

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

## ENVIRONMENTAL PROTECTION

### OFFICE OF WATER RESOURCES MANAGEMENT COORDINATION

#### PROPOSED AMENDMENT TO THE TRI- COUNTY WATER QUALITY MANAGEMENT PLAN

#### **Public Notice**

**Take notice** that the New Jersey Department of Environmental Protection (Department) seeks public comment on a proposed amendment to the Tri-County Water Quality Management (WQM) Plan. This amendment proposal (Program Interest No. 435433, Activity No. 130007), submitted by Civilier Engineering and Surveying on behalf of Smithfield Estates would expand the sewer service area (SSA) of the Gloucester County Utilities Authority Sewage Treatment Plant (STP) by 111 acres to serve a proposed 173 four-bedroom single family home development and 8 existing homes. The proposed project site is located in Monroe Township, Gloucester County, south of Glassboro-Cross Keys Road (County Route 689) and west of Pitman-Downer Road (County Route 658) on the following lots and blocks: Block 15301/Lot 1 (portion), 2-8, 9 (portion), 10-16; Block 15302/Lot 1, 10-14, Block 15303/Lot 3, 31-37, 38 (portion), and Block 15404/Lot 12 (portion). This proposed amendment has been reviewed in accordance with the Water Quality Management Planning rules at N.J.A.C. 7:15 and represents the Department's decision to proceed further with the amendment application as provided in N.J.A.C. 7:15-3.5(g)5.

Pursuant to N.J.A.C. 7:15-4.4(d), sewer service may only be provided to areas that are not identified as environmentally sensitive areas (ESAs), certain coastal planning areas or areas subject to US Environmental Protection Agency (EPA) 201 Facilities Plan grant conditions, except as otherwise provided at N.J.A.C. 7:15-4.4(i) – (l).

Pursuant to N.J.A.C. 7:15-4.4(e), ESAs are any contiguous area, based on a composite Geographic Information System (GIS) analysis, of 25 acres or larger consisting of any of the following features alone or in combination: areas mapped as threatened and endangered wildlife species habitat as identified on the Department's Landscape Maps of Habitat for Endangered, Threatened or Other Priority Wildlife as Rank 3, 4, or 5 (Landscape Maps); areas mapped as Natural Heritage Priority Sites; Category One waters designated in the Department's Surface Water Quality Standard, N.J.A.C. 7:9B, based on the Department's maps of such waters

and their corresponding 300 foot riparian zone based upon the Flood Hazard Area Control Act Rules, N.J.A.C. 7:13; and wetlands as mapped pursuant to N.J.S.A. 13:19A-1 and 13:9B-25.

In accordance with N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as environmentally sensitive areas, such as threatened and endangered wildlife species habitat identified pursuant to N.J.A.C. 7:15-4.4(e)1. To evaluate areas mapped pursuant to N.J.A.C. 7:15-4.4(e)1 as threatened or endangered wildlife species habitat, the Department utilized its Landscape Maps version 3.1 at <http://www.nj.gov/dep/gis/listall.html>. Areas identified by the Landscape Maps as being suitable habitat for threatened and endangered wildlife species Ranks 3 (State threatened), Rank 4 (State endangered), and Rank 5 (Federal endangered or threatened) are not to be included in proposed SSAs except as provided under N.J.A.C. 7:15-4.4(i) – (l). There is no threatened or endangered wildlife species habitat mapped within the proposed SSA.

In accordance with N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as environmentally sensitive areas, such as Natural Heritage Priority sites identified pursuant to N.J.A.C. 7:15-4.4(e)2. To evaluate areas mapped as Natural Heritage Priority Sites pursuant to N.J.A.C. 7:15-4.4(e)2, the Department utilized its GIS data at <http://www.nj.gov/dep/gis/liststall.html>. Areas mapped as Natural Heritage Priority Sites are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-4.4(i) – (l). The Department's review determined that the project site is located within the Downer Natural Heritage Priority Site, which contains a population of a globally rare state endangered plant species. To ensure that there would be no adverse impact to these species, the Department worked with the applicant on the proposed project's stormwater management system design that met all Department rules and requirements for both water quality and quantity.

In accordance with N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as environmentally sensitive areas, such as Category One waters and their corresponding riparian zones pursuant to N.J.A.C. 7:15-4.4(e)3. To evaluate the existence of Category One waters and their corresponding riparian zones pursuant to N.J.A.C. 7:15-4.4(e)3, the Department utilized its GIS data at <http://www.nj.gov/dep/gis/listall.html>. Areas identified as Category One waters and their corresponding riparian zones are not to be included in SSAs, except as provided under N.J.A.C. 7:15-4.4(i) – (l). The Department has determined that there are no Category One waters or their corresponding riparian zones on the subject site.

In accordance with N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as environmentally sensitive areas, such as mapped wetlands pursuant to N.J.A.C. 7:15-4.4(e)4. To evaluate the

existence of mapped wetlands pursuant to N.J.A.C. 7:15-4.4(e)4, the Department utilized its GIS data at <http://www.nj.gov/dep/gis/listall.html>. Areas mapped as wetlands pursuant to N.J.S.A. 13:9A-1 and 13:9B-25 are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-4.4(i) – (l). Pursuant to N.J.A.C. 7:15-4.4(j)3, Freshwater Wetlands Letter of Interpretation File No. 0811-01-0002.1 FWLI (LOI) was provided, confirming the extent of wetlands and transition areas on the site. Freshwater Wetlands General Permits No. 11 (File No. 0808-03-0002.1 FWW030002) and Freshwater Wetlands Transition Area Waiver – Averaging Plan Approval (File No. 0811-03-0002.1 FWW030001) have been approved by the Department, confirming that the extent of wetlands and transition area are accurately delineated on the proposed project activity site and confirming that the proposed project meets the requirements for approval to disturb regulated areas pursuant to N.J.A.C. 7:7A-4.3, 5.11, 6.2 and 13.1.

