

P.L. 2020, CHAPTER 48, *approved July 1, 2020*
Senate, No. 2498

1 **AN ACT** authorizing the expenditure of funds by the New Jersey
2 Infrastructure Bank for the purpose of making loans to eligible
3 project sponsors to finance a portion of the cost of construction
4 of environmental infrastructure projects, and making an
5 appropriation.

6
7 **BE IT ENACTED** by the Senate and General Assembly of the State
8 of New Jersey:

9
10 1. a. The New Jersey Infrastructure Bank, established pursuant
11 to P.L.1985, c.334 (C.58:11B-1 et seq.) (hereinafter referred to as “the
12 trust”), is authorized to expend the aggregate sum of up to \$1.168
13 billion and any uncommitted balance of the aggregate expenditures
14 authorized pursuant to section 1 of P.L.2000, c.93, section 1 of
15 P.L.2001, c.224, section 1 of P.L.2002, c.71, section 1 of P.L.2003,
16 c.159, section 1 of P.L.2004, c.110, section 1 of P.L.2005, c.197,
17 section 1 of P.L.2006, c.67, section 1 of P.L.2007, c.140, section 1 of
18 P.L.2008, c.67, section 1 of P.L.2009, c.101, section 1 of P.L.2010,
19 c.62, section 1 of P.L.2011, c.95, section 1 of P.L.2012, c.38, section 1
20 of P.L.2013, c.94, section 1 of P.L.2014, c.26, section 1 of P.L.2015,
21 c.107, section 1 of P.L.2016, c.31 as amended by P.L.2017, c.13,
22 section 1 of P.L.2017, c.142 as amended by P.L.2017, c.327, P.L.2018,
23 c.84 as amended by P.L.2019, c.30, and section 1 of P.L.2019, c.192
24 as amended by P.L.2019, c.515, for the purpose of making loans, to
25 the extent sufficient funds are available, to or on behalf of local
26 government units or public water utilities (hereinafter referred to as
27 “project sponsors”) to finance all or a portion of the cost of
28 construction of environmental infrastructure projects listed in sections
29 2 and 4 of this act.

30 b. The trust is authorized to increase the aggregate sums specified
31 in subsection a. of this section by:

32 (1) the amounts of capitalized interest and the bond issuance
33 expenses as provided in subsection b. of section 7 of this act;

34 (2) the amounts of reserve capacity expenses and debt service
35 reserve fund requirements as provided in subsection c. of section 7 of
36 this act;

37 (3) the interest earned on amounts deposited for project costs
38 pending their distribution to project sponsors as provided in subsection
39 d. of section 7 of this act;

40 (4) the amounts of the loan origination fee as provided in
41 subsection e. of section 7 of this act; and

42 (5) the amount appropriated to the Department of Environmental
43 Protection for the purpose of making zero interest and principal
44 forgiveness loans pursuant to section 3 of P.L. , c. (pending before

1 the Legislature as Senate Bill No. 2499 of 2020 and Assembly Bill No.
2 of 2020) in connection with the project costs of a particular project
3 sponsor, to the extent the priority ranking or an insufficiency of
4 funding prevent the department from meeting program demand as
5 provided in subsection f. of section 7 of this act.

6 c. (1) Of the sums made available to the trust from the "Water
7 Supply Trust Fund" established pursuant to subsection a. of section 15
8 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261), pursuant
9 to P.L.1997, c.223, the trust is authorized to transfer such amounts to
10 the Department of Environmental Protection as needed for drinking
11 water project loans pursuant to the "Safe Drinking Water Act
12 Amendments of 1996," Pub.L.104-182, and any amendatory and
13 supplementary acts thereto (hereinafter referred to as the "Federal Safe
14 Drinking Water Act"), under terms and conditions established by the
15 Commissioner of Environmental Protection and trust, and approved by
16 the State Treasurer, which loans shall be jointly administered by the
17 trust and department.

18 (2) Of the sums appropriated to the trust from the "Wastewater
19 Treatment Trust Fund" established pursuant to section 15 of the
20 "Wastewater Treatment Bond Act of 1985," (P.L.1985, c.329),
21 pursuant to P.L.1987, c.198, the trust is authorized to transfer such
22 amounts as needed to the Clean Water State Revolving Fund
23 established pursuant to section 1 of P.L.2009, c.77 for the purposes of
24 issuing loans or providing the State match as required for the award of
25 capitalization grants made available to the State for clean water
26 projects pursuant to the "Water Quality Act of 1987" (33 U.S.C.
27 s.1251 et seq.), and any amendatory and supplementary acts thereto
28 (hereinafter referred to as the "Federal Clean Water Act").

29 (3) Of the sums appropriated to the trust from the "1992
30 Wastewater Treatment Trust Fund" established pursuant to section 27
31 of the "Green Acres, Clean Water, Farmland and Historic Preservation
32 Bond Act of 1992" (P.L.1992, c.88), pursuant to P.L.1996, c.86, the
33 trust is authorized to transfer such amounts as needed to the Clean
34 Water State Revolving Fund for the purpose of providing the State
35 match as required for the award of capitalization grants made available
36 to the State for clean water projects pursuant to the Federal Clean
37 Water Act.

38 (4) Of the sums appropriated to the trust from the "Stormwater
39 Management and Combined Sewer Overflow Abatement Fund"
40 created pursuant to section 14 of the "Stormwater Management and
41 Combined Sewer Overflow Abatement Bond Act of 1989," P.L.1989,
42 c.181, pursuant to P.L.1998, c.87, the trust is authorized to transfer
43 such amounts as needed to the Clean Water State Revolving Fund for
44 the purpose of providing the State match as required for the award of
45 capitalization grants made available to the State for clean water
46 projects pursuant to the Federal Clean Water Act.

