

NEW JERSEY CLEAN WATER COUNCIL
November 9, 2005
Meeting Highlights

Location:

The offices of Saul Ewing, LLC, 750 College Road East, Suite 100, Princeton, NJ

Attendees

Members: Ferdows Ali, James Cosgrove, Russ Furnari, Pamela Goodwin, Tony McCracken, Ray Nichols, Pat Pittore, Jessica Sanchez, Dan Van Abs, and Ray Zabihach.

Others: Dante Di Pirro (Highlands Council)

Meeting convened by Pamela Goodwin, Chair.

APPROVAL OF OCTOBER'S MEETING HIGHLIGHTS:

The highlights were approved as submitted.

OLD BUSINESS:

Recognition of past chairman for years of service: Pamela announced that Pat Matarazzo's father passed away within the past week and he will, therefore, not be able to attend this meeting. He hopes to join us for the December meeting. Pamela announced that she was happy to host both the November and December meetings at her office in order to avoid confusion unless people would prefer to meet at the Infrastructure Trust Offices. The consensus was to meet at her office. Therefore, the next council meeting, on Dec. 13, will also be a special breakfast meeting held at her office. Pamela will arrange to have refreshments there and will have a plaque made up for presentation to Pat. Since the Council does not have a budget to cover such events, she invited the members to contribute to the cost as they saw fit.

Review of the 2005 Public Hearing: Dan prepared and distributed a two page summary of his notes of the key issues, organized around the topics of Land Use Management (existing vs. new), Water Supply, Wastewater Management, Water Quality, Emerging Issues, General Planning and Strategic Approaches to resolving the problems that the state faces.

After Dan noted that one of the more interesting emerging issues is Endocrine Disrupting Systems (EDC's), Jim Cosgrove reported what he had recently learned while in Washington, DC at WEFTEC '05 Conference. There were extensive discussions about this topic and pharmaceutical-based wastes in general. The consensus at that conference seemed to be that people are just starting to consider them as a form of water pollution. Currently, we don't know what they are, how to measure them, what impacts they may have, or how to regulate them. At the national level, the discussion is just starting. At the conference, someone discussed using chronic whole effluent toxicity tests as a way of measuring the impacts of these compounds.

Dan then pointed that there is substantial scientific evidence that EDCs are having impacts to various species of amphibians, including causing sex changes in frogs and salamanders. In terms of significance of these reports to NJ, he pointed out that almost all major water supply systems drawing upon surface waters have gone to using either ozone or ultraviolet light or both to treat potable water supplies. These two technologies, plus reverse osmosis, can counteract any

adverse effects of EDCs in our water supplies. However, the situation is different with respect to effects of the EDCs on aquatic organisms because wastewater treatment plants are still mostly using chlorination before discharging their effluent and such treatment do not affect these compounds. Furthermore, since there are currently no surface water standards for these compounds, there are no effluent standards for these compounds.

Upon completing his review of the testimony, Dan was surprised to realize that very little had been said about the streams themselves. No one addressed this issue directly, although some people mentioned it tangentially to land use issues. Others also expressed disappointment that so little was said about natural water systems. It appears that the people who testified were mostly concerned about water supply related issues.

NEW BUSINESS:

Follow-up to hearing: Based upon the respective statutory mandates, the CWC members felt it important to invite the WSAC to take part in the formulation of the advice for the Commissioner of DEP that should grow out of the hearing. They agreed that they needed to have a joint meeting with the WSAC – ideally in January. They set up a committee to meet with representatives of the WSAC (probably Gene Golub and Ella Fillapone) to draft a report with recommendations to the Commissioner as soon as possible after the transcript was available. Pamela, Dan, Russ and Jessica volunteered to serve on this committee. They planned to meet, or teleconference, in late November and/or December and be positioned to present a draft report to the joint councils for review and approval at the meeting on January 10, 2006.

There was strong support for creation of a newsworthy event at which the council would formally present its findings to the Commissioner. They also want to have a meeting to discuss those findings with either the Commissioner and/or other members of the Department's executive staff (e.g. Assistant Commissioner for Land Use Management).

