

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF WATERSHED MANAGEMENT

ADOPTED AMENDMENT TO THE OCEAN COUNTY WATER QUALITY  
MANAGEMENT PLAN

Public Notice

Take notice that on **FEB - 2 2010** 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 Ocean County Water Quality Management Plan was adopted by the Department. This amendment, submitted on behalf of Stafford Township, Ocean County adopts a new Wastewater Management Plan (WMP) for Stafford Township. The Stafford Township WMP includes the entire municipality as well as Horizons at Barnegat and Paramount Escape developments, both located in Barnegat Township. This WMP was submitted as part of the Township's Plan Endorsement process with the New Jersey Office of Smart Growth. This new WMP replaces the Stafford WMP adopted on January 25, 1990.

Currently, Stafford Township is served by the Ocean County Utilities Authority's Southern Water Pollution Control Facility (South Plant), a secondary wastewater treatment facility located within the Township. The South Plant operates under New Jersey Pollutant Discharge Elimination System (NJPDES) permit number NJ0026018, has a permitted flow of 20 million gallons per day (MGD) and discharges to the Atlantic Ocean. In 2007, the South Plant treated an average of 1.966 MGD from Stafford Township and an average of 7.14 MGD from the Plant's entire service area. The wastewater collection system that serves Stafford Township is owned and operated by the Stafford Township Water and Sewer Utility Department.

This amendment includes a 560 acre reduction of the South Plant's sewer service area and the extension of sewer service to existing developments currently served by individual subsurface sewage disposal systems (septic systems). The area removed from the sewer service area includes a 476 acre portion of the Township located northeast of

the intersection of the Garden State Parkway and Route 72. This area is Federally owned open space. An 82 acre portion of the Township known as Barnegat Gables is also removed from the previously approved sewer service area because of environmental constraints. Thirty one lots currently served by septic systems are added to the sewer service area. The total area of the lots added is 75 acres.

This amendment has been reviewed in accordance with Executive Order 109 (2000) (EO-109) and N.J.A.C. 7:15-5.18. The Stafford Township WMP incorporates an environmental constraints/build-out (build-out) analysis to identify existing and future projected flow from the Township to ensure there will be sufficient capacity at the South Plant to accommodate future need. This build-out analysis was conducted for all parcels within the existing and proposed sewer service areas. Projected wastewater flow was calculated in accordance with N.J.A.C. 7:14A-23.3 based upon the current Township zoning and included potential development of all remaining non-environmentally constrained parcels of vacant land and any existing parcels currently served by individual subsurface sewage disposal systems that are located within the proposed sewer service area and not currently provided sanitary sewer service. Environmentally constrained areas were excluded from the sewer service area for purposes of projecting wastewater flow. The environmentally constrained areas excluded in projecting wastewater flow from the proposed sewer service areas included wetlands, floodways, and stream corridors. The Township's zoning ordinance limits impervious cover to only three percent of the non-environmentally constrained portion of the lot area for those parcels located within State Development and Redevelopment planning areas 4 or 5 and/or constrained by threatened and endangered species habitat. The existing wastewater flow and calculated projected wastewater flow were combined to determine the total projected wastewater flow of 2.922 MGD from Stafford Township to the South Plant.

In order to satisfy the Riparian Corridor Analysis, Stafford Township adopted Ordinance No. 2008-57 to ensure the protection of the riparian corridors along all perennial and intermittent streams. As required, the adopted ordinance establishes and protects riparian buffer conservation zones ("stream corridor buffer") of a minimum width of 50 feet of

undisturbed vegetation on both sides of the stream. The stream corridor buffers vary in width depending upon the water body's classification in the Surface Water Quality Standards at N.J.A.C. 7:9B-1.15.

To satisfy the Nonpoint Source Pollutant Loading/Hydromodification Analysis, an ordinance ensuring compliance with the performance standards of the Stormwater Management Rules, N.J.A.C. 7:8, was necessary. To comply with this requirement, Stafford Township adopted Ordinance Nos. 2005-105 and 2007-108 (for the portion of the Township under New Jersey Pinelands Commission jurisdiction). These ordinances indicate that the performance standards must be met through the use of non-structural measures, where possible. If non-structural measures alone are insufficient to meet the performance standards, then the proposed project must supplement with structural best management practices (BMPs) as necessary.