In accordance with N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as coastal planning areas pursuant to N.J.A.C. 7:15-4.4(f). The Department evaluated the presence of coastal planning areas identified on the CAFRA Planning Map available at <http://www.nj.gov/dep/gis/listall.html>. Areas mapped as Coastal Fringe Planning Areas, Coastal Rural Planning Areas, and Coastal Environmentally Sensitive Planning Areas are not to be included in SSAs, except to abate an existing imminent public health and safety issue, to accommodate infill development or as necessary to create a linear boundary that coincides with recognizable geographic, political, or environmental features depicted in the Department’s GIS coverage as provided under N.J.A.C. 7:15-4.4(f)1 and 2. There are no such coastal planning areas designations on the subject site.

In accordance with N.J.A.C. 7:15-4.4(d), areas shall only be eligible for SSA if they are not identified as areas subject to 201 Facilities Plan grant conditions pursuant to N.J.A.C. 7:15-4.4(g). The Department evaluated the presence of 201 Facilities Plan grant conditions that prohibit the expansion of SSA to ESAs. The Department evaluated mapped wetlands utilizing its GIS data at <http://www.nj.gov/dep/gis/listall.html> and flood plains using the Federal Emergency Management Agency (FEMA) flood plain mapping at <https://msc.fema.gov/portal>. Areas with Federal 201 grant limitations that prohibit the extension of sewers into specified ESAs are excluded from the SSA, unless documentation can be provided demonstrating that a mapping revision or waiver has been obtained from EPA, as provided under N.J.A.C. 7:15-4.4(g). There are no 201 Facilities Plan grant conditions which provide for the restriction of sewer service to ESAs.

Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department shall consider in the delineation of areas eligible for sewer service, the land uses allowed in zoning ordinances and future land uses shown in municipal or county

master plans. Based on the review of local zoning maps and master plans, the proposed project is consistent with the local zoning ordinance, and the local and county master plan.

Pursuant to N.J.A.C. 7:15-3.5(j)2, projects that propose to add 100 or more acres to the SSA or where the additional SSA would generate 20,000 gpd or more of wastewater, a 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, is required. The projected wastewater flow for the proposed project, calculated in accordance with N.J.A.C. 7:14A-23.3, is 54,300 gallons per day (gpd) and is anticipated to be received by the Gloucester County Utility Authority STP. Currently the Gloucester County Utility Authority STP is permitted to discharge up to 27 Million Gallons per Day (MGD) under NJPDES permit NJ0024686. Based on an average of the monthly average flow from NJPDES Discharge Monitoring Reports for the twelve-month period of September 2015 to August 2016, the existing wastewater flow discharged from the Gloucester County Utility Authority STP was calculated to be 17.24 MGD. Therefore, it appears that the additional flow will not cause the facility to exceed its permitted capacity.

**This notice** is being given to inform the public that a plan amendment has been proposed for the Tri- County WQM Plan. All information related to the WQM Plan and the proposed amendment is located at:

Gloucester County Planning Division  
1200 North Delsea Drive  
Clayton, NJ 08312

AND

NJ Department of Environmental Protection  
Office of Water Resources Management Coordination  
P.O. Box 420, Mail Code 401-02A  
401 East State Street  
Trenton, NJ 08625-0420

The Department's file is available for inspection through the Open Public Records Act. Requests may be made on-line at <http://www.nj.gov/opra/>.

**Interested persons** may submit written comments on the amendment to WQM Program Docket, at the Department address cited above with a copy sent to

Ms. Theresa Ziegler  
Gloucester County Planning Division

1200 North Delsea Drive  
Clayton, NJ 08312

AND

Gary Civilier  
Civilier Engineering & Surveying  
12 West Mantua Avenue  
Wenonah, NJ 08090

All comments should reference Program Interest No. 435433, Activity No. 130007 and must be submitted within 30 days of the date of this public notice. If a public hearing is held, as provided below, all comments must be submitted 15 days after the close of the public hearing. All comments submitted prior to the close of the comment period shall be considered by the Department in reviewing the amendment request.

**Interested persons** may request in writing that the Department hold a non-adversarial public hearing on the amendment or extend the public comment period in this notice up to 30 additional days. These requests should reference Program Interest No. 435433, Activity No. 130007 and must state the nature of the issues to be raised at the proposed hearing or state the reasons why the proposed extension is necessary. These requests must be submitted within 30 days of this notice to WQM Program Docket at the Department address cited above. If a public hearing for the amendment is held, the public comment period provided in this notice shall close 15 days after the public hearing

Sewer service is not guaranteed by this amendment. This proposed amendment represents only one part of the permit process and other issues may need to be addressed. These issues may include, but are not limited to, obtaining all permits for the proposed projects; meeting all regulatory requirements for needed permits, compliance with stormwater regulations; antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works; development in wetlands and flood prone areas, or other environmentally sensitive areas which are subject to regulation under Federal or State law or to any contractual arrangements between municipalities, authorities and/or private parties. Inclusion in the sewer service area 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.

SIGNED

---

Colleen Kokas, Director  
Office of WRM Coordination  
Department of Environmental Protection

10/25/16

---

Date