

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE FEBRUARY 3, 2020 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

ENVIRONMENTAL PROTECTION

WATER RESOURCE MANAGEMENT

DIVISION OF WATER MONITORING AND STANDARDS

Proposed Amendment to the Northeast Water Quality Management Plan

Public Notice

Take notice that the New Jersey Department of Environmental Protection (Department) is seeking public comment on a proposed site specific amendment to the Northeast Water Quality Management (WQM) Plan and the Morris County Wastewater Management Plan (WMP) in accordance with the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15. The proposed amendment (Program Interest No. 435442, Activity No. AMD190001) would expand the sewer service area (SSA) of the Rockaway Valley Regional Sewerage Authority (RVRSA) by 7.23 acres to serve a proposed warehouse complex on a portion of Block 11504, Lot 2, Rockaway Township, Morris County. The proposed project, identified as “Turzi Wharton,” consists of two mixed-use commercial/warehouse buildings, totaling about 135,100 square feet that would generate a projected 3,830 gallons per day of wastewater flow, to be received by the Rockaway Valley Regional Sewerage Authority Sewage Treatment Plant, NJPDES No. NJ0022349, based on flow calculated in accordance with N.J.A.C. 7:14A-23.3. The proposed amendment has been reviewed pursuant to the Water Quality Management Planning rules at N.J.A.C. 7:15. This notice represents the Department’s determination that the amendment is compliant with the regulatory criteria at N.J.A.C. 7:15-3.3, 3.5, 4.4 and 4.5, as described below.

In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to modifications of the eligible sewer service area needed to address a specific project or activity. N.J.A.C. 7:15-3.5(j)2 requires that site specific amendments proposing to add 100 or more acres or generating 20,000 gpd or

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE FEBRUARY 3, 2020 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

more of wastewater flow must update the wastewater treatment capacity analysis prepared in accordance with N.J.A.C. 7:15-4.5(b) to include the proposed project or activity. The proposed project involves less than 100 acres and will generate less than 20,000 gpd of wastewater; therefore, update of the wastewater treatment capacity analysis is not required.

The proposed project is located within an Existing Community Zone of the Highlands Planning Area portion of Rockaway Township. Rockaway Township is considered conforming to the Highlands Regional Master Plan (RMP). In accordance with N.J.A.C. 7:15-3.5(h), applicants for proposals in the Highlands Region must simultaneously submit the application to both the Department and the Highlands Council to provide an opportunity for the Highlands Council to submit comments prior to the Department rendering a decision on the application. The Highlands Council reviewed the proposed amendment for consistency with the RMP and Executive Order 114 and issued a letter received by the Department on February 22, 2019 stating that the proposed project did not require a Consistency Determination for additional RMP resources, as prior approvals pre-dated RMP conformance. It also stated that this project does not trigger Executive Order 114. Additionally, in accordance with N.J.A.C. 7:15-4.4(c), In the Highlands Region, areas eligible for sewer service in the Highlands planning area for Highlands conforming municipalities include areas established within the Highlands RMP as Existing Community Zone, Lake Community Sub-Zone, or designated as Highlands redevelopment areas or Highlands centers. Because the proposed project is in the Existing Community Zone, it may still be eligible for sewer service.

Pursuant to N.J.A.C. 7:15-4.4(d), the following are not eligible for delineation as sewer service areas, except as otherwise provided at N.J.A.C. 7:15-4.4(i) through (l): environmentally sensitive areas (ESAs) identified under N.J.A.C. 7:15-4.4(e) as endangered or threatened wildlife species habitat, Natural Heritage Priority Sites, riparian zones of Category One waters and their tributaries, or wetlands; coastal planning areas identified under N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE FEBRUARY 3, 2020 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

under N.J.A.C. 7:15-4.4(g). The Department conducted an evaluation of the project site using a GIS shapefile provided by the applicant compared to the Department's GIS data layers available at <http://www.nj.gov/dep/gis/listall.html> and/or other information as noted below, to determine the presence of any such areas in accordance with N.J.A.C. 7:15-4.4(e) through (g) and made the following findings:

