

ENVIRONMENTAL PROTECTION

OFFICE OF WATER RESOURCE MANAGEMENT COORDINATION

**Proposed Amendment to the Northeast and Sussex County Water Quality
Management Plans**

Public Notice

Take notice that the New Jersey Department of Environmental Protection (Department) is seeking public comment on a proposed amendment to the Northeast and Sussex County Water Quality Management (WQM) Plans. This amendment proposal, submitted on behalf of the Board of Chosen Freeholders of Morris County as the responsible Wastewater Management Planning agency for Morris County, proposes to adopt a Jefferson Township Municipal Chapter to the county-wide Wastewater Management Plan (WMP) in accordance with N.J.A.C. 7:15-5.3(g). This proposed amendment has been prepared pursuant to the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15.

The proposed amendment complies with the WQM planning rules at N.J.A.C. 7:15-5.15 through 5.20 and would provide for a Jefferson Township WMP chapter that identifies wastewater service designations for areas within the municipality. The proposed WMP designates as Future Sewer Service Area areas that are currently served, or are planned to be served in the future, by NJPDES permitted treatment facilities within Jefferson Township that discharge to either surface water or groundwater and additionally

identifies other areas as Septic Areas (those areas with Planning Flows of 2,000 Gallons per Day (GPD) or Less).

Jefferson Township includes area that is within the Northeast WQM Plan as well as area falling under the Sussex County WQMP plan. The predominant portion of the Sewer Service Area (SSA) identified in the proposed in WMP chapter is served by the Musconetcong Sanitary Treatment Plant (STP) (NJ0027821), a major surface water discharge facility serving the portion of Jefferson Township that is within the Sussex County WQM planning area. The proposed WMP chapter also includes SSA served by the White Rock Lake STP (NJ0026867) which provides treatment for existing development in the portion of Jefferson Township that is within the Northeast WQM planning area. In addition to the area served by these two STPs, the proposed WMP includes numerous SSAs for individual discharge to groundwater facilities serving both commercial and residential development of various sizes within Jefferson Township. The largest of these is served by the Jefferson Village STP (NJ0133558). The WMP evaluates the ability of the facilities to satisfy current and future wastewater treatment needs, as well as water supply demands of planned development, and potential impacts from nonpoint sources of pollution. This proposed amendment has been reviewed in accordance with the WQM Planning Rules, N.J.A.C. 7:15.

Currently, Jefferson Township operates two treatment facilities, the Water's Edge/Moosepac Pond STP (NJ0081086) and the White Rock Lake STP (referenced above), which are in close proximity to each other. As part of this proposed amendment, the Jefferson WMP chapter would eliminate the Water's Edge/Moosepac STP with all wastewater from existing development within this service area proposed to be pumped to, and treated by, the White Rock Lake Facility. As provided in the proposed WMP chapter, the White Rock Lake facility would have capacity to accept the flow currently served by the Water's Edge/Moosepac Pond STP without the need to expand permitted flow. Both of these STP's are located within the Highlands Preservation Area and

therefore subject to the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1 et. seq. (Highlands Act), the Highlands Water Protection and Planning Act Rules (N.J.A.C. 7:38) and conformance with the adopted Highlands Regional Master Plan.

On April 25, 2013 the Morris County Future Wastewater Service Area (FWSA) map affecting that portion of Jefferson Township within the Northeast WQM Planning area was approved by the Department (45 N.J.R. 1253(a), Volume 45, Issue 10). Subsequently, on June 4, 2013 the Department adopted those portions of the Morris County Future Wastewater Service Area (FWSA) map within the Sussex County WQM Planning area (45 N.J.R. 1666(a), Volume 45, Issue 13). As part of this proposed amendment, the SSA as delineated by the approved Morris County FWSA map will not be modified, except to reflect the proposed elimination of the Water's Edge/Moosepac Pond STP with the SSA of this treatment facility to be added to that currently designated to be served by the White Rock Lake STP, as discussed above.

