

SENATE, No. 3212

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED NOVEMBER 19, 2020

Sponsored by:

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Senator STEVEN V. OROHO

District 24 (Morris, Sussex and Warren)

Co-Sponsored by:

Senators Bateman, Brown, Pou and Turner

SYNOPSIS

Amends list of environmental infrastructure projects approved for long-term funding for FY2021 to include new projects and modify estimated loan amounts for certain projects; modifies terms and conditions for certain loans utilizing federal funds.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/17/2020)

1 **AN ACT** concerning the financing of environmental infrastructure
2 projects in Fiscal Year 2021 and amending P.L.2020, c.49.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 1 of P.L.2020, c.49 is amended to read as follows:

8 1. a. (1) There is appropriated to the Department of
9 Environmental Protection from the "Clean Water State Revolving
10 Fund," established pursuant to section 1 of P.L.2009, c.77, an
11 amount equal to the federal fiscal year 2020 capitalization grant
12 made available to the State for clean water project loans pursuant to
13 the "Water Quality Act of 1987," 33 U.S.C. s.1251 et seq., and any
14 amendatory and supplementary acts thereto (hereinafter referred to
15 as the "Federal Clean Water Act").

16 (2) There is appropriated to the Department of Environmental
17 Protection from the "Interim Environmental Financing Program
18 Fund," established by the New Jersey Infrastructure Bank pursuant
19 to subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-9), such
20 amounts as may be necessary to supplement the sums appropriated
21 from the Clean Water State Revolving Fund for the purposes of
22 clean water project loans and providing the State match as may be
23 required for the award of the capitalization grants made available to
24 the State for clean water projects pursuant to the Federal Clean
25 Water Act.

26 (3) There is appropriated to the Department of Environmental
27 Protection from the "Disaster Relief Emergency Financing Program
28 Fund," established by the New Jersey Infrastructure Bank pursuant
29 to section 1 of P.L.2013, c.93 (C.58:11B-9.5), such amounts as may
30 be necessary to supplement the sums appropriated from the Clean
31 Water State Revolving Fund for the purposes of clean water project
32 loans and providing the State match as may be required for the
33 award of the capitalization grants made available to the State for
34 clean water projects pursuant to the Federal Clean Water Act.

35 (4) There is appropriated to the Department of Environmental
36 Protection from the "Drinking Water State Revolving Fund,"
37 established pursuant to section 1 of P.L.1998, c.84, an amount equal
38 to the federal fiscal year 2020 capitalization grant made available to
39 the State for drinking water projects pursuant to the "Safe Drinking
40 Water Act Amendments of 1996," Pub.L.104-182, and any
41 amendatory and supplementary acts thereto (hereinafter referred to
42 as the "Federal Safe Drinking Water Act").

43 The Department of Environmental Protection is authorized to
44 transfer from the Clean Water State Revolving Fund to the Drinking
45 Water State Revolving Fund, pursuant to the "Water Infrastructure

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 Funding Transfer Act," Pub.L.116-63, additional amounts as may
2 be necessary to address a threat to public health, and an amount
3 equal to the maximum amount authorized to be transferred is
4 appropriated to the department for those purposes.

5 The Department of Environmental Protection is authorized to
6 transfer from the Clean Water State Revolving Fund to the Drinking
7 Water State Revolving Fund an amount up to the maximum amount
8 authorized to be transferred pursuant to the Federal Safe Drinking
9 Water Act to meet present and future needs for the financing of
10 eligible drinking water projects, and an amount equal to that
11 maximum amount is appropriated to the department for those
12 purposes.

13 The Department of Environmental Protection is authorized to
14 transfer from the Drinking Water State Revolving Fund to the Clean
15 Water State Revolving Fund an amount up to the maximum amount
16 authorized to be transferred pursuant to the Federal Clean Water
17 Act to meet present and future needs for the financing of eligible
18 clean water projects, and an amount equal to that maximum amount
19 is appropriated to the department for those purposes.

20 Notwithstanding any provision of **【this act】** P.L.2020, c.49, as
21 amended by P.L. , c. (pending before the Legislature as this bill)
22 to the contrary, the Department of Environmental Protection is
23 authorized to utilize funds from the Clean Water State Revolving
24 Fund for the purposes of the Drinking Water State Revolving Fund,
25 and may charge interest on loans made with such invested funds to
26 the extent permitted by the Federal Clean Water Act and the Federal
27 Safe Drinking Water Act.

28 (5) There is appropriated to the Department of Environmental
29 Protection the unappropriated balances from the Clean Water State
30 Revolving Fund, including the balances from the Federal Disaster
31 Relief Appropriations Act, and any repayments of loans and interest
32 therefrom, as may be available on or before June 30, 2021, for the
33 purposes of clean water project loans and providing the State match
34 as may be required for the award of the capitalization grants made
35 available to the State for clean water projects pursuant to the
36 Federal Clean Water Act.

37 (6) There is appropriated to the Department of Environmental
38 Protection the unappropriated balances from the "Wastewater
39 Treatment Fund," established pursuant to section 15 of the
40 "Wastewater Treatment Bond Act of 1985," P.L.1985, c.329, and
41 any repayments of loans and interest therefrom, as may be available
42 on or before June 30, 2021, for the purposes of clean water project
43 loans and providing the State match as may be required for the
44 award of the capitalization grants made available to the State for
45 clean water projects pursuant to the Federal Clean Water Act.

46 (7) There is appropriated to the Department of Environmental
47 Protection the unappropriated balances from the "1992 Wastewater
48 Treatment Fund," established pursuant to section 27 of the "Green

1 Acres, Clean Water, Farmland and Historic Preservation Bond Act
2 of 1992," P.L.1992, c.88, and any repayments of loans and interest
3 therefrom, as may be available on or before June 30, 2021, for the
4 purposes of clean water project loans and providing the State match
5 as may be required for the award of the capitalization grants made
6 available to the State for clean water projects pursuant to the
7 Federal Clean Water Act.

8 (8) There is appropriated to the Department of Environmental
9 Protection the unappropriated balances from the "2003 Water
10 Resources and Wastewater Treatment Fund," established pursuant
11 to subsection a. of section 19 of the "Dam, Lake, Stream, Flood
12 Control, Water Resources, and Wastewater Treatment Project Bond
13 Act of 2003," P.L.2003, c.162, and any repayments of loans and
14 interest therefrom, as may be available on or before June 30, 2021,
15 for the purposes of clean water project loans and providing the State
16 match as may be required for the award of the capitalization grants
17 made available to the State for clean water projects pursuant to the
18 Federal Clean Water Act.

19 (9) There is appropriated to the Department of Environmental
20 Protection the unappropriated balances from the "Pinelands
21 Infrastructure Trust Fund," established pursuant to section 14 of the
22 "Pinelands Infrastructure Trust Bond Act of 1985," P.L.1985, c.302,
23 and any repayments of loans and interest therefrom, as may be
24 available on or before June 30, 2021, for the purposes of clean
25 water project loans and drinking water project loans and providing
26 the State match as may be required for the award of the
27 capitalization grants made available to the State for clean water
28 projects pursuant to the Federal Clean Water Act and for drinking
29 water projects pursuant to the Federal Safe Drinking Water Act.

30 (10) There is appropriated to the Department of Environmental
31 Protection the unappropriated balances from the "Stormwater
32 Management and Combined Sewer Overflow Abatement Fund,"
33 established pursuant to the "Stormwater Management and
34 Combined Sewer Overflow Abatement Bond Act of 1989,"
35 P.L.1989, c.181, and any repayments of loans and interest
36 therefrom, as may be available on or before June 30, 2021, for the
37 purposes of clean water project loans and providing the State match
38 as may be required for the award of the capitalization grants made
39 available to the State for clean water projects pursuant to the
40 Federal Clean Water Act.

41 (11) There is appropriated to the Department of Environmental
42 Protection the unappropriated balances from the Drinking Water
43 State Revolving Fund and any repayments of loans and interest
44 therefrom, including the balances from the Federal Disaster Relief
45 Appropriations Act as may be available on or before June 30, 2021,
46 for the purposes of drinking water project loans.