47 (5) Of the sums appropriated to the trust from the "2003 Water
48 Resources and Wastewater Treatment Trust Fund" established

1 pursuant to subsection b. of section 19 of the "Dam, Lake, Stream,
2 Flood Control, Water Resources, and Wastewater Treatment Project
3 Bond Act of 2003" (P.L.2003, c.162), pursuant to P.L.2004, c.110, the
4 trust is authorized to transfer such amounts as needed to the Clean
5 Water State Revolving Fund for the purpose of providing the State
6 match as required for the award of capitalization grants made available
7 to the State for clean water projects pursuant to the Federal Clean
8 Water Act.

9 (6) Of the sums appropriated to the trust from repayments of loans
10 deposited in any account, including the "Clean Water State Revolving
11 Fund," "Wastewater Treatment Fund," the "1992 Wastewater
12 Treatment Fund," the "Water Supply Fund," the "Stormwater
13 Management and Combined Sewer Overflow Abatement Fund" or the
14 Drinking Water State Revolving Fund, as appropriate, pursuant to
15 sections 11 and 12 of P.L.1995, c.219, sections 11 and 12 of P.L.1996,
16 c.85, sections 11 and 12 of P.L.1997, c.221, sections 12 and 13 of
17 P.L.1998, c.84, section 11 of P.L.1999, c.174, section 11 of P.L.2000,
18 c.92, section 11 of P.L.2001, c.222, section 11 of P.L.2002, c.70,
19 section 11 of P.L.2003, c.158, section 11 of P.L.2004, c.109, section
20 11 of P.L.2005, c.196, section 11 of P.L.2006, c.68, section 10 of
21 P.L.2007, c.140, section 10 of P.L.2008, c.67, section 10 of P.L.2009,
22 c.101, section 10 of P.L.2010, c.62, section 10 of P.L.2011, c.95,
23 section 10 of P.L.2012, c.38, section 10 of P.L.2013, c.94, section 10
24 of P.L.2014, c.26, section 10 of P.L.2015, c.107, section 10 of
25 P.L.2016, c.31, section 10 of P.L.2017, c.142 as amended by section
26 10 of P.L.2017, c.327, section 10 of P.L.2018, c.84 as amended by
27 P.L.2019, c.30, section 10 of P.L.2019, c.192 as amended by section
28 10 of P.L.2019, c.515, and section 10 of P.L. , c. (pending before
29 the Legislature as this bill) for deposit into one or more reserve funds
30 or accounts established by the trust pursuant to section 11 of P.L.1985,
31 c.334 (C.58:11B-11), the trust shall transfer to the respective fund of
32 origin the uncommitted balance of all such moneys no longer utilized
33 by the trust for such purposes.

34 d. For the purposes of this act:

35 (1) "capitalized interest" means the amount equal to interest paid
36 on trust bonds which is funded with trust bond proceeds and the
37 earnings thereon;

38 (2) "debt service reserve fund expenses" means the debt service
39 reserve fund costs associated with reserve capacity expenses, water
40 supply projects for which the project sponsors are public water utilities
41 as provided in section 9 of P.L.1985, c.334 (C.58:11B-9), other
42 drinking water projects not eligible for, or interested in, State or
43 federal debt service reserve funds pursuant to the "Water Supply Bond
44 Act of 1981," P.L.1981, c.261 as amended and supplemented by
45 P.L.1997, c.223, and any clean water projects not eligible for, or
46 interested in, State or federal debt service reserve funds from the Clean
47 Water State Revolving Fund;

1 (3) “issuance expenses” means any costs related to the issuance of
2 trust bonds and includes, but is not limited to, the costs of financial
3 document printing, bond insurance premiums or other credit
4 enhancement, underwriters' discount, verification of financial
5 calculations, the services of bond rating agencies and trustees, the
6 employment of accountants, attorneys, financial advisors, loan
7 servicing agents, registrars, and paying agents.

8 (4) “loan origination fee” means the fee charged by the
9 Department of Environmental Protection and financed under the trust
10 loan to pay a portion of the costs incurred by the department in the
11 implementation of the New Jersey Environmental Infrastructure
12 Financing Program; and

13 (5) “reserve capacity expenses” means those project costs for
14 reserve capacity not eligible for loans under rules and regulations
15 governing zero interest loans adopted by the Commissioner of
16 Environmental Protection pursuant to section 4 of P.L.1985, c.329 but
17 which are eligible for loans from the trust in accordance with the rules
18 and regulations adopted by the trust pursuant to section 27 of
19 P.L.1985, c.334 (C.58:11B-27).

20 e. The trust is authorized to increase the loan amount in the future
21 to compensate for a refunding of the issue, provided adequate savings
22 are achieved, for the loans issued pursuant to P.L.1995, c.218,
23 P.L.1996, c.87, P.L.1997, c.222, P.L.1998, c.85, P.L.1999, c.173,
24 P.L.2000, c.93, P.L.2001, c.224, P.L.2002, c.71, P.L.2003, c.159,
25 P.L.2004, c.110, P.L.2005, c.197, P.L.2006, c.67, P.L.2007, c.140,
26 P.L.2008, c.67, P.L.2009, c.101, P.L.2010, c.62, P.L.2011, c.95,
27 P.L.2012, c.38, P.L.2013, c.94, P.L.2014, c.26, P.L.2015, c.107,
28 P.L.2016, c.31 as amended by P.L.2017, c.13, P.L.2017, c.142 as
29 amended by P.L.2017, c.327, P.L.2018, c.84 as amended by P.L.2019,
30 c.30, P.L.2019, c.192 as amended by P.L.2019, c.515, and P.L. , c.
31 (pending before the Legislature as this bill).

