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PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATERSHED AND LAND MANAGEMENT

DIVISION OF WATERSHED PROTECTION & RESTORATION

Adopted Amendment to the Tri-County Water Quality Management Plan

Take notice that on August 7, 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 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 in accordance with the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15. The amendment, identified as Russo Warehouse Harrison, also known as Swedesboro Warehousing, (Program Interest No. 435433, Activity No. AMD220001), expands the sewer service area (SSA) of the Gloucester County Utilities Authority (GCUA) Sewage Treatment Plant (STP) by 73.07 acres on Block 46, Lot 2, Block 47, Lots 1, 2, 3, 3.01, and 4, in Harrison Township, Gloucester County. The remaining 87.25 acres of the project site are located within the already approved SSA of the GCUA STP within Woolwich Township. The overall project is for four proposed warehouses, one that includes food processing, and associated office space in each. Buildings A and C straddle the municipal border, being partially within the already approved SSA within Woolwich Township and partially outside of the SSA within Harrison Township. Building A will be 933,610 square feet (sf) food processing space and 29,706 sf office space and Building C will be 295,714 sf of warehouse space and 16,603 sf of office space. Buildings B and D are within the already approved SSA in Woolwich Township and

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were not the subject of this amendment. The entire project will generate a projected wastewater flow of 136,000 gallons per day (gpd), based on flow calculated in accordance with N.J.A.C. 7:14A-23.3, with 105,894 gpd of the total associated with Buildings A and C. The wastewater will be received by the GCUA STP, New Jersey Pollution Discharge Elimination System (NJPDDES) Permit No. NJ0024686, via the Woolwich Township Regional Wastewater and Conveyance System.

Preliminary notice was published in the New Jersey Register (N.J.R.) on January 16, 2024, at 56 N.J.R. 156(a) and a public hearing was held by the Department on June 4, 2024. Comments were received during the public comment period. A summary of the comments and Department responses are provided at the end of this notice. This notice represents the Department's determination that the proposed 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 a written statement of consent from the GCUA, Harrison Township, Woolwich Township, Delaware Valley Regional Planning Commission (DVRPC) and the Gloucester County Board of County Commissioners. A statement of consent was not received from the Gloucester County Board of County Commissioners or the DVRPC. Harrison Township adopted Resolution No. 35-2024 on February 5, 2024, consenting to the proposed amendment and Woolwich Township adopted Resolution R-2024-54 on February 5, 2024, consenting to the proposed amendment. GCUA adopted Resolution No. 2024-039 on February 14, 2024, consenting to the proposed amendment.

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In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to modifications of the eligible SSAs 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 and/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 project or activity. The addition to the SSA involves less than 100 acres of SSA but would generate a projected wastewater flow of 105,894 gpd, based on flow calculations in accordance with N.J.A.C. 7:14A-23.3. The purpose of the modification is to demonstrate that GCUA has the 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 is the highest consecutive 12-month rolling average during the five-year period preceding the proposed amendment (October 2018 to September 2023), which was calculated to be 21.414 million gallons per day (mgd) (October 2018-September 2019) based on NJPDES Discharge Monitoring Reports reported in DEP Data Miner (<https://njems.nj.gov/DataMiner>). The GCUA STP is currently permitted to discharge up to 27 mgd under NJPDES permit NJ0024686. As such, the GCUA has capacity to accommodate the additional flow from the project.

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

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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 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 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 Freshwater Wetlands Letter of Interpretation (LOI)/Line Verification File # 0800-19-001.1 FWW190001 (Block 47, Lots 1, 2 Harrison Township), #0808-20-0001.1 FWW20001 (Block 47, Lots 3, 3.01, 4 Harrison Township), and

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File #0800-19-002.1 FWW190001 (Block 46, Lot 2 Harrison Township) 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).

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 Woolwich Township Administrator/Clerk confirmed through email on March 2, 2022, that the proposed project is consistent with the Woolwich Township zoning and Master Plan. The Solicitor for Harrison Township confirmed through email on March 5, 2022, that the proposed project is consistent with the land uses allowed with the Harrison Township zoning and Municipal Master Plan. Gloucester County deemed the project consistent with the Gloucester County Development Management Plan’s Goal Statements on February 24, 2022.

The following individuals provided comments on this amendment during the comment period.