- The Department determined that the expanded sewer service does not contain areas mapped Habitat for Endangered, Threatened or Other Priority Wildlife based on the "Landscape Project Data" Version 3.3 GIS data layers in accordance with N.J.A.C. 7:15-4.4(e)1.
- The Department determined that the expanded sewer service area does not contain any areas mapped as Natural Heritage Priority Sites based on the "Natural Heritage Priority Sites" GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)2.
- The Department determined that the expanded sewer service area does not contain any Category One (C1) waters or 300-foot riparian zones along any C1 waters or upstream tributaries within the same HUC-14 watershed of any C1 waters based on the "Surface Water Quality Standards" GIS data layer in accordance with and N.J.A.C. 7:13-4.1(c)1 and N.J.A.C. 7:15-4.4(e)3.
- The Department determined that the expanded sewer service does not contain any wetlands based on the "Wetlands 2012" GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)4.
- The Department determined that the expanded sewer service area does not contain any Coastal Fringe Planning Areas, Coastal Rural Planning Areas, or Coastal Environmentally Sensitive Planning Areas mapped on the CAFRA Planning Map based on the "CAFRA Layers" GIS layer in accordance with 7:15-4.4(f).
- The Department determined that there are no 201 Facilities Plan grant conditions applicable to the project site based on the USEPA list of New Jersey Counties with ESA Grant Conditions at <https://www.epa.gov/npdes-permits/environmentally-sensitive-area-esa-grant-condition-waiver->

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE FEBRUARY 3, 2020 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

program-region-2 in accordance with N.J.A.C. 7:15-4.4(g).

Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department considered the land uses allowed in zoning ordinances and future land uses shown in municipal or county master plans and determined that the expanded sewer service area is consistent with land uses allowed by local zoning and the county and local master plans.

This notice is to inform the public that a plan amendment has been proposed for the Northeast WQM Plan and the Morris County WMP. All information related to these plans and the proposed amendment is located at:

Morris County Office of Planning and Preservation

30 Schuyler Place, 4th Floor

PO BOX 900

Morristown, New Jersey 07963

AND

New Jersey Department of Environmental Protection

Division of Water Monitoring and Standards

Bureau of Environmental Analysis, Restoration and Standards

Water Quality Management Planning Program

P.O. Box 420, Mail Code 401-041

401 East State Street

Trenton, New Jersey 08625-0420

The Department's file is available for inspection through the Open Public Records Act. Requests can be made on-line at <https://www.nj.gov/dep/opra/opraform.html>.

Interested persons may submit written comments on the proposed amendment to the

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE FEBRUARY 3, 2020 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

Department at the address cited above. Comments should reference Program Interest No. 435442, Activity No. AMD190001 and must be submitted within 30 days of the date of this public notice. A copy of the written comments should also be sent to:

Virginia Michelin

Morris County Office of Planning and Preservation

30 Schuyler Place, 4th Floor

PO BOX 900

Morristown, New Jersey 07963

AND

Kevin Robine

Dykstra Walker Design Group

21 Bowling Green Parkway, Suite 204

Lake Hopatcong, New Jersey 07843

Interested persons may also request in writing that the Department hold a non-adversarial public hearing on the amendment or extend the public comment period specified in this notice. Such requests should reference Program Interest No. 435442, Activity No. AMD190001 and must demonstrate sufficient public interest for the public hearing or extension of the comment period, as defined under N.J.AC. 7:1D-5.2(d). The request must be submitted within 30 days of the date of this notice to the Department address cited above. Should the Department decide to hold a public hearing, additional notice will be published in a future New Jersey Register and the comment period will be extended to 15 days after the public hearing date. All comments submitted prior to the close of the comment period shall be considered by the Department before making a final decision on the proposed amendment.

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE FEBRUARY 3, 2020 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

Sewer service is not guaranteed by adoption of this amendment since it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the sewer service area as a result of the adoption of this amendment does not eliminate the need to obtain all necessary permits, approvals or certifications required by any Federal, State, County or municipal review agency with jurisdiction over this project/activity.

11/19/19

Date

SIGNED

Bruce S. Friedman, Director

Division of Water Monitoring and Standards