

Tier A MS4

STORMWATER

Program Overview

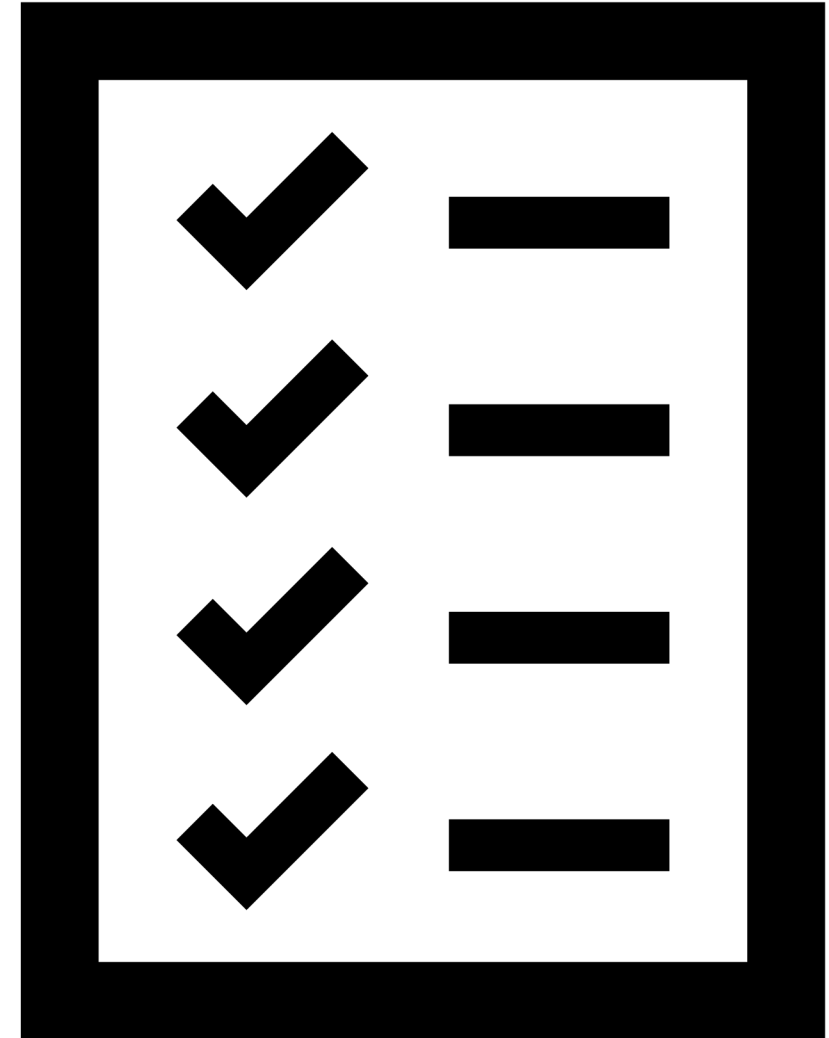
2023 Fundamentals for Effective Environmental Commissions

Nancy Kempel
March 21, 2023



Agenda

- MS4 Program Background
- 2022 Tier A Reassignments
- 2023 Tier A Permit Renewal
- 2023 Tier A Grant Program



MS4 Background

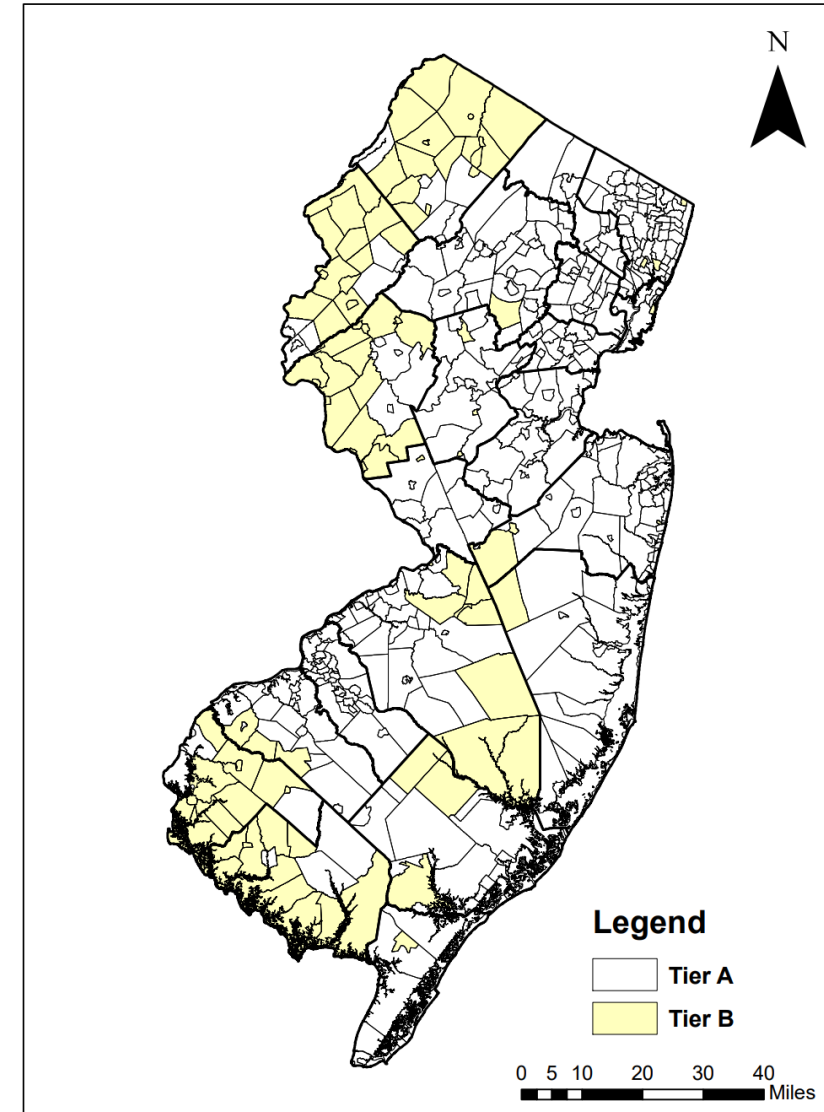
- **NJDEP is delegated to implement Stormwater Permit Program for USEPA under Federal Clean Water Act & NPDES stormwater rules**
 - 40 CFR 122 & NJ Municipal Stormwater Regulation Program rules at NJAC 7:14A-25
- **EPA's audit of our program in 2016 resulted in the need to enhance the MS4 permit program to address water quality concerns**
 - MS4 program was not compliant with Federal Phase II Stormwater program requirements



