

ENVIRONMENTAL PROTECTION

DIVISION OF COASTAL AND LAND USE PLANNING

Adopted Amendment to the Tri-County Water Quality Management Plan

Public Notice

Take notice that on **JAN 16 2014**, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-1 et seq. and the Statewide Water Quality Management Planning rules (N.J.A.C. 7:15-3.4), an amendment to the Tri-County WQMP was adopted by the Department of Environmental Protection (Department). This amendment, entitled "Bankbridge Development", submitted on behalf of Planland, LLC, expands the sewer service area (SSA) of the Gloucester County Utilities Authority (GCUA) Wastewater Treatment Plant (WTP) to include 135 four-bedroom single family homes on Block 398, Lots 31-33 & 52; and Block 399, Lots 2, 4, 5, 6, 8, & 17-41 in Deptford Township, Gloucester County. The subject property, located on the western side of Route 663/Tanyard Road, and bisected by Woodcreek-Bankbridge Road, totals approximately 170 acres. Portions of the property are already shown to be within GCUA's existing SSA. Therefore, the GCUA SSA is expanded by approximately 79 acres in order to accommodate the entire development.

This amendments updates the GCUA Consolidated District Wastewater Management Plan (WMP), adopted December 10, 2008 (see 41 N.J.R. 671(a), January 20, 2009), to include the Bankbridge Development in the GCUA SSA. This application has been reviewed in accordance with the Water Quality Management Planning rules that set the environmental standards to be applied to an amendment at N.J.A.C. 7:15-5.18, N.J.A.C. 7:15-5.24 and N.J.A.C. 7:15-5.25.

Pursuant to P.L. 2011, c. 203, the Department, in consultation with the applicable wastewater management planning agency, may approve the inclusion of land within a SSA notwithstanding that existing treatment works may not currently have the assured capacity to treat wastewater from such land without infrastructure improvements or permit modification. Therefore, amendments to modify a SSA may be approved if such actions are compliant with

the applicable sections of the Water Quality Management Planning rule (N.J.A.C. 7:15) regardless of whether capacity has been fully assessed, however, in accordance with N.J.A.C. 7:15-5.25(h)1, the projected wastewater flow of the project has been evaluated. The projected wastewater flow, as calculated in accordance with N.J.A.C. 7:14A is 40,500 gallons per day (gpd). Though the GCUA Consolidated District WMP, adopted December 10, 2008, identifies the GCUA WTP as being permitted at 24.1 million gallons per day (mgd), currently, the GCUA WTP, discharging under permit number NJ0024686, has a permitted capacity of 27 mgd. The GCUA WTP discharges to the Delaware River, a designated Category 2 (C2), Fresh Water 2, Non-Trout, Saline Estuarine 2 (FW2-NT\SE2) waterway, as classified under the Surface Water Quality Standards, N.J.A.C. 7:9B. The average of the last twelve months of discharge monitoring data show that GCUA WTP has discharged an average daily flow of 17.058 MGD. The additional 0.0405 MGD of wastewater will not cause the wastewater generation potential of the expanded SSA to exceed the 27 mgd permitted capacity of GCUA WTP.

The GCUA WTP provides treatment for the northern portion of Gloucester County known as the Consolidated District. Along with Deptford Township, the Consolidated District includes Clayton Borough, Glassboro Borough, Mantua Township, National Park Borough, Paulsboro Borough, Pitman Borough, Washington Township, Wenonah Borough, West Deptford Township, Westville Borough, Woodbury City, Woodbury Heights Borough, and portions of East Greenwich Township, Elk Township and Monroe Township. As part of the Gloucester County Consolidated District WMP, an environmental constraints/build out analysis was performed for each municipality in order to identify future wastewater needs. Based on the analysis, Deptford Township has a projected need to treat a total residential wastewater flow of 3.76 mgd, which has been included in the build out analysis for the GCUA WTP. This proposed amendment to include the Bankbridge development in the GCUA SSA, which would add 0.0405 mgd of wastewater flow to the GCUA WTP can be accommodated within the Township's apportioned flow of 3.76 mgd without modification to existing facilities.

As outlined at N.J.A.C. 7:15-5.24, sewer service may only be provided to areas that are not identified as environmentally sensitive areas (ESAs), Coastal Fringe, Coastal Rural and Coastal Environmentally Sensitive Planning Areas, beaches, coastal high hazard areas, and

dunes. Pursuant to N.J.A.C. 7:15-5.24, ESAs are defined as contiguous areas of 25 acres or larger consisting of habitat for threatened and endangered species as identified on the Landscape Project Maps of Habitat for Endangered, Threatened or Other Priority Species, Natural Heritage Priority Sites, Category One (C1) special water resource protection areas, and wetlands, alone or in combination. These areas are not included in the adopted SSA.

In accordance with N.J.A.C. 7:15-5.24(b)1, to determine areas designated as threatened or endangered species habitat, the Department utilized the Division of Fish and Wildlife's Landscape Project Maps of Habitat for Endangered, Threatened or Other Priority Species, version 3.1. Areas identified by the Landscape Project as being suitable habitat for threatened and endangered species Ranks 3 (State threatened), 4 (State endangered), and 5 (Federal endangered or threatened) are not to be included in adopted SSAs except as provided under N.J.A.C. 7:15-5.24(e) – (h), or unless a site has undergone a site specific Habitat Suitability Determination prepared in accordance with N.J.A.C. 7:15-5.26 that found the site to be not suitable habitat, or pursuant with N.J.A.C. 7:15-5.24(g)2, the Department determined the ESA is not critical to a population of endangered or threatened species the loss of which would decrease the likelihood of the survival or recovery of the identified species. Review of the project site has determined that no threatened or endangered species habitat exists on site.

In accordance with N.J.A.C. 7:15-5.24(b)2, areas mapped as Natural Heritage Priority Sites are not to be included in adopted SSAs, except as provided under N.J.A.C. 7:15-5.24(e) – (h). Review of the project site has determined that no Natural Heritage Priority Sites exist on site.

A Riparian zone has been identified on the project site. Riparian zones or buffers are established along all surface waters, based on the surface water body's classification designated at N.J.A.C. 7:9B, under the following regulations: the Flood Hazard Area Control Act Rules, the Stormwater Management rules, and the Water Quality Management Planning rules. The required buffer width for the Monongahela Brook, its tributaries, and Monongahela Lake, which are all designated FW2-NT waterbodies, is 50 feet, to be measured from the top-of-bank of the regulated streams and from the normal water limit of the lake. Deptford Township does not have a local ordinance that is in full compliance with the aforementioned regulations. To become compliant, and in accordance with N.J.A.C. 7:15-

5.25(h)5i, the Riparian Corridor Analysis has been satisfied by applying the 50 foot buffer to the applicable portions of Monongahela Brook, its tributaries, and Monongahela Lake and removing from the adopted SSA.

In accordance with N.J.A.C. 7:15-5.24(b)4, areas mapped as wetlands pursuant to N.J.S.A. 13:9A-1 and 13:9B-25 are not to be included in adopted SSAs, except as provided under N.J.A.C. 7:15-5.24(e) – (h). In accordance with N.J.A.C. 7:15-5.24(e)2, Letter of Interpretation, L.O.I. # 0802-13-0003.1, was submitted to refute the current Department mapped wetlands delineation, confirming the presence and boundary of an intermediate resource value wetlands, requiring a 50-foot buffer. In compliance with the LOI, the adopted SSA excludes both the mapped wetlands and associated 50-foot buffer.

Pursuant to N.J.A.C. 7:15-5.24(d), areas with Federal 201 grant limitations that prohibit the extension of sewers to serve development in these areas are excluded from adopted SSAs. There are no prohibitions written into the Federal 201 grants awarded to GCUA WTP for sewer extensions.

In accordance with N.J.A.C. 7:15-5.25(h)6, development disturbance is not to be located in areas with steep slopes, defined as any slope greater than 20 percent. There are no steep slopes on the subject site.

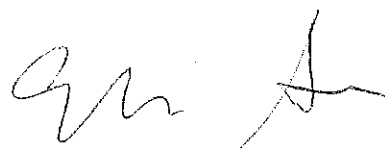
In accordance with N.J.A.C. 7:15-5.25(h)3 the water supply need for the project has been evaluated. Water supply for the development will be provided by the Deptford Township Water & Sewer Department which withdraws and treats water from the Upper Potomac-Raritan-Magothy Aquifer. Water use analysis indicates that the 2.604 mgd allocation currently permitted under WAP090001 is sufficient to meet the Township's needs and will not require modification to serve the development.

In accordance with N.J.A.C. 7:15-5.25(h)4, a project or activity's stormwater management is to be evaluated. However, P.L. 2011, c. 203 directs there be a presumption that an engineered subdivision or site plan is not required. Without such information a review and determination of compliance with the Stormwater Management rules (N.J.A.C. 7:8) is not possible. The

county and local governments are responsible for review and implementation of the Stormwater Management rules during their review and approval of the development. Deptford Township has adopted stormwater management ordinances (No. 7-2006 and 01-2008) which comply with the performance standards of the Stormwater Management Rules at N.J.A.C. 7:8.

This amendment proposal was noticed in the New Jersey Bulletin on November 6, 2013 at Volume 37, Issue 21 as well as in the South Jersey Times and no comments were received during the comment period.

This amendment represents only one part of the permit process and other issues may need to be addressed prior to final permit issuance. Additional issues which may need to be addressed may include, but are not limited to, the following: compliance with stormwater regulations; antidegradation; effluent limitations; water quality analysis; exact locations and designs of future treatment works (pump stations, interceptors, sewers, outfalls, wastewater treatment plants); and development in wetlands, flood prone areas, designated Wild and Scenic River areas, or other environmentally sensitive areas which are subject to regulation under Federal or State statutes or rules.



Elizabeth Semple, Acting Director
Division of Coastal & Land Use Planning
Department of Environmental Protection

1/16/14

Date