32
33 2. a. (1) The New Jersey Infrastructure Bank is authorized to
34 expend funds for the purpose of making supplemental loans to or on
35 behalf of the project sponsors listed below for the following clean
36 water environmental infrastructure projects:

37

Project Sponsor	Project Number	Estimated Allowable Trust Loan Amount	Estimated Total Loan Amount
Elizabeth City	S340942-19R	\$206,250	\$275,000
Ocean Twp. SA	S340750-14R	\$750,000	\$1,000,000
Paterson City	S340850-03-1	\$1,800,000	\$2,400,000
Rockaway Valley RSA	S340821-06-1	\$581,250	\$775,000

Somerville Borough	S342013-01-1	\$1,387,500	\$1,850,000
Total Projects: 5		\$4,725,000	\$6,300,000

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2 (2) A loan authorized by this subsection shall be made for the
3 difference between the allowable loan amount required by the
4 project based upon final building costs pursuant to subsection a. of
5 section 7 of this act and the loan amount certified by the vice
6 chairperson or secretary of the trust in State fiscal years 2008, 2019,
7 and 2020 and for increased allowable costs as defined and
8 determined in accordance with the rules and regulations adopted by
9 the trust pursuant to section 27 of P.L.1985, c.334 (C.58:11B-27).
10 A loan authorized by this subsection shall be made to or on behalf
11 of the project sponsor listed, up to the individual amount indicated
12 and in the priority stated, to the extent sufficient funds are
13 available, except if a project fails to meet the requirements of
14 section 6 of this act.

15 (3) The loans for projects authorized by this subsection shall
16 have priority over the environmental infrastructure projects listed in
17 subsection a. of section 4 of this act.

18 b. (1) The trust is authorized to expend funds for the purpose
19 of making supplemental loans to or on behalf of the project
20 sponsors listed below for the following drinking water
21 environmental infrastructure projects:
22

Project Sponsor	Project Number	Estimated Allowable Trust Loan Amount	Estimated Total Loan Amount
Newark City	0714001-016R	\$1,275,000	\$1,700,000
North Jersey District Water Supply Comm.	1613001-025R	\$19,125,000	\$25,500,000
Total Projects: 2		\$20,400,000	\$27,200,000

23
24 (2) A loan authorized by this subsection shall be made for the
25 difference between the allowable loan amount required by the
26 project based upon final building costs pursuant to subsection a. of
27 section 7 of this act and the loan amount certified by the vice
28 chairperson or secretary of the trust in State fiscal year 2020 and for
29 increased allowable costs as defined and determined in accordance
30 with the rules and regulations adopted by the trust pursuant to
31 section 27 of P.L.1985, c.334 (C.58:11B-27). A loan authorized by
32 this subsection shall be made to or on behalf of the project sponsor
33 listed, up to the individual amount indicated and in the priority
34 stated, to the extent sufficient funds are available, except if a
35 project fails to meet the requirements of section 6 of this act.

1 (3) The loans for projects authorized by this subsection shall
2 have priority over environmental infrastructure projects listed in
3 subsection b. of section 4 of this act.

4 c. The trust is authorized to adjust the allowable trust loan
5 amount for the projects authorized in this section to between zero
6 percent and 100 percent of the total allowable loan amount.

7

8 3. a. The New Jersey Infrastructure Bank is authorized to
9 make loans to or on behalf of the project sponsors for the clean
10 water projects listed in subsection a. of section 2 and subsection a.
11 of section 4 of this act up to the individual amounts indicated and in
12 the priority stated, except that any such amount may be reduced by
13 the trust pursuant to subsection a. of section 7 of this act, or if a
14 project fails to meet the requirements of section 6 of this act. The
15 trust is authorized to increase any such amount pursuant to
16 subsections b., c., d., e. or f. of section 7 or section 8 of this act.

17 b. The trust is authorized to make loans to project sponsors for
18 the drinking water projects listed in subsection b. of section 4 of
19 this act up to the individual amounts indicated and in the priority
20 stated, except that any such amount may be reduced by the trust
21 pursuant to subsection a. of section 7 of this act, or if a project fails
22 to meet the requirements of section 6 of this act. The trust is
23 authorized to increase any such amount pursuant to subsections b.,
24 c., d., e. or f. of section 7 or section 8 of this act.

25 c. The trust is authorized to make loans to local government
26 units for clean water projects partially funded from the “Pinelands
27 Infrastructure Trust Fund” established pursuant to section 14 of
28 P.L.1985, c.302 for the balance of allowable project costs up to the
29 individual amounts indicated, provided that any such amount may
30 be reduced by the trust pursuant to subsection a. of section 7 of this
31 act, or if a project fails to meet the requirements of section 6 of this
32 act.

33 The following local government units are eligible for funding
34 from the “Pinelands Infrastructure Trust Fund” and for loans from
35 the trust in accordance with the rules and regulations adopted by the
36 trust pursuant to section 27 of P.L.1985, c.334 (C.58:11B-27) for
37 the following clean water projects:

38

Project Sponsor	Project Number	Estimated Total Loan Amount
Pemberton Twp.	Pinelands 1	\$2,929,000
Manchester Twp./ Jackson MUA	Pinelands 2	\$7,192,035
Galloway Twp.	Pinelands 4	\$3,493,440
Winslow Twp.	Pinelands 5	\$1,728,940

Total Pinelands Projects: 4		\$15,343,415
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4. a. The following environmental infrastructure projects shall be known and may be cited as the “Storm Sandy and State Fiscal Year 2021 Clean Water Project Eligibility List”:

Project Sponsor	Project Number	Estimated Allowable Trust Loan Amount	Estimated Total Loan Amount
Camden County MUA	S340640-17	\$2,625,000	\$3,500,000
Camden County MUA	S340640-24	\$4,875,000	\$6,500,000
Rahway Valley SA	S340547-14	\$7,125,000	\$9,500,000
Rahway Valley SA	S340547-15	\$1,941,389	\$2,588,518
Camden County MUA	S340640-22	\$2,625,000	\$3,500,000
Camden County MUA	S340640-23	\$4,200,000	\$5,600,000
Newark City	S340815-28	\$4,500,000	\$6,000,000
Camden County MUA	S340640-16	\$9,975,000	\$13,300,000
Newark City	S340815-24	\$15,750,000	\$21,000,000
Camden City	S340366-15	\$9,997,500	\$13,330,000
Camden County MUA	S340640-18	\$63,022,500	\$84,030,000
North Bergen MUA	S340652-14	\$17,250,000	\$23,000,000
Jersey City MUA	S340928-15	\$30,750,000	\$41,000,000
Jersey City MUA	S340928-20	\$5,400,000	\$7,200,000
Jersey City MUA	S340928-21	\$9,750,000	\$13,000,000
Jersey City MUA	S340928-28	\$2,025,000	\$2,700,000
Jersey City MUA	S340928-31	\$8,294,700	\$11,059,600
Jersey City MUA	S340928-34	\$885,885	\$1,181,180
Elizabeth City	S340942-17	\$4,875,000	\$6,500,000
Camden County MUA	S340640-13	\$9,600,000	\$12,800,000
Long Branch SA	S340336-08	\$1,305,525	\$1,740,700
Ocean County UA	S340372-62	\$3,225,000	\$4,300,000
Ocean County UA	S340372-59	\$5,715,000	\$7,620,000

