

New Jersey Clean Water Council

April 8, 2014

Location:

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

Members Present:	
George Bakun – NJ Business & Industry Jim Cosgrove – NJ Society of PEs Lou Neely – NJ League of Municipalities Jessica Sanchez - DRBC Dan Van Abs – General Public Stan Cach – NJ Dept. Environmental of Protection	Pamela Goodwin – General Public Anthony Valente – NJ Labor & Industry Mary Anna Holden - NJBPU Neil Goldfine – NJ Water Supply Advisory Council Chris Sturm – General Public
Others: Helen Heinrich - NJCWC Advisor Maria Zazzera, NJ BPU Staff Eng.	NJDEP Staff: Michele Putnam, Director, Div. of Water Quality Julie Krause, Division of Water Quality Tracy Omrod, Division of Water Quality Jim Murphy, Division of Water Quality

Meeting began at 10:01 am.

The March 11, 2014 meeting summary was approved with the amendments. Jim Cosgrove motioned to approve the meeting summary, Anthony Valente seconded and three abstained: Lou, Neil, & Pam. Council asked to have the PDF or link of power point from last meeting attached to the meeting summary.

New Business:

Jim Murphy, Bureau Chief of Nonpoint Pollution Control provided the Council with a presentation on an “Update of Stormwater Program Activities.” The PowerPoint will be circulated to Council members and attached to the meeting summary.

The overview of the Stormwater Management Program included a discussion of the following topics: the MS4 audit program; updates to the annual report form; updates to Best Management Practices guidance documents; an update on the Nonstructural Point System; infiltration basin study; a focus on outreach and education; and green infrastructure website.

The Department is starting the audit process with the Tier A permits, but will move to other permits as time progresses. The DEP plans to roll out the Tier A audit program in the fall of 2015 based on reviews of MS4 annual reports submitted in May 2015. The Department discussed how the audit program is a collaborative effort with DEP enforcement, but the focus initially will be on compliance assistance. The Department intends to have stakeholder meetings in May or June 2014 to discuss the audit program and revisions to the annual report. The Council asked that it be contacted if there are any upcoming stormwater meetings that they could participate in.

In light of the court decision which ruled that the Nonstructural Point System (NSPS) and its associated guidance should have undergone rule making process, the Department will be re-evaluating the rule under NJAC 7:8-5.3 and the NSPS. The Council advised that the NSPS spreadsheet is a good tool to help quantify a subjective analysis. A little tweaking to the tool may be necessary but it is a good start.

The Department stated that the Stormwater rules are set to expire in August 2014, and the Department will need to take action on these rules to prevent the expiration.

The Department, the NJ Builders Association, and the Dept. of Agriculture will be assessing the efficacy of infiltration BMPs by visiting 120 of approximately 425 basins constructed after 2009. The Council asked for more information on the infiltration basin study, specifically at which basins the Department intends to conduct site visits and recommended that the origin of the stormwater being captured (e.g., roof runoff vs. parking lot runoff), be taken into consideration for the analysis.

The Council briefly discussed the proposed EPA “Waters of the US” rule and how it would impact NJ. The Council suggested that someone look into this issue further.

The Council discussed that successful green infrastructure programs in other states incorporate stormwater management into public parks. It is the Council’s understanding that in NJ if a public park manages stormwater from another site, this would be considered a diversion under Green Acres rules. Diversions must be approved by the State House Commission and require an offset. This applies to any park listed on a Recreational and Open Space Inventory. Is there opportunity to look at stormwater management as a “park amenity” and not a diversion?

DEP Updates:

The Department announced that the new Assistant Commissioner for Water Resource Management is Dan Kennedy. Pat Gardner is the new Director of Water Monitoring and Standards and Ginger Kopkash will be the new Assistant Commissioner for Land Use Management.

Council inquired about the next steps for the WQMP process. The Department said the next step is another stakeholder meeting to provide more detail.

Council asked about the upcoming Drinking Water Quality Institute meeting. A link to the meeting agenda will be emailed to the council.

The Department states that the Division of Water Quality continues to focus on stormwater overhaul, operation and maintenance, and emergency response.

Old Business:

Council discussed amending the bylaws to include technical advisors. Lou motioned to amend the Council bylaws to include the following statement: “Advisors- The Council may vote in a maximum of five “Advisors” to the Council. Advisors do not have the right to vote in any Council business.” Jim Cosgrove seconded the motion. Motion passed unanimously.

Council discussed nominations for technical advisors. Jim Cosgrove motioned to nominate Helen Heinrich & Peggy Gallos as Technical Advisors. Chris Strum seconded the motion. Motion passed unanimously.

Announcements:

The Council presented Pam Goodwin with a letter of appreciation for her service as Council Chair.

Adjournment:

Meeting adjourned at 11:50 am