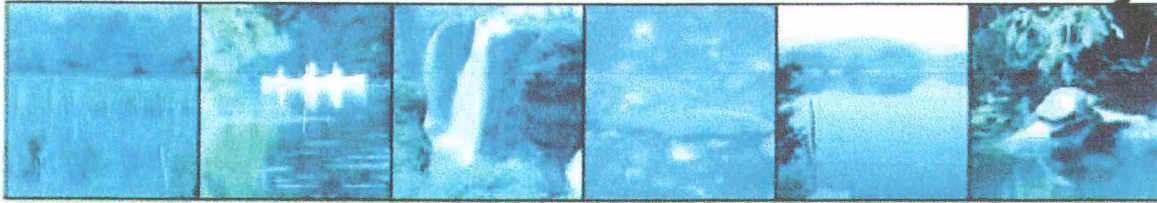


The Clean Water Council of New Jersey



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

James F. Cosgrove, Jr., P.E., First Vice-Chair
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March 10, 2015

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

RE: Clean Water Council 2014 Annual Public Hearing

Dear Commissioner Martin:

On behalf of the New Jersey Clean Water Council, I would like to thank you for your supportive words at our 2014 public hearing held on December 12, 2014, "Solving Sewer Overflows: Getting Ahead of the Flow." Your continued interest in and support for the work of our Council is very much appreciated, and we look forward to assisting you and the Department in 2015. Your keynote speech provided a substantive foundation for the remainder of the hearing and gave the audience a more thorough understanding of the recent efforts of the Department on Combined Sewer Overflow (CSO) and Sanitary Sewer Overflow (SSO) issues.

During the hearing, Dr. Raymond Ferrara, Kleinfelder's Director of Water/Wastewater presented an interesting case study of a Long Term Control Plan completed in Springfield, MA, which could be used as a model for New Jersey CSO communities. Then, Mike Ruppel and Ryan Krauss from the South Monmouth Regional Sewerage Authority illustrated the successful work they had done with the Authority's member municipalities in identifying and removing infiltration and inflow. This work prevented the need for a costly wastewater treatment plant expansion and discontinued overflows at the treatment plant.

Oral and written public testimony has been received, from three organizations: New Jersey Future, Hackensack Riverkeeper/NY-NJ Baykeeper, and the Association of NJ Environmental Authorities, which are attached, along with a transcript of the proceedings, and which we have summarized below:


- Appreciation was expressed regarding your announcement of the reopening of EIFP funding for Integrated Planning. In an effort to enhance participation, NJDEP could provide a practical guide to Integrated Planning for CSO municipalities—including a list of requirements necessary to obtain the funds—and consider simplifying the application process and providing technical assistance to applicants.
- Innovative financing and implementation mechanisms for stormwater, CSO controls, and green infrastructure were recommended through private sector incentives and disincentives; EIFP programs, fee-based programs for stormwater management; identifying and calculating workforce benefits of green infrastructure; inclusive regional workshops that foster partnerships to advance CSO solutions; and administrative support

and technical assistance to CSO communities and utility authorities seeking to adopt stormwater fees.

- Increased regulatory incentives were requested for better development and redevelopment practices that manage stormwater on-site, including links to LEED, Sustainable Jersey, etc.
- DEP leadership was recommended to improve acceptance and use of stormwater BMPs and green infrastructure by State agencies and municipalities, including the following:
 - NJDOT – adoption of policies that advance construction of Green Streets, including revisions to ASHTO manuals/practices so that they specify and support green infrastructure approaches to stormwater management for transportation projects, prioritization of green stormwater management for its own projects, and technical assistance and incentives for local governments to do the same.
 - NJDCA – prevention of the tapping of water supply and wastewater utility revenues for non-utility purposes in the absence of clear evidence that the utility has sufficient funds for proper asset management.
 - Treasury – retrofit of public buildings and facilities.
 - Training of municipal engineers, municipal planners, etc.
 - Establishment through rule-making of a strong standard for on-site retention standard for development and redevelopment projects.
 - Guidance on LTCP requirements for Green Infrastructure and clarification on the cost-effectiveness evaluation process.
- Recognition that contributing sewer systems pose significant issues for receiving sewer systems and treatment plants, and identification of the most cost-effective regulatory and non-regulatory approaches to address these issues.
- Mandatory education of public officials (other than those with operator licenses) who are responsible for financial and operational oversight and budgeting for water utilities, to ensure that they understand their responsibilities and regulatory requirements.

We look forward to continued and enhanced success of NJDEP in dealing with CSOs and SSOs. The Clean Water Council stands ready to assist the Department. We look forward to meeting with you to discuss these recommendations and how we can work together to address sewer overflows.

Sincerely,



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

C: Dan Kennedy, Assistant Commissioner for Water Resources Management
Michele Putnam, Director, Division of Water Quality