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Hoboken City	S340635-07	\$3,750,000	\$5,000,000
Hoboken City	S340635-09	\$375,000	\$500,000
Mount Laurel Twp. MUA	S340943-06	\$6,000,000	\$8,000,000
Jersey City	S340928-30	\$2,033,250	\$2,711,000
North Hudson SA	S340952-30	\$17,400,000	\$23,200,000
North Hudson SA	S345190-01	\$4,500,000	\$6,000,000
Riverside SA	S340490-01	\$630,000	\$840,000
Perth Amboy City	S340435-11	\$4,844,513	\$6,459,351
Perth Amboy City	S340435-14	\$1,956,000	\$2,608,000
Perth Amboy City	S345220-01	\$750,000	\$1,000,000
Hackensack City	S340923-14	\$6,000,000	\$8,000,000
Somerset Raritan Valley SA	S340801-09	\$4,875,000	\$6,500,000
Passaic Valley SC	S340689-48	\$675,308	\$900,410
Passaic Valley SC	S340689-38	\$15,750,000	\$21,000,000
Passaic Valley SC	S345200-01	\$6,000,000	\$8,000,000
Passaic Valley SC	S345200-02	\$1,500,000	\$2,000,000
Passaic Valley SC	S340689-30	\$2,775,000	\$3,700,000
Passaic Valley SC	S340689-32	\$7,500,000	\$10,000,000
Northwest Bergen County UA	S340700-16	\$3,675,000	\$4,900,000
Bergen County UA	S340386-21	\$5,700,000	\$7,600,000
Linden Roselle SA	S340299-09	\$1,575,000	\$2,100,000
Linden Roselle SA	S340299-08	\$12,750,000	\$17,000,000
Lambertville MUA	S340882-09	\$1,350,000	\$1,800,000
Raritan Twp. MUA	S340485-12	\$3,675,000	\$4,900,000
Clinton Town	S340924-08	\$3,075,000	\$4,100,000
Gloucester County UA	S340902-15	\$8,625,000	\$11,500,000
Stafford Twp.	S344100-03	\$4,200,000	\$5,600,000
Allentown Borough	S340567-05	\$3,825,000	\$5,100,000
JMEUC - East Orange City	S340686-09a	\$465,378	\$620,504

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JMEUC - Elizabeth City	S340686-09b	\$4,879,407	\$6,505,876
JMEUC - Hillside Twp.	S340686-09c	\$681,323	\$908,430
JMEUC - Irvington Twp.	S340686-09d	\$1,689,260	\$2,252,347
JMEUC - Newark City	S340686-09e	\$1,022,282	\$1,363,042
JMEUC - South Orange Village Twp.	S340686-09f	\$488,105	\$650,806
JMEUC - Summit City	S340686-09g	\$889,742	\$1,186,322
JMEUC - Union Twp.	S340686-09h	\$1,837,001	\$2,449,335
JMEUC - West Orange Twp.	S340686-09i	\$1,189,072	\$1,585,429
Howell Twp.	S344040-02	\$11,010,000	\$14,680,000
Ocean County	S344080-10	\$187,500	\$250,000
Ocean County	S344080-11	\$262,500	\$350,000
Rockaway Valley RSA	S340821-07	\$6,150,000	\$8,200,000
Ocean County	S344080-09	\$975,000	\$1,300,000
Western Monmouth UA	S340128-06	\$9,825,000	\$13,100,000
Chatham (MCJM) Borough	S340715-07A	\$2,250,000	\$3,000,000
Madison (MCJM) Borough	S340715-07B	\$3,750,000	\$5,000,000
Point Pleasant Beach Borough	S344190-02	\$2,362,500	\$3,150,000
Long Branch SA	S340336-09	\$4,200,000	\$5,600,000
Manasquan River RSA	S340911-03	\$495,000	\$660,000
Delran Twp.	S340794-10	\$1,575,000	\$2,100,000
Middlesex County UA	S340699-14	\$8,250,000	\$11,000,000
Monmouth County Bayshore Outfall Authority	S340325-04	\$2,625,000	\$3,500,000
Ocean County UA	S340372-60	\$652,500	\$870,000
Brick Twp. MUA	S340448-11	\$4,275,000	\$5,700,000
Northwest Bergen County UA	S340700-15	\$5,250,000	\$7,000,000
Northwest Bergen County UA	S340700-18	\$1,500,000	\$2,000,000
Northwest Bergen County UA	S340700-19	\$6,099,338	\$8,132,450
Western	S340128-05	\$5,887,500	\$7,850,000

