

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JANUARY 16, 2024, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION, THE OFFICIAL VERSION WILL GOVERN.

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATERSHED AND LAND MANAGEMENT

DIVISION OF WATERSHED PROTECTION AND RESTORATION

Adopted Amendment to the Upper Raritan Water Quality Management Plan

Take notice that on December 1, 2023, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11-1 et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15, the New Jersey Department of Environmental Protection (Department) adopted an amendment to the Upper Raritan Water Quality Management (WQM) Plan. The amendment, identified as Readington Township Block 81 Lot 1 (Program Interest No. 435434, Activity No. AMD200011), expands the sewer service area (SSA) of the Raritan Township Municipal Utilities Authority (RTMUA) Sewage Treatment Plant (STP) (NJPDES No. NJ0022047) by 8.4 acres to serve a proposed 80-unit affordable housing apartment development located on Block 81, Lot 1, in Readington Township, Hunterdon County. The development includes sixteen (16) 1-bedroom units, forty-three (43) 2-bedroom units, and twenty-one (21) 3-bedroom units. The project will generate a projected wastewater flow of 18,375 gallons per day (gpd) based on flow calculated in accordance with N.J.A.C. 7:14A-23.3, which will be conveyed to the RTMUA STP.

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JANUARY 16, 2024, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION, THE OFFICIAL VERSION WILL GOVERN.

Preliminary notice was published in the New Jersey Register on August 7, 2023, at 55 N.J.R. 1759(a). No comments were received during the comment period. This notice represents the Department's determination that the proposed amendment is compliant with the regulatory criteria at N.J.A.C. 7:15, as described below.

In accordance with N.J.A.C. 7:15-3.5(g)6, the Department instructed the applicant to request written statements of consent from Readington Township, Hunterdon County Board of County Commissioners, and RTMUA. Readington Township adopted Resolution #R-2023-147 on August 7, 2023, consenting to the proposed amendment. Hunterdon County Board of County Commissioners adopted Resolution #2023-690 on September 5, 2023, consenting to the proposed amendment. The RTMUA adopted Resolution #2023-56 on September 21, 2023, consenting to the proposed amendment.

In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to alterations to the eligible SSA needed to address a specific project or activity. N.J.A.C. 7:15-3.5(j)2 requires that site specific amendments proposing to add 100 or more acres or generating 20,000 gpd or more of wastewater flow shall include a modification to the wastewater treatment capacity analysis prepared in accordance with N.J.A.C. 7:15-4.5(b) to include the project or activity. The project involves less than 100 acres and will generate less than 20,000 gpd of wastewater flow; therefore, update of the wastewater treatment capacity analysis is not required.

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JANUARY 16, 2024, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION, THE OFFICIAL VERSION WILL GOVERN.

Pursuant to N.J.A.C. 7:15-4.4(d), the following are not eligible for delineation as SSA, except as otherwise provided at N.J.A.C. 7:15-4.4(i), (j), (k), and (l): environmentally sensitive areas (ESAs) identified pursuant to N.J.A.C. 7:15-4.4(e), as any contiguous area of 25 acres or larger consisting of any of the following, alone, or in combination: endangered or threatened wildlife species habitat, Natural Heritage Priority Sites, riparian zones of Category One (C1) waters and their tributaries, or wetlands; coastal planning areas identified at N.J.A.C. 7:15-4.4(f), and; ESAs subject to 201 Facilities Plan grant conditions pursuant to N.J.A.C. 7:15-4.4(g). The Department conducted an evaluation of the project site using a GIS shapefile provided by the applicant compared to the Department's GIS data layers available at <https://gisdata-njdep.opendata.arcgis.com> and/or other information as noted below, to determine the presence of any such areas in accordance with N.J.A.C. 7:15-4.4(e), (f), and (g) and made the following findings:

- The Department determined that the expanded SSA does not contain any areas mapped as endangered or threatened wildlife species habitat Rank 3, 4, or 5 on the Department's Landscape Maps of Habitat for Endangered, Threatened or other Priority Wildlife based on the "Landscape Project Data" Version 3.3 GIS data layers, in accordance with N.J.A.C. 7:15-4.4(e)1.
- The Department determined that the expanded SSA does not contain any areas mapped as Natural Heritage Priority Sites based on the "Natural Heritage Priority Sites" GIS data layer, in accordance with N.J.A.C. 7:15-4.4(e)2.

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JANUARY 16, 2024, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION, THE OFFICIAL VERSION WILL GOVERN.

- The Department determined that the expanded SSA does not contain any C1 waters or 300-foot riparian zones along any C1 waters or upstream tributaries within the same HUC-14 watershed of any C1 waters based on the “Surface Water Quality Standards” GIS data layer, in accordance with N.J.A.C. 7:13-4.1(c)1 and 7:15-4.4(e)3.
- The Department determined that there are wetlands located on the project site based on the “Wetlands 2012” GIS data layer, in accordance with N.J.A.C. 7:15-4.4(e)4; however, pursuant to N.J.A.C. 7:15-4.4(j)3, the applicant provided a Freshwater Wetlands Letter of Interpretation (LOI)/Line Verification File #1022-20-0002.1, Activity Number: FWW200001, confirming that there are no wetlands within the expanded sewer service area.
- The Department determined that the expanded SSA does not contain any areas mapped as Fringe Planning Areas, Rural Planning Areas, or Environmentally Sensitive Planning Areas within the Coastal Area Facility Review Act (CAFRA) zone based on the “CAFRA (polygon)” GIS layer and the “State Plan Data” GIS layer, in accordance with N.J.A.C. 7:15-4.4(f).
- In accordance with N.J.A.C. 7:15-4.4(g), the Department determined that there are applicable 201 Facilities Plan grant conditions based on the U.S. Environmental Protection Agency (USEPA) list of New Jersey Grantees with ESA Grant Conditions at <https://www.epa.gov/npdes-permits/environmentally-sensitive-area-esa-grant-condition-waiver-program-region-2>. The project will convey wastewater to the RTMUA STP via the Readington Township Three Bridges collection system, which is subject to a

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JANUARY 16, 2024, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION, THE OFFICIAL VERSION WILL GOVERN.

Federal ESA grant condition included in the grant agreement executed between Readington Township and the USEPA under Project Number Readington Township - Three Bridges C-34-577-03. The ESA grant condition prohibits any sewer connection to Federally-funded facilities from any sewage-generating structure located on a parcel of property containing wetlands or within the 100-year floodplain unless a mapping revision or grant waiver is obtained from USEPA. The grant waiver was obtained from EPA on July 20, 2022.

Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department considered the land uses allowed in adopted zoning ordinances, future land uses shown in adopted municipal and county master plans, and other local land use objectives. The project was included as part of the amendment to the town master plan entitled, "2020 Amended Third Round Housing Element & Fair Share Plan" adopted on May 26, 2020. The Hunterdon County Board of County Commissioners adopted Resolution #2022-499 on July 5, 2022, in support of the proposed project.

Sewer service is not guaranteed by the adoption of this amendment since it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the SSA as a result of the approval of this amendment does not eliminate the need to obtain all necessary permits, approvals or certifications required by any Federal, State, county or municipal review agency with jurisdiction over this project/activity.

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JANUARY 16, 2024, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION, THE OFFICIAL VERSION WILL GOVERN.

12/1/2023

Date

Signed

Gabriel Mahon, Bureau Chief

Bureau of NJPDES Stormwater Permitting and Water Quality Management

Division of Watershed Protection and Restoration

NJ Department of Environmental Protection