NJCWC/WSAC 2005 Public Hearing Recommendations

The New Jersey Clean Water Council and the Water Supply Advisory Council are both advisory bodies created by statute to advise the Commissioner of the NJ Department of Environmental Protection. Among other functions, the Clean Water Council is required to hold annual public hearings on water quality topics; the Water Supply Advisory Council is required to participate in the development and updating of the Statewide Water Supply Plan. The two Councils held a joint hearing on 31 October 2005, titled "Clean Water for New Jersey: Public Perspectives on Critical Issues for the Next Five Years," with questions reflecting the many linkages between water supply and water quality. The public hearing included both a panel session and open public comments, both of which were well attended and resulted in a large body of comments strongly supporting this integrated view of water resources. The detailed comments are contained within the public hearing record, which is enclosed. A short synopsis of the comments from each speaker is also enclosed.

The Councils have developed a synthesis of the comments by major topic: Strategic Approaches; Water Supply; Management of Growth; Water Impacts of Existing Land Uses; and Wastewater Management: Existing and Emerging Issues. The issues raised by the panel and public are described briefly below in the left-hand column. In the right hand column are the joint recommendations of the Councils. Key recommendations include:

1. Water resource issues are integrated – ground and surface water, water quantity and water quality, human uses and ecological uses, existing and future impacts, local and regional issues. They must be addressed as such.
2. The costs of unsound management are much higher than the costs of sound management. However, our existing, fragmented system of laws and programs will not achieve the results we need and must be structurally improved.
3. A new, thoroughly updated and improved Statewide Water Supply Plan is needed, and should be implemented as quickly as possible. Innovations are vitally needed in our water supply management efforts.
4. Our economy and environmental quality depend on better management of new development patterns and forms. New Jersey needs to ensure that land is used efficiently, when development is appropriate, and that redevelopment improves the local and regional environment wherever possible.
5. Our economy and environmental quality also depend on correcting the many problems caused by existing and past land uses. While some programs have begun to address this issue, they are very limited relative to the extent of the problems.
6. New Jersey needs to be closely tracking emerging issues in water quality and water supply, so that issues can be addressed before problems are entrenched in our society.

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Strategic Approaches Hearing comments covered a wide range of strategic methods to improve water supply and water quality management. Speakers emphasized acquiring and using better science (including improved monitoring, information sharing and the mandatory use of carrying capacity concepts); integration of the many water management programs and between those programs and land use management at all levels; improved NJDEP capacity for water planning, implementation and enforcement; and sufficient funding, funding stability and political will for effective program implementation. Speakers also suggested a reanalysis of and public debate on the water management system, which has grown incrementally over more than 30 years, to identify structural improvements that should be made.	In the final analysis, there is no legitimate distinction between surface water and ground water, or between ecological concerns and public health concerns. We have one water resource that has multiple uses and societal benefits and is affected by multiple stresses, whether related to water supply uses or water pollutant impacts. We must address protection and management of our water resources in that manner – integrated, with a sound understanding of the science and the impacts of our actions. Further, New Jersey residents and decision-makers must understand that the economic cost of sound water management is very limited compared to the costs of unsound water management. If "water is life" – an obvious truism – then we must be willing to spend for the necessary science, knowledge, management systems and institutional capacity to reap those benefits. Our currently fragmented management system, based on many individual laws, will not necessarily get us where we need to go, and has costs from inefficiencies that could better be spent on actual improvements.

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Water Supply Water supply issues generated many comments. Many speakers called for updating of the Statewide Water Supply Plan, with better attention paid to the quantification of available water supplies, integration of water supply management with watershed management, how water supplies are balanced among and dedicated to various users (e.g., public supplies, agriculture, industry and ecosystems), water conservation and water reuse opportunities, protection of existing supplies (including ground water and well fields), improved interconnections among public systems, and improved drought management. The issue of innovation in water supply management was mentioned, with speakers suggesting that the Water Supply Critical Areas be used as testing grounds for innovative approaches that can be used in other areas before a crisis develops.	NJDEP should quickly develop a new Statewide Water Supply Plan using the $2.5 million recently approved from the Water Supply Bond Fund. The prior plan is nearly 10 years old. While considerable work has occurred internally, a broad public process is needed to ensure that issues are addressed, consensus is developed, and credibility is created. The Plan needs to be strategic, and address several critical issues: • The relationship between available supplies and both existing and projected demands for public, agricultural, industrial and recreational supplies • Improved estimates of safe and dependable yields, especially in critical areas and the northeast • Improved drought and pre-drought management • Improved efficiency of water use • Protection of existing and potential supplies • Provision of water for ecological needs In addition, there are regions where water supply limitations already exist (the Water Supply Critical Areas). NJDEP can foster innovation and better management by using these regions as case examples for improved planning, permitting and management of water resources.

