

DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF WATER RESOURCES MANAGEMENT COORDINATION

REVISION TO THE OCEAN COUNTY WATER QUALITY MANAGEMENT PLAN

TAKE NOTICE that on **FEB 10 2015**, pursuant to the provisions of the Water Quality Planning Act, N.J.S.A.58:11A-1 et seq., and the Statewide Water Quality Management Planning rules at N.J.A.C. 7:15-3.5(b)4.v., a revision to the Ocean County Water Quality Management Plan and the Stafford Township Wastewater Management Plan (WMP) was adopted by the Department.

This revision alters the Future Sewer Service Area map of Stafford Township WMP to place Block 133, Lot 89 in Stafford Township, also known as 711 Cedar Run Dock Road, West Creek, New Jersey, within the Ocean County Utilities Authority (OCUA) sewer service area. The parcel encompasses 5,927 square feet or 0.14 of an acre. The lot has 61 feet of frontage on Cedar Run Dock Road which bounds the eastern edge of the parcel. The lot is bounded to the north and south by existing single family dwellings constructed on filled marshland. Cedar Run Creek flows along the western boundary of the lot. The home sites to either side of the parcel have bulkheads established along their creek frontage.

The entire area of Block 133, Lot 89 is filled marshland. The fill extends from Cedar Run Dock Road to the Mean High Water line (MHWL) and up to the filled areas on the adjacent lots. A deteriorating bulkhead runs along portions of the creek side of the parcel. A sewage collection force main lies within the road right of way fronting the parcel and is connected to the OCUA Southern Wastewater Treatment Plant. Both adjacent dwellings are connected to this system. Wastewater collection service to the lot is to be provided by a lateral with a grinder pump that will be tied into the existing force main. The inclusion of the projected sewage flow of approximately 300 gallons

per day from the construction of a single family dwelling onsite will have no measurable impact on to the County's Southern Wastewater Treatment Plant or adversely affect its capacity.

The parcel is depicted upon a plan of one sheet entitled "Map to Accompany Application for Sanitary Sewer Connection Lot 89, Block 133 Tax Map Sheet # 160 Stafford Township Ocean County New Jersey, dated 11/12/03, last revised 5/15/14, prepared by James D. Brzozowski, P.E. and Robert G. deBlois, P.E.S.T.".

As required by N.J.A.C. 7:15-3.5(b)4.v., the Stafford Township WMP is current, having been adopted by the Department on February 2, 2010. The site is less than 100 acres in size and will contribute less than 8,000 gallons per day of additional sewage flow. As the existing sewer force main extends 6,300 feet past the site to provide limited service to other residential sites on Cedar Run Dock Road, the inclusion of this lot within a SSA will not create a significantly new pattern of sewer development such that a significant potential or incentive is created for additional revisions or amendments to open new areas to sewer development.

As stipulated at N.J.A.C. 7:15-3.5(b)4., the inclusion of the lot complies with the environmental standards established at N.J.A.C. 7:15-5.24 and 5.25, as applicable.

The parcel is not considered suitable habitat for a State of Federally listed Endangered or Threatened species as defined at N.J.A.C. 7:15-5.24(b)1.

The parcel does not lie in a Natural Heritage Priority Site as defined at N.J.A.C. 7:15-5.24(b)2.

The lot lies along Cedar Run Creek, a designated Category 1 waterway. Because of the waterway designation, a Special Water Resource Protection Area (SWRPA), identified at N.J.A.C. 7:15-5.24(b)3, is established along the edge of the creek and includes the entire area of the lot. The Department has determined that inclusion of the

lot in the SSA is in compliance with the provisions at N.J.A.C. 7:15-5.24(g) because the lot is an infill parcel and the SWRPA included in the SSA by this action 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 species in the State. In addition, the Department notes that the development of the parcel will not be subject to the jurisdiction of the SWRPA restrictions established along Category 1 streams as the construction of a single family dwelling on the site would not constitute major development as defined at N.J.A.C. 7:8.

The entire area of Block 133, Lot 89 is filled marshland and is not identified as an environmentally sensitive wetland area mapped by the Department pursuant to N.J.S.A. 13:9A-1 or 13:9B-25 as described at N.J.A.C. 7:15-5.24(b)4.

The lot is not a special restricted area as defined at N.J.A.C. 7:15-5.24(d).

This site complies with the requirements at N.J.A.C. 7:15-3.5(b)4.v. and is considered a revision to the Stafford Township WMP adopted by the Department on February 2, 2010 and is consistent with the provisions at N.J.A.C. 7:15-5.25 (d), (e), (f), (g) and (h).

The Department determined that the project qualified as a revision, and as provided at N.J.A.C. 7:15-3.5(d), the Department provided a copy of the proposed revision adoption notice to the agencies identified at N.J.A.C. 7:15-5.22 and provided 21 days for these entities to comment on the proposed project. The agencies identified by the Department and asked for comment on the proposed revision were Stafford Township, the Ocean County Utilities Authority and the Ocean County Department of Planning. No comments from these agencies were received by the Department concerning this project.

As provided for at N.J.A.C. 7:15-3.7(b), the Department sought comments from the New Jersey Pinelands Commission. By correspondence dated September 26, 2014, the Commission noted that based on the Land Capability Map adopted by the Commission

as part of the Pinelands Comprehensive Management Plan, the lot in question is located within the Pinelands National Reserve, but outside the state-designated Pinelands Area. The Land Capability Map locates the project site in a Pinelands Forest Area, where the Comprehensive Management Plan permits sewer service only for existing development when necessary to address a documented public health problem. As Block 133, Lot 89 is undeveloped; the proposed revision to Stafford's WMP is inconsistent with the Pinelands Comprehensive Management Plan, the document adopted by the Pinelands Commission to implement the Federal and State Pinelands Protection Acts. After considering the comment provided by the Pinelands Commission, the Department has determined that, given the size of the project site, its location relative to existing sewage infrastructure, and the advisory nature of comments from the Commission concerning development inside the Federally designated Pinelands National Reserve but outside of the State designated Pinelands Area jurisdictional boundary, the revision be approved notwithstanding the comment.

The Department has determined that as stipulated at N.J.A.C.7:15-3.8(a) the revision is in substantial compliance with this chapter and that no significant individual or cumulative impacts will occur to environmentally sensitive areas or other natural resources (such as water supplies) due to the revision (individually or in combination with past revisions in the area). In making this determination, the Department also considered the specific circumstances of the site, particularly, its small size, the existing filled condition of the site, the lot's location between two fully developed properties connected to the sewer system, the direct access to an existing sewage conveyance system, and the State's interest in the protection of ground and surface water quality in the area.



Colleen Kokas, Director
Office of WRM Coordination

2-10-15

Date