

PINELANDS COMMISSION

Pinelands Comprehensive Management Plan

Water Quality; Pilot Program for Alternate Design Wastewater Treatment Systems

Adopted Amendments: N.J.A.C. 7:50-2.11, 6.84, 10.21-10.23

Proposed: June 7, 2010 at 42 N.J.R. 987(a)

Adopted: September 10, 2010 by the New Jersey Pinelands Commission,
John C. Stokes, Executive Director

Filed: September 23, 2010 **without change**

Authorized by: New Jersey Pinelands Commission

Authority: N.J.S.A. 13:18A-6j.

Effective Date: October 18, 2010

Expiration Date: Exempt.

The New Jersey Pinelands Commission (Commission) is adopting amendments to Subchapters 2, Definitions, 6, Management Programs and Minimum Standards, and 10, Pilot Programs, of the Pinelands Comprehensive Management Plan (CMP). These amendments were proposed on June 7, 2010 at 42 N.J.R. 987(a). Their purpose is to extend the duration of the Commission's Alternate Design Treatment Systems Pilot Program, allow for the introduction of new systems into the pilot program and authorize installation of two successful pilot program systems for residential development in the Pinelands Area on a permanent basis.

In association with publication of the proposed amendments in the June 7, 2010 issue of the New Jersey Register, the Pinelands Commission transmitted the proposal to each Pinelands municipality and county, as well as to other interested parties, for review and comment. Additionally, the Pinelands Commission:

- Sent notice of the public hearing to all persons and organizations which subscribe to the Commission's public hearing registry;
- Placed advertisements of the public hearing in the four official newspapers of the Commission, as well as on the Commission's own web page;
- Submitted the proposed amendments to the Pinelands Municipal Council pursuant to N.J.S.A. 13:18A-7f;
- Distributed the proposed amendments and new rule to the news media maintaining a press office in the State House Complex;
- Published a copy of the proposed amendments on its web page at www.nj.gov/pinelands; and
- Distributed press releases concerning the proposed amendments to the news media.

Summary of Hearing Officer Recommendations and Agency Response:

A formal public hearing was held before the Commission staff on July 15, 2010. One individual attended the hearing and provided oral testimony on the rule proposal. The hearing officer's recommendations are in accordance with the public comment and agency responses below.

The hearing was recorded on magnetic tape which is on file at the Commission's office at 15 Springfield Road, New Lisbon, New Jersey. The

record of this rulemaking is available for inspection in accordance with applicable law by contacting:

Betsy Piner
Pinelands Commission
P.O. Box 359
New Lisbon, NJ 08064

Summary of Public Comments and Agency Responses:

The Commission accepted oral comments on the June 7, 2010 proposal at the above-discussed July 15, 2010 public hearing and written comments by regular mail, facsimile or e-mail through August 6, 2010.

The following individuals and organizations submitted comments:

1. Joanne Harkins, New Jersey Builders Association
2. Rich Bizub, Pinelands Preservation Alliance

The Commission's response to the comments is set forth below. The numbers in parentheses after each comment correspond to the list of commenters above.

1. COMMENT: Two commenters supported the proposed amendments. (1, 2)

RESPONSE: The Commission appreciates the support of these commenters and the organizations which they represent.

Federal Standards Statement

Section 502 of the National Parks and Recreation Act of 1978 (16 U.S.C. §471i) called upon the State of New Jersey to develop a comprehensive

management plan for the Pinelands National Reserve. The original plan adopted in 1980 was subject to the approval of the United States Secretary of the Interior, as are all amendments to the plan.

The Federal Pinelands legislation sets forth rigorous goals which the plan must meet, including the protection, preservation and enhancement of the land and water resources of the Pinelands. The amendments now being adopted are designed to meet those goals by allowing for the continued installation and monitoring of alternate design wastewater treatment systems for residential development.

There are no other Federal requirements which apply to the subject matter of these amendments.