New CSO Permits Stakeholder Questionnaire

Suggested Conditions for CSO Permits

New permits will contain specific permit conditions for the next five-year permit cycle that will reflect unique elements of each permittee's respective LTCP. These new permits will also contain general provisions that will apply across all permittees. For each category below, charge questions have been provided to solicit feedback to guide stakeholder discussions.

For each suggestion, please identify the issue of concern within the context of the suggested permit condition and why this suggestion will help address that issue. Once DWQ collects this information, future stakeholder meetings will be scheduled.

1. Name *

Partners and advisory board members of the Sewage-Free Streets and Rivers camapign:
Mo Kinberg, New Jersey Future mkinberg@njfuture.org
Bill Armbruster, Chair, Green Committee, Journal Square Community Association
Jill Scipione,Morris Park Neighborhood Association
Michele Langa, NY/NJ Baykeeper & Hackensack Riverkeeper
Amy Goldsmith, State Director, Clean Water Action, agoldsmith@cleanwater.org
Michelle Doran McBean CEO Future City Inc
Drew Curtis, Ironbound Community Corporation, dcurtis@ironboundcc.org
Bill Schultz, Raritan Riverkeeper Raritan.riverkeeper@verizon.net
Sandra Lovely-Greenville Neighborhood Alliance Greenvillena@gmail.com

2. Organization if applicable

Sewage-Free Streets and Rivers campaign sewagefreenj.org

The following people expressed interest in presenting their ideas at a stakeholder meeting:

Mo Kinberg
Michele Langa
Amy Goldsmith
Drew Curtis
Nicole Miller
Jose Amarante

3. Email *

mkinberg@njfuture.org, agoldsmith@cleanwater.org, dcurtis@ironboundcc.org, Raritan.riverkeeper@verizon.net, Greenvillena@gmail.com, sbakergujral@anjec.org, Lhoward.passaicriver@gmail.com, jocelyndpatrickrna@gmail.com, marthaaren333@yahoo.com, jrak07@gmail.com

4. Would you be willing to present your ideas at a stakeholder meeting for discussion? *

- (●) Yes
- ( ) No
- ( ) Maybe, please contact me with more information.

5. What time of day would you prefer to attend an online meeting run by the DEP on or around December 1, 2021? *

- (●) Daytime (between 10:00 am and 4:00 pm)
- ( ) Evening (between 6:00 pm and 8:00 pm)
- ( ) No Preference

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Public Engagement

DWQ has received feedback over the development and roll-out of the 2015 CSO permit concerning public engagement. Advocates have expressed strong support for continuing some form of public engagement in the next permit cycle.

For each suggestion, please identify the issue of concern within the context of the suggested permit condition and why this suggestion will help address that issue.

Goals and Purpose:

The 2015 permit had conditions for public engagement (see language appendaged to the end of this questionnaire) mainly aimed at informing the public about the development of long term control plans and seeking input from the public throughout all phases of the development of the long term control plans.

Given this information, what should be the purpose and goals for public engagement in this upcoming permit cycle?

1. Suggested Permit Requirement and Why:

In previous letters dating back to July 2018, Sewage-Free Streets and Rivers partners and the advisory board recommended that the guidance that was released by the NJDEP in the Public Participation Process Report be required and provided additional specific recommendations for achieving the NJDEP's stated goal of a " two-way dialog " between the permit holders and the Supplemental CSO Team/public. Attached is the first letter we submitted to the NJDEP on July, 31, 2018.

The goals should be prescriptive and include levels of engagement based on the project that would be established as a requirement of the permit. Degrees of public engagement should include informing, educating, and engaging. Requirements for mapping impacted communities must also be included to designate both impacted

2. Suggested Permit Requirement and Why:

The forthcoming permit should include requirements for informing the public as well as goals for the percentage of the population involved including impacted and overburdened environmental justice communities.

Inform is defined as: to provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

A baseline requirement to inform the public should be to document how 100% of the residents within a municipality or service area have been informed that they live in a municipality with a combined sewer system and that their municipality is implementing a CSO Long Term Control Plan. The baseline requirement would be documentation

3. Suggested Permit Requirement and Why:

The forthcoming permit should include requirements for educating and engaging the public as part of the implementation and evaluation of projects and plans designated in the next CSO permit.

