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*Lieutenant Governor*

# State of New Jersey

## HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL

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**CARL J. RICHKO**  
*Chairman*

**BENJAMIN L. SPINELLI, ESQ.**  
*Executive Director*

TO: Highlands Water Protection and Planning Council

FROM: Ben Spinelli, Executive Director

DATE: May 13, 2025

RE: Washington Township, Warren County - Water Main Extension  
Public Health and Safety Waiver

New Jersey American Water, Incorporated (NJAW) (PWSID 2121001) is seeking a permit from the New Jersey Department of Environmental Protection (NJDEP) for a water main extension in Washington Township, Warren County to serve existing development in a groundwater contamination area. In accordance with the Water Supply Management Act N.J.S.A. 58:1A-15.1, all actions taken by the NJDEP shall be consistent with the provisions of the Highlands Water Protection and Planning Act P.L.2004, c.120(C.13:20-1 et al.) and Highlands RMP adopted pursuant to section 8 of P.L.2004 c.120(C.13:20-8). Also, a Highlands Consistency Determination issued by the Highlands Council is required as a condition of administrative completeness for new or modified Safe Drinking Water Permit applications including permits to construct new water mains that will interconnect existing distribution systems.

NJAW has applied to extend an existing water main to provide safe drinking water for 142 properties with private wells contaminated with elevated levels of perfluoroalkyl and polyfluoroalkyl substances (PFAS). Portions of the water main extension project are to be located in the Conservation Zone and Conservation-Environmentally Constrained Subzone of the RMP Land Use Capability Zone Mapping. RMP Policy 2J4a prohibits, new, expanded or existing public water systems in the Conservation Zone except where there "is a documented existing or imminent threat to public health and safety from contaminated domestic and other on-site water supplies that is of sufficient scale to justify a public water supply and where no alternative is feasible that would sufficiently assure long-term protection of public health and safety." Therefore, a Public Health and Safety Waiver from these provisions of the Regional Master Plan (RMP) is required. This document is being released for a 30-day public comment period, with the expectation that the matter will be reviewed by the Highlands Council at the June 19, 2025 public hearing.

### Project Description



*New Jersey Is an Equal Opportunity Employer*

NJAW seeks to extend the water main to provide safe drinking water for 142 properties with private wells contaminated with elevated levels of perfluoroalkyl and polyfluoroalkyl substances (PFAS) in Washington Township, Warren County. These private wells are currently using a point-of-use treatment (POET) system and/or delivered bottled water. However, this is not a long-term, sustainable potable water solution.

The proposed water main will extend from the existing Washington Township Water System and run along East Asbury-Anderson Road, Deer Run Avenue, Rymon Road, Tiffany Drive, NJ Highlands Route 31, West Asbury-Anderson Road, Pacesetter Drive, Jockey Hollow Road, Diane Court, and Thomas Court. This project includes the construction of approximately 21,393 linear feet of ductile iron pipe water mains, approximately 69 valves, approximately 27 fire hydrants, approximately 11 blow-off assemblies, and approximately 142 water service lines to serve existing residential properties and approximately five (5) small of commercial businesses along Rt 31. The majority of the water main construction work will occur within paved roadways and shoulders. In some instances, in order to avoid impacts to critical roadways, construction will proceed within 15 feet of the public right-of-way in grass and shrub areas. The proposed project will disturb approximately 40,995 square feet (sf) of grass, including lawns from the water main to the house, and 1,135 sf of low-lying brush, miscellaneous weeds, and brush. No mature trees are expected to be removed. Once construction is completed, all disturbed areas will be restored to the original condition.

The Washington Township Water System produces drinking water for its service area via six (6) well treatment stations supplied by eight (8) groundwater wells. The water supply firm capacity is 3.103 million gallons per day (MGD) and the Total Peak Daily Demand (July 2020) is 1.860 MGD. The Washington Township System has a surplus capacity of 1.243 MGD and will be able to accommodate the additional demand, with an estimated additional peak demand of 0.02 MGD. No increase or modification to the current Water Allocation Permit (WAP) is proposed and the proposed project will not accommodate new growth.