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1. Clint Allen, Archer and Greiner, applicant representative at the public hearing on June 4, 2024
2. Dominique Jean Bebak, in an email dated June 17, 2024
3. Renee Bourne, in an email dated February 14, 2024
4. Alex Bouzakis, in an email dated February 14, 2024
5. Jennifer Coriale, in an email dated February 13, 2024
6. Lisa Dirska, in an email dated February 13, 2024
7. Victoria Duffy, resident in an email dated February 13, 2024
8. L G, resident in an email dated February 13, 2024
9. Debbie George, in an email dated June 17, 2024
10. Nicholas Giovinco, at the hearing on June 4, 2024
11. Valerie Gouliamis, in an email dated June 17, 2024
12. Clint Guest in emails dated February 14, 2024, June 17, 2024
13. Elliot Hudak, in an email dated February 13, 2024
14. Janet LaQuintano, at the public hearing on June 4, 2024
15. Alonso Concha Leon, in an email dated June 17, 2024
16. Jessica Leonardo, in an email dated February 14, 2024
17. Robert Lero, in an email dated February 15, 2024
18. Barbara Lord, in an email dated February 13, 2024
19. Jennifer Mcilvaine in an email dated February 16, 2024
20. Jason Menegus in an email dated February 14, 2024
21. Danielle Nicolosi, in an email dated February 13, 2024
22. Adam Orlacchio in an email dated February 13, 2024
23. Lisa Parker, in an email dated February 16, 2024
24. Patricia Richardson, in an email dated February 14, 2024
25. Elia Sakhleh, in an email dated February 13, 2024
26. Nancy Schroeck, in an email dated February 13, 2024
27. Judith Sheffield, at the hearing on June 4, 2024
28. Joanne Zias, in an email dated June 17, 2024
29. Emails were submitted by 73 individuals requesting a public hearing. The Department has designated these emails as commenter 29. Where individuals added comments in addition to requesting a hearing, their name is also listed separately in the above commenter list.

1. Samuel Agigian and Jennifer Close, in email dated February 13, 2024
2. Shawn Allen, in an email dated February 16, 2024
3. Renee Bourne, in an email dated February 14, 2024
4. Alex Bouzakis, in an email dated February 14, 2024
5. John Cavanaugh, in an email dated February 13, 2024
6. Jennifer Coriale, in an email dated February 13, 2024
7. Jennifer Dalton, in an email dated February 13, 2024
8. Robert D'Amico, in an email dated February 13, 2024
9. Lisa Dirska, in an email dated February 13, 2024

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10. Victoria Duffy, in an email dated February 13, 2024
11. Craig Elliot, in an email dated February 13, 2024
12. Barbara Ernst Pucilowski, in an email dated February 14, 2024
13. Michele Fecht, in an email dated February 13, 2024
14. Nancy Feigenbutz, in an email dated February 16, 2024
15. L G, resident in an email dated February 13, 2024
16. Jennifer Garcia-Griffin, in an email dated February 14, 2024
17. John Gavio, resident in an email dated February 15, 2024
18. David Giannini, in an email dated February 14, 2024
19. Nicholas Giovinco, in an email dated February 13, 2024
20. Rosemary Glutting in an email dated February 15, 2024
21. Michael Gouliamis in an email dated February 13, 2024
22. Valerie Gouliamis, in an email dated February 13, 2024
23. Evan Graham in an email dated February 13, 2024
24. Clint Guest in emails dated February 13, 2024, February 14, 2024, and April 2, 2024
25. Jeanne Guest in an email dated February 13, 2024
26. Elliot Hudak, in an email dated February 13, 2024
27. Theresa Kane-Mackenzie, in an email dated February 16, 2024
28. Janet LaQuintano, in an email dated February 16, 2024
29. Jessica Leonardo, in an email dated February 14, 2024
30. Robert Lero, in an email dated February 15, 2024
31. Laura LiVecchi in an email dated February 26, 2024
32. Barbara Lord in an email dated February 13, 2024
33. Dan Marsella in an email dated February 15, 2024
34. Brett McCormick, in an email dated February 15, 2024
35. Beth McGuire, in an email dated February 13, 2024
36. Jennifer Mcilvaine in an email dated February 16, 2024
37. Jason Menegus in an email dated February 14, 2024
38. Debra Murphy, in an email dated February 13, 2024
39. Henry Narcisi in an email dated February 15, 2024
40. Jennie Narcisi in an email dated February 15, 2024
41. Danielle Nicolosi, in an email dated February 13, 2024
42. Adam Orlacchio in an email dated February 13, 2024
43. Marty O'Rourke in an email dated February 13, 2024
44. Inder Pahal, in an email dated February 13, 2024
45. Bill Paoello in an email dated February 13, 2024
46. Jerry Parker in an email dated February 13, 2024
47. Lisa Parker, in an email dated February 16, 2024
48. Kate Purzycki in an emailed dated February 13, 2024
49. Ed Push, in an email dated February 15, 2024
50. Gina Pushkarewicz in an email dated February 15, 2024
51. Deana Rachuba-Shultz in an email dated February 13, 2024

