

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE SEPTEMBER 3, 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 Water Quality Management Plan 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 Water Quality Management (WQM) Plan, in accordance with 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, identified as Lebanon Borough Municipal Chapter Wastewater Management Plan (WMP) (Program Interest No. 435434, Activity No. AMD190009), would amend the Hunterdon County WMP by adding a complete municipal chapter for Lebanon Borough (Borough) and supersede the Lebanon Borough portion of the Readington-Lebanon Sewerage Authority (RLSA) 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.

Lebanon Borough is located in the Highlands region and is solely in the planning area as designated by the Highlands Water Protection and Planning Act (Highlands Act), N.J.S.A. 13:20. The Borough's Petition for Regional Master Plan (RMP) Conformance was approved by the Highlands Council on November 19, 2010, and the Borough adopted Ordinance No. 2011-07, formalizing its petition on August 17, 2011. 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.

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The municipal chapter proposes changes to the currently approved RLSA (NJPDES Permit No. NJ0098922) SSA. Areas eligible for sewer service in the Highlands Region are defined at N.J.A.C. 7:15-4.4(c). Pursuant to N.J.A.C. 7:15-4.4(c)2, areas eligible for sewer service in the planning area of Highlands conforming municipalities are areas established within the RMP as Existing Community Zone, Lake Community Sub-Zone, or designated as a Highlands redevelopment area or Highlands center. As such, 181 acres are proposed for removal from the SSA, primarily lands located outside of the designated Highlands center and the environmentally sensitive areas in the southeastern portion of the Borough. RLSA is subject to a Federal 201 Facilities Plan grant condition as part of the grant agreement executed between RLSA and the U.S. Environmental Protection Agency (USEPA) pursuant to Project Numbers C-34-509-01 and C-34-535-01, prohibiting any sewer connection from a parcel containing wetlands or within the 100-year floodplain unless a mapping revision or grant waiver is obtained from the USEPA.

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.

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 the SSA through a wastewater treatment facility capacity analysis and through a nitrate dilution analysis for the non-SSA. A build-out analysis was performed to project future wastewater flow for the population increase over a 20-year period in accordance with N.J.A.C. 7:15-4.5(b)1ii(1) as Lebanon Borough meets the definition of an urbanized municipality pursuant to N.J.A.C. 7:15-1.5. The projected future wastewater flow within Lebanon Borough's existing and future SSA was used in conjunction with the existing wastewater flow, as described below, to assess whether sufficient capacity exists to accommodate future wastewater treatment need for the entire SSA.

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Pursuant to N.J.A.C. 7:15-4.5(b)1, an analysis was performed to assess the existing and future wastewater treatment needs for the SSA in Lebanon Borough. The RLSA Sewage Treatment Plant (STP) serves portions of two other municipalities in addition to Lebanon Borough, Readington Township and Clinton Township. The existing Lebanon Borough wastewater flow was calculated based on the highest 12-month period over the last five years prior to submittal, of the metered flow from the Borough to RLSA. The existing flow from Lebanon Borough was 0.237 million gallons per day (mgd). The build-out analysis for the Borough resulted in a future additional flow of 0.009 mgd. The existing Borough flow and the projected future wastewater flow were combined to determine the total projected future wastewater flow of 0.246 mgd from the Borough. Total existing flow to RLSA at the time was 0.822 mgd according to Discharge Monitoring Reports submitted to the Department. The result of the wastewater treatment capacity analysis identified no potential capacity deficiency at the RLSA STP, which has a permitted flow of 1.2 mgd, at this time; however, projected future flows from the other two municipalities served by RLSA are not yet accounted for in the analysis. Once the flows from those municipalities are accounted for, they will be included to complete the analysis. The analysis did determine that the wastewater flow allotted to the Borough from RLSA, 0.241 mgd, is not adequate to accommodate the full build-out of the Borough and the WMP discusses strategies to address the potential capacity deficit. The Department has determined that the wastewater treatment capacity analysis complies with N.J.A.C. 7:15-4.5.

Pursuant to N.J.A.C. 7:15-4.5(c), the nitrate dilution analysis identifies the total septic yield in equivalent dwelling units, as allowed pursuant to the Highlands Act rules and based on RMP septic density requirements, and whether a potential deficit in nitrate dilution capacity exists. For the planning area, septic densities are determined on a municipal basis by Land Use Capability Zone. In Lebanon Borough, the Existing Community Zone allows for a maximum septic density of nine acres per dwelling unit, the Conservation Zone allows for a maximum septic density of 10 acres per dwelling unit, and the Protection

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Zone allows for a maximum septic density of 26 acres per dwelling unit. 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 one additional equivalent dwelling unit allowed in the planning area. In addition, there are three equivalent dwelling units identified that could be built on underdeveloped parcels in the planning area, constituting a minimal potential nitrate dilution capacity deficiency. The proposed strategy for addressing the deficiency identified by the nitrate dilution analysis includes an analysis of buildability of identified exempt parcels as the septic build-out for the undeveloped parcels did not account for environmental constraints that may affect the buildability of the parcel. The Department has determined that the nitrate dilution analysis and the proposed strategy to mitigate the potential nitrate dilution capacity deficiency complies with N.J.A.C. 7:15-4.5(c).

The septic maintenance program includes an inventory of all known septic systems in Lebanon 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 WMP 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 WQM Plan. All information related to the WQM Plan and the proposed amendment is located at:

New Jersey Department of Environmental Protection

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Division of Watershed Protection and Restoration

Bureau of NJPDES Stormwater Permitting and Water Quality Management

Water Quality Management Planning Program

PO Box 420, Mail Code 501-02A

501 East State Street

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. Comments should reference Program Interest No. 435434, Activity No. AMD190009 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. 435434, Activity No. AMD190009 and must demonstrate sufficient public interest for the public hearing or extension of the comment period, as defined at 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.

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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.

7/23/2024

Date



Gabriel Mahon, Bureau Chief

Bureau of NJPDES Stormwater Permitting and Water Quality Management
Division of Watershed Protection and Restoration
NJ Department of Environmental Protection