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# NEW JERSEY SOCIETY OF MUNICIPAL ENGINEERS

IMPROVING THE QUALITY OF LIFE OF NJ COMMUNITIES THROUGH MUNICIPAL ENGINEERING

March 31, 2017

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Comments on Public Notice NJ0141852 and NJ0141861

Tier A MS4 Draft Renewal

New Jersey Department of Environmental Protection

Mail Code 401-02B

Division of Water Quality

Bureau of Nonpoint Pollution Control

P.O. Box 420 – 401 East State Street

Trenton, NJ 08625-0420

## **Re: NJSME Comments On Proposed MS4 Permit Re-Adoption**

The New Jersey Society of Municipal Engineers (NJSME) as a professional organization representing the interests of the State's Municipal engineering community, and its constituent Municipalities has reviewed the Draft Renewal documents for the Tier A MS4 permit and offer the following comments.

- The NJSME has discussed with the Department since the early adoption of the Storm Water Rule NJAC 7:8 and advocated for the implementation of a Municipal Engineer Certification process and documentation form to demonstrate that the review and approval of development and redevelopment projects within the municipality were being reviewed for compliance with the municipalities storm water management ordinance and NJAC 7:8. This MS4 re-adoption is an appropriate time to implement this procedure in concert with the other documentation procedures provided in the permit draft and the Maintenance Guidance Document. We believe this documentation procedure will lead the way to the ultimate goal of having the Municipal Engineer Certification replace the Departments internal storm water review on most applications. This program will lead to a stream lining of the Departments Land Use Permitting process and reduce the development costs for the applicant community. Attached is a copy of our proposed reviewer's form.
- The proposed revisions will expands the oversight and documentation to include the location of all municipally-owned BMP's as well as all privately owned BMP's that are not covered in an individual MS4 permit. The Department does not provide for the authority of the Municipal staff to access BMP's contained on private lands.
- The MS4 mapping has increased to require it be provided in GIS digital format. Although this proposal is laudable and prudent in the long term, a uniform collection and mapping format has not been provided. Assistance to meet this goal could be provided, perhaps with shareable GPS mapping equipment, GIS

### **New Jersey Society of Municipal Engineers**

414 River View Plaza

Trenton, New Jersey 08611

P: (609) 393-0102

F: (609) 393-9891

E: [info@njsme.org](mailto:info@njsme.org)

**[NJSME.org](http://NJSME.org)**

- With the development of the Department's Maintenance Guidance Document, the MS4 permit holders will require specific maintenance procedures for each BMP within the Municipality. Although this will provide consistency and uniformity in maintaining this infrastructure, many MS4 permit holders lack the resources to implement these procedures.
- The Department must give consideration to cost impacts in its re-adoption process. The State has mandated a 2% budget cap on Municipalities. We request a cost analysis of each proposed change be provided. This analysis should show that increased costs are offset by savings, and/or that the overall costs of implementation will remain within the 2% cap over the course of the permit period.
- The Department collects a significant sum in Tier A MS4 permit fees statewide. Municipalities get very little if anything in return for these mandated fees. Perhaps the fees collected could be put to use to diminish the local cost of compliance and provide for such common services under the educational requirements such as statewide radio, TV and print ads, or GIS equipment and software for loan use to meet the mapping goals, as two examples.

The NJSME remains committed to the State's BMP sub-committee to bring the Municipal Engineer Certification to fruition and to develop strategies to assist MS4 permittees comply with this permit renewal's expanded requirements.

Very truly yours,

*Kimberli Craft*

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Kimberli Craft, PE, CME  
President

Encl.

cc: NJSME Executive Committee  
Richard A. Moralle, P.E., P.L.S., P.P. CME, Leed GA  
NJSME BMP Committee Representative

## MUNICIPAL ENGINEERING CERTIFICATION

This form is to be certified and signed by the Municipal Engineer

Application No(s).	
Has the attached SWM Checklist Summary checklist been accurately filled out by the applicant's consultant?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Does the project satisfies the Low Impact Development requirements of NJAC 7:8-5.3?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Does the project meet the NSPS spreadsheet points?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
If the applicant has not submitted spreadsheet or has not met the spreadsheet points requirement, has the applicant implemented adequate low impact BMP's	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Does the project satisfy the Recharge requirements of N.J.A.C. 7:8-5.4?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Does the project satisfy the Quantity Control Requirements of N.J.A.C. 7:8-5.4?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Does the project satisfy the Water Quality Control Requirements of N.J.A.C. 7:13-5.5?	YES <input type="checkbox"/> NO <input type="checkbox"/> N/A <input type="checkbox"/>
Provide additional details as necessary to explain the above conclusions especially for items answered "NO". However, please note that it is not necessary to repeat information already included by the applicant on the checklist/summary. Mention variances requested and given and associated mitigation approved with the variance.	

Name and Address of Municipality:

Name of Review Engineer with Signature/date:

**MUNICIPAL ENGINEER'S CERTIFICATION:**

I have completed a review of all SWM information submitted, including but not limited to calculations, plans, the SWM Checklist/Summary and other supporting information. Based upon this review, I have determined that the submitted application complies with the requirements of the Municipality X'S Storm Water Ordinance No ? and the SWM Rules, N.J.A.C. 7:13-8.

Name of Municipal Engineer:

Signature and PE Seal w date:

Name and address of Engineering Firm:

Phone number: