

ASSEMBLY, No. 1459

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

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District 18 (Middlesex)

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SYNOPSIS

Establishes ranking criteria for certain nonpoint source pollution control grants issued by DEP.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning certain nonpoint source pollution control grants
2 and supplementing P.L.1977, c.74 (C.58:10A-1 et seq.).

3

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

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7 1. a. No later than one year after the effective date of this act
8 and to the extent allowable under the federal act, the department
9 shall establish a ranking system for nonpoint source pollution
10 control grants issued pursuant to P.L.1977, c.74 (C.58:10A-1 et
11 seq.), including grants that utilize Corporation Business Tax
12 revenues appropriated pursuant to Article VIII, Section II,
13 paragraph 6, subparagraph (a) of the New Jersey Constitution or
14 federal funds allocated to the State pursuant to 33 U.S.C. s.1329 or
15 33 U.S.C. s.1384.

16 b. The ranking system shall provide, at a minimum, for priority
17 to be given to a project that is located in:

18 (1) an area that is served by a stormwater utility established
19 pursuant to P.L.2019, c.42 (C.40A:26B-1 et al.);

20 (2) a municipality that has adopted an ordinance prohibiting the
21 application of lawn fertilizers;

22 (3) an area that has experienced recent economic hardship as a
23 result of nonpoint source pollution limiting the uses of a nearby
24 waterbody; or

25 (4) a municipality that has adopted an ordinance imposing
26 maintenance and inspection requirements on the owners and
27 operators of septic systems, including, but not limited to, an
28 ordinance:

29 (a) establishing a maximum duration of one year between
30 inspections of a septic system;

31 (b) authorizing septic systems to be inspected by the Department
32 of Health; or

33 (c) establishing septic system-related record-keeping
34 requirements.

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36 2. This act shall take effect immediately.

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STATEMENT

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41 This bill would require the Department of Environmental
42 Protection (DEP) to establish, to the extent allowable under the
43 federal "Clean Water Act," a ranking system for nonpoint source
44 pollution control grants it issues pursuant to the "Water Pollution
45 Control Act," P.L.1977, c.74 (C.58:10A-1 et seq.). The DEP's
46 current nonpoint source pollution control grant program, known as
47 "The Water Quality Restoration Grant Program," uses Corporation
48 Business Tax revenues appropriated pursuant to Article VIII,

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1 Section II, paragraph 6, subparagraph (a) of the New Jersey
2 Constitution and federal funds allocated to the State pursuant to the
3 federal "Clean Water Act."
4 Under the bill, the ranking system would be required, at a
5 minimum, to provide for priority to be given to projects that are
6 located in: (1) an area that is served by a stormwater utility; (2) a
7 municipality that has an ordinance prohibiting the use of lawn
8 fertilizers; (3) an area that has experienced recent economic
9 hardship because nonpoint source pollution has limited the uses of a
10 nearby waterbody; or (4) a municipality that has an ordinance
11 imposing maintenance and inspection standards on the owners and
12 operators of septic systems.