



State of New Jersey

Highlands Water Protection and Planning Council
100 North Road (Route 513)
Chester, New Jersey 07930-2322
(908) 879-6737
(908) 879-4205 (fax)
www.nj.gov/njhighlands



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

CARL J. RICHKO
Chairperson

LISA J. PLEVIN
Executive Director

March 21, 2022

VIA EMAIL ONLY:

Madhu Guru, Director
New Jersey Department of Environmental Protection
401 East State Street, P.O. Box 420
Mail Code 401-02A
Trenton, NJ 08625-0420

Subject: KRE-Harding
Block 23.02 Lot 5
Harding Township, Morris County
Proposed Amendment to the Northeast County Water Quality Management Plan (WQMP)
Finding: Consistent with the Regional Master Plan (RMP) – as amended

Dear Ms. Guru:

On April 22, 2021, the New Jersey Highlands Water Protection and Planning Council (Highlands Council) provided a Consistency Determination for the above referenced application for a site-specific amendment to the Northeast Water Quality Management Plan (WQMP)(attached). Although Harding Township has not opted to conform with the Regional Master Plan (RMP) for its Planning Area lands, State of New Jersey Regulations (N.J.A.C. 7:15-2.9; N.J.A.C. 7:15-3.2; N.J.A.C. 7:15-3.5; N.J.A.C. 7:38-1.1(k)), Highlands RMP policies, and Executive Order (EO) 114 (2008) require the Highlands Council to review WQMP amendments for consistency with the Net Water Availability (NWA) provisions of the RMP.

The Highlands Council found the application Consistent with the RMP, with conditions. The two conditions include the submission and approval of a Site-Specific Water Deficit Mitigation Plan (Mitigation Plan) and the development of a municipal-wide Water Use and Conservation Management Plan (WUCMP) by Harding Township. The applicant submitted a Mitigation Plan dated March 16, 2022. The Mitigation Plan details a variety of proposed strategies to address the mitigation target. These strategies are as follows:

Indoor Conservation Measures

- The applicant commits to the installation of low-flow, high efficiency plumbing fixtures and appliances for the entire development including water faucets, washing machines, dishwashers, showers, and toilets.

- The applicant commits to utilizing energy-star compliant clothing washing machines and dishwashers.
- According to the information provided by the applicant, this accounts for a savings of approximately 2,951 gpd.

Stormwater Management

- Stormwater will be collected and directed to eight (8) bioretention basins, three (3) porous pavement areas, manufactured treatment devices, and underground detention basins onsite.
- The proposed project site will not provide substantial groundwater recharge due to the nature of subsurface conditions and shallow depth to bedrock.
- Due to site conditions, the bioretention and porous pavement areas will have underdrains installed to ensure full drainage within 72 hours.

Outdoor Conservation Measures

- Native plant material and landscape stock will be utilized, limiting water requirements.
- The property will be maintained by a professional landscaping/property maintenance company, eliminating water use by tenants.
- The applicant will install state-of-the-art smart irrigation systems for the site. These systems eliminate overwatering by tracking the current weather conditions and looks ahead at forecasts to see if rain is pending in the next few days.
- The property management company will provide community awareness and flyers to the occupants indicating that automobile washing is prohibited onsite.

Municipal Water Use and Conservation Management Plan (WUCMP)

Harding Township is engaged with the Highlands Council to develop a municipal-wide WUCMP, with provided grant funding. This work is currently underway, and Harding has prepared a draft of the plan. It is anticipated that the WUCMP will be finalized and adopted soon.

The applicant has agreed to work collaboratively with Harding Township and the Harding Township engineer in the implementation of the WUCMP. The applicant proposes to retrofit an existing stormwater basin into an infiltration or bioretention basin. This retrofit aims to increase infiltration within the source HUC14 watershed.

Highlands Council Findings

The Highlands Council recognizes that the applicant is proposing several water use mitigation measures including low-flow fixtures and appliances, green stormwater infrastructure, native species planting, smart technology irrigation systems, and the retrofit of an existing stormwater basin within Harding Township. Based on our review of the proposed water deficit mitigation measures and the constraints posed by onsite soil conditions, it has been determined that the maximum water conservation and mitigation is proposed for this project. Therefore, **the Highlands Council finds the proposed WQMP Amendment consistent with the RMP- as amended.**

This determination by the Highlands Council is in accordance with State of New Jersey Regulations and EO 114 (2008) regarding consistency with the RMP. The determination is specific to the requirement for a WQMP Amendment based on the proposed project details and does not eliminate

the need for any permits, approvals, or certifications required by the NJDEP or any federal, State, county, or municipal review agency with jurisdiction over this project/activity. Should you have any questions regarding this WQMP Amendment review, or any information contained in this letter, please do not hesitate to contact me at (908) 879-6737 (ext. 101) or at lisa.plevin@highlands.nj.gov.

Sincerely,



Lisa Plevin
Executive Director

Enclosure

c: Scott Sullivan, NJDEP BEARS
Noah Crismer, S/K Mt. Kemble Associates, LLC
Bradford Bohler, Bohler Engineering LLC
Amin Sharifi, Bohler Engineering LLC
Timothy Aquilar, Bohler Engineering LLC
Robert Falzarano, Harding Township Administrator
Lisa Sharp, Harding Township Clerk



State of New Jersey

Highlands Water Protection and Planning Council
100 North Road (Route 513)
Chester, New Jersey 07930-2322
(908) 879-6737
(908) 879-4205 (fax)
www.nj.gov/njhighlands



PHILIP D. MURPHY
Governor

CARL J. RICHKO
Chairperson

SHEILA Y. OLIVER
Lt. Governor

LISA J. PLEVIN
Executive Director

April 22, 2021

VIA EMAIL ONLY:

Madhu Guru, Director
New Jersey Department of Environmental Protection
401 East State Street, P.O. Box 420
Mail Code 401-02A
Trenton, NJ 08625-0420

Subject: KRE-Harding
Block 23.02 Lot 5
Harding Township, Morris County
Proposed Amendment to the Northeast County Water Quality Management Plan (WQMP)
Finding: Consistent with Specified Conditions

Dear Ms. Guru:

The New Jersey Highlands Water Protection and Planning Council (Highlands Council) was notified on November 24, 2020 of the above-referenced application for a site-specific amendment to the Northeast Water Quality Management Plan (WQMP) by the New Jersey Department of Environmental Protection (NJDEP). Although Harding Township has not opted to conform with the Regional Master Plan (RMP) for its Planning Area, State of New Jersey Regulations (N.J.A.C. 7:15-2.9; N.J.A.C. 7:15-3.2; N.J.A.C. 7:15-3.5; N.J.A.C. 7:38-1.1(k)), Highlands RMP policies, and Executive Order (EO) 114 (2008) require the Highlands Council to review and provide comments on WQMP amendments regarding consistency with the Net Water Availability (NWA) provisions of the RMP.

The proposed project consists of the construction of a clubhouse, pool, children's playground, dog park, and 96 residential units, 16 of which will be affordable housing. The estimated 27,600 gallons per day (gpd) of wastewater that will be generated from the proposed project will be treated by the Woodland Water Pollution Control Utility (NJ0024929). Potable water for the proposed project will be supplied by Southeast Morris County Municipal Utility Authority (MUA) (PWSID NJ1424001). Southeast Morris County MUA has wells located within the same HUC14 subwatershed as the proposed project, but the discharge location of Woodland Water Pollution Control Utility is located within a different HUC14 subwatershed.

The property is approximately 15.6 acres in size, of which 9.3 acres will be disturbed. The site is currently undisturbed forest and wetlands and is located within the Protection Zone of the Planning Area of the Highlands Region. The RMP indicates that the NWA for the HUC14 subwatershed in which the property is located is in deficit (-0.941722 Million Gallons per day (MGD)), and the proposed project will likely exacerbate the NWA deficit. The subwatershed deficit is identified as greater than -0.25 MGD, which is considered a high/most severe condition as compared to the remainder of the Highlands Region.

A mitigation target has been calculated for the project based upon the proposed water use, in this case, public supply. This use is considered depletive, as opposed to consumptive, since the discharge location of the wastewater treatment plant is in a different HUC14 subwatershed than the project site and the public water source wells. However, the consumptive use and residential coefficient (29%) is used in this case since some of the water will remain within the source HUC14 subwatershed due to anticipated infiltration from lawn watering. Therefore, the figure used to represent water demand is 19,596 gpd since that is the total amount leaving the subwatershed as wastewater. This is then multiplied by a scaled mitigation requirement imposed by the RMP of 175% of the consumptive demand to yield a mitigation target of 34,293 gpd.

