

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE OCTOBER 3, 2022, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION, THE OFFICIAL VERSION WILL GOVERN.

DEPARTMENT OF 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 August 19, 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. This amendment, identified as the “Knight Owl Holdings V, LLC” (Program Interest No. 435433, Activity No. AMD200011) expands the sewer service area (SSA) of the Gloucester County Utilities Authority (GCUA) (NJPDES No. NJ0024686) sewage treatment plant (STP) by 36 acres to serve a proposed 694,000 square foot building to include warehouse and office space to be located within Block 201, Lot 2 (portion) and Lot 3, in East Greenwich Township, Gloucester County. Currently, approximately 12.5 acres of the project property are located within the adopted GCUA SSA. The project will generate a projected wastewater flow of 28,350 gallons per day (gpd) based on flow calculated in accordance with N.J.A.C. 7:14A-23.3.

This amendment proposal was noticed in the New Jersey Register (NJR) on April 4, 2022, at 54 N.J.R. 663(a). No comments were received during the 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.

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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 East Greenwich Township, Gloucester County Board of County Commissioners, GCUA, and the Delaware Valley Regional Planning Commission (DVRPC). East Greenwich Township adopted Resolution 73-2022 on March 22, 2022, consenting to the amendment. Burlington County Commissioners adopted a resolution consenting to the amendment on July 6, 2022. GCUA adopted Resolution No. 2022-057 on April 13, 2022, consenting to the amendment. DVRPC elected not to respond to the request for a statement of consent.

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 shall include a proposed 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. The proposed project involves less than 100 acres but would generate a total projected wastewater flow of 28,350 gpd (0.02835 million gallons per day (MGD)), based on flow calculations in accordance with N.J.A.C. 7:14A-23.3. The purpose of the capacity analysis is to determine whether GCUA has available capacity to service the project. In accordance with N.J.A.C. 7:15-4.5(b)1, the existing wastewater flow at the GCUA STP, calculated as the highest consecutive 12-month rolling average during the five-year period preceding the amendment application (November 2015 to November 2020), is 21.794 MGD (June 2018-July 2019) based on NJPDES Discharge Monitoring Reports reported in DEP Data Miner

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(<https://www13.state.nj.us/DataMiner.>) The GCUA STP is currently permitted to discharge up to 27 MGD under NJPDES permit NJ0024686. As such, GCUA has capacity to accommodate the additional flow from the proposed project and not exceed its permitted capacity.

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), 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, 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 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.

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- 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 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 7:15-4.4(e)3.
- 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)/Line Verification File, 0803-06-0003.1, confirming that no contiguous area of wetlands, alone or in combination with other ESAs, of 25 acres or more, are located within the expanded SSA. A single isolated wetland, less than a quarter acre and not contiguous to the wetlands defined as ESAs, is identified within the expanded SSA.
- 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 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 U.S. Environmental Protection Agency (USEPA) list of New Jersey Grantees with ESA Grant Conditions at <https://www.epa.gov/npdespermits/environmentally->

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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 and county master plans. On September 15, 2020, the East Greenwich Township Combined Planning/Zoning Board adopted Resolution No. 15-2020, granting Preliminary and Final Major Site Plan approval to Knight Owl Holdings V, LLC, for Block 201, Lots 2 & 3. On September 22, 2021, the Gloucester County Planning Department provided a letter to the Department stating that the proposed project is consistent with the Gloucester County Master Plan.

Sewer service is not guaranteed should this amendment be adopted as 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.

8/19/2022

Date

SIGNED

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