

Has your property been proposed to be removed from the Draft Future Sewer Service Area (SSA) solely because it is in wetlands?

The NJ Freshwater Wetlands Protection Act requires DEP to regulate virtually all activities proposed in the wetland, including cutting of vegetation, dredging, excavation or removal of soil, drainage or disturbance of the water level, filling or discharge of any materials, driving of pilings, and placing of obstructions. The Department may also regulate activities within 150 feet of a wetland - called the transition area or buffer. Freshwater wetlands and transition areas (buffers) are regulated by the Freshwater Wetlands Protection Act rules (NJAC 7:7A). The Highlands rule (NJAC 7:38), which implements the Highlands Water Protection and Planning Act, prohibits nearly all disturbance within all wetlands within the Highlands Preservation Area.

Wetlands are commonly referred to as swamps, marshes, or bogs. However, many wetlands in New Jersey are forested and do not fit the classic picture of a swamp or marsh. Wetlands are recognized for their vital ecological and socioeconomic contributions and contribute to the social, economic, and environmental health of our state in many ways:

- Wetlands protect drinking water by filtering out chemicals, pollutants, and sediments that would otherwise clog and contaminate our waters.
- Wetlands soak up runoff from heavy rains and snow melts, providing natural flood control.
- Wetlands release stored flood waters during droughts.
- Wetlands provide critical habitats for a major portion of the state's fish and wildlife, including endangered, commercial and recreational species.
- Wetlands provide high quality open space for recreation and tourism.

If so, and you have prior valid approvals, and you wish to have it put back into the SSA, then here's what you must do:

- 1.) Submit copies of your DEP Division of Land Use Regulation (DLUR) Freshwater Wetlands Letter of Interpretation (LOI) or Permit; and
- 2.) A completed Draft Wastewater Service Area Mapping Correction Request Form to BOTH addresses below.

The DEP Office of Land Use Planning can be reached at (609) 292-3225.

The Morris County Department of Planning and Development can be reached at (973) 829-8120.

NJ Department of Environmental Protection
Division of Land Use Management
Office of Land Use Planning
401 East State Street
P.O. Box 420
Mail Code 401-04H
Trenton, NJ 08625-0420
ATTN: Jennifer Feltis Cortese

Morris County Department of Planning
and Development
30 Schuyler Place
PO Box 900
Morristown, NJ 07963-0900
ATTN: Virginia Michelin

If so, and you think it was removed erroneously because it is not located in wetlands, and you wish to have it put back into the SSA, then here's what you must do:

- 1.) To find out if your property is mapped as wetlands, if you have GIS capabilities, you may look up this information on DEP's GIS website at <http://www.nj.gov/dep/gis/listall.html> and click on "Wetlands".

If you do not have GIS capabilities, you may look up this information on "NJ-Geo-Web/i-MapNJ" from the DEP's website at <http://www.nj.gov/dep/gis/newmapping.htm>.

- 2.) Obtain a Wetlands Letter of Interpretation (LOI), any associated wetlands delineation map, if one is required, or wetlands permit, if necessary, from the Division of Land Use Regulation (DLUR). You can contact DLUR by phone at (609) 777-0454, via their website at <http://www.nj.gov/dep/landuse/contact.html>, or via mail at:

Department of Environmental Protection
Division of Land Use Regulation
P.O. Box 439
Trenton, New Jersey 08625-0439

- 3.) Submit your LOI and associated wetlands delineation map and/or DLUR permit along with a completed Draft Wastewater Service Area Mapping Correction Request Form to BOTH addresses in #3 in the section above.
- 4.) Your property may be subject to United States Environmental Protection Agency (USEPA) grant conditions. The sewage treatment plant and/ or collection system that would serve this property may be subject to a federal Environmentally Sensitive Area (ESA) grant condition included in the grant agreement executed between your Municipal Utilities Authority/Sewerage Authority or Town and the USEPA. This ESA grant condition prohibits any sewer connections to federally funded facilities from sewage generating structures located on a parcel of property containing wetlands unless a mapping revision or grant waiver is obtained. Therefore, proposed development on such properties cannot be connected to the Sewage Treatment Plant unless a federal grant waiver and/or mapping revision is issued by USEPA.

A waiver of the grant condition (waiver) allows sewer connections to proposed sewage generating structures in wetlands while a mapping revision is a determination that the grant conditions do not apply (i.e., sewer generating structures will not occur within the wetlands). Please be aware, only the applicable grant recipient can request and obtain from USEPA either a grant waiver or a mapping revision. Information about obtaining waivers or mapping revisions can be found at USEPA's website at <http://www.epa.gov/region02/water/sewer.html>. If you have any questions regarding the application for a grant waiver or mapping revision, please contact the Environmental Review Section of USEPA at (212) 637-3738, (212) 637-3759, or (212) 637-3750.