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## Public Notice

### ENVIRONMENTAL PROTECTION

### WATER RESOURCE MANAGEMENT

### DIVISION OF WATER MONITORING AND STANDARDS

#### Adopted Amendment to the Ocean County Water Quality Management Plan

**Take notice** that on March 26, 2020, 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 New Jersey Department of Environmental Protection adopted an amendment to the to the Ocean County Water Quality Management (WQM) Plan. The adopted amendment (Program Interest No. 435448, Activity No. AMD170008), prepared by the Ocean County Department of Planning and submitted on behalf of the Ocean County Board of Chosen Freeholders, amends the Ocean County WMP adopted on December 30, 2015 (see <https://www.nj.gov/dep/wqmp/docs/wqmp/ocean/20151230-ocean-county-wmp.pdf>) by adding the following three components to the currently approved WMP: 1) a nitrate dilution analyses for HUC 11 02040301020 (Lakewood Township portion) and HUC 11 02040301030 (Jackson Township), which was included (pages 6 and 39) but not previously adopted; 2) strategies to mitigate potential capacity deficiencies, which would be added to Volume 3 of the WMP; and 3) a county-wide septic maintenance program plan, which would be added to Volume 4 of the WMP. Adoption of these WMP components fulfills the requirements for submission of a complete Ocean County WMP in accordance with N.J.A.C. 7:15-4. The adoption of this amendment represents the Department's determination that the amendment is compliant with the regulatory criteria at N.J.A.C. 7:15-3.5 and 4.

The nitrate dilution analyses for HUC 11 02040301020 (Lakewood Township portion) and HUC 11 02040301030 (Jackson Township) were not adopted as part of the 2015 WMP because the results indicated

that the two HUC areas would exceed the 2 mg/L nitrate dilution target based on the number of septic units allowed under current zoning but stated "... appropriate remedial actions for specific locations in these HUCs 11s which are projected to discharge in excess of the assimilative capacity..." as was required under the rules in effect at that time were not provided to the Department. Such remedial actions are no longer required. The current rules at N.J.A.C. 7:15-4.5(c)1v require only that a WMP identify strategies for addressing any capacity deficits, including potential exceedance of the 2 mg/L nitrate dilution target for septic density. The Department has determined that the nitrate dilution analysis for these two HUC 11 watersheds (previously included as pages 6 and 39 of the WMP) complies with N.J.A.C. 7:15-4.5(c)1 and adopts them along with the strategies to address these deficiencies explained below.

This amendment adds a new component to the WMP consisting of strategies to mitigate potential capacity deficiencies identified in the WMP, in accordance with N.J.A.C. 7:15-4.5(b)4. These strategies address the septic density capacity deficits for Lakewood and Jackson Townships, as explained above, along with strategies to address other capacity deficits identified in the WMP.

The strategy for addressing the capacity deficit for the portion of HUC 11 02040301020 which is in Lakewood Township consists of two parts:

1) Lakewood Township should pursue future expansion of the sewer service area to include existing residential development for areas outside the currently approved sewer service area and convey the wastewater generated from these areas to an appropriate wastewater treatment plant when capacity becomes available. The Township would be responsible for submitting a plan amendment application to the Department along with any required documentation, including but not limited to wetland delineations and habitat surveys, in accordance with the plan amendment procedures at N.J.A.C. 7:15-3.5 and 4.4.

2) All future development on sites located outside the currently approved sewer service area should also be included in a future expansion of the sewer service area on the condition that site owners would be responsible for submitting a plan amendment application to the Department along with any required

documentation, including but not limited to wetland delineations and habitat surveys, in accordance with the plan amendment procedures at N.J.A.C. 7:15-3.5 and 4.4.

The strategy for addressing the capacity deficit for the portion of HUC 11 02040301030 which is in Jackson Township consists of four parts:

1) Future expansion of the sewer service area to include two sites: The Fountainhead Mobile Home Park Extension, Block 9001, Lot 20; and the "Tomaron" commercial area, Block 4302, Lots 10 and 47 and Block 4603, Lot 72. These sites should be added to the adjacent sewer service area under a future amendment to the Ocean County WQM Plan. Removal of these two sites from the area to be served by individual subsurface sewage disposal systems would allow the HUC11 02040301030 to meet its nitrate dilution target. The site owners would be responsible for submitting a plan amendment application to the Department along with any required documentation, including but not limited to wetland delineations and habitat surveys, in accordance with the plan amendment procedures at N.J.A.C. 7:15-3.5 and 4.4.

