

**DRAFT – FOR CONSIDERATION AT JUNE 26, 2008  
HIGHLANDS COUNCIL MEETING**



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**WATER QUALITY MANAGEMENT CONSISTENCY DETERMINATIONS**  
**Overview**

At the direction of the Highlands Council, Council staff has assessed the requirements of NJDEP's revised and recently published Water Quality Management Planning Rules (WQMP Rules) at N.J.A.C. 7:15. Staff has prepared an analysis of these rules and presents a comparison of the rules to the RMP standards applied by staff during the reviews conducted of WQMP amendments to date.

Under the revised WQMP rules, counties and municipalities must complete their wastewater management plans (WMP) within nine (9) months of the effective date of the rules. Given this timeframe, it is critical that the counties and municipalities in the Highlands Region be aware of the applicable standards that will be required by the NJDEP in order to have an approved WMP. As such, it is recommended that the Highlands Council provide to NJDEP the Highlands Regional Master Plan (RMP) standards that are specifically applicable to the WQMP regulations for purposes of rendering a consistency determination as required by the NJDEP's rules for the Highlands Region at N.J.A.C. 7:38-1.1(k) (Highlands Rules), and any additional RMP standards that the Highlands Council feels are relevant to the WQMP process and should be considered by NJDEP in terms of consistency for counties and municipalities.

NJDEP is the agency that has the ultimate responsibility to determine whether the proposed WMP complies with the requirements of both WQMP Rules and the Highlands Rules, thus the Highlands will provide the standards for planning purposes to achieve consistency. Consequently, to ensure a coordinated planning process, the relevant RMP standards will be provided to NJDEP.. This will permit discussion and consideration of the relevant RMP standards at the earliest possible time in the planning process.

Attached hereto is a table highlighting the important provisions of the revised WQMP Rules and the RMP standards that relate to those provisions. Additionally, the right-hand column of the table includes those RMP standards that may be considered as part of an RMP consistency review of a WQMP, but do not necessarily correspond to a specific requirement of the revised WQMP rules.

As noted above, there is a nine-month timeframe set forth for completion of these plans. Planning entities will need to know the standards in advance so that they may achieve them within the given timeframe. It should be noted that this is the same timeframe during which the Council and staff will be starting the RMP implementation in order to meet the Plan Conformance deadlines set forth by the Highlands Act. Due to this overlap, it is important to consider the practical implications of

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Highlands Council staff having to review all WQMPs or WQMP amendments within the specified timeframe. Based on this approach, the Council staff would provide relevant information to counties and municipalities directly, as needed, as well as through the Council's Web site, for their use in the WMP process. In addition, the Council would coordinate with NJDEP to ensure that the RMP standards and data are fully understood and used properly. Consistency determinations would be based upon the RMP standards provided by the Council to NJDEP, with ongoing coordination with NJDEP as to the RMP components for which NJDEP requires consistency in WMP development.

Towns with lands in the Planning Area that choose to conform will be facilitated by the Council by having their Conformance Action Plan identify WQMP components as early mandatory items. In this manner the Council can facilitate the NJDEP in meeting the goal of 9 months.