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PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATER RESOURCE MANAGEMENT

DIVISION OF WATER MONITORING AND STANDARDS

Adopted Amendment to the Monmouth County Water Quality Management Plan

Public Notice

Take notice that on **December 14, 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 Monmouth County Water Quality Management (WQM) Plan. The amendment, identified as “Colts Neck Police Department Building” (Program Interest No. 435462, Activity No. AMD200001) establishes a new sewer service area (SSA) of 0.55 acres within the Colts Neck Township Municipal Complex, located on Block 16, Lot 11 (portion), Colts Neck Township, Monmouth County. The new SSA includes a proposed Police Department Building to be constructed in the footprint of the existing Police Department Building and three additional existing buildings located within the parcel: First Aid, Library, and Township Hall. Each building is currently served by a separate individual subsurface sewage disposal system (ISSDS), that will remain unchanged. The sanitary wastewater from the new Police Department Building will be sent to a new onsite septic system. As calculated in accordance with N.J.A.C. 7:9A-7.4, the projected wastewater flow for the newly constructed Police Department Building and the three existing buildings is 3,202 gallons per day (gpd). Based on the projected wastewater flow for the new SSA, the Colts Neck Municipal Complex will require a New Jersey Pollutant Discharge Elimination System (NJPDES) discharge to ground water (DGW) permit.

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Preliminary notice was published in the New Jersey Register on September 21, 2020, at 52 N.J.R. 1782(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. 7:15-3.5(g)6, the Department instructed the applicant to request a written statement of consent from Colts Neck Township and from the Monmouth County Board of Chosen Freeholders. Colts Neck Township adopted Resolution 2020-113 on September 9, 2020 consenting to the proposed amendment. The Monmouth County Board of Chosen Freeholders, as the Designated WQM Planning Agency, adopted Resolution 2020-0758 on October 8, 2020, approving of the proposed amendment.

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 is 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 under N.J.A.C. 7:15-4.4(e) as a contiguous area of 25 acres or greater, alone or in combination consisting of any of the following features: 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 under N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions under

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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 new 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 new 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, based on a review of the "Surface Water Quality Standards" GIS data layer, two of the existing structures within the new SSA, the Police Department Building and Township Hall, are within a 300-foot riparian zone associated with the onsite unnamed tributary to the Yellow Brook, a designated C1 waterbody. However, the buildings were constructed in 1962, with additions in 1964 and 1988, which predate the designation of Yellow Brook as a C1 waterbody in the Surface Water Quality Standards. The new sewer service area is limited to the footprint of the existing buildings; therefore, it will not encompass any additional areas within the 300-foot riparian zone of the C1 waterbody. Furthermore, the discharge from each building is to an ISSDS and not to the C1 waterbody.
- The Department determined that the proposed SSA does not contain any wetlands based on the "Wetlands 2012" GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)4.

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- The Department determined that the new 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 US 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 adopted zoning ordinances, future land uses shown in adopted municipal or county master plans, and other local land use objectives. The police department building project is specifically addressed in the Colts Neck Township Master Plan. Site plan approval is not required by the Colts Neck Township Planning Board as this is a municipal project. The proposed project is consistent with the Monmouth County Master Plan’s objective of providing public health and safety services that protect the community.

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 sewer service area as a result of 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.

12/14/20

SIGNED

Date _____

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