

New Jersey Clean Water Council
Minutes of July 9, 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 Chris Andreasen – WSAC, Stan Cach – NJ Dept. Environmental of Protection Mark Wadiak – NJ Dept. of Labor Pamela Goodwin – General Public Maria Connolly – NJ Dept. of Community Affairs | 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 Mary Anna Holden - NJBPU |
| Others: Peggy Gallos - Advisor Ashley Kerr – Advisor Mike Pisauo – The Watershed Institute NJDEP Staff: (cont'd) Sue Rosenwinkel – Chief, Bureau of Surface Water Permitting, BSWP | NJDEP Staff: Janice Brogle – Director – Division of Water Quality, DWQ Julie Krause – DWQ, Director's Office Carlton Dudley – Assistant Director, Water Pollution Management Element, WPME Marzooq Alebus – BSWP |

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

The Chair requested all attendees to introduce themselves.

The motion to approve the May 14, 2019 meeting minutes was made by James Cosgrove, seconded by Russ Furnari. Chris Andreasen, Maria Connolly abstained. Minutes were approved.

DEP Updates

The Water Bank closed on 34 short term loans in the month of June totaling approximately \$205 million. Project sponsors expedited their projects through bidding and contract award to allow them to close loans ahead of the end of the state fiscal year to take advantage of the more favorable Water Bank loan terms for SFY 2019. The program has provided \$299M in short term loans for Clean Water projects and \$117M for Drinking Water projects in SFY 2019.

The Division of Water Quality held a conference call with a representative group of stakeholders to discuss the Department's obligations under the Clean Stormwater and Flood Reduction Act (Stormwater Utility Act). As discussed on the call, the Department anticipates creating a stormwater utility website and is now beginning the process of creating a draft framework of that website. Larger stakeholder meetings will be held later this year, and stakeholders will be able to provide comments on the website.

Stormwater Management rule amendments were proposed on December 3, 2018. The public comment period closed on February 1, 2019 and the Department is in the process of drafting responses to the submitted comments at this time

In the continuation of the Phase II Stormwater Management Rule stakeholdering, the stakeholder subgroups noted in the last update are continuing to meet. Each group has met approximately 3-4 times at this point. Meetings of the subgroups will continue through the summer (or until the topics have been fully discussed) and the findings of those subgroups will be presented to the larger stakeholder group later this year.

All CSO permittees have submitted their Evaluation and Alternative Report by July 1st in accordance with their permits. The Department intends to post all reports on its website and notify interested parties through its CSO listserv. The Link is: <https://www.nj.gov/dep/dwq/cso-ltcsupmittals.htm>

Staff conducted a demonstration of the new Monitoring Report Form online service that became effective on June 28th. Staff have met with permittees at several centralized locations throughout the State. In these presentations, staff demonstrated the new more simplified procedures that permittees will be using to electronically submit their MRF data to the Department. The DWQ website will be updated to include the new manual and tutorial videos.

The Division hosted another session of its two-day training regarding stormwater management design review on May 21 and 23 at the New Jersey Forensic Science Technology Center in Hamilton. This training session was attended by 140 engineers. A total of 495 individuals who review stormwater designs for municipalities have now completed the training. Another session will be held this fall on October 29 & Oct. 31.

On May 16th, staff presented at a Green Infrastructure Workshop organized by NJ Future. Staff presented information defining green infrastructure (GI), project examples, regulatory requirements to assess and implement GI, the benefits of GI, the process to obtain NJ Water Bank financing for GI, and the financing packages available.

Carlton Dudley was appointed the new Assistant Director of the Water Pollution Management Element in the Division of Water Quality.

Old Business:

The Council is considering one of two topics for the public hearing: Stormwater Utility or Non-Point Source Reduction of Impaired Waterways. The Public Hearing subcommittee will meet via conference call on July 12 at 3pm to finalize the topic, frame out the issue, and identify speakers. The subcommittee members are: Anthony McCracken, Jim Cosgrove, Russ Furnari, Stan Cach, and Ashley Kerr. The Council discussed that because Stormwater Utilities are often formed to solve a problem, the topic of Stormwater Utility allows other issues to be pulled into the Public Hearing, such as Harmful Algal Blooms and CSOs.

The DEP Public Hearing Room is reserved for Friday October 25, 2019.

The Council's nitrate subcommittee meeting occurred at 9am this morning. The subcommittee members are: Anthony McCracken, Pam Goodwin, George Bakun, Michael Pisauro, Vince Monaco, Jim Cosgrove, and Marco Alebus. Highlights of the discussion: Passaic River used as a drinking water source. Nitrate drinking water maximum contaminant level is 10mg/l. River flow is dominated by STP effluent during dry weather. Many STP discharges are upstream of large potable intakes. USGS in stream data can show elevated nitrate concentrations during low flow conditions in the Passaic River Basin on the Passaic side. Reducing nitrate at each STP throughout the watershed will not result in the most effective solutions, therefore an alternative approach has been proposed by the Passaic River Basin Alliance. The Alliance suggests a method of trading and volunteering acceptance of effluent limits by the discharges. The concept includes some STPs upgrading while those STPs that do not upgrade would contribute to the cost of the upgrades at the other facilities. Discussions then followed regarding the legal, regulatory and financial ramifications of both short- and long-term commitments among all dischargers. The subcommittee will meet again in about 3 weeks.

New Business:

Sue Rosenwinkel, Bureau Chief, gave a presentation on NJ CSO Program Update. Her presentation will be included on the Council's web site. The link is: <https://www.nj.gov/dep/cleanwatercouncil/presentations.htm>

Announcements:

The next scheduled Council meeting is August 13, 2019.

If Commissioner is available, then the meeting will be held at the DEP. If the Commissioner is not available, the meeting will be held at the NJ Infrastructure Bank.

Adjournment:

Meeting adjourned at 10:45 AM.