

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF WATER RESOURCES MANAGEMENT COORDINATION**

**Adopted Amendment to the Lower Delaware Water Quality Management Plan (WQMP)**

**Public Notice**

**Take notice that** **SEP - 9 2015**, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq., and the Statewide Water Quality Management Planning rules (N.J.A.C. 7:15-3.4), an amendment to the Lower Delaware WQMP was adopted by the Department of Environmental Protection (Department). This amendment, initiated by the Department, removes an environmentally sensitive area (ESA), specifically, bald eagle foraging habitat, from the sewer service area (SSA) on Block 29, Lot 6.10 in Oldmans Township, Salem County on a parcel that is part of the property referred to as "Gateway Business Park". The ESA which is removed from the SSA is mapped as foraging habitat for bald eagle on the Department Landscape Project Maps of Habitat for Endangered, Threatened or Other Priority Species (version 3.1).

The Department reviewed current conditions at adjacent parcels that are part of the Gateway Business Park, Block 29, Lots 6.02 and 6.09, acknowledging that several permits have been issued for both parcels, including Waterfront Development, Freshwater Wetlands and Flood Hazard Area permits for the proposed developments. These permits restrict construction in the ESAs and protect bald eagle foraging habitat identified onsite. As a result, the developments were designed outside of bald eagle foraging areas. In regards to Block 29, Lot 6.10, which is currently undeveloped, but slated for development, the Department has reviewed habitat records and land use data for bald eagle, and has determined that the removal of bald eagle foraging habitat based only on the habitat identified in the Department's Landscape Project map is neither consistent with what would be approved by the Department's Land Use Permitting program, nor is it sufficiently protective of the aforementioned habitat areas.

Therefore, this amendment assigns the appropriate 300 foot buffer to the top of bank of Beaver Creek and removes this area from SSA on Lot 6.10. Removal of the bald eagle foraging habitat will ensure that approval of future development proposals would be contingent upon providing the same protections approved through the land use permitting process as witnessed on Block 29, Lots 6.02 and 6.09 for bald eagle foraging habitat.

This amendment proposal was noticed in the DEP Bulletin on June 17, 2015 at Volume 39, Issue 12 and no comments were received during the comment period.

This amendment represents only one part of the permit process and other issues may need to be addressed prior to final permit issuance. Additional issues which may need to be addressed may

include, but are not limited to, the following: compliance with stormwater regulations; antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works (pump stations, interceptors, sewers, outfalls, wastewater treatment plants); and development in wetlands, flood prone areas, designated Wild and Scenic River areas, or other environmentally sensitive areas which are subject to regulation under Federal or State statutes or rules.



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Colleen Kokas, Director  
Office of WRM Coordination  
Department of Environmental Protection

9-9-15

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Date