The New Jersey Department of Environmental Protection

Water & Land Use Compliance Enforcement

Marcedius T. Jameson, Director
THE DIVISION

The Water and Land Use Compliance and Enforcement Division consist enforcement of two elements:

- Coastal Land Use Enforcement (“CLUE”)
- Water Compliance and Enforcement.

Both divisions are divided into 3 regions: Northern, Central and Southern.
BACKGROUND

The Water Enforcement Element regulates several programs:

- Water Allocation
- Stormwater
- Scrap metal processing/auto recycling
- Concentrated Animal Feeding Operations
- Physical Connections
- Septic systems
- Safe Drinking Water
- NJPDES
- Lab Certification
BACKGROUND

The Land Use Enforcement Element administers 7 Land Use Statutes:

- Freshwater Wetlands Protection Act
- Flood Hazard Area Control Act
- Highlands Water Protection and Planning Act
- Coastal Area Facility Review Act
- Waterfront Development Statutes
- Riparian Lands Statutes
- Wetlands Act of 1970
RESPONSIBILITIES

Routine Compliance Inspections
Investigations
Follow up inspections
Complaints
Engagement of our Regulated Facilities in advance of anticipated emergencies
EXAMPLE OF THE SPAN OF ENFORCEMENT ACTIVITIES:

**During Hurricane Sandy**

We were in contact with our facilities and were on-site around the clock at two sites that were our State's most vulnerable:

(“PVSC”) Passaic Valley Sewage Commission

(“MCUA”) Middlesex County Utilities Authority.
RESPONSIBILITIES

Land Use regulated activities:

- construction of structures
- impervious surfaces
- placement of fill material
- destruction of vegetation
- alteration of stream channels
- dredging within freshwater wetlands and their transition areas, coastal wetlands, flood hazard areas and riparian zones, the Highlands Preservation Area, the CAFRA area, State owned tidelands
- tidal waterways we regulated activities conducted water-ward of the mean high waterline and within 500’ landward of the mean high waterline.
- Any person who conducts a regulated activity in a regulated area without permit approval is a regulated entity.
2012
Water & Land Use Compliance and Enforcement

- Conducted 4895 inspections on Water Quality and Water Supply facilities (this number excludes any investigations, follow-ups and complaints)
- 847 Land Use inspections.

Overall we saw compliance rates of:

- 85% for most of the regulated facilities
- 70% on the Land Use side

Our Annual Highlights Report can be found at:
NEW INITIATIVES/ACTIVITIES

Sandy Rebuild Effort

The SEAL Team – Sandy Environmental Assessment Logician Team

This Team is working on a process to review Environmental and Historic Data/Assessments so our partner agencies can make a determination as to how to distribute HUD funds to help rebuild after Hurricane Sandy.

✓ Inspectors either volunteered or were chosen
✓ The chosen inspectors met with HUD team to create a guidance document for contractors to use.
✓ The guidance document was then used to train contractors
✓ The roll-out will occurred and be used to audit the contractors
NEW INITIATIVES/ACTIVITIES

Emergency Preparedness

Armed with Lessons learned from Hurricane Irene and Sandy we have been working to streamline the process of status updates during a “State of Emergency”.

- Surveys and Questionnaires
- Conference calls for the critical infrastructure licensed
- Operators/Superintendents
- Email alerts
NEW INITIATIVES/ACTIVITIES

Water Supply

The Division will be Partnering with Permitting and the USEPA to create a workgroup that will focus on a proactive targeted approach to inspect our most vulnerable facilities.

We are changing the format of some of our Surface Water facilities inspections.

✓ Sanitary Surveys
✓ To a more audit-like process
✓ Using a more targeted approach
✓ The use of the WARNING letter
NEW INITIATIVES/ACTIVITIES

Stormwater Audits

- More Targeted Investigations
- working with our Permitting counterparts a team has been developed to create a list of criteria for which Municipalities will be inspected.

- The new audit process will reward those communities that have worked on ensuring the waters of the State are not polluted and will allow a more targeted investigation of the potential polluters.
NEW INITIATIVES/ACTIVITIES

CSO’s
ANY QUESTIONS?

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