Tier A Reassignments (cont'd)

Former Tier A & B Map

- **11 Tier B towns were also required to be reassigned due to their population increase to >1000**
 - In the urbanized area - based on the Census
 - Allamuchy, Chesterfield, Elk, Elmer, Hoboken (CSO), Hopewell Borough/Mercer, Lambertville, Ridgefield Park (CSO), Upper Freehold, Woodbine, Woolwich

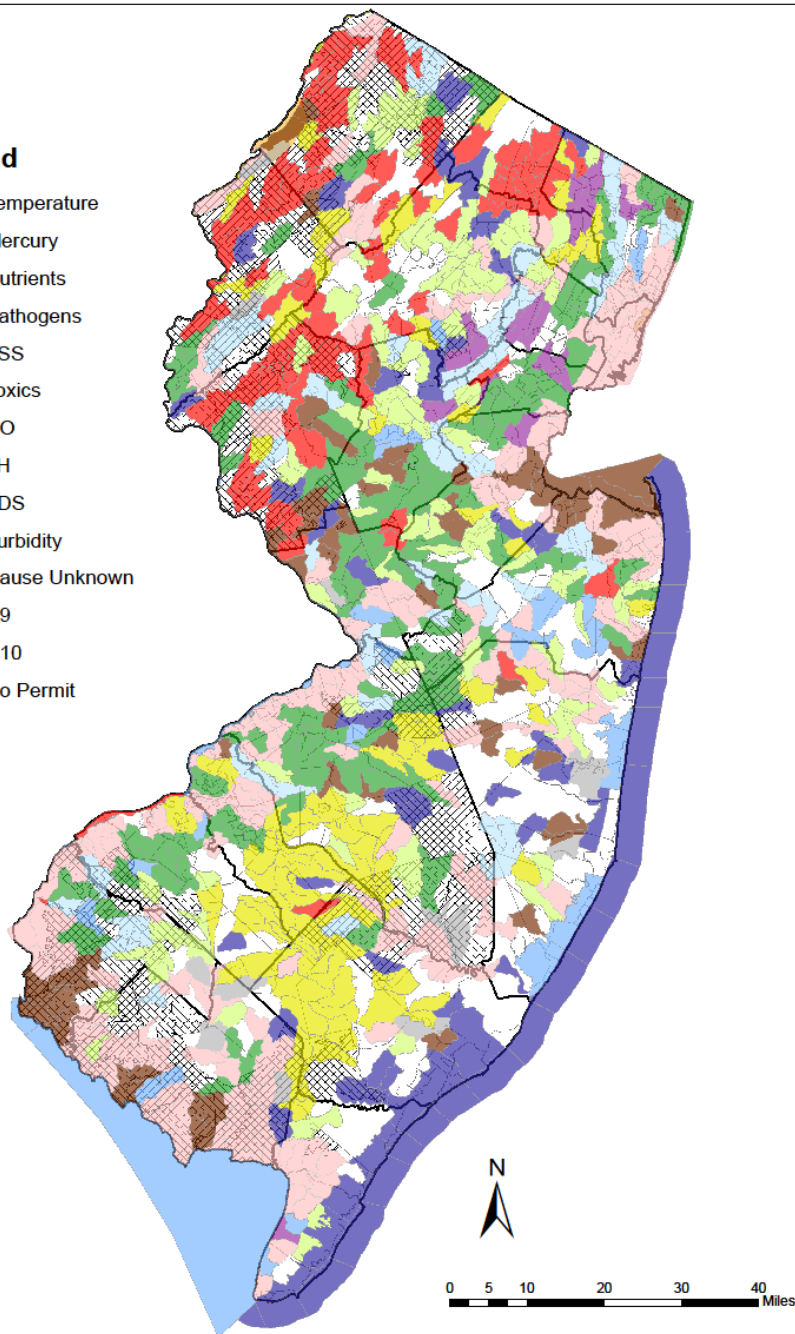


Tier A Reassignments

- **The MS4 permitting program is required by both federal & state rules**
 - to address water quality & flooding issues due to poor design & maintenance
 - Tier B permit was a NJ state-only permit & can not incorporate water quality related requirements
- **The Federal and State rules require states review population, water quality and other relevant factors related to the MS4 discharges and to periodically re-evaluate their MS4 permitting designations**
- **Evaluated information regarding waters with Total Maximum Daily Loads (TMDLs) and impairments of water quality standards**
 - Limited concerns to common municipal stormwater related pollutants
 - Do waters within or bordering towns have TMDLs, impairments, other significant water quality impacts, including habitat and biological impacts such as HABs
 - Are waters within or bordering the towns designated as sensitive waters

