

**Notice of an Informal Meeting between the Department and Stakeholders on the
Reproposed Amendments to the Surface Water Quality Standards at N.J.A.C. 7:9B-
1.5(g) and 1.14(d) - Nutrient Policies and Criteria**

Pursuant to Governor Christie's Executive Orders 1, 2 and 3 (January 20, 2010), the New Jersey Department of Environmental Protection (Department) is holding an informal meeting to allow any interested stakeholders or members of the public to discuss the Department's reproposed amendments to the Surface Water Quality Standards (SWQS) Nutrient Policies at N.J.A.C. 7:9B-1.5(g)) and Criteria at N.J.A.C. 7:9B-1.14(d).

The Department proposed to readopt the SWQS with amendments which included revisions to the nutrient policies and phosphorus criteria. Although the Department readopted the SWQS on December 21, 2009, it did not adopt the proposed amendment to the nutrient policies and phosphorus criteria based upon the comments received (see 41 N.J.R. 4735(a)). The Department reproposed amendments to the nutrient policies and criteria on December 21, 2009 at 41 N.J.R. 4587(a). These documents are available at <http://www.nj.gov/dep/rules>.

The Department discussed the costs and benefits of these amendments (i.e., Economic Analysis), compared the proposed amendments with the federal standards, and analyzed the environmental and public health benefits that will result from promulgation of the reproposed rule amendments in the December 21, 2009 reproposal.

The stakeholder meeting to discuss the Department's reproposed rule amendments will be held on the following date and time:

March 5, 2010
10 to 12 noon
Department of Environmental Protection Building
Public Hearing Room - 1st Floor
401 East State Street
Trenton, NJ

At this meeting, the Department will be discussing and inviting comment on the rule amendments and the topics outlined in the Governor's Executive Orders 1, 2 and 3. Among the topics to be discussed are:

1. **Economic Analysis:**
 - a. What is the effect of the reproposal on New Jersey's economy?
 - b. Do the burdens on business and workers outweigh the intended benefits?
 - c. The cost/benefit analysis performed by the Department as part of the proposal process, as well as scientific and economic research available from other jurisdictions relevant to this proposal;

2. **Federal Standards Comparison:**

Do the repropoed rule amendments exceed Federal standards, and if so, why?

3. Process Improvement Evaluation:

- a. How the reproposal addresses processing time, extent of required submissions, coordination with other programs and agency requirements;
- b. The public process used for this reproposal as it relates to advance notice of rule making;
- c. The effect of the reproposal on permits and applications for permits;
- d. The applicability of "waiver" provisions to this reproposal;

4. Compliance and Enforcement Evaluation:

The performance-based nature of the repropoed rule amendments.

People who have already provided comments on this rule proposal do not have to resubmit their comments. This is an informal meeting and not a public hearing. No transcription will be made. Additional formal written comments may be submitted by March 15, 2010. Please see the Department's Web site at http://www.nj.gov/dep/rules/2010_ext.html for information on the comment period extension and how to submit additional comments on this rulemaking.

The public hearing that had been scheduled for January 27, 2010 was not held on that date following the issuance of Executive Order 1. The Department is seeking comment on whether the public hearing should be rescheduled to solicit additional public comment.