

**ENVIRONMENTAL PROTECTION
OFFICE OF WATER RESOURCES MANAGEMENT COORDINATION**

**Adopted Amendment to the Monmouth County Water Quality Management
Plan**

Public Notice

FEB - 9 2015

Take notice that on _____ pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., and the Statewide Water Quality Management Planning rules (N.J.A.C. 7:15-3.4), the Department of Environmental Protection (Department) adopted an amendment to the Monmouth County WQMP. This amendment, entitled “Harbor Road Water Treatment Plant”, submitted on behalf of the Western Monmouth Utilities Authority (WMUA), expands the WMUA’s Pine Brook Treatment Plant sewer service area (SSA) by 9.24 acres to include a portion of Block 171, Lot 71 located in Marlboro Township, Monmouth County. The expansion would allow for the abandonment of an existing septic system that presently treats the Harbor Road Drinking Water Treatment Plant’s (WTP) sanitary wastewater. In addition, sludge that is currently treated by onsite backwash lagoons is proposed to be discharged to the WMUA collection system and conveyed to the Pine Brook Treatment Plant. This amendment has been reviewed in accordance with the Water Quality Management Planning rules at N.J.A.C. 7:15 and P.L 2013, c.188. This notice represents the Department’s determination that the proposed amendment is in compliance with the regulatory criteria pursuant to N.J.A.C. 7:15.

This amendment has been reviewed in accordance with the Water Quality Management Planning rules at N.J.A.C. 7:15 and P.L 2013, c.188. This notice represents the Department’s determination that the proposed amendment is in compliance with the regulatory criteria pursuant to N.J.A.C. 7:15.

The proposed project site, located south of Harbor Road and west of Route 79, is currently identified as Individual Subsurface Sewage Disposal System (ISSDS) area for wastewater flows of less than 2,000 gallons per day (gpd) as designated on the Monmouth County Future Wastewater Service Area Map FWSA map. The parcel currently includes the existing above referenced WTP, which has undergone recent water quality treatment upgrades and the installation of on-site solar panel array. The projected wastewater flow as a result of the proposed connection to the Pine Brook Treatment Plant, calculated in accordance with N.J.A.C. 7:14A-23.3, is 20,000 gallons per day (gpd).

As outlined at N.J.A.C. 7:15-5.24, sewer service may only be provided to areas that are not identified as environmentally sensitive areas (ESAs), Coastal Fringe, Coastal Rural and Coastal Environmentally Sensitive Planning Areas, beaches, coastal high hazard areas, and dunes. Pursuant to N.J.A.C. 7:15-5.24, ESAs are defined as contiguous areas of 25 acres or larger consisting of habitat for threatened and endangered species as identified on the Landscape Project Maps of Habitat for Endangered, Threatened or Other Priority Species, Natural Heritage Priority Sites, Category One (C1) special water resource protection areas, and wetlands, alone or in combination. These areas are not included in the proposed SSA.

Pursuant to N.J.A.C. 7:15-5.24(c), certain coastal planning areas, not applicable here, must also be excluded from SSA. Specifically, there are no Coastal Fringe Planning Areas, Coastal Rural Planning Areas, or Coastal Environmentally Sensitive Areas on the proposed project site.

In accordance with N.J.A.C. 7:15-5.24(d)1, areas with Federal 201 grant limitations that prohibit the extension of sewers are excluded from the adopted SSA either where local mapped information exists delineating these areas, or through a narrative description where mapping does not exist, except as provided under N.J.A.C. 7:15-5.24(f)1. Where a narrative approach has been used, it is

noted as text on the adopted FWSA map. Pre-existing grant conditions and requirements (from Federal and State grants or loans for sewerage facilities), which provide for restriction of sewer service to environmentally sensitive areas, are unaffected by adoption of these amendments and compliance is required.

In addition to the environmentally sensitive areas with Federal 201 grant limitations that prohibit the extension of sewers identified under N.J.A.C. 7:15-5.24(d)1, there are other special restricted areas, not applicable here, which must also be excluded from SSA pursuant to N.J.A.C. 7:15-5.24(d)2 through 4. Specifically, there are no beaches, coastal high hazard areas, or dunes on the project site.

In accordance with N.J.A.C. 7:15-5.25(h)1, the projected wastewater flow of the project has been evaluated. The Department has determined that the WMUA's Pine Brook Treatment Plant has adequate available capacity to treat the proposed wastewater flow from this project.

