

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE DECEMBER 16, 2019 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

## **PUBLIC NOTICE**

### **ENVIRONMENTAL PROTECTION**

### **WATER RESOURCE MANAGEMENT**

### **DIVISION OF WATER MONITORING AND STANDARDS**

### **Proposed Amendment to the Upper Raritan Water Quality Management Plan for the Tewksbury**

### **Township Municipal Chapter of the Hunterdon County Wastewater 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 Upper Raritan Water Quality Management (WQM) Plan and the Hunterdon County Wastewater Management Plan (WMP), in accordance with the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15. The proposed amendment (Program Interest No. 435434, Activity No. AMD190002), prepared by the New Jersey Highlands Council and submitted by the Hunterdon County Planning, Economic Development, and Land Use Department on behalf of the Hunterdon County Board of Chosen Freeholders, would amend the current Hunterdon County WMP adopted on July 29, 2015 (47 N.J.R. 2397(a)) by adding a complete municipal chapter of the Hunterdon County WMP for Tewksbury Township (“municipal chapter WMP”), which will supersede the previous Tewksbury Township WMP, adopted on April 2, 1991. 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.

Tewksbury Township is located in the Highlands Region and includes both planning and preservation areas as designated by the Highlands Water Protection and Planning Act, N.J.S.A. 13:20. A Petition for Plan Conformance for both areas was approved by the Highlands Council on February 17, 2011, making Tewksbury a fully conforming municipality to the Highlands Regional Master Plan (RMP). Conformance with the RMP allows for sewer service area (SSA) delineation, municipal build-out, and

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Pursuant to N.J.A.C. 7:15-4.3, the proposed municipal chapter WMP contains all the required elements for all required WMP components and identifies the following significant actions:

The municipal chapter WMP proposes changes to the currently approved SSA, most notably by removing the SSA designated as the “Rt 78 Office Service Area WTP” (NJ0102563) since sewer service to that area, identified as Protection Zone under the Highlands Land Use Capability Zones, would be inconsistent with the RMP.

Pursuant to N.J.A.C. 7:15-4.4(c), in the Highlands Region, areas eligible for sewer service are delineated in the preservation area as those areas that were connected to a wastewater treatment facility as of August 10, 2004, or those areas that are eligible for sewer service pursuant to N.J.A.C. 7:38-2.3, 2.4, 2.6, and 3.4. Areas eligible for sewer service are delineated in the planning area for Highlands conforming municipalities as the areas established within the RMP as Existing Community Zone, Lake Community Sub-Zone, or designated as Highlands redevelopment areas or Highlands centers. The Department conducted an evaluation of the proposed SSA using a GIS shapefile provided by the County to determine whether areas proposed for sewer service are all eligible. The Department has determined that the proposed SSA complies with N.J.A.C. 7:15-4.4.

The proposed wastewater treatment capacity analysis identifies one existing wastewater treatment plant (WTP) that discharges to surface water, New Jersey American Water Company – Pottersville (NJ0022781), and seven WTPs that discharge to ground water: Oldwick Village Water Pollution Control Plant (WPCP) (NJ0055956); Crossroads at Oldwick (NJ0104396); AM Best Company, Inc. (NJ0134627); Christy Bartles (NJ0138592); Tewksbury Township Elementary School (NJ0139998); Hunters Glen Community (NJG0053279); and Tewksbury Township Board of Education (NJG0103110). The results of the wastewater treatment capacity analysis identify no potential capacity deficiencies at any of the

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identified WTPs. The Department has determined that the wastewater treatment capacity analysis complies with N.J.A.C. 7:15-4.5.

The proposed nitrate dilution analysis identifies the total septic yield for Tewksbury in equivalent dwelling units, as allowed under the Highlands Water Protection and Planning Act Rules and based on RMP septic requirements, and whether a potential deficit in nitrate dilution capacity exists. For the preservation area, septic densities are determined in accordance with the Highlands Water Protection and Planning Act Rules at N.J.A.C. 7:38-3.4(b), which allows for 25 acres per septic unit in non-forested areas and 88 acres per septic unit in forested areas. For the planning area, septic densities are determined on a municipal basis by Land Use Capability Zone. In Tewksbury, the Existing Community Zone allows for 9 acres per septic unit, the Conservation Zone allows for 10 acres per septic unit, and the Protection Zone allows for 25 acres per septic unit. Any parcels eligible for exemption from the Highlands Water Protection and Planning Act that could be served by an Individual Subsurface Sewage Disposal System pose a potential deficit in the nitrate dilution capacity. The Tewksbury Township WMP identifies 116 equivalent dwelling units in the preservation area and 92 equivalent dwelling units in the planning area, constituting potential septic capacity deficiencies. The proposed strategies for addressing the deficiencies identified by the nitrate dilution analysis include land preservation and an analysis of buildability of identified exempt parcels. The Department has determined that the proposed wastewater capacity analysis and the proposed strategies to mitigate the potential septic capacity deficiencies comply with N.J.A.C. 7:15-4.5.

The proposed septic maintenance program includes an inventory of all known septic systems in Tewksbury, current septic maintenance practices that promote care and maintenance of septic systems, and proposed improvements to the current septic maintenance practices and refinement of the septic inventory. The Department has determined that the septic maintenance program complies with N.J.A.C. 7:15-4.5(c)1vi.

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**Interested persons** may submit written comments on the proposed amendment to the Department at the following address:

New Jersey Department of Environmental Protection  
Division of Water Monitoring and Standards  
Bureau of Environmental Analysis, Restoration and Standards  
Water Quality Management Planning Program  
P.O. Box 420, Mail Code 401-041  
401 East State Street  
Trenton, New Jersey 08625-0420

Comments should reference Program Interest No. 435434, Activity No. AMD190002 and must be submitted within 30 days of the date of this public notice. A copy of the written comments should also be sent to:

Ken Bogen  
Hunterdon County Department of Planning, Economic Development and Land Use  
314 State Route 12, Building #1  
P.O. Box 2900  
Flemington, New Jersey 08822

**Interested persons** may request in writing that the Department hold a non-adversarial public hearing on the amendment or extend the public comment period specified in this notice. Such request should reference Program Interest No. 435434, Activity No. AMD190002 and must demonstrate sufficient public interest for the public hearing or extension of the comment period, as defined under N.J.A.C. 7:1D-5.2(d). The request must be submitted within 30 days of the date of this notice to the Department address cited above. Should the Department decide to hold a public hearing, additional notice will be published

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All information related to the Upper Raritan WQM Plan and the proposed amendment is located at:

New Jersey Department of Environmental Protection  
Division of Water Monitoring and Standards  
Bureau of Environmental Analysis, Restoration and Standards  
Water Quality Management Planning Program  
P.O. Box 420, Mail Code 401-041  
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, upon request. An appointment to inspect the file must be arranged by calling the Bureau of Environmental Analysis, Restoration and Standards at (609) 633-1441.

All comments submitted prior to the close of the comment period shall be considered by the Department before making a final decision on the proposed amendment. Sewer service is not guaranteed by this amendment since it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the sewer service area resulting from adoption 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.

11/25/19  
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Date

SIGNED  
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Bruce S. Friedman, Director

Division of Water Monitoring and Standards