

**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 **JUN 04 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 by Marathon Engineering and Environmental Services on behalf of Krysta Enterprises expands the sewer service area (SSA) of the Elmwood Avenue Wastewater Treatment Plant (NJPDES Permit # NJ0024031) to include portions of Block 14, Lot 3, in Evesham Township, Burlington County. This amendment is named "Winding Brook Development" and is assigned Program Interest No. 435433, Activity No. AMD140009. This amendment updates the Evesham Municipal Utilities Authority Wastewater Management Plan as well as the Burlington County Future Wastewater Service Area map.

This adopted amendment has been reviewed in accordance with the Water Quality Management Planning rules, N.J.A.C. 7:15-1 et seq and Section 6(h) of P.L. 2011 c. 203 as amended and supplemented by P.L. 2013, c. 188, which allows for a WQMP amendment that does not proposed a specific project or activity and delineates as SSA a parcel, not to exceed 100 acres in size, that had been previously included in a formerly adopted SSA, provided it can be demonstrated with the use of updated or more accurate information that the parcel 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 of the project are appropriate for inclusion in the adopted SSA. 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 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 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 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. 7:15-5.24(b)3, C1 special water resource protection areas are not to be included in SSAs, except as provided under N.J.A.C. 7:15-5.24(e) - (h). Sharps Run, classified as a FW2-NT waterbody runs along the northern order of this parcel, however it is not a classified C1 or its tributary.

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. # 0300-06-0004.1 (FWW140001) was submitted, which re-delineates wetlands identified onsite, and these areas are not included in 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.

All other special restricted areas as defined at N.J.A.C. 7:15-5.24(d)1-4; areas with Federal 201 grant limitations that prohibit the extension of sewers to serve development in specified areas such as wetlands and floodplains; and beaches, coastal high hazard areas, and dunes are not applicable to the adopted amendment's site location.

This amendment proposal was noticed in the New Jersey Bulletin on March 4, 2015 at Volume 39, Issue 5, and no comments were received during the comment period. The following affected entities consented to this amendment: Burlington County Board of Chosen Freeholders in Resolution 2015-00135 on March 15, 2015; Evesham Township in Resolution 98-2015 on April 7, 2015; and Evesham Municipal Utilities Authority in Resolution 2015-56 on April 1, 2015.

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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Colleen Kokas, Director
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Department of Environmental Protection

6-4-15

Date