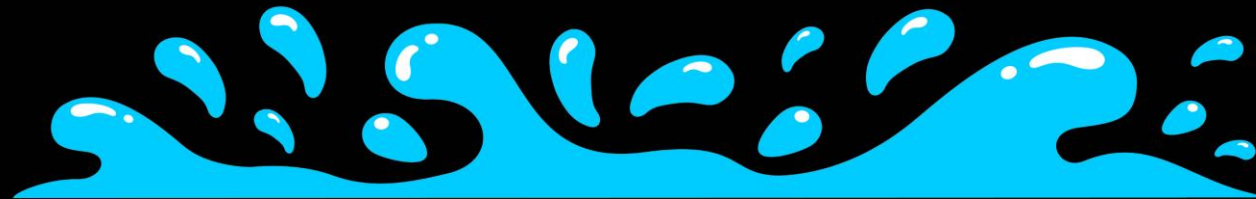


Stormwater Management in the Pinelands Area

Comments on Rule Proposal



Pinelands Policy & Implementation Committee
October 29, 2021

Commenters

- Individuals
- State agencies and authorities
- Non-profit organizations
- Professional organizations
- Engineering firm

Overview

- We received comments in support and comments in opposition of the rule proposal, frequently on the same issue
- We received requests for changes and clarifications

Public roadway project concerns

- Water quality and groundwater recharge requirements (for greater than 1,000 square feet of regulated motor vehicle surface) will cause project delays, additional costs for design, right-of-way acquisition and maintenance for additional BMP
- request for Commission to adopt any future DEP amendments that will allow flexibility for public roadway projects in meeting stormwater management requirements
- request for ability to get exemptions for de minimis impacts
- request for ability to get a waiver of full compliance from the CMP's stormwater management requirements

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Public roadway project concerns

- request for exemption to comply with nitrogen removal standards on vegetative areas that will not receive more than one application of starter fertilizer
- spatial distribution of smaller stormwater management measures may not be practical for public roadway projects
- using two green infrastructure (GI) BMPs in series to achieve the 65 percent nitrogen reduction could require greater amounts of disturbance

Nitrogen removal

(all major development required to implement stormwater management measures designed to achieve minimum of 65 percent reduction of post-construction nitrogen load from developed site from stormwater runoff generated from water quality design storm)

- **Support + opposition**
- **Requests for justification and basis for establishing specific quantitative standard (65%) for nitrogen removal for major development**
- **Concerns**
 - how applicants will prove they achieved 65% removal
 - the removal of nitrogen from water that has been infiltrated
 - how the 2 BMPs in series would work in practice – whether there would be enough stormwater flow to reach a second BMP
 - land disturbance from using 2 GI BMPs in series

Minor non-residential development

(onsite infiltration of stormwater runoff from new motor vehicle surfaces that results in an increase of 1,000 square feet or more of regulated motor vehicle surface)

- Support + opposition
- Requests for basis of the recharge standards
- Requests for justification of how the Commission established the threshold of 1,000 square feet
- Request to expand recharge standard to require onsite infiltration for more than 500 square feet of regulated motor-vehicle surface

Other concerns

- enforcement of maintenance requirements
- removal of options for permanent deed restrictions or deed notice on undeveloped portion of property
- restrictions on use of Rational Method

Minor residential development

(retain and infiltrate stormwater runoff solely from the roof(s) of new dwellings)

- Request that infiltration be required for runoff from all impervious surfaces and not limited to roofs