

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF WATER RESOURCES MANAGEMENT COORDINATION**

Adopted Amendment to the Monmouth County Water Quality Management Plan (WQMP)

Public Notice

Take notice that on **APR 13 2015**, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., and the Statewide Water Quality Management Planning rules (N.J.A.C. 7:15-3.4), an amendment to the Monmouth County WQMP was adopted by the Department of Environmental Protection (Department). This amendment, entitled "Harms and Pinnacle Sewer Service Area", submitted on behalf of Howell Township, expands the Manasquan River Regional Sewerage Authority MRRSA sewer service area (SSA) by 84.8 acres to allow for the construction of 57 single family homes and the connection of 3 existing single family homes to the MRRSA. This amendment has been reviewed in accordance with the Water Quality Management Planning rules at N.J.A.C. 7:15 and P.L. 2013, c.188. This notice represents the Department's determination that the proposed amendment is in compliance with the regulatory criteria pursuant to N.J.A.C. 7:15.

The proposed project site is located in Howell Township, Monmouth County on portions of Block 130, Lots 17, 20-22, 57-61. This amendment would allow for the construction of 57 single family homes and the connection of 3 existing single family homes to MRRSA, on the above referenced parcels. The projected wastewater flow for the proposed new development and existing homes, calculated in accordance with N.J.A.C. 7:14A-23.3, is 18,000 gallons per day (gpd).

As outlined at N.J.A.C. 7:15-5.24(a), sewer service may only be provided to areas that are not identified as environmentally sensitive areas (ESAs), Coastal Fringe, Coastal Rural and Coastal Environmentally Sensitive Planning Areas, beaches, coastal high hazard areas, and dunes.

Pursuant to N.J.A.C. 7:15-5.24(b), 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. These areas are not included in the proposed SSA.

In accordance with N.J.A.C. 7:15-5.24(b)1, to determine areas designated as threatened or endangered species habitat, the Department utilized the Division of Fish and Wildlife's Landscape Project Maps of Habitat for Endangered, Threatened or Other Priority Species, version 3.1. Areas identified by the Landscape Project as being suitable habitat for threatened and endangered species Ranks 3 (State threatened), 4 (State endangered), and 5 (Federal endangered or threatened) are not to be included in proposed SSAs except as provided under N.J.A.C. 7:15-5.24(e) – (h), or unless a site has undergone a site specific Habitat Suitability Determination prepared in accordance with N.J.A.C. 7:15-5.26 that found the site to be not suitable habitat, or pursuant with N.J.A.C. 7:15-5.24(g)2, the Department determined the ESA is not critical to a population of endangered or threatened species the loss of which would decrease the likelihood of the survival or recovery of the identified species. Review of the project site has determined that no threatened or endangered species habitat exists on site.

In accordance with N.J.A.C. 7:15-5.24(b)2, areas mapped as Natural Heritage Priority Sites are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-5.24(e) – (h). Review of the project site has determined that no Natural Heritage Priority Sites exist on site.

In accordance with N.J.A.C. 7:15-5.24(b)3, areas identified as special water resource protection areas along Category One waterways and their tributaries are not to be included in SSA's, except as provided under N.J.A.C. 7:15-5.24(e) – (h). The Department has determined there are no special water resource protection areas along Category One waters on the site.

In accordance with N.J.A.C. 7:15-5.24(b)4, areas mapped as wetlands pursuant to N.J.S.A. 13:9A-1 and 13:9B-25 are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-5.24(e) – (h). In accordance with N.J.A.C. 7:15-5.24(e)2, a Letter of Interpretation (LOI): Line Verification File # 1319-06-0036.1, FWW060001, a Freshwater Wetlands General Permit #1 and Transition Area Waiver FWW060002-FWGP1 issued by the Department on July 19, 2007 was submitted to the Department, confirming that the extent of wetlands and transition area are accurately delineated on the proposed project activity site and confirming that the proposed project meets the requirements for approval to disturb regulated areas pursuant to N.J.A.C. 7:7A-4.3, 5.11, 6.2 and 13.1. The above mentioned approvals remain valid under the Permit Extension Act at N.J.A.C. 7:1B until June 30, 2015. The

provisions at N.J.A.C 7:15-5.24(b)4, have been satisfied by the exclusion of the wetlands areas from the proposed SSA.

