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Public Notice

ENVIRONMENTAL PROTECTION

WATER RESOURCE MANAGEMENT

DIVISION OF WATER MONITORING AND STANDARDS

Adopted Amendment to the Tri-County Water Quality Management Plan

Public Notice

Take notice that on **October 14, 2020**, pursuant to the provisions of 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 New Jersey Department of Environmental Protection (Department) adopted an amendment to the Tri-County Water Quality Management (WQM) Plan. This amendment, identified as "Cristaudo Tract Subdivision" (Program Interest No.435433/Activity No.AMD180004) expands the sewer service area (SSA) of the Gloucester County Utilities Authority (GCUA) Sewage Treatment Plant (STP) by 1.58 acres to serve a portion of a proposed residential development on Block 1403, Lots 8.01 and 14, East Greenwich Township, Gloucester County. The Preliminary Notice (N.J.R. 74(a)) had identified the entire 8.27 acres of the proposed development as outside of the GCUA SSA and requiring an amendment. However, Lot 8.01, and a portion of Lot 14, were already within the GCUA SSA; thus this amendment is only for the 1.58 acre portion of the project that was outside of the SSA. The preliminary notice identified the total development proposal of 17 three-bedroom single family homes which would generate a projected wastewater flow of 5,100 gallons per day (gpd) to be received by the GCUA STP, NJPDES No. NJ0024686, as calculated in accordance with N.J.A.C. 7:14A-23.3. However, all but five of those 17 single family homes were already in the SSA. The five homes would generate a projected wastewater flow of 1,500 gpd. The overall development proposal has not changed and this clarification regarding the limited portion of the development addressed by this amendment does not affect the validity of the proposal notice and department review.

Preliminary notice of this amendment was published in the New Jersey Register on January 6, 2020 at 52 N.J.R. 74(a). No comments were received during the public comment period.

This notice represents the Department's determination that the amendment is compliant with the regulatory criteria at N.J.A.C. 7:15, as described below.

In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to alterations of the eligible sewer service area needed to address a specific project or activity. N.J.A.C. 7:15-3.5(j)2 requires that site specific amendments proposing to add 100 or more acres or generating 20,000 gpd or more of wastewater 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 will add less than 100 acres and will generate less than 20,000 gpd of wastewater; therefore, update of the wastewater treatment capacity analysis was not required.

Pursuant to N.J.A.C. 7:15-4.4(d), the following are not eligible for delineation as sewer service areas, except as otherwise provided at N.J.A.C. 7:15-4.4(i), (j), (k) and (l): environmentally sensitive areas (ESAs) identified under N.J.A.C. 7:15-4.4(e) as endangered or threatened wildlife species habitat, Natural Heritage Priority Sites, riparian zones of Category One waters, their tributaries and their corresponding 300 foot riparian zone, or wetlands; coastal planning areas identified under N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions under N.J.A.C. 7:15-4.4(g). 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 and 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 in accordance with N.J.A.C. 7:15-4.4(e)1.

- 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 in accordance with N.J.A.C. 7:15-4.4(e)2.
- 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 in accordance with and N.J.A.C. 7:13-4.1(c)1 and N.J.A.C. 7:15-4.4(e)3.
- The Department determined that the expanded sewer service area does not contain wetlands based on the “Wetlands 2012” GIS data layer and a Freshwater Wetlands Letter of Interpretation (Activity Number #0803-17-0003.1/FWW170001), issued on February 2, 2018, confirmed there are no wetlands present on the parcel.
- The Department determined that the expanded sewer service area does not contain any Coastal Fringe Planning Areas, Coastal Rural Planning Areas, or Coastal Environmentally Sensitive Planning Areas mapped on the CAFRA Planning Map based on the “CAFRA Layers” GIS layer in accordance with 7:15-4.4(f).
- The Department determined that there are no 201 Facilities Plan grant conditions applicable to the project site based on 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> in accordance with N.J.A.C. 7:15-4.4(g).

N.J.A.C. 7:15-3.5(g)6 requires the applicant to request a written statement of consent from all identified governmental entities, sewerage agencies, and BPU-regulated sewer and water utilities that may be affected by, or otherwise have a substantial interest in, approval of the amendment proposal. Accordingly, on November 5, 2019, the Department instructed the applicant to request written statements of consent from East Greenwich Township, the GCUA, the Gloucester County Board of Chosen Freeholders and the Delaware Valley Regional Planning Commission (DVRPC). On January 8, 2020, GCUA issued resolution No.2020-034 consenting to the proposed amendment. On February 5, 2020, the Gloucester County Board of Chosen Freeholders, adopted a resolution authorizing project consent. On June 9, 2020, the Township of East Greenwich, adopted resolution No. 99-2020 in favor of the project. On February 6, 2020, the DVRPC issued an email to the applicant acknowledging receipt of the request for written consent and a copy of the proposed amendment. However, DVRPC declined to state a formal position in support or in objection to the proposed amendment.

Sewer service is not guaranteed by 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 as a result of the approval of this amendment does 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.

10/14/2020

Date

SIGNED

Kimberly Cenno,
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