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PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATERSHED AND LAND MANAGEMENT

DIVISION OF WATERSHED PROTECTION AND RESTORATION

Adopted Amendment to the Upper Raritan Water Quality Management Plan

Take notice that on November 20, 2024, 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 to the Upper Raritan Water Quality Management (WQM) Plan. The amendment, (Program Interest No. 435434, Activity No. AMD190009) amends the Hunterdon County Wastewater Management Plan (WMP) by adding a complete municipal chapter for Lebanon Borough (“municipal chapter WMP”) and supersedes the Lebanon Borough portion of the Readington-Lebanon Sewerage Authority (RLSA) WMP.

Preliminary notice was published in the New Jersey Register on September 3, 2024, at 56 N.J.R. 1818(a). No comments were received during the comment period. This notice represents the Department’s determination that the amendment is compliant with the regulatory criteria at N.J.A.C. 7:15 as described below.

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 Lebanon Borough, the Lebanon Borough Sewerage Authority, the Readington-Lebanon Sewerage Authority (RLSA), the Hunterdon County Board of County Commissioners, and the Highlands Council. Lebanon Borough adopted Resolution #124-2024 on October 16, 2024, consenting to the proposed amendment. The Hunterdon County Board of County Commissioners adopted Resolution 2024-864 on September 17, 2024, consenting to the proposed amendment. In lieu of passing

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a resolution, the Highlands Council issued a Statement of Consent confirming the amendment is consistent with the Highlands Regional Master Plans (RMP) in an email dated August 15, 2024. The Readington Lebanon Sewerage Authority adopted Resolution 24-26 on September 25, 2024, consenting to the proposed amendment. The Lebanon Borough Sewerage Authority did not respond to the request for consent.

Pursuant to N.J.A.C. 7:15-4.1(b) and 4.2(e), individual components of a WMP may be adopted independently of other components or chapters provided that the minimum scale of these components is an entire municipality. The rest of the County will be addressed through subsequent amendments for a complete county-wide WMP, municipal chapters, and/or WMP components submitted in accordance with N.J.A.C. 7:15-3.5 and 4. Pursuant to N.J.A.C. 7:15-4.3, the WMP contains all the required components for a complete municipal WMP chapter.

Lebanon Borough is located in the Highlands region and is solely in the planning area as designated by the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20. The Borough's Petition for RMP Conformance was approved by the Highlands Council on November 19, 2010, and the Borough adopted Ordinance No. 2011-07, formalizing its petition on August 17, 2011. Conformance with the RMP allows for sewer service area (SSA) delineation, municipal build-out, and nitrate dilution analysis to be performed according to the procedures set forth pursuant to the RMP, in accordance with N.J.A.C. 7:15-4.4(c) and 4.5(c).

The municipal chapter WMP includes changes to the RLSA (NJPDES No. NJ0098922) SSA. Pursuant to N.J.A.C. 7:15-4.4(c)2, areas eligible for sewer service in the planning area of Highlands conforming municipalities are areas established within the RMP as Existing Community Zone, Lake Community Sub-Zone, or designated as a Highlands redevelopment area or Highlands center. As such, 181 acres have been removed from the SSA, primarily lands located outside of the designated Highlands center and the

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environmentally sensitive areas in the southeastern portion of the Borough. RLSA is subject to a Federal 201 Facilities Plan grant condition as part of the grant agreements executed between RLSA and the U.S. Environmental Protection Agency (USEPA) pursuant to Project Numbers C-34-509-01 and C-34-535-01, prohibiting any sewer connection from a parcel containing wetlands or within the 100-year floodplain unless a mapping revision or grant waiver is obtained from the USEPA. The Department conducted an evaluation of the SSA using a GIS shapefile provided by the County to determine whether areas proposed for sewer service are all eligible. The Department has determined that the SSA complies with N.J.A.C. 7:15-4.4(c).

In accordance with N.J.A.C. 7:15-4.5, wastewater capacity analyses were conducted to determine the existing and future wastewater management needs of the SSA through a wastewater treatment capacity analysis and through a nitrate dilution capacity analysis for the non-SSA. A build-out analysis was performed to project future wastewater flow for the population increase over a 20-year period in accordance with N.J.A.C. 7:15-4.5(b)1ii(1) as Lebanon Borough meets the definition of an urbanized municipality pursuant to N.J.A.C. 7:15-1.5. The projected future wastewater flow within Lebanon Borough's existing and future SSA was used in conjunction with the existing wastewater flow, as described below, to assess whether sufficient capacity exists to accommodate the future wastewater treatment need for the entire SSA.

