

NEW JERSEY CLEAN WATER COUNCIL

December 11, 2007
Meeting Highlights

Location:

New Jersey Environmental Infrastructure Trust Conference Room, 3131 Princeton Pike, Office Building 6, Suite 201, Lawrenceville, New Jersey

Attendees:

Members: Jim Cosgrove, Russ Furnari, Amy Goldsmith, Pamela Goodwin, Lou Mason Neely, James Requa, Jessica Sanchez, Tony Valente and Dan Van Abs

Others: Helen Heinrich, Rick Kropp, Neil Yoskin, Esq., Steve Picco, Esq., Narinder Ahuja, Tom Micai, Stan Cach, and Gerry Skrajewski

The meeting was convened by Pam Goodwin at 10:10 a.m.

APPROVAL OF NOVEMBER 2007 MEETING HIGHLIGHTS:

The Minutes were recommended for approval after the correction of typos. Russ Furnari made the Motion to approve the Minutes, and Jim Cosgrove seconded the Motion.

DEP UPDATES:

Narinder Ahuja provided the DEP update. Narinder said that all eyes are on the Budget because of possible Budget cuts. Also, he said we were expecting NJPDES Rule proposal for Readoption with amendments to be filed by December 5th, but it did not happen. A 6-month extension of the rule expiration date has been granted by the Governor.

Lou Neely asked about the Priority System changes that were mentioned in last month's minutes. Narinder briefly explained the changes and noted that most of the changes are to address the funding limitations that the Program will be facing in the near future.

Pam Goodwin introduced Tony Valente as the newest Council Member representing the Department of Labor. Also, Pam received a letter of resignation from Steve Lenox because his schedule does not allow him to attend the meetings. The AFL-CIO should appoint a replacement for Mr. Lenox. Note that Stan is working with the Governor's office to get the Members whose current terms have expired to be re-appointed.

OLD BUSINESS:

Public Hearing – We are still waiting for the final transcript from the Court Reporter. She informed us that she was planning to have it finalized by Friday, December 14th. Once the document is received, it will be e-mailed to all the Members for their information. The Ad-Hoc Committee will take the lead in synchronizing the comments and drafting the Report for the Commissioner. It was recommended that Russ Furnari, Amy Goldsmith, Mary Beth Koza, Chris Strum and Dan Van Abs be on the Committee. Their availability needs to be confirmed.

It was suggested that the Chair send out thank you letters to all the panelists.

Report of Education Event Planning Committee: No Report.

NEW BUSINESS:

Tom Micai provided the following DEP Land Use Regulatory Updates:

Flood Hazard Rules

- Effective 11/5/07;
- Expect to publish the Tech Manual in January;
- Forms and checklist are available on the DEPs website.

The new Rule provisions are effective 11/5/07. Applications received before November 5th are not subject to the new rule provisions. The Department is asking for applicants' patience as the Tech Manual referenced in the rule is not yet complete, nor distributed, and the forms and checklists need to get refined and distributed. Tom identified a need for a better interface between the applicants and the Department. From the Department's perspective, some applications received do not address rule provisions so that applications can move quickly through the review process. The Department also recognizes that the information disseminated to the regulated community needs to improve. All agree that Pre-application meetings are helpful so that applicants can define the scope of their project to the Department, and receive guidance so that applicants can configure applications that are complete. It was recommended to consider posting information on the Clean Water Council Web-Site to establish routine communication to communities about common problems concerning the applications.

Pam noted that Neil Yoskin and Steve Picco were at the meeting and opened the floor for their input also. Neil strongly recommended that the Department post regulatory guidance memorandum on its Web-Site. The first example would be clarifying the issue about single-family homes. An interesting discussion about legal aspects of this recommendation ensued. Another recommendation made was for the Department to post another Frequently Asked Question Document to address the standard questions.

Freshwater Wetlands Rule

- Amendments proposed on 9/4/07;
- Comment period closed on 1/2/08.

One of the key features in this Rule proposal is the Army Corp's proposed mitigation for GPs. The Department selected certain GPs that would have mitigation, but not all of them. There was a recent article in the Star Ledger about how Wetlands available for mitigation is disappearing.

Public Access Rule

- Final adoption with concurrent re-proposal posted on 12/17/07. Essentially this Rule implements public access to waterways.

ANNOUNCEMENTS:

Discussion was held regarding the appointments for the new Chair, Vice-Chair and 2nd Chair. The term will be for 2 years. Russ Furnari was nominated to be the new Chair; Jessica Sanchez as the Vice-Chair; and Pam Goodwin as the 2nd Chair. Amy Goldsmith made the motion to accept these nominations, and Jim Cosgrove seconded the motion. The formal vote to approve the nominations will be taken at January's meeting.

Pam received a letter from a student asking if the Clean Water Council would be able to utilize her as an intern. Even though the Council itself could not utilize her, some of the members said that they could possibly utilize an intern.

The date for February's Clean Water Council Meeting needs to be changed. It was proposed to have the new date of February 5th, and the meeting will be held at DRBC. Dan Van Abs will give a Presentation on the outline of the Highlands Plan. The Public Comment Period ends on February 28th, and Dan noted that the whole structure has changed radically.

ADJOURNMENT:

The meeting was adjourned at 11:40 a.m. with a motion from Jim Cosgrove, and it was seconded by Russ Furnari.

** The Clean Water Council Meeting will be held on January 8, 2008 beginning at 10:00 A.M., at the NJ Environmental Infrastructure Trust, Building 6, Suite 201, 3131 Princeton Pike, Lawrenceville, NJ. **

** **NOTE THAT A VOTE ON THE NEW CHAIR, VICE-CHAIR AND 2ND CHAIR WILL BE TAKEN SO WE NEED A QUORUM.** **