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52. Jeffrey G. Rapattoni in an email dated February 14, 2024
53. Kimberly Rapattoni, in an email dated February 14, 2024
54. Sandy Ray in an email dated February 13, 2024
55. Kelly Redkoles in an email dated February 26, 2024
56. Charles Reiling, in an email dated February 16, 2024
57. Patricia Richardson, in an email dated February 14, 2024
58. Damian Rohrbacher, in an email dated February 13, 2024
59. Elia Sakhleh, in an email dated February 13, 2024
60. Nancy Schroeck, in an email dated February 13, 2024
61. Joanne Settelen, in an email dated February 13, 2024
62. Hosam Shawkey in an email dated February 16, 2024
63. Dave Sholler, in an email dated February 13, 2024
64. Sandra Skalski, in an email dated February 17, 2024
65. Valerie Smith in an email dated February 14, 2024
66. Colleen Tessing, in an email dated February 13, 2024
67. Krista Weiss, in an email dated February 16, 2024
68. Mark Weiss, in an email dated February 13, 2024
69. Sharon Weiss, in an email dated February 16, 2024
70. Megan York in an email dated February 29, 2024
71. Joanne Zias, in an email dated June 17, 2024
72. Chris Zupsic in an email dated February 13, 2024
73. Heather Zupsic in an email dated February 13, 2024

A summary of the timely and significant comments received, and the Department responses follow. The number(s) in parenthesis after each comment identifies the respective commenter listed above.

1. COMMENT: Commenters request that a public hearing be held on the amendment. (29)
RESPONSE: As indicated above, the Department granted a public hearing. A public notice was published in the New Jersey Register on April 1, 2024, at 56 N.J.R. 511(b) announcing that a public hearing would be held on June 4, 2024, and the public comment period would be extended to 15 days after the public hearing. The public hearing notice was also posted on the WQMP Program's webpage at <https://www.nj.gov/dep/wqmp/wmpnotices.html> and sent out via the Department

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listserv. The requesters also directly received notification of the granting of the public hearing.

2. COMMENT: We were made aware there is an application for sewer service. To our knowledge, the application for development was not approved for this property. (4)
3. COMMENT: This application is of serious public concern, as evidenced by massive public turnout at related Joint Land Use Board hearings in Harrison, and the application and related project present significant health and safety risks/concerns to the public, particularly residential neighborhoods in the immediate vicinity of the project area. (5, 7, 17, 19 22)
4. COMMENT: This project needs attention as it will have a negative impact on our environment on many levels. (8, 16, 24, 26)
5. COMMENT: This will create more pollution of our land, water, road, air and aquifer. This doesn't match the surrounding neighborhoods. The DEP has the power to stop these projects through permitting processes and denying sewer expansion. (20)
6. COMMENT: This type of warehouse project is unnecessary. We are a rural community with an abundance of already built, and empty warehouses in our area. We are the Garden State for a reason and this warehouse project aims to create traffic, light pollution and create negative environmental and investment impacts for all residents. (21, 25)
7. COMMENT: Commenters expressed concerns about the amount of traffic and the resulting air pollution that the project will generate. (2, 7, 9, 15, 19, 27, 28)
8. COMMENT: While economic development and job creation are crucial, we must critically evaluate the environmental consequences of such projects. Our health, quality

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of life, and the future of our environment are at stake. I stand before you to oppose the construction of these warehouses and to highlight the significant environmental concerns associated with them. The operation of warehouses significantly increases pollution levels. The increased traffic congestion exacerbates noise pollution, which negatively impacts the well-being of our community. The environmental footprint of warehouses extends beyond local pollution. The increased carbon emissions from the operation of warehouses and the associated transportation of goods contribute to global climate change. As we are already witnessing the devastating effects of climate change, including more frequent and severe storms, rising sea levels, and extreme temperatures, it is imperative that we take every possible step to reduce our carbon footprint. (12)

9. COMMENT: We are highly opposed to building any more warehouses in the area. Please reconsider this project. (2, 3, 7, 9, 11, 12, 18, 20, 21, 23)

RESPONSE TO COMMENTS 2 THROUGH 9: The Department acknowledges the commenters' concerns; however, the above issues are beyond the scope of the WQMP amendment review. The WQMP Program does not determine where these projects should occur or the nature of these projects. The role of the WQMP Program is to review applications submitted to the Program against the criteria established in N.J.A.C. 7:15. Local government, through master planning and zoning ordinances, determines the type of development and the density level the municipality desires for an area.

The WQMP amendment required for this project is just one approval required from the Department and is not meant to address all possible issues with the project. Approval of this amendment does not eliminate the need to obtain any other necessary permits,

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approvals, or certifications required by any Federal, State, county, or municipal review agency with jurisdiction over the project. The issues discussed above that are beyond the scope of the WQMP amendment review will be addressed as part of the review required to obtain these other approvals.

