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**PUBLIC NOTICE**

**ENVIRONMENTAL PROTECTION**

**OFFICE OF WATER RESOURCES MANAGEMENT COORDINATION**

**Adopted Amendment to the Tri-County Water Quality Management Plan**

**Public Notice**

**Take notice** that on 5/24/18 pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11-1 et seq., and the Statewide Water Quality Management Planning rules, N.J.A.C. 7:15, the New Jersey Department of Environmental Protection (Department) adopted an amendment (Program Interest No. 435433, Activity No. AMD170004) to the Tri-County Quality Management (WQM) Plan. This amendment, entitled “East Greenwich Subdivision”, submitted by Boundary Road Development, expands the Gloucester County Utilities Authority sewer service area (SSA) by 34.23 acres to allow for the construction of a proposed 138-unit residential development, consisting of 124 three-bedroom single family homes, 14 three-bedroom duplex units (one family per unit) and a 2,600-square-foot community center. The proposed project site is in East Greenwich Township, Gloucester County, on portions of Lots 14. 01 and 20 in Block 206, west of West Cohawkin Road (County Route 667) and north of the former Conrail Railroad right-of-way. Preliminary notice was published in the New Jersey Register on March 5, 2018 at 50 N.J.R. 1000(a). No comments were received during the comment period.

This 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. 7:15-3.5 and 4.4 and serves as public notice of the Department’s final decision pursuant to N.J.A.C. 7:15-3.5(g)11.

Pursuant to N.J.A.C. 7:15-4.4(d), sewer service may only be provided to areas that are not identified as Environmentally Sensitive Areas (ESAs), certain coastal planning areas, or areas subject to US

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Environmental Protection Agency (EPA) 201 Facilities Plan grant conditions, except as otherwise provided at N.J.A.C. 7:15-4.4(i) through (l).

Pursuant to N.J.A.C. 7:15-4.4(e), ESAs are any contiguous area, based on a composite Geographic Information System (GIS) analysis, of 25 acres or larger consisting of any of the following features alone or in combination: areas mapped as threatened and endangered wildlife species habitat as identified on the Department's Landscape Maps of Habitat for Endangered, Threatened or Other Priority Wildlife as Rank 3, 4, or 5 (Landscape Maps); areas mapped as Natural Heritage Priority Sites; Category One waters designated in the Department's Surface Water Quality Standard, N.J.A.C. 7:9B, based on the Department's maps of such waters and their corresponding 300 foot riparian zones based upon the Flood Hazard Area Control Act Rules, N.J.A.C. 7:13; and wetlands as mapped pursuant to N.J.S.A. 13:19A-1 and 13:9B-25.

Pursuant to N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as ESAs, such as threatened and endangered wildlife habitat identified pursuant to N.J.A.C. 7:15-4.4(e)1. Areas identified by the Landscape Maps as being suitable habitat for threatened and endangered wildlife species Rank 3 (State threatened), Rank 4 (State endangered), and Rank 5 (Federal endangered or threatened) are not to be included in proposed SSAs except as provided under N.J.A.C. 7:15-4.4(i) through (l). To evaluate areas mapped pursuant to N.J.A.C. 7:15-4.4(e)1 as threatened or endangered wildlife species habitat, the Department utilized its Landscape Maps, version 3.3 at <http://www.nj.gov/dep/gis/listall.html>. There is no threatened or endangered wildlife species habitat mapped within the proposed SSA.

Pursuant to N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as ESAs, such as Natural Heritage Priority Sites identified pursuant to N.J.A.C. 7:15-4.4(e)2. Areas mapped as Natural Heritage Priority Sites are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-4.4(i) through (l). To evaluate areas mapped as Natural Heritage Priority Sites pursuant to N.J.A.C. 7:15-

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4.4(e)2, the Department utilized its GIS data at <http://www.nj.gov/dep/gis/listall.html>. There are no Natural Heritage Priority Sites in the proposed SSA.

Pursuant to N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as ESAs, such as Category One waters and their corresponding 300-foot riparian zones pursuant to N.J.A.C. 7:15-4.4(e)3. Areas identified as Category One waters and their corresponding 300-foot riparian zones are not to be included in SSAs, except as provided under N.J.A.C. 7:15-4.4(i) through (l). To evaluate the existence of Category One waters and their corresponding 300-foot riparian zones pursuant to N.J.A.C. 7:15-4.4(e)3, the Department utilized its GIS data at <http://www.nj.gov/dep/gis/listall.html>. There are no Category One waters or their corresponding 300-foot riparian zones in the proposed SSA.

