

LEGISLATIVE AND REGULATORY UPDATE

45 ANNUAL ANJEC ENVIRONMENTAL CONGRESS

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Your water. Your environment. Your voice.





- Stormwater
 - Stormwater Utilities
 - Stormwater Management Rules
 - Municipal Enhancements
- Other Issues

Why Stormwater Matters!

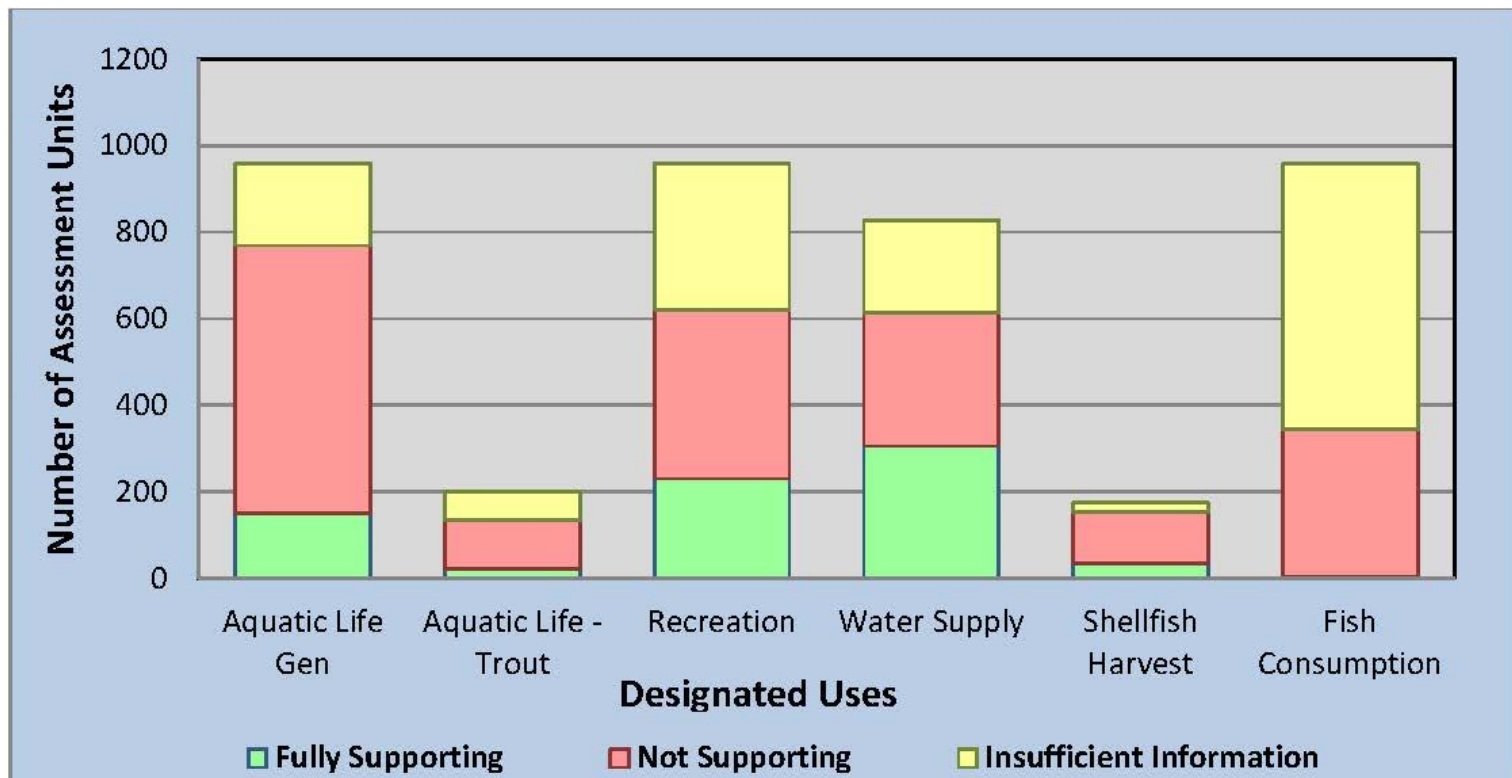


Flooding

Why Stormwater Matters!

