NEW JERSEY CLEAN WATER COUNCIL
March 10, 2009
Meeting Highlights

Location:
New Jersey Department of Environmental Protection, 401 East State Street, 7th floor, Trenton, NJ

Attendees:

Others: Scott Brubaker, Rick Kropp, Helen Heinrich, Mark Mauriello, Michele Putnam, Barbara Rich and Gerry Skrajewski.

The meeting was convened by Russ Furnari at 9:45 a.m.

APPROVAL OF FEBRUARY 2009 MEETING HIGHLIGHTS:
The February minutes were distributed.

Russ began the meeting by stating that the primary focus today will be the discussion with Acting Commissioner Mark Mauriello regarding the CWC’s Recommendations derived from the CWC’s 2008 Public Hearing (Sustainable Funding for New Jersey’s Water Infrastructure).

DEP UPDATES:
Stan spoke about the American Recovery & Reinvestment Act (ARRA). So far over 400 environmental infrastructure projects have been submitted in excess of two billion dollars. The Department will receive approximately $204 million in ARRA money; $160 million in clean water and $44 million in drinking water funding. The ARRA projects have to be under construction by February 17, 2010.

Stan stated that the Clean Watersheds Needs Survey deadline is March 20th. Staff is diligently working to compile and input to USEPA all New Jersey’s clean water needs’ supporting documentation.

OLD BUSINESS:
Russ discussed the June CWC Meeting which is tentatively scheduled to be held at PSE&G’s nuclear facility in Salem County. Since those attending will be committing to a full day away from the office, Russ wants to ensure that there is at least a quorum of members attending. So far, nine (9) Council members have committed to attend June’s CWC meeting.

Larry Baier will be speaking at April’s CWC Meeting. Russ requested that Larry provide an update on the Water Quality Management Planning Process and compliance status among the counties.
May’s CWC Meeting’s tentative topic is on Climate Change with Presentations from Eric Wood and Anthony Broccoli.

The DEP Public Hearing Room has been reserved for Monday, December 7th, for this year’s Public Hearing.

It was recommended that at July’s CWC Meeting, an update on the Water Supply Master Plan be given. Also, the CWC requested a copy of the Planning Report.

**NEW BUSINESS:**
George Bakun, of Conoco Phillips, was introduced to the Council as a new member (Industry Member).

AC Mauriello then joined the meeting, and all the Council Members introduced themselves. Russ updated AC Mauriello on the 2007 Public Hearing and the topic of Water Infrastructure and how, after further discussion, it was decided to focus on Sustainable Funding for Water Infrastructure at the 2008 Public Hearing. The CWC asked AC Mauriello’s for his ideas on the issue of funding for Water Infrastructure, and also requested direction for the 2009 Public Hearing topic.

AC Mauriello commented that we are in difficult times financially, and everyone is concerned about viable rates. We can’t lose focus on the long-term benefits of what we’re trying to accomplish and our goals. He was pleased to see sustainable funding as the hearing topic. Also, the League of Municipalities just started a Sustainable NJ Program. Also, Congressman Smith is working on legislation. AC Mauriello asked the Council for their strategies and ideas in the current economic climate. He said that there isn’t a shortage of good ideas, but how do we implement them.

One comment was that the laws and regulations are a major impediment. We need to show a willingness to be flexible to achieve the common goal of upgrading our infrastructure. It was noted that the regulatory administrative process is time consuming, and that this is an impediment. Further discussion explained several examples.

AC Mauriello spoke about the Permit Efficiency Task Force. The Task Force was a valuable experience. The Department is currently implementing the recommendations of the Task Force. AC Mauriello stated that criticism can bring about the opportunity for change to effectuate a positive outcome.

The members of the CWC discussed commenters at the PH who were very concerned that municipal utilities authorities were being dissolved by municipal governments, and the revenues generated by the MUAs were being incorporated to help balance the municipal budgets; not set aside into a capitol reserve account for future needed environmental infrastructure improvements. This comment was presented by several who testified at the Public Hearing. It was noted at the PH that the utilities authorities’ rate structure incorporated costs to operate, maintain, as well as, replacement of the environmental infrastructure; however, the municipal government is utilizing these very revenues either to balance the municipal budgets or to keep the user rates low. AC Mauriello asked if the CWC presented their concerns to Commissioner Doria of the Department of Community Affairs? This topic was further discussed by recommending full cost pricing and asset management.
Discussions were held regarding NJ’s highest ranked pollution priority ranked projects such as combined sewer overflows and the significant cost to correct this problem. One recommendation was to incorporate low impact developments in the State’s urban centers. The Federal stimulus program for NJ will provide a 20% set aside for environmental infrastructure projects that incorporate Green Technology. AC Mauriello endorses the concept of funding incentives for innovative, sustainable and green technologies.

The CWC offered their assistance to meet with AC Mauriello, at his request, any time throughout the year in order to be responsive for any of his inquiries. AC Mauriello then left the meeting to attend another engagement.

Assistant Commissioner Scott Brubaker and Director Michele Putnam continued the discussion with the CWC regarding the State Water Supply Master Plan and Safe Drinking Water Rule. They requested comments from the CWC. Copies will be sent to the CWC. Also, they noted that the NJ AWWA Annual Conference in AC is scheduled for March 30th, 31st and April 1st.

Rick Kropp and Dan Van Abs spoke about the DEP rule process and the lengthy time it takes to promulgate a rule and the apparent double reviews by the Deputy Attorney General’s Office, Office of Administrative Law, and the DEP Legal Review Staff. This process is arduous and time-consuming.

A request was made to update the CWC Website.

Amy Goldsmith spoke about Legislation that may mandate fluoridation in potable water supply systems. A vote was taken of the motion to resend the letter of the Council’s position opposing the fluoridation mandate. The majority approved the motion, but Stan and Jessica abstained.

ANNOUNCEMENTS:
None

ADJOURNMENT:
The meeting was adjourned at 12:00 p.m. with a motion from Tony McCracken. It was seconded by Ray Zabihach and approved.

** The next meeting of the Clean Water Council will be on Tuesday, April 14, 2009, beginning at 10:00 a.m., at the NJ Environmental Infrastructure Trust, Building 6, Suite 201, 3131 Princeton Pike, Lawrenceville, NJ. **