Notes:

1. This map is for demonstration purposes only and was not developed in accordance with National Map Accuracy Standards. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The map was developed, in part, using New Jersey Department of Environmental Protection Geographic Information System (GIS) digital data, in conjunction with the Cape May County Office of Geographic Information Systems, but this secondary product has not been verified by NJDEP and is not state authorized. The geodetic accuracy and precision of the GIS data contained in this map has not been developed nor verified by a professional licensed land surveyor and shall not be nor is intended to be used in matters requiring delineation and location of true ground horizontal and/or vertical controls. The existing sewer service areas were developed by Cape May County, the Cape May County Planning Department, Cape May County Municipal Utilities Authority, Lower Township Municipal Utilities Authority, and the individual Municipalities that have sewer service areas within their boundaries.

2. This map reflects the best available data but the accuracy of such data is not guaranteed. Potentially environmentally sensitive areas are identified on these maps for informational purposes only and are subject to site specific investigation to determine sewerability.

3. The requirements of all regulatory agencies with jurisdiction, including but not limited to the New Jersey Department of Environmental Protection (NJDEP), the United States Environmental Protection Agency (USEPA), and the New Jersey Pinelands Commission, must be met prior to connecting any parcel to sewer service. The following State and Federal rules were considered in the preparation of the sewer service area maps.

4. Pre-existing grant conditions and requirements (from Federal and State grants or loans for sewerage facilities) which provide for restriction of sewer service to environmentally sensitive areas, are unaffected by adoption of this WMP and compliance is required. Please see municipal WMP Chapters for the existence of any applicable environmentally sensitive areas in which Federal 201 grant limitations prohibit the extension of sewer service.

5. The Cape May County Municipal Utilities Authority (CMCMUA) Wastewater Treatment Facility is subject to USEPA 201 Grant Restrictions which prohibit the connection of sewer to parcels of land within environmentally sensitive areas. Such environmentally sensitive areas include tidal and freshwater wetlands, intermittent stream corridors, critical uplands and wildlife habitat, beach and dune areas, and flood-prone areas. Environmentally sensitive areas cannot be sewered unless a mapping revision or waiver is received from the USEPA prior to sewer connection of such parcels.

6. Locations of future pump stations, major interceptors, and trunk sewers are being provided for general information only and will not serve as the basis for any future consistency determinations or permit reviews unless the pump station, major interceptor or trunk sewer is part of a State or federally funded project.

7. Pursuant to the NJDEP Water Quality Management Planning Rules (N.J.A.C. 7:15-5.24), sewer service may be provided to areas that are not identified as environmentally sensitive (including Endangered or Threatened Wildlife Species Habitat, Natural Heritage Priority Sites, Category One waters and Tributaries, and Wetlands) and to those areas identified as environmentally sensitive when such environmentally sensitive areas compose a contiguous area of less than 25 acres.

8. The NJDEP WQMP Rules (N.J.A.C. 7:15-5.24(h)), provide that sewer service areas may include the environmentally sensitive areas listed above, when inclusion is designed to accommodate center based development pursuant to an endorsed plan approved by the State Planning Commission. In order to be included in a sewer service area, the NJDEP must also determine that the environmentally sensitive area(s) is not critical to a population of threatened or endangered species. Sewer service connections within these areas are subject to NJDEP approval.

9. Pursuant to N.J.A.C. 7:15, Riparian zones are: 300 feet from top of bank (or centerline of a first order stream where no bank is apparent) for waters designated as Category One and all upstream tributaries within the same HUC 14; 150 feet for waters designated Trout Production and all upstream waters; 150 feet for water designated Trout Maintenance and all upstream waters within one linear mile as measured along the length of the regulated water; 150 feet for any segments of water flowing through an area that contains documented habitat for a threatened or endangered species of plant or animal, which is critically dependent on the surface water body for survival, and all upstream waters (including tributaries) within one linear mile as measured along the length of the surface water body; 150 feet for waters that run through acid-producing soils, and; 50 feet for all waters not designated as C1, trout waters, critically water dependent Threatened and/or Endangered Species Habitat, or associated with acid soils.

10. Surface waters that are designated Category One are listed in the Surface Water Quality Standards at N.J.A.C. 7:9B. The NJDEP's "Surface Water Quality Standards" GIS data layer was utilized to determine these waters. The applicable 300 foot buffer has been applied to these waterways and removed from the proposed sewer service areas on the mapping. Lesser width buffers have not been graphically removed from the sewer service area but are not proposed for sewer service. Jurisdictional determinations by the NJDEP will be utilized to determine the extent of the sewer service area on individual lots.

11. Compliance with the riparian zone standard has been demonstrated by the adoption of municipal Riparian Corridor Ordinances, which have been updated to be in compliance with the Flood Hazard Control Act Rules (N.J.A.C. 7:13) and Water Quality Management Rules (N.J.A.C. 7:15). See municipal chapters for additional information.

