

## CHAPTER 165

**AN ACT** requiring the conducting