

NOTE: THIS IS A COURTESY COPY OF THIS PLAN AMENDMENT ADOPTION. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE APRIL 15, 2024, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE ADOPTION, THE OFFICIAL VERSION WILL GOVERN.

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATERSHED AND LANDMANAGEMENT

DIVISION OF WATERSHED PROTECTION AND RESTORATION

Adopted Amendment to the Tri-County Water Quality Management Plan

Take notice that on March 8, 2024, 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 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 in accordance with the New Jersey Water Quality Planning Act, N.J.S.A. 58:11A-et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15. The amendment, identified as “Sykesville North Hanover” (Program Interest No. 435433, Activity No. AMD220005), establishes a sewer service area (SSA) on 56.52 acres on Block 602, Lot 9.02 (to be subdivided into Lots 9.021 - 9.025), in North Hanover Township, Burlington County. The project consists of 917,050 square feet (sf) of warehouse space within five buildings and 10,000 sf of associated office space per building, for a total of 967,050 sf. Wastewater from the development will be served by a proposed onsite Discharge to Groundwater (DGW) wastewater treatment system, which will be regulated under a New Jersey Pollutant Discharge Elimination System (NJPDES) permit. The wastewater flow, for three shifts, is 16,180 gallons per day (gpd), based on flow calculated in accordance with N.J.A.C. 7:9A.

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Preliminary notice was published in the New Jersey Register (N.J.R.) on January 16, 2024, at 56 N.J.R. 157(a). No comments were received during the 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. 7:15-3.5(g)6, the Department instructed the applicant to request a written statement of consent from North Hanover Township, Delaware Valley Regional Planning Commission (DVRPC) and Burlington County Board of County Commissioners. North Hanover Township adopted Resolution 2024-28 on January 28, 2024, consenting to the proposed amendment. In an email dated January 17, 2024, the County indicated it would not be providing a statement of consent. The DVRPC did not respond to the request for consent.

In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to alterations of 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 must update the wastewater treatment capacity analysis prepared in accordance with N.J.A.C. 7:15-4.5(b) to include the project or activity. The project involves less than 100 acres of SSA 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

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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 <https://gisdata-njdep.opendata.arcgis.com> 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 new SSA 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 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 7:15-4.4(e)3.

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- The Department determined that the 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 applicant provided a Freshwater Wetlands Letter of Interpretation (LOI) File#0326-20-0002.1 FWW200001 confirming no contiguous area of wetlands, alone or in combination with other ESAs, of 25 acres or more are located within the SSA. Areas of isolated wetlands less than the 25-acre criteria threshold do exist within the 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 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 U.S. Environmental Protection Agency list of New Jersey Grantees 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 adopted zoning ordinances, future land uses shown in adopted municipal and county master plans, and other local land use objectives. The Township of North Hanover Township adopted Ordinance No. 2023-01 on February 2, 2023, adopting the “Redevelopment Plan for Block 602, Lot 9.02” dated November 2, 2022. The North Hanover Township Joint Land Use Board granted conditional approval of the Preliminary and Final Major Site Plan and Preliminary and Final Major

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Subdivision of Lot 9.02 in Resolution 2023-13 on October 25, 2023. At its September 12, 2023, meeting, the Land Development Review Committee of the Burlington County Planning Board, conditionally approved the subdivision of Lot 9.02 and the project site plan, as provided in letters dated September 13 and 14, 2023, respectively.

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 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.

03/08/24
Date

Signed
Gabriel Mahon, Bureau Chief
Bureau of NJPDES Stormwater Permitting & Water
Quality Management
Division of Watershed Protection and Restoration
New Jersey Department of Environmental Protection