

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE APRIL 15, 2024, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

## **PUBLIC NOTICE**

### **ENVIRONMENTAL PROTECTION**

### **WATERSHED AND LANDMANAGEMENT**

### **DIVISION OF WATERSHED PROTECTION AND RESTORATION**

#### **Proposed Amendment to the Lower Delaware Water Quality Management Plan**

**Take notice** that the New Jersey Department of Environmental Protection (Department) is seeking public comment on a proposed amendment to the Lower Delaware Water Quality Management (WQM) Plan in accordance with the New Jersey Water Quality Planning Act, N.J.S.A. 58:11-1 et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15. The proposed amendment, identified as “638 Gershal Avenue Warehouse” (Program Interest No. 435441, Activity No. AMD230004) is for a new discharge to groundwater (DGW) sewage treatment plant (STP) and sewer service area (SSA) to serve a 962,500 square foot warehouse building of which 934,500 sf is warehouse space and 28,000 sf is office space. The proposed SSA is 52.5 acres of the 93.3 acre site located on portions of Block 3101, Lots 8-16 in Pittsgrove Township, Salem County. Wastewater from the proposed development will be served by a proposed onsite Discharge to Groundwater (DGW) wastewater treatment system, which will be regulated under a New Jersey Pollutant Discharge Elimination System (NJPDES) permit. The project will generate a projected wastewater flow of 16,825 gallons per day (gpd) based on three shifts using flow calculated in accordance with N.J.A.C. 7:14A-23.3.

This notice represents the Department’s determination that the proposed amendment is in compliance with the applicable regulatory criteria at N.J.A.C. 7:15, as described below.

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In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to proposed alterations to the eligible SSA 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 more of wastewater flow shall include a proposed modification to 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 of proposed SSA and will generate less than 20,000 gpd of wastewater flow; therefore, update of the wastewater treatment capacity analysis is not required.

Pursuant to N.J.A.C. 7:15-4.4(d), the following are not eligible for delineation as SSA, except as otherwise provided at N.J.A.C. 7:15-4.4(i), (j), (k), and (l): environmentally sensitive areas (ESAs) identified pursuant to N.J.A.C. 7:15-4.4(e), as any contiguous area of 25 acres or larger consisting of any of the following, alone, or in combination: endangered or threatened wildlife species habitat, Natural Heritage Priority Sites, riparian zones of Category One (C1) waters and their tributaries, or wetlands; coastal planning areas identified at N.J.A.C. 7:15-4.4(f), and; ESAs subject to 201 Facilities Plan grant conditions pursuant to 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 <https://gisdata-njdep.opendata.arcgis.com> 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), (f), and (g) and made the following findings:

- The Department determined that the proposed SSA does not contain any areas mapped as endangered or threatened wildlife species habitat Rank 3, 4, or 5 on the Department's Landscape Maps of 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.

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- The Department determined that the proposed SSA 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 proposed SSA does not contain any 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 N.J.A.C. 7:13-4.1(c)1 and 7:15-4.4(e)3.
- The Department determined that there are wetlands located on the project site based on the “Wetlands 2012” GIS data layer, in accordance with N.J.A.C. 7:15-4.4(e)4; however, pursuant to N.J.A.C. 7:15-4.4(j)3, the applicant provided a Freshwater Wetlands Letter of Interpretation (LOI)/Line Verification File # 1710-22-0005.1 LLI220001, confirming that there are no wetlands within the proposed sewer service area.
- The Department determined that the proposed SSA does not contain any areas mapped as Fringe Planning Areas, Rural Planning Areas, or Environmentally Sensitive Planning Areas within the Coastal Area Facility Review Act (CAFRA) zone based on the “CAFRA (polygon)” GIS layer and the “State Plan Data” GIS layer, in accordance with N.J.A.C. 7:15-4.4(f).
- The Department determined that there are no 201 Facilities Plan grant conditions applicable to the project based on the U.S. Environmental Protection Agency (USEPA) list of New Jersey Grantees with ESA Grant Conditions at <https://www.epa.gov/npdes-permits/environmentally-sensitive-area-esa-grant-condition-waiver-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 adopted zoning ordinances, future land uses shown in adopted municipal and county master plans,

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and other local land use objectives. The proposed project received requested variances on September 26, 2023, from the Pittsgrove Township Planning Board (Resolution #2023-17). The Salem County Engineer's Office issued a letter dated October 19, 2023, stating that the proposed project is consistent with the Salem County Master Plan.

This notice is to inform the public that a plan amendment has been proposed for the Lower Delaware WQM Plan. All information related to this plan and the proposed amendment is located at:

New Jersey Department of Environmental Protection  
Division of Watershed Protection & Restoration  
Bureau of NJPDES Stormwater Permitting and Water Quality Management  
Water Quality Management Planning Program  
PO Box 420, Mail Code 501-02A  
501 East State Street  
Trenton, New Jersey 08625-0420

The Department's file is available for inspection between 9:00 A.M. and 4:00 P.M., Monday through Friday, upon request. An appointment to inspect the file must be arranged by calling the Bureau of NJPDES Stormwater Permitting and Water Quality Management at (609) 633-7021.

In accordance with N.J.A.C. 7:1D-5.2, a virtual public hearing will be held by the Department on the proposed amendment at which time all interested persons may appear and shall be given an opportunity to be heard. The public hearing will take place on June 18, 2024, at 10:00 AM as a virtual Microsoft Teams web meeting only. The hearing will conclude at 12:00 PM or the conclusion of all public testimony, whichever is earlier. Details on how to access the hearing will be made available at <https://www.nj.gov/dep/wqmp/wmpnotices.html> one day before the public hearing. For those without access to web meetings, the hearing will also be accessible by phone for audio only. The phone number

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and access code for joining the web meeting via phone can be obtained by calling (609) 633-7021 or emailing [wqmp.publiccomments@dep.nj.gov](mailto:wqmp.publiccomments@dep.nj.gov). Commenters that anticipate providing verbal testimony are encouraged to notify the Department in advance by calling (609) 633-7021 or emailing [wqmp.publiccomments@dep.nj.gov](mailto:wqmp.publiccomments@dep.nj.gov) to ensure a timely and streamlined public hearing process. The Department will record the meeting as part of the public record.

Interested persons may submit written comments on the proposed amendment to the Department at the address cited above or at the email: [wqmp.publiccomments@dep.nj.gov](mailto:wqmp.publiccomments@dep.nj.gov). Comments should reference Program Interest No. 435441, Activity No. AMD230004 and must be submitted within 15 days after the public hearing. 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.

Sewer service is not guaranteed should this amendment be adopted as it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the SSA as a result of the approval 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.

03/01/2024  
Date

Signed  
Gabriel Mahon, Bureau Chief  
Bureau of NJPDES Stormwater Permitting & Water  
Quality Management  
Division of Watershed Protection and Restoration  
New Jersey Department of Environmental Protection