

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE MARCH 16, 2019 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

WATER RESOURCE MANAGEMENT

DIVISION OF WATER MONITORING AND STANDARDS

Adopted Amendment to the Tri-County Water Quality Management Plan for Public Notice

Take notice that on **January 29, 2020**, 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 (Program Interest No. 435433, Activity No. AMD190005) to the Tri-County Water Quality Management (WQM) Plan. The amendment expands the sewer service area (SSA) of the Central Avenue Wastewater Treatment Plant sewer service area (SSA) by 10.78 acres to serve a proposed 71,056 square foot warehouse building on portions of Block 108, Lot 1.06 and Lot 1.05 in Burlington Township, Burlington County. The project, identified as "**Rancocas Road**", will generate a projected wastewater flow of 10,481 gallons per day (gpd) to be received by the Central Avenue Wastewater Treatment Plant, NJPDES Permit #NJ0021709, based on flow calculated in accordance with N.J.A.C. 7:14A-23.3. Preliminary notice of this amendment was published in the New Jersey Register on September 3, 2019 at 51 N.J.R. 1694(a) and the Department received one comment during the public comment period. 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 applicable regulatory criteria 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

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requires that site-specific amendments proposing to add 100 or more acres or generating 20,000 gpd or more of wastewater 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 project involves less than 100 acres and will generate less than 20,000 gpd of wastewater flow; therefore, update of the wastewater treatment plant capacity analysis is not required.

In accordance with N.J.A.C. 7:15-3.5(g)6, the Department instructed the applicant to request written statements of consent from the Burlington Township Sewage Treatment Plant, Burlington Township, the Delaware Valley Regional Planning Commission and the Burlington County Board of Chosen Freeholders. Burlington Township adopted Resolution 2019-R-219 on November 26, 2019 in support of the proposed amendment. A separate resolution was not required from the Burlington Township Sewage Treatment Plant since it is owned by the Township. The Burlington County Department of Resource Conservation did not issue a resolution. The Delaware Valley Regional Planning Commission declined to respond to the applicant's request for a statement of consent.

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 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:

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- The Department determined that the expanded sewer service area does not contain any areas mapped as threatened and endangered 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 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 there are wetlands located on the proposed project site based on the "Wetlands 2012" GIS data layer; however, in accordance with N.J.A.C. 7:15-4.4(e)4, and , pursuant to N.J.A.C. 7:15-4.4(j)3, the applicant has provided a Freshwater Wetlands Letter of Interpretation (LOI)/Line, Verification File #0306-16-0001.1, Activity #FWW160001 confirming that there are no wetlands within the expanded sewer service area.
- 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

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<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 zoning ordinances and future land uses shown in municipal or county master plans. Burlington Township issued an email on August 13, 2019 stating that the proposed project is consistent with the Township's zoning plan and master plan. The Burlington County Department of Resource Conservation issued a letter on June 20, 2019 stating that Burlington County has not adopted a master plan and that the proposed project is not inconsistent with any other county-wide or regional plan adopted by Burlington County.

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 resulting from 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.

01/29/2020

Date

SIGNED

Bruce S. Friedman, Director

Division of Water Monitoring and Standards