During construction of the proposed water main, dewatering may be required resulting in temporary and localized depressions of groundwater. The construction dewatering may need a New Jersey Pollutant Discharge Elimination System (NJPDES) Discharge to Surface Water (DSW) permit if the contaminated groundwater from construction activities is discharged to surface water. The dewatering should be temporary in nature and a short-term permit by rule operations. If dewatering and an NJPDES permit is necessary, the Bureau of Water Allocation and Well Permitting, Treatment Works Approvals, and Highlands Council regulations may be required.

## **Analysis**

The proposed water main project extends into the Existing Community Zone, Conservation Zone, and Conservation- Environmentally Constrained Sub-zone of the Planning Area of Washington Township, Warren County. Objective 2J4a prohibits new, expanded, or extended public water systems within the Conservation Zone and Environmentally Constrained Sub-zones of the Planning Area unless approved by the Highlands Council, and addressed through a waiver under Policy 7G2, for a public health and safety waiver.

The documented threat to public health, safety, and welfare posed by high levels of PFAS compounds in the groundwater in the area impacted by this application justifies the need for extension of potable water service. Additionally, the proposed project site does not impact any Highlands Resources, and there are no preserved farmlands in or adjacent to the project area. All disturbance will be temporary in nature and replaced in kind if disturbed. All larger trees will remain according to the proposed plan.

New Jersey American Washington System draws water from eight (8) wells and has capacity to supply the project site without modification to their WAP. Both source water supply subwatershed and the HUC 14 subwatershed of the water main extension are in deficit of Net Water Availability according to the RMP. Any increase in the capacity may exacerbate these current water deficits in one HUC, while offsetting the deficits in the other HUC due to the closure of 142 domestic wells. However, there is no other viable alternative or remedial actions that can provide an alternative water supply.