Pursuant to N.J.A.C. 7:15-5.24(c), certain coastal planning areas, not applicable here, must also be excluded from SSA. Specifically, there are no Coastal Fringe Planning Areas, Coastal Rural Planning Areas, or Coastal Environmentally Sensitive Areas on the project site.

In accordance with N.J.A.C. 7:15-5.24(d)1, areas with Federal 201 grant limitations that prohibit the extension of sewers are excluded from the adopted SSA either where local mapped information exists delineating these areas, or through a narrative description in a wastewater management plan where mapping does not exist, except as provided under N.J.A.C. 7:15-5.24(f)1. Pre-existing grant conditions and requirements (from Federal and State grants or loans for sewerage facilities), which provide for restriction of sewer service to environmentally sensitive areas are unaffected by adoption of these amendments.

In accordance with N.J.A.C. 7:15-5.24(d)1, there are other special restricted areas, which must also be excluded from SSA pursuant to N.J.A.C. 7:15-5.24(d)2 through 4. None of those special restricted areas are applicable here. Specifically, there are no beaches, coastal high hazard areas, or dunes on the project site.

In accordance with N.J.A.C. 7:15-5.25(h)1, the projected wastewater flow of the project has been evaluated. The Department has determined that the OCUA Northern Wastewater Pollution Control Facility has adequate available capacity to treat the proposed wastewater flow from this project. The projected wastewater flow for the proposed new development, calculated in accordance with N.J.A.C. 7:14A-23.3 is 18,000 gallons per day (gpd). Currently the OCUA Northern WPCF (NJ0028142) is permitted to discharge up to 32 Million Gallons per day (MGD) of treated wastewater to the Atlantic Ocean. Based on an average of the monthly average flow for the most recent twelve month period for which discharge monitoring data is available, the existing wastewater flow discharged from the OCUA Northern WPCF was calculated to be 22.27 MGD. The addition of the proposed development's projected wastewater flow would not cause the wastewater generation potential of the expanded SSA to exceed the permitted capacity of the OCUA Central WPCF.

In accordance with N.J.A.C. 7:15-5.25(h)3 the water supply need for the proposed project has been evaluated. Water supply for the proposed development will be provided by the New Jersey American Water Company which is a public water system which withdraws water from the Manasquan Reservoir. The location of the diversion is on Georgia Tavern Road in Howell Township and the water allocation permit number is WAP090002. The existing water allocation permit will not require modification to serve the proposed project. It is currently permitted under PWSID No. 1345001 to allocate 2,539.58 million gallons per month (MGM) and has a water supply surplus of 247.05 MGM. The proposed water demand of the project, calculated in accordance with N.J.A.C. 7:15-5.25(f)1i, is 2.133 MGM; therefore sufficient water supply is available to serve the proposed development within the existing water allocation permit.

In accordance with N.J.A.C. 7:15-5.25(h)4, a project or activity's stormwater management is to be evaluated. However, P.L. 2013, c. 188 directs that there is a presumption that an engineered subdivision or site plan is not required. Without such information a review and determination of compliance with the Stormwater Management rules (N.J.A.C. 7:8) is not possible. The county and local governments are responsible for review and implementation of the Stormwater Management rules during their review and approval of proposed development. Howell Township has an adopted stormwater management ordinance (No.0-08-31) which complies with the performance standards of the Stormwater Management Rules at N.J.A.C. 7:8.

In accordance with N.J.A.C. 5.25(h)5, riparian zones are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-5.25(h)i-vii. Riparian zones or buffers are established along all surface waters, based on the surface water body's classification designated at N.J.A.C. 7:9B, under the following regulations: the Flood Hazard Area Control Act Rules, the Stormwater Management rules, and the Water Quality Management Planning rules. In accordance with N.J.A.C. 7:15-5.25(h)5, the proposed project site is not located in a riparian zone.

In accordance with N.J.A.C. 7:15-5.25(h)6, proposed development disturbance is not to be located in areas with steep slopes, defined as any slope greater than 20 percent. There are no steep slopes on the subject site.

This amendment proposal was noticed in the DEP Bulletin on February 18, 2015 at Volume 39, Issue 4, pages 14-17 and no comments were received during the comment period.

Additional issues which may need to be addressed for any new or expanded wastewater treatment facility or other specific project 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 rules.



Collen Kokas, Director
Office of Water Resources Management Coordination
Department of Environmental Protection

4-13-15

Date