must identify measures to ensure an adequate water supply as outlined in N.J.A.C. 7:15-5.25(f)2i-iv. The results indicate that the water purveyor, New Jersey American Water (NJAW), supplying Carneys Point Township, Oldmans Township, and the Borough of Penns Grove, does not currently have sufficient water allocation to support future water demands projected by the plan, however, NJAW could supply more than the current allocation if necessary. Similarly, the Borough of Woodstown appears to have sufficient monthly allocation to accommodate the SSA water supply build-out, but the annual diversion may be exceeded if the complete SSA build-out is realized. As development occurs within the Borough, limited water supply alternatives such as interconnection to NJAW, construction of new wells, and desalination are available. Steps to be taken to ensure adequate water supply in Woodstown Borough are discussed in further detail in Woodstown's municipal chapter.

This proposed amendment represents only one part of the permit process and other issues may need to be addressed prior to final permit issuance. Additional issues which may need to be addressed may include, but are not limited to, the following: compliance with stormwater regulations; antidegradation; effluent limitations; water quality analysis; exact

locations and designs of future treatment works (pump stations, interceptors, sewers, outfalls, wastewater treatment plants); and development in wetlands, flood prone areas, designated Wild and Scenic River areas, or other environmentally sensitive areas which are subject to regulation under Federal or State statutes or rule. Additionally, sewer service to any particular project is subject to contractual allocations between municipalities, authorities and/or private parties, and is not guaranteed by this amendment.

This notice is being given to inform the public that a plan amendment has been proposed for the Lower Delaware WQM Plan. All information relating to the WQM Plan and the proposed amendment is located at the Department, Office of Water Resources Management Coordination, P.O. Box 420, Mail Code 401-02A, 401 East State Street, Trenton, New Jersey 08625-0420. The Department's file is available for inspection between 9:00 a.m. and 4:00 p.m., Monday through Friday. An appointment to inspect the documents may be arranged by calling the Office of Water Resources Management Coordination at (609) 777-4349.

Interested persons may submit written comments on the amendment to WQM Program Docket, Office of Water Resources Management Coordination, at the Department address cited above with a copy sent to Dave Palgutta, Sickels and Associates, 833 Kings Highway, Woodbury, NJ 08096. All comments must be submitted within 30 days of the date of this public notice. All comments submitted prior to the close of the comment period shall be considered by the Department in reviewing the amendment request.

Interested persons may request in writing that the Department hold a non-adversarial public hearing on the amendment or extend the public comment period in this notice up to 30 additional days. These requests must state the nature of the issues to be raised at the proposed hearing or state the reasons why the proposed extension is necessary. These requests must be submitted within 30 days of the date of this public notice to WQM Program Docket at the Department address cited above. If a public hearing is held, the

public comment period in this notice shall be extended to close 15 days after the public hearing.

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Colleen Kokas, Director
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Department of Environmental Protection

9-15-15

Date