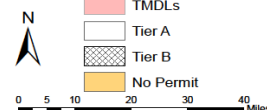
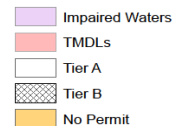
Impaired Waters

Legend



TMDLs & Impairments

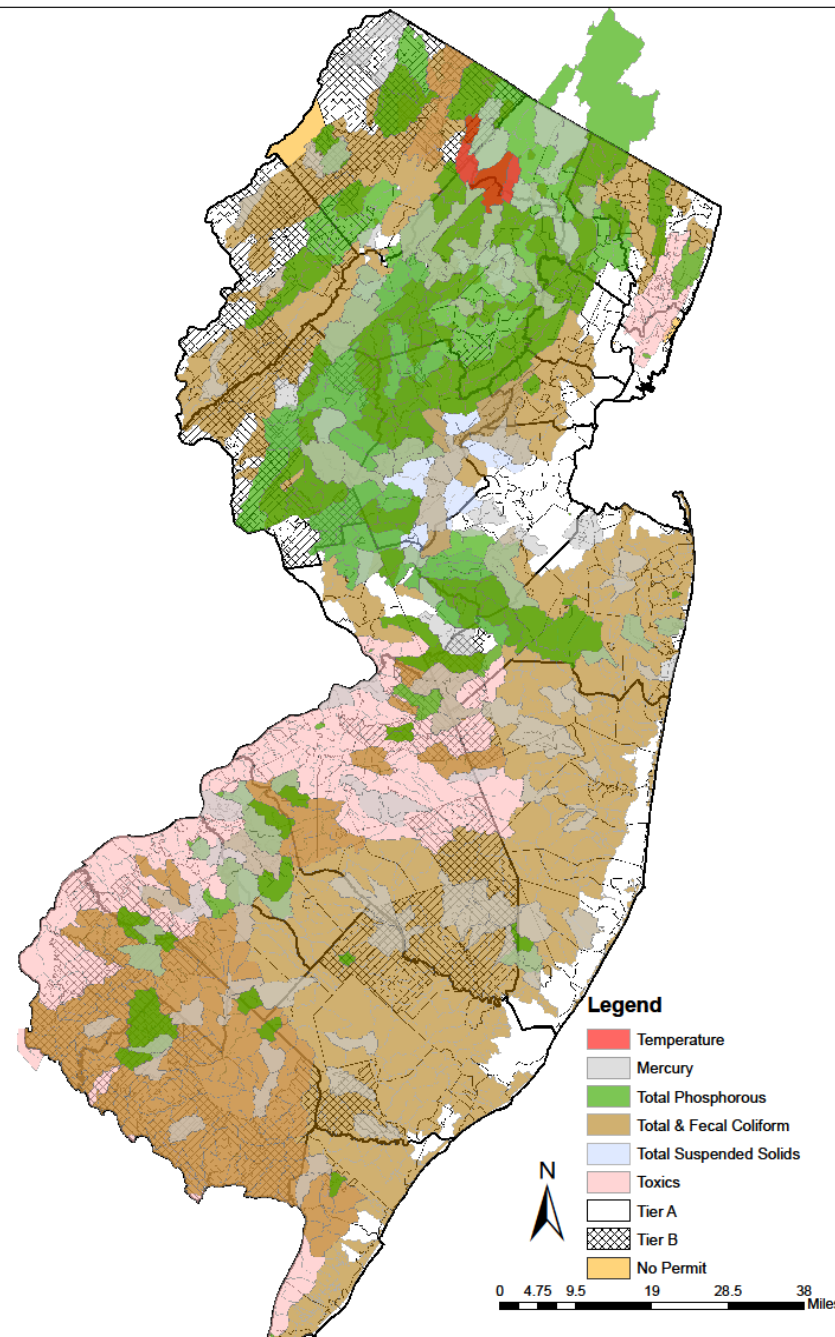
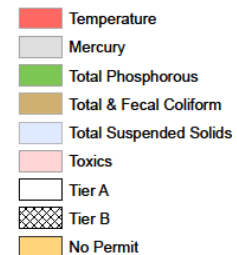
Legend



Every Former Tier B town has at least 1 impairment or TMDL for stormwater related pollutants

