

CLEAN WATER COUNCIL
Pat Matarazzo, Chairman

January 6, 2004

Bradley M. Campbell, Commissioner
Department of Environmental Protection
PO Box 402
Trenton, NJ 08625-0402

Dear Commissioner Campbell:

The Clean Water Council is submitting for your review the results of its Public Hearing conducted on April 16, 2003. As you know, the Council is mandated to conduct one Public Hearing each year on a water quality subject of concern to New Jersey citizens. With the effects of the drought still fresh in the public's eye, the Council decided that this year's subject should be "Beneficial Reuse of Treated Effluent".

To establish a framework for a hearing on this subject, the Council chose a structure that provided key information presentations from selected experts during a workshop held prior to the start of the hearing. A copy of the brochure and the presentations is attached for your information along with copies of both the written comments and the transcript of the hearing.

During the hearing, the Council received comments from eight speakers covering a broad spectrum of stakeholders. These comments were recorded and compiled by a court stenographer for the Council's review. The receipt of written comments from seven additional sources supplemented these comments. Council members have reviewed both sets of comments and summarized them for future action.

Overall the responses from all commenters were of a supportive nature. Given the impacts seen during the drought, there was an understanding that beneficial reuse will not only be important, but critical if New Jersey's economy and environment are both going to be sustained at a high level of quality. Taken in concert with the policies identified by the administration that focus on "Smart Growth" and the protection of all water resources, one can draw the conclusion that additional efforts are essential to advance this process.

Some commenters expressed the need for incorporating beneficial reuse within the Statewide Water Supply Plan. The members of the Council support this view and have taken steps to coordinate with the Water Supply Advisory Council to investigate how this should be addressed.

Commenters also noted that the current regulatory framework (regulations and process) was not designed to effectively promote beneficial reuse and cited that it needs to be

revised. One specific need identified was that of additional definition of terms and requirements within the pertinent regulations.

With the current change in weather pattern from the drought period of last year to the abundance of precipitation this year, efforts to increase its use will require a strong public education component. The Council also believes that specifics of beneficial reuse remain a little known subject from the general public's perspective and increased concerns about health impacts will most likely arise as individual projects are brought to the public's attention. To date, application of beneficial reuse has been reserved to relatively isolated projects at generating stations and irrigation for golf courses. As efforts move forward to expand its use into other areas, commenters believe it will be important to provide the public with the essential facts about its current and potential use. The Council supports this view and also believes that as regulations are revised, they will need to provide for the evaluation of public health issues as well as the environmental benefits of each project.

To date, the costs of these projects have been largely born by the developers (utilities and/or end users) of the individual projects and did not directly impact upon the general public. Some alternatives were suggested in the comments received at the hearing. One commenter noted the significant amount of money targeted for beach replenishment and stated that an equal amount should be targeted at reuse. Another stated that if a wastewater utility were to design a system that would recharge an aquifer, the water supply company withdrawing water from that aquifer should share the cost. The Council believes that if widespread incorporation of beneficial reuse is to be included in the Statewide Water Supply Plan in a meaningful way, alternative sources of funding will need to be investigated.

To advance the effort of including beneficial reuse into the Statewide Water Supply Plan, a joint working committee was established by NJDEP and includes members of the Council, members of the Water Supply Advisory Council and NJDEP staff. This group has been tasked with identifying the technical and administrative issues that need to be addressed in revising the regulations. This group needs to develop specific goals and objectives and then incorporate them into a timeline that will support other efforts being taken to revise the Statewide Water Supply Plan.

Second there needs to be a recognition that while the water budgets recently completed by NJGS and USGS identify where the water goes and what benefits are derived from its discharge (i.e., is it being used to augment stream flow and later reused as water supply downstream, or is it being discharged several subwatersheds away into the ocean or into an estuary where it provides little if any benefit), they are only the first step in the process. Now that this foundation exists, the information from these water budgets needs to be used to look at alternative uses and to define the volume of water that might be shifted to beneficial reuse without impacting current benefits, including ecological balance and habitat protection.

Third, efforts by staff, (see attached document from Jim Grob) to revise Department manuals and practices need to continue. In addition, while having a Technical Manual is important, the Department also needs to develop an overall policy for the application of beneficial reuse. This will then need to be communicated to the public through various forums so that all stakeholders can become acclimated to this process and that it is not considered to be a special application only used in specific situations.

In conclusion, the Council wishes to express its thanks to those who came forward on this issue. It sees beneficial reuse as a means to insure future development and improvement to natural resource protection and ecological balance. Given the variability of weather patterns and increased development pressures, which exacerbate water drawdowns, the Council feels that only through effective planning and knowledgeable use of all water resources can we act to meet the water needs not only of the public but also of the natural environment.

Sincerely,

Pat Matarazzo, Chairman

c: Lawrence J. Baier, Director, Watershed Management
Ernest P. Hahn, Assistant Commissioner, Land Use Management
Kerry Kirk Pflugh, Manager, Outreach and Education