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Monmouth UA			
Old Bridge MUA	S340945-14	\$2,700,000	\$3,600,000
Franklin Twp. SA	S340839-08	\$3,150,000	\$4,200,000
Evesham MUA	S340838-07	\$1,200,000	\$1,600,000
Winslow Twp.	S340895-10	\$1,275,000	\$1,700,000
Ocean Twp. SA	S340750-12	\$3,375,000	\$4,500,000
Vernon Twp.	S340745-03	\$82,500	\$110,000
Scotch Plains Twp.	S340512-01	\$2,025,000	\$2,700,000
West Deptford Twp.	S340947-05	\$1,061,250	\$1,415,000
Princeton	S340656-11	\$2,944,259	\$3,925,678
Warren Twp. SA	S340964-05	\$8,100,000	\$10,800,000
Middlesex Borough	S340698-02	\$1,926,563	\$2,568,750
Red Bank Borough	S340528-01	\$1,125,000	\$1,500,000
North Haledon Borough	S340229-02	\$75,000	\$100,000
Glen Ridge Borough	S340861-03	\$334,387	\$445,849
Glen Ridge Borough	S340861-04	\$1,725,000	\$2,300,000
Emerson Borough	S340497-01	\$75,000	\$100,000
Bradley Beach Borough	S340472-01	\$2,025,000	\$2,700,000
Lambertville MUA	S340882-10	\$525,000	\$700,000
Hamburg Borough	S340149-03	\$75,000	\$100,000
Long Beach Twp.	S340023-07	\$3,450,000	\$4,600,000
Long Beach Twp.	S340023-08	\$90,000	\$120,000
Passaic Valley SC	S340689-45	\$7,657,577	\$10,210,102
Lakewood Twp. MUA	S340465-02	\$3,240,000	\$4,320,000
Cumberland County	S340438-03	\$12,750,000	\$17,000,000
Cranford Twp.	S340858-04	\$9,000,000	\$12,000,000
Gloucester Twp.	S340364-11	\$712,500	\$950,000
Gloucester Twp.	S340364-15	\$1,087,500	\$1,450,000
Spotswood Borough	S340510-01	\$4,070,250	\$5,427,000

Paulsboro Borough	S340164-01	\$2,062,500	\$2,750,000
North Hudson SA	S340952-36	\$675,000	\$900,000
Clinton Town	S340924-07	\$600,000	\$800,000
Sussex County MUA	S342008-04	\$5,552,370	\$7,403,160
Kearny Town	S340259-12	\$16,125,000	\$21,500,000
Burlington City	S340140-02	\$1,950,000	\$2,600,000
Willingboro MUA	S340132-11	\$7,500,000	\$10,000,000
Lakewood Twp. MUA	S340465-03	\$1,312,500	\$1,750,000
Bloomfield Twp.	S340516-01	\$5,423,228	\$7,230,970
Brick Twp. MUA	S340448-14	\$1,500,000	\$2,000,000
North Brunswick Twp.	S340888-02	\$6,000,000	\$8,000,000
Manchester Twp.	S340650-08	\$2,250,000	\$3,000,000
Point Pleasant Beach Borough	S340479-04	\$1,447,500	\$1,930,000
Allentown Borough	S340567-06	\$498,704	\$664,938
Ship Bottom Borough	S340311-04	\$2,062,500	\$2,750,000
Total Projects: 123		\$583,016,066	\$777,354,747

1
2 b. The following environmental infrastructure projects shall be
3 known and may be cited as the “State Fiscal Year 2021 Drinking
4 Water Project Eligibility List”:
5

Project Sponsor	Project Number	Estimated Allowable Trust Loan Amount	Estimated Total Loan Amount
Newark City	0714001-020	\$13,125,000	\$17,500,000
Newark City	0714001-019	\$9,375,000	\$12,500,000
Trenton City	1111001-011	\$15,255,000	\$20,340,000
Bloomfield Twp.	0702001-003	\$823,796	\$1,098,395
NJ American Water Co., Inc.	1345001-017	\$7,575,000	\$10,100,000
Burlington City	0305001-002	\$2,700,000	\$3,600,000
Moorestown Twp.	0322001-001	\$18,468,750	\$24,625,000
Brick Twp. MUA	1506001-011	\$15,667,500	\$20,890,000

East Greenwich	0803001-004	\$1,950,000	\$2,600,000
Jersey City MUA	0906001-017	\$1,305,180	\$1,740,240
Newark City	0714001-018	\$3,862,500	\$5,150,000
Jersey City MUA	0906001-019	\$5,025,000	\$6,700,000
NJ American Water Co., Inc.	1345001-021	\$19,758,750	\$26,345,000
Manchester Twp.	1518005-002	\$4,125,000	\$5,500,000
Paulsboro Borough	0814001-003	\$2,100,000	\$2,800,000
Jersey City MUA	0906001-009	\$2,077,500	\$2,770,000
Middlesex Water Co.	1225001-028	\$8,400,000	\$11,200,000
Hoboken City	0905001-002	\$6,000,000	\$8,000,000
Wall Twp.	1352003-001	\$1,350,000	\$1,800,000
Wall Twp.	1352003-002	\$2,775,000	\$3,700,000
Clinton Town	1005001-010	\$1,086,140	\$1,448,187
Clinton Town	1005001-011	\$949,355	\$1,265,807
Spotswood Borough	1224001-001	\$2,582,936	\$3,443,914
Glen Ridge Borough	0708001-008	\$1,929,908	\$2,573,210
Jersey City MUA	0906001-020	\$4,965,000	\$6,620,000
Jersey City MUA	0906001-021	\$8,250,000	\$11,000,000
Jackson Twp. MUA	1511001-013	\$15,000,000	\$20,000,000
Berkeley Twp. MUA	1505004-009	\$1,875,000	\$2,500,000
Jersey City MUA	0906001-015	\$2,691,950	\$3,589,266
Hoboken City	0905001-001	\$6,375,000	\$8,500,000
Middlesex Water Co.	1225001-025	\$42,750,000	\$57,000,000
Evesham MUA	0313001-001	\$1,950,000	\$2,600,000
Brick Twp. MUA	1506001-009	\$4,446,570	\$5,928,760
Clinton Town	1005001-012	\$2,625,000	\$3,500,000
Milltown Borough	1212001-005	\$1,350,000	\$1,800,000
NJ American Water Co., Inc.	2004002-013	\$12,000,000	\$16,000,000
Jackson Twp. MUA	1511001-012	\$8,250,000	\$11,000,000

