

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE MAY 6, 2024, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

**PUBLIC NOTICE**

**ENVIRONMENTAL PROTECTION**

**WATERSHED AND LAND MANAGEMENT**

**DIVISION OF WATERSHED PROTECTION AND RESTORATION**

**Proposed Amendment to the Upper Raritan and Upper Delaware 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 Upper Raritan and Upper Delaware Water Quality Management (WQM) Plans, in accordance with the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15. The proposed amendment (Program Interest No. 435437, Activity No. AMD200002 and Program Interest No. 435434, Activity No. AMD200004), would amend the Hunterdon County Wastewater Management Plan (WMP) by adding a complete municipal chapter for Glen Gardner Borough (“municipal chapter WMP.”) This notice represents the Department’s determination that the proposed amendment is compliant with the regulatory criteria at N.J.A.C. 7:15, as described below.

Glen Gardner Borough is located in the Highlands region and is solely in the preservation area as designated by the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20. A Petition for Plan Conformance for the Borough was approved by the Highlands Council on December 16, 2010, establishing the Borough’s conformance to the Highlands Regional Master Plan (RMP). Conformance with the RMP allows for sewer service area (SSA) delineation, municipal build-out, and nitrate dilution analysis to be performed according to the procedures set forth pursuant to the RMP, in accordance with N.J.A.C. 7:15-4.4(c) and 4.5(c).

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The municipal chapter proposes changes to the currently approved SSA. Pursuant to N.J.A.C. 7:15-4.4(c)1, in the Highlands Region, areas eligible for sewer service within the preservation area are only those designated for existing structures or development connected to a wastewater treatment facility as of August 10, 2004, or those areas that are eligible for sewer service pursuant to N.J.A.C. 7:38-2.3, 2.4, 2.6, and 3.4. As a result, 50.5 acres are being removed from the SSA to reflect a revocation of a NJPDES permit and to reduce the SSA to the footprint of existing development. The Department conducted an evaluation of the proposed SSA using a GIS shapefile provided by the County to determine whether areas proposed for sewer service are all eligible. The Department has determined that the proposed SSA complies with N.J.A.C. 7:15-4.4(c).

In accordance with N.J.A.C. 7:15-4.5, wastewater capacity analyses were conducted to determine the existing and future wastewater management needs of each SSA through a wastewater treatment capacity analysis and through a nitrate dilution capacity analysis for the non-SSA. In accordance with N.J.A.C. 7:15-4.5(b)1, the existing and projected future flows of the two existing discharge to groundwater facilities were identified. No expansion of either SSA is proposed and all development within the respective SSAs is already connected. As such, no potential capacity deficiencies at either facility was identified. The Department has determined that the wastewater treatment capacity analysis complies with N.J.A.C. 7:15-4.5(b).

The nitrate dilution analysis identifies the total septic yield in equivalent dwelling units, as allowed under the Highlands Act rules, and whether a potential deficit in nitrate dilution capacity exists. In the preservation area, septic densities are determined in accordance with the Highlands Rule at N.J.A.C. 7:38-3.4(b), which requires 25 acres per septic unit in non-forested areas and 88 acres per septic unit in forested areas. Any parcels eligible for exemption from the Highlands Act that could be served by an Individual Subsurface Sewage Disposal System pose a potential deficit in the nitrate dilution capacity. The analysis identifies the potential for zero additional equivalent dwelling units allowed in the preservation area.

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There are 13 equivalent dwelling units exempt from the Highlands Act in Glen Gardner, constituting a potential septic capacity deficiency. The proposed strategies for addressing the deficiencies identified by the nitrate dilution analysis include land preservation, a centralized treatment facility to serve problematic areas, and an analysis of buildability of identified exempt parcels. The Department has determined that the nitrate dilution capacity analysis and the proposed strategies to mitigate the potential septic capacity deficiencies comply with N.J.A.C. 7:15-4.5(c).

The proposed septic maintenance program includes an inventory of all known septic systems in Glen Gardner Borough, current septic maintenance practices that promote care and maintenance of septic systems, proposed improvements to the current septic maintenance practices, and refinement of the septic inventory. The Department has determined that the septic maintenance program complies with N.J.A.C. 7:15-4.5(c)1vi.

The proposed municipal chapter includes all required maps in accordance with N.J.A.C. 7:15-4.3(c). These include a WMP Area Map (Map 1), Selected Environmentally Sensitive Features Map (Map 2), Land Use Capability Map (Map 3a), Wastewater Service Area Map (Map 3b), and Zoning Map (Map 4). The Department has determined that the mapping complies with N.J.A.C. 7:15-4.3(c).

This notice is to inform the public that a plan amendment has been proposed for the Upper Raritan and Upper Delaware WQM Plans. All information related to the WQM Plans and the proposed amendment is located at:

New Jersey Department of Environmental Protection

Division of Watershed Protection and Restoration

Bureau of NJPDES Stormwater Permitting and Water Quality Management

Water Quality Management Planning Program

P.O. Box 420, Mail Code 501-02A

501 East State Street

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Trenton, New Jersey 08625-0420

The Department's file is available for inspection between 9:00 a.m. and 4:00 p.m., Monday through Friday, upon request. An appointment to inspect the file must be arranged by calling the Bureau of NJPDES Stormwater Permitting and Water Quality Management at (609) 633-7021.

Interested persons may submit written comments on the proposed amendment to the Department at the address cited above or can be provided at the email: [wqmp.publiccomments@dep.nj.gov](mailto:wqmp.publiccomments@dep.nj.gov). Comments should reference Program Interest No. 435437, Activity No. AMD200002 and Program Interest No. 435434, Activity No. AMD200004 and must be submitted within 30 days of the date of this public notice.

Interested persons may request in writing that the Department hold a nonadversarial public hearing on the amendment or extend the public comment period specified in this notice. Such requests should reference Program Interest No. 435437, Activity No. AMD200002 and Program Interest No. 435434, Activity No. AMD200004 and must demonstrate sufficient public interest for the public hearing or extension of the comment period, as defined under N.J.A.C. 7:1D-5.2(d). The request must be submitted within 30 days of date of this notice to the Department address cited above. Should the Department decide to hold a public hearing, additional notice will be published in a future issue of the New Jersey Register and the comment period will be extended to 15 days after the public hearing. All comments submitted prior to the close of the comment period shall be considered by the Department before making a final decision on the proposed amendment.

Sewer service is not guaranteed should this amendment be adopted 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.

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4/5/2024

Date

A handwritten signature in blue ink that reads "Gabriel Mahon". The signature is written in a cursive style with a horizontal line underneath it.

Gabriel Mahon, Bureau Chief

Bureau of NJPDES Stormwater Permitting and Water Quality Management

Division of Watershed Protection and Restoration

NJ Department of Environmental Protection