47 (12) There is appropriated to the Department of Environmental
48 Protection such sums as may be needed from loan repayments and

1 interest earnings from the "Water Supply Fund," established
2 pursuant to section 14 of the "Water Supply Bond Act of 1981,"
3 P.L.1981, c.261, for the "Drinking Water State Revolving Fund
4 Match Accounts" contained within that fund, for the purpose of
5 providing the State match as may be required for the award of the
6 capitalization grants made available to the State for drinking water
7 projects pursuant to the Federal Safe Drinking Water Act.

8 (13) There is appropriated to the Department of Environmental
9 Protection from the "Interim Environmental Financing Program
10 Fund," established by the New Jersey Infrastructure Bank pursuant
11 to subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-9), such
12 amounts as may be available on or before June 30, 2021, and any
13 repayments of loans and interest therefrom, as may be necessary to
14 supplement the sums appropriated from the Drinking Water State
15 Revolving Fund for the purposes of drinking water project loans
16 and providing the State match as may be required for the award of
17 the capitalization grants made available to the State for drinking
18 water projects pursuant to the Federal Safe Drinking Water Act.

19 (14) There is appropriated to the Department of Environmental
20 Protection from the "Disaster Relief Emergency Financing Program
21 Fund," established by the New Jersey Infrastructure Bank pursuant
22 to section 1 of P.L.2013, c.93 (C.58:11B-9.5), such amounts as may
23 be necessary to supplement the sums appropriated from the
24 Drinking Water State Revolving Fund for the purposes of drinking
25 water project loans and providing the State match as may be
26 required for the award of the capitalization grants made available to
27 the State for drinking water projects pursuant to the Federal Safe
28 Drinking Water Act.

29 (15) There is appropriated to the Department of Environmental
30 Protection such amounts as may be received by the Department of
31 Community Affairs, as the grantee from the United States
32 Department of Housing and Urban Development Community
33 Development Block Grant - Disaster Recovery Program (CDBG-
34 DR), as may be available on or before June 30, 2021, for the
35 purposes of CDBG-DR eligible clean water and drinking water
36 project loans and providing the State match as may be required for
37 the award of the capitalization grants made available to the State for
38 clean water projects pursuant to the Federal Clean Water Act and
39 drinking water projects pursuant to the Federal Safe Drinking Water
40 Act.

41 (16) There is appropriated to the Department of Environmental
42 Protection such sums as may be available on or before June 30,
43 2021, as repayments of drinking water project loans and any interest
44 therefrom from the "Water Supply Fund," established pursuant to
45 section 14 of the "Water Supply Bond Act of 1981," P.L.1981,
46 c.261, for the purposes of drinking water project loans and
47 providing the State match as may be required for the award of the

1 capitalization grants made available to the State for drinking water
2 projects pursuant to the Federal Safe Drinking Water Act.

3 (17) Of the sums appropriated to the Department of
4 Environmental Protection from the "Water Supply Fund" pursuant
5 to P.L.1999, c.174, P.L.2001, c.222, P.L.2002, c.70, and P.L.2003,
6 c.158, the department is authorized to transfer any unexpended
7 balances and any repayments of loans and interest therefrom as may
8 be available on or before June 30, 2021, in such amounts as needed
9 to the Drinking Water State Revolving Fund accounts contained
10 within the Water Supply Fund established for the purposes of
11 providing drinking water project loans and providing the State
12 match as may be required for the award of the capitalization grants
13 made available to the State for drinking water projects pursuant to
14 the Federal Safe Drinking Water Act.

15 (18) Of the sums appropriated to the Department of
16 Environmental Protection from the "1992 Wastewater Treatment
17 Fund" pursuant to P.L.1996, c.85, P.L.1997, c.221, P.L.1998, c.84,
18 P.L.1999, c.174, P.L.2000, c.92, P.L.2001, c.222, and P.L.2002,
19 c.70, the department is authorized to transfer any unexpended
20 balances and any repayments of loans and interest therefrom as may
21 be available on or before June 30, 2021, in such amounts as needed
22 to the Clean Water State Revolving Fund accounts contained within
23 the 1992 Wastewater Treatment Fund for the purposes of providing
24 clean water project loans and providing the State match as may be
25 required for the award of the capitalization grants made available to
26 the State for clean water projects pursuant to the Federal Clean
27 Water Act.

28 (19) Of the sums appropriated to the Department of
29 Environmental Protection from the "2003 Water Resources and
30 Wastewater Treatment Fund" pursuant to P.L.2004, c.109 and
31 P.L.2007, c.139, the department is authorized to transfer any
32 unexpended balances and any repayments of loans and interest
33 therefrom as may be available on or before June 30, 2021, in such
34 amounts as needed to the Clean Water State Revolving Fund
35 accounts contained within the 2003 Water Resources and
36 Wastewater Treatment Fund for the purposes of providing clean
37 water project loans and providing the State match as may be
38 required for the award of the capitalization grants made available to
39 the State for clean water projects pursuant to the Federal Clean
40 Water Act.

41 (20) There is appropriated to the Department of Environmental
42 Protection the sums deposited by the New Jersey Infrastructure
43 Bank into the Clean Water State Revolving Fund, the "Wastewater
44 Treatment Fund," the "1992 Wastewater Treatment Fund," the
45 "Water Supply Fund," the "Stormwater Management and Combined
46 Sewer Overflow Abatement Fund," established pursuant to the
47 "Stormwater Management and Combined Sewer Overflow
48 Abatement Bond Act of 1989," P.L.1989, c.181, the "2003 Water

1 Resources and Wastewater Treatment Fund," and the Drinking
2 Water State Revolving Fund, as appropriate, pursuant to paragraph
3 (6) of subsection c. of section 1 of P.L.2020, c.48, as amended by
4 P.L. , c. (pending before the Legislature as Senate Bill No. of
5 2020 and Assembly Bill No. of 2020), as may be available on or
6 before June 30, 2021, for the purposes of providing clean water
7 project loans and drinking water project loans and providing the
8 State match as may be required for the award of the capitalization
9 grants made available to the State for clean water projects pursuant
10 to the Federal Clean Water Act and for drinking water projects
11 pursuant to the Federal Safe Drinking Water Act.

12 Any such amounts shall be for the purpose of making zero
13 interest and principal forgiveness financing loans, to the extent
14 sufficient funds are available, to or on behalf of local government
15 units or public water utilities (hereinafter referred to as "project
16 sponsors") to finance a portion of the cost of the construction of
17 clean water projects and drinking water projects listed in sections 2
18 and 3 of **【this act】** P.L.2020, c.49, as amended by P.L. ,
19 c. (pending before the Legislature as this bill) , and for the
20 purpose of implementing and administering the provisions of **【this**
21 **act】** P.L.2020, c.49, as amended by P.L. , c. (pending before the
22 Legislature as this bill) , to the extent permitted by the Federal
23 Disaster Relief Appropriations Act, the Federal Clean Water Act,
24 the Federal Safe Drinking Water Act, P.L.2009, c.77, the
25 "Wastewater Treatment Bond Act of 1985," P.L.1985, c.329, the
26 "Water Supply Bond Act of 1981," P.L.1981, c.261, the
27 "Stormwater Management and Combined Sewer Overflow
28 Abatement Bond Act of 1989," P.L.1989, c.181, the "Green Acres,
29 Clean Water, Farmland and Historic Preservation Bond Act of
30 1992," P.L.1992, c.88, the "Dam, Lake, Stream, Flood Control,
31 Water Resources, and the Wastewater Treatment Project Bond Act
32 of 2003," P.L.2003, c.162, and any amendatory and supplementary
33 acts thereto.

34 (21) Of the \$60 million appropriated to the department for
35 Drinking Water Infrastructure by the State fiscal year 2021 annual
36 appropriations act, P.L.2020 c.97, up to \$25 million may be
37 transferred to the New Jersey Infrastructure Bank to invest, provide
38 debt service reserve or guarantee, or pay interest on behalf of a
39 sponsor of a drinking water environmental infrastructure project.