Hampton Borough	1013001-001	\$1,350,000	\$1,800,000
Little Egg Harbor MUA	1516001-003	\$4,143,750	\$5,525,000
National Park Borough	0812001-004	\$1,275,000	\$1,700,000
Hopatcong Borough	1912001-004	\$75,000	\$100,000
Hamburg Borough	1909001-001	\$63,750	\$85,000
Highbridge Borough	1014001-001	\$75,000	\$100,000
Hardyston MUA	1911006-003	\$75,000	\$100,000
Total Projects: 44		\$267,853,335	\$357,137,779

1
2 c. The trust is authorized to adjust the allowable trust loan amount
3 for projects authorized in this section to between zero percent and 100
4 percent of the total allowable loan amount, and, if the trust loan
5 amount is adjusted to 100 percent of the total allowable loan
6 amount, the loan shall be provided pursuant to the terms and
7 conditions of the financing program year in which the trust issued
8 an interim financing program loan for the project or, in the absence
9 of an interim financing program loan, the terms and conditions of
10 the State fiscal year 2021 financing program.

11
12 5. In accordance with and subject to the provisions of sections
13 5, 6, and 23 of P.L.1985, c.334 (C.58:11B-5, 58:11B-6, and
14 58:11B-23), and as set forth in the financial plan required pursuant
15 to section 21 of P.L.1985, c.334 (C.58:11B-21), or the financial
16 plan required pursuant to section 25 of P.L.1997, c.224 (C.58:11B-
17 21.1), any proceeds from bonds issued by the trust to make loans
18 for priority environmental infrastructure projects listed in sections 2
19 and 4 of this act which are not expended for that purpose may be
20 applied for the payment of all or any part of the principal of, or
21 interest and premium on, the trust bonds whether due at stated
22 maturity, the interest payment dates, or earlier upon redemption. A
23 portion of the proceeds from bonds issued by the trust to make
24 loans for priority environmental infrastructure projects pursuant to
25 this act may be applied for the payment of capitalized interest and
26 for the payment of any issuance expenses; for the payment of
27 reserve capacity expenses; for the payment of debt service reserve
28 fund expenses for the payment of the loan origination fees; and for
29 the payment of increased costs, as defined and determined in
30 accordance with the rules and regulations adopted by the trust
31 pursuant to section 27 of P.L.1985, c.334 (C.58:11B-27).

32
33 6. Any loan made by the New Jersey Infrastructure Bank
34 pursuant to this act shall be subject to the following requirements:

- 1 a. The chairperson or secretary of the trust has certified that the
2 project is in compliance with the provisions of P.L.1977, c.224,
3 P.L.1985, c.334, P.L.1992, c.88, P.L.1997, c.223, P.L.1997, c.224,
4 P.L.1997, c.225, P.L.1999, c.175 or P.L.2003, c.162, and any
5 amendatory and supplementary acts thereto, and any rules and
6 regulations adopted pursuant thereto, as applicable. In making this
7 certification, the chairperson or secretary may conclusively rely on
8 the project review conducted by the Department of Environmental
9 Protection without any independent review thereof by the trust;
- 10 b. The loan shall be conditioned upon inclusion of the project
11 on a project eligibility list approved pursuant to section 20 of
12 P.L.1985, c.334 (C.58:11B-20) or section 24 of P.L.1997,
13 c.224 (C.58:11B-20.1);
- 14 c. The loan shall be repaid within a period not to exceed 30
15 years, or 45 years for combined sewer overflow abatement projects,
16 of the making of the loan;
- 17 d. The loan, including any portion thereof made by the trust
18 pursuant to subsection f. of section 7 of this act, shall not exceed the
19 allowable project cost of the environmental infrastructure facility,
20 exclusive of capitalized interest, administrative expenses associated
21 with federal funding programs, if applicable, and issuance expenses
22 as provided in subsection b. of section 7 of this act, reserve capacity
23 expenses and the debt service reserve fund expenses as provided in
24 subsection c. of section 7 of this act, interest earned on project costs
25 as provided in subsection d. of section 7 of this act, the amounts of
26 the loan origination fee as provided in subsection e. of section 7 of
27 this act, refunding increases as provided in section 8 of this act and
28 increased costs as defined and determined in accordance with the
29 rules and regulations adopted by the trust pursuant to section 27 of
30 P.L.1985, c.334 (C.58:11B-27);
- 31 e. The loan shall bear interest, exclusive of any late charges or
32 administrative fees payable to the trust pursuant to subsection o. of
33 section 5 of P.L.1985, c.334 (C.58:11B-5) by the project sponsors
34 receiving trust loans, at or below the interest rate paid by the trust
35 on the bonds issued to make or refund the loans authorized by this
36 act, adjusted for underwriting discount and original issue discount
37 or premium, in accordance with the terms and conditions set forth
38 in the financial plan required pursuant to section 21 of P.L.1985,
39 c.334 (C.58:11B-21) or the financial plan required pursuant to
40 section 25 of P.L.1997, c.224 (C.58:11B-21.1); and
- 41 f. The loan shall be subject to all other terms and conditions as
42 the trust shall determine to be consistent with the provisions of
43 P.L.1985, c.334 (C.58:11B-1 et seq.) and any rules and regulations
44 adopted pursuant thereto, and with the financial plan required by
45 section 21 of P.L.1985, c.334 (C.58:11B-21) or the financial plan
46 required pursuant to section 25 of P.L.1997, c.224 (C.58:11B-21.1).
- 47 The eligibility lists and authorization for the making of loans
48 pursuant to this act shall expire on July 1, 2021, and any project

1 sponsor which has not executed and delivered a loan agreement
2 with the trust for a loan authorized in this act shall no longer be
3 entitled to that loan.

