

New Jersey Clean Water Council  
Minutes of June 12, 2018 Meeting  
Location:

NJEC, 3131 Princeton Pike, Building 4, Suite 216, Lawrenceville, NJ

<b>Members Present:</b>	
George Bakun – NJ Business & Industry Jim Cosgrove – Chair, NJ Society of PEs Stan Cach – NJ Dept. Environmental of Protection Anthony Valente – NJ Dept. of Labor Pamela Goodwin – General Public Dan Van Abs – General Public David Gruskos – General Public	Anthony McCracken – 1 <sup>st</sup> Vice Chair, General Public Vince Monaco - WSAC Sandra Howland – NJ Dept. of Agriculture Ed Difiglia (for Chris Sturm) – General Public Russ Furnari – NJ Chamber of Commerce Shane McAleer – DRBC Lou Neely – NJ League of Municipalities
<b>Others:</b> Maria Zazzera – NJ BPU Steve Hydro, Black & Veatch (B&V) Brian Merritt – B&V Prabha Kumar – B&V Leah Gaffney – B&V Kimber Ray – The Watershed Institute	<b>NJDEP Staff:</b> Janice Brogle – Acting Director, Division of Water Quality, DWQ Julie Krause – Director’s Office, DWQ Rachael Pepe – Director’s Office, DWQ James Murphy – Chief, Bureau. Non-Point Pollution Control, BNPC, DWQ Ray Papperman, Deputy Advisory & Ethics Liaison Officer

Meeting Called to Order: Chair Jim Cosgrove at 10:03 AM.

The Chair requested all attendees to introduce themselves. The Council welcomed new member, Dave Gruskos., representing the General Public.

The motion to approve the May 8, 2018 meeting highlights was made by Dan Van Abs, seconded by Anthony McCracken. abstained by Lou Neely. Minutes were approved.

**DEP Updates:**

The Bureau of Nonpoint Pollution Control staff conducted a two-day stormwater management design review training course for municipal engineers and other individuals who review stormwater management designs for development and redevelopment projects on behalf of MS4 Tier A municipalities. This is the second time this training has been conducted by the Department, at no cost to attendees. The course was well attended, with approximately 115 attendees. In total, the two offerings of the course were attended by approximately 200 individuals. Feedback on the course has been generally very positive. The new MS4 permit requires that individuals that perform reviews for municipalities attend this training course at a minimum of once every 5 years, and the Department anticipates that the course will be offered at least one more time this year to allow reviewers to satisfy the MS4 permit training requirement.

BNCP staff met with New Jersey Corporation for Advanced Technology (NJCAT) and Manufactured Treatment Device (MTD) representatives on May 22 to discuss the ongoing MTD verification/certification program. Twelve (12) different manufacturers were represented. Meetings with these groups are held about every six months to discuss items related to the NJDEP protocol, NJCAT verification issues, clarifications to the testing protocol, and relevant NJDEP updates. Based on the discussions at this meeting, no changes to the NJDEP protocols will be made, but NJCAT will update its Interpretation Document to include clarifications on the testing protocols related to the verification testing for both the hydrodynamic and filtration devices.

One new MTD was recently certified by the NJDEP. On May 25th, the Biopod™ Biofilter with StormMix Media by OldCastle Precast Inc. was certified by the NJDEP at a TSS removal rate of 80 percent. This device was certified under the NJDEP’s 2013 laboratory protocol, and this certification does not expire. The Stormwater Management rules under N.J.A.C. 7:8-5.5(b) and 5.7 (c) allow the use of a manufactured treatment device (MTD) for compliance with the design and performance standards at N.J.A.C. 7:8-5 if the pollutant removal rate has been verified by the New Jersey Corporation for Advanced Technology (NJCAT)

and has been certified by the New Jersey Department of Environmental Protection (NJDEP). The NJDEP's link to the web page is at <http://www.njstormwater.org/treatment.html> was recently updated to add this MTD as a certified device.

Two staff members from BNPC presented at the Raritan Head Waters Association on May 31. The presentation provided an update on the recently renewed MS4 permit and included a hands-on training on the stormwater mapping application. The presenters noted that free ArcGIS licenses are being provided by the NJDEP, and further stressed that use of the App will help permittees comply with the permit, and will ease collection of locational data and information on specific stormwater features. The Department is encouraging municipalities to work with volunteers to help collect the stormwater facility location and information. The presentation was attended by 15-20 people who represented 15 different municipalities and one consulting firm. The presentation was well received.

On Thursday, June 7, 2018, the Senate unanimously confirmed Acting Commissioner Catherine R. McCabe's nomination.

**Old Business:**

There is no update on the appointment of a new member from the NJ Association of Counties.

The Chair will speak with members individually to fill the term of the Second Vice Chair.

The Chair posed this question to the Council, what are the top three most important solvable water quality issues in New Jersey? He stated this will be discussed at a future meeting.

**New Business:**

Ray Papperman, Esq., NJDEP, Deputy Advisory and Ethics Liaison Officer, gave an overview of the ethics requirements for members of the Clean Water Council. Ray noted the Clean Water Council members are Special State Officers, (SSO), in accordance to the Uniform Ethics Code, (UEC). A state agency is defined as any of the principle departments in the Executive branch of the State Government and any division, board, bureau, office, commission or other instrumentality within or created by such department. The agency on which the Council members serve is interpreted narrowly as the Clean Water Council, not broadly as the NJDEP. Thus, the Council members may continue to represent clients before the NJDEP, but would have to recuse themselves from a particular matter before the Council, if a conflict situation arises. A brief question and answer session followed. Ray welcomed and stated he will respond to specific questions from Council members. Ray gave the Chair a CD of the required ethics training program. Ray confirmed the ethics office will conduct the required ethics training at a future Council meeting.

Prabha Kumar, Director; Brian Merritt, Manager; and Leah Gaffney, Senior Water Resources Engineer, Black & Veatch gave a stormwater Utilities presentation entitled, "Transformative Approach to Funding Stormwater Management." The link of the presentation to the Clean Water Council's web site is: <http://www.nj.gov/dep/cleanwatercouncil/presentations.htm>

The Chair asked the Council to consider the following future topics: Stormwater engineers licensing framework, Road salting – balancing safety with water quality impacts, and stormwater utilities per the previous above presentation. The chair asked the Council to be prepared to discuss this matter at the next Council meeting.

The Chair announced that the NJDEP's ethics office will conduct the required ethics briefing for the Council members at the July's Council meeting.

**Announcements:**

The next scheduled Council meeting is July 10, 2018.

**Adjournment:**

Meeting adjourned at 11:54 am.