Educating should be two-way and involve working directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered. The goal of educating the public by the permit holder should be required as part of any project that impacts the public in order to ensure that the feedback gathered is prioritized in the implementation of the project. Documentation of the feedback gathered should be submitted to the NJDEP and published on the municipal or utility website as well as a response to comments in which the permittee explains how the

4. Suggested Permit Requirement and Why:

The forthcoming permit should include requirements for accessibility and language justice (i.e., the right everyone has to communicate in the language in which they feel most comfortable by having translation provided at meetings and translating outreach materials) and funding that applies to all of the public participation goals.

Require the use of platforms that allow people to subscribe to updates from the permittee. Additionally, websites should include names of all of the Supplemental CSO Team members and provide ways to get involved and access information (i.e., weblinks, newsletters, upcoming meetings, etc.). Information should be in a format and language appropriate to community demographics.

Engagement Activities

When, how, and at what frequency should the public be informed or updated about the CSO LTCP or associated projects? What topics should be discussed in a public engagement forum?

What public notification principles or practices that should be considered for inclusion in the permit? Should they differ based on the individual project(s)?

1. Suggested Permit Requirement and Why:

Require permit holders to hold a minimum of four public meetings on the progress of the CSO LTCPs and two reporting documents shared online to provide updates on progress. All public meetings should meet requirements for community accessibility in addition to Supplemental CSO Team meetings and any meetings held for specific projects. For example, dates, times, and locations of meetings must be accessible to most members of the community (i.e., held in the evening, near public transit, and with parking); meetings must be held in multiple languages (based on the languages spoken in the municipality); American Sign Language translation; outreach materials must be produced in multiple languages; meetings must be live-streamed; and childcare or kids' activities must be provided. All meetings should be Americans with Disabilities Act (ADA) accessible, including a short walk into the building or offering virtual options if

2. Suggested Permit Requirement and Why:

In addition to public meetings on the progress of the CSO LTCPs, permit holders should engage the public directly impacted by green and gray project implementation using multiple methods of public outreach and engagement, with increased engagement based on the type and scope of the project and particular focus on neighborhoods where anticipated implementation will be occurring. This requirement should come with benchmarks described in the goals section for reaching a measurable segment of the population, with meaningful interaction and evidence of feedback taken into consideration and consequences for failure to conduct public outreach and opportunities for redress on the part of the public. Levels of engagement are referenced in the goals from inform, consult, involve, collaborate and empower based on the project and impact on a neighborhood.

3. Suggested Permit Requirement and Why:

Require the use of platforms that allow people to subscribe to updates from the permittee. Additionally, websites should include names of all of the Supplemental CSO Team members and provide ways to get involved and access information (i.e., weblinks, newsletters, etc.). Information should be in a format and language appropriate to community demographics.

Why: Multiple methods of communication are needed to ensure that residents have access to information on the CSO LTCP implementation.

4. Suggested Permit Requirement and Why:

The permit holder should allocate funds to hire a professional communications team (local groups should be prioritized for consideration) through a formal bidding process to do the outreach and funds or grants for community organizations to reach the public. All public outreach should show the public how feedback is being used in project implementation. Budget considerations for this outreach team should be incorporated into initial budget discussions and planned to last throughout the entire design and implementation phases of projects.

Why: Effective public outreach is needed for successful implementation of the CSO plans. Municipal and utility permit holders likely do not have the capacity or staff expertise to conduct effective public outreach. This was evident with the public outreach

Supplemental CSO Teams

How should Supplemental CSO teams continue? What specific task(s) should the teams be given? What other changes should be made to the Supplemental Team, including suggestions for representatives? Other ideas for engaging with the public?

1. Suggested Permit Requirement and Why:

Require the creation and convening of regional and municipal Supplemental CSO Teams.

Municipal Supplemental CSO Teams assist with public outreach and organizing the quarterly public meetings and are one of the conduits for community feedback, local project implementation, community outreach best practices, local concerns, and costs. Meetings should focus on collaboration and gathering feedback from the Supplemental CSO Team members rather than informational presentations.

Require: Multiple departments need to be involved in municipal Supplemental CSO Teams at the meetings to have a better understanding of the scope of the projects

2. Suggested Permit Requirement and Why:

Require the provision that funding be made available for community leaders and community organization staff to participate in the Supplemental CSO Team and bring information back to their communities. This budgetary consideration should be shared between regional and municipal authorities.

