

The Clean Water Act requires:

- The elimination of discharges of pollutants into our waters.
- Restoration of chemical, physical and biological integrity of the nation's waters.

To achieve these goals, states develop TMDLs (Total Maximum Daily Loads):

- A TMDL is the calculation of the maximum amount of a pollutant allowed to enter a waterbody so that the waterbody will meet water quality standards for that pollutant.
- A TMDL determines a pollutant reduction target and allocates necessary reductions to the source(s) of the pollutant.
- Pollution reduction target = wasteload allocation or WLA

Currently, TMDLs are developed and then partially implemented:

- Traditional point sources (wastewater treatment plants, industrial facilities) have pollution reductions written into their discharge permits.
- But so far stormwater sources (MS4s) have not been required to reduce pollutant loads, even though TMDLs call for them to achieve reductions too.

New Jersey's Stormwater Management Rules provide several opportunities to implement TMDLs:

- Site Designs
- Regional Stormwater Management Plans
- Municipal Stormwater Management Plans

Our perspective: a holistic approach is needed.

- Piecemeal efforts will not be enough to achieve pollution reductions and restore waterways.
- Municipalities should develop and implement plans to achieve TMDL stormwater targets for local waters.
- Allowing municipalities to develop their own plans provides flexibility to choose the strategies best suited to local conditions.
- Even in advance of plans being developed/approved, pollution reductions would be achieved by other changes already discussed in the stakeholdering (onsite retention, stronger redevelopment requirements, inclusion of smaller sites, etc.)
- Stormwater management approvals should be in compliance with the TMDL, where feasible.

Proposal #1: strengthen TMDL requirements for optional Regional Plans and incorporate TMDL requirements into mandatory Municipal Plans.

Regional and Municipal Stormwater Management Plans (MSWMP) should:

- Identify the TMDLs with stormwater WLAs within municipal/regional boundaries
- Identify strategies to achieve reductions to achieve stormwater WLAs, with interim and final timetables
- Implement the plan in accordance with MS4 permit
- Revise and update plans when MSWMP is reviewed by NJDEP, re-evaluated by municipality, when TMDLs are adopted/revised, or when rules or permits are revised

Proposal #2: DEP should update BMP manual to assist in these planning efforts.

- Need to provide removal efficiencies for stormwater pollutants in TMDLs so municipalities can plan out strategies for achieving pollution reductions.
 - Copper
 - Lead
 - Phosphorous
 - Nitrogen
 - Zinc
 - Others?