New Jersey TMDLs

Legend

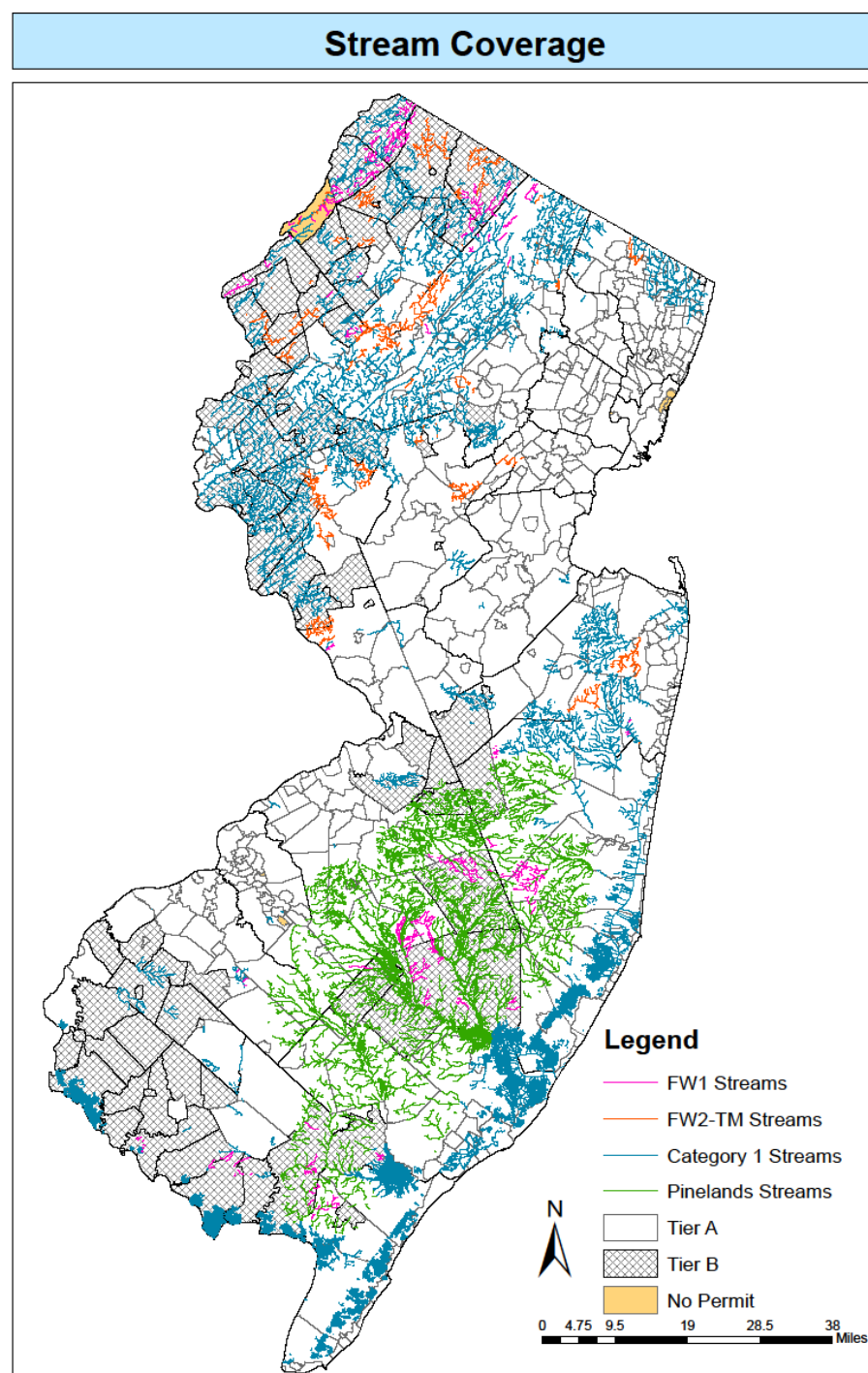


Sensitive Waters

N.J.A.C. 7:9B

FreshWater 1
Pinelands

Category 1
Trout Production (C1)
Trout Maintenance



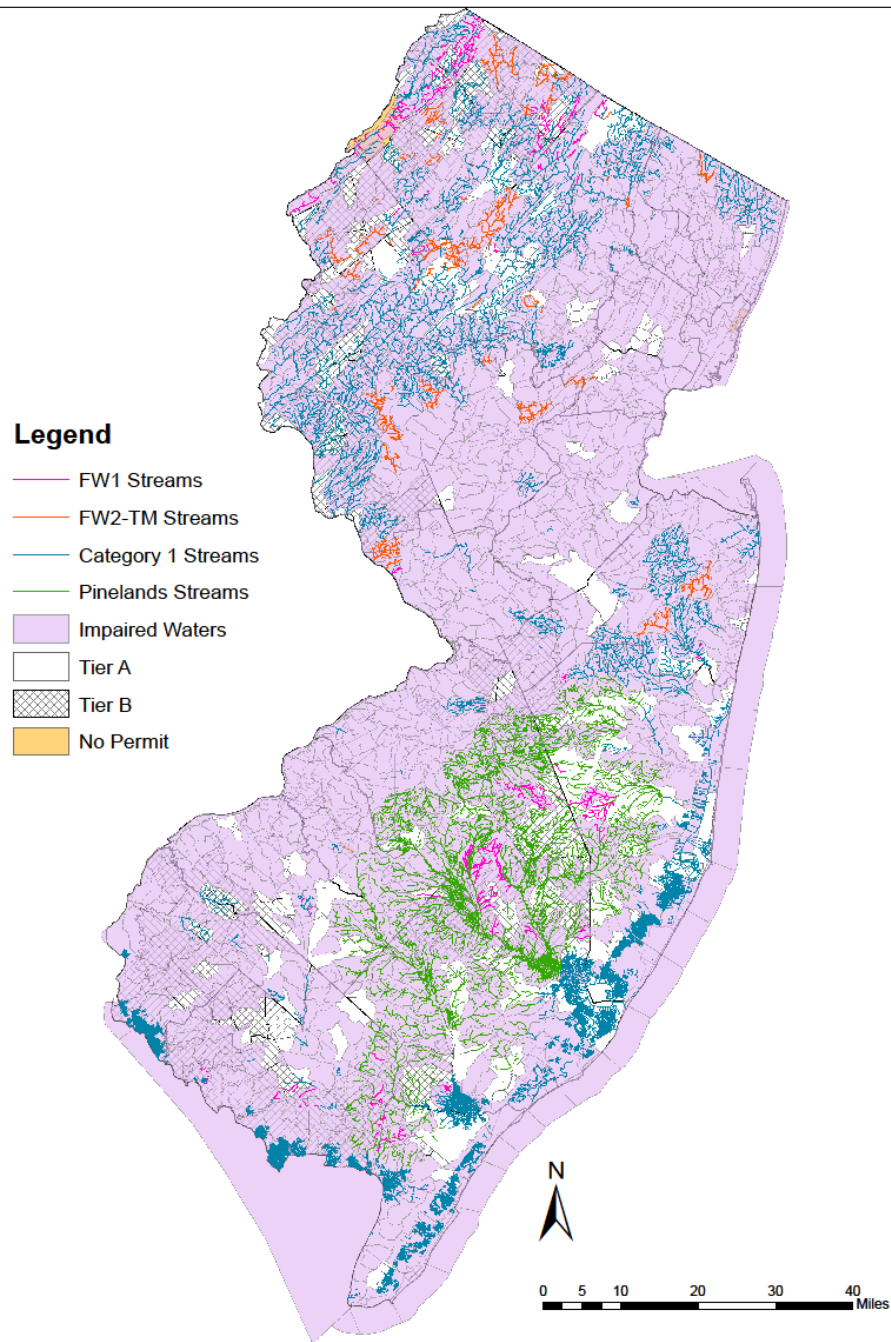
