

5/21/02

Recapturing Septic Development

May 21, 2002

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Key Recommendations

- Identify environmental performance standards for all new septic development (6 or more septic and >2,000 gpd.) and all sewer service area expansions
- Utilize "fast-track" process for projects achieving all performance standards

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Key Recommendations

- Require comprehensive "Water Resource Management Plans" for entire WMP area when projects cannot achieve performance standards on-site
- Reprogram watershed funding to support WRMP development
- Target specific "focus areas" and support water resource mgt. plan development

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Results of Initiatives (cont'd)

- Regional Water Resource Management Plans (WRMPs)
 - Scope of the wastewater management plans expanded beyond just wastewater to address **water resources** - water supply, stormwater management and other related environmental issues.

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Results of Initiatives

- Cons
 - Need to review projects to ensure that they meet the objectives (staff resources still needed)
 - Individual projects that cannot achieve standards on-site will not be allowed to proceed until WRMP is adopted
 - Could be perceived as a “building moratorium”
 - WMPs could be triggered throughout the State

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Results of Initiatives

- Cons (cont'd)
 - Responsibility for WMP development falls on WMP agencies
 - Beyond current responsibilities and authorities of some agencies
 - Unwilling agencies default to State for WMP development
 - Cost of plan development undefined

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Results of Initiatives

- Cons (cont'd)
 - Perception that we are “abandoning” watershed planning by public, contract entities, environmental community
 - Some issues not currently included in WQMP planning process , e.g.. Education and Outreach, Recreational access, etc.

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Results of Initiatives

- **Other Issues**
 - Golf Courses will trigger WRMPs
 - Conflicts between planning areas, program areas and environmental boundaries
 - May need flexibility in defining scope of WRMP area for review
 - May want to consider creating new regional water management agencies

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Additional Alternative

- If a project can not achieve performance standards on site process a full amendment :
 - Allows for “special circumstances” of “social importance” (ex. COAH, Schools, State Plan?)
 - Allows projects to achieve environmental objectives on a larger scale (ex. HUC 14, drainage area)

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Results of Alternative

- Provides environmental benefits without being labeled a “moratorium” ?
- Consistent scale with regional stormwater plans, WMGs, impervious cover thresholds
- Results in need for additional project review by DEP
- Loss of more regional perspective and “economy of scale”

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Environmental Performance Standards

- Stream Corridor Protection
- Threatened and Endangered Species
- Stormwater Management
- Septic Density
- Water Supply
- Site Disturbance
- Additional standards for Treatment Plant and SSA Expansions

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Option 1 - Utilize existing regulatory authority

- Trigger WMPs
 - 100 acres, >20,000 gpd DGW, new DSW)
 - WMP agency must provide binding commitment to prepare and submit a WMP
 - Process amendments until deadline
- Reassess approved SSA's

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Option 1 (cont'd)

- Reprogram Watershed Funding to support WRMP development in target areas
- Target areas for the reassessment of approved SSA's
- Rely on new Stormwater Mgt. Rules

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Option 1 - Issues

- Continued legal "vulnerability" for environmental assessments
- "Moratorium" perception
- Septics not addressed (except possibly nitrate model)

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Option 3 - Combination of 1 and 2

- Trigger WMPs
- Develop new rule
- Develop WRMP in target areas
- Target areas for reassessment of approved SSAs

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Major Actions Required

- Intra-Departmental Team effort required (OPPS, WM, WS, DWQ, LURP, DFW, etc) to:
 - Finalize performance standards, develop basis and background and develop guidance documents
 - Identify necessary rule changes (including permit rules) for consistency with the WRMPs/performance standards
 - Finalize computer support
 - Integration of permitting and planning processes
- Develop and Implement **Outreach Program**
Early in the Process:
 - WMP agencies, WMA Partners, Environmental and Regulated Community , Public, Others?

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Related Activities

- Target Areas for Action (e.g. Highlands)
- Other Rule Proposals
 - Stormwater Mgt. Rule
 - Threatened and Endangered Species Rule?
 - Flood Hazard Rule Revisions?
 - New C1 Designations
- Support of the SDRP
- Initiatives to support the implementation of E.O. 4

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Important Dates

- Stormwater Management Rule Proposed
- 7/02
- Existing WQMP Rule expires - 4/04

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