4
5 7. a. The New Jersey Infrastructure Bank is authorized to
6 reduce the individual amount of loan funds made available to or on
7 behalf of project sponsors pursuant to sections 2 and 4 of this act based
8 upon final building costs defined in and determined in accordance with
9 rules and regulations adopted by the trust pursuant to section 27 of
10 P.L.1985, c.334 (C.58:11B-27) or rules and regulations adopted by the
11 Commissioner of Environmental Protection pursuant to section 4 of
12 P.L.1985, c.329, section 11 of P.L.1977, c.224 (C.58:12A-11) or
13 section 5 of P.L.1981, c.261. The trust is authorized to use any such
14 reduction in the loan amount made available to a project sponsor to
15 cover that project sponsor's increased costs due to differing site
16 conditions or other allowable expenses as defined and determined in
17 accordance with the rules and regulations adopted by the trust pursuant
18 to section 27 of P.L.1985, c.334 (C.58:11B-27).

19 b. The trust is authorized to increase each loan amount authorized
20 in sections 2 and 4 of this act by the amount of capitalized interest and
21 issuance expenses allocable to each loan made by the trust pursuant to
22 this act, provided that the increase for issuance expenses, excluding
23 underwriters' discount, original issue discount or premiums, municipal
24 bond insurance premiums and bond rating agency fees, and
25 administrative expenses associated with federal funding programs, if
26 applicable, shall not exceed 0.4 percent of the principal amount of trust
27 bonds issued to make loans authorized by this act.

28 c. The trust is authorized to increase each loan amount authorized
29 in sections 2 and 4 of this act by the amount of reserve capacity
30 expenses, and by the debt service reserve fund expenses associated
31 with the costs identified in paragraphs (3) and (4) of subsection d. of
32 section 1 of this act.

33 d. The trust is authorized to increase each loan amount authorized
34 in sections 2 and 4 of this act by the interest earned on amounts
35 deposited for project costs pending their distribution to project
36 sponsors.

37 e. The trust is authorized to increase each loan amount authorized
38 in sections 2 and 4 of this act by the loan origination fee.

39 f. The trust is authorized to increase each loan amount authorized
40 in sections 2 and 4 of this act by the amount appropriated to the
41 Department of Environmental Protection for the purpose of making the
42 corresponding zero interest loan pursuant to section 3 of P.L. , c.
43 (pending before the Legislature as Senate Bill No. 2499 of 2020 and
44 Assembly Bill No. of 2020) in connection with the project costs of
45 the project sponsor, to the extent the priority ranking or an
46 insufficiency of funding prevents the department from meeting
47 program demand, and for lead abatement projects ineligible for

1 department loans under the Federal Clean Water Act and Safe
2 Drinking Water Act.

3
4 8. The New Jersey Infrastructure Bank is authorized to increase
5 the individual amount of loan funds made available to project
6 sponsors by the trust pursuant to P.L.1989, c.190, P.L.1990, c.97,
7 P.L.1991, c.324, P.L.1992, c.37, P.L.1993, c.192, P.L.1994, c.105,
8 P.L.1995, c.218, P.L.1996, c.87, P.L.1997, c.222, P.L.1998, c.85,
9 P.L.1999, c.173, P.L.2000, c.93, P.L.2001, c.224, P.L.2002, c.71,
10 P.L.2003, c.159, P.L.2004, c.110, P.L.2005, c.197, P.L.2006, c.67,
11 P.L.2007, c.140, P.L.2008, c.67, P.L.2009, c.101, P.L.2010, c.62,
12 P.L.2011, c.95, P.L.2012, c.38, P.L.2013, c.94, P.L.2014, c.26,
13 P.L.2015, c.107, P.L.2016, c.31 as amended by P.L.2017, c.13,
14 P.L.2017, c.142 as amended by P.L.2017, c.327, P.L.2018, c.84 as
15 amended by P.L.2019, c.30, P.L.2019, c.192 as amended by
16 P.L.2019, c.515, or P.L. , c. (pending before the Legislature as
17 this bill) provided that adequate savings are achieved, to
18 compensate for a refunding of trust bonds issued to make loans
19 authorized by the aforementioned acts.

20
21 9. The expenditure of funds authorized pursuant to this act is
22 subject to the provisions of P.L.1977, c.224 (C.58:12A-1 et al.),
23 P.L.1985, c.329, P.L.1985, c.334 (C.58:11B-1 et seq.) as amended
24 and supplemented by P.L.1997, c.224, P.L.1992, c.88, P.L.1989,
25 c.181, P.L.1997, c.223, P.L.1997, c.225, P.L.1999, c.175, or
26 P.L.2003, c.162, the rules and regulations adopted pursuant thereto,
27 and the Federal Safe Drinking Water Act, as appropriate.

28
29 10. a. There is appropriated to the New Jersey Infrastructure
30 Bank, as needed to make short-term or temporary loans, from funds
31 deposited in any account, including the "Wastewater Treatment Fund,"
32 the "1992 Wastewater Treatment Fund," the "Water Supply Fund," the
33 "2003 Water Resources and Wastewater Treatment Trust Fund," the
34 "Stormwater Management and Combined Sewer Overflow Abatement
35 Fund," the "Clean Water State Revolving Fund," or the "Drinking
36 Water State Revolving Fund," as appropriate, and from any net
37 earnings received from the investment and reinvestment of such
38 deposits, the sum of up to \$600,000,000, to the extent funds are
39 available, consisting of:

40 (1) The uncommitted balance currently on deposit as of July 1,
41 2020 in the special fund (hereinafter referred to as the "Interim
42 Environmental Financing Program Fund") created and established by
43 the trust for the short-term or temporary loan financing or refinancing
44 program (hereinafter referred to as the "Interim Environmental
45 Financing Program") authorized pursuant to subsection d. of section 9
46 of P.L.1985, c.334 (C.58:11B-9), which balance previously had been
47 appropriated to the trust for such purpose pursuant to section 11 of
48 P.L.2019, c.192, less any Interim Environmental Financing Program

1 Fund amounts appropriated to the Department of Environmental
2 Protection to supplement the sums appropriated from the Clean Water
3 State Revolving Fund for clean water projects pursuant to the Federal
4 Clean Water Act and from the Drinking Water State Revolving Fund
5 for drinking water projects pursuant to the Federal Safe Drinking
6 Water Act, provided that at no time shall funds committed pursuant to
7 this section exceed funds required by the Department of
8 Environmental Protection to meet long-term obligations; and

9 (2) such other amounts to be deposited in the Interim
10 Environmental Financing Program Fund, in an aggregate amount that
11 does not exceed at any time, the amount appropriated, provided that
12 the amount so reappropriated and appropriated to the trust for deposit
13 in the Interim Environmental Financing Program Fund shall be utilized
14 by the trust to make short-term or temporary loans pursuant to the
15 Interim Environmental Financing Program to any one or more of the
16 project sponsors, for the respective projects thereof, identified in the
17 interim environmental financing project priority list (hereinafter
18 referred to as the "Interim Environmental Financing Program Project
19 Priority List") in the form provided to the Legislature by the
20 Commissioner of Environmental Protection.

