

DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WATERSHED MANAGEMENT

ADOPTED AMENDMENT TO THE UPPER RARITAN WATER QUALITY
MANAGEMENT PLAN

Public Notice:

Take notice that on **DEC - 5 2007**, 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 Upper Raritan Water Quality Management Plan was adopted by the Department of Environmental Protection (Department). This amendment modifies the Somerset County/Upper Raritan Watershed Wastewater Management Plan to expand the Environmental Disposal Company (EDC) sewer service area to include the Virgin Spa at Natirar, LLC, a proposed spa and resort to be located on proposed Block 28, Lot 24.02, (also known as the "Lease Area") within Peapack-Gladstone Borough, Somerset County. The proposed lease area is to consist of 89.3 acres of an approximately 333-acre property on existing Block, 28, Lots 23.03, 23.04 and 24 in the Borough of Peapack-Gladstone. The 333-acre property was once part of a larger 496-acre property formally known as Natirar Estates, which also included parcels in Bedminster Township and the Borough of Far Hills. The Somerset County Improvement Agency (SCIA) purchased Natirar Estates in 2003.

As part of a reuse development plan for the Natirar Estates, the Virgin Spa at Natirar, LLC entered into a private/public partnership to lease from Somerset County 89.3 acres of the 333-acre Peapack-Gladstone Borough portion of Natirar Estates. The 333-acre Peapack-Gladstone Borough property is bounded to the

north by Highland Avenue, to the west by Peapack Road and to the east and south by the North Branch of the Raritan River. The Lease Area is roughly located in the northeast corner of the 333-acre property and is bordered by Highland Avenue to the north. The proposed Virgin Spa at Natirar is to consist of a 67 room main hotel converted from the existing Manor House. The main hotel would include two restaurants with bar seating and lounges. In addition, a number of the existing estate buildings will be renovated and used for other amenities including a spa and fitness center, function center, bowling alley, lawn sports center, a screening room, recording studio, outdoor swimming pool, sunset lounge, organic farm and greenhouse, and three guest cottages. The projected wastewater flow from the proposed commercial renovation and new development, calculated in accordance with N.J.A.C. 7:14A-23.3, is 41,000 gallons per day (gpd). No expansion to the EDC Sewage Treatment Plant (STP) is proposed to accommodate the flow from the proposed development. As part of this amendment, only approximately 23 acres of the 89.3-acre lease area is to be included in the expanded EDC sewer service area. Approximately 244 acres of the remaining property is deed restricted for Open Space/Conservation Recreation use only.

This amendment has been reviewed in accordance with N.J.A.C. 7:15-5.18 and Executive Order 109 (2000) (EO-109). The Riparian Corridor Analysis determined no riparian corridors are to be impacted by the project proposal. The Hydro-modification Analysis demonstrated that the proposed project has been designed to meet the current Stormwater Management Rules. The Endangered and Threatened Species Habitat Analysis indicated no critical habitat for State or Federal endangered or threatened species were to be impacted by the proposed development.

As a result of this amendment, the Department requested an Environmental Constraints/Buildout Analysis be conducted. This analysis was required in order to demonstrate that Peapack-Gladstone has adequate capacity within their current contract allocation from the EDC Treatment Plant for an expansion of the service area to accommodate the proposed project. This analysis established that Peapack-Gladstone has adequate capacity for an expansion of the service area without usurping capacity from the existing approved sewer service area.

As a condition for this amendment, an administrative consent agreement (ACA) between the Department and the Somerset County Board of Chosen Freeholders has been required. The ACA specifies that, within eighteen (18) months of the date the proposed new WQMP rules were published in the New Jersey Register, May 21, 2007 (39 N.J.R. 1870-1953), but not to exceed nine (9) months from the effective date of the amended WQMP Rules, the Somerset County Board of Chosen Freeholders agrees to submit to the Department a complete Wastewater Management Plan in accordance with the proposed amended WQMP rules, including all analyses required for all of Somerset County.

This amendment proposal was noticed in the N.J.R. on February 5, 2007 at 39 N.J.R. 563(a). Comments containing recommendations for change were received from the Highlands Council and are summarized below with the Department's response.

Comment: The Highlands Council (Council) recommends that the extent of the sewer service area approved by the Department in a Wastewater Management Plan amendment be limited to the minimum area necessary to accommodate the

proposed wastewater generating uses of the site. In addition, the Council recommends the County prepare a Wildlife Habitat Management and Conservation Plan and a Forest Restoration Plan in order to protect natural resources and enhance water quality through restoration of the riparian corridor bordering the North Branch of the Raritan River located on the portion of the County Park property outside the lease area which is deed restricted for Open Space/Conservation Recreation use.

Response: As recommended by the Council, the Department has reduced the expanded EDC sewer service area to the Virgin Spa at Natirar from the entire 89-acre lease area to an approximately 23-acre area footprint of the wastewater generating structures. Furthermore, to address the Council concerns, Somerset County produced a River Corridor Protection Plan for that portion of the North Branch of the Raritan River within the County Park property. Somerset County Park Commission, Engineering and Facilities Division in conjunction with the Department of Planning and Land Acquisition developed a river corridor protection and restoration plan for three critical areas adjoining the North Branch of the Raritan River. This ongoing mitigation and public education plan with the goal of enhancing the targeted areas to their natural floodplain and wetland conditions includes re-vegetation with non-invasive, native herbaceous and woody plants were appropriate, low mowing or no-mowing maintenance scheduling and educational signage and public outreach, is to be implemented by the County Park Commission staff.

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:

antidegradation; effluent limitations; water quality analysis; stormwater management; 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.

Barbara Hust

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

12/05/07

Date