Why: Community leaders and community organization staff time should be accounted for and reimbursed to ensure that they are able to participate.

3. Suggested Permit Requirement and Why:

Require permittees to submit documentation verifying that they are following the agency ' s requirements to use Supplemental CSO Teams for "feedback on community reaction, effective ways to share information, and input on the permittees' public participation strategy," and that they are taking this feedback into consideration in the implementation of LTCPs.

Why: Documentation is needed to verify that the permit holder is considering community feedback and incorporating widely held community suggestions into plans that will both meet the basic requirements of the permit but also make the most use of public funds.

4. Suggested Permit Requirement and Why:

Develop a process for the selection of the supplemental team members that is transparent and goes through a public nomination process. The selection should be made by a third party rather than the municipality or by a majority vote of the governing council.

Why: Supplemental CSO Teams should be independent from the municipality. A transparent process would establish trust.

Guidance Documents

Should the DEP update its guidance document(link to documents below) and if so, how?

{https://www.nj.gov/dep/dwq/pdf/CSO_Public_Participation_Resource_Document.pdf;
https://www.nj.gov/dep/dwq/pdf/cso-ppt-engage-comm-ltcp.pdf;
https://www.nj.gov/dep/dwq/pdf/supplemental-team-resource-doc-5.9.16.pdf}

Please provide additional resources or ideas that should be considered for incorporation into guidance for CSO public engagement.

1. Suggested Permit Requirement and Why:

Rather than providing permit holders with a guidance document, there should be firm requirements built into the permit. The Public Participation Process Report document should include baseline requirements for public outreach and the benchmarks recommended above. As well as a requirement for municipal and regional Supplemental CSO Teams and funding for community groups/leaders to participate in these efforts. The role of Supplemental CSO Team members should be clearly defined in the permit and guidance so that expectations are clear.

Why: Regional Supplemental CSO Teams did not reach the impacted public or engage municipal departments. They were valuable for regional coordination, but feedback from the supplemental teams suggested there was little two-way collaboration. Municipal

2. Suggested Permit Requirement and Why:

Forming and Utilizing Your Supplemental CSO Team For New Jersey ' s Combined Sewer Overflow (CSO) Permits and Long Term Control Plans
Regional and municipal Supplemental CSO Teams should be defined and required in the guidance. The guidance should include benchmarks for the teams, the minimum number of meetings the teams should hold and how to review reports.

Why: Supplemental CSO Teams were not utilized by all of the permit holders in the last five-years. Requiring municipal and regional Supplemental CSO Teams would require additional guidance, especially for the municipalities that only participated in regional teams in the last permit.

3. Suggested Permit Requirement and Why:

Guidance on informing, educating and engaging residents on the CSO LTCPs, projects and annual reports. Which types of projects require three public engagement meetings. A rubric on levels of engagement for evaluating efforts. Guidance on the NJ Environmental Justice law and mapping.

Why: Permit holders are not experts on public engagement and based on the LTCPs do not have an understanding of the EJ law.

4. Suggested Permit Requirement and Why:

Guidance on hiring communications professionals or community groups who are communications experts to conduct public outreach and engagement.

Why: Communications experts and community groups who understand their communities are needed to ensure that the public receives information in an accessible and understandable way. The public needs to be engaged in the implementation of the CSO plans. Understanding the plans and purpose of the plans is needed.

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Metrics

As permittees advance capital projects to obtain compliance with the LTCP, DWQ will require monitoring of key parameters to help establish if conditions are improving in permittees' service areas. Please provide suggestions on metrics that can be established to gauge compliance. Certain CSO metrics are already required in monthly monitoring repor forms such a CSO duration of discharge, rainfall monitoring, and solid-floatable removal.

For each suggestion, please identify the issue of concern within the context of the suggested permit condition and whit this suggestion will help address that issue.

Reporting requirements:

For each suggestion, what is the frequency by which each should be reported? Are there additional metrics that we should consider requiring?

1. Suggested Permit Requirement and Why:

An annual report should be prepared that shows the sources of funding, how the funds are being utilized and the impact on sewer rates.

Why: The implementation schedule is based on the municipality's ability to pay for the CSO plans. Affordability for residents is a concern as well as extending the implementation schedule to reduce the immediate costs.

2. Suggested Permit Requirement and Why:

Require an annual environmental justice report related to project implementation to be released to the public, with explicit requirements for evaluating how impacted overburdened communities were engaged and how the projects have improved environmental conditions for overburdened communities.