40 b. The department is authorized to make zero interest and
41 principal forgiveness financing loans to or on behalf of the project
42 sponsors for the environmental infrastructure projects listed in
43 subsection a. of section 2 and subsection a. of section 3 of **【this act】**
44 P.L.2020, c.49, as amended by P.L. , c. (pending before the
45 Legislature as this bill) for clean water projects, up to the individual
46 amounts indicated and in the priority stated, to the extent there are
47 sufficient eligible project applications, except that any such
48 amounts may be reduced if a project fails to meet the requirements

1 of sections 4 or 5 of **【this act】** P.L.2020, c.49, as amended by
2 P.L. , c. (pending before the Legislature as this bill) , or by the
3 Commissioner of Environmental Protection pursuant to section 7 of
4 **【this act】** P.L.2020, c.49, as amended by P.L. , c. (pending
5 before the Legislature as this bill) , provided:

6 (1) a maximum of \$15 million in principal forgiveness loans,
7 plus any appropriated but unallocated funds designated in State
8 fiscal year 2020 for combined sewer overflow projects, shall be
9 issued as provided in subsection a. of section 3 of **【this act】**
10 P.L.2020, c.49, as amended by P.L. , c. (pending before the
11 Legislature as this bill) to communities in combined sewer overflow
12 sewersheds sponsoring construction projects that reduce or
13 eliminate discharges from combined sewer overflow outfalls,
14 wherein principal forgiveness loans shall not exceed \$4 million per
15 borrower subject to the availability of funds, and wherein 50
16 percent of the principal of the fund loan shall be forgiven, 25
17 percent of the loan shall be a zero interest rate fund loan, and 25
18 percent of the loan shall be a trust market rate loan. For project
19 costs greater than \$4 million up to and including \$10 million, 75
20 percent of the loan shall be a zero interest rate fund loan and 25
21 percent of the loan shall be a trust market rate loan. For project
22 costs greater than \$10 million, 50 percent of the loan shall be a zero
23 interest rate fund loan and 50 percent of the loan shall be a trust
24 market rate loan;

25 (2) a maximum of \$10 million in principal forgiveness loans
26 shall be issued as provided in subsection a. of section 3 of **【this act】**
27 P.L.2020, c.49, as amended by P.L. , c. (pending before the
28 Legislature as this bill) for water quality restoration projects
29 wherein principal forgiveness loans shall not exceed \$2 million per
30 borrower subject to the availability of funds, and wherein 50
31 percent of the principal of the fund loan shall be forgiven, 25
32 percent of the loan shall be a zero interest rate fund loan, and 25
33 percent of the loan shall be a trust market rate loan subject to the
34 availability of funds. For project costs greater than \$4 million up to
35 and including \$10 million, 75 percent of the loan shall be a zero
36 interest rate fund loan and 25 percent of the loan shall be a trust
37 market rate loan. For project costs greater than \$10 million, 50
38 percent of the loan shall be a zero interest rate fund loan and 50
39 percent of the loan shall be a trust market rate loan;

40 (3) to the extent funds are available, a maximum of \$500,000 in
41 principal forgiveness loans shall be issued to finance clean water
42 environmental infrastructure projects as provided in subsection a. of
43 section 3 of **【this act】** P.L.2020, c.49, as amended by P.L. ,
44 c. (pending before the Legislature as this bill) for systems serving
45 populations of up to 10,000 residents for the development of asset
46 management plans wherein principal forgiveness shall be 100

1 percent of the fund loan amount per project in an amount not to
2 exceed \$100,000 per project sponsor; and

3 (4) those projects listed in subsection a. of section 2 of **[this**
4 **act]** P.L.2020, c.49, as amended by P.L. , c. (pending before the
5 Legislature as this bill) and subsection a. of section 3 of **[this act]**
6 P.L.2020, c.49, as amended by P.L. , c. (pending before the
7 Legislature as this bill) that were previously identified in P.L.2019,
8 c.193, as amended by P.L.2019, c.514, are granted continued
9 priority status and shall be subject to the provisions of P.L.2019,
10 c.193, as amended by P.L.2019, c.514, provided such projects
11 receive short-term funding prior to June 30, 2020.

12 c. The department is authorized to make zero interest and
13 principal forgiveness financing loans to or on behalf of the project
14 sponsors for the environmental infrastructure projects listed in
15 subsection b. of section 3 of **[this act]** P.L.2020, c.49, as amended
16 by P.L. , c. (pending before the Legislature as this bill) for
17 drinking water projects, up to the individual amounts indicated and
18 in the priority stated, provided:

19 (1) a maximum of 30 percent of the 2020 Drinking Water State
20 Revolving Fund capitalization grant, not to exceed \$5 million, plus
21 any funds transferred to the Drinking Water State Revolving Fund
22 pursuant to paragraph (4) of subsection a. of this section may be
23 issued as provided in subsection b. of section 3 of **[this act]**
24 P.L.2020, c.49, as amended by P.L. , c. (pending before the
25 Legislature as this bill) for drinking water systems, as follows:

26 (a) up to \$4 million of Drinking Water State Revolving Fund
27 loans, plus any appropriated but unallocated funds designated in
28 State fiscal year 2020 for drinking water systems serving
29 populations of up to 10,000 residents, shall be available for drinking
30 water systems serving populations of up to 10,000 residents
31 wherein principal forgiveness shall not exceed \$500,000 in the
32 aggregate and shall not exceed 50 percent of the total loan amount
33 per project sponsor in an amount not to exceed \$1 million per
34 project sponsor.

35 Loans for drinking water systems serving 500 or fewer residents
36 shall be given the highest priority, followed by systems serving 501
37 to 10,000 residents;

38 (b) a maximum of \$500,000 in principal forgiveness loans shall
39 be issued to drinking water systems serving populations of up to
40 10,000 residents for the development of asset management plans
41 wherein principal forgiveness shall be 100 percent of the fund loan
42 amount per project in an amount not to exceed \$100,000 per project
43 sponsor subject to the availability of funds; and

44 (c) a maximum of \$10 million of principal forgiveness for
45 drinking water systems serving communities with a population of
46 up to 1,000 residents for corrosion control treatment and lead
47 service line replacement projects wherein principal forgiveness

1 shall not exceed 90 percent of the total fund loan amount of \$1
2 million per water system;

3 (2) up to \$103 million of moneys from the Drinking Water State
4 Revolving Fund, plus any appropriated but unallocated funds
5 designated in State fiscal year 2020, may be issued for principal
6 forgiveness loans for drinking water systems serving communities
7 with a weighted median household income less than the median
8 household income for the State to finance lead service line
9 replacements, wherein principal forgiveness shall not exceed 50
10 percent of the total fund loan amount of: \$2 million per water
11 system for systems with fewer than 1,000 known lead service lines,
12 \$10 million per water system for systems with 1,000 to 5,000
13 known lead service lines, and \$40 million per water system for
14 systems with greater than 5,000 known lead service lines.

15 Loans may be made pursuant to this subsection to the extent
16 there are sufficient eligible project applications and as may be
17 required for the award of the capitalization grants made available to
18 the State for drinking water projects pursuant to the Federal Safe
19 Drinking Water Act. Any such amounts may be reduced by the
20 Commissioner of Environmental Protection pursuant to section 7 of
21 **【this act】** P.L.2020, c.49, as amended by P.L. , c. (pending
22 before the Legislature as this bill) , or if a project fails to meet the
23 requirements of section 4 or 5 of **【this act】** P.L.2020, c.49, as
24 amended by P.L. , c. (pending before the Legislature as this
25 bill); and

26 (3) Those projects listed in subsections a. and b. of section 3 of
27 **【this act】** P.L.2020, c.49, as amended by P.L. , c. (pending
28 before the Legislature as this bill) that were previously identified in
29 P.L.2019, c.193, as amended by P.L.2019, c.514, are granted
30 continued priority status and shall be subject to the provisions of
31 P.L.2019, c.193, as amended by P.L.2019, c.514, provided such
32 projects receive short-term funding prior to June 30, 2020.

