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DEPARTMENT OF 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 June 1, 2022, 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 “Vanco Warehouse Commercial (AKA NFI and Turnpike Crossings IV, LLC)” (Program Interest No. 435433, Activity No. AMD210004) is to accommodate a proposed 698,500 square foot warehouse building, of which 17,160 square feet is office space, with 400 employees, located on Block 45.01 and Lots 2.01, 3.01 and 3.02, in Mansfield Township, Burlington County. The project amendment expands the sewer service area (SSA) by 0.83 acres on Lot 3.02 and changes the current SSA designation of the site from SSA to the Burlington County Resource Recovery Wastewater Treatment Plant (WTP) (NJPDES No. NJ0055395) to SSA of the Burlington Township Central Ave WTP (NJPDES No. NJ0021709). The project will generate a projected wastewater flow of 10,000 gallons per day based on flow calculated in accordance with N.J.A.C. 7:14A-23.3

This amendment proposal was noticed in the New Jersey Register (NJR) on March 21, 2022, at 54 N.J.R. 499(a). No comments were received during the comment period. This notice

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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. 7:15-3.5(g)6, the Department instructed the applicant to request a written statement of consent from Burlington County, Mansfield Township, Burlington Township and the Delaware Valley Regional Planning Commission (DVRPC). Mansfield Township issued Resolution 2022-4-14 consenting to the amendment. Burlington Township issued Resolution 2022-R-081 consenting to the amendment. Burlington County Commissioners issued a resolution objecting to the amendment on the grounds that the project will contribute to traffic congestion and the resulting harmful health effects of degraded air quality and increased impervious coverage which will negatively impact water quality due to increases in stormwater runoff and increased localized flooding. The Commissioners are opposed to supporting any single development until the cumulative environmental and economic impacts of warehouse development in the region can be evaluated. Evaluation of the air quality and stormwater impacts is outside the scope of the WQM Planning rules. In regard to the stormwater concerns, the development must comply with the New Jersey Stormwater Management rules at N.J.A.C. 7:8. DVRPC elected not to respond to the request for a statement of consent.

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

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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 SSA, 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 at 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 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.

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- The Department determined that the SSA 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 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 N.J.A.C. 7:15-4.4(e)3.
- The Department determined that there are wetlands located on the project site based on the “Wetlands 2012” GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)4; however, pursuant to N.J.A.C. 7:15-4.4(j)3, the applicant provided a Freshwater Wetlands Individual Permit number 0300-15-0003.2 FWW180002 confirming that no contiguous area of wetlands, alone or in combination with other ESAs, of 25 acres or more are located within the expanded SSA. An isolated wetland less than the 25-acre criteria threshold does exist within the expanded SSA.
- The Department determined that the 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 (USEPA) list of New Jersey Grantees with ESA grant conditions at <https://www.epa.gov/npdes->

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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 adopted zoning ordinances, future land uses shown in adopted municipal and county master plans, and other local land use objectives. The proposed project is consistent with the township redevelopment plan and received final site plan approval on July 26, 2021 (Turnpike Crossings- Resolution No. 2021-7-16). Burlington County confirmed in an email on October 15, 2021, that the proposed change in SSA designation is acceptable. Burlington County does not have a Master Plan.

Sewer service is not guaranteed should this amendment be adopted as it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the SSA resulting from adoption 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.

SIGNED 6/1/2022

Date

Gabriel Mahon, Bureau Chief

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