



State of New Jersey

Department of Environmental Protection
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Bradley M. Campbell
Commissioner
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Richard J. Codey
Acting Governor

April 11, 2005

William G. Dressel, Jr
Executive Director
New Jersey State League of Municipalities
407 West State Street
Trenton, New Jersey 08618

Dear Bill:

Thank you for your continuing input as we assist municipalities in meeting municipal stormwater requirements mandated by the United States Environmental Protection Agency (USEPA).

As we have discussed, every state is in the process of implementing these requirements, and our consultations with the League persuaded us to delay implementation well past the original USEPA deadline. The Department also has worked with the Legislature to provide \$12 million in support to municipalities in meeting these requirements.

I am grateful for the leadership among municipalities in meeting these requirements. My own town of Lambertville just adopted its stormwater ordinance well ahead of schedule, and other municipalities are showing comparable diligence. I also recognize, however, that some municipalities have faced significant challenges in meeting the first deadlines in the current permits, and that these challenges have been exacerbated by the fiscal budget crisis confronting state and municipal governments.

With these considerations in mind, the Department will continue its compliance assistance focus by exercising its enforcement discretion and will not take any enforcement action prior to August 1, 2005. During this time, the Department will work with the State League to identify any potential changes to the Tier A and Tier B Municipal Stormwater Regulation Permits that would still meet the federal standards while maintaining the State's obligations. This effort will include clarifying any misunderstanding regarding some of the permit conditions such as street sweeping, where municipalities may not understand that the requirement only applies to municipally-owned, curbed streets that have 35 miles per hour or less speed limit, in a predominantly commercial area, and not to the entire municipality.

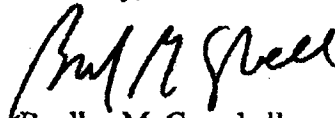
In addition, as you are aware the Department is already proposing to modify the Tier A and Tier B Permits to address certain critical issues such as the Pinelands Stormwater Management Ordinance, and changing the yard waste requirements to provide more

flexibility to municipalities. Furthermore, the vehicle washing issue will be addressed by modifying the Tier A and B Permit to allow municipalities until February 28, 2009 (the end of the current permit cycle) to implement measures to address vehicle washing. The Department will commit to work with the State League along with the appropriate State and County agencies to explore opportunities to provide regional vehicle washing facilities.

Please be assured that the Department's Municipal Stormwater Program and Enforcement staff will continue to provide compliance assistance and to guide municipalities throughout the process.

I look forward to working with you and with all affected municipalities toward successful implementation of these rules.

Sincerely,



Bradley M. Campbell
Commissioner