

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATERSHED MANAGEMENT

ADOPTED AMENDMENT TO THE TRI-COUNTY WATER QUALITY
MANAGEMENT PLAN

Public Notice

Take notice that on **MAR 14 2008**, 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 Tri County Water Quality Management Plan was adopted by the Department of Environmental Protection (Department). This amendment was submitted on behalf of the Township of Mansfield. This amendment modifies the Mansfield Wastewater Management Plan (WMP) to allow for a new Village of Columbus sewage treatment plant (STP) with a limited sewer service area and additionally adds 183.4 acres that are part of a parcel identified on the Mansfield Township Tax Map as Block 42 Lots 1 & 2.02 to the sewer service area (SSA) of the Homestead Sewer Treatment Plant (STP) (NJPDES permit # NJ0098663). The remaining fourteen acres of Block 42 Lots 1 & 2.02 are already in the SSA. As more fully described below, the addition of the 183.4 acres to the Homestead SSA, and the proposed development of this parcel will not require any increase in permitted flow at the Homestead STP. A description of each of the two modifications of the Mansfield WMP follows.

The Village of Columbus portion of Mansfield Township includes numerous properties with failing septic systems. Under the WMP prior to adoption of this amendment, existing capacity at the Homestead STP was reserved to serve the numerous properties with failing septic systems in the Village of Columbus. As part of this amendment, a proposed new sewage treatment plant on a farm on Petticoat Bridge Road known as the Reed Farm, Block 41 Lot 2.01 on the Mansfield Township Tax Map, has been identified to serve those properties with failing septic systems. The development of a new STP utilizing groundwater disposal on the Reed Farm replaces the previously "reserved capacity" at the Homestead STP so that that capacity can be re-allocated to serve the proposed development on Block 42, Lots 1

and 2.02, discussed below. The maximum wastewater planning flow for the proposed Columbus STP on the Reed Farm is 70,000 gallons per day (gpd). The new sewer service area in Columbus as a result of this amendment is limited to Block 24, Lots 1, 2.01, 2.02, 3-5, 13, 14, 16-20, 22.02, 22.03, 22.04, 22.05, 38.02; Block 26, Lots 1.01, 1.02, 1.03, 2.01, 2.02, 2.03, 3-20, 21.01, 21.02, 22, 23.01, 23.02, 24-27; Block 28, Lots 1-17, 18.01, 18.02, 19, 20, 22-34, 36-45, 47.02, 47.03, 54-55; Block 29, Lots 1-17, 18.01, 18.02, 19.01, 19.02, 20-31; Block 31, Lots 1, 2.01, 3.01, 4-5; Block 32, Lots 1-5; Block 33.01, Lots 19.01, 19.02, 23-30; Block 34, Lot 1; Block 36, Lots 1, 3-13, 14.01, 14.02, 14.03, 15; Block 37, Lots 1-4, 5.01, 5.02, 6-11; Block 38, Lots 1-2, 4-7, 8.01, 8.03, 9-12; Block 39, Lot 1; and Block 41, Lots 11.02, 11.03, 11.04, 11.05, 12-17, 19-21, 22.01, 22.02, 22.03.

As indicated above, 183.4 acres have been added to the Homestead STP sewer service area. This area, along with the 14 acres of this parcel already in the sewer service area, is to be developed to include a 60 unit affordable assisted living housing facility for 80 disabled adults known as "Project Freedom", a Project Freedom community center, 28 affordable age-restricted one bedroom housing units, 8 affordable age-restricted two bedroom housing units, and 310 market rate age-restricted two bedroom housing units. The total wastewater planning flow from this proposed development is 65,749 gpd calculated in accordance with N.J.A.C. 7:14A. This proposed development will be served by the Homestead STP utilizing capacity at the STP that had been reserved to serve the Village of Columbus properties with failed septic systems. As indicated above, the new Village of Columbus STP will instead serve the need that had been covered by the reserved capacity, thereby allowing the capacity previously reserved at Homestead STP to be reallocated to serve this proposed development. Priority will be given at all times to the construction and service of the Project Freedom units.