33 d. The department is authorized to make zero interest and
34 principal forgiveness financing loans to or on behalf of the project
35 sponsors for the environmental infrastructure projects listed in
36 sections 2 and 3 of **【this act】** P.L.2020, c.49, as amended by P.L. ,
37 c. (pending before the Legislature as this bill) under the same
38 terms, conditions and requirements set forth in this section from any
39 unexpended balances of the amounts appropriated pursuant to
40 section 1 of P.L.1987, c.200, section 2 of P.L.1988, c.133, section 1
41 of P.L.1989, c.189, section 1 of P.L.1990, c.99, section 1 of
42 P.L.1991, c.325, section 1 of P.L.1992, c.38, section 1 of P.L.1993,
43 c.193, section 1 of P.L.1994, c.106, section 1 of P.L.1995, c.219,
44 section 1 of P.L.1996, c.85, section 1 of P.L.1997, c.221, section 2
45 of P.L.1998, c.84, section 2 of P.L.1999, c.174, section 2 of
46 P.L.2000, c.92, sections 1 and 2 of P.L.2001, c.222, sections 1 and
47 2 of P.L.2002, c.70, sections 1 and 2 of P.L.2003, c.158, sections 1
48 and 2 of P.L.2004, c.109, sections 1 and 2 of P.L.2005, c.196,

1 sections 1 and 2 of P.L.2006, c.68, sections 1 and 2 of P.L.2007,
2 c.139, sections 1 and 2 of P.L.2008, c.68, sections 1 and 2 of
3 P.L.2009, c.102, sections 1 and 2 of P.L.2010, c.63, sections 1 and
4 2 of P.L.2011, c.93, sections 1 and 2 of P.L.2012, c.43, sections 1
5 and 2 of P.L.2013, c.95, sections 1 and 2 of P.L.2014, c.25, sections
6 1 and 2 of P.L.2015, c.108, sections 1 and 2 of P.L.2016, c.32, as
7 amended by P.L.2017, c.14, sections 1 and 2 of P.L.2017, c.143, as
8 amended by P.L.2017, c.326, sections 1 and 2 of P.L.2018, c.85, as
9 amended by P.L.2018, c.137 and P.L.2019, c.12, **【and】** sections 1
10 and 2 of P.L.2019, c.193, as amended by P.L.2019, c.514, and
11 sections 1 and 2 of P.L.2020, c.49, as amended by P.L. ,
12 c. (pending before the Legislature as this bill), including amounts
13 resulting from the low bid and final building cost reductions
14 authorized pursuant to section 6 of P.L.1987, c.200, section 7 of
15 P.L.1988, c.133, section 6 of P.L.1989, c.189, section 6 of
16 P.L.1990, c.99, section 6 of P.L.1991, c.325, section 6 of P.L.1992,
17 c.38, section 6 of P.L.1993, c.193, section 6 of P.L.1994, c.106,
18 section 6 of P.L.1995, c.219, section 6 of P.L.1996, c.85, section 6
19 of P.L.1997, c.221, section 7 of P.L.1998, c.84, section 6 of
20 P.L.1999, c.174, section 6 of P.L.2000, c.92, section 6 of P.L.2001,
21 c.222, section 6 of P.L.2002, c.70, section 6 of P.L.2003, c.158,
22 section 6 of P.L.2004, c.109, section 6 of P.L.2005, c.196, section 6
23 of P.L.2006, c.68, section 6 of P.L.2007, c.139, section 6 of
24 P.L.2008, c.68, section 7 of P.L.2009, c.102, section 6 of P.L.2010,
25 c.63, section 6 of P.L.2011, c.93, section 6 of P.L.2012, c.43,
26 section 6 of P.L.2013, c.95, section 7 of P.L.2014, c.25, section 7 of
27 P.L.2015, c.108, section 7 of P.L.2016, c.32, as amended by
28 P.L.2017, c.14, section 7 of P.L.2017, c.143 as amended by
29 P.L.2017, c.326, section 7 of P.L.2018, c.85, as amended by
30 P.L.2018, c.137 and P.L.2019, c.12, **【and】** section 7 of P.L.2019,
31 c.193, as amended by P.L.2019, c.514, and section 7 of P.L.2020,
32 c.49, as amended by P.L. , c. (pending before the Legislature as
33 this bill), and from any repayments of loans and interest from the
34 Clean Water State Revolving Fund, the "Wastewater Treatment
35 Fund," the "Water Supply Fund," the "1992 Wastewater Treatment
36 Fund," the "2003 Water Resources and Wastewater Treatment
37 Fund," and amounts deposited therein during State fiscal year 2019
38 and State fiscal year 2020 pursuant to the provisions of section 16
39 of P.L.1985, c.329, and section 2 of P.L.2009, c.77 and any
40 amendatory and supplementary acts thereto, including any Clean
41 Water State Revolving Fund Accounts contained within the
42 "Wastewater Treatment Fund," and from any repayment of loans
43 and interest from the Drinking Water State Revolving Fund.

44 e. The department is authorized to make zero interest and
45 principal forgiveness Sandy financing loans to or on behalf of the
46 project sponsors for the Sandy environmental infrastructure projects
47 listed in subsection a. of section 3 of **【this act】** P.L.2020, c.49, as
48 amended by P.L. , c. (pending before the Legislature as this bill)

1 for clean water projects, in a manner consistent with the Federal
2 Disaster Relief Appropriations Act, up to the individual amounts
3 indicated, except that any such amount may be reduced by the
4 Commissioner of Environmental Protection pursuant to section 7 of
5 **【this act】** P.L.2020, c.49, as amended by P.L. , c. (pending
6 before the Legislature as this bill) , or if a project fails to meet the
7 requirements of section 4, 5, or 7 of **【this act】** P.L.2020, c.49, as
8 amended by P.L. , c. (pending before the Legislature as this
9 bill), provided a maximum of \$300 million shall be provided for
10 Sandy financing loans for clean water projects to provide financial
11 assistance to communities affected by the Storm Sandy, and for
12 projects whose purpose is to reduce flood damage risk and
13 vulnerability or to enhance resiliency to rapid hydrologic change or
14 a natural disaster.

15 f. For the purposes of **【this act】** P.L.2020, c.49, as amended by
16 P.L. , c. (pending before the Legislature as this bill) :

17 "Base financing" means zero interest loans provided by the
18 Department of Environmental Protection from moneys made
19 available for the purposes of **【this act】** P.L.2020, c.49, as amended
20 by P.L. , c. (pending before the Legislature as this bill) from any
21 source other than funds received pursuant to the Federal Disaster
22 Relief Appropriations Act, related State matching funds, and
23 interest earned thereon.

24 "Federal Disaster Relief Appropriations Act" means the
25 "Disaster Relief Appropriations, 2013," Pub.L.113-2, and any
26 amendatory and supplementary acts thereto.

