

CHAPTER 15

WATER QUALITY MANAGEMENT PLANNING

Authority

N.J.S.A. 13:1D-1 et seq., 13:19-1 et seq., 13:20-1 et seq., 23:2A-1 et seq., 40:55D-93 through 99, 58:1A-1 et seq., 58:10A-1 et seq., 58:11-23 et seq., 58:11A-1 et seq., 58:16A-50 et seq., and 58:29-1 et seq.

Source and Effective Date

R.2008 d.163, effective May 21, 2008.
See: 39 N.J.R. 1870(a), 39 N.J.R. 2583(b), 40 N.J.R. 4000(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 15, Water Quality Management Planning, expires on May 21, 2015. See: 43 N.J.R. 1203(a).

Chapter Historical Note

The original text of this chapter (Industrial Pollution Control Financing Law) was adopted pursuant to N.J.S.A. 13:1B-3 and 13:1D-1 et seq. and was filed and became effective on September 25, 1974 as R.1974 d.268. See: 6 N.J.R. 394(b). The text was repealed by R.1980 d.433 on October 7, 1980. See: 12 N.J.R. 454(b), 12 N.J.R. 643(a). Chapter 15, Water Quality Management Planning and Implementation Process, was adopted as R.1984 d.110, effective April 2, 1984. See: 15 N.J.R. 765(b), 16 N.J.R. 1988(a). Pursuant to Executive Order No. 66(1978), Chapter 15, Water Quality Management Planning and Implementation Process, expired April 2, 1989.

Chapter 15, Statewide Water Quality Management Plan, was adopted as new rules by R.1989 d.517, effective October 2, 1989. See: 20 N.J.R. 2198(a), 20 N.J.R. 2478(a), 21 N.J.R. 3099(a).

Petition for Rulemaking: Requesting amendment to the process for review and amendment of Areawide Water Quality Management Plans and associated permits. See: 21 N.J.R. 3183(b).

Public Notice: Amendment to the Statewide Water Quality Management Program Plan. See: 21 N.J.R. 3184(a).

Public Notice: Opportunity for interested party review for rule amendments. See: 25 N.J.R. 411(a).

Pursuant to Executive Order No. 66(1978), Chapter 15, Water Quality Management Planning, was readopted as R.1994 d.525. See: 26 N.J.R. 3106(a), 26 N.J.R. 4182(c).

Subchapter 6, Water Quality Limited Surface Waters, and Subchapter 7, Total Maximum Daily Loads, were adopted as R.1997 d.108, effective May 5, 1997. See: 28 N.J.R. 729(a), 28 N.J.R. 2779(a), 28 N.J.R. 3494(a), 28 N.J.R. 3858(a), 29 N.J.R. 2142(a).

The Executive Order No. 66(1978) expiration date for Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from September 22, 1999 to September 22, 2000. See: 31 N.J.R. 3087(a).

The Executive Order No. 66(1978) expiration date for Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from September 22, 2000 to April 30, 2001. See: 32 N.J.R. 3830(a).

Subchapter 8, Discharges to Ground Water of Less Than 20,000 Gallons Per Day and Less Than 2,000 Gallons Per Day, was adopted as R.2001 d.72, effective February 20, 2001 (operative March 20, 2001). See: 32 N.J.R. 2285(a), 32 N.J.R. 3208(b), 33 N.J.R. 697(a).

The Executive Order No. 66(1978) expiration date for Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from April 30, 2001 to April 30, 2002. See: 33 N.J.R. 1588(a).

Subchapter 9, Watershed Management Grants, was adopted as R.2001 d.261, effective August 6, 2001. See: 32 N.J.R. 2285(a), 32 N.J.R. 3208(b), 33 N.J.R. 2641(b).

In accordance with N.J.S.A. 52:14B-5.1d, Chapter 15, Water Quality Management Planning, expiration date was extended by gubernatorial directive from April 30, 2002 to April 30, 2004. See: 34 N.J.R. 1021(a).

In accordance with N.J.S.A. 52:14B-5.1d, Chapter 15, Water Quality Management Planning, expiration date was extended by gubernatorial directive from April 30, 2004 to October 29, 2005. See: 36 N.J.R. 2762(a).

In accordance with N.J.S.A. 52:14B-5.1d, Chapter 15, Water Quality Management Planning, expiration date was extended by gubernatorial directive from October 29, 2005 to November 29, 2005. See: 37 N.J.R. 4535(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from November 29, 2005 to May 25, 2006. See: 38 N.J.R. 293(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from May 25, 2006 to January 31, 2007. See: 38 N.J.R. 2691(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from January 31, 2007 to April 1, 2007. See: 39 N.J.R. 767(c).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from April 1, 2007 to May 1, 2007. See: 39 N.J.R. 1710(a).

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 15, Water Quality Management Planning, was scheduled to expire on October 28, 2007.. See: 39 N.J.R. 1870(a).

In accordance with N.J.S.A. 52:14B-5.1d, the expiration date of Chapter 15, Water Quality Management Planning, was extended by gubernatorial directive from October 28, 2007 to May 21, 2008. See: 39 N.J.R. 5081(a).

Chapter 15, Water Quality Management Planning, was readopted as R.2008 d.163, effective May 21, 2008. As a part of R.2008 d.163, Subchapter 6, Water Quality Limited Surface Waters, was repealed and Subchapter 6, Water Quality Limited Segments Lists and Total Maximum Daily Loads, was adopted as new rules; Subchapter 7, Total Maximum Daily Loads, was repealed; and Subchapter 8, Discharges to Ground Water of Less Than 20,000 Gallons Per Day and Less Than 2,000 Gallons Per Day, was repealed and Subchapter 8, Withdrawal and Redesignation of Wastewater Service Areas, was adopted as new rules, effective July 7, 2008. See: Source and Effective Date. See, also, section annotations.

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SUBCHAPTER 1. GENERAL PROVISIONS

7:15-1.1 Scope

(a) This chapter establishes water quality management policies and procedures pursuant to the Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., the Water Pollution Control Act, N.J.S.A. 58:10A-1 et seq., the Department's enabling legislation, N.J.S.A. 13:1D-1 et seq., the Watershed Protection and Management Act of 1997, N.J.S.A. 58:29-1 et seq., the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq., the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1 et seq., the Endangered and Nongame Species Conservation Act, N.J.S.A. 23:2A-1 et seq., the Stormwater Management Act, N.J.S.A. 40:55D-93 through 99, the Water Supply Management Act, N.J.S.A. 58:1A-1 et seq., the Realty Improvement Sewerage and Facilities Act, N.J.S.A. 58:11-23 et seq., and the Flood Hazard Area Control Act, N.J.S.A. 58:16A-50 et seq. Specifically, this chapter establishes policies and procedures concerning the following subjects:

1. The content of the continuing planning process ("CPP") and its relationship to this chapter and the Statewide Water Quality Management ("WQM") Plan;
2. The relationship between the Statewide, areawide, and county water quality management (WQM) plans and this chapter;
3. The role of the Department and designated planning agencies in WQM planning activities;
4. The review of projects and activities for consistency with WQM plans and this chapter, including the issuing of consistency determinations for specified kinds of projects;
5. The preparation, adoption, amendment, revision, and certification of WQM plans;