## **Conclusion**

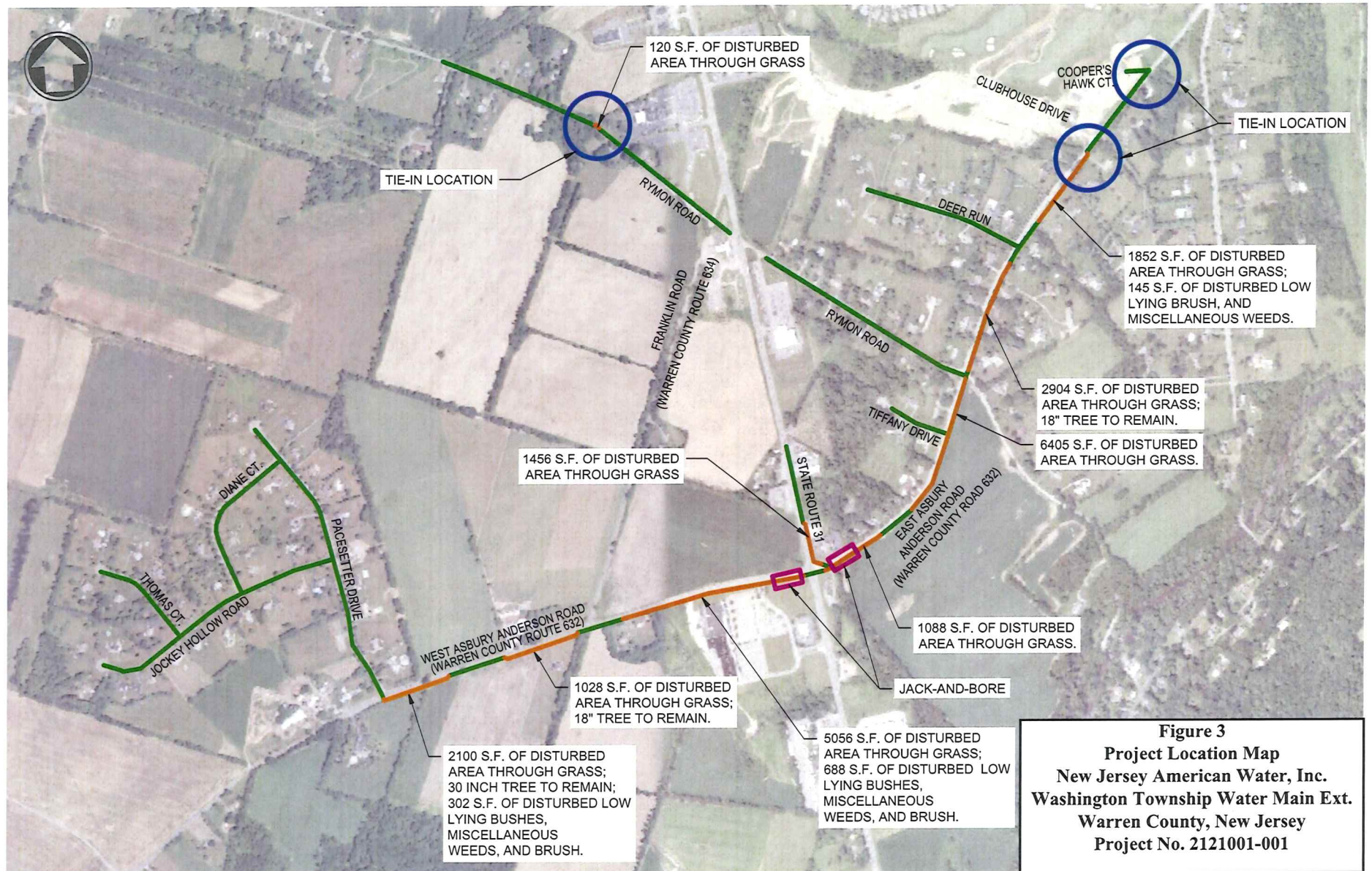
This extension is necessary for the protection of public health and safety. The proposed project will provide the community affected by PFAS contamination in Washington Township, Warren County with a reliable long-term, sustainable, and cost-effective, source of safe drinking water as well as a water supply for fire protection. Therefore, the water main extension has been determined to be within the scope of a public health and safety waiver as provided by the Highlands Act and the Highlands Council therefore finds this project consistent with the Act and the Highlands Regional Master Plan (RMP). It should be clearly understood that this waiver is subject to the condition that the proposed water main extension will only service existing development in the area currently determined to have been impacted by PFAS contamination. Any extension constructed pursuant to this application will not accommodate any new growth in the Conservation or Conservation Environmentally Constrained Subzone. Future service within the Existing Community Zone portion of the impacted area may be accommodated as permitted by and when consistent with the provisions of the Highlands RMP. This waiver may be extended to include locations that may be determined by the NJ DEP or the EPA to have PFAS contaminated drinking water wells outside the project area in the event that the extent of the groundwater contamination is found to extend beyond what are the currently known geographic boundaries.

## **Public Comment**

The Highlands Council is releasing this review for a 30-day public comment period. Any comments received within the 30-day period will be reviewed and responded to, with the comments and responses appended to this document.