27 "Sandy financing" or "Sandy funding" means grants, zero
28 interest loans or principal forgiveness loans provided by the
29 Department of Environmental Protection from funds made available
30 to the State for clean water projects or clean water project match,
31 pursuant to the Federal Disaster Relief Appropriations Act.
32 (cf: P.L.2020, c.49, s.1)
33

34 2. Section 2 of P.L.2020, c.49 is amended to read as follows:

35 2. a. (1) The department is authorized to expend funds for the
36 purpose of making supplemental zero interest loans to or on behalf
37 of the project sponsors listed below for the following clean water
38 environmental infrastructure projects:

1

Project Sponsor	Project Number	Estimated Allowable DEP Loan Amount	Estimated Total Loan Amount
Elizabeth City	S340942-19R	\$206,250	\$275,000
Ocean Twp. SA	S340750-14R	\$750,000	\$1,000,000
<u>Hoboken City</u>	<u>S340635-06R</u>	<u>\$30,000,000</u>	<u>\$40,000,000</u>
<u>Franklin Township Sewerage Authority</u>	<u>S340839-06-1</u>	<u>\$750,000</u>	<u>\$1,000,000</u>
Paterson City	S340850-03-1	[\$1,800,000] <u>\$1,912,500</u>	[\$2,400,000] <u>\$2,550,000</u>
Rockaway Valley RSA	S340821-06-1	\$581,250	\$775,000
Somerville Borough	S342013-01-1	\$1,387,500	\$1,850,000
Total Projects: [5] 7		[\$4,725,000] <u>\$35,587,500</u>	[\$6,300,000] <u>\$47,450,000</u>

2

3 (2) The loans authorized in this subsection shall be made for the
4 difference between the allowable loan amounts required by these
5 projects based upon final building costs pursuant to section 7 of
6 **[this act]** P.L.2020, c.49, as amended by P.L. , c. (pending
7 before the Legislature as this bill) and the loan amounts certified by
8 the Commissioner of Environmental Protection in State fiscal years
9 2008, 2019, and 2020 and for increased allowable costs as defined
10 and determined in accordance with the rules and regulations
11 adopted by the department pursuant to section 4 of P.L.1985, c.329.
12 The loans authorized in this subsection shall be made to or on
13 behalf of the project sponsors listed, up to the individual amounts
14 indicated and in the priority stated, to the extent sufficient funds are
15 available, except as a project fails to meet the requirements of
16 section 4, 5, or 7 of **[this act]** P.L.2020, c.49, as amended by
17 P.L. , c. (pending before the Legislature as this bill) .

18 (3) The zero interest loans for the projects authorized in this
19 subsection shall have priority over projects listed in subsection a. of
20 section 3 of **[this act]** P.L.2020, c.49, as amended by P.L. ,
21 c. (pending before the Legislature as this bill) .

22 b. (1) The Department of Environmental Protection is authorized
23 to expend funds for the purpose of making supplemental loans to or
24 on behalf of the project sponsors listed below for the following
25 drinking water environmental infrastructure projects:

1

Project Sponsor	Project Number	Estimated Allowable DEP Loan Amount	Estimated Total Loan Amount
Newark City	0714001-016R	【\$1,275,000】 \$2,250,000	【\$1,700,000】 \$3,000,000
North Jersey District Water Supply Comm.	1613001-025R	\$19,125,000	\$25,500,000
Total Projects: 2		【\$20,400,000】 \$21,375,000	【\$27,200,000】 \$28,500,000

2

3 (2) The loans authorized in this subsection shall be made for the
4 difference between the allowable loan amount required by these
5 projects based upon final building costs pursuant to section 7 of
6 **【this act】** P.L.2020, c.49, as amended by P.L. , c. (pending
7 before the Legislature as this bill) and the loan amounts certified by
8 the Commissioner of Environmental Protection in State fiscal year
9 2020 and for increased allowable costs as defined and determined in
10 accordance with the rules and regulations adopted by the
11 department pursuant to section 5 of P.L.1981, c.261. The loans
12 authorized in this subsection shall be made to or on behalf of the
13 project sponsors listed, up to the individual amounts indicated and
14 in the priority stated, to the extent sufficient funds are available,
15 except as a project fails to meet the requirements of section 4, 5, or
16 7 of **【this act】** P.L.2020, c.49, as amended by P.L. , c. (pending
17 before the Legislature as this bill) .

18 (3) The zero interest loans for the projects authorized in this
19 subsection shall have priority over projects listed in subsection b. of
20 section 3 of **【this act】** P.L.2020, c.49, as amended by P.L. ,
21 c. (pending before the Legislature as this bill) .

22 c. The Department of Environmental Protection is authorized
23 to adjust the allowable Department of Environmental Protection
24 loan amount for projects authorized in this section to between zero
25 percent and 100 percent of the total allowable loan amount, and, if
26 the Department of Environmental Protection loan amount is
27 adjusted to 100 percent of the total allowable loan amount, the loan
28 shall be provided pursuant to the terms and conditions of the
29 financing program year in which the trust issued an interim
30 financing program loan for the project or, in the absence of an
31 interim financing program loan, the terms and conditions of the
32 State fiscal year 2021 financing program.
33 (cf: P.L.2020, c.49, s.2)

34

35 3. Section 3 of P.L.2020, c.49 is amended to read as follows:

1 3. a. (1) The following environmental infrastructure projects
2 shall be known and may be cited as the "Storm Sandy and State
3 Fiscal Year 2021 Clean Water Project Eligibility List":
4

Project Sponsor	Project Number	Estimated Allowable DEP Loan Amount	Estimated Total Loan Amount
<u>Musconetcong SA</u>	<u>S340384-09</u>	<u>\$4,500,000</u>	<u>\$6,000,000</u>
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】 <u>\$18,750,000</u>	【\$13,000,000】 <u>\$25,000,000</u>
<u>Jersey City MUA</u>	<u>S340928-24</u>	<u>\$80,693,069</u>	<u>\$108,000,000</u>
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】 <u>\$975,000</u>	【\$1,181,180】 <u>\$1,300,000</u>
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

S3212 GREENSTEIN, OROHO

16

<u>Ocean County</u> <u>UA</u>	<u>S340372-61</u>	<u>\$3,975,000</u>	<u>\$5,300,000</u>
Ocean County UA	S340372-59	\$5,715,000	\$7,620,000
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
<u>North Hudson</u> <u>SA</u>	<u>S340952-31</u>	<u>\$74,550</u>	<u>\$547,350</u>
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
<u>Somerset</u> <u>Raritan Valley</u> <u>SA</u>	<u>S340801-07</u>	<u>\$25,500,000</u>	<u>\$34,000,000</u>
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】 <u>\$6,750,000</u>	【\$8,000,000】 <u>\$9,000,000</u>
Passaic Valley SC	S345200-02	\$1,500,000	\$2,000,000
<u>Passaic Valley</u> <u>SC</u>	<u>S340689-40</u>	<u>\$13,217,254</u>	<u>\$123,300,000</u>
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
<u>Bergen County</u> <u>UA</u>	<u>S340386-24</u>	<u>\$1,462,500</u>	<u>\$1,950,000</u>

S3212 GREENSTEIN, OROHO

17

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
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
<u>Rutgers, The State University of New Jersey</u>	<u>S340500-01</u>	<u>\$27,750,000</u>	<u>\$37,000,000</u>
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】 <u>\$5,466,885</u>	【\$3,000,000】 <u>\$7,289,180</u>
Madison (MCJM) Borough	S340715-07B	【\$3,750,000】 <u>\$5,466,885</u>	【\$5,000,000】 <u>\$7,289,180</u>

S3212 GREENSTEIN, OROHO

18

<u>Wildwood City</u>	<u>S340664-06</u>	<u>\$11,784,758</u>	<u>\$15,713,010</u>
Point Pleasant Beach Borough	S344190-02	\$2,362,500	\$3,150,000
<u>New Jersey Water Supply Authority</u>	<u>S340421-02</u>	<u>\$64,575,000</u>	<u>\$86,100,000</u>
Long Branch SA	S340336-09	\$4,200,000	\$5,600,000
Manasquan River RSA	S340911-03	\$495,000	\$660,000
<u>Little Egg Harbor MUA</u>	<u>S340579-03</u>	<u>\$1,779,298</u>	<u>\$2,900,000</u>
Delran Twp.	S340794-10	\$1,575,000	\$2,100,000
<u>Hopatcong Borough</u>	<u>S340488-07</u>	<u>\$76,000</u>	<u>\$80,000</u>
Middlesex County UA	S340699-14	\$8,250,000	\$11,000,000
<u>Bergen County UA</u>	<u>S340386-25</u>	<u>\$3,000,000</u>	<u>\$4,000,000</u>
Monmouth County Bayshore Outfall Authority	S340325-04	\$2,625,000	\$3,500,000
<u>Camden County MUA</u>	<u>S340640-28</u>	<u>\$5,625,000</u>	<u>\$7,500,000</u>
<u>Toms River MUA</u>	<u>S340145-05</u>	<u>\$3,100,000</u>	<u>\$4,500,000</u>
Ocean County UA	S340372-60	\$652,500	\$870,000
<u>Two Rivers Water Reclamation Authority</u>	<u>S340117-10</u>	<u>\$56,250,000</u>	<u>\$75,000,000</u>
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 Monmouth UA	S340128-05	\$5,887,500	\$7,850,000
Old Bridge MUA	S340945-14	\$2,700,000	\$3,600,000
Franklin Twp. SA	S340839-08	\$3,150,000	\$4,200,000