Council members discussed various ideas about how to document what they had learned from the hearing and what they wanted to recommend to the Commissioner. During this discussion the following ideas were expressed:

- It was noted that some past reports had contained very specific recommendations, while others were very general.
- There is a need for the rules regulating water supply and water quality to acknowledge the different geological regions of the state and that there should be different standards for the various regions of the state, e.g. the regulations have recognized that pH of natural waters in the Pinelands is very different from the rest of the state.
- An underlying theme of most peoples' comments was that there are limits to what we have and what can be done within those limits. NJ is hitting up against all kinds of limits.

- All water is the same. We should recognize that ground water and surface water are both derived from the same precipitation. All of the State's water is part of the water cycle.
- The Green Acres Program and the Land Use Regulation Program are looking at preserving land in order to protect water, and the natural cycle of water.

Set date for next year's hearing: After considering several dates in October, the CWC reached consensus on Tuesday, Oct. 10, 2006. The hearing would take place in the Public Hearing Room at DEP in the morning (9:00 to Noon). Then Council could convene its regular monthly meeting that afternoon, after a break for lunch, in a conference room in the DEP building.

Follow up to setting CWC priorities for 2006: The council members agreed that this will follow from the result of the report they will approve at the January meeting.

DEP ANNOUNCEMENTS

1. The Department has just announced its intention to not adopt certain portions of its proposal to readopt with amendments the Surface Water Quality Standards, N.J.A.C. 7:9B (DEP Docket Number 30-05-08/545; see 37 N.J.R. 3480(a)). The Department has determined that, in light of concerns that have arisen since publication of the proposal, the Department should undertake further review of certain aspects of the rules. Specifically, the Department will not adopt the proposed amendments at N.J.A.C. 7:9B-1.5(d) and related definitions at N.J.A.C. 7:9B-1.4. In other words, the anti-degradation policies now in effect will not be changed upon adoption.

2. As part of its educational campaign to inform residents about some of the activities that ordinary people do that creates non-point source pollution, the DEP has produced a set of four full color posters depicting things that people should not do.

3. To further the environmental literacy, DEP has also produced an "Environmental Primer" designed to look like a student's notebook. Ray noted that the posters and the "Primer" are being sent to schools throughout the state. He provided copies of both for the meeting's attendees to take with them.

4. Ray also informed the council members of the procedures by which they could be reimbursed for travel expenses incidental to attending the CWC meetings. Copies of the necessary forms were distributed. If anyone needs more copies, please contact Ray or Ursula Montis at (609) 292-2113.

DISCUSSION:

- The distribution of the posters and Primer prompted a discussion of ways in which the Council could foster the education of young people. Suggestions included:
- Sending the posters to Environmental education centers.
- Adding links from CWC web site to water education pages.
- Creating an unpaid internship with the CWC for a Mercer County high school student.

- Sponsoring an essay contest with the winner being given the opportunity to intern with the CWC for a specified term of time. Winners would also get their photos on CWC's web page.
- Set up next year's public hearing so as to get students to testify.
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Jessica Sanchez brought copies of the Delaware River Basin Commission's *Water Resources Plan for the Delaware River Basin* to share with the council members. She described how the plan had been initiated by a 1999 challenge from the governors of our four basin states along with the federal government to lay out a policy direction for the use, protection, and enhancement of the basin's water resources through the year 2030, and how representatives of the four states and a number of federal agencies have all signed a resolution supporting the implementation of the basin plan. She noted that the DRBC's testimony at the public hearing had included this plan document by reference. She encouraged the Council members to read the plan.

ADJOURNMENT

Reminder: The next meeting will be on Tuesday, December 12, at the offices of Saul Ewing, LLC, 750 College Road East, Suite 100, Princeton. The building is at the corner of Scudders Mill Road and College Farm Road East. The meeting will begin at 10:00 a.m. For a map and more detailed directions, see <http://www.saul.com/offices/directions.aspx?officeID=147> Pat Matarazzo will be our guest of honor and breakfast will be served. Two major incentives to show up on time!