

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE APRIL 15, 2024, 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

Take notice that on March 12, 2024, 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 “Stalwart Logan, LLC” (Program Interest No. 435433, Activity No. AMD220006) expands the sewer service area (SSA) of the Logan Township Municipal Utilities Authority (MUA) (NJPDES No. NJ0027545) by 82.66 acres to serve two warehouses totaling 1,292,954 square feet located on a portion of Block 3101, Lots 21 and 26, in Logan Township, Gloucester County. The preliminary notice of this amendment erroneously stated the proposed expansion was 80.82 acres; the correct acreage is 82.66 acres. There is no change in the area included in the SSA, only correction of the acreage number in the notice. The project will generate a projected wastewater flow of 19,213 gallons per day (gpd) based on flow calculated in accordance with N.J.A.C. 7:14A-23.3

Preliminary notice was published in the New Jersey Register on December 18, 2024, at 55 N.J.R. 2564(a). No comments were received during the comment period. This notice represents the

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Department's determination that the amendment is compliant with the 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 Logan Township, Gloucester County Board of County Commissioners, Logan Township MUA, and Delaware Valley Regional Planning Commission (DRVPC). Logan Township adopted Resolution #80-2024 on February 20, 2024, consenting to the proposed amendment. The Logan Township MUA adopted Resolution #54-23 on January 23, 2024, consenting to the proposed amendment. The Gloucester County Board of County Commissioners adopted Resolution #54926 on December 20, 2023, consenting to the proposed amendment. In an email dated February 15, 2024, DVRPC stated they do not provide reviews for amendments or issue letters 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 of proposed SSA and will generate less than 20,000 gpd of wastewater flow; therefore, 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 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

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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 sewer service area contains areas mapped as Rank 4 habitat for Bald Eagle 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. N.J.A.C. 7:15-4.4(j)2 provides that an applicant may rebut the presumption that the Department's environmental data is accurate by providing a Habitat Suitability Determination (HSD) prepared pursuant to N.J.A.C. 7:15-4.6 that demonstrates that an area is not suitable habitat for endangered or threatened wildlife species. The applicant submitted an HSD dated January 31, 2023, prepared by EcoSciences, Inc. The Department reviewed the HSD and concurred with the HSD findings that the expanded SSA was not suitable habitat for Bald Eagle due to existing conditions and onsite habitat characteristics.
- 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

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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 # (0809-05-0006.2 Activity Number LLI220001) 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 (USEPA) 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).

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. Logan Township stated the project was consistent with the long-term zoning in a letter dated August 8, 2022. The Gloucester County Planning Division issued a letter dated September 13, 2022, stating that the proposed project is consistent with the Gloucester County Management Plan's Goal Statement.

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Sewer service is not guaranteed by the 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.

3/12/2024
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