S3212 GREENSTEIN, OROHO

19

Evesham MUA	S340838-07	\$1,200,000	\$1,600,000
<u>Mount Laurel Twp. MUA</u>	<u>S340943-07</u>	<u>\$2,400,000</u>	<u>\$3,200,000</u>
Winslow Twp.	S340895-10	\$1,275,000	\$1,700,000
<u>Ocean Twp. SA</u>	<u>S340750-13</u>	<u>\$412,500</u>	<u>\$550,000</u>
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
<u>Carteret Borough</u>	<u>S340939-10</u>	<u>\$4,950,000</u>	<u>\$6,600,000</u>
<u>Burlington Twp.</u>	<u>S340712-17</u>	<u>\$750,000</u>	<u>\$1,000,000</u>
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
<u>Mount Arlington Borough</u>	<u>S340451-05</u>	<u>\$159,456</u>	<u>\$212,785</u>
<u>Buena Borough MUA</u>	<u>S340518-06</u>	<u>\$973,500</u>	<u>\$1,298,000</u>
Bradley Beach Borough	S340472-01	\$2,025,000	\$2,700,000
<u>Medford Lakes Borough</u>	<u>S340319-03</u>	<u>\$8,250,000</u>	<u>\$11,000,000</u>
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
<u>Ship Bottom Borough</u>	<u>S340311-05</u>	<u>\$3,750,000</u>	<u>\$5,000,000</u>

S3212 GREENSTEIN, OROHO

20

Passaic Valley SC	S340689-45	\$7,657,577	\$10,210,102
Plumsted Twp.	<u>S340607-03</u>	<u>\$12,769,687</u>	<u>\$34,000,000</u>
<u>Camden County MUA</u>	<u>S340640-26</u>	<u>\$21,150,000</u>	<u>\$28,200,000</u>
Lakewood Twp. MUA	S340465-02	\$3,240,000	\$4,320,000
<u>Marlboro Twp.</u>	<u>S340268-02</u>	<u>\$723,188</u>	<u>\$964,250</u>
Cumberland County	S340438-03	\$12,750,000	\$17,000,000
Cranford Twp.	S340858-04	\$9,000,000	\$12,000,000
<u>New Jersey Water Supply Authority</u>	<u>S340421-01</u>	<u>\$42,600,000</u>	<u>\$56,800,000</u>
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
<u>Northfield City</u>	<u>S340508-02</u>	<u>\$112,500</u>	<u>\$150,000</u>
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】 <u>\$6,300,000</u>	【\$7,403,160】 <u>\$8,400,000</u>
Kearny Town	S340259-12	\$16,125,000	\$21,500,000
<u>Jersey City MUA</u>	<u>S340928-32</u>	<u>\$6,150,000</u>	<u>\$12,300,000</u>
<u>Atlantic City MUA</u>	<u>S340439-04</u>	<u>\$2,300,000</u>	<u>\$3,066,667</u>
<u>Gloucester County Improvement Authority</u>	<u>S342016-04</u>	<u>\$13,875,001</u>	<u>\$18,500,001</u>
<u>Salem County Improvement Authority</u>	<u>S342022-02</u>	<u>\$7,399,084</u>	<u>\$8,500,000</u>
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
<u>University Hospital</u>	<u>S340500-03</u>	<u>\$5,850,000</u>	<u>\$7,800,000</u>
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】 <u>\$536,663</u>	\$2,750,000
Total Projects: 【123】 157		【\$583,016,066】 <u>\$1,034,948,089</u>	【\$777,354,747】 <u>\$1,509,080,830</u>

(2) The Department of Environmental Protection is authorized to make clean water project loans to the following municipalities receiving funding from the "Pinelands Infrastructure Trust Fund," established pursuant to section 14 of the "Pinelands Infrastructure Trust Bond Act of 1985," P.L.1985, c.302:

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

b. The following environmental infrastructure projects shall be known and may be cited as the "State Fiscal Year 2021 Drinking Water Project Eligibility List":

Project Sponsor	Project Number	Estimated Allowable DEP 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

S3212 GREENSTEIN, OROHO

22

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
<u>East Orange City</u>	<u>0705001-014</u>	<u>\$24,750,000</u>	<u>\$33,000,000</u>
East Greenwich	0803001-004	\$1,950,000	\$2,600,000
Jersey City MUA	0906001-017	\$1,305,180	\$1,740,240
<u>Woodbine Borough</u>	<u>0516001-001</u>	<u>\$3,750,000</u>	<u>\$5,000,000</u>
Newark City	0714001-018	\$3,862,500	\$5,150,000
Jersey City MUA	0906001-019	\$5,025,000	\$6,700,000
<u>Wildwood City</u>	<u>0514001-006</u>	<u>\$4,637,403</u>	<u>\$6,183,204</u>
<u>Little Egg Harbor MUA</u>	<u>1516001-005</u>	<u>\$1,087,500</u>	<u>\$1,450,000</u>
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
<u>Jersey City MUA</u>	<u>0906001-025</u>	<u>\$24,000,000</u>	<u>\$32,000,000</u>
Jersey City MUA	0906001-009	【\$2,077,500】 <u>\$3,750,000</u>	【\$2,770,000】 <u>\$5,000,000</u>
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】 <u>\$1,320,000</u>	【\$1,448,187】 <u>\$2,640,000</u>
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
<u>Mount Arlington Borough</u>	<u>1426005-001</u>	<u>\$165,836</u>	<u>\$250,285</u>
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: <u>[44] 50</u>		<u>[\$267,853,335]</u> <u>\$328,150,434</u>	<u>[\$357,137,779]</u> <u>\$438,443,081</u>

c. The Department of Environmental Protection is authorized to adjust the allowable Department of Environmental Protection loan amount for projects authorized in this section to between zero percent and 100 percent of the total allowable loan amount, and, if the Department of Environmental Protection loan amount is adjusted to 100 percent of the total allowable loan amount, the loan shall be provided pursuant to the terms and conditions of the financing program year in which the trust issued an interim financing program loan for the project or, in the absence of an interim financing program loan, the terms and conditions of the State fiscal year 2021 financing program.

(cf: P.L.2020, c.49, s.3)

4. Section 4 of P.L.2020, c.49 is amended to read as follows:

1 4. Any financing loan made by the Department of
2 Environmental Protection pursuant to **【this act】** P.L.2020, c.49, as
3 amended by P.L. , c. (pending before the Legislature as this bill)
4 shall be subject to the following requirements:

5 a. The Commissioner Environmental Protection has certified
6 that the project is in compliance with the provisions of P.L.1977,
7 c.224, P.L.1985, c.329, P.L.1992, c.88, P.L.1997, c.223, P.L.1997,
8 c.225, or P.L.2003, c.162, and any rules and regulations adopted
9 pursuant thereto;

10 b. **【A】** Except as otherwise provided in this subsection, a loan
11 for an environmental infrastructure project listed in section 2 or 3 of
12 **【this act】** P.L.2020, c.49, as amended by P.L. , c. (pending
13 before the Legislature as this bill) shall be subject to the terms and
14 conditions of the financing program year in which the trust issued
15 an interim financing program loan for the project or, in the absence
16 of an interim financing program loan, the terms and conditions of
17 the State fiscal year 2021 financing program . Notwithstanding any
18 provision of P.L.2020, c.49, as amended by P.L. , c. (pending
19 before the Legislature as this bill) or a financial plan of the trust for
20 State fiscal years 2018, 2019, or 2020 developed pursuant to section
21 21 of P.L.1985, c.334 (C.58:11B-21) or section 25 of P.L.1997,
22 c.224 (C.58:11B-21.1) to the contrary, a loan for an environmental
23 infrastructure project listed in section 2 or 3 of P.L.2020, c.49, as
24 amended by P.L. , c. (pending before the Legislature as this
25 bill), that is partially funded from the proceeds of bonds issued by
26 the trust to the United States Environmental Protection Agency
27 pursuant to the federal "Water Infrastructure Finance and
28 Innovation Act of 2014," 33 U.S.C. s.3901 et seq., shall be subject
29 to terms and conditions regulating the blending of federal and other
30 funds that are consistent with those provisions of Section III of the
31 applicable financial plan of the trust for State fiscal year 2021 that
32 reference the federal "Water Infrastructure Finance and Innovation
33 Act of 2014" ;

