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PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATER RESOURCE MANAGEMENT

DIVISION OF WATER MONITORING AND STANDARDS

Adopted Amendment to the Monmouth County Water Quality Management Plan

Public Notice

Take notice that on **May 18, 2021**, pursuant to the provisions of 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 New Jersey Department of Environmental Protection (Department) adopted an amendment to the Monmouth County Water Quality Management (WQM) Plan. The amendment, identified as “AA 33 Showplace Farms” (Program Interest No. 435462, Activity No. AMD200004) establishes a 117.3-acre sewer service area (SSA) for a proposed commercial development on Block 23, Lot 8 (portion), Millstone Township, Monmouth County. The proposed project consists of the construction of two warehouse buildings totaling 1,220,000 square feet (SF). One warehouse will contain a total of 1,000,000 SF of which 20,000 SF will be office space and the other warehouse will total 220,000 SF of which 5,000 SF will be office space. The proposed project would generate a projected wastewater flow of 21,065 gallons per day (gpd), based upon a total of 1,196 warehouse employees (divided into two shifts) and a total of 25,000 SF of office space, as calculated in accordance with N.J.A.C. 7:9A-7.4. The projected wastewater is to be treated by a new subsurface sewage disposal system, which will be permitted through the New Jersey Pollutant Discharge Elimination System (NJPDES) Program.

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Preliminary notice was published in the New Jersey Register on December 7, 2020, at 52 N.J.R. 2138(a). No comments were received during the comment period. This notice represents the Department's determination that the proposed amendment is compliant with the applicable regulatory criteria at N.J.A.C. 7:15, as described below.

In accordance with N.J.A.C. 7:15-3.5(g)6, the Department instructed the applicant to request a written statement of consent from Millstone Township. Millstone Township declined to respond to the applicant's request for a statement of consent. The Monmouth County Board of County Commissioners, as the Designated WQM Planning Agency, adopted Resolution 2021-0293 dated April 22, 2021 approving of the proposed amendment.

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 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. However, since the wastewater is to be treated by a proposed new onsite wastewater treatment facility specifically for this project, an 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), (l): environmentally sensitive areas (ESAs) identified under N.J.A.C. 7:15-4.4(e), as any contiguous area of 25 acres or larger consisting of any of the following features, alone or in combination: endangered or threatened wildlife species habitat, Natural Heritage Priority Sites, riparian zones of Category One (C1) waters and their upstream tributaries or wetlands;

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coastal planning areas identified under N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions 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), (f), and (g) and made the following findings:

- The Department determined that the 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.
- The Department determined that the 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 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 N.J.A.C. 7:15-4.4(e)3.
- The Department determined that there are wetlands located on the proposed 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 #1332-16-0003.1/FWW160001) confirming that no contiguous area of wetlands,

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alone or in combination with other ESAs, of 25 acres or more are located within the SSA. Areas of isolated wetlands less than the 25-acre criteria threshold do exist within the SSA.

- The Department determined that the 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 USEPA list of New Jersey Counties 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 or county master plans, and other local land use objectives. The proposed project site is located within the Township’s Planned Commercial Development (PCD) zone. The Millstone Township Committee adopted Ordinance 20-06 amending the Township’s Land Use and Development regulations on March 18, 2020, pursuant to a settlement agreement between Millstone Township, The Fair Share Housing Center, and Showplace Farms, LLC. The proposed project is consistent with the Millstone Township Master Plan and the Monmouth County Master Plan as per a May 27, 2020, report prepared by the Monmouth County Planning.

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 SSA as a result of approval of this amendment does not eliminate the need to obtain all necessary permits, approvals or

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certifications required by any Federal, State, county or municipal review agency with jurisdiction over this project/activity.

5/18/21

Date

SIGNED

Kimberly Cenno, Bureau Chief
Bureau of Environmental Analysis, Restoration and Standards
Division of Water Monitoring and Standards