# NJAW WASHINGTON SYSTEM PFOS EXTENSION AREA





**NJAW Washington System PFOS  
Extension Area Overlaid on Land  
Use Capability Zones**




Washington Township, Warren County, NJ

 NJAW Extension Area

Land Use Capability Zones - Zone

-  Protection
-  Conservation
-  Existing Community

Land Use Capability Zones - Sub Zones

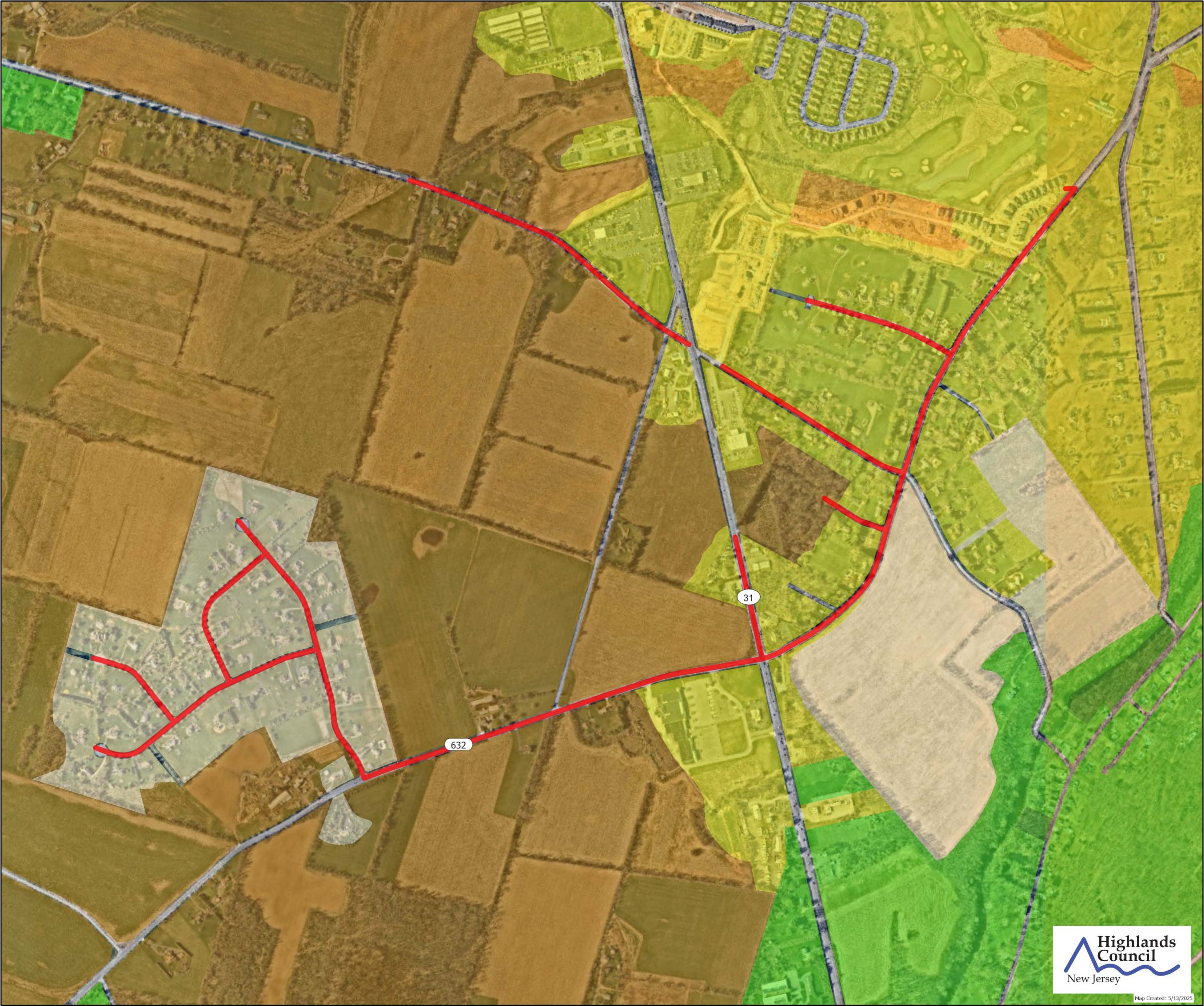
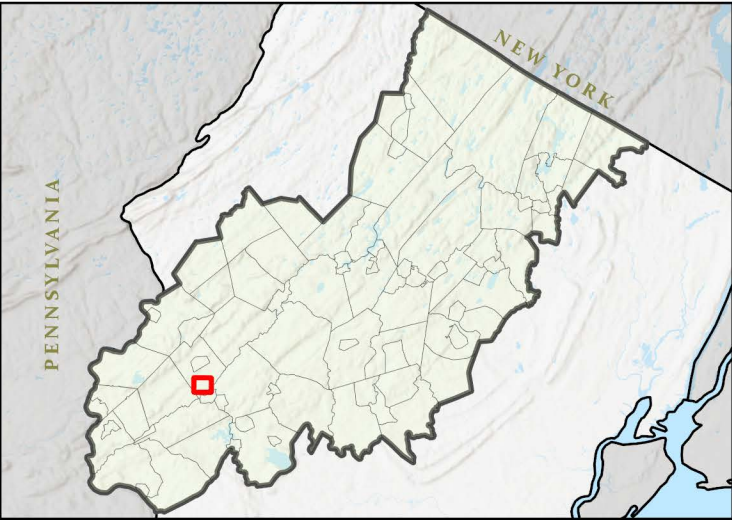
-  Conservation - Environmentally Constrained
-  Existing Community - Environmentally Constrained
-  Wildlife Management Area



