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PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATERSHED AND LAND MANAGEMENT

OFFICE OF POLICY AND TECHNICAL DEVELOPMENT

Adopted Amendment to the Upper Raritan Water Quality Management Plan

Take notice that on June 9, 2025, 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, identified as the Chester Borough Wastewater Management Plan Chapter (Program Interest No. 435434, Activity No. AMD240005), amends the Morris County Wastewater Management Plan (WMP) by adding a complete municipal chapter for Chester Borough (municipal chapter WMP) and supersedes the prior Chester Borough WMP adopted in 1985.

Preliminary notice was published in the New Jersey Register on May 5, 2025, at 57 N.J.R. 948(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 Chester Borough, the Morris County Board of County Commissioners, and the New Jersey Highlands Council. Chester Borough adopted Resolution #R2025-75 on May 6, 2025, consenting to the proposed amendment. The Morris County Board of County Commissioners adopted Resolution 2025-415 on May 14, 2025, consenting to the proposed amendment. In lieu of passing a

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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 May 2, 2025.

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 includes all the required components for a complete municipal WMP chapter.

Chester 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. 13:20-1 et seq. The Borough's Petition for RMP Conformance was approved by the Highlands Council on July 21, 2016. In furtherance of Conformance, the Borough adopted Ordinance No. 2016-6, formalized on September 20, 2016. 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 proposes changes to the currently approved SSA. Areas eligible for sewer service in the Highlands region are defined at N.J.A.C. 7:15-4.4(c). 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. Chester Borough was designated as a Highlands Center on January 16, 2020. A new Chester Borough Wastewater Treatment Facility (WTF) that would discharge to the surface water of Oakdale Creek, a Category One tributary to the Lamington River, is proposed to serve the wastewater needs of the Borough. All New Jersey Pollutant Discharge Elimination System (NJPDES) permitted WTFs currently operating in the Borough will ultimately be decommissioned and their wastewater will be treated by the new Chester Borough WTF. Existing SSAs in Chester Borough

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will be transferred to the new facility's SSA, with the exception of the Dickerson/Bragg Elementary School.

The SSA for the new facility will include the SSAs of all current NJPDES permitted facilities in the Borough and an additional 393 acres that were previously identified as non-SSA/septic areas. The Department conducted an evaluation of the SSA 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. In accordance with N.J.A.C. 7:15-4.5(b)1, the existing and projected future flows of all facilities were identified. As all of the existing facilities are proposed to be decommissioned and the wastewater flows conveyed to the proposed new Chester Borough WTF, which is being designed to accommodate these projected flows, no potential capacity deficiencies exist. The total projected wastewater flow expected to be conveyed to the proposed new Chester Borough WTF is 351,652 gallons per day (gpd). 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 Chester Borough, the Existing Community Zone allows for a septic density of at least eight acres per dwelling unit, the Conservation Zone allows for a septic density of at least nine acres per dwelling unit, and the Protection Zone allows for a septic density of at least 23 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 zero additional equivalent dwelling units allowed in the planning area based on Highlands RMP septic density standards.

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Underdeveloped parcels are not evaluated against the septic standards set by the RMP if potential development of the parcels based on zoning would result in fewer than three residential units. There are 11 equivalent dwelling units identified that could be built on underdeveloped parcels in the planning area, constituting a potential nitrate dilution capacity deficiency. These underdeveloped parcels do not meet the Highlands standards identified in the RMP Land Use Capability Zones as the development of these additional units identified would exceed the nitrate dilution capacity. However, the proposed plan includes connecting 405 existing septic systems to the new Chester Borough WTF. The septic build-out for the underdeveloped parcels is based on some assumptions and does not take into account environmental constraints that may affect the buildability of a parcel. The reduction in the nitrate load to the groundwater resulting from the connection of these existing septic systems to the new Chester Borough WTF will outweigh the impact of the potential 11 equivalent dwelling units should they ever be built. The Department has determined that the nitrate dilution capacity analysis and the proposed plan comply with N.J.A.C. 7:15-4.5(c).

The septic maintenance program includes an inventory of all known septic systems in Chester 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), Zoning and NH Highlands Center Map (Map 3a1), Wastewater Service Area Map (Map 3b), and Composite 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

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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.

6/9/2025

Date

SIGNED

Jason Kane, Assistant Director
Watershed & Land Management
Office of Policy and Technical Development
NJ Department of Environmental Protection