34 c. Notwithstanding the provisions of sections 2 and 3 of **【this**
35 **act】** P.L.2020, c.49, as amended by P.L. , c. (pending before the
36 Legislature as this bill) , the Department of Environmental
37 Protection allowable loan amount may be 100 percent of the total
38 allowable loan amount for:

39 (1) clean water project and drinking water project loans to (a)
40 municipalities that do not satisfy the New Jersey Infrastructure
41 Bank credit policy but are subject to State financial supervision and
42 oversight pursuant to the "Local Government Supervision Act
43 (1947)," P.L.1947, c.151 (C.52:27BB-1 et seq.), or (b) municipal,
44 county, or regional sewerage authorities, or utilities authorities, that
45 do not satisfy the New Jersey Infrastructure Bank credit policy but
46 where the municipal participant through its service agreement with
47 the authority or utility is under State financial supervision and

oversight pursuant to the "Local Government Supervision Act (1947)," P.L.1947, c.151 (C.52:27BB-1 et seq.), and the repayment obligation of the authority or utility is secured by the full faith and credit of the participating municipality pursuant to the service agreement; and

(2) clean water and drinking water loans to municipalities receiving funding under the United States Department of Housing and Urban Development Community Development Block Grant – Disaster Recovery Program (CDBG-DR);

d. With the exception of a loan for which the Department of Environmental Protection issues 100 percent of the loan amount pursuant to subsection b. of section 2, subsection c. of section 3, and subsection c. of this section, the loan shall be conditioned upon approval of a loan from the New Jersey Infrastructure Bank pursuant to P.L.2020, c.48, as amended by P.L. , c. (pending before the Legislature as Senate Bill No. of 2020 and Assembly Bill No. of 2020), prior to June 30, 2021;

e. The loan shall be repaid within a period not to exceed 30 years, or 45 years for combined sewer overflow abatement projects, of the making of the loan; and

f. The loan shall be subject to any other terms and conditions as may be established by the commissioner and approved by the State Treasurer, which may include, notwithstanding any other provision of law to the contrary, subordination of a loan authorized in **【this act】** P.L.2020, c.49, as amended by P.L. , c. (pending before the Legislature as this bill), to loans made by the New Jersey Infrastructure Bank pursuant to P.L.2020, c.48, as amended by P.L. , c. (pending before the Legislature as Senate Bill No. of 2020 and Assembly Bill No. of 2020), or to administrative fees payable to the trust pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5).

(cf: P.L.2020, c.49, s.4)

5. Section 5 of P.L.2020, c.49 is amended to read as follows:

5. Any Sandy financing loan made by the Department of Environmental Protection pursuant to **【this act】** P.L.2020, c.49, as amended by P.L. , c. (pending before the Legislature as this bill), shall be subject to the following requirements:

a. The commissioner has certified that the project is in compliance with the provisions of Title X, Chapter 7 of the Federal Disaster Relief Appropriations Act;

b. The commissioner has certified that the project is in compliance with the provisions of P.L.1977, c.224, P.L.1985, c.329, P.L.1992, c.88, P.L.1997, c.223, P.L.1997, c.225 or P.L.2003, c.162, and any rules and regulations adopted pursuant thereto; and

c. The loan shall be subject to any other terms and conditions as may be established by the commissioner and approved by the State Treasurer, which may include, notwithstanding any other

1 provision of law to the contrary, subordination of a loan authorized
2 in **【this act】** P.L.2020, c.49, as amended by P.L. , c. (pending
3 before the Legislature as this bill), to loans made by the trust
4 pursuant to P.L.2020, c.48 , as amended by P.L. , c. (pending
5 before the Legislature as Senate Bill No. of 2020 and Assembly
6 Bill No. of 2020), prior to June 30, 2021, or to administrative
7 fees payable to the trust pursuant to subsection o. of section 5 of
8 P.L.1985, c.334 (C.58:11B-5).

9 (cf: P.L.2020, c.49, s.5)

10
11 6. Section 6 of P.L.2020, c.49 is amended to read as follows:

12 6. The eligibility lists and authorization for the making of loans
13 pursuant to sections 2 and 3 of **【this act】** P.L.2020, c.49, as
14 amended by P.L. , c. (pending before the Legislature as this
15 bill), shall expire on July 1, 2021, and any project sponsor which
16 has not executed and delivered a loan agreement with the
17 department for a loan authorized in **【this act】** P.L.2020, c.49, as
18 amended by P.L. , c. (pending before the Legislature as this
19 bill), shall no longer be entitled to that loan.

20 (cf: P.L.2020, c.49, s.6)

21
22 7. Section 7 of P.L.2020, c.49 is amended to read as follows:

23 7. The Commissioner of Environmental Protection is
24 authorized to reduce or increase the individual amount of loan funds
25 made available to or on behalf of project sponsors pursuant to
26 sections 2 and 3 of **【this act】** P.L.2020, c.49, as amended by P.L. ,
27 c. (pending before the Legislature as this bill), based upon final or
28 low bid building costs defined in and determined in accordance with
29 rules and regulations adopted by the commissioner pursuant to
30 section 4 of P.L.1985, c.329, section 2 of P.L.1999, c.362
31 (C.58:12A-12.2), or section 5 of P.L.1981, c.261, provided that the
32 total loan amount does not exceed the estimated total allowable loan
33 amount. The commissioner is authorized to reduce or increase the
34 individual amount of loan funds made available to or on behalf of
35 project sponsors pursuant to sections 2 and 3 of **【this act】** P.L.2020,
36 c.49, as amended by P.L. , c. (pending before the Legislature as
37 this bill), in an amount not to exceed 10 percent of the total
38 allowable loan amount based upon additional project costs to
39 comply with the Department of Environmental Protection's
40 guidance for asset management, emergency response, flood
41 protection, and auxiliary power.

42 (cf: P.L.2020, c.49, s.7)

43
44 8. Section 8 of P.L.2020, c.49 is amended to read as follows:

45 8. The expenditure of the funds appropriated by **【this act】**
46 P.L.2020, c.49, as amended by P.L. , c. (pending before the
47 Legislature as this bill), is subject to the provisions and conditions

1 of P.L.1977, c.224, P.L.1985, c.302, P.L.1985, c.329, P.L.1989,
2 c.181, P.L.1992, c.88, P.L.1997, c.223, P.L.1997, c.225 or
3 P.L.2003, c.162, and the rules and regulations adopted by the
4 Commissioner of Environmental Protection pursuant thereto, and
5 the provisions of the Federal Disaster Relief Appropriations Act,
6 the Federal Clean Water Act, and the Federal Safe Drinking Water
7 Act, and any amendatory and supplementary acts thereto.
8 (cf: P.L.2020, c.49, s.8)

9
10 9. Section 10 of P.L.2020, c.49 is amended to read as follows:

