



July 10, 2017

Bob Martin
Commissioner, New Jersey Department of Environmental Protection
401 E. State St., 7th Floor
P.O. Box 402
Trenton, NJ 08625-0402

Dear Commissioner Martin,

As the Department of Environmental Protection continues its important work to create an objective standard for stormwater management and to account for infiltration in stormwater routing calculations, we take this opportunity to express key interests and principles shared by our organizations.

We agree that New Jersey's Stormwater Management Rule and BMP Manual need to be revised, to replace the existing requirement to incorporate nonstructural strategies to the "maximum extent practicable" with stronger requirements that drive the use of green stormwater infrastructure. Of paramount importance is the underlying objective of using GI to manage stormwater more effectively and efficiently to reduce demand for water, improve water quality, and reduce the cost of all types of construction.

We support an objective and predictable stormwater management standard, that:

- Provides a volume management requirement that seeks to both replicate natural hydrology and protect water quality, which can be met using methods including groundwater recharge (infiltration), and that
- Provides a methodology for crediting the peak rate control achieved by green infrastructure practices, with the result that
- The regulatory scheme leads to widespread use of green infrastructure as the primary tool for compliance.

Thank you for your leadership on this important matter. Please do not hesitate to contact any of us with questions, and thank you for your consideration.

Sincerely,

George Vallone
Past President, NJBA
Co-Chair, Developers' Green Infrastructure Task Force

Lawrence Levine
Senior Attorney, Water Program
Natural Resources Defense Council

Rebecca Hammer
Staff Attorney, Water Program
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Peter Kasabach
Executive Director, New Jersey Future
Co-Chair Developers' Green Infrastructure Task Force

cc: John H. Kirkenir, President, NJBA
Dan Kennedy, Assistant Commissioner, Water Resources Management, NJDEP
Michele Putnam, Director, Division of Water Quality, NJDEP