

**STORM WATER MANAGEMENT****POST-CONSTRUCTION STORMWATER MANAGEMENT IN NEW DEVELOPMENT  
AND REDEVELOPMENT****Effective Date: October 1, 2005**

*[Supplement to this Policy: Appendix A: NJDEP Post-Construction Program Design Checklist  
for Individual Projects]*

**I. Purpose:**

It is the purpose of this Mercer County Community College (MCCC) Administrative Policy to establish minimum stormwater management requirements and controls for all new “major development,” on campus as defined in Section II. This mechanism accomplishes the following:

1. Adopts (and incorporates by reference) for such projects the applicable design and performance standards (including maintenance requirements) established under N.J.A.C. 7:8 for major development, and the storm drain inlet design standard in Attachment C: “Design Standard – Storm Drain Inlets” of the NJDEP NJPDES Public Complex Stormwater General Permit;
2. Requires that all such projects be designed to comply with these design and performance standards and this storm drain inlet design standard; and
3. Requires that MCCC’s “Post-Construction Program Design Checklist for Individual Projects” be completed before each project’s construction is approved.

**II. Definitions:**

For the purpose of this regulation, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this policy clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

“MCCC” means Mercer County Community College.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, by any person, for which permission is required under the Municipal Land Use Law , N.J.S.A. 40:55D-1 et seq. In the case of development of agricultural lands, development means: any activity that requires a State permit; any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 et seq.

“**NJDEP**” means the New Jersey Department of Environmental Protection.

“**NJPDES**” means the New Jersey Pollutant Discharge Elimination System.

“**Impervious surface**” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

“**Major development**” means any “development” that provides for ultimately disturbing one or more acres of land. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation.

“**Stormwater**” means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

“**Stormwater management measure**” means any structural or nonstructural strategy, practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

### **III. General Standards**

A. All New Development and Redevelopment Projects within MCCC property shall evaluate their respective applicability to the following:

1. Compliance with the applicable design and performance standards established under N.J.A.C. 7:8 for major development at MCCC, unless:
  - a. Those standards do not apply because of a variance or exemption granted under N.J.A.C. 7:8; or
  - b. Alternative standards are applicable under an area wide or Statewide Water Quality Management Plan adopted in accordance with N.J.A.C. 7:15.
2. When applicable under N.J.A.C 7:8, ensure adequate long-term operation and maintenance of BMPs at MCCC. This can include but may not be limited to preparing a project maintenance plan in accordance with N.J.A.C. 7:8-5.8, where applicable.
3. All new stormwater management measures which are created in part or as a result of compliance with N.J.A.C 7:8 must be managed and maintained in accordance with the College’s Public Complex Stormwater General Permit.

4. Compliance, where applicable, with the standards set forth in Attachment C of the College's Public Complex Stormwater General Permit to control passage of solid and floatable materials through storm drainage inlets.
5. Projects that do not require any Department permits (the term "permit", in this case, shall include transition area waivers under the Freshwater Wetlands Protection Act) under the Flood Hazard Area Control Act (N.J.S.A. 58:16A-50 et seq.), Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.), Coastal Area Facility Review Act (N.J.S.A. 13:9-1 et seq.), or Waterfront and Harbor Facilities Act (N.J.S.A. 12:5-3) are not considered "new development or redevelopment projects" if construction began prior to the implementation deadline for this SBR, or if the projects went to bid prior to the date on which the permittee received authorization under this permit.

B. Requirements for N.J.A.C 7:8 applicable individual projects:

1. For all major development projects, the NJDEP "Post Construction Design Checklist for Individual Projects" must be completed prior to each new construction project approval.
2. This checklist has been included as an Appendix to this document.

**IV: Penalties**

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this policy shall be subject to a revocation of their construction contract, where applicable.

**V: Effective Date**

This Policy shall take effect immediately upon the approval and adoption by the Board of Trustees.

