

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JUNE 7, 2021 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 RESOURCE MANAGEMENT

DIVISION OF WATER MONITORING AND STANDARDS

Adopted Amendment to the Northeast Water Quality Management Plan

Public Notice

Take notice that on April 21, 2021 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 Northeast Water Quality Management (WQM) Plan. This amendment, identified as “Green Village Road” (Program Interest No.435442, Activity No. AMD200002), expands the sewer service area (SSA) of the Chatham Township Water Pollution Control Plant by 0.2 acres to serve four existing single-family houses located on portions of Block 48.17, Lots 132 and 133, and Block 144, Lots 39.03 and 39.04, Chatham Township, Morris County. As calculated in accordance with N.J.A.C. 7:14A-23.3, the project would generate a projected wastewater flow of 1,200 gallons per day (gpd) to be received by the Chatham Township Water Pollution Control Plant New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0020290.

Preliminary notice of this amendment was published in the New Jersey Register on December 21, 2020 at 52 N.J.R. 2202(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.

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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 Chatham Township and the Morris County Board of Chosen Freeholders. On January 21, 2021, Chatham Township adopted Resolution 2021-059, consenting to the amendment. In an email to the Department dated January 8, 2021 from the Morris County Office of Planning and Preservation, it was indicated that Morris County took no position on the 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; 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 under 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 under N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions under 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:

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- The Department determined that the expanded SSA does not contain areas mapped as 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 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, based on a review of the “Surface Water Quality Standards” GIS data layer, the four parcels are located within the 300-foot C1 riparian zone associated with the onsite unnamed tributary to the Black Brook. However, as the SSA is limited to the footprint of the existing buildings, no impacts to the riparian zone would result from this amendment in accordance with N.J.A.C. 7:15-4.4(e)3.
- The Department determined that the expanded 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.
- The Department determined that the expanded SSA does not contain any Coastal Fringe Planning Areas, Coastal Rural Planning Areas, or Coastal Environmentally Sensitive Planning Areas mapped on the CAFRA Planning Map based on the “CAFRA Layers” GIS layer in accordance with 7:15-4.4(f).
- In accordance with N.J.A.C. 7:15-4.4(g), the Department determined that there are no 201 Facilities Plan grant conditions applicable to the project site based on the USEPA 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

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the expanded SSA is consistent with land uses allowed by local zoning and the county and local master plans.

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 resulting from adoption 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.

4/21/21

Date

SIGNED

Kimberly Cenno, Bureau Chief

Bureau of Environmental Analysis, Restoration and Standards

Division of Water Monitoring and Standards