The FW1 and Pinelands waters are our Outstanding National Resource Waters

Sensitive Waters

New Jersey Surface Water Quality Standards N.J.A.C. 7:9B

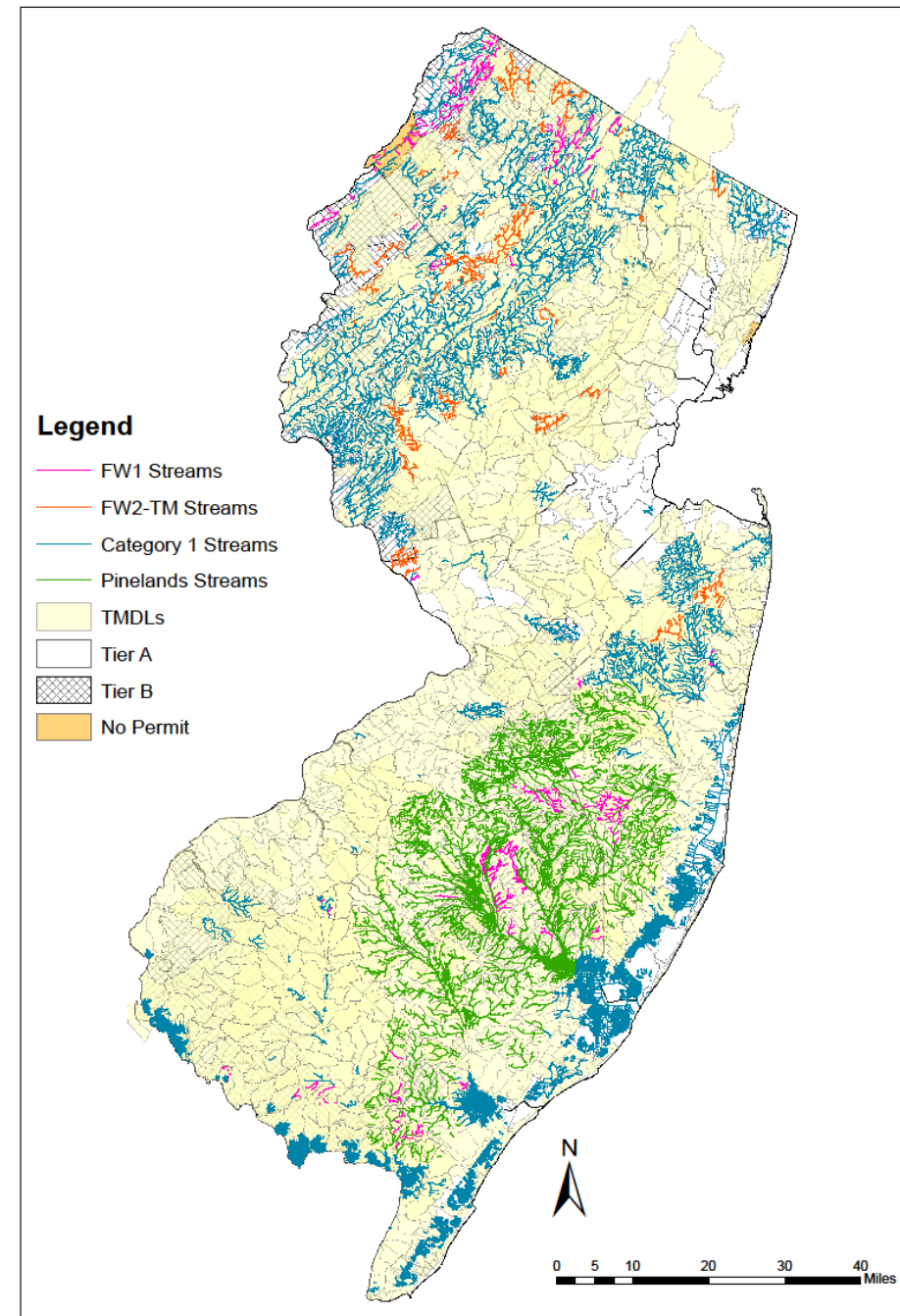
Freshwater 2-Trout Production (Category 1), FW2-Trout Maintenance & FW2- NonTrout (Category 1).