**VI: Severability**

Where applicable, if the provisions of any section, subsection, paragraph, subdivision, or clause of this Policy shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

Approved:

Board of Trustees  
September 22, 2005

Public Complex Stormwater General Permit  
Post-Construction Program  
Design Checklist for Individual Projects

For each question, attach additional sheets as necessary

Public Complex  
Information

Public Complex: \_\_\_\_\_

NJPDES # : NJG \_\_\_\_\_

PI ID #: \_\_\_\_\_

Team Member: \_\_\_\_\_

Date: \_\_\_\_\_

Effective Date of Permit Authorization (EDPA): \_\_\_\_\_

### 1. Location of Project

a. Project Name \_\_\_\_\_

b. Public Complex Project Number (if applicable): \_\_\_\_\_

c. Municipality(ies): \_\_\_\_\_

d. County(ies): \_\_\_\_\_

### 2. Description (type of project)

a. Briefly describe (1) the purpose and intended use of the project, and (2) any pavement and/or structures to be erected or expanded: \_\_\_\_\_

b. Area of proposed disturbance: \_\_\_\_\_ acres

c. Area of proposed additional impervious surface: \_\_\_\_\_ acres

d. Discharges to (identify surface water body(ies)): \_\_\_\_\_

### 3. Related NJDEP Permits

How much (if any) of the project requires at least one NJDEP permit (stream encroachment permit; freshwater wetlands permit or transition area waiver; CAFRA, coastal wetlands, or waterfront development permit) granted under the following statutes?

Flood Hazard Area Control Act, N.J.S.A. 58:16A-50 et seq.

Application Number (if available)

—

Freshwater Wetlands Protection Act, N.J.S.A. 13:9B-1 et seq.

—

Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq.

—

Waterfront and Harbor Facilities Act, N.J.S.A. 12:5-3

—

Answer (check one):      The entire project       Part of the project       None of the project

### 4. Compliance with NJDEP Design and Performance Standards (N.J.A.C. 7:8)

#### a. Nonstructural stormwater management strategies

To the maximum extent practicable, does the project meet the applicable erosion control, groundwater recharge, and stormwater runoff quantity and quality standards at N.J.A.C. 7:8-5.4 and 5.5 by incorporating nonstructural stormwater management strategies at N.J.A.C. 7:8-5.3 into the design? Y (  ) N (  )

Also see question #4.j in regard to the Low Impact Development Checklist.

#### b. Threatened and endangered species

Are the project's stormwater management measures designed to avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle)? Y (  ) N (  )

#### c. Exemption for certain utility line and public pedestrian access projects

How much (if any) of the project is exempt under N.J.A.C. 7:8-5.2(d) from the groundwater recharge and stormwater runoff quantity and quality requirements at N.J.A.C. 7:8-5.4 and 5.5? Y (  ) N (  ) If "yes," check whichever of the following are applicable:

The entire project       Part of the project       None of the project

If you checked "The entire project" or "Part of the project," check whichever of the following are applicable:

Underground utility line       Aboveground utility line       Public pedestrian access

If you checked "The entire project," skip questions #4.d, #4.f, #4.g, and #4.h.

#### d. Waiver for certain roadway, railroad, and public pedestrian access projects

Are you claiming, for the enlargement (widening) of an existing public roadway or railroad or the construction or enlargement of a public pedestrian access, a waiver under N.J.A.C. 7:8-5.2(e) from strict compliance with the groundwater recharge and stormwater runoff quantity and quality requirements at N.J.A.C. 7:8-5.4 and 5.5? Y (  ) N (  ) If "yes":

- Check whichever of the following are applicable:

Enlargement of existing public roadway or railroad       Public pedestrian access

- Attach written documentation making the demonstration required under N.J.A.C. 7:8-5.2(e), unless “The entire project” or “Part of the project” is checked under question #3, and you have submitted or will submit this documentation to the NJDEP to obtain the related NJDEP permit(s).

- Check whether the waiver is for:

The entire project       Part of the project       None of the project

If you checked “The entire project,” skip questions #4.f, #4.g, and #4.h.

### **e. Erosion control**

Is the project in its post-construction condition designed to meet the erosion control standards established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. And implementing rules? Y (  ) N (  )

Does the project have a soil erosion and sediment control plan certified under that Act and those rules? Y (  ) N (  ) If “no,” please explain: \_\_\_\_\_

### **f. Groundwater recharge**

Under N.J.A.C. 7:8-5.4(a)2ii, how much (if any) of the project is outside the scope of the groundwater recharge requirement at N.J.A.C. 7:8-5.4(a)2i?

Answer (check one):      The entire project       Part of the project       None of the project

If you checked “The entire project” or “Part of the project,” check whichever of the following are applicable:

Urban redevelopment area       High pollutant loading area       Industrial “source material”

If you checked “Part of the project” or “None of the project,” is the project designed to meet the groundwater recharge requirement at N.J.A.C. 7:8-5.4(a)2i? Y (  ) N (  ) Also see question 4.j.