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Management of Growth Many comments addressed how New Jersey manages development and redevelopment in the context of water supply and quality. Speakers emphasized the need for more efficient use of land in the development process, through Transfer of Development Rights, regional preservation of key natural resources, and other mechanisms to focus land uses where they are appropriate while protecting other lands. As part of this approach, speakers recommended providing more municipal options for land use management, and connecting local officials to regional information on water resources and land use impacts on and from water supply and water quality, so that decision makers can perform growth analyses based on assimilative capacity of the environment, and not solely on "built capacity" of existing facilities.	New Jersey is a small state with a large population. Water supply and water quality are, of necessity, linked issues. Both have implications for development, redevelopment, growth management and environmental protection. New Jersey needs to maintain its economic vitality, manage growth and manage its water resources in an integrated fashion, through the NJDEP and many other agencies and organizations. One method is to ensure that growth happens in the right place, using land-efficient methods such as "Centers" as defined in the State Development and Redevelopment Plan.[1] There are some key issues for such development: • We need to show that Center-based development will have fewer environmental impacts in aggregate than more dispersed development. Appropriate metrics are needed that help make a credible case. • In the use of Centers, we need to ensure that dispersed development will not eventually occur elsewhere, resulting in both more density and the same non-Center impacts (though at a later time). The case for the redevelopment of existing Centers also needs to be strengthened. Center redevelopment will depend on a wide variety of factors, of which environmental issues is only one.[2] However, attention to environmental issues is needed, for example: • We need to ensure that appropriate water infrastructure truly exists in Centers. The impacts of redevelopment on combined sewer overflows (CSOs), urban runoff, remaining green spaces, air quality, etc., must be addressed. • Some level of environmental controls will be needed in Center redevelopment to ensure that net

[1] Centers are not equivalent to Planning Areas, and especially not to widespread suburban growth patterns as are frequently seen in Planning Area 2. Rather, they are discrete locations of mixed development that forms a true "community" that is distinct from the surrounding landscape.
[2] For redevelopment of our urban areas, economic, social, design, education, non-environmental infrastructure and many other issues are involved, which will require extensive interaction between NJDEP and other State, regional and local entities.

	environmental impacts are beneficial.

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Water Impacts of Existing Land Uses Speakers at the hearing emphasized that more focus is needed on reducing the impacts of existing land uses on water quality and supply, and that without such efforts it will not be possible to meet statutory goals. Recommended measures including a more rigorous and better-funded municipal stormwater management program, and a better understanding of New Jersey-specific data on pollutant loadings from various land uses.	Environmental goals in New Jersey cannot be met without a major focus on the impacts of existing (and even past) land uses. Current programs to address the environmental impacts of existing land uses are very limited and have little force.[3] A new effort is needed, equivalent in scope to past work on hazardous waste sites and point sources of water pollution. As part of this new emphasis on existing land uses, New Jersey needs to better understand the impacts of all types of land uses, and then focus on addressing the truly significant sources and causes of pollution and stream damages.

[3] Examples include the ISRA and Spill Fund programs, which primarily address damages from past land uses, and the Municipal Stormwater Permitting Program, which addresses stormwater from existing land uses in a limited fashion.

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Wastewater Management: Existing and Emerging Issues Speakers also emphasized the need for better wastewater management plans based on more rigorous standards, and for efficient NJDEP review of these plans. Emerging issues were also noted, especially potential impacts of Personal Care Products (PCPs) and Endocrine Disrupting Compounds (EDCs) on aquatic ecosystems, water supplies, wastewater reuse potential, and requirements for wastewater treatment. Finally, there was a recommendation that New Jersey identify and track how the loss of "free" ecosystem benefits can create costs for society, due to inappropriate land development.	New Jersey needs to significantly upgrade its approach to wastewater management planning, so that plans are well prepared, integrated with other resource issues, efficiently reviewed, and effectively implemented. As part of this process, we need to improve the link between wastewater management and water supply protection. New Jersey needs to constantly track emerging scientific, technical and societal changes and trends so that we can address issues proactively. Examples include potential impacts of global warming, new contaminant categories of concern, and incremental impacts of environmental change on the benefits our society receives from New Jersey's water resources.