Stream Coverage & Impairments



**Sensitive
waters with
Water Quality
Impairments
and/or
TMDLs**

Stream Coverage & TMDLs



2023 Tier A Permit

- Major Changes -

- **Composting & wood chipping/grinding**
 - No longer authorized by MS4 permit
 - Must obtain a **W**oodwaste **R**ecycling and Leaf **C**omposting (WRC) permit
- **Complete inlet retrofits**
 - By January 1, 2028
- **New private salt storage and tree removal/replacement ordinances**
 - Will be posted for informal comment shortly
- **Dedicated stormwater webpage must be developed**
 - We have a HTML model page available
- **Street sweeping requirements completely revised**
 - Roads with inlets that drain to Surface Water swept 3 times/year
 - Roads without inlets, but still drain to Surface Water swept 1 time/year
 - Begin by January 1, 2026
- **Mapping required of all MS4 related stormwater infrastructure**
 - By January 1, 2026

2023 Tier A Permit

- Major Changes cont'd-

- **Improved municipal maintenance yard requirements**
 - Make sure all materials are managed properly/covered
 - All conditions in 2018 Attachment E are now in the body of the permit
- **Removal of excess piles of salt deposited during spreading operations**
 - Within 72 hours after end of storm
- **Increased employee training frequency for some topics**
 - 2018 permit required 1/year and 1/2 years with some overlap
- **Added road erosion control requirement back into permit**
 - Removed in 2009 permit due to potential overlap
- **Added new requirement for the creation of Watershed Improvement Plans**
 - Address TMDLs and water quality impairments
 - 3 Phases of development
 - Additional mapping & understanding of drainage and sensitive areas
 - Required Stakeholder Outreach

Grant Program for - Original Tier A Municipalities -

- **\$25,000 available to each of the 456 Original Tier A Municipalities**
- **2 Disbursements**
 - **Initial \$15,000** awarded upon receipt of a completed application
 - Can be submitted up until the end of this calendar year -12/31/23
 - **Final \$10,000** awarded upon receipt of Stormwater Infrastructure Map
 - Maps are due as per the permit by 1/1/2026
- **Applications are simple, 1-page easy, fillable PDF documents at**
<https://nj.gov/dep/wlm/grants/swgrant.html>

Original Tier A Municipalities

- Stormwater Infrastructure Map -

- **Tier A renewal Infrastructure Map to include:**

- Outfalls
- Groundwater discharge points
- Interconnections
- Inlets
- Manholes
- Conveyance
- Pump Stations
- Stormwater Facilities
- Property boundaries of maintenance yards and other ancillary operations

- **Mapping stormwater infrastructure enables better overall MS4 management**
- **Free-to-Use ArcGIS licenses and access to mapping tools and templates available https://nj.gov/dep/dwq/msrp_home.htm**
- **MS4 staff are available for virtual or in-person training**



Grant Program for - New Tier A Municipalities -

- **\$75,000 available to each of the New 101 Tier A Municipalities**
- **2 Disbursements**
 - \$25,000 to be awarded upon receipt of a completed application
 - Applications may be submitted at any time this calendar year -**12/31/23**
 - Remaining \$50,000 to be awarded upon receipt of a complete Stormwater Pollution Prevention Plan (SPPP or SP3)
 - SP3s due as per the permit by **1/1/2024**
- **Applications are simple, 1-page fillable PDF documents at**
<https://nj.gov/dep/wlm/grants/swgrant.html>

New Tier A Municipalities

- Stormwater Pollution Prevention Plan -

- SPPP details each town's MS4 stormwater program for each permit condition
- Stormwater Program Coordinator Training
- MS4 staff can provide guidance



Form 7 – MS4 Infrastructure Inspections, Cleaning, and Maintenance Part IV.F.2-4, and Part IV.G.2-3.

