

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE MARCH 7, 2022, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION, THE OFFICIAL VERSION WILL GOVERN.

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATER AND LAND MANAGEMENT

DIVISION OF WATERSHED PROTECTION AND RESTORATION

Adopted Amendment to the Lower Raritan/Middlesex County Water Quality Management Plan

Public Notice

Take notice that on January 28, 2022, 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 Lower Raritan/Middlesex County Water Quality Management (WQM) Plan. The amendment, identified as “Northwood Manor at Old Bridge” (Program Interest No. 435463, Activity No. AMD200002) expands the sewer service area (SSA) of the Middlesex County Utilities Authority (MCUA) Sewage Treatment Plant (STP) by 1.64 acres to serve a proposed residential development located on Block 8005, Lot 4.11 (portion), in Old Bridge Township, Middlesex County. The proposed project consists of 24 two-bedroom townhouses, 2 one-bedroom apartments, 3 two-bedroom apartments, and 1 three-bedroom apartment. As calculated in accordance with N.J.A.C. 7:14A-23.3, the proposed amendment portion of the project will

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generate a projected wastewater flow of 6,675 gallons per day (gpd), to be received by the MCUA STP, New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0020141.

Preliminary notice was published in the New Jersey Register on May 17, 2021, at 53 N.J.R. 951(a) and a public hearing was held by Middlesex County, as the Designated Planning Agency, on July 7, 2021. No comments were received during the public 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. 7:15-3.5(g)6, the Department instructed the applicant to request written statements of consent from the MCUA, the Old Bridge Township Municipal Utilities Authority and Old Bridge Township. The MCUA adopted Resolution WW-5-21-14-R on May 25, 2021, consenting to the proposed amendment. The Old Bridge Township Municipal Utilities Authority adopted Resolution M-43-21 on July 28, 2021, consenting to the proposed amendment. Old Bridge Township adopted Resolution 22-037 on January 11, 2022, consenting to the proposed amendment. The Middlesex County Board of County Commissioners, as the Designated WQM Planning Agency, adopted Resolution 21-1127-R on September 2, 2021, approving the proposed amendment.

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

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gpd or more of wastewater flow 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 and will generate less than 20,000 gpd of wastewater flow; therefore, update of the wastewater treatment plant capacity analysis is not required.

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, 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 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 <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 expanded 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

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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 expanded 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 expanded 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 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 # 1209-04-0009.1 FWW180001 confirming that there are no wetlands within the proposed SSA.
- The Department determined that the expanded 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 based on the U.S. Environmental Protection Agency (USEPA) list of New Jersey

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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, future land uses shown in adopted municipal and county master plans, and other local land use objectives. Old Bridge Township issued an unnumbered resolution for Application No. 15-09Z on April 7, 2011, granting Preliminary and Final Major Site Plan approval. The Old Bridge Township Engineer and Director of Community Development issued a letter dated July 9, 2020, indicating that the proposed project is consistent with the land uses identified in the Township's land use ordinance and master plan. The Middlesex County Department of Planning has notified the Department that it will not confirm or deny consistency of any proposed amendment with the county master plan until it updates its plan, which has been in effect since 1969.

Sewer service is not guaranteed by the adoption of this amendment as 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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1/28/2022

Date

Gabriel Mahon, Bureau Chief

Bureau of NJPDES Stormwater Permitting and Water Quality Management

Division of Watershed Protection and Restoration

NJ Department of Environmental Protection