

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE SEPTEMBER 5, 2023, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE AMENDMENT, THE OFFICIAL VERSION WILL GOVERN.

## **PUBLIC NOTICE**

### **ENVIRONMENTAL PROTECTION**

### **WATERSHED AND LAND MANAGEMENT**

### **DIVISION OF WATERSHED PROTECTION AND RESTORATION**

### **Proposed Amendment to the Monmouth County Water Quality Management Plan**

**Take notice** that the New Jersey Department of Environmental Protection (Department) is seeking public comment on a proposed amendment to the Monmouth County Water Quality Management (WQM) Plan in accordance with the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15. The proposed amendment, identified as “Woodward Estates” (Program Interest No. 435462, Activity No. AMD200003), would expand the Western Monmouth Utilities Authority sewage treatment plant (WMUA STP) sewer service area (SSA) by 19.34 acres to serve a proposed residential development on Block 67, Lots 22 (portion), 25 (portion), 32 and 35.02 in Manalapan Township, Monmouth County. No development is proposed on Lot 32, and Lot 35.02 is already in the approved SSA; therefore, those lots are not the subject of this amendment. The proposed project includes 130 three-bedroom townhomes, to be located on Lot 22, and 55 age-restricted affordable apartments consisting of 11 one-bedroom, 33 two-bedroom, and 11 three-bedroom apartments, to be located on Lot 25. The sewer service area expansion would also include the

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existing Yorktowne Social Club, located on Block 67, Lot 21, which is presently served by an individual subsurface sewage disposal system (ISSDS septic system). The existing septic system will be closed and all wastewater will be conveyed to the WMUA STP. The projected wastewater flow of 49,545 gallons per day (gpd), calculated in accordance with N.J.A.C. 7:14A-23.3, is to be received by the WMUA STP (New Jersey Pollutant Discharge Elimination System (NJPDES) Permit #NJ0023728).

This notice represents the Department's determination that the proposed 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 proposed alterations to 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 shall include a proposed modification to 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 but would generate a total projected wastewater flow of 20,000 gpd or more and is thus subject to a wastewater capacity analysis modification. The purpose of the modification is to demonstrate the WMUA STP has the available capacity to service the project. In accordance with N.J.A.C. 7:15-4.5(b)1, the existing wastewater flow at the WMUA STP, calculated as the highest consecutive 12-month rolling average during the five-year period preceding the amendment application (July 2016 to June

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2021), was determined to be 8.33 million gallons per day (MGD) (March 2018 - February 2019) based on NJPDES Discharge Monitoring Reports reported in DEP Data Miner <https://njems.nj.gov/DataMiner>. The WMUA STP is currently permitted to discharge up to 8.8 MGD under NJPDES Permit No. NJ0023728. As such, the WMUA STP currently has capacity for the proposed project.

Pursuant to N.J.A.C. 7:15-4.4(d), the following are not eligible for delineation as SSA, 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 features, alone, or in combination: endangered or threatened wildlife species habitat, Natural Heritage Priority Sites, riparian zones of Category One (C1) waters and their upstream tributaries, or wetlands; coastal planning areas identified at N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions pursuant to N.J.A.C. 7:15-4.4(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 <https://gisdata-njdep.opendata.arcgis.com> 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 project site contains areas mapped as Rank 4 habitat for Bald Eagle on the Department's Landscape Maps of Habitat for Endangered, Threatened

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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. However, the proposed SSA does not contain any areas mapped as endangered or threatened wildlife species habitat Rank 3, 4 or 5. Additionally, the Rank 4 habitat area is not proposed for development nor disturbance. In accordance with the Township approval, much of the habitat area, approximately 114 acres, will be subdivided into an open space lot.

- The Department determined that the proposed 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 proposed 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 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 there are wetlands located on the project site based on the “Wetlands 2012” GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)4; however, pursuant to N.J.A.C. 7:15-4.4(j)3, the applicant provided a Freshwater Wetlands Letter of Interpretation (LOI)/Line Verification File #1326-08-0004.1 FWW170001), confirming that there are no wetlands within the proposed SSA.

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- The Department determined that the proposed 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 N.J.A.C. 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 U.S. Environmental Protection Agency (USEPA) list of New Jersey Grantees 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 adopted zoning ordinances and future land uses shown in adopted municipal or county master plans and other local land use objectives. The Manalapan Township Committee adopted Ordinance 2020-14 on July 8, 2020, establishing an Affordable Housing – Woodward Estates (AH-WE) Overlay District, pursuant to the provisions of a settlement agreement between Manalapan Township, The Fair Share Housing Center, and Woodward Estates LLC. The Manalapan Township Planning Board adopted a resolution for Application No. PPM2043 on October 27, 2022, granting Preliminary and Final Site Plan Subdivision Approval and Preliminary and Final Site Plan Approval. The proposed project is consistent with the Monmouth County Master Plan per an October 2022, report prepared by the Monmouth County Planning Board.

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This notice is to inform the public that a plan amendment has been proposed for the Monmouth County WQM Plan. All information related to this plan and the proposed amendment is located at:

Monmouth County Division of Planning

Hall of Records Annex

One East Main Street

Freehold, New Jersey 07728

AND

New Jersey Department of Environmental Protection

Division of Watershed Protection and Restoration

Bureau of NJPDES Stormwater Permitting and Water Quality Management

Water Quality Management Planning Program

PO Box 420, Mail Code 501-02A

501 East State Street

Trenton, New Jersey 08625-0420

The Department's file is available for inspection between 9:00 A.M. and 4:00 P.M., Monday through Friday, upon request. An appointment to inspect the file must be arranged by calling the Bureau of NJPDES Stormwater Permitting and Water Quality Management at (609) 633-7021.

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Interested persons may submit written comments on the proposed amendment to the Department at the address cited above or at the email: [wqmp.publiccomments@dep.nj.gov](mailto:wqmp.publiccomments@dep.nj.gov) and to the County at the following address:

Ms. Amber Mallm  
Monmouth County Division of Planning  
One East Main Street  
Freehold, New Jersey 07728

Comments should reference Program Interest No. 435462, Activity No. AMD200003 and must be submitted within 30 days of the date of this public notice.

Interested persons may request in writing that the Department hold a nonadversarial public hearing on the amendment or extend the public comment period specified in this notice. Such requests should reference Program Interest No. 435462, Activity No. AMD200003 and must demonstrate sufficient public interest for the public hearing or extension of the comment period, as defined at N.J.A.C. 7:1D-5.2(d). The request must be submitted within 30 days of the date of this notice to the Department address cited above. Should the Department decide to hold a public hearing, additional notice will be published in a future issue of the New Jersey Register and the comment period will be extended to 15 days after the public hearing. All comments submitted prior to the close of the comment period shall be considered by the County and the Department before making a final decision on the proposed amendment.

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Sewer service is not guaranteed should this amendment be adopted 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.

8/4/2023

Date



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