

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DIVISION OF WATERSHED MANAGEMENT

ADOPTED AMENDMENT TO THE NORTHEAST AND UPPER RARITAN  
WATER QUALITY MANAGEMENT PLANS

Public Notice

Take notice that on **AUG 22 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 Northeast and Upper Raritan Water Quality Management Plans was adopted by the Department of Environmental Protection (Department). This amendment, submitted on behalf of the Warren Township Sewerage Authority (WTSA), adopts a new comprehensive update to the WTSA Wastewater Management Plan (WMP) and modifies the Somerset County/Upper Raritan Watershed WMP. Pursuant to N.J.A.C. 7:15-5.8, the WTSA has wastewater management planning responsibility only for that portion of Warren Township wholly within the Northeast Water Quality Management Planning Area. The WTSA maintains and operates three existing NJPDES permitted wastewater treatment facilities within the Township that provide sewer service to the portion of the Township within the Northeast WQM planning area. The three sewage treatment plants (STP's) are identified as; Stage I/II (NJPDES #NJ0022489), which discharges to the Passaic River, and Stage IV (NJPDES #NJ0022497) and Stage V (NJPDES #NJ0050369) that discharge to the Dead River. Sewer service to the portion of Warren Township located within the Upper Raritan drainage basin is provided by the Somerset Raritan Valley Sewerage Authority (SRVSA) and is addressed in the Somerset County/ Upper Raritan Watershed WMP.

The WTSA WMP incorporates an environmental constraints/build-out (build-out) analysis to identify existing and future projected flow for each of the three permitted treatment plants to ensure there will be sufficient capacity to accommodate future need. The existing wastewater flow received at each STP was calculated utilizing the annual average of the monthly average flows reported to the Department in million gallons per day (MGD) from 2004 through 2006. The 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 parcels of vacant land, underdeveloped residential and commercial property and any existing parcels currently on individual subsurface sewage disposal systems that are not currently provided sanitary sewer service. The environmentally constrained areas considered for exclusion in projecting wastewater flow from the sewer service areas included wetlands, steep slopes, preserved open space and documented flood prone areas or protected riparian corridor areas where development would be prohibited. The existing wastewater flow and calculated projected wastewater flow were combined to determine the total future build-out flow for each STP.

The Stage I/II STP, which serves the northeast section of the WTSA service area, has a current permitted flow of 0.47 MGD. A portion of the previously approved sewer service area of the Stage I/II STP has been transferred to the Berkeley Heights Water Pollution Control Plant (BHWPCP) (NJPDES #NJ0027961,) a surface water discharge facility with a permitted flow of 3.1 MGD. This transfer avoids the potential need to expand the Warren Stage I/II STP if this area were to remain within the Stage I/II STP sewer service area. The area transferred to the sewer service area of the BHWPCP includes 131 designated lots within the previous Stage I/II STP sewer service area, located along the municipal border with the Township of Berkeley Heights. The area includes vacant parcels with

approved and/or proposed residential development, a proposed day camp, existing single-family dwellings currently on septic systems, and several other vacant parcels. A build out analysis for the area transferred determined a projected flow of 0.0523 MGD. The build-out analysis conducted for the Stage I/II STP service area after transfer of the 131-lot area projected a future flow of 0.47 MGD. As reported for the period between July 1, 2004 and June 30, 2007, the annual average of the monthly average flow discharged by the BHWPCP was 1.6 MGD. Therefore, there is current capacity at the BHWPCP STP, which has a permitted flow of 3.1 MGD, to accommodate the projected increase in flow of 0.0523 MGD from the service area transfer.

The Stage IV STP has a current permitted flow of 0.80 MGD and serves the central portion of the WTSA service area. The build-out analysis conducted for the Stage IV STP sewer service area concluded that the future projected flow would be 0.66 MGD.

Sewer service to the northwest section of the WTSA service area is provided by the Stage V STP, which has a current permitted flow of 0.38 MGD. The build-out analysis showed a future projected flow of 0.24 MGD to this facility.

As a result of more accurate parcel mapping and available digital technology, this WMP update re-delineates the WTSA sewer service area to correctly identify the service areas actually currently served by each of the three STPs, the expanded sewer service area of the BHWPCP to serve the 131 lots within Warren Township, and accurately delineate the service area and planning area boundary with the SRVSA.

**This amendment** has been reviewed in accordance with Executive Order 109(2000) (EO-109) and N.J.A.C. 7:15-5.18. In order to satisfy the Riparian Corridor Analysis, the Township of Warren adopted Ordinance No. 06-28 entitled "Riparian Buffer Conservation Zone" to ensure the protection of the riparian corridors along all perennial and intermittent streams. The adopted ordinance provides that, except where disturbance is demonstrated to be necessary, there must be no loss of value within the designated riparian corridor conservation zone. If an alternatives analysis is performed that demonstrates that disturbance is necessary, the ordinance requires measures to mitigate remaining negative impacts. The ordinance applies to an area 300 feet from top of bank (or centerline of a first order stream where no bank is apparent) for waters designated as Category One, 150 feet for waters designated FW 1 and FW 2-Trout Production and 75 feet for all other FW classifications.

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, the Township of Warren adopted Stormwater Management Ordinance No. 05-23. As required, this ordinance indicates 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 project must supplement with structural best management practices (BMPs) as necessary.

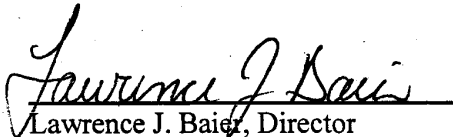
The Endangered and Threaten Species Habitat Analysis was performed utilizing the Department's Division of Fish and Wildlife, Endangered and Non-Game Species Program "Landscape Project". The Landscape Project identifies areas of critical habitat that support or potentially support Federal and State endangered or

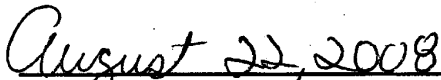
threaten species and other species of concern. Endangered and Threatened Species habitats reviewed under this analysis are Rank 5 (Federal endangered and/or threatened species), Rank 4 (State endangered species), or Rank 3 (State threatened species). This analysis determined that a portion of the sewer service area was designated as endangered and/or threatened species habitat Ranked 3 and 4. Therefore, the Township of Warren adopted Ordinance 07-03 to address potential development within these areas. This ordinance requires that a Threatened and Endangered Species Habitat Analysis be conducted to provide documentation indicating if Federal or State listed endangered or threaten species habitat is present on the site of any new construction within the delineated sewer service area. All applicants of development projects within the sewer service area must screen for the existence or nonexistence of endangered or threatened species habitat on the project site by utilizing the NJDEP "Landscape Project". If the development falls within a Landscape Project Area Rank 3, 4, or 5, measures to avoid any negative impacts to confirmed critical habitat areas identified shall be the primary goal of the project design and are to be taken into consideration first. The submission of a Conservation Plan is required for all unavoidable impacts to critical habitat areas that have been identified. The Conservation Plan shall provide measures to permanently protect those critical habitat areas from future impacts from development. Measures shall include protection of identified areas with a conservation/deed restriction. As a result of the adoption of this ordinance, the Township has satisfied the Endangered or Threatened Species Habitat Analysis.

The Water Use Analysis indicated that no new or expanded source of potable water, well allocation or water diversion is required as a result of this amendment.

This amendment proposal was noticed in the New Jersey Register on April 7, 2008 at 40 N.J.R. 1931(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.

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

  
Date