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**PUBLIC NOTICE**

**ENVIRONMENTAL PROTECTION**

**WATER RESOURCE MANAGEMENT**

**DIVISION OF WATER MONITORING AND STANDARDS**

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

**Public Notice**

**Take notice** that on **December 9, 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 to the Tri-County Water Quality Management (WQM) Plan and the Mount Holly Municipal Utilities Authority (MHMUA) Wastewater Management Plan (WMP). The amendment, identified as Smithville Park Maintenance Facility (Program Interest No. 435433, Activity No. AMD190001), expands the sewer service area (SSA) of the MHMUA Wastewater Treatment Facility (WWTF) by 9 acres on Block 1300, Lot 66, in Eastampton Township, Burlington County. The proposed project includes a 9,000 square-foot (SF) warehouse with an additional 2,000 SF office building with storage and space for five full time employees, as well as a locker room without showers for approximately twenty field employees. An existing three-bedroom house, that is currently served by a septic system and is used by the maintenance staff, is also included in the amendment. The proposed project will generate a projected wastewater flow of 1,000 gallons per day (gpd), to be received by the MHMUA WWTF, New Jersey Pollution Discharge Elimination System (NJPDES) Permit No. NJ0024015, based on flow calculated in accordance with N.J.A.C. 7:14A-23.3. The southern portion of the property is immediately adjacent to residential developments, Smithville

Mansion, and the Eastampton Township Volunteer Fire Company, which are all within the existing sewer service area, and are connected to the existing sanitary sewer operated by the MHMUA.

The preliminary notice was published in the New Jersey Register on September 21, 2020 at 52 N.J.R. 1783(a). No comments were received during the public comment period. This notice represents the Department's determination that the 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 written statements of consent from Eastampton Township, Burlington County, the MHMUA and the Delaware Valley Regional Planning Commission (DVRPC). On September 28, 2020, the Eastampton Township Council adopted Resolution R2020-121 consenting to the proposed amendment. On September 23, 2020, the Board of Chosen Freeholders for the County of Burlington adopted Resolution 2020-00459 consenting to the proposed amendment. On October 8, 2020, the MHMUA adopted Resolution 2020-105 consenting to the proposed amendment. In a September 9, 2020 email DVRPC indicated no action would be taken regarding 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 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, an update of the wastewater treatment plant capacity analysis is not required.

Pursuant to N.J.A.C. 7:15-4.4(d), the following are not eligible for delineation as SSAs, except as otherwise provided at N.J.A.C. 7:15-4.4(i), (j), (k), and (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 (NHP) Sites, 300-foot riparian zones of Category One (C1) 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), (f) and (g) and made the following findings:

- The Department determined that the expanded SSA 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 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 expanded sewer service area does not contain any C1 waters or 300-foot riparian zones along any C1 waters or their upstream tributaries within the same HUC 14 watershed 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 7:15-4.4(e)3.
- The Department determined that the expanded SSA does not contain any wetlands based on the "Wetlands 2012" GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)4.
- The Department determined that the expanded 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 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 <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 and future land uses shown in adopted municipal or county master plans and determined that the expanded SSA is consistent with land uses allowed by local zoning and the local master plans within Eastampton Township.

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.

12/9/2020

SIGNED

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Date

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Kimberly Cenno, Bureau Chief

Bureau of Environmental Analysis, Restoration and Standards

Division of Water Monitoring and Standards