

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

Adopted Amendment to the Tri-County Water Quality Management Plan

Public Notice:

Waterwood at Mount Laurel Township

Take notice that **FEB 18 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, submitted on behalf of Medford Village East Associates, LLC, returns approximately 24 acres to the sewer service area (SSA) of the Mount Laurel Township Municipal Utility Authority/Hartford Road Water Pollution Control Facility (NJPDES# NJ0025178) to Block 510, Lot 3 within Mount Laurel Township, Burlington County.

This amendment was 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 and delineates as SSA a parcel not to exceed 100 acres in size that complies with the regulatory criteria for the delineation of a sewer service area 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) are assessed to determine what areas of the property are appropriate for inclusion in the proposed SSA. Environmentally sensitive areas are defined based on a composite geographic information systems (GIS) analysis, as any contiguous area 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, ESAs are required to be excluded from the SSA.

Medford Village East Associates, LLC currently owns Block 510, Lots 3 and 3.01 within Mount Laurel Township. As identified in the previously adopted Mount Laurel Municipal Utility Authority Wastewater Management Plan, Block 510, Lots 3 and 3.01 were both designated as SSA. However, as superseded by the Burlington County Future Wastewater Service Area (FWSA) Map adopted on May 7, 2013, within Block 510, Lot 3, approximately 24 acres were removed and only 5 acres retained as SSA. The entirety of Lot 3.01 was included as SSA on the adopted FWSA map. The 24 acres of SSA on Block 510, Lot 3 were removed pursuant to N.J.A.C. 7:15-5.24 based on the presence of wetlands as mapped by the Department's GIS analysis of geo-referenced Wetlands data set (from 2007 Land Use/Land Cover Update). This data set suggested that the wetlands located on Block 510, Lot 3 were part of a contiguous wetlands/ ESA area of 25 acres or greater.

As part of this amendment no specific project activity has been presented for the area proposed for inclusion in the SSA. Furthermore, as described below, the Department determined that inclusion of the 24 acres as SSA to this site is compliant with N.J.A.C. 7:15-5.24(b), and this proposal qualifies as an amendment under the section 6(h) of P.L 2013, c. 188.

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, Landscape Project 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 proposed 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. The Department determined no threatened or endangered species habitat or other priority species habitats were identified on the property.

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 proposed SSAs, except as provided under N.J.A.C. 7:15-5.24(e) – (h). A site review of the property determined that no Natural Heritage Priority Sites exist on site.

In accordance with N.J.A.C. 7:15-5.24(b)3, Category One (C1) special water resource protection areas are not to be included in proposed SSAs, except as provided under N.J.A.C. 7:15-5.24(e) – (h). The Department determined no classified C1 water bodies exist on or near the property.

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 proposed as SSAs, except as provided under N.J.A.C. 7:15-5.24(e)2. In accordance with N.J.A.C. 7:15-5.24(e)2, a Letter of Interpretation (LOI) #0324-12-0008.1, dated June 4, 2014 confirmed that the actual size of the delineated regulated onsite wetlands were significantly less in area than depicted on the Department's GIS Wetlands data-set (from 2007 Land Use/Land Cover Update). Moreover, the LOI confirmed that portions of the onsite GIS mapped wetlands were, in fact, state open waters and not regulated wetland areas. Finally, areas identified as contiguous wetlands using the GIS Wetlands data-set are now developed lands. This, in conjunction with the actual size of the

onsite wetlands confirmed by the approved LOI thereby reduced the net area of wetlands to less than the 25 acre threshold.

Pursuant to N.J.A.C. 7:15-5.24(c), certain coastal planning areas, not applicable here, must also be excluded from SSA. Specifically, there are no Coastal Fringe Planning Areas, Coastal Rural Planning Areas, or Coastal Environmentally Sensitive Areas on the project site.

In accordance with N.J.A.C. 7:15-5.24(d)1, areas with Federal 201 grant limitations that prohibit the extension of sewers are excluded from the adopted SSA either where local mapped information exists delineating these areas, or through a narrative description where mapping does not exist, except as provided under N.J.A.C. 7:15-5.24(f)1. Where a narrative approach has been used, it is noted as text on the adopted FWSA map. Pre-existing grant conditions and requirements (from Federal and State grants or loans for sewerage facilities), which provide for restriction of sewer service to environmentally sensitive areas, are unaffected by adoption of these amendments and compliance is required.

In addition to the environmentally sensitive areas with Federal 201 grant limitations that prohibit the extension of sewers identified under N.J.A.C. 7:15-5.24(d)1, there are other special restricted areas, not applicable here, which must also be excluded from SSA pursuant to N.J.A.C. 7:15-5.24(d)2 through 4. Specifically, there are no beaches, coastal high hazard areas, or dunes on the project site.

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.



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Department of Environmental Protection

2-18-15

Date