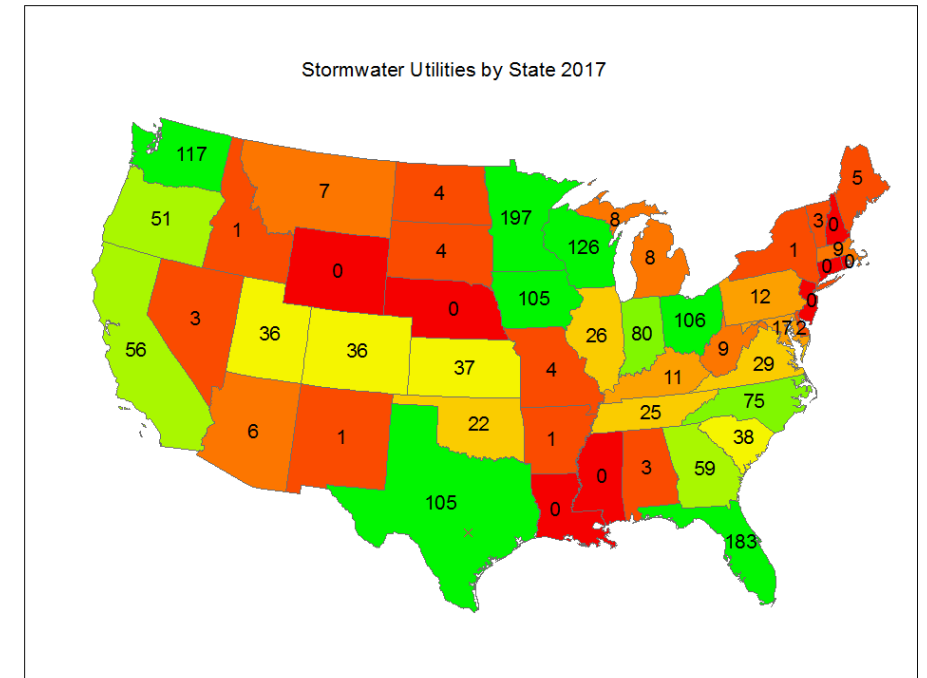


Route One after Hurricane Irene, August 2011 (7''+)



Stormwater Utilities:

- S1073/A2694
- Senate Version Passed in June
- Assembly Version Pending
- Permissive not Mandatory