The Endangered or Threatened Species Habitat Analysis was performed utilizing the Department's Division of Fish and Wildlife, Endangered and Non-Game Species Program "Landscape Project". The Landscape Project identifies areas of critical habitat that support or potentially support Federal and State endangered or threatened species and other species of concern. Endangered and Threatened Species habitats reviewed under this analysis are Rank 5 (Federal endangered and/or threatened species), Rank 4 (State endangered species), or Rank 3 (State threatened species). This analysis determined that portions of the WMP planning area contain significant amounts of forest lands that serve as habitat for threatened and endangered species. As a part of the Township's Plan Endorsement process with the Office of Smart Growth, environs protections were implemented to offset impacts to areas of threatened and endangered species habitat that remained in the sewer service area. The Township downzoned parcels located outside of the designated town center and sewer service area. The Township has also amended its Land Development Ordinance to include provisions for tree conservation. Provisions of this ordinance regulate the removal of trees and habitat, control tree removal as unimproved or vacant land is developed, and require the submission of a Tree Removal Plan for review and approval by the Township. In addition, Section 130-94 of Stafford

Township's Land Use and Development Code requires an Environmental Impact Assessment (EIA) to be submitted with preliminary applications for major subdivisions and/or major or minor site plans where the property for which the approval is sought contains wetlands or is within 200 feet of wetlands. In addition, the Planning Board may require an EIA for any application before the Board. The EIA must include an endangered or threatened wildlife species habitat impact assessment when the site contains or abuts areas mapped as endangered or threatened wildlife species habitat on the Department's Landscape Project. The goal of this portion of Stafford Township's Land Use and Development Code is to ensure that endangered or threatened wildlife species habitat would not be adversely affected by proposed development directly or through secondary impacts on the relevant site or in the surrounding area.

In order to evaluate the groundwater impacts for the development of those areas of Stafford Township that are outside of the proposed sewer service area and are to be served by individual subsurface sewage disposal systems with wastewater planning flows of 2,000 gallons per day or less, the Nitrate Dilution Model, developed by the Department, was applied. This model estimates the minimum lot size necessary to support conformance with the ground water quality standards. Because the majority of the unsewered, undeveloped lots fall within areas with environmental constraints, the recharge-based nitrate dilution model prepared for the Township was performed for each suitable soil type rather than individual parcels or zoning areas. With the adoption of the July 7, 2008 amendments to the Ground Water Quality Standards (GWQS) rules at N.J.A.C. 7:9C, as well as the re-adoption of the Water Quality Management Planning Rules at N.J.A.C. 7:15, areas that are designated for individual subsurface sewage disposal systems (septic areas) must now achieve a planning standard of 2 mg/L nitrate. It is, therefore, necessary to determine how much development relying on ground water disposal of wastewater can be supported on a HUC 11 basis within the planning area while attaining this planning standard, using one of the nitrate dilution models described in the rule. Achieving the planning standard ensures that existing ground water quality will be maintained on a regional basis, thus ensuring compliance with the amended antidegradation policy in the GWQS rules. The analysis was performed by Stafford

Township for the nitrate target of 2.0 mg/l and resulted in minimum required lot sizes of 3.9 to 4.4 acres. As the results indicated that vacant land areas zoned as residential or rural residential (and located on suitable soils) did not meet the minimum lot sizes yielded by the model, the analysis was submitted to the Township for review. In response, the Township adopted Ordinance 2007-98 which increases the minimum lot size for developable lots served by septic systems to four acres for those areas that required a minimum lot size of 3.9 acres and five acres for those that required a minimum lot size of 4.4 acres. Previously, the Township ordinance allowed development on lots served by septic systems of a minimum of one acre.

Residents and businesses within the WMP planning area receive potable water from three purveyors. The Barnegat Township Water and Sewer Department provides water for the developments in Barnegat Township. The Stafford Township Water and Sewer Utility Department (STWSUD) provides water for all of Stafford Township. The STWSUD purchases water from the Ship Bottom Water Department to supply the residents of Cedar Bonnet Island. The Cedar Bonnet Island system is operated separately from the rest of the Township. The STWSUD owns and operates the potable water system, and except for private wells, is the only water purveyor in Stafford Township. STWSUD's water allocation limits and withdrawal rates were recently approved by the Department's Bureau of Water Allocation (Program Interest I.D. No. 5038, Activity No. WAP070002). The current water allocation limit of 186 Million Gallons per Month (MGM) from the Atlantic 800 Foot Sands aquifer can support the proposed withdrawal without generating water shortages, salt water intrusion, the spread of pollution, nor adversely impact other users and environmentally sensitive areas. As there is very little proposed new development in Stafford Township, the bulk of the increase in water allocation limits under the current water allocation permit is intended for converting the existing homes in the Ocean Acres section of the Township from private wells to the STWSUD municipal water system.

This amendment proposal was noticed in the New Jersey Register on October 19, 2009 at 41 N.J.R. 3966(a) and no comments were received during the comment period.

This 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 rules.

Lawrence J. Bajer  
Lawrence J. Bajer, Director  
Division of Watershed Management  
Department of Environmental Protection  
February 2, 2010  
Date