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PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATERSHED AND LAND MANAGEMENT

DIVISION OF WATERSHED PROTECTION AND RESTORATION

Adopted Amendment to the Upper Raritan Water Quality Management Plan

Take notice that on December 30, 2022, 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 Upper Raritan Water Quality Management (WQM) Plan. This amendment, identified as Hunterdon Heights at Readington, also known as Readington Commons and The Ridge (Program Interest No. 435434, Activity No. AMD200001), expands the sewer service area (SSA) of the Readington-Lebanon Sewerage Authority (RLSA) by 4.48 acres to serve a proposed housing development in Readington Township, Hunterdon County. The Hunterdon Heights at Readington overall development proposal is for 254 multi-family rental units comprised of 190 market rate units and 64 affordable units on Block 4, Lots 51 and 52 in the Readington Township, Hunterdon County. All of Lot 51 and a portion of Lot 52 were already in the adopted SSA. This amendment expands the SSA to include an additional portion of Lot 52, amounting to 4.48 acres, to accommodate the complete development. As calculated in accordance with N.J.A.C. 7:14A-23.3, the overall proposed project will generate a projected

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wastewater flow of 53,375 gallons per day (gpd); the amendment portion of the project will generate a projected wastewater flow of 19,950 gpd to be treated by the Readington-Lebanon Sewerage Authority (RLSA) [New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0098922].

Preliminary notice of this amendment was published in the New Jersey Register on September 6, 2022, at 54 N.J.R. 1746(b). 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 the Lebanon-Readington Sewerage Authority and Readington Township (Township). On September 6, 2022, the Township passed Resolution No. #R-2022-127 consenting to the project. On September 28, 2022, RLSA passed Resolution No. 22-18.

In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to proposed alterations to the eligible SSAs 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 shall include a proposed modification to 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 amendment portion of the project involves less than 100 acres

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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 pursuant to 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 at N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions pursuant to 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 <https://gisdata-njdep.opendata.arcgis.com> 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 expanded SSA does contain areas mapped as endangered or threatened wildlife species habitat Rank 3 for Wood Turtle and Rank 4 for Bobcat 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. In accordance with N.J.A.C. 7:15-4.4(j)2 and (k), the applicant provided a Habitat Suitability Determination (HSD) and Habitat Impact Assessment prepared by Ecolscience dated June 9, 2021, pursuant to N.J.A.C. 7:14-4.6 and 7. Based on

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review of the HSD and existing information, the Department concurred with the findings that the site was either unsuitable or insignificant to the species of concern and the amendment expanded SSA will result in insignificant and/or discountable impacts to E&T animal species habitat. There are various factors that severely limit the probability of the onsite habitat providing any significant habitat value for Wood Turtle. Route 22 likely acts as a barrier to Wood Turtle overland movement to habitats north of the roadway and the onsite habitat offers limited, if any, nesting or foraging habitat attributes that would entice turtles to access it. The site characteristics are only marginally suitable for Bobcat, and, more significantly, the location proximate to an active roadway and adjacent development render the site unlikely to be used by Bobcat and is largely unsuitable for this species. Additionally, the parcel does not directly occur within an area identified as a travel corridor by the Department's CHANJ mapping.

- 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 the expanded SSA does not contain any C1 waters or 300-foot riparian zones along any C1 waters or upstream tributaries within the same HUC-14 watershed of any C1 waters based on the "Surface Water Quality Standards" GIS data layer, in accordance with N.J.A.C. 7:13-4.1(c)1 and 7:15-4.4(e)3.
- The Department determined that the expanded SSA does not contain 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 expanded 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 201 Facilities Plan grant conditions applicable to the project based on the U.S. Environmental Protection Agency (USEPA) list of New Jersey Grantees 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). The proposed project will convey wastewater through a collection system that is subject to a Federal ESA grant condition included in the grant agreement executed between the Readington Township and USEPA under project Number #C-34-577-02. The ESA grant condition prohibits any sewer connection to Federally funded facilities from any sewage generating structure located on a parcel of property containing wetlands and/or floodplains unless a mapping waiver or grant waiver is obtained from the USEPA. Readington Township requested a waiver from the grant conditions (Readington Township – Whitehouse EA/FSNI #C-34-577-02) from USEPA Region 2, and it was granted on July 20, 2022. RLSA also has 201 Facilities Plan grant conditions (C34-535-01), but it was determined by the USEPA that RLSA does not have to also obtain a waiver for this project.

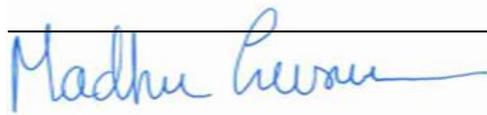
Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department considered the land uses allowed in adopted zoning ordinances, future land uses shown in adopted municipal and county master plans, and other local land use objectives. The proposed project received local approval in the

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form of a Readington Township Planning Board Preliminary Site Plan Approval through Resolution No. 2020-02 on March 30, 2020, and Readington Township Planning Board Final Site Plan Approval through Resolution No. 2020-14 on January 11, 2021. The Hunterdon County Planning Board issued a letter of Conditional Approval to Construct for the project dated June 3, 2021.

Sewer service is not guaranteed with the adoption of this amendment, as 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 the 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.

12/30/2022
Date



Madhu Guru, PE, Assistant Director
Bureau of NJPDES Stormwater Permitting and Water Quality Management
Division of Watershed Protection and Restoration
NJ Department of Environmental Protection