Pursuant to N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as ESAs, such as mapped wetlands pursuant to N.J.A.C. 7:15-4.4(e)4. Areas mapped as wetlands pursuant to N.J.S.A. 13:9A-1 and 13:9B-25 are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-4.4(i) through (l). To evaluate the existence of mapped wetlands pursuant to N.J.A.C. 7:15-4.4(e)4, the Department utilized its GIS data at <http://www.nj.gov/dep/gis/listall.html> and identified wetlands on the subject site. Pursuant to N.J.A.C. 7:15-4.4(j)3, the applicant provided Letter of Interpretation/Line Verification File No. 0803-03-0014.3 FWW170003 (LOI), demonstrating that the Department had confirmed that certain adjustments to areas mapped as wetlands were appropriate to reflect the actual extent of wetlands and transition areas on the site.

Pursuant to N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as coastal planning areas pursuant to N.J.A.C. 7:15-4.4(f). Areas mapped as Coastal Fringe Planning Areas, Coastal Rural Planning Areas, and Coastal Environmentally Sensitive Planning Areas are not to be included in SSA, except, as provided under N.J.A.C. 7:15-4.4(f)1 and 2, to abate an existing imminent public health and safety issue, to accommodate infill development or as necessary to create a linear boundary that coincides with recognizable geographic, political, or environmental features depicted in the Department's GIS

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coverage. To evaluate the existence of any coastal planning areas identified in N.J.A.C. 7:15-4.4(f), the Department evaluated the presence of coastal planning areas identified on the CAFRA Planning Map available at <http://www.nj.gov/dep/gis/listall.html>. The subject site is not located within any Coastal Fringe Planning Areas, Coastal Rural Planning Areas, or Coastal Environmentally Sensitive Planning Areas. Pursuant to N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as areas subject to 201 Facilities Plan grant conditions pursuant to N.J.A.C. 7:15-4.4(g). Areas with Federal 201 grant limitations that prohibit the extension of sewers into specified ESAs are excluded from the SSA, unless documentation can be provided demonstrating that a mapping revision or waiver has been obtained from EPA, as provided under N.J.A.C. 7:15-4.4(g). To evaluate the existence of 201 Facilities Plan grant conditions that prohibit the expansion of SSA to ESAs, the Department reviewed the EPA 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>. There are no 201 Facilities Plan grant conditions for the proposed site.

Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department shall consider in the delineation of areas eligible for sewer service, the land uses allowed in zoning ordinances and future land uses shown in municipal or county master plans. On September 19, 2017, the East Greenwich Township Planning/Zoning Board of Adjustment issued Resolution 2017-9 granting subdivision/site plan approval for the proposed project. On January 17, 2018, the Gloucester County Planning Division issued a letter confirming that the proposed project is consistent with the Gloucester County Development Management Plan's Goal Statements.

Pursuant to N.J.A.C. 7:15-3.5(j)2, projects that propose to add 100 or more acres to the SSA or where the additional SSA would generate 20,000 gpd or more of wastewater, a 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 is required. The proposed project plans to add 34.23 acres to the SSA and the projected wastewater flow for the proposed project, anticipated to be received by the Gloucester County Utilities

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Authority, is 41,919 gpd based on flow calculations in accordance with N.J.A.C. 7:14A-23.3. The Gloucester County Utilities Authority Sewage Treatment Plant is currently permitted to discharge up to 27 Million Gallons per Day (MGD) under New Jersey Pollutant Discharge Elimination System (NJPDES) permit NJ0024686. Based on the highest consecutive 12-month rolling average flow from NJPDES Discharge Monitoring Reports over the most recent five-year period, for the 12-month period from November 2015 to October 2016, the existing wastewater flow discharged from the Gloucester County Utilities Authority Sewage Treatment Plant was calculated to be 17.75 MGD. Therefore, the additional flow should not cause the facility to exceed its permitted capacity.

N.J.A.C. 7:15-3.5(g)6 requires the applicant to request a written statement of consent from all identified governmental entities, sewerage agencies, and BPU related sewer and water utilities that may be affected by, or otherwise have a substantial interest in, approval of the amendment proposal. Accordingly, the Department instructed the applicant to request written statements of consent from East Greenwich Township, the Gloucester County Utilities Authority (GCUA), The Gloucester County Board of Chosen Freeholders and the Delaware Valley Regional Planning Commission (DVRPC). On February 27, 2018, East Greenwich Township adopted Resolution 59-2018 in support of the proposed amendment. On March 1, 2018, the GCUA confirmed via email that it did not object to the proposed amendment. On March 1, 2018, the Gloucester County Planning Division, on behalf of the Gloucester County Board of Chosen Freeholders, issued a letter in support of the proposed amendment. On March 12, 2018, the DVRPC issued an email to the applicant acknowledging receipt of the request for written consent and a copy of the proposed amendment. However, DVRPC declined to state a formal position in support or in objection to the proposed amendment.

Sewer service is not guaranteed by this amendment. This proposed amendment 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 approval of this amendment does not eliminate the need to obtain all necessary permits,

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

SIGNED

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Alan Miller, Manager  
Office of WRM Coordination  
Department of Environmental Protection

May 24, 2018

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Date