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**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**WATER RESOURCES MANAGEMENT**

**DIVISION OF WATER MONITORING AND STANDARDS**

**Proposed Amendment to the Atlantic County Water Quality Management Plan**

**Public Notice**

**Take notice** that the New Jersey Department of Environmental Protection (Department) is seeking public comment on a proposed site specific amendment to the Atlantic County Water Quality Management (WQM) Plan/Galloway Township Wastewater Management Plan (WMP) in accordance with 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 proposed amendment (Program Interest No. 435445, Activity No. AMD180001) would expand the Atlantic County Utilities Authority sewer service area (SSA) by 30.1 acres to serve proposed public restroom facilities at both Gabriel Memorial Fields, located on Block 647, Lot 7, and at Tartaglio Park, located on a portion of Block 473, Lot 13, Galloway Township, Atlantic County. The proposed project, identified as "Galloway Township Athletic Fields", would generate a total projected wastewater flow of up to 10,845 gallons per day (gpd) to be received by the Atlantic County Utilities Authority Wastewater Treatment Facility NJPDES No. NJ0024473, based on flow calculated in accordance with N.J.A.C. 7:14A-23.3. The proposed amendment has been reviewed pursuant to the Water Quality Management Planning rules at N.J.A.C. 7:15. This notice represents the Department's determination that the amendment is compliant with the regulatory criteria at N.J.A.C. 7:15-3.3, 3.5, 4.4 and 4.5, as described below.

In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to modifications of the eligible sewer service area needed to address a specific project or activity. N.J.A.C. 7:15-3.5(j)2

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requires that site specific amendments involving 100 or more acres or 20,000 gpd or more of wastewater flow must update 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 and will generate less than 20,000 gallons per day of wastewater flow; therefore, update of the wastewater treatment capacity analysis is not required.

The proposed project site is located in the Pinelands Area, as defined in the Pinelands Protection Act, N.J.S.A. 13:18A11. Pursuant to N.J.A.C. 7:15-4.4(b), sewer service may only be provided to projects in the Pinelands Area that are located in Regional Growth Areas, Pinelands Towns, Pinelands Villages, and substantially developed portions of a Military and Federal Installation Area, as established within the Pinelands Comprehensive Management Plan (CMP), N.J.A.C. 7:50, or in any other area approved by the Pinelands Commission as appropriate for the development of centralized wastewater treatment and collection facilities where the Department concurs. On October 13, 2017, the Pinelands Commission adopted Resolution PC4-17-35, which certified that Galloway Township's amended Land Use Ordinances 1969-2017 and 1970-2017 were consistent with the Pinelands CMP. These ordinances added certain parcels, including the proposed project site, into a "R5C Cluster Overlay District" and also imposed certain deed restriction requirements; however, the Pinelands Commission has specified that the deed restriction requirements should not be implemented through the plan amendment process and that the deed restriction requirement is not triggered until the Township applies to and receives approval from the Pinelands Commission for actual development of the restroom facilities and associated new sewer line. The exact amount of land to be deed restricted is dependent on the size of the proposed new facilities and can only be determined by the Pinelands Commission when they receive an application to review.

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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) under N.J.A.C. 7:15-4.4(e) based on a composite geographic information systems (GIS) analysis as any contiguous area of 25 acres or larger, certain coastal planning areas, or areas subject to U.S. Environmental Protection Agency (USEPA) 201 Facilities Plan grant conditions, except as otherwise provided at N.J.A.C. 7:15-4.4(i) through (l). 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) through (g) and made the following findings:

- The Department determined that the expanded sewer service area does not contain any areas mapped as threatened or 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.
- The Department determined that the expanded sewer service area does not contain any areas mapped as Natural Heritage Priority Sites based on the "Natural Heritage Priority Sites" GIS data layer.
- The Department determined that the expanded sewer service area does not contain any Category One (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.
- The Department determined that the expanded sewer service area does not contain any wetlands based on the "Wetlands 2012" GIS data layer.

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- The Department determined that the expanded sewer service area does not contain any Coastal Fringe Planning Areas, Coastal Rural Planning Areas, and Coastal Environmentally Sensitive Planning Areas mapped on the CAFRA Planning Map based on the “CAFRA Layers” GIS layer.
- The Department reviewed the USEPA 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> and determined that there are no 201 Facilities Plan grant conditions applicable to the project site.

Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department considered the land uses allowed in zoning ordinances and future land uses shown in municipal or county master plans and determined that the expanded sewer service area is consistent with land uses allowed by local zoning and the county and local master plans.

This notice is to inform the public that a plan amendment has been proposed for the Atlantic County WQM Plan/ Galloway Township WMP and that a public hearing will be held by the Atlantic County Department of Planning and Regional Development on December 19, 2018 at 10:00 A.M. in the Stillwater Building, Freeholder Meeting Room, 201 South Shore Road, Northfield, New Jersey. The Atlantic County Board of Chosen Freeholders, as the designated planning agency for Atlantic County, requires that a public hearing be held for all WQM plan amendments. All information related to the WQM Plan and the proposed amendment is located at:

The Atlantic County Department of Regional Planning and Development  
Route 9 and Dolphin Avenue  
P O Box 719

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Northfield, New Jersey 08225-0719

AND

New Jersey Department of Environmental Protection

Division of Water Monitoring and Standards

Bureau of Environmental Analysis, Restoration and Standards

Water Quality Management Planning Program

P.O. Box 420, Mail Code 401-041

401 East State Street

Trenton, New Jersey 08625-0420

The Department's file is available for inspection through the Open Public Records Act. Requests may be made on-line at <https://www.state.nj.us/dep/opra/opraform.html>.

Interested persons may submit written comments on the proposed amendment to the Department at the address cited above. Comments should reference Program Interest No. 435445, Activity No. AMD180001 and must be submitted within 30 days of the date of this public notice or within 15 days of the public hearing, as described below. A copy of the written comments should also be sent to:

Mr. Anthony Eschaghi

Atlantic County Department of Regional Planning and Development

P O Box 719

Northfield, New Jersey 08225-0719

AND

Mr. Vincent Polistina

Polistina and Associates

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6684 Washington Avenue

Egg Harbor Township, New Jersey 08234

Interested persons may also request in writing that the Department hold a non-adversarial public hearing on the amendment, in addition to the County hearing, or extend the public comment period specified in this notice. Such request should reference Program Interest No. 435445, Activity No. AMD180001 and must demonstrate sufficient public interest for the public hearing or extension of the comment period, as defined under N.J.A.C. 7:1D-5.2(d). The request must be submitted within 30 days of the date of this notice to the Department address cited above. Should the Department decide to hold a public hearing, additional notice will be published in a future New Jersey Register and the public comment period will be extended to 15 days after the public hearing date. All comments submitted prior to the close of the comment period shall be considered by the Department and the Atlantic County Department of Planning and Regional Development, before making a final decision on the proposed amendment. 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 sewer service area resulting from adoption of this amendment would 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.

10/3/18  
Date \_\_\_\_\_

SIGNED  
\_\_\_\_\_

Bruce S. Friedman, Director

Division of Water Monitoring and Standards

