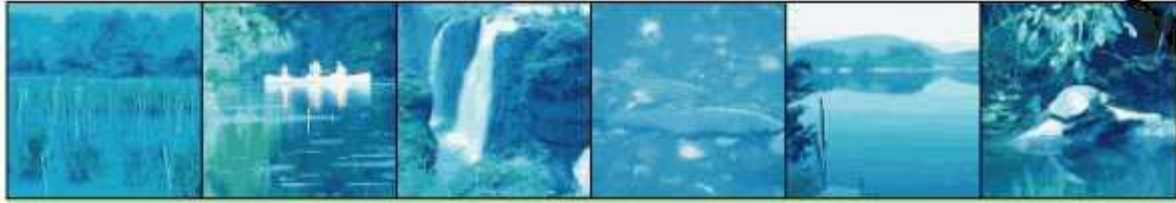


The Clean Water Council of New Jersey



Daniel J. Van Abs, PhD, PP/AICP, Chair

James Cosgrove, PE, First Vice-Chair

3 February 2014

Bob Martin, Commissioner
NJ Department of Environmental Protection
PO Box 402
Trenton, NJ 08625-0402

Dear Commissioner Martin:

On behalf of the New Jersey Clean Water Council, please accept our thanks for your continued interest in and support for the work of our Council, and your longstanding focus on sound water infrastructure for New Jersey. Thank you specifically for your presentation at our annual public hearing held on December 13, 2013, "Greening New Jersey's Water Infrastructure." You provided a substantive foundation for the remainder of the hearing with your discussion of resiliency, asset management and "green" infrastructure needs and ongoing actions in New Jersey.

During the hearing, we heard strong support for the importance of green infrastructure from our invited speakers, Khristina Dodson, Associate Director of the Environmental Finance Center at Syracuse University, and Jeremiah Bergstrom with Mark Anderson on behalf of the NJ Chapter of American Society of Landscape Architects. Mr. Dodson provided an overview of the Onondaga County/City of Syracuse, NY program for using green infrastructure to mitigate their Combined Sewer Overflow problems. Mr. Bergstrom emphasized the importance of community-based approaches for green infrastructure and outlined seven recommendations for making such programs successful.

Oral and written public testimony noted the innovative programs of Philadelphia and New York City, including the Staten Island "Bluebelt" program for improved stormwater management using green infrastructure to reduce flooding. Testimony noted that stormwater will become an even more important issue, as storm intensity has been increasing with climate change. As such, both the driving forces and the available examples point to the need for green infrastructure to be used broadly, not just in urban areas with combined sewer systems. The oral and written testimony is available from the Division of Water Quality if you wish to review any of the material.

Testimony emphasized a critical point – **how to pay for** green infrastructure implementation. Most of those providing testimony recommended legislative authorization of fee-based stormwater utility systems, as exists in the majority of states. They note that such programs can provide dedicated revenue to address increased stormwater management costs. In addition, there are equity issues: currently, sewer system customers in CSO areas pay to reduce unrelated stormwater inputs, and property taxpayers in non-CSO areas subsidize the stormwater management costs related to exempt properties. As the Council has emphasized for many years, improved asset management is needed for all forms of water infrastructure, including stormwater, and so a major question is how to ensure that the revenue sources are equitably related to the infrastructure needs.

NJCWC to Commissioner Martin
3 February 2014

A second major issue is one of **motivation** for implementing green infrastructure. One recommendation was for NJDEP to provide an approved accounting method for the stormwater management and CSO control benefits of green infrastructure, so applicants can be assured of appropriate credit in permit approvals and compliance evaluations. Another is for NJDEP to ensure that innovative green infrastructure proposals are provided expedited review. Testimony indicated that permit approvals involving green infrastructure have at times been delayed because it is not as well-known and accepted as "gray" infrastructure approaches. Additional and enhanced training programs for municipalities can also improve their willingness to consider and use green infrastructure. Assistance to municipalities was requested regarding the development of systematic approaches for incorporating green infrastructure in redevelopment projects, through creation of technical guidance manuals.

The approaches mentioned above would provide incentives for green infrastructure. Testimony also emphasized the potential for NJDEP to incorporate specific green infrastructure provisions, such as runoff retention standards, into its stormwater management and stormwater general permit regulations. Such provisions would complement current requirements in draft individual CSO permits.

We look forward to continued and enhanced success of NJDEP in the coming years as it incorporates green infrastructure concepts into rule-making, financial support and guidance. The Clean Water Council strongly supports this concept as a significant benefit to our clean water future.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel J. Van Abs". The signature is fluid and cursive, with the first name "Daniel" and last name "Van Abs" clearly distinguishable.

Daniel J. Van Abs, PhD, PP/AICP
Chair

C: Michele Siekerka, Acting Deputy Commissioner
Michele Putnam, Director, Division of Water Quality
Barbara Hirst, Division of Water Monitoring & Standards