0 500 1000 2000 US Feet

NJAW Extension Area is derived from New Jersey  
American Water's Figure 3: Project Location Map.

Project No. 2121001-001





The Highlands Council received comments from 3 commentors during the 30 day public comment period from May 13, 2025 to June 13, 2025.

**Comment 1: I would like more detailed information on the anticipated impacts to the two deficit HUC14s. I understand that it will exacerbate the deficit in the sending HUC and reduce the deficit in the receiving HUC, but it would be useful to know how much.**

Response 1: The proposed project site expands over two (2) HUC 14 subwatersheds; HUC 02040105160030 *Musconetcong River (Rt 31 to Changewater)* and HUC 02040105160040 *Musconetcong R (75d 00m to Rt 31)*. About half of the parcels along Route 31 and within Hawk Point are serviced by public wastewater facilities but the majority of the existing development is serviced by septic systems.

The NJ American Water Washington Township System (PWSID 2121001) has five (5) wells within the vicinity of the proposed project. Two (2) wells are located in HUC 02040105140020 *Pohatcong Ck (Brass Castle Ck to Rt 31)* which has a Net Water Availability (NWA) of -0.201 Million Gallons per Day (MGD). This HUC is located just above the proposed project site. One (1) well is located in the same subwatershed as the project in HUC 02040105160030 *Musconetcong R (Rt 31 to Changewater)*, which has an NWA of -0.609 MGD. Two (2) additional wells are located north of the project site in HUC 02040105160020 *Musconetcong R (Changewater to HancesBk)*, which has a NWA of 0.074 MGD.

The additional water usage will primarily be discharged back into the same or immediately adjacent subwatershed.

**Comment 2: Three points that perhaps should be clarified in the analysis: (1) the analysis says “the proposed project will not accommodate new growth” but part of the line will be in the ECZ, where growth is allowed, such as infill and commercial redevelopment; (2) we should expect that any legally-permissible new homes in the CZ along the water lines will also experience PFAS contamination, and therefore will request connection to the lines; and (3) given the wide area of contamination, I’m assuming this issue isn’t done yet and additional wells will show problems through PFAS migration, so we should have a plan for that.**

- 1) The ECZ area within the proposed project zone is built out with very limited growth available except for Hawk Point Golf Course between Limestone Blvd and Rymon Rd., which is accounted for.
- 2) Correct. Exempt parcels or parcels that can support cluster development can legally connect to the line.
- 3) EPA’s study area extends beyond this waiver request. Should an expanded area be confirmed, the recommendation will be to have the Highlands Council authorize the Executive Director to approve further extensions, provided they are for existing, allowable development.

**Comment 3:**

- **When is this project expected to start and to be completed?**
- **How will access to RT 31 be impacted on Rymon Road during construction?**
- **Will the waterline continue to be extended as the impacts of PFAS are discovered?**

Response: The Highlands Council is not responsible for the logistics and timing of construction. The EPA is studying a more extensive area. Should an expanded area be confirmed, the recommendation will be to have the Highlands Council authorize the Executive Director to approve further extensions, provided they are for existing or permissible development.