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## PUBLIC NOTICE

### ENVIRONMENTAL PROTECTION

### WATER RESOURCE MANAGEMENT

### DIVISION OF WATER MONITORING AND STANDARDS

#### **Adopted Amendment to the Upper Raritan Water Quality Management Plan**

##### **Public Notice**

**Take notice** that on **March 16, 2020**, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11-1 et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15, the New Jersey Department of Environmental Protection (Department) adopted an amendment (Program Interest No. 435434, Activity No. AMD190004) to the Upper Raritan Water Quality Management (WQM) Plan and Hunterdon County Wastewater Management Plan (WMP). This amendment expands the Raritan Township Municipal Utilities Authority (RTMUA) sewer service area (SSA) by 9.4 acres to serve an existing single-family home located on Block 41, Lot 34, Raritan Township, Hunterdon County. The project, identified as "**Ubel Residence**", will generate a projected wastewater flow of 300 gallons per day (gpd) to be received by the RTMUA Sewage Treatment Plant (NJPDES No. NJ0022047) based on flow calculated in accordance with N.J.A.C. 7:14A-23.3. Preliminary notice of this amendment was published in the New Jersey Register on December 16, 2019, at 51 N.J.R. 1862(a). One comment was received during the comment period. A summary of the public comment and Department response is provided later in this notice. This notice represents the Department's determination that the amendment is compliant with the applicable regulatory criteria at N.J.A.C. 7:15, as described below.

In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to modifications of the eligible SSA needed to address a specific project or activity. N.J.A.C. 7:15-3.5(j)2 requires that site

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specific amendments proposing to add 100 or more acres or generating 20,000 gpd or more of wastewater flow must update the wastewater treatment capacity analysis prepared in accordance with N.J.A.C. 7:15-4.5(b) to include the proposed project or activity. The project involves less than 100 acres and will generate less than 20,000 gpd of wastewater; therefore, update of the wastewater treatment capacity analysis was not required.

In accordance with N.J.A.C. 7:15-3.5(g)6, the Department instructed the applicant to request written statements of consent from Raritan Township, RTMUA, and Hunterdon County. Raritan Township issued a letter on September 26, 2019, consenting to the proposed amendment. The RTMUA passed a resolution on January 16, 2020, consenting to the amendment. The Hunterdon County Board of Chosen Freeholders issued a letter dated February 18, 2020, stating that they do not object to the amendment.

Pursuant to N.J.A.C. 7:15-4.4(d), the following are not eligible for delineation as SSAs, except as otherwise provided at N.J.A.C. 7:15-4.4(i) through (l): environmentally sensitive areas (ESAs) identified under N.J.A.C. 7:15-4.4(e) as endangered or threatened wildlife species habitat, Natural Heritage Priority Sites, riparian zones of Category One (C1) waters and their tributaries, or wetlands; coastal planning areas identified under N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions under N.J.A.C. 7:15-4.4(g). The Department conducted an evaluation of the project site using a GIS shapefile provided by the applicant compared to the Department's GIS data layers available at <http://www.nj.gov/dep/gis/listall.html> and/or other information as noted below, to determine the presence of any such areas in accordance with N.J.A.C. 7:15-4.4(e) through (g) and made the following findings:

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- The Department determined that the expanded SSA does not contain areas mapped Habitat for Endangered, Threatened or Other Priority Wildlife based on the “Landscape Project Data” Version 3.3 GIS data layers in accordance with N.J.A.C. 7:15-4.4(e)1.
- The Department determined that the expanded SSA does not contain any areas mapped as Natural Heritage Priority Sites based on the “Natural Heritage Priority Sites” GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)2.
- The Department determined that the expanded SSA does not contain any C1 waters or 300-foot riparian zones along any C1 waters or upstream tributaries within the same HUC-14 watershed of any C1 waters based on the “Surface Water Quality Standards” GIS data layer in accordance with and N.J.A.C. 7:13-4.1(c)1 and N.J.A.C. 7:15-4.4(e)3.
- The Department determined that the expanded SSA does not contain any wetlands based on the “Wetlands 2012” GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)4.
- The Department determined that the expanded SSA does not contain any areas mapped as Fringe Planning Areas, Rural Planning Areas, or Environmentally Sensitive Planning Areas within the Coastal Area Facility Review Act (CAFRA) zone based on the “CAFRA (polygon)” GIS layer and the “State Plan Data” GIS layer, in accordance with 7:15-4.4(f).
- The Department determined that there are no 201 Facilities Plan grant conditions applicable to the project site based on the USEPA list of New Jersey Counties with ESA Grant Conditions at <https://www.epa.gov/npdes-permits/environmentally-sensitive-area-esa-grant-condition-waiver-program-region-2> in accordance with N.J.A.C. 7:15-4.4(g).

Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department considered the land uses allowed in zoning ordinances and future land uses shown in municipal or county master plans and determined that

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the expanded SSA is consistent with land uses allowed by local zoning and the county and local master plans.

The Department accepted comments on the proposed amendment through January 15, 2020. The following is the only comment received, submitted by Jean Publiee and the Department's response follows.

COMMENT: The commenter believes that the project does not require the entire 9 acres be added to the SSA to serve the project.

RESPONSE: The adopted amendment will allow for the connection of a single-family residential dwelling currently served by an individual septic system. An existing sewer line runs adjacent to the property and the township indicated that it would not be inconsistent with the master plan or zoning to allow connection of the existing single-family residence on the parcel. As this parcel does not include any ESAs or other restraints that would make the property ineligible for sewer service, as requested, the entire property is being added to the SSA.

Sewer service is not guaranteed by adoption of this amendment since it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the SSA resulting from adoption of this amendment does not eliminate the need to obtain all necessary permits, approvals, or certifications required by any federal, state, county, or municipal review agency with jurisdiction over this project/activity.

3/16/2020

SIGNED

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Date

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Bruce S. Friedman, Director

Division of Water Monitoring and Standards