1. Municipal Storm Drain Inlets

- Describe how you ensure that municipal inlets without permanent wording cast into the design have been properly labelled.
 - Describe how you ensure that municipal and private storm drain inlets have been retrofitted.
 - Describe how you ensure that newly installed storm drain inlets include corresponding catch basins or other BMPs to collect solids.
 - Describe when and how you conduct inspections of storm drain inlets and the criteria used to determine when they need to be cleaned.
- a. Our DPW crew conducts drive-by inspections of the storm drain inlets and open conveyances at which time they inspect the condition of the labels on storm drain inlets. If any buttons need to be replaced or paint needs re-stenciling, the DPW crew will make the repair or repaint as needed at that time or will schedule follow up work with the DPW supervisor.*
- b. Throughout major development project construction and during repaving projects, the Code Enforcement Office or Township Engineer performs site inspections and checks for proper storm drain inlet retrofits. Additionally, during day-to-day operations that entail driving through various areas of the township, DPW staff are instructed to observe storm drain inlets and note those that have not been retrofitted. If any are located along township roads or properties and are in areas that are known to have been repaved, they are identified by the staff for follow-up for retrofitting and the responsible entity is notified, if it is a private entity.*
- c. The Township Engineer checks the plans for road projects and major developments to verify that a catch basin or some sort of BMP to capture solids is included with, or downstream of, the affected storm drain inlets.*
- d. DPW staff perform inspections of all storm drain inlets at least annually as they drive the roads of the township. The staff will either decide to stop then to remove any debris off the inlet grate and surrounding area and load the debris into their trucks for proper disposal or make a note of the location to return to conduct the cleaning within 1 week. Areas that clog and flood often during storms are inspected more regularly and prior to large, forecasted storms, and cleaned if necessary.*

2. Municipal Catch Basins

- Describe when and how you conduct inspections of catch basins.
 - Describe the criteria used to determine when catch basins need to be cleaned.
- a. Storm Township owns 200 catch basins which are identified on our stormwater infrastructure map. The catch basins are split into 5 areas and marked on a Township map. Each year, we inspect at least 40 (20% of the total) catch basins on rotation and ensure that all catch basins are inspected at least once within the 5-year permit cycle. Areas that clog*

Application Forms

- Original -

Grant Application Form for Original (prior to July 1, 2022) Tier A Municipalities

1. Permittee Information					
Name of Permittee:			County:		
Mailing Address:					
City or Town:		State:		Zip Code:	
NJPDES #:		PI #:			
Name and Title of Stormwater Program Coordinator:					
Mailing Address (if different from above)					
City or Town		State		Zip Code	
Telephone		FAX		E-Mail	
2. Certification					
<p>I certify under penalty of law that this document was prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete.</p> <p>I certify that I am aware that the permit requires that the municipality develop a Stormwater Infrastructure Map. I acknowledge that this Stormwater Infrastructure Map must comply with the requirements listed in Part IV.G.1.a of the Tier A MS4 Permit as noted above.</p> <p>I certify that the municipality will use the funding from this grant provided by the Department to comply with the requirements of the Tier A MS4 Permit as outlined in the Notice of Funding Availability.</p> <p>I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for purposely, knowingly, recklessly, or negligently submitting false information.</p> <p>Signature of Permittee _____ Date _____</p> <p>Print or Type Name _____</p> <p>Print or Type Title _____</p>					

