

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF WATER RESOURCES MANAGEMENT COORDINATION**

Adopted Amendment to the Tri-County Water Quality Management Plan (WQMP)

Public Notice

Take notice that on **JAN 16 2015**, 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 proposal, submitted on behalf of Procacci Development Corporation expands the sewer service area (SSA) of the Elmwood Avenue Wastewater Treatment Plant (WTP) to portions of Block 15, Lots 11.03, 11.04, and 11.05 in Evesham Township, Burlington County, updating both the Tri-County WQMP as well as the Evesham Municipal Utilities Authority Wastewater Management Plan. The Elmwood Avenue WTP has a permitted wastewater flow capacity of 2.978 million gallons per day under NJPDES #NJ0024031.

This proposed amendment has been reviewed in accordance with the Water Quality Management Planning rules, N.J.A.C. 7:15-1 et seq. and P.L. 2011 c.203 as amended and supplemented by P.L. 2013 c.188. Section 6(h) of P.L. 2013, c. 188 allows for the consideration of an application for a WQM Plan amendment that does not propose a specific project or activity, was previously in an approved SSA, and delineates as SSA a parcel not to exceed 100 acres in size that complies with the regulatory criteria for the delineation of a SSA established at N.J.A.C. 7:15-5.24.

In accordance with N.J.A.C. 7:15-5.24, environmentally sensitive areas (ESAs) have been assessed to determine what areas are appropriate for inclusion in the Elmwood Avenue WTP SSA. 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 ESAs 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 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 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 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.

In accordance with N.J.A.C. 7:15-5.25(h)5i, riparian zones shall be protected. 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. No riparian zones have been identified on site.

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 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. # 0313-13-0001.1 was submitted, which re-delineates the wetlands and their associated buffers, and these areas are excluded from the adopted SSA.

In accordance with N.J.A.C. 7:15-5.24(c), lands within certain coastal planning areas (Coastal Fringe, Coastal Rural, and Coastal Environmentally Sensitive Planning Areas) are not included in the SSA. The project site is not in a coastal planning area.

Pursuant to N.J.A.C. 7:15-5.24(d), special restricted areas including areas with Federal 201 grant limitations that prohibit the extension of sewers to serve development in specified areas such as wetlands and floodplains, in addition to special restricted areas of designated beaches, coastal high hazard areas, and dunes are not included in the SSA. These restricted areas are not applicable here.

This amendment proposal was noticed in the New Jersey Bulletin on November 5, 2014 at Volume 38, Issue 31 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.



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

1-16-15

Date