The drinking water supply for this proposed new development, as well as the new STP, will be provided by the New Jersey American Water Company. An August 1, 1997 Stipulation of Settlement in New Jersey-American Water Co. v. Mount Holly Water Co., Inc. and New Jersey Department of Environmental Protection, Office of

Administrative Law Docket No. EWR 00882-96S, hereinafter "1997 Mt. Holly Settlement", provides, in part, that water supply from the Mansfield Project Wells can not be used to support development in an area designated by the State Development and Redevelopment Plan as Planning Area 4 (Rural) or Burlington County Farmland Preservation land unless directed to do so by the Department. This development is located within the New Jersey American - Homestead Water System service area. However, the Homestead Water System has inadequate water capacity to supply the proposed development. Therefore, it is necessary for the Homestead and the Mount Holly systems of New Jersey American Water Company to be interconnected. Once interconnected, water from the Mount Holly system, including water from the Mansfield Project Wells, will flow into the Homestead system. Therefore, as a result of this interconnection, the restrictions on water supply use stipulated in the 1997 Mt. Holly Settlement will be extended to apply to the Homestead Water system for any new development it proposes to serve in the future.

Although the project included in the Homestead SSA is currently in an area designated on the State Development Redevelopment Plan Policy Map as Planning Area 4 (Rural), there are two factors upon which the Department is basing a decision to direct the project to be provided with drinking water by the New Jersey American Water Company. The first is that the project will enable the construction of 60 affordable housing units for 80 disabled adults, a part of our State's population that chronically faces a shortage of affordable barrier-free housing opportunities. The Department has determined that construction of these units is in the public interest. The second factor considered by the Department is that Mansfield Township has a pending petition for Plan Endorsement before the New Jersey State Planning Commission that would change Planning Area boundaries throughout the Township and which will provide for the inclusion of Block 42 Lots 1 & 2.02 into a designated growth area in accordance with the provisions of the State Development and Redevelopment Plan. Department staff are actively engaged with the Township, other State Agencies, Burlington County and the Department of Community Affairs' Office of Smart Growth to help Mansfield establish a Transfer of Development Rights program that will direct growth away from environmentally sensitive lands, including

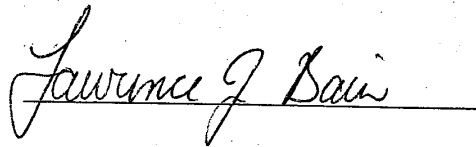
Category One waters and Federally Endangered species habitat and establish a new Town Center around the historic Columbus area where development rights may be transferred and utilized. This process is anticipated to be completed by mid-2008. The Department has determined that Mansfield Township's good faith efforts to redirect and accommodate growth in areas that are environmentally suitable and establish a locally implemented strategy to preserve and protect sensitive waters and habitat are in the public interest.

This amendment has been reviewed in accordance with Executive Order 109 (2000) and N.J.A.C. 7:15-5.18. Water supply for the Project Freedom project as well as the remainder of the project on Block 42 Lots 1 & 2.02 has been addressed as described previously. Adequate water supply is available to supply the needs of this proposed development. Threatened and endangered species habitat has been identified on the Reed Farm (Block 41 Lot 2.01). These areas shall not be disturbed by construction and operation of the proposed STP. The US Fish and Wildlife service has reviewed the proposed STP development on this parcel and has concurred that the habitat will not be adversely affected. Riparian corridors will likewise not be adversely impacted by the proposed STP development. The Division of Land Use Management has reviewed the proposed development of the proposed development on Block 42 Lots 1 & 2.02 and has issued several Land Use permits to facilitate its completion. Review conducted under those permit actions assured compliance with requirements for stormwater management and non-point source pollution control.

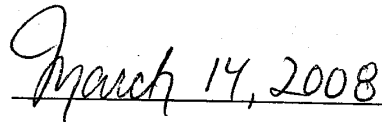
As a condition for this amendment, an administrative consent agreement (ACA) between the Department and the Township of Mansfield has been required. The ACA specifies that, within six (6) months of the date of execution, the Township of Mansfield agrees to submit to the Department a complete Wastewater Management Plan (WMP) in accordance with the proposed amended WQMP rules, including all analyses required for all of the Township of Mansfield. Nonpoint source pollutant loading will be addressed in all of the Township of Mansfield through the adoption of municipal a stormwater ordinance prior to adoption of the WMP.

This amendment proposal was noticed in the New Jersey Register on February 4, 2008 at 40 N.J.R. 812(b) 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.

A handwritten signature in cursive script, reading "Lawrence J. Baier", written over a horizontal line.

Lawrence J. Baier, Director
Division of Watershed Management
Department of Environmental Protection

A handwritten date in cursive script, reading "March 14, 2008", written over a horizontal line.

Date