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PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATERSHED AND LAND MANAGEMENT

DIVISION OF WATERSHED PROTECTION AND RESTORATION

Adopted Amendment to the Tri-County Water Quality Management Plan

Public Notice

Take notice that on **August 12, 2021**, 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 the Clusters Subdivision-Sterling Glen II, also known as The Greens (Program Interest No. 435433, Activity No. AMD200005), expands the sewer service area (SSA) of the Gloucester County Utilities Authority (GCUA) Sewage Treatment Plant (STP), New Jersey Pollutant Discharge Elimination System (NJPDES) Permit No. NJ0024868, by approximately 11.5 acres within Block 14801, Lot 12, Monroe Township, Gloucester County. The total project site is a 39-acre parcel, of which approximately 27.5 acres were already designated as SSAs of the GCUA STP. The expansion of the SSA includes the remaining 11.5 acres to allow for a subdivision of the project site to accommodate a total of 117 three-bedroom, age-restricted townhouses, a clubhouse, and a 7.67-acre lot designated for commercial development to consist of 23,310

square feet (sq. ft.) of retail space. Of the total project, 60 residential units were located outside of the SSA and were the subject of this amendment. The projected wastewater flow for the amendment portion of the total project, calculated in accordance with N.J.A.C. 7:14A-23.3(a), is 13,500 gallons per day (gpd).

Preliminary notice of this amendment was published in the New Jersey Register on April 5, 2021, at 53 N.J.R. 555(a). No comments were received during the comment period. This notice represents the Department's determination that the amendment is compliant with the applicable 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 proposed alterations to the eligible SSA 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 flow shall include a proposed modification to 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 involves less than 100 acres and will generate less than 20,000 gpd of wastewater flow, therefore, update of the wastewater treatment capacity analysis is not required.

Pursuant to N.J.A.C. 7:15-4.4(d), the following are not eligible for delineation as SSAs, except as otherwise provided at N.J.A.C. 7:15-4.4(i), (j), (k), and (l): environmentally sensitive areas (ESAs) identified pursuant to N.J.A.C. 7:15-4.4(e), as any contiguous area of 25 acres or larger consisting of any of the following, alone or in combination: endangered or threatened

wildlife species habitat, Natural Heritage Priority Sites, riparian zones of Category One (C1) waters and their tributaries, or wetlands; coastal planning areas identified pursuant to N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions pursuant to 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), (f), and (g) and made the following findings:

- The Department determined that the expanded SSA does not contain any areas mapped as endangered or threatened 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 SSA contains areas mapped as Natural Heritage Priority Sites (NHPS) 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's review determined that the 11.5-acre portion of the project site that was outside of the SSA is located within an extent of the Downer NHPS identified as potentially containing a population of a globally rare State endangered plant species. However, a review conducted by the Department found that due to the previous farming activities and lack of wetlands, the plant species of concern would not be located within the property. The project parcel is

within a mile of, and within the same HUC-14 of, a known cluster of protected rare wetland species. To ensure that there would be no adverse impact to this cluster, the Department reviewed the stormwater design and management plan for the entire site and confirmed that in accordance with N.J.A.C. 7:8, all applicable stormwater requirements for water quality, quantity, and groundwater recharge will be met.

- The Department determined that the expanded SSA does not contain any 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 N.J.A.C. 7:13-4.1(c)1 and 7:15-4.4(e)3.
- The Department determined that the expanded SSA does not contain wetlands based on the “Wetlands 2012” GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)4.
- The Department determined that the expanded SSA does not contain any areas mapped as Fringe Planning Areas, Rural Planning Areas, or Environmentally Sensitive Planning Areas within the Coastal Area Facility Review Act (CAFRA) zone based on the “CAFRA (polygon)” GIS layer and the “State Plan Data” GIS layer, in accordance with N.J.A.C. 7:15-4.4(f).
- The Department determined that there are no 201 Facilities Plan grant conditions applicable to the project based on the U.S. Environmental Protection Agency 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).

Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department considered the land uses allowed in zoning ordinances and future land uses shown in municipal or county master plans and determined that the expanded sewer service area is consistent with land uses allowed by local zoning and the county and local master plans. The Department received a letter dated February 12, 2021, from Gloucester County stating the project is consistent with the county master plan.

In accordance with N.J.A.C. 7:15-3.5(g)6, the Department instructed the applicant to request written statements of consent from the GCUA, Monroe Municipal Utilities Authority (UA), Monroe Township, Gloucester County Board of County Commissioners, and the Delaware Valley Regional Planning Commission (DVRPC). On April 14, 2021, GCUA passed resolution no. 2021-069 consenting to the project. Monroe Township UA submitted a letter dated April 12, 2021, stating they have no objections to the amendment. The Township of Monroe passed resolution R:95-2021 on April 12, 2021, consenting to the project. On April 21, 2021, the Gloucester County Board of County Commissioners adopted a resolution consenting to the adoption of this amendment. As the Designated Planning Agency, DVRPC responded indicating no action is taken regarding any amendments and declined to issue a resolution on the project.

Sewer service is not guaranteed by adoption of this amendment, since it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the SSA 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.

8/12/2021

Date

SIGNED

Gabriel Mahon, Bureau Chief
Bureau of NJPDES Stormwater Permitting and Water Quality Management
Division of Watershed Protection and Restoration
NJ Department of Environmental Protection