

New Jersey Clean Water Council
Minutes of May 14, 2019 Meeting

Location:

NJ Infrastructure Bank (formerly NJEIT), 3131 Princeton Pike, Building 4, Suite 216, Lawrenceville, NJ

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| Members Present: | |
| George Bakun – NJ Business & Industry Vincent Monaco – WSAC, Stan Cach – NJ Dept. Environmental of Protection Mark Wadiak – NJ Dept. of Labor Harry Wozunk – NJ State League of Municipalities Pamela Goodwin – General Public | Anthony McCracken – Chair, General Public Sandra Howland – NJ Dept. of Agriculture James Cosgrove – NJ Society of PE's Russ Furnari – 1 st Vice Chair, NJ Chamber of Commerce Dan Van Abs – General Public |
| Others: Ashley Kerr – Advisor Mike Pisauo – The Watershed Institute NJDEP Staff: (cont'd) Sue Rosenwinkel – Chief, Bureau of Surface Water Permitting, BSWP Marzooq Alebus - BSWP | NJDEP Staff: Janice Brogle – Director – Division of Water Quality, DWQ Julie Krause – DWQ, Director's Office Rachael Pepe – DWQ, Director's Office Gabriel Mahon – Chief, Bureau of Non-Point Pollution Control |

Meeting Called to Order: Chair Anthony McCracken at 10:05 AM.

The Chair requested all attendees to introduce themselves.

The motion to approve the March 12, 2019 meeting minutes was made by Dan Van Abs, seconded by Mark Wadiak. James Cosgrove abstained. Minutes were approved.

DEP Updates

The Bureau of Nonpoint Pollution Control held three (3) pre-draft Highway Agency Stormwater (MS4) Master General Permit renewal outreach sessions for the permittees in different areas of the state and one (1) for interested parties. There were 25 attendees in total, representing 11 permittees and 4 interested parties. Generally, there were no comments requiring substantive changes, although some comments are still being evaluated, including some from NJDOT.

The Division of Water Quality intends to commence a stakeholder process this summer to inform the development of the stormwater utility guidance material (as required by the recently enacted law). Before doing so, we are inviting a small group of representative stakeholders to participate in conference calls with us to discuss and provide feedback on the planned stakeholder process. The intention of the calls is not to discuss specific content of the guidance material nor stakeholder positions on issues, rather, these calls are designed to provide input on our process for stakeholdering.

In continuation of the Phase II Stormwater Management Rule Stakeholdering, the Division of Water Quality has created five (5) subgroups to further explore technical issues that cannot sufficiently be discussed in a larger stakeholder setting. The topics of these groups are as follows: Nutrient Removal (5/2); Discharges to Impaired Waters and those with TMDLs (5/9); Climate Change (5/9); Improving Maintenance of BMPs (5/7); and Nonstructural Stormwater Management Techniques (5/7). These subgroups have had their initial meeting and are in the process of setting up future meetings.

Gabe Mahon, Bureau Chief of the Bureau of Nonpoint Pollution Control, gave an overview of the Phase II Stormwater Management Rule Stakeholder process. Five subgroups have been created, identified above, to further explore technical issues that cannot sufficiently be discussed in a larger stakeholder setting. Each group has about 5-8 people. The subgroups will be meeting every 2-3 weeks throughout the summer and will present back to larger groups in the fall.

Janice Brogle, Director of the Division of Water Quality, informed the Council that NJ will have a web page dedicated to stormwater utility which may provide links to guidance other states have issued. Also, the process for stakeholder

guidance will be similar to the Phase II stormwater rule in that a small group of stakeholders will be formed and they will have conference calls to discuss website material. Larger meetings will happen later in 2019.

Old Business:

The Council discussed the 2019 public hearing and decided to have a topic pertaining to either Stormwater Utilities or nonpoint source reduction in impaired waterways, particularly those with TMDLs. A committee was formed to finalize which topic would be best and to plan the public hearing. The committee consists of: Anthony McCracken, Jim Cosgrove, Russ Furnari, Stan Cach, and Ashley Kerr. Possible dates are Friday, October 18 with an alternate date of October 25 if needed. The meeting may take place at 1pm at the Eco complex if it is available.

The Chair would like to meet with DEP's Commissioner in June to discuss the potential topics for the public hearing. Suggestions for topics include: non-point source nutrients in TMDL waterways and the impacts of stormwater utilities.

New Business:

Sue Rosenwinkel, Bureau Chief, gave a presentation of the Passaic Nitrate Initiative. Her presentation will be included on the Council's web site.

Jim Cosgrove, Kleinfelder, gave a presentation of the Passaic River nitrate modeling study. His presentation will be included on the Council's web site.

The CWC was interested in the approach presented by Jim Cosgrove. The Chair recommended a subcommittee be organized, meet before next month's Council meeting to further address some charge questions that would be provided by the Department. The volunteers of the subcommittee are: Anthony McCracken, Pam Goodwin, George Bakun, Michael Pisauero, Vince Monaco, Jim Cosgrove, and a DEP rep.

Announcements:

The next scheduled Council meeting is June 11, 2019.

Adjournment:

Meeting adjourned at 11:45 AM.