2) The Ocean County Department of Planning will pursue acquisition through the Natural Lands Trust Fund and preservation of undeveloped land in HUC 11 02040301030 that is currently outside the approved sewer service area;

3) Jackson Township should pursue future expansion of the sewer service area to include all existing residential development located adjacent to the currently approved sewer service area. The Township would be responsible for submitting a plan amendment application to the Department along with any required documentation, including but not limited to wetland delineations and habitat surveys, in accordance with the plan amendment procedures at N.J.A.C. 7:15-3.5 and 4.4.

4) Jackson Township should adopt a municipal ordinance requiring all new commercial development in HUC 11 02040301030 to connect to local sewers. If a plan amendment would be required to add any of the new commercial development to the sewer service area, the Township or the owners of the commercial development would be responsible for submitting a plan amendment application to the Department along

with any required documentation, including but not limited to wetland delineations and habitat surveys, in accordance with the plan amendment procedures at N.J.A.C. 7:15-3.5 and 4.4.

The 2015 Ocean County WMP identified a potential capacity deficit for the Northern Planning Area and a strategy for connecting to sewer service in the New Egypt Town Center (NETC) of Plumsted Township. Both areas are mapped as sewer service areas in the current WMP. The NETC is currently predominantly served by onsite septic systems. The strategy for the Northern Planning Area capacity deficiency is for the Ocean County Utilities Authority (OCUA) to monitor growth and influent flows at the Northern Water Pollution Control Facility (NWPCF) and to continue to consider modification to its NJPDES permit if necessary, to ensure that the NWPCF capacity remains above projected annual average daily flows. The strategy to address the NETC deficiency is the construction of a new wastewater treatment facility owned and operated by the Plumsted Township Municipal Utilities Authority, as discussed in the 2015 WMP and which by subsequent site specific amendments has been authorized by the Department (NJPDES permit No. NJ0226271) to receive a projected wastewater flow of 0.60 mgd. The Department has determined that the strategies to mitigate potential capacity deficiencies comply with N.J.A.C. 7:15-4.5(b)4.

This amendment adds a new component to the WMP consisting of a septic maintenance program plan, in accordance with N.J.A.C. 7:15-4.5(c)1vi. The Ocean County Department of Planning, in coordination with Ocean County Health Department, developed the septic maintenance program plan for the entire county; which consists of an inventory of all existing individual subsurface sewage disposal systems (ISSDS), current septic management practices that promote care and maintenance of septic systems, and proposed improvements to the current septic management practices and refinement of the ISSDS inventory. The Department has determined that the septic maintenance program plan complies with N.J.A.C. 7:15-4.5(c)1vi.

This amendment proposal was noticed in the New Jersey Register on April 15, 2019 at 51 N.J.R. 507(a). The following individual provided comments on this amendment during the comment period:

**William T. Suchodolski, Director, Engineering and Construction, Ocean County Utilities Authority**

The comments received and the Department's responses are summarized below.

**COMMENT:** The commenter recommends the following revisions to the Section titled Strategies to Mitigate Potential Capacity Deficiencies in Sewer Service Areas:

- a. Under Growth Trajectories sub section, page 4, the current text, "However, because the NWPCF will be approaching 80% of its current capacity, the OCUA is currently pursuing an amendment to the plant's NJPDES permit allowing expansion of treatment capacity to 36.000 MGD." should be revised to: "However, because the NWPCF will be approaching 80% of its current capacity, the OCUA continues to monitor growth and influent flows and will continue to consider modification necessary to ensure that the NWPCF capacity remains above projected annual average daily flows."
- b. Under Facility Influent Data 2012-2016 sub section, page 4, should be revised from, "According to the OCUA, improved sewerage collection and conveyance facilities have greatly reduced the amount of inflow and infiltration system wide, effectively offsetting sewerage generation increases resulting from population growth." to include the following: "According to the Authority, improved sewerage collection and conveyance facilities have reduced the amount of inflow and infiltration somewhat, potentially offsetting sewage generation increases resulting from population growth."

**RESPONSE:** The requested text changes have been incorporated with minor modifications into the final version of the specified sections.

These minor changes do not effectively destroy the value of the public notice of the proposed amendment and are technical/administrative corrections or modifications. Based on their limited scope these changes are not viewed as a substantive change.

Please reference the Ocean County WMP for a complete narrative of analyses and strategies as this notice only highlights these components. Sewer service is not guaranteed by 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 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 agencies with jurisdiction over this project/activity.

\_\_\_3/26/2020\_\_\_

Date

\_\_\_SIGNED\_\_\_\_\_

Bruce S. Friedman, Director

Division of Water Monitoring and Standards