

PINELANDS COMMISSION

Pinelands Comprehensive Management Plan

Pilot Program for Alternate Design Wastewater Treatment Systems

Adopted Amendments: N.J.A.C. 7:50-6.84, 10.22 and 10.23

Proposed: July 16, 2018 at 50 N.J.R. 1523(a)

Adopted: October 12, 2018 by the New Jersey Pinelands Commission,
Nancy Wittenberg, Executive Director

Filed: October 17, 2018 **without change**

Authorized by: New Jersey Pinelands Commission

Authority: N.J.S.A. 13:18A-6j.

Effective Date: November 19, 2018

Expiration Date: Exempt.

The New Jersey Pinelands Commission (Commission) is adopting amendments to Subchapters 6, Management Programs and Minimum Standards, and 10, Pilot Programs, of the Pinelands Comprehensive Management Plan (CMP). These amendments were proposed on July 16, 2018 at 50 N.J.R. 1523(a). Their purpose is to allow for continued installation of certain wastewater treatment technologies in the Pinelands Area.

In association with publication of the proposed amendments in the July 16, 2018 issue of the New Jersey Register, the Pinelands Commission transmitted the proposal to each Pinelands municipality and county, as well as to other interested parties, for review and comment. Additionally, the Pinelands Commission:

- Sent notice of the public hearing to all persons and organizations that subscribe to the Commission's public hearing registry;
- Placed advertisements of the public hearing in the four official newspapers of the Commission, as well as on the Commission's own web page;
- Submitted the proposed amendments to the Pinelands Municipal Council pursuant to N.J.S.A. 13:18A-7f;
- Distributed the proposed amendments and new rule to the news media maintaining a press office in the State House Complex; and
- Published a copy of the proposed amendments on its web page at www.nj.gov/pinelands

Summary of Hearing Officer Recommendations and Agency Response:

A formal public hearing was held before the Commission staff on August 29, 2018. One individual attended the hearing and provided oral testimony on the rule proposal. The hearing officer's recommendations are in accordance with the public comment and agency responses below.

The hearing was recorded on magnetic tape which is on file at the Commission's office at 15 Springfield Road, New Lisbon, New Jersey. The record of this rulemaking is available for inspection in accordance with applicable law by contacting:

Betsy Piner

Pinelands Commission

P.O. Box 359

New Lisbon, NJ 08064

Summary of Public Comments and Agency Responses:

The Commission accepted oral comments on the July 16, 2018 proposal at the above-discussed August 29, 2018 public hearing and written comments by regular mail, facsimile or e-mail through September 14, 2018.

Comments were received from one individual: Rich Bizub, Director for Water Programs, Pinelands Preservation Alliance. Mr. Bizub expressed support for the proposed amendments and the Pilot Program as a whole. He agreed it was appropriate to remove the installation deadline for pilot program technologies and important to provide an opportunity for new technologies to participate in the program. The Commission appreciates this expression of support.

Federal Standards Statement

Section 502 of the National Parks and Recreation Act of 1978 (16 U.S.C. §471i) called upon the State of New Jersey to develop a comprehensive management plan for the Pinelands National Reserve. The original plan adopted in 1980 was subject to the approval of the United States Secretary of the Interior, as are all amendments to the plan.

The Federal Pinelands legislation sets forth rigorous goals which the plan must meet, including the protection, preservation and enhancement of the land and water resources of the Pinelands. The amendments now being adopted are designed to meet those goals by allowing for the continued installation and monitoring of alternate design wastewater treatment systems for residential development in the Pinelands Area.

There are no other Federal requirements which apply to the subject matter of these amendments.