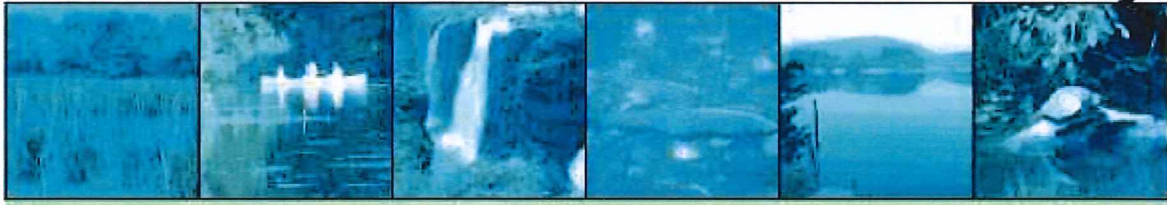


# The Clean Water Council of New Jersey



Anthony McCracken, Chair

Russell J. Furnari., First Vice-Chair

August 6, 2020

Catherine McCabe, Commissioner  
NJ Department of Environmental Protection  
PO Box 402  
Trenton, NJ 08625-0402

**RE: Clean Water Council 2019 Public Hearing  
Using Stormwater Utilities to Address Water Quality and Flooding**

Dear Commissioner McCabe:

On behalf of the New Jersey Clean Water Council, I would like to thank you for the support you expressed to the Council for our public hearing held on October 25, 2019, "Using Stormwater Utilities to Address Water Quality and Flooding." 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. Deputy Commissioner Mans' 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 regarding the need for more aggressive stormwater management.

The Council, with the support of your staff, invited several experts; Diane Alexander, ESQ., Maraziti Falcon; Tony Dill, PE, Arcadis; Ellen Kohler, MS, JD, Environmental Finance Center, University of Maryland and Adrienne M. Vicari, PE, Herbert Rowland & Grubic, Inc. to provide their perspectives on the role Stormwater Utilities could play in providing a pathway for New Jersey to achieve its goal of reducing stormwater impacts. Copies of their presentations have been made available to the public via the Council page on the Department's website.

Oral and written public testimony has been received, from four entities: Mr. Henry Gajda, New Jersey League of Conservation Voters who spoke representing a coalition entitled Flood Defense New Jersey<sup>1</sup>. Mr. Michael Pisauro, Policy Director for The Watershed Institute; and Mr. Eric Fooder, Director for Utilities for the City of Gloucester. The written comments received from Montgomery Twp., NJ are attached, along with a transcript of the proceedings.

Below is a brief summary of the comments:

- All commenters supported the use of stormwater utilities to assist municipalities and/or regional authorities to manage and fund action to reduce stormwater impacts.

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<sup>1</sup> It is a coalition of state nonprofit organizations working to protect the communities from damaging floods and harmful stormwater pollution. Member include New Jersey Future, the Association of New Jersey Environmental Commissioners, the Pinelands Preservation Alliance and the New Jersey Highlands Coalition, and many other partners. A full list can be found at [FloodDefenseNewJersey.org](http://FloodDefenseNewJersey.org).

- Both the speakers and commenters noted the importance of flexibility when developing and implementing stormwater utilities. They also noted the value of having this option as part of the overall policy toolbox for entities in the state to use to address both water quality and flooding impacts. There was concern offered regarding the fee structure.

We look forward to working with the Department and can offer to assist NJDEP in protecting and enhancing water quality in the future. The public testimony seems supportive of the idea of creating stormwater utilities, but are uncertain how they would be created within their community boards. Thank you for the opportunity to express our comments of our Hearing. We look forward to meeting with you later this year to discuss both issues.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Anthony McCracken Sr.', with a long horizontal flourish extending to the right.

Anthony McCracken Sr. AICP/PP  
Chair NJ Clean Water Council

c: Michele Putnam , Assistant Commissioner for Water Resources Management  
Janice Brogle, Director, Division of Water Quality  
Members NJ Clean Water Council