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## **PUBLIC NOTICE**

### **ENVIRONMENTAL PROTECTION**

### **WATERSHED AND LAND MANAGEMENT**

### **DIVISION OF WATERSHED PROTECTION AND RESTORATION**

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

**Take notice** that on December 1, 2023, 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 Deptford Redevelopment Area - Proposed Warehouses, also known as 5 Points North and Central Redevelopment Areas (Program Interest No. 435433, Activity No. AMD200002), expands the sewer service area of the Gloucester County Utilities Authority (GCUA) sewage treatment plant (STP) to serve a proposed development consisting of the construction of two warehouses, 891,200 square feet (sf) and 150,215 sf in size, and an 8,000 sf retail building. The proposed development is to be located on Block 387.01: Lots 19, 34, 36, 50, and 81 (originally at the time of submittal lots 19, 26, 31, 32, 33, 34, 36, 46, 47, 48, 49, 50, and 81), in Deptford Township, Gloucester County. The project parcels total approximately 143 acres, of which

approximately 92 acres are currently within the approved sewer service area (SSA) of the GCUA STP, New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0024868. This amendment expands the currently adopted GCUA SSA on Block 387.01; Lots 19, 36, and 50 by 2.8 acres to allow for the construction of the entire proposed development. The proposed project will generate a total projected wastewater flow of 19,550 gallons per day (gpd) based on flow calculated in accordance with N.J.A.C. 7:14A-23.3.

A notice of the proposed amendment was published in the New Jersey Register on June 7, 2021, at 53 N.J.R. 1026(a). Upon publication of the proposal notice, it was recognized there was a typographical error regarding the square footage of one of the warehouses. The square footage of one warehouse was stated to be 1,200 sf. The correct square footage is 891,200 sf. The notice correctly identified the other warehouse as 150,215 sf, and the 8,000 sf retail building. Due to technical difficulties, in addition to the June 7, 2021 New Jersey Register public notice, the proposal was also published in the New Jersey Register on October 4, 2021, at 53 N.J.R. 1740(b) to reopen the public comment period. The corrected proposal notice was posted on the WQM Planning Program website at <http://www.nj.gov/dep/wqmp/wmpnotices.html> prior to the reopening of the comment period. No comments were received. The Department is adopting the amendment with the minor changes pursuant to N.J.A.C. 7:15-3.5(g)10. 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. 7:15-3.3(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 of new SSA 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. This project will add less than 100 acres of new SSA and will generate less than 20,000 gpd of wastewater; therefore, an update of the wastewater treatment 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 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 <https://gisdata-njdep.opendata.arcgis.com> 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.
- 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 Number 0802-09-0004.l FWW140001 confirming that there are no wetlands 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 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, future land uses shown in adopted municipal and county master plans, and other local land use objectives. On September 9, 2020, the Deptford Township Planning Board adopted Resolution No. 2020-12, “Georgetown Advisors, LLC Planned Industrial Development Preliminary and Final Major Site Plan (Phases 1 and 2)/Minor Subdivision Approval and Preliminary Site Plan for Phase 3 Five Points North and Central Redevelopment Area Block 387.01, Lots 19, 34, 36, 50, and 81, Hurffville Road Deptford Township, New Jersey Application NO.: PSPPOOL-20.”

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, Gloucester County Board of County Commissioners, and the Delaware Valley Regional Planning Commission (DVRPC), as the designated planning agency. On June 9, 2021, GCUA passed resolution no. 2021-077 consenting to the project. Deptford Township passed resolution R.159.21 on August 2, 2021, consenting to the project. On July 7, 2021, the Gloucester County Board of County

Commissioners issued a resolution stating the county consents to the adoption of this amendment. DVRPC elected not to respond to the request for a statement of consent.

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 as a result of the approval 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.

12/1/2023

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