Will there be recharge of any stormwater from high pollutant loading areas, or of industrial stormwater exposed to “source material”? Y (  ) N (  )

Is the project designed to avoid adverse hydraulic impacts on the groundwater table? Y (  ) N (  )

### **g. Stormwater runoff quantity**

Will the post-construction stormwater runoff flow only into tidal waters where the increased volume of stormwater runoff will not increase flood damages below the point of discharge? Y (  ) N (  )

If “no,” is the project designed to meet the stormwater runoff quantity standard at N.J.A.C. 7:8-5.4(a)3? Y (  ) N (  ) Also see question 4.j.

### **h. Stormwater runoff quality**

Is the project subject to the requirement at N.J.A.C. 7:8-5.5(a) for 80 percent total suspended solids

(TSS) reduction? Y (  ) N (  )

If "yes," is the project designed to meet this requirement? Y (  ) N (  ) Also see question 4.j.

If "no," check whichever of the following are applicable:

Less than ¼ acre of additional impervious surface  NJPDES-based exemption

Is the project designed to meet the nutrient reduction standard at N.J.A.C. 7:8-5.5(e)? Y (  ) N (  )

Are the project's stormwater management measures designed to prevent any increase in stormwater runoff to waters classified as FW1? Y (  ) N (  ) N/A (  ) (N/A if there is no stormwater runoff from the project to FW1 waters)

Does the project propose any encroachment within a special water resources protection area established under N.J.A.C. 7:8-5.5(h) to protect Category One waters? Y (  ) N (  ) Also see question 4.j.

If "yes," has the NJDEP approved the proposed encroachment? Y (  ) N (  ) Please explain if the NJDEP has not approved the proposed encroachment: \_\_\_\_\_

**i. Other special circumstances**

Are there special circumstances besides those noted above (e.g., alternative design and performance standards recognized under N.J.A.C. 7:8-5.1(b), and hardship waivers under N.J.A.C. 7:13-4.8) that result in one or more of the design and performance standards at N.J.A.C. 7:8-5 not being applicable to all or part of the project? Y (  ) N (  )

If "yes," describe the circumstances and identify the standard(s) that are not applicable: \_\_\_\_\_

**j. Calculations and stormwater engineering report**

Was stormwater runoff calculated in accordance with N.J.A.C. 7:8-5.6? Y (  ) N (  )

Attach a stormwater engineering report that includes the following information (unless the Exception below applies):

- A copy of Parts 1, 3, and 4 of the Low Impact Development Checklist (see Appendix A of the New Jersey Stormwater Best Management Practices Manual)
- A copy of a USGS topographical map(s), 7.5 minute quadrangle series, showing the project location and its HUC-14 watershed(s), and indicating any special water resources protection area(s) established under N.J.A.C. 7:8-5.5(h)
- Proof that the applicable groundwater recharge and stormwater runoff quantity and quality standards at N.J.A.C. 7:8-5.4 and 5.5 (or applicable alternative standards recognized under N.J.A.C. 7:8-5.1(b)) are met. This proof shall include complete printouts of all calculations (including detention, retention, and infiltration calculations for all basins), and shall compare existing and proposed recharge and discharge rates. The proof shall clearly explain how the attached calculations demonstrate compliance with the applicable standards. If the requirement at N.J.A.C. 7:8-5.5(a) for 80 percent TSS reduction is applicable, the proof shall detail how TSS reduction is achieved.

Exception: If "The entire project" is checked under question #3, have you submitted or will you submit the above information to the NJDEP to obtain the related NJDEP permit(s)? Y (  ) N (  )

If "yes," it is not necessary to attach a stormwater engineering report.

**k. Structural stormwater management**

Is the project designed to meet the applicable standards for structural stormwater management measures at N.J.A.C. 7:8-5.7? Y (  ) N (  )

**l. Maintenance**

Has the design engineer prepared for the project the maintenance plan required by N.J.A.C. 7:8-5.8? Y (  ) N (  )

If “yes,” attach the maintenance plan unless “The entire project” or “Part of the project” is checked under question #3, and you have submitted or will submit the maintenance plan for the entire project to the NJDEP to obtain the related NJDEP permit(s).

**5. Compliance with NJDEP Design Standard for Storm Drain Inlets**

Does the project include installation of any storm drain inlets? Y (  ) N (  )

If “yes,” is the project designed to comply with the standard set forth in Attachment C of the permit to control passage of solid and floatable materials? Y (  ) N (  )

Attach a list of any storm drain inlets in the project that have hydraulic performance exemptions.

Are you claiming any alternative device exemptions or historic place exemptions for any of the storm drain inlets in this project? Y (  ) N (  ) If “yes,” please explain: \_\_\_\_\_