Pursuant to N.J.A.C. 7:15-4.5(b)1, an analysis was performed to assess the existing and future wastewater treatment needs for the SSA in Lebanon Borough. The RLSA Sewage Treatment Plant (STP) serves portions of two other municipalities in addition to Lebanon Borough, portions of Readington Township and Clinton Township. The existing Lebanon Borough wastewater flow was calculated based on the highest 12-month period over the last five years prior to submittal, of the metered flow from the Borough to RLSA. The existing flow from Lebanon Borough was 0.237 million gallons per day (mgd). The

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build-out analysis for the Borough resulted in a future additional flow of 0.009 mgd. The existing Borough flow and the projected future wastewater flow were combined to determine the total projected wastewater flow of 0.246 mgd from the Borough. Total existing flow to RLSA at the time was 0.822 mgd according to Discharge Monitoring Reports submitted to the Department. The result of the wastewater treatment capacity analysis identified no potential capacity deficiency at the RLSA STP, which has a permitted flow of 1.2 mgd, at this time; however projected future flows from the other two municipalities served by RLSA are not yet accounted for in the analysis. Once the flows from those municipalities are accounted for, they will be included to complete the analysis. The analysis did determine that the wastewater flow allotted to the Borough from RLSA, 0.241 mgd, is not adequate to accommodate the full build-out of the Borough and the WMP discusses strategies to address the potential capacity deficit. The Department has determined that the wastewater treatment capacity analysis complies with N.J.A.C. 7:15-4.5.

Pursuant to N.J.A.C. 7:15-4.5(c), the nitrate dilution analysis identifies the total septic yield in equivalent dwelling units, as allowed pursuant to the Highlands Act rules and based on RMP septic density requirements, and whether a potential deficit in nitrate dilution capacity exists. For the planning area, septic densities are determined on a municipal basis by Land Use Capability Zone. In Lebanon Borough, the Existing Community Zone allows for a maximum septic density of nine acres per dwelling unit, the Conservation Zone allows for a maximum septic density of 10 acres per dwelling unit, and the Protection Zone allows for a maximum septic density of 26 acres per dwelling unit. Any parcels eligible for exemption from the Highlands Act that could be served by an Individual Subsurface Sewage Disposal System pose a potential deficit in the nitrate dilution capacity. The analysis identifies the potential for one additional equivalent dwelling unit allowed in the planning area. In addition, there are three equivalent dwelling units identified that could be built on underdeveloped parcels in the planning area, constituting a minimal

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potential nitrate dilution capacity deficiency. The proposed strategy for addressing the deficiency identified by the nitrate dilution analysis includes an analysis of buildability of identified exempt parcels as the septic build-out for the undeveloped parcels did not account for environmental constraints that may affect the buildability of the parcel. The Department has determined that the nitrate dilution capacity analysis and the proposed strategies to mitigate the potential septic capacity deficiencies comply with N.J.A.C. 7:15-4.5(c).

The septic maintenance program includes an inventory of all known septic systems in Lebanon Borough, current septic maintenance practices that promote care and maintenance of septic systems, proposed improvements to the current septic maintenance practices, and refinement of the septic inventory. The Department has determined that the septic maintenance program complies with N.J.A.C. 7:15-4.5(c)1vi.

The municipal chapter WMP includes all required maps in accordance with N.J.A.C. 7:15-4.3(c). These include a WMP Area Map (Map 1), Selected Environmentally Sensitive Features Map (Map 2), Land Use Capability Map (Map 3a), Wastewater Service Area Map (Map 3b), and Zoning Map (Map 4). The Department has determined that the mapping complies with N.J.A.C. 7:15-4.3(c).

Sewer service is not guaranteed by the 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 as a result of the approval 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.

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11/20/2024

Date

SIGNED

Gabriel Mahon, Bureau Chief
Bureau of NJPDES Stormwater Permitting and Water Quality Management
Division of Watershed Protection and Restoration
NJ Department of Environmental Protection