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PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATER RESOURCE MANAGEMENT

DIVISION OF WATER MONITORING AND STANDARDS

Adopted Amendment to the Cape May County Water Quality Management Plan

Take notice that on November 9, 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 to the Cape May County Water Quality Management (WQM) Plan. This amendment, identified as Harriet Lane Residential Dwellings (Program Interest No. 435464, Activity No. AMD190003), redesignates a 6.15-acre discharge to ground water (DGW) sewer service area (SSA) on Block 567, Lot 24, Upper Township, Cape May County. Currently, this parcel is regulated under a New Jersey Pollutant Discharge Elimination System (NJPDES) General T1 permit (No. NJG0088561) and the DGW SSA is identified as the U.S. Coast Guard Housing Facility. There are nine existing two-bedroom affordable housing rental units served by an onsite septic system. An additional 11 residential units, to consist of three triplexes and one duplex are proposed, resulting in a total of 20 affordable housing units onsite. The new units are proposed to be connected to a separate onsite sewage disposal system. The total projected wastewater flow, to be treated by the two separate systems, is 7,000 gallons per day (gpd), calculated in accordance with N.J.A.C. 7:9A. The current T1 permit will be revoked and

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Preliminary notice of this amendment was published in the New Jersey Register on July 20, 2020, at 52 N.J.R. 1442(a). No comments were received during the comment period. 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 alterations 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 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 proposed project involves less than 100 acres and will generate less than 20,000 gpd of wastewater flow; therefore, update of the wastewater treatment capacity analysis was not required.

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), (j), (k), and (l): environmentally sensitive areas (ESAs) identified pursuant to N.J.A.C. 7:15-4.4(e), as any contiguous area of 25 acres or larger consisting of any of the following, alone, or in combination: 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 pursuant to N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions pursuant to N.J.A.C. 7:15-

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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), (f), and (g) and made the following findings:

- The Department determined that the SSA does not contain any areas mapped as Endangered or Threatened wildlife species habitat Rank 3, 4, or 5 on the Department's Landscape Maps of 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 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 SSA does not contain any C1 waters or 300-foot riparian zones along any C1 waters or their upstream tributaries within the same HUC 14 watershed based on the "Surface Water Quality Standards" GIS data layer in accordance with N.J.A.C. 7:13-4.1(c)1 and 7:15-4.4(e)3.
- The Department determined that there are no wetlands located on the proposed project site 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 SSA does not contain any areas mapped as Coastal Fringe Planning Areas, Coastal Rural Planning Areas, or Coastal Environmentally Sensitive Planning Areas within the Coastal Area Facility Review Act (CAFRA) zone based on the

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7:15-4.4(f).

- The Department determined that there are no 201 Facilities Plan grant conditions applicable to the proposed project site based on the U.S. Environmental Protection Agency 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 the amendment is consistent with land uses allowed by local zoning and the county and local master plans as the parcel is zoned by the Upper Township as Central Residential.

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 the New Jersey Pinelands Commission, Upper Township, and Cape May County Board of Chosen Freeholders. On July 24, 2020, the New Jersey Pinelands Commission provided that the proposed WQMP amendment is appropriate to the Regional Growth Management Area of the Pinelands National Reserve. Upper Township passed Resolution No. 219-2020 on August 10, 2020, consenting to the amendment. As a Designated Planning Agency with approved amendment procedures, approval of the Plan or amendment shall be by the County Board of Chosen Freeholders. The County Board of Chosen Freeholders shall consider the recommendation of the Planning Board, the record of the public hearing and

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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 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.

11/9/2020

Date

SIGNED

Kimberly Cenno, Bureau Chief
Bureau of Environmental Analysis, Restoration and Standards
Division of Water Monitoring and Standards