Since the proposed project is in the Protection Zone of a deficit HUC14 subwatershed, the Highlands Council requires that the following conditions be met in order to be considered consistent with the RMP and EO 114:

- Site-Specific Water Deficit Mitigation Plan:
 - Mitigation of the proposed consumptive use shall be accomplished by a permanent reduction of existing consumptive water uses, groundwater recharge in excess of the requirements of N.J.A.C. 7:8 (Stormwater Management Rules) or other permanent means.
 - Mitigation strategies can include, but are not limited to, enhanced groundwater recharge, installation of low-flow fixtures, high-efficiency irrigation systems and the selection of drought-tolerant, native plantings.
 - Mitigation shall be successfully completed onsite prior to initiation of the water use, except where the current deficit is considered high, off-site mitigation shall be successfully completed prior to any on-site construction.
 - Mitigation may be phased in keeping with the level of consumptive water uses.
 - The mitigation plan for the project shall include specific objectives for each mitigation component; monitoring and reporting requirements; methods by which shortfalls in meeting mitigation objectives shall be addressed through additional action; and be guaranteed through performance bonds.
- Harding Township shall develop a municipal-wide Water Use and Conservation Management Plan (WUCMP). Funding for the development of the WUCMP shall be provided by the Highlands Council.

The Highlands Council met with the applicants on January 29, 2021 to discuss the project and the applicant provided the Stormwater Management Report. Stormwater will be collected and directed to eight (8) bioretention basins, three (3) porous pavement areas, manufactured treatment devices, and underground detention basins onsite. The proposed project site will not provide substantial groundwater recharge due to the depth of bedrock.

This determination by the Highlands Council is in accordance with State of New Jersey Regulations and EO 114 (2008) regarding consistency with the RMP. The determination is specific to the requirement for a WQMP Amendment based on the proposed project details and does not eliminate the need for any permits, approvals, or certifications required by the NJDEP or any federal, State, county, or municipal review agency with jurisdiction over this project/activity. Should you have any questions regarding this WQMP Amendment review, or any information contained in this letter, please do not hesitate to contact me at (908) 879-6737 (ext. 101) or at lisa.plevin@highlands.nj.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa Plevin".

Lisa Plevin
Executive Director

c: Scott Sullivan, NJDEP BEARS
Noah Crismer, S/K Mt. Kemble Associates, LLC
Bradford Bohler, Bohler Engineering LLC
Amin Sharifi, Bohler Engineering LLC
Timothy Aquilar, Bohler Engineering LLC
Robert Falzarano, Harding Township Administrator
Lisa Sharp, Harding Township Clerk

From: [Castanhas, Karen \[HIGHLANDS\]](#) on behalf of [Plevin, Lisa \[HIGHLANDS\]](#)
To: [Guru, Madhu \[DEP\]](#)
Cc: [Sullivan, Scott \[DEP\]](#); nchrimer@thekregroup.com; [Brad Bohler](#); asharifi@bohlereng.com; [Timothy Aguilar](#); rfalzarano@hardingnj.org; lsharp@hardingnj.org; [Ezyske, Casey \[HIGHLANDS\]](#)
Subject: KRE-Harding Harding Township, Morris County Proposed Amendment to the Northeast County Water Quality Management Plan (WQMP)
Date: Monday, March 21, 2022 2:20:00 PM
Attachments: [032122_EMAIL_KRE-Harding_WQMP - amended CD_03182022.pdf](#)

Good Afternoon Ms. Guru,

On behalf of the Highlands staff, attached please find our response for the KRE-Harding Block 23.02 Lot 5, Harding Township, Morris County, proposed amendment to the northeast county Water Quality Management Plan (WQMP).

Note: In an effort to reduce paperwork and associated costs, please consider this email our formal response.

Thank you,
Lisa

Lisa Plevin
Executive Director

New Jersey Highlands Council
100 North Road (Route 513)
Chester, NJ 07930-2322
(908) 879-6737 ext. 101
(908) 879-4205 Fax

lisa.plevin@highlands.nj.gov
www.nj.gov/njhighlands

Please consider the environment before printing this e-mail

This email, together with any attachments, is intended for the named recipient(s) only; and may contain privileged and confidential information. If received in error, you are asked to inform the sender as quickly as possible and delete this email and any copies of this from your computer system network. Unless stated otherwise, this email represents only the views of the sender and not the views of the New Jersey Highlands Council.