

New Jersey Clean Water Council
Minutes of May 8, 2018 Meeting
Location:
NJEIT, 3131 Princeton Pike, Building 4, Suite 216, Lawrenceville, NJ

Members Present:	
George Bakun – NJ Business & Industry Jim Cosgrove – Chair, NJ Society of PEs Stan Cach – NJ Dept. Environmental of Protection Maria Connolly – NJ Dept. of Community Affairs Anthony Valente – NJ Dept. of Labor Pamela Goodwin – General Public Dan Van Abs – General Public	Anthony McCracken – 1 st Vice Chair, General Public G. Christian Andreasen - WSAC Sandra Howland – NJ Dept. of Agriculture Chris Sturm – General Public Russ Furnari – NJ Chamber of Commerce Shane McAleer – DRBC
Others: Maria Zazzera – NJ BPU	NJDEP Staff: Julie Krause – Director’s Office, Division of Water Quality James Murphy – Chief, Bureau. Non-Point Pollution Control, BNPC, DWQ

Meeting Called to Order: Chair Jim Cosgrove at 10:01 AM.

The Chair requested all attendees to introduce themselves. The Council welcomed new member, Shane McAleer, P.E., a Water Resources Engineer at the Delaware River Basin Commission.

The motion to approve the January 9, 2018 meeting highlights was made by Russ Furnari, seconded by Maria Connolly. Minutes were approved.

DEP Updates:

Bureau of Non-Point Pollution Control, BNPC, staff conducted a two-day Stormwater Management Design Review training course for design engineers, municipal engineers and other individuals who review stormwater management designs for development and redevelopment projects on behalf of a Tier A or B municipality. This training, required once every five years as pursuant to the Tier A and B MS4 permits, will be held May 2, and 3rd at the NJ Forensic Technology Center in Hamilton. Additional training will be scheduled.

Two new MTDs were recently certified by the NJDEP. The Stormwater Management rules under N.J.A.C. 7:8-5.5(b) and 5.7 (c) allow the use of manufactured treatment devices (MTDs) for compliance with the design and performance standards at N.J.A.C. 7:8-5 if the pollutant removal rates have been verified by the New Jersey Corporation for Advanced Technology (NJCAT) and have been certified by the New Jersey Department of Environmental Protection (NJDEP). On December 21st, the SciClone Hydrodynamic Separator Stormwater Treatment Device by BioClean Environmental Services, Inc., was certified by the NJDEP at a TSS removal rate of 50%. On March 27th, the HydroStorm Hydrodynamic Separator by Hydroworks, LLC was certified by the NJDEP at a TSS removal rate of 50 percent. These devices were certified under the NJDEP’s 2013 laboratory protocol and the certifications do not expire. The NJDEP web page at <http://www.njstormwater.org/treatment.html> was updated to add this MTD as a certified device.

Third Stakeholder Meeting on Using Infiltration for Water Quantity Control was held on Wednesday January 10, 2018. The Division of Water Quality held a stakeholder meeting on using infiltration to comply with the water quantity requirements of the Stormwater Management rules. The Department had previously held two other stakeholder meetings on this topic on June 23rd and 29th of 2017, and convened a smaller workgroup that met five times from July to November of 2017. The purpose of the meeting was to present the findings of the workgroup to the larger stakeholder group for feedback. The written comment period closed at the end of January and during that period the Division of Water Quality received written comments from the NJBA, the DLUR, and the NJ Pinelands Commission. DWQ is currently creating draft guidance on groundwater mounding and draft revisions to the soil testing requirements (BMP Manual Appendix E) to incorporate the discussions of the previous stakeholder meetings and the written comments. Once the Department has completed these drafts, the documents will be made available for public comment. The Department anticipates that additional stakeholder meetings will also be held in the coming year.

The NJDEP anticipates funding over \$600 Million for environmental infrastructure projects this year and has already disbursed over \$50 million in the month of April.

The Department will be meeting with the Manufactured Treatment Device (MTD) manufacturers on Tuesday May 22, 2018. This meeting is part of the ongoing effort by the Department to meet with the MTD manufacturers every six months to discuss issues related to the NJCAT verification and NJDEP certification of these treatment devices.

The Department's mapping app is now live and available for use. As part of the Department's continual effort to assist municipalities in meeting MS4 permit requirements and improving water quality, the Department has developed and made available many free mapping and inventory tools. These tools are meant to help municipalities develop an inventory, and subsequently a map, of their stormwater management facilities. The mapping tools provide a template for collecting information on seven (7) types of stormwater facilities. The use of this mapping app requires an ArcGIS Online license and a mobile device such as a cell phone or tablet. The Department is making a number of ArcGIS Online licenses available, at no cost, to permittees who request it. Environmental groups or volunteers that will assist a municipality with mapping and inventory stormwater infrastructure may also be eligible to use a free license.

