

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE APRIL 4, 2022 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION, THE OFFICIAL VERSION WILL GOVERN.

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATERSHED AND LAND MANAGEMENT

DIVISION OF WATERSHED PROTECTION AND RESTORATION

Adopted Amendment to the Tri-County Water Quality Management Plan

Public Notice

Take notice that on March 4, 2022, 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. The amendment, identified as 1847 Crown Point Road (Program Interest No. 435433, Activity No. AMD200007), expands the sewer service area (SSA) of the Gloucester County Utilities Authority (GCUA) Sewage Treatment Plant (STP) by 7.6 acres to serve a proposed 280,000 square-foot warehouse, of which 28,000 square-feet is office space, on Block 130, Lots 4, 5, 6, 7, 7.01, in West Deptford Township, Gloucester County. The remaining 14.2 acres of the project site were already located within the adopted SSA of the GCUA STP. The project will generate a projected wastewater flow of 6,625 gallons per day (gpd), to be received by the GCUA STP, New Jersey Pollution Discharge Elimination System (NJPDES) Permit No. NJ0024686, based on flow calculated in accordance with N.J.A.C. 7:14A-23.3.

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Preliminary notice was published in the New Jersey Register on November 1, 2021, at 53 N.J.R. 1863(a). No comments were received during the public 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 written statements of consent from the GCUA, the Gloucester County Board of County Commissioners, West Deptford Township and Delaware Valley Regional Planning Commission (DVRPC). The Gloucester County Board of County Commissioners adopted a resolution on November 3, 2021, consenting to the proposed amendment. The GCUA adopted a Resolution #2022-041 on February 9, 2022, consenting to the proposed amendment. West Deptford Township adopted Resolution #2022-77 on February 2, 2022, consenting to the project. DVRPC declined to comment or pass a resolution.

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. The proposed project involves less than 100 acres and will generate less than 20,000 gpd of wastewater flow; therefore, update of the wastewater treatment capacity analysis is not required.

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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 pursuant to 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 tributaries, or wetlands; coastal planning areas identified at N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions pursuant to 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.

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- The Department determined that the project site does not contain any C1 waters but that the project site is located upstream within the same HUC 14 as the Woodbury Creek, a C1 waterbody, 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. However, and as confirmed with Flood Hazard Verification File #0820-02-0008.1 LUP200001, dated September 30, 2020, the expanded SSA does not contain any C1 waters or 300-foot riparian zone along any C1 waters or upstream tributaries within the same HUC14 watershed of any C1 waters.
- The Department determined that there are wetlands located on the 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) File#0820-02-008.2 FWW200001 confirming that there are no wetlands within the expanded sewer service area.
- 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 U.S. Environmental Protection Agency list of New Jersey Grantees 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).

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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 and county master plans, and other local land use objectives. The proposed project received a zoning variance (Application No. 2020-9), on October 13, 2020, from the Zoning Board of Adjustment of the Township of West Deptford. Gloucester County deemed the project consistent with the Gloucester County Development Management Plan's Goal Statements on October 23, 2020.

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 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.

3/4/2022 Signed _____

Date Gabriel Mahon, Bureau Chief
 Bureau of NJPDES Stormwater Permitting and Water Quality Management
 Division of Watershed Protection and Restoration
 NJ Department of Environmental Protection