Require permit holders to use the Jersey Water Works Water Risk and Equity Map tool developed by Rutgers University or the U.S. Environmental Protection Agency's Environmental Justice Screening Mapping Tool (EJSCREEN) to map overburdened neighborhoods and to identify the percentage of green infrastructure implementation and other CSO controls that address localized flooding and protect public health.

3. Suggested Permit Requirement and Why:

Require annual reporting on green and gray infrastructure implementation using a triple-bottom-line analysis (i.e., social, environmental and economic). The report should include reporting on local training, hiring and retention for green and gray infrastructure projects.

Why: Resilience and environmental justice are goals that have been identified by the NJDEP but were not included in the last CSO permit. Green and gray infrastructure projects should be evaluated to ensure that they deliver community benefits as well as CSO reduction.

4. Suggested Permit Requirement and Why:

Require annual reporting on climate resilience including flooding reduction, soil erosion, heat reduction, emissions reductions and GI implementation and property damage from major storms.

All of the annual reports should be reviewed by the Supplemental CSO Team members.
Why: CSO mitigation projects can have multiple benefits to communities related to climate change. Municipalities should be accounting for the multiple benefits of CSO mitigation projects in order to plan for future projects and to reach multiple goals.

Measuring Effectiveness:

What should be measured to determine success beyond total discharge reduced? (Ex. duration of discharge compared with total rainfall or quality improvements)

1. Suggested Permit Requirement and Why:

Effectiveness should be measured based on a reduction of sewer backups into streets and basements, localized flooding, and impervious surfaces, as well as climate resilience. Reporting on how CSO projects are integrated into resilience planning and associated measurements as well as percentage of stormwater and overflows managed by GI.

Why: Sewer backups and localized flooding are a result of sewer issues and need to be measured to assess success and to reduce the public health impacts of CSOs. Understanding impervious surface and climate resilience as well as CSOs is needed to show how upgrades to the sewer systems and reduction of impervious surfaces impacts flooding and climate resilience efforts.

2. Suggested Permit Requirement and Why:

Success should be measured based on increased access to waterways, increased recreation and demonstrated improved water quality. The permit should require modeling to show how long it will take to achieve fishable/swimmable standards (e.g., return on investment).

The permit should require more frequent and localized near-shore testing in combination with increased water quality monitoring - shoreline and point testing to track the presence of sewage. Funding is needed for more frequent citizen science near-shore testing to expand water quality testing. Partnerships with the NJDEP and citizen science groups are needed to ensure that the testing is also accepted by the department

3. Suggested Permit Requirement and Why:

Effectiveness of public participation. The permit should include a rubric for evaluating public participation. The rubric would ensure that permit holders prove that they successfully reached a measurable percentage of community members and identified and accomplished received community goals. Funding for CSO projects should incorporate reaching public engagement goals.

Why: Evaluation of public outreach is needed in order to make improvements.

4. Suggested Permit Requirement and Why:

Operations and maintenance of the sewer system should be evaluated and reported on an annual basis.
Require dry weather flow reporting in the permit.

Require sewer cleaning and maintenance reports in the permit.
Why: Operations and maintenance can reduce flooding and sewage overflows.

New CSO Permits Stakeholder Questionnaire

Climate Change

Since permits were issued and permittees have developed and submitted LTCPs, Governor Murphy and DEP have announced renewed focus on climate change-related initiatives.

It is widely accepted that critical infrastructure should be designed, located, and/or sufficiently protected to remain operational during an emergency, including floods, storm surges and power outages, and for long-term viability (see https://www.nj.gov/dep/watersupply/pdf/guidance-ifp.pdf and https://www.nj.gov/dep/watersupply/pdf/guidance-ap.pdf for more information on current funding requirements).

While permittees were not required to consider climate change as part of LTCP submissions, moving forward DEP will be working with stakeholders across all regulatory programs to include climate change considerations. Guided by the 2020 New Jersey Scientific Report on Climate Change (https://nj.gov/dep/climatechange/data.html); New Jersey's Global Warming Response Act 80X50 Report (https://nj.gov/dep/climatechange/docs/nj-gwra-80x50-report-2020.pdf); and regulatory reform through NJ PACT (NJ Protecting Against Climate Threats, https://nj.gov/dep/njpact/) the DEP is working to mitigate against the impacts of climate change. The next permit cycle may include provisions designed to ensure previously submitted LTCPs and permittees' work is reflective of climate change impacts.