On February 5, Acting Commissioner Catherine R. McCabe named Debbie Mans, Deputy Commissioner of Department of Environmental Protection effective February 14, 2018.

On April 13, Acting Commissioner Catherine R. McCabe named Ray Bukowski, as Assistant Commissioner for Natural and Historic Resources effective April 30 and Michele Putnam as Assistant Commissioner for Water Resource Management after serving as Acting Assistant Commissioner since October 2017.

On April 26, Acting Commissioner Catherine R. McCabe announced Richelle Wormley will serve as the Acting Assistant Commissioner for Compliance and Enforcement beginning April 30.

Stan confirmed that the NJDEP's Ethics Office will conduct, at a future Council meeting, the Ethics Briefing Training, like last year, for the Council members.

Old Business:

The Council was anticipating the attendance of newly appointed member, David Gruskos, but he was not in attendance.

The Council is still awaiting a nomination from the Association of Counties.

The Council is still in need of a Second Vice Chair and the Chair is seeking volunteers. The Chair will speak with members individually to fill this term.

New Business:

On May 1st the Council Chair met with Acting Commissioner McCabe, Assistant Commissioner Michele Putnam, and Acting Director Janice Brogle. Acting Commissioner McCabe would like to use the Council as a sounding board, by getting feedback from a group of diverse stakeholders early in the process and by providing the Department with insight on stakeholder perspectives before formally releasing new programs/initiatives/policies/regulations, etc. Acting Commissioner McCabe asked that the Council identify the 3 most important, solvable water quality issues. Acting Commissioner McCabe would like to take on 3 issues that Council thinks is solvable over the next few years.

The Council discussed topics that they think could meet Acting Commissioner McCabe's charge of important and solvable water quality issues. Including:

- Getting a clear sense of wastewater infrastructure condition and ensure more capital investment.
- Nitrate concentrations in the Passaic Watershed.
- Chemicals of Emerging Concern.

The Council also discussed breaking down non-point pollution into solve-able pieces, including the following: having stormwater systems managed more like sewer systems, linking the MS4 permit to TMDLs, how DEP and counties can further support MS4 implementation, and fostering recognition that municipalities do have an important role to play in water quality.

The Water Supply Advisory Council (WSAC) liaison shared three issues under consideration by WSAC:

1. Participate in process to update water supply plan; inform the structure and timing of process to update plan to support timely updates.
2. Recommend Residential Site Improvement Standards update to reflect water supply and demand.
3. Facilitate/participate in stakeholder process for Water Quality Accountability Act.

The WSAC has established a “council session” to provide a forum for candid conversation on deliberative material. The Council chair asked DEP to consider if a “council session” or similar forum would be beneficial for the Clean Water Council.

The Council discussed the concept of updates to the Municipal Land Use Law to account for flooding and climate impacts. The Council discussed that the 2, 10, and 100-year storms that projects are designed to account for are different from the 2, 10, and 100-year storms that are actually occurring today. The Council discussed how strategic investments in water quality support urban redevelopment, and water quality is linked to urban revitalization.

Prior to the meeting DEP’s Division of Water Quality presented the Chair with three water quality issues that are important to the Division and that the Division thinks the Council could help inform and advance.

1. Stormwater utilities: Rate Structure, Credit, and Exemptions
2. Stormwater Engineers Licensing Framework
3. Road Salting: Balancing safety with water quality impacts rising in chloride and TSS

The Council broadly discussed the feasibility of evaluating these issues further.

The Council noted that many years ago the water supply program conducted education for Department of Public Works on road salt application, and the Road Salt Institute collaborated with DEP on this.

The Council discussed the potential to host a public workshop on stormwater utilities to share information and foster a dialogue among interested individual and municipalities. The Council discussed asking a stormwater utilities consultant who has worked with many jurisdictions on the establishment and implementation of their stormwater utilities to present and speak to the hurdles and lessons learned. If the workshop could tie into source water protection the Council could ask the WSAC to cohost the workshop. The Council is considering how a workshop of this nature could also satisfy the Council’s annual public hearing requirement.

The Chair will evaluate how to line up future conversations on the various topics discussed by the Council to scratch the surface a bit more. Once the ideas are more formulated the Chair would like to have the full Council meet with the Acting Commissioner to present the ideas.

Announcements:

The next scheduled Council meeting is June 12, 2018.

Ray Papperman, Esq., Deputy Advisory and Ethics Liaison Officer, will attend the next meeting to answer any questions that Council members may have on ethics requirements.

Adjournment:

Meeting adjourned at 11:38 am.