11 10. a. Prior to repayment to the Clean Water State Revolving
12 Fund pursuant to sections 1 and 2 of P.L.2009, c.77 and any
13 amendatory and supplementary acts thereto, prior to repayment to
14 the "Wastewater Treatment Fund" pursuant to the provisions of
15 section 16 of P.L.1985, c.329, prior to repayment to the "1992
16 Wastewater Treatment Fund" pursuant to the provisions of section
17 28 of P.L.1992, c.88, prior to repayment to the Drinking Water
18 State Revolving Fund, prior to repayment to the "Stormwater
19 Management and Combined Sewer Overflow Abatement Fund"
20 pursuant to the provisions of section 15 of P.L.1989, c.181, prior to
21 repayment to the "2003 Water Resources and Wastewater
22 Treatment Fund" pursuant to the provisions of section 20 of
23 P.L.2003, c.162, prior to repayment to the "Water Supply Fund"
24 pursuant to the provisions of section 15 of P.L.1981, c.261, or prior
25 to the repayment to the "Pinelands Infrastructure Trust Fund"
26 pursuant to the provisions of section 5 of P.L.1985, c.302,
27 repayments of loans made pursuant to these acts may be utilized by
28 the New Jersey Infrastructure Bank established pursuant to
29 P.L.1985, c.334 (C.58:11B-1 et seq.), as amended and
30 supplemented by P.L.1997, c.224, under terms and conditions
31 established by the commissioner and trust, approved by the State
32 Treasurer, and consistent with the provisions of P.L.1985, c.334
33 (C.58:11B-1 et seq.) and federal tax, environmental or securities
34 law, to the extent necessary to secure repayment of trust bonds
35 issued to finance loans approved pursuant to P.L.2020, c.48, as
36 amended by P.L. , c. (pending before the Legislature as Senate
37 Bill No. of 2020 and Assembly Bill No. of 2020), and to
38 secure the administrative fees payable to the trust pursuant to
39 subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5) by the
40 project sponsors receiving trust loans.

41 b. Prior to repayment to the Clean Water State Revolving Fund
42 pursuant to sections 1 and 2 of P.L.2009, c.77 and any amendatory
43 and supplementary acts thereto, prior to repayment to the
44 "Wastewater Treatment Fund" pursuant to the provisions of section
45 16 of P.L.1985, c.329, prior to repayment to the "1992 Wastewater
46 Treatment Fund" pursuant to the provisions of section 28 of
47 P.L.1992, c.88, prior to repayment to the "Water Supply Fund"
48 pursuant to the provisions of section 15 of P.L.1981, c.261, prior to

1 repayment to the Drinking Water State Revolving Fund, prior to
2 repayment to the "2003 Water Resources and Wastewater
3 Treatment Fund" pursuant to the provisions of section 20 of
4 P.L.2003, c.162, prior to repayment to the "Stormwater
5 Management and Combined Sewer Overflow Abatement Fund"
6 pursuant to the provisions of section 15 of P.L.1989, c.181, or prior
7 to repayment to the "Pinelands Infrastructure Trust Fund" pursuant
8 to the provisions of section 5 of P.L.1985, c.302, the trust is further
9 authorized to utilize repayments of loans made pursuant to
10 P.L.1989, c.189, P.L.1990, c.99, P.L.1991, c.325, P.L.1992, c.38,
11 P.L.1993, c.193, P.L.1994, c.106, P.L.1995, c.219, P.L.1996, c.85,
12 P.L.1997, c.221, P.L.1998, c.84, P.L.1999, c.174, P.L.2000, c.92,
13 P.L.2001, c.222, P.L.2002, c.70, P.L.2003, c.158, P.L.2004, c.109,
14 P.L.2005, c.196, P.L.2006, c.68, P.L.2007, c.139, P.L.2008, c.68,
15 P.L.2009, c.102, P.L.2010, c.63, P.L.2011, c.93, P.L.2012, c.43,
16 P.L.2013, c.95, P.L.2014, c.25, P.L.2015, c.108, P.L.2016, c.32,
17 P.L.2017, c.143, as amended by P.L.2017, c.326, P.L.2018, c.85, as
18 amended by P.L.2018, c.137, P.L.2019, c.12, P.L.2019, c.193, as
19 amended by P.L.2019, c.514, or P.L.2020, c.49 , as amended by
20 P.L. , c. (pending before the Legislature as this bill), to secure
21 repayment of trust bonds issued to finance loans approved pursuant
22 to P.L.1995, c.218, P.L.1996, c.87, P.L.1997, c.222, P.L.1998, c.85,
23 P.L.1999, c.173, P.L.2000, c.93, P.L.2001, c.224, P.L.2002, c.71,
24 P.L.2003, c.159, P.L.2004, c.110, P.L.2005, c.197, P.L.2006, c.67,
25 P.L.2007, c.140, P.L.2008, c.67, P.L.2009, c.101, P.L.2010, c.62,
26 P.L.2011, c.95, P.L.2012, c.38, P.L.2013, c.94, P.L.2014, c.26,
27 P.L.2015, c.107, P.L.2016, c.31, P.L.2017, c.142, as amended by
28 P.L.2017, c.327, P.L.2018, c.84, as amended by P.L.2019, c.30,
29 P.L.2019, c.192, as amended by P.L.2019, c.515, or P.L.2020, c.48,
30 as amended by P.L. , c. (pending before the Legislature as
31 Senate Bill No. of 2020 and Assembly Bill No. of 2020), and
32 to secure the administrative fees payable to the trust under these
33 loans pursuant to subsection o. of section 5 of P.L.1985, c.334
34 (C.58:11B-5).

35 c. To the extent that any loan repayment sums are used to
36 satisfy any trust bond repayment or administrative fee payment
37 deficiencies, the trust shall repay such sums to the department for
38 deposit into the Clean Water State Revolving Fund, the
39 "Wastewater Treatment Fund," the "1992 Wastewater Treatment
40 Fund," the "Water Supply Fund," the Drinking Water State
41 Revolving Fund, the "2003 Water Resources and Wastewater
42 Treatment Fund," the "Stormwater Management and Combined
43 Sewer Overflow Abatement Fund," or the "Pinelands Infrastructure
44 Trust Fund," as appropriate, from amounts received by or on behalf
45 of the trust from project sponsors causing any such deficiency.
46 (cf: P.L.2020, c.49, s.10)

1 10. This act shall take effect immediately.

2

3

4

STATEMENT

5

6 This bill would amend P.L.2020, c.49 to alter the list of
7 environmental infrastructure projects approved by the Legislature
8 for long-term funding for Fiscal Year 2021 (FY2021) to include
9 new projects and modify the estimated loan amounts for certain
10 projects. The bill would also provide that loans for projects
11 that utilize federal funds raised pursuant to the federal "Water
12 Infrastructure Finance and Innovation Act of 2014" (WIFIA) are
13 subject to terms and conditions regulating the blending of federal
14 and other funds that are consistent with certain provisions of the
15 FY2021 financial plan of the New Jersey Infrastructure Bank
16 (NJIB), even if those projects began in earlier fiscal years. In
17 addition, the bill would authorize the Department of Environmental
18 Protection (DEP) to transfer up to \$25 million to the NJIB from a
19 \$60 million capital construction appropriation in the FY2021 annual
20 appropriations act, P.L.2020, c.97, to invest, provide debt service
21 reserve or guarantee, or pay interest on behalf of a sponsor of a
22 drinking water environmental infrastructure project.

23 In July 2020, P.L.2020, c.49 was enacted into law, which
24 appropriated funds to the DEP for the purpose of financing
25 approximately \$1.167 billion in Storm Sandy and other
26 environmental infrastructure projects through the NJIB in FY2021.
27 Under this bill and P.L.2020, c.49, approximately \$2.039 billion
28 would be made available for environmental infrastructure projects
29 through the NJIB in FY2021.

30 Under current law, on or before May 15 each year, the NJIB is
31 required to submit a list of environmental infrastructure projects,
32 known as the project eligibility list, to be approved by the
33 Legislature for long-term funding. The list is introduced in the
34 Legislature in the form of an appropriation bill. For FY2021, this
35 bill was enacted as P.L.2020, c.49. In addition, current law
36 provides the NJIB with the authority to submit an additional project
37 eligibility list, by October 15 of each year, for approval by the
38 Legislature. This bill would amend the original project eligibility
39 list to reflect the changes in the additional list submitted to the
40 Legislature by the NJIB. Funding sources for NJIB project loans
41 include federal capitalization grants, State bond issue proceeds,
42 State match, various prior legislative appropriations, loan
43 repayments, interest earnings, and market rate loans made by the
44 NJIB.