RESOLUTION 2008-38
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
PROPOSED WATER QUALITY MANAGEMENT PLAN AMENDMENT FOR
HAMPTONS AT POHATCONG, POHATCONG TOWNSHIP

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a
public body corporate and politic with corporate succession known as the Highlands Water
Protection and Planning Council (Highlands Council);

WHEREAS, the New Jersey Department of Environmental Protection (NJDEP) had adopted rules
at N.J.A.C. 7:38-1.1 et seq. (Highlands Rules) governing the NJDEP’s review of projects in the
Highlands Region; and

WHEREAS, the Highlands Rules, at N.J.A.C. 7:38-1.1, specifies that upon adoption of the
Regional Master Plan, NJDEP shall not approve a Water Quality Management Plan (WQMP)
amendment for a project proposed in the Planning Area or Preservation Area of the Highlands
Region without first obtaining a consistency determination from the Highlands Council; and

WHEREAS, the Highlands Rules, at N.J.A.C. 7:38-1.1, were adopted in accordance with the
Highlands Act as well as the Water Quality Management Act which specifically requires a continuing
planning process to coordinate and integrate water quality management plans with related Federal,
State, regional and local comprehensive land use, functional and other relevant planning activities;
and

WHEREAS, a proposal has been submitted that consists of a proposed amendment to the Upper
Delaware WQMP submitted on behalf of EAI Investments, LLC, for an expansion of the
Phillipsburg STP sewer service area to include the proposed Hamptons at Pohatcong development
(Block 93, Lots 4 and 5) in Pohatcong Township, Warren County; and

WHEREAS, consistent with NJDEP’s Highlands Rules at N.J.A.C. 7:38-1.1, and the procedures
adopted by the Highlands Council pursuant to Resolution 2007-18 for review of WQMP
amendments for a proposed project, Highlands Council staff conducted a consistency determination
for the Proposed Amendment based upon the standards and policies set forth in the adopted
Regional Master Plan (RMP); and

WHEREAS, the Highlands Council duly considered the Proposed Amendment, the Highlands
Council staff consistency determination, which was posted on the Highlands Council website, and
all public comments;

NOW, THEREFORE, BE IT RESOLVED by the Highlands Council that the Executive
Director is hereby authorized to provide the consistency determination to NJDEP on behalf of the
Highlands Council.

CERTIFICATION
I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its meeting
held on the 18th day of September, 2008.

John Weingart, Chairman
## RESOLUTION 2008-38

### Vote on the Approval of this Resolution

<table>
<thead>
<tr>
<th>Councilmember</th>
<th>Motion</th>
<th>Second</th>
<th>Yes</th>
<th>No</th>
<th>Abstain</th>
<th>Absent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alstede</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Calabrese</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>Carluccio</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cogger</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dillingham</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kovach</td>
<td></td>
<td>✓</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Letts</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pasquarelli</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peterson</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schrier</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vetrano</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Way</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Whitenack</td>
<td>✓</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Weingart</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>