

*Presented by Michele Langa,
NY/NJ Baykeeper
Hackensack Riverkeeper*

Stormwater Management Rules

Suggested Changes to NJAC 7:8

-Requirement for Redevelopment Sites-

Existing Rules

- ◆ *N.J.A.C. 7:8-5.4(a)(2)(i)*
 - ◆ *requiring sites to maintain pre-construction recharge*
- ◆ *N.J.A.C. 7:8-5.4(a)(3)*
 - ◆ *requiring sites to maintain pre-construction peak flows*
- ◆ *N.J.A.C. 7:8-5.4(a)(2)(ii)*
 - ◆ *exemption from recharge standard for urban redevelopment projects*
- ◆ Under the current rules, development projects must achieve “pre-construction” groundwater recharge and peak runoff rates.
- ◆ In the case of redevelopment projects where considerable impervious surface coverage already existed, this standard requires no reduction in the quantity of runoff from the redeveloped site.

Existing Rules

- ◆ In effect, it preserves the status quo in which redeveloped sites are permitted to continue discharging large amounts of stormwater pollution.
- ◆ What's more, the current rules waive the groundwater recharge standard entirely for sites located within the “urban redevelopment area.”

Concerns

- ◆ Maintaining pre-construction conditions is often not sufficient to prevent water quality degradation, and is, by definition, never sufficient to restore water quality in a watershed that is already impaired by stormwater.
- ◆ This approach relegates New Jersey's rivers, streams, lakes, and bays to a state of permanent impairment.

Suggested Change

- ◆ DEP should require redevelopment sites, like new development sites, to reduce runoff by retaining the water quality design storm volume in order to curb pollution beyond current levels and restore impaired waterways.

Note: a strong redevelopment standard would not cause developers to build on greenfields instead of already-developed land because of increased stormwater management costs. A Smart Growth America study found that stormwater requirements actually have little, if any, impact on where and what developers choose to build.

Redeveloped Land in NJ

ACRES IN PLANNING AREAS					
PLANNING AREA	TOTAL	DEVELOPED	UNPROTECTED & UNDEVELOPED	PRESERVED	UNSUITABLE
Metropolitan (PA1)	840,276	611,539	104,861	46,254	77,622
Suburban (PA2)	543,126	227,271	205,920	23,214	86,721
Fringe (PA3)	128,442	39,429	62,227	6,886	19,900
Rural (PA4)	634,250	82,176	391,092	73,345	87,637
Rural/Env. Sensitive (PA4B)	395,400	57,721	255,887	39,141	42,651
Env. Sensitive (PA5)	833,282	129,730	338,923	140,366	224,263
Coastal/Env. Sensitive (PA5B)	20,127	12,751	180	2,934	4,262
Parks	437,519	0	0	437,519	0
Pinelands/HMDC	953,893	63,535	133,716	706,247	50,395
STATE TOTALS	47,786,315	1,224,152	1,492,806	1,475,906	593,451
NOTES: All data in acres. Analysis prepared by the New Jersey Office of State Planning using the March 2001 State Plan Policy Map and detailed land use and land cover mapping by the New Jersey Department of Environmental Protection which interpreted aerial photographs taken in 1995 through 1997, the most recent available statewide data of this precision.					

As of
2001

A visual depiction of the level of development in NJ from 1972-2001 from Rutgers

The density of development makes the need for strong redevelopment rules an absolute necessity, particularly in urban areas along waterways prone to flooding or at increased risk of sea level rise.