In accordance with N.J.A.C. 7:15-5.24, environmentally sensitive areas have been assessed to determine what areas must be excluded from the proposed SSAs. Pursuant to N.J.A.C. 7:15-5.24, environmentally sensitive areas (ESA) are defined as contiguous areas of 25 acres or larger consisting of habitat for threatened and endangered wildlife species as identified on the Landscape Project Maps of Habitat for Endangered, Threatened or Other Priority Species, Natural Heritage Priority Sites, special water resource protection areas along Category One waters and their tributaries, and wetlands, alone or in combination. In accordance with N.J.A.C. 7:15-5.24(b), environmentally sensitive areas are not included in the proposed SSA except as provided under N.J.A.C. 7:15-5.24(e) through (h).

In accordance with N.J.A.C. 7:15-5.25(c), an environmental build-out analysis (build-out analysis) to identify future projected wastewater flow was developed for each

existing and proposed wastewater service area in Jefferson Township on a hydrologic unit code (HUC) 11 basis. The existing and future wastewater treatment needs of each SSA associated with each specific wastewater treatment facility identified in Jefferson Township were evaluated. The build-out analysis was performed to project wastewater flow for both undeveloped and underdeveloped parcels within the existing and future SSA. Environmentally constrained areas have been excluded for purposes of projecting wastewater flow. Environmentally constrained areas include wetlands, floodways, and stream corridors. Wastewater flow projections are calculated based upon the current municipal zoning and include potential development of all remaining non-environmentally constrained parcels of vacant land, underdeveloped residential and commercial property, and any existing parcels currently served by individual subsurface sewage disposal systems (ISSDSs) that are located within the adopted SSA and not currently provided sanitary sewer service. The wastewater flow was projected applying the appropriate criteria listed at N.J.A.C. 7:14A-23.3. The total projected wastewater flow for undeveloped and underdeveloped areas within Jefferson Township's existing and future SSA was used in conjunction with the estimated existing wastewater flow, as described below, to assess whether sufficient capacity exists to accommodate future need for the entire SSA.

Pursuant to N.J.A.C. 7:15-5.25(d) an analysis was performed to assess the existing and future wastewater treatment needs for each wastewater treatment plant in Jefferson Township. The existing wastewater flow for each wastewater treatment plant was calculated based on the average of the monthly metered flow over the 12 month period ending January 31, 2014, as reported to the Department in the Discharge Monitoring Reports (DMRs) received from all wastewater treatment plants. The existing wastewater flow volumes from each wastewater treatment plant and the future wastewater flow as projected in the build-out analysis as indicated above are combined to determine the total projected future wastewater flow from each SSA associated with

the specific wastewater treatment plant within Jefferson Township. This information is utilized to assess whether sufficient capacity exists to accommodate future need.

The analyses performed pursuant to N.J.A.C. 7:15-5.25(c) and (d) as described above demonstrate that the potential wastewater generation from SSA does not exceed the permitted capacity for the associated treatment facilities in Jefferson Township.

As indicated above, the WMP chapter proposes to decommission the Water's Edge/Moosepac Pond STP (NJ0081086) and transfer flow currently treated by that plant to the White Rock Lake (NJ0026867). The buildout analysis of the area to be served by the two plants proposed to be combined demonstrates that the future flows will remain under the permitted 1.295 million gallons per day (MGD) flow of the White Rock STP. There are no other proposed modifications to the Sewer Service Area (SSA) within Jefferson Twp.

In accordance with N.J.A.C. 7:15-5.25(e), the future wastewater treatment needs were evaluated for those areas outside of the SSA that are to be served by septic systems. As part of this evaluation, the development density that can be accommodated in undeveloped and underdeveloped areas that will result in attainment of 2.0 mg/L in the ground water on a HUC 11 basis was determined. Pursuant to the Ground Water Quality Standards (GWQS) at N.J.A.C. 7:9C and the WQM Planning rules at N.J.A.C. 7:15, areas that are designated for septic systems must achieve a planning standard of 2.0 mg/L nitrate on a HUC 11 watershed basis. It is, therefore, necessary to determine how much development relying on ground water disposal of wastewater can be supported within a HUC 11 watershed while attaining this planning standard, using one of the nitrate dilution models described in the WQM Planning rules at N.J.A.C. 7:15-5.25(e)1i. Achieving the planning standard ensures that existing ground water quality will be maintained on a regional basis, thus ensuring compliance with the antidegradation policy in the GWQS. A nitrate dilution model developed by the