12. Areas located within the watershed of a Freshwater One (FW1) stream, as classified in the Surface Water Quality Standards, and/or that have Class 1-A ground water (Ground Water of Special Ecological Significance), as classified in the Ground Water Quality Standards, are identified as "Non-degradation water area" based on the Surface Water Quality Standards at N.J.A.C. 7:9B, and/or the Ground Water Quality Standards at N.J.A.C. 7:9-6. Non-degradation water areas shall be maintained in their natural state (set aside for posterity) and are subject to restrictions including, but not limited to, the following: 1) DEP will not approve any pollutant discharge to ground water nor approve any human activity which results in a degradation of natural quality except for the upgrade or continued operation of existing facilities serving existing development. For additional information please see the Surface Water Quality Standards at N.J.A.C. 7:9B, and/or the Ground Water Quality Standards at N.J.A.C. 7:9-6.

13. All existing, new, or expanded industrial pretreatment facilities requiring Significant Indirect User (SUI) permits and/or Treatment Works Approvals, and which are located within the specified sewer service area, are deemed to be consistent.

14. Development in areas mapped as wetlands, flood prone areas, suitable habitat for endangered and threatened species as identified on the NJDEP's Landscape Maps of Habitat for Endangered, Threatened and Other Priority Wildlife as Rank 3, 4. and 5, Natural Heritage Priority Sites, riparian zones, steep slopes, or designated river areas may be subject to special regulation under Federal or State statutes or rules, and interested persons should check with the NJDEP for the latest information. Any depiction of environmental features shall be for general information purposes only, and shall not be construed to define the legal geographic jurisdiction of such statutes or rules.

15. Individual subsurface sewage disposal systems (ISSDS) for individual residences can only be constructed in depicted sewer service areas if legally enforceable guarantees are provided, before such construction, that use of such systems will be discontinued when the depicted sewer service becomes available. This applies to ISSDS that require certification from the Department under the Realty Improvement Sewerage and Facilities Act (N.J.S.A. 58:11-23) or individual Treatment Works Approval or New Jersey Pollutant Discharge Elimination System Permits (under N.J.A.C. 7:14A). It also applies to ISSDS which require only local approvals. Compliance with the connection requirement has been demonstrated through adoption of municipal and/or sewerage authority ordinances. See municipal chapters for additional information.

16. Proposed developments tying into existing and proposed sewer service areas which require coastal permits must demonstrate compliance with all applicable sections of the Coastal Zone Management rules including, but not limited to, Wetlands (N.J.A.C. 7:7E-3.27), Wetlands Buffers (N.J.A.C. 7:7E-3.28), Endangered or Threatened Wildlife or Vegetation Species Habitat (N.J.A.C. 7:7E-3.38), Secondary Impacts (N.J.A.C. 7:7E-6.3), Public Facility Use Policies (N.J.A.C. 7:7E-7.6), Water Quality (N.J.A.C. 7:7E-8.4), Ground Water Use (N.J.A.C. 7:7E-8.6) and the policies under General Land Areas rules, Subchapters 5, 5A, and 5B.

17. For facilities (including but not limited to sewer connections, sewer extensions and on-site treatment plants) which are located in the Pinelands Area, as defined at N.J.S.A. 13:18A-11, the approval of the Pinelands Commission pursuant to the requirements of the Pinelands Comprehensive Management Plan (CMP) is required prior to construction. All facilities and activities included within this WMP should be consistent with the requirements of the CMP.

18. In accordance with the Memorandum of Understanding (MOU) between the New Jersey Pinelands Commission and New Jersey Department of Environmental Protection (NJDEP), dated April 9, 2012, all lands located within a Regional Growth Area, Pinelands Village or Pinelands Town shall be deemed to be within a sewer service area. Additionally, the NJDEP will not require that environmentally sensitive areas, as defined above, be removed from such sewer service areas.

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LEGEND

- CAFRA Boundary
- Pinelands Management Area Boundary
- Designated Center Boundaries
- Pinelands Town/Village
- Sewer Plant
- Existing NJPDES Ground Water Discharges
- Existing NJPDES Surface Water Discharges

Existing Sewer Service Areas

- Discharge to Groundwater Greater than 2,000 GPD
- Existing Wastewater Facilities

Proposed Sewer Service Areas

- Pinelands Town/Village Discharge to Groundwater Greater than 2,000 GPD
- Ocean City Regional WTP or DGW Greater than 2,000 GPD
- Discharge to Groundwater Greater than 2,000 GPD
- Septic Area (ISSDS 2,000 gpd or Less)
- Restricted Septic Area (Planning Flows of 2,000 gpd or Less AND Less Than 6 Residential Units

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FUTURE WASTEWATER SERVICE AREA MAP

Amending the Cape May County
Areawide Water Quality Management Plan

TOWNSHIP OF UPPER

Date of Current Submission: January 7, 2013