21 b. The Interim Environmental Financing Program Project Priority
22 List shall be submitted to the Secretary of the Senate and the Clerk of
23 the General Assembly at least once each fiscal year. The Secretary of
24 the Senate and the Clerk of the General Assembly shall cause the date
25 of submission to be entered upon the Senate Journal and the Minutes
26 of the General Assembly, respectively. Any environmental
27 infrastructure project or the project sponsor thereof not identified in
28 the Interim Environmental Financing Program Project Priority List
29 shall not be eligible for a short-term or temporary loan from the
30 Interim Environmental Financing Program Fund.

31 c. The trust may issue market rate interest short-term temporary
32 loans for wastewater treatment and water supply projects on the
33 Interim Environmental Financing Program Project Priority List for the
34 reduction of lead in publicly-owned facilities otherwise ineligible to
35 receive funding for that purpose pursuant to subsection a. of this
36 section.

37

38 11. a. There is appropriated to the New Jersey Infrastructure
39 Bank for deposit in the special fund created and established by the
40 trust for the short-term or temporary Disaster Relief Emergency
41 Financing Program loan financing or refinancing program
42 (hereinafter referred to as the "Disaster Relief Emergency Financing
43 Program") authorized pursuant to subsection a. of section 1 of
44 P.L.2013, c.93 (C.58:11B-9.5) such sums as needed consisting of:

45 (1) sums from the "Interim Environmental Financing Program
46 Fund" as needed by the trust to make short-term or temporary loans
47 pursuant to the Disaster Relief Emergency Financing Program to

1 any one or more of the project sponsors, for the respective projects
2 thereof; and

3 (2) such other amounts to be deposited in the Disaster Relief
4 Emergency Financing Program Fund, provided that the amount so
5 appropriated to the trust for deposit in the Disaster Relief
6 Emergency Financing Program Fund shall be utilized by the trust to
7 make short-term or temporary loans pursuant to the Disaster Relief
8 Emergency Financing Program to any one or more of the project
9 sponsors, for the respective projects thereof. Any projects funded
10 by the Disaster Relief Emergency Financing Program shall be
11 subject to the approval of the Commissioner of Environmental
12 Protection.

13 b. The Disaster Relief Emergency Financing Program Project
14 Priority List shall be submitted to the Legislature pursuant to
15 section 2 of P.L.1991, c.164 (C.52:14-19.1) at least once in each
16 fiscal year. Any environmental infrastructure project or the project
17 sponsor thereof not identified in the Disaster Relief Emergency
18 Financing Program Project Priority List shall not be eligible for a
19 short-term or temporary loan from the Disaster Relief Emergency
20 Financing Program Fund.

21
22 12. Notwithstanding the provisions of the "Administrative
23 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to the
24 contrary, the trust shall not be required to adopt rules and
25 regulations governing the making of Disaster Relief Emergency
26 Financing Program loans.

27
28 13. This act shall take effect immediately.
29

30

31

32 STATEMENT

33

34 This bill would authorize the New Jersey Infrastructure Bank
35 (NJIB) (formerly the New Jersey Environmental Infrastructure
36 Trust) to expend up to \$1.168 billion and any unexpended balances
37 from previous authorizations to provide loans with an interest rate
38 at or below the prevailing market rate to project sponsors (primarily
39 local governments, public authorities, or public water utilities) for a
40 portion of the total costs of 174 eligible environmental
41 infrastructure projects. The eligible projects are those included in
42 the "Storm Sandy and State Fiscal Year 2021 Clean Water Project
43 Priority List" and the "State Fiscal Year 2021 Drinking Water
44 Project Priority List," as well as five clean water projects and two
45 drinking water projects that received a loan in the past and which
46 now require a supplemental loan in order to meet actual costs.

47 In addition to the use of prior unused allocations, this bill also
48 permits the NJIB to use any loan repayments received to date, and
the amounts for capitalized interest, bond issuance expenses and

1 related amounts, to fund the State Fiscal Year 2021 New Jersey
2 Environmental Infrastructure Financing Program (NJEIFP).

3 This bill would also provide loan financing from the NJIB for the
4 balance of the allowable project costs of four eligible clean water
5 projects partially funded from the “Pinelands Infrastructure Trust
6 Fund” established pursuant to the “Pinelands Infrastructure Trust
7 Bond Act of 1985”, P.L.1985, c. 302.

8 Since its creation in 1985, the NJIB, in partnership with the
9 Department of Environmental Protection, has provided low-cost
10 NJEIFP loans for the construction of environmental infrastructure
11 projects that enhance and protect ground and surface water
12 resources, ensure the safety of drinking water supplies, and make
13 possible responsible and sustainable economic development. Since
14 1985, NJEIFP loans to local government units and some private
15 water companies have totaled more than \$7.13 billion of which the
16 NJIB has provided more than \$2.9 billion in loans to finance
17 wastewater systems, combined sewer overflow abatement, nonpoint
18 source pollution control, and safe drinking water supplies
19 generating more than 130,000 construction projects throughout the
20 State.

21

22

23

24

25 Authorizes NJ Infrastructure Bank to expend certain sums to
26 make loans for environmental infrastructure projects for FY2021.