In accordance with N.J.A.C. 7:15-5.25(h)3 the water supply need for the proposed amendment has been evaluated. There is no additional water supply demand. The subject parcel, Block 171, Lot 71 is already served by the Marlboro Township Municipal Utilities Authority which is a public water system which withdraws water from the Farrington Aquifer. The location of the diversion on Harbor Road and the water allocation permit number is WAP030001, program I.D. 5055. The existing water allocation permit will not require modification to serve the proposed amendment.

In accordance with N.J.A.C. 7:15-5.25(h)4, a project or activity's stormwater management is to be evaluated. However, P.L. 2013, c. 188 directs that there is a presumption that an engineered subdivision or site plan is not required. Without such information a review and determination of compliance with the Stormwater Management rules (N.J.A.C. 7:8) is not possible. The county and local

governments are responsible for review and implementation of the Stormwater Management rules during their review and approval of proposed development. Marlboro Township has an adopted stormwater management ordinance (No. 2006-21) which complies with the performance standards of the Stormwater Management Rules at N.J.A.C. 7:8.

In accordance with N.J.A.C. 5.25(h)5, a riparian zone has been identified on the proposed project site as the tributary to the Deep Run (FW2-NT) that borders the southern edge of the property. Riparian zones or buffers are established along all surface waters, based on the surface water body's classification designated at N.J.A.C. 7:9B, under the following regulations: the Flood Hazard Area Control Act Rules, the Stormwater Management rules, and the Water Quality Management Planning rules. The required buffer width for Deep Run is 50 feet. In accordance with N.J.A.C. 7:15-5.25(h)5i, the Riparian Corridor Analysis has been satisfied by the exclusion of the buffer area from the proposed SSA.

In accordance with N.J.A.C. 7:15-5.24(b)1, to determine areas designated as threatened or endangered species habitat, the Department utilized the Division of Fish and Wildlife's Landscape Project Maps of Habitat for Endangered, Threatened or Other Priority Species, version 3.1. Areas identified by the Landscape Project as being suitable habitat for threatened and endangered species Ranks 3 (State threatened) , 4 (State endangered), and 5 (Federal endangered or threatened) are not to be included in proposed SSAs except as provided under N.J.A.C. 7:15-5.24(e) – (h), or unless a site has undergone a site specific Habitat Suitability Determination prepared in accordance with N.J.A.C. 7:15-5.26 that found the site to be not suitable habitat, or pursuant with N.J.A.C. 7:15-5.24(g)2, the Department determined the ESA is not critical to a population of endangered or threatened species, the loss of which would decrease the likelihood of the survival or recovery of the identified species. Review of the project site has determined that no threatened or endangered species habitat exists on site.

In accordance with N.J.A.C. 7:15-5.24(b)2, areas mapped as Natural Heritage Priority Sites are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-5.24(e) – (h). Review of the project site has determined that no Natural Heritage Priority Sites exist on site.

In accordance with N.J.A.C. 7:15-5.24(b)3, the Department has determined there are no special water resource protection areas along Category One waters on the site.

In accordance with N.J.A.C. 7:15-5.24(b)4, areas mapped as wetlands pursuant to N.J.S.A. 13:9A-1 and 13:9B-25 are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-5.24(e) – (h). Wetlands have been identified on the proposed project site along the southern edge of the property. The provisions at N.J.A.C. 7:15-5.24(b)4, have been satisfied by the exclusion of the wetlands areas from the proposed SSA.

In accordance with N.J.A.C. 7:15-5.25(h)6, proposed development disturbance is not to be located in areas with steep slopes, defined as any slope greater than 20 percent. There are no steep slopes on the proposed project site.

This amendment proposal was noticed in the Department Bulletin on November 5, 2014, Volume 38 Issue 21, pages 9-11, and no comments were received during the comment period.

Additional issues which may need to be addressed for any new or expanded wastewater treatment facility proposal include, but are not limited to, compliance with stormwater regulations, antidegradation, effluent limitations, water quality analysis, and exact locations and designs of future treatment works. Additionally, sewer service to any particular project is subject to contractual allocations between municipalities, authorities and/or private parties, and is not guaranteed by this amendment.

Approval of this amendment does not eliminate the need for any permits, approvals or certifications required by any Federal, State, County or municipal review agency with jurisdiction over this project/activity.



Collen Kokas, Acting Director
Office of Water Resources Management Coordination
Department of Environmental Protection

2-9-15

Date