

ASSEMBLY, No. 4509

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JUNE 6, 2024

Sponsored by:

Assemblywoman MARGIE DONLON, M.D.

District 11 (Monmouth)

SYNOPSIS

Establishes municipal water infrastructure planning and design project grant program in DEP; appropriates \$100 million.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing a municipal water infrastructure planning and
2 design project grant program in the Department of
3 Environmental Protection, supplementing Title 58 of the Revised
4 Statutes, and making an appropriation.

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

8
9 1. a. As used in this section:

10 "Department" means the Department of Environmental
11 Protection.

12 "Drinking water infrastructure project" means the construction,
13 reconstruction, improvement, rebuilding, or relocation of any
14 component of a public water system, and includes the acquisition of
15 property, right-of-way, easement, or interest therein necessary for
16 the project or the maintenance thereof.

17 "New Jersey Environmental Infrastructure Financing Program"
18 means the same as the term is defined in section 3 of P.L.1985,
19 c.334 (C.58:11B-3).

20 "Overburdened community" means the same as the term is
21 defined in section 2 of P.L.2020, c.92 (C.13:1D-158).

22 "Public water system" means the same as the term is defined in
23 section 3 of P.L.1977, c.224 (C.58:12A-3).

24 "Stormwater infrastructure project" means the construction,
25 reconstruction, improvement, rebuilding, or relocation of any
26 component of a stormwater management system, and includes the
27 acquisition of property, right-of-way, easement, or interest therein
28 necessary for the project or the maintenance thereof.

29 "Stormwater management system" means the same as the term is
30 defined in section 3 of P.L.1985, c.334 (C.58:11B-3).

31 "Wastewater infrastructure project" means the construction,
32 reconstruction, improvement, rebuilding, or relocation of any
33 component of a wastewater treatment system, and includes the
34 acquisition of property, right-of-way, easement, or interest therein
35 necessary for the project or the maintenance thereof.

36 "Wastewater treatment system" means the same as the term is
37 defined in section 3 of P.L.1985, c.334 (58:11B-3).

38 "Water infrastructure project" means a drinking water
39 infrastructure project, stormwater infrastructure project, or
40 wastewater infrastructure project.

41 b. The department shall establish a program to provide grants to
42 municipalities to fund planning and design projects related to
43 prospective water infrastructure projects to be carried out by the
44 municipality or an agency thereof. The purpose of the program
45 shall be to support water infrastructure upgrades carried out by
46 municipalities, and to allow municipalities to better access federal
47 and State funds and financing to support those upgrades, by

1 removing the upfront cost burden associated with the planning and
2 design stage of water infrastructure projects.

3 c. In order to be eligible for a grant, a planning and design
4 project shall be associated with a water infrastructure project,
5 which, in the determination of the department, would be eligible for
6 funding under the New Jersey Environmental Infrastructure
7 Financing Program, and which would be carried out by the applying
8 municipality or an agency thereof.

9 d. The maximum grant award amount a water infrastructure
10 project may receive under the program shall be \$2 million.

11 e. The department shall not require a municipality to provide
12 any matching funds, in order to be eligible for a grant.

13 f. The department shall give priority for grant awards to
14 planning and design projects for water infrastructure projects
15 located in overburdened communities.

16 g. In establishing the grant program pursuant to this section, the
17 department shall:

18 (1) develop guidelines and procedures for the submission of
19 grant applications, and criteria for the evaluation of such
20 applications;

21 (2) establish terms and conditions for the awarding of a grant
22 under this section, and monitor grant recipients' compliance with
23 the terms and conditions;

24 (3) require the recipient of a grant to report to the department
25 information relating to its use of grant funds under the program; and

26 (4) submit a report to the Governor and, pursuant to section 2 of
27 P.L.1991, c.164 (C.52:14-19.1), the Legislature, during each year in
28 which a grant is awarded, on the effectiveness of the grant program
29 in accomplishing the purposes enumerated in subsection b. of this
30 section.

31 h. The department may, pursuant to the "Administrative
32 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), adopt rules
33 and regulations as necessary to establish and implement the grant
34 program.

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36 2. There is appropriated to the Department of Environmental
37 Protection, from the General Fund, the sum of \$100 million to fund
38 the grant program established by section 1 of this act.

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40 3. This act shall take effect immediately.

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STATEMENT

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45 This bill would direct the Department of Environmental
46 Protection (DEP) to establish a program to provide grants to
47 municipalities that undertake planning and design projects related to
48 prospective water infrastructure projects.

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1 In order to be eligible for a grant, a planning and design project
2 would be required to be in support of a water infrastructure project
3 that would be eligible for financing under the New Jersey
4 Environmental Infrastructure Financing Program, carried out jointly
5 by the DEP and the New Jersey Infrastructure Bank. The maximum
6 grant award per project would be \$2 million. Municipalities would
7 not be required to provide matching funds in order to be eligible for
8 a grant. The bill would also require the DEP to provide priority to
9 applications for projects located in overburdened communities.
10 Under the bill, the DEP would determine the application procedures
11 and criteria for evaluating applications. The bill would require the
12 DEP to report to Governor and the Legislature on the progress of
13 the program in achieving its goals. Finally, the bill would
14 appropriate \$100 million from the General Fund to the DEP for the
15 purposes of the grant program established by the bill.