Department was applied to estimate the minimum lot size necessary to achieve the planning standard. The analysis performed by Morris County for Jefferson Township only addressed that portion of Jefferson Township within the HUC 11. That analysis determined that, under current municipal zoning regulations, potential development densities will result in attainment of 2.0 mg/L nitrate in ground water on a HUC 11 watershed basis. In accordance with N.J.A.C. 7:15-5.25(e)3, to demonstrate that areas to be served by ISSDS are subject to a maintenance program, Jefferson Township has adopted a Septic System Maintenance ordinance.

In accordance with N.J.A.C. 7:15-5.25(f), the water supply needs associated with the environmental build-out performed in accordance with N.J.A.C. 7:15-5.25(c) for Jefferson Township were evaluated to determine whether the water supply needs can be met with existing, new, or expanded water supplies that do not conflict with the currently adopted New Jersey State Water Supply Plan (NJWSP). The analysis performed by Morris County for Jefferson Township demonstrates that the existing water allocation permit(s) for the water supply purveyors within Jefferson Township meet existing use and could serve future build-out as projected for Jefferson Township. Further, there are no significant water supply issues identified in the current State Water Supply Plan for the planning areas impacting Morris County.

In accordance with N.J.A.C. 7:15-5.25(g), an assessment of nonpoint source pollution impacts of planned future development was conducted for Jefferson Township. To demonstrate that ground water recharge shall be maintained and stormwater runoff quality shall be controlled in accordance with the requirements of the Stormwater Management rules, N.J.A.C. 7:8, Jefferson Township has adopted a stormwater management plan and ordinance that conforms with the requirements of N.J.A.C. 7:8. To demonstrate protection of riparian zones from disturbance, Jefferson Township has adopted a riparian protection zone ordinance that conforms to the requirements of N.J.A.C. 7:15-5.25(g)2 and 3. To demonstrate that environmental standards for steep

slopes are met, Jefferson Township adopted a steep slope ordinance that protects steep slopes from new disturbance for projects or activities in conformance with N.J.A.C. 7:15-5.25(g)6.

In recognition of the New Jersey Highlands Council's authority within the Highlands Region, pursuant to the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1 et. seq. (Highlands Act), Highlands Water Protection and Planning Act Rules (N.J.A.C. 7:38), and the WQM Planning rules at N.J.A.C. 7:15-3.10, the Highlands Council will be provided an opportunity to review WQM Plan amendments and revisions within the Highlands Region.

This proposed 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.

This notice is being given to inform the public that a plan amendment has been proposed for the Northeast and Sussex County WQM Plans. All information relating to the WQM Plan and the proposed amendment is located at the Department, Office of Water Resource Management Coordination, P.O. Box 420, Mail Code 401-02A, 401 East State Street, Trenton, New Jersey 08625. The Department's file is available for inspection between 9:00 a.m. and 4:00 p.m., Monday through Friday. An appointment to inspect the documents may be arranged by calling the Office of Water Resource Management Coordination's Office at (609) 777-4349.

Interested persons may submit written comments on the amendment to WQM Program Docket, Division of Land Use Planning, at the Department address cited above with a copy sent to Mrs. Christine Marion, Planning Director, Morristown, 30 Schuyler Place, 4th Floor, P.O. Box 900, Morristown, N.J. 07963-0900. All comments must be submitted within 30 days of the date of this public notice. All comments submitted prior to the close of the comment period shall be considered by the Department in reviewing the amendment request.

Interested persons may request in writing that the Department hold a non-adversarial public hearing on the amendment or extend the public comment period in this notice up to 30 additional days. These requests must state the nature of the issues to be raised at the proposed hearing or state the reasons why the proposed extension is necessary. These requests must be submitted within 30 days of the date of this public notice to WQM Program Docket at the Department address cited above. If a public hearing is held, the public comment period in this notice shall be extended to close 15 days after the public hearing.