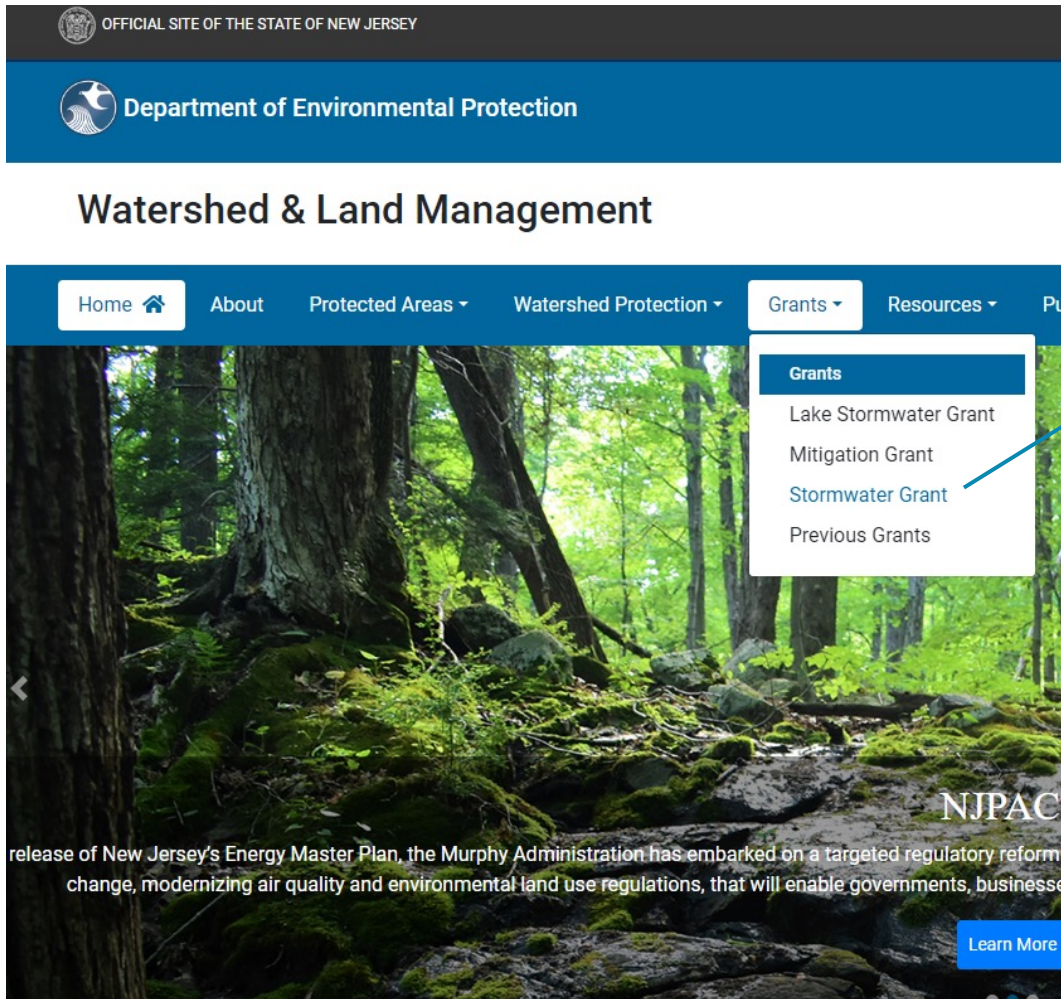
- New -

Tier A MS4 Permit and Grant Application Form

1. Permittee Information					
Name of Permittee:			County:		
Mailing Address:					
City or Town:		State:		Zip Code:	
NJPDES #:		PI #:			
Name and Title of Stormwater Program Coordinator:					
Mailing Address (if different from above):					
City or Town:		State:		Zip Code:	
Telephone:		FAX:		E-Mail:	
2. Certification					
<p>I certify under penalty of law that this document was prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete.</p> <p>I certify that I am aware that the permit requires that the municipality develop, implement, and enforce a stormwater program. I acknowledge that this stormwater program must include the implementation of best management practices, measurable goals and implementation schedules that are listed in the permit.</p> <p>I certify that the municipality will use the funding from this grant provided by the Department to comply with the requirements of the Tier A MS4 Permit as outlined in the Notice of Funding Availability.</p> <p>I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for purposely, knowingly, recklessly, or negligently submitting false information.</p> <p>Signature of Permittee _____ Date _____</p> <p>Print or Type Name _____</p> <p>Print or Type Title _____</p>					

Tier A Grants Webpage

<https://www.nj.gov/dep/wlm/>



Deadline for application of this grant is December 31, 2023, eligible Municipalities will be notified of the award on a rolling basis, so an early application is encouraged.

Purpose of Funding

The New Jersey Department of Environmental Protection (Department), Division of Watershed Protection and Restoration, is offering a Notice of Funding Availability (NOFA) to assist New Jersey municipalities in upgrading their MS4 Stormwater Programs to comply with the requirements of the 2023 Tier A MS4 Permit renewal, which was issued on November 30, 2022, with an effective date of January 01, 2023. The municipalities eligible for this NOFA are the 101 former Tier B municipalities (former Tier Bs), as listed in Appendix A, that were notified they were reassigned to Tier A as of July 01, 2022. In addition, all 456 Tier A municipalities that were assigned to Tier A prior to July 1, 2022 (original Tier As), as listed in Appendix A, are eligible for funding under this NOFA.

Source of Funding

New Jersey Corporate Business Tax Receipts (CBT)

Who is Eligible

The municipalities eligible for this NOFA are the 101 former Tier B municipalities (former Tier Bs), as listed in Appendix A, that were notified they were reassigned to Tier A as of July 01, 2022. In addition, all 456 Tier A municipalities that were assigned to Tier A prior to July 1, 2022 (original Tier As), as listed in Appendix A of the NOFA.

Notice of Funding Available(NOFA)	NOFA Date of Posting is 03/03/2023
Executive Level Information Session - Mayors Only	Friday March 10, 2023, 10:00am <i>By invitation only</i>
Stormwater Website	Municipal Stormwater Regulation Program
Public Information Session for Stormwater Program Coordinators	Wednesday, March 15, 2023 1:30pm Click here to join the meeting Or call in (audio only): +1 856-338-7074 Phone Conference ID:297 633 372#
Public Information Presentations	Executive Session YouTube Recording Powerpoint Presentation Stormwater Program Coordinators Session YouTube Recording Powerpoint Presentation
List of original Tier A and former Tier B Municipalities	List of former Tier A and B municipalities as of June 30, 2022
Funds to be Distributed	The expected total allocation is \$19,000,000. This equates to \$75,000 distributed to each of the eligible 101 former Tier B Municipalities (prior to July 1, 2022) and \$25,000.00 for each of the 456 original Tier A municipalities
Additional Questions	Email: stormwatermanager@dep.nj.gov

Links to Applications and other Resources

Helpful Contacts and Webpages

- **Contacts**

- Gabriel.Mahon@dep.nj.gov, Bureau Chief
- Nancy.Kempel@dep.nj.gov, Section Chief
- Daniel.Kuti@dep.nj.gov, Supervisor
- MS4 program general mailbox at Stormwatermanager@dep.nj.gov
- MS4 county Case Manager email list at https://nj.gov/dep/dwq/msrp_home.htm
- Or call our Bureau at (609) 633-7021
- Grant Information mailbox at Stormwatergrantsinfo@dep.nj.us

- **Other helpful information**

- **Watershed & Land Management** – <https://www.nj.gov/dep/wlm/grants/swgrant.html>
 - For Information about these Stormwater Grants
- **MS4 Program** - https://nj.gov/dep/dwq/msrp_home.htm
 - Final MS4 Tier A final permit (including mapping requirements)
 - SP3 Template
 - Mapping Tools and Training
 - Model Ordinances
 - Outfall Inspection Forms
 - MS4 Guidance
 - Stormwater Management information
 - ...many other helpful documents