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PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATERSHED AND LAND MANAGEMENT

DIVISION OF WATERSHED PROTECTION AND RESTORATION

Adopted Amendment to the Ocean County Water Quality Management Plan

Public Notice

Take notice that on **July 27, 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 Ocean County Water Quality Management (WQM) Plan. The amendment, identified as "Sands Point Road" (Program Interest No. 435448, Activity No. AMD200004) expands the sewer service area (SSA) of the Ocean County Utilities Authority's (OCUA) Central Water Pollution Control Facility (CWPCF) by 0.1 acres to serve a proposed residential project on Block 93, Lots 1.01 and 1.02 (portion), Ocean Township, Ocean County. Portions of these lots are already located within the adopted SSA and this amendment increases the sewer service area to include the entirety of Lot 1.01 and nearly all of Lot 1.02. The proposed project consists of two four-bedroom single family homes. As calculated in accordance with N.J.A.C. 7:14A-23.3, the proposed project would generate a projected wastewater flow of 600 gallons per day (gpd) to be

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received by the OCUA CWP (New Jersey Pollutant Discharge Elimination System (NJPDES) permit #NJ0029408).

Preliminary notice was published in the New Jersey Register on February 16, 2021, at 53 N.J.R. 272(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. 7:15-3.3(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 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.

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 Ocean County Utilities Authority, Ocean County Board of County Commissioners and Ocean Township. The Ocean County Utilities Authority stated in a letter dated February 17, 2021, that it would not take a formal position on the proposed amendment. The Ocean County Board of County Commissioners adopted Resolution 2021000672 on May 5, 2021, consenting to the proposed amendment. Ocean Township's

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engineering firm issued a letter on May 20, 2021, stating that the Township has no objection to the proposed amendment.

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 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:

- The Department determined that the 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.

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- The Department determined that the 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 sewer service area does not contain any Category One (C1) waters or 300-foot riparian zones along any C1 waters or upstream tributaries within the same HUC-14 watershed based on the “Surface Water Quality Standards” GIS data layer in accordance with and N.J.A.C. 7:13-4.1(c)1 and 7:15-4.4(e)3.
- The Department determined that the 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 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).

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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. On May 27, 2020, the Ocean Township Zoning Officer issued a letter stating that the proposed project was consistent with the Township's zoning regulations. On June 23, 2020, Ocean Township's engineering firm issued an email stating that the proposed project was consistent with the Township's master plan. On June 25, 2020, the Ocean County Planning Board issued a letter stating that the proposed project was consistent with the Ocean County Master Plan.

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 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.

7/27/2021

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