For each suggestion, please identify the issue of concern within the context of the suggested permit condition and why this suggestion will help address that issue.

How should DWQ evaluate whether permittees' projects are inclusive of changing environmental conditions, like precipitation, in long-term strategies?

1. Suggested Permit Requirement and Why:

Some minimum level of controls must be included in the next CSO Permit. NJDEP should provide permittees with climate change projections to use for the designing, planning and evaluation of CSO projects.

The NJDEP should:

Adopt an official state sea level rise standard/projection to guide planning for combined sewer overflow plans and projects.

Revise the official design storm standard or re-evaluate the design storm standard per permit cycle (5 years) to account for increased inland flooding, ensuring appropriate

2. Suggested Permit Requirement and Why:

Report on how CSO projects are mitigating the impacts of climate change, including: flooding, rainfall, and emissions from sewer treatment plants.

Why: Reporting on how the CSO projects are mitigating the impacts of climate change are needed for municipalities and New Jersey to meet resilience goals.

3. Suggested Permit Requirement and Why:

Public outreach should include informing and educating the public on the impacts of climate change on CSOs and sewer systems and how to protect themselves from increased flooding related to increased precipitation and CSOs, as well as what they can do to mitigate these impacts to the sewer system, such as water conservation.

Why: The impacts of climate change for communities with combined sewer systems have an additional health impact of contaminated flooding water. Residents can take action to protect themselves but need to be informed about the issues and what they can do. Residents can also take action to reduce the impacts and should be informed by the permittees of the actions they can take.

4. Suggested Permit Requirement and Why:

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Environmental Justice

With the signing of Executive Order No. 23, the Governor directed the DEP and other State agencies to incorporate environmental justice into their programs, policies and activities as well as directed the DEP to write guidance on how to accomplish this. Developed through both interagency coordination and a public stakeholder process, the DEP issued "Furthering the Promise" (https://nj.gov/dep/ej/docs/furthering-the-promise.pdf) in September 2020. In addition, Governor Murphy signed the New Jersey Environmental Justice Law (https://nj.gov/dep/ej/docs/ej-law.pdf) on September 18, 2020 that identifies most of our CSO municipalities as overburdened communities and applies to sewerage treatment plants with a capacity of more than 50 million gallons per day. Therefore, it is important to incorporate EJ principles and practices into the next CSO permits.

For each suggestion, please identify the issue of concern within the context of the suggested permit condition and why this suggestion will help address that issue.

EJ Principles and Practices

What EJ principles and practices should be considered as part of the CSO LTCP review and how? What EJ principles and practices should be required as part of the public engagement conditions?

1. Suggested Permit Requirement and Why:

The EJ principle of cumulative impacts should be considered within the forthcoming CSO permit to understand the cumulative impacts of sewage in the streets, basements and waterways and what that means for overburdened communities. Mapping communities to identify stressors should be included in permitting and future solutions and evaluations should be considered within these parameters.

Why: Combined sewer overflows have been assessed without consideration of other environmental and social stressors.

2. Suggested Permit Requirement and Why:

Affordability is an EJ principle that should be reported on and considered as a permit condition. A stormwater utility feasibility study should be a required permit condition to ensure that costs of the plans are distributed between all of the contributors to the combined sewer system. Requirements for sharing the findings of the feasibility studies should be considered as part of the permit.

Why: Implementation of the CSO plans may further environmental injustices if affordability is not considered within the next CSO permit.

3. Suggested Permit Requirement and Why:

The EJ principle: “ Plan for and Embrace Change, ” for example. The workforce working on implementing the CSO plans should also reflect the diversity of the communities where these projects are implemented.
Require that CSO permittees should plan for the workforce that they will need for the construction and maintenance of green and gray infrastructure projects. The permit should promote the creation of workforce development programs that enroll or include community members who are low-income and/or of color.
Why: CSO mitigation projects could benefit communities through local hiring programs by bringing economic resources back to communities.

4. Suggested Permit Requirement and Why:

Acknowledge that CSO communities are EJ communities. The list of overburdened communities shows that all of the municipalities with combined sewer systems have areas that are considered overburdened.