10. COMMENT: There is a lot of wildlife, eagles, and bog turtles that may not have been found on that property but are located near where they are planning on building. There is a concern around the destruction of local wildlife with this property being built and developed. (27)

RESPONSE: The criteria for SSA eligibility is outlined at N.J.A.C. 7:15-4.4. As discussed above, the project was reviewed regarding threatened and endangered wildlife species habitat Ranks 3, 4, and 5 under the Landscape Project Data and Natural Heritage Priority Site listings. 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.

11. COMMENT: I have concerns that the wastewater generated by this facility is too large for the treatment facilities and will have a negative impact on the local environment. (13)

RESPONSE: As stated above, the applicant included a wastewater treatment capacity analysis in accordance with N.J.A.C. 7:15-3.5(j)2. The analysis found that the GCUA had sufficient capacity for the project. Discharge limits established in the GCUA's NJPDES permit are designed to avoid degradation of water quality into the receiving waterbody. Any violations of the established discharge limits are handled by the Department's Water Compliance and Enforcement Program. The WQM Planning

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analysis represents only one part of the permitting process. Other issues that may need to be addressed will be captured through the respective permitting programs.

12. COMMENT: The construction of massive warehouses often leads to the destruction of local ecosystems. New Jersey, known as the Garden State, boasts diverse farmlands, wetlands, and forests that are critical for maintaining biodiversity. The clearing of pervious land for warehouses results in habitat loss for many species, disrupting local wildlife and leading to a decline in biodiversity. The destruction of these natural habitats not only endangers wildlife but also compromises the ecological balance, which can have far-reaching consequences on our environment. (6, 12)

RESPONSE: As stated above, pursuant to N.J.A.C. 7:15-4.4(j)3, the applicant provided Freshwater Wetlands Letter of Interpretation (LOI)/Line Verification File # 0800-19-001.1 FWW190001 (Block 47, Lots 1, 2 Harrison Township), #0808-20-0001.1 FWW20001 (Block 47, Lots 3, 3.01, 4 Harrison Township), and File #0800-19-002.1 FWW190001 (Block 46, Lot 2 Harrison Township) confirming that there are no wetlands within the expanded sewer service area. As mentioned above, this amendment is only one approval necessary for the project. The project must obtain all Department wetlands permits and approvals required under N.J.A.C. 7:7A before development can occur. The Department's Division of Land Resource Protection administers freshwater wetlands permits.

13. COMMENT: I want to know if they did any environmental studies regarding the acid in the soil on the Harrison Township site. The reason the land was originally designated an area in need of redevelopment was due to the high levels of acid in the soil. I'm concerned

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as to how this pertains to excavating and installing obviously piping for drainage and wastewater management. (10)

14. COMMENT: I want to ensure that there are proper studies being done to address environmental concern for the homes that are in close proximity to where these structures are going to be located and that due diligence has been done to ensure the safety of the Harrison Township residents. What potential risk may the residents be exposed to, from water runoff, impacts to our drinking water, potential risk to sewer systems, and septic systems. (14)

RESPONSE TO COMMENTS 13 AND 14: The WQM Plan amendment is just one approval required from the Department and is not meant to address all possible issues related to the project. The above notice outlines the criteria used in the review of this WQM Plan amendment, which focuses on the eligibility of the property for sewer service, and the results of that review. Approval of this amendment does not eliminate the need to obtain any other necessary permits, approvals or certifications required by any Federal, State, county or municipal review agency with jurisdiction over the project. Many of the issues that are beyond the scope of the WQM Plan amendment review will be addressed as part of the review required to obtain these other approvals.

15. COMMENT: The potential for water contamination is a critical concern. The construction and operation of warehouses often involves the use of hazardous materials and chemicals. Runoff from these sites can carry pollutants into our waterbodies, contaminating drinking water sources and harming aquatic life. The extensive use of impermeable surfaces such as concrete and asphalt in warehouse complexes increases

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the risk of flooding. Impervious surfaces prevent rainwater from naturally infiltrating the ground, leading to higher volumes of runoff, which can overwhelm stormwater management systems and cause severe flooding in surrounding areas. (12, 27)

16. RESPONSE: The WQMP Program does not review for compliance with the Stormwater Management rules at N.J.A.C. 7:8, and compliance with the Stormwater Management rules is not a prerequisite for SSA eligibility. The WQMP amendment required for this project is just one approval required from the Department and is not meant to address all possible issues with the project.

17. COMMENT: I am with Archer and Greiner, and we represent WH Development Urban Renewal in connection with the proposed development. We are appreciative of the department's findings as memorialized by that notice that the proposed project is consistent with the Department's Water Quality Management regulations at N.J.A.C. 7:15-1 et. seq, and particularly sections 3 and 4. This is a fully consistent water quality management plan amendment, and we appreciate the record that is being created before the Department, and we also are appreciative of the Department's findings as memorialized in the notice which is part of the record for this matter. (1)

RESPONSE: The Department acknowledges the comment.

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 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.

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08/07/2024
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