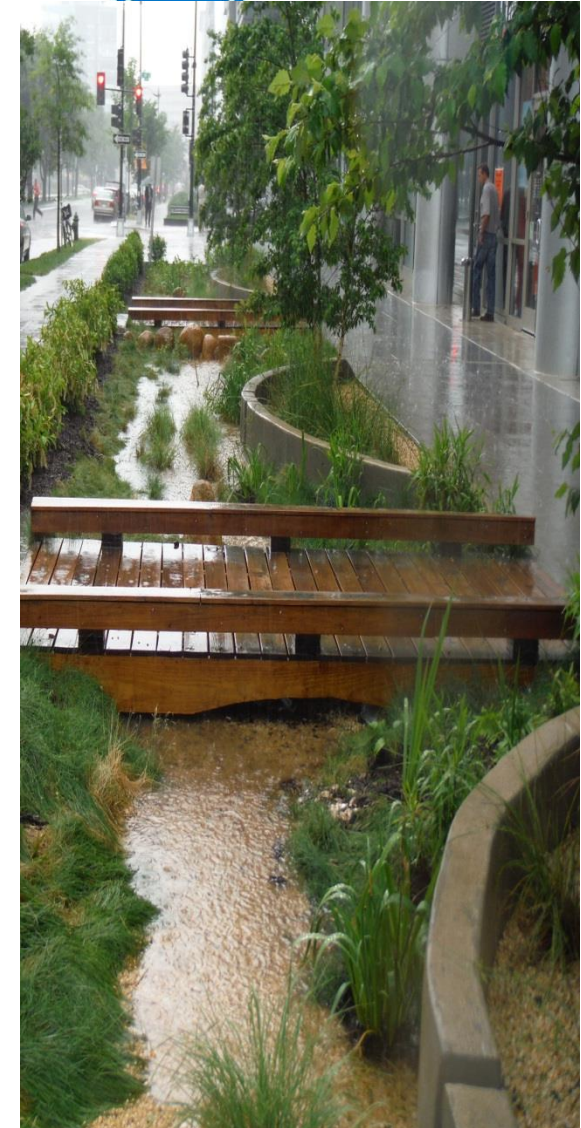


Stormwater Management Regulations



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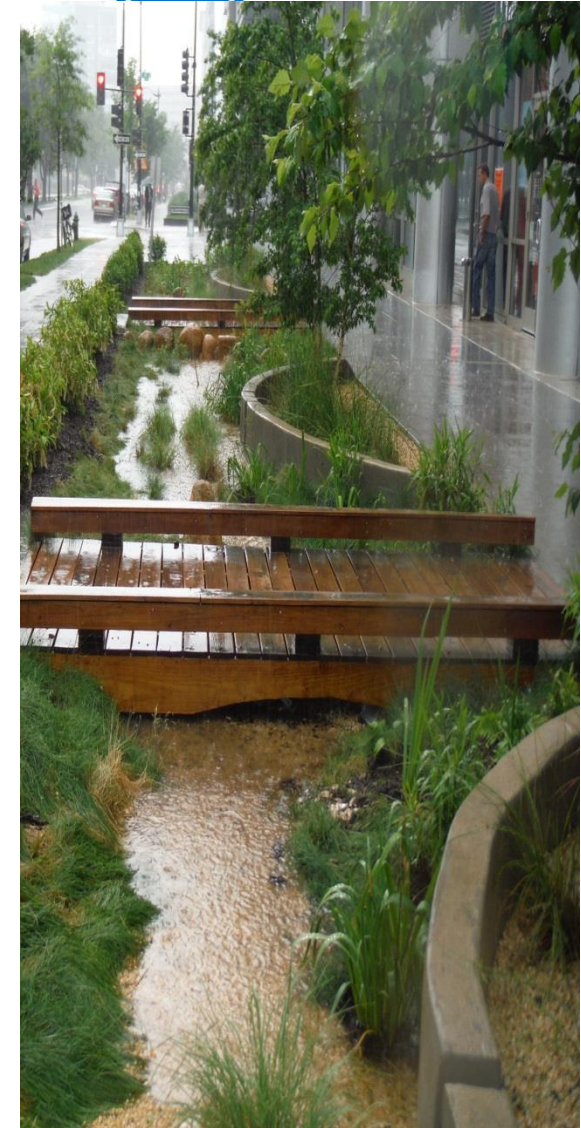


Stormwater Management Regulations



Green Infrastructure Updates

- Soon to be proposed
- MEP is no longer the standard
- Non-structural is no longer required



Stormwater Management Regulations



Green Infrastructure Standard

- GI BMPs must be used to satisfy recharge, quantity, and quality
- 3 Tables identifying the performance of each BMP in meeting the 3 standards
 - Water Quality & Recharge – BMPs in Table 1
 - Quantity – BMPs in Table 1 or Table 2
 - If received a variance – BMPs in Table 1, Table 2, or Table 3
- Maintain existing ability to propose an alternative stormwater design. Alternative design must meet GI definition and have a drainage area of less than 1 acre to meet GI standard.

Table 2

Best Management Practice	Quality TSS removal rate (percent)	Quantity	Recharge	Minimum separation from seasonal high water table (feet)
Bioretention Systems	80 or 90	Yes	Yes No	2 1
Infiltration Basins	80	Yes	Yes	2
Standard Constructed Wetlands	90	Yes	No	N/A
Wet Ponds	50-90	Yes	No	N/A

Table 2 BMPs may only be used for quantity

Table 3

Best Management Practice	Quality TSS removal rate (percent)	Quantity	Recharge	Minimum separation from seasonal high water table (feet)
Blue Roofs	0	Yes	No	N/A
Extended Detention Basins	40-60	Yes	No	1
Manufactured Treatment Device	50 or 80	No	No	Dependent upon the device
Sand Filters	80	Yes	No	1
Subsurface Gravel Wetlands	90	No	No	1
Wet ponds	50-90	Yes	No	N/A

Table 3 BMPs may only be used if a variance is granted



Watershed's Recommendations:

- Reduce threshold for definition of “major” development
- Create requirements for “minor” developments
- Require action for re-development projects
- Require maintenance, inspections & reporting on stormwater systems
- Require mitigation fee to secure waivers on minor projects
- Emphasize nonstructural techniques & Green Infrastructure
- Incorporate TMDL in project review and approvals



Thank You



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