Require environmental justice areas be identified and prioritized for CSO relief. Ensure that the siting of gray infrastructure will not have negative cumulative impacts on these communities and consider the benefits of water quality improvements for the public who have largely been segregated from waterfront access.

Why: Environmental justice districts are on the frontline of climate change and CSOs. The public health issues related to CSOs are more severe in these neighborhoods

Overburdened Communities

Should notification or other project planning activities be different in overburdened communities as defined in the EJ Law?

1. Suggested Permit Requirement and Why:

Prepare an environmental justice impact statement that assesses the potential environmental and public health stressors associated with the proposed new or expanded facility, or with the existing major source, as applicable, including any adverse environmental or public health stressors that cannot be avoided if the permit is granted, and the environmental or public health stressors already borne by the overburdened community as a result of existing conditions located in or affecting the overburdened community.

Additional facilities such as large storage tanks or tunnels should require an environmental justice impact statement to ensure that projects are not increasing environmental stressors

2. Suggested Permit Requirement and Why:

Transmits the environmental justice impact statement required to be prepared pursuant to paragraph (1) of this subsection, at least 60 days in advance of the public hearing required pursuant to paragraph (3) of this subsection, to the department and to the governing body and the clerk of the municipality in which the overburdened community is located. Upon receipt, the department shall publish the environmental justice impact statement on its Internet website.

Why: A public hearing is needed to ensure that the public and municipality are informed and have a voice in the decision-making process.

3. Suggested Permit Requirement and Why:

This section of the EJ Law: "Organizes and conducts a public hearing in the overburdened community. The permit applicant shall publish a notice of the public hearing in at least two newspapers circulating within the overburdened community, including one local non-English language newspaper, if applicable, not less than 60 days prior to the public hearing. The permit applicant shall provide a copy of the notice to the department, and the department shall publish the notice on its Internet website and in the monthly bulletin published pursuant to section 6 of P.L.1975, c.232 (C.13:1D-34). The notice of the public hearing shall provide the date, time, and location of the public hearing, a description of the proposed new or expanded facility or existing major source, as applicable, a map indicating the location of the facility, a brief summary of the environmental justice impact statement, information on how an interested person

4. Suggested Permit Requirement and Why:

Other

If there are additional conditions you would like for DEP to consider, please describe them below. **For each suggestion, please identify the issue of concern within the context of the suggested permit condition and why this suggestion will help address that issue.**

1. Suggested Permit Requirement and Why:

Provisions for assessing and implementing green infrastructure should be included in all of the forthcoming permits. These provisions should be suggested by vendors with experience in identifying and advising on green infrastructure projects.

Why: The engineers who developed the CSO LTCPs were not green infrastructure experts and inconsistent practices were used to evaluate green infrastructure projects in the development of the CSO LTCPs. Furthermore, municipal and utility permit holders and their staff are not experts in GI. The NJDEP needs to set standard requirements that are stronger than guidance to ensure that all communities are getting the benefits of GI projects implemented within their communities.

2. Suggested Permit Requirement and Why:

Require the permit holders to work with their various departments, including Planning, Zoning, Landscape Architect, Public Works, Engineering, and Sustainability, to report on planning and implementation of GI projects, including how the Master Plan and Stormwater Ordinance reference GI and require a GI-certified professional be consulted or hired to work on projects and training for public works staff on how to maintain GI.

Why: Implementing GI successfully requires that city departments and ordinances align to maximize the benefits and ensure that GI is part of the city ' s planning efforts. These projects require additional expertise to be implanted properly and maintained.

3. Suggested Permit Requirement and Why:

Require that at least 50% of GI entail nature-based solutions, such as trees and rain gardens. Require engineered GI solutions, such as cisterns and porous pavements, to be prioritized for areas where there is already paving (as opposed to in parks and scarce urban green spaces, which would result in a loss of trees and vegetation).

Why: Nature based solutions such as trees and rain gardens provide additional needed benefits to communities who are suffering from the impacts of climate change. Plans with majority underground cisterns or pervious pavement will not yield the same benefits to communities and may further other issues like the heat island and increased greenhouse gas emissions that the department is also looking to address.

4. Suggested Permit Requirement and Why:

Require an additional 5% of impervious surface to be managed by GI on top of what the permit holders are already proposing.

Why: To account for increased precipitation, or provide evidence demonstrating why 5% GI is not feasible. 10% of overflows managed by GI be reported on.