

**ENVIRONMENTAL PROTECTION  
DIVISION OF COASTAL AND LAND USE PLANNING**

**Adopted Amendment to the Upper Delaware Water Quality Management Plan**

**Public Notice**

Take notice that on **MAY - 7 2014**, 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), an amendment to the Upper Delaware WQMP was adopted by the Department of Environmental Protection (Department). This amendment, submitted on behalf of Mr. Dan Whitaker of Swan Creek Holding Co., LP, expands the sewer service area (SSA) of the Lambertville Municipal Utilities Authority (LMUA) Regional Environmental Pollution Control Facility (REPCF) to include Block 1043, Lot 2 in Lambertville City, Hunterdon County. The SSA expansion includes the proposed development of 45 long term one bedroom hotel units called the Lambertville Water Lofts. The LMUA REPCF discharges under NJDPES permit number NJ0020915 to the Delaware River.

In accordance with N.J.A.C. 7:15-5.24, environmentally sensitive areas (ESAs) have been assessed to determine what areas of the project are appropriate for inclusion in the adopted SSA. ESAs evaluated include, but are not limited to: 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, riparian zones, wetlands, steep slopes, 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(b), 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 ESAs are not included in the adopted 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 in the adopted SSA.

Pursuant to N.J.A.C. 7:15-5.24(d)1, areas with Federal 201 grant limitations that prohibit the extension of sewers to serve development in specified areas such as wetlands and floodplains are excluded from adopted SSAs. There are no prohibitions written into the Federal 201 grants awarded to LMUA REPCF (C-34-527-01) which affect extension of sewer infrastructure to the proposed development, however, there are outlined steps recommended to minimize harm to the environment in siting location and construction of sewer infrastructure.

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 in the adopted SSA.

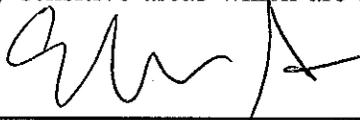
In accordance with N.J.A.C. 7:15-5.25(h)1, the projected wastewater flow of the project has been evaluated. The proposed wastewater flow, as calculated in accordance with N.J.A.C. 7:14A-23.3 is 3,375 gallons per day. Currently, LMUA REPCF is permitted to discharge 1.5 million gallons per day (MGD) of treated wastewater to the Delaware River. The average of the last twelve months of discharge monitoring data show that LMUA REPCF has discharged an average daily flow of 0.836 MGD. The additional 0.004 MGD of wastewater will not cause the wastewater generation potential of the expanded SSA to exceed the permitted capacity of LMUA REPCF.

In accordance with N.J.A.C. 7:15-5.25(h)3 the water supply need for the proposed project has been evaluated. The proposed project will be served by public water supply provided by United Water Lambertville, which is currently permitted to allocate 30.4 million gallons per month (MGM) and has a water supply surplus of 14.7 MGM. The proposed water demand of the project is 0.004 MGD or 0.120 MGM; therefore sufficient water supply is available to serve the proposed development within the existing water allocation permit.

Lambertville City has adopted a stormwater control ordinance (Ord. No. 2006-09) in accordance with N.J.A.C. 7:8. Consequently, the requirements of N.J.A.C. 7:15-5.25(h)4 for stormwater control have been satisfied. No portion of the proposed development on site is identified as within a riparian zone as established at N.J.A.C. 7:15-5.25(5) 5 or areas with a steep slope as required at N.J.A.C. 7:15-5.25(h)6.

This amendment proposal was noticed in the New Jersey Bulletin on January 8, 2014 at Volume 38, Issue 1. No comments were received during the comment period.

This amendment represents only one part of the permit process and other issues may need to be addressed prior to final permit issuance. Additional issues which may need to be addressed may include, but are not limited to, the following: compliance with stormwater regulations; antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works (pump stations, interceptors, sewers, outfalls, wastewater treatment plants); and development in wetlands, flood prone areas, designated Wild and Scenic River areas, or other environmentally sensitive areas which are subject to regulation under Federal or State statutes or rules.



Elizabeth Semple, Manager  
Division of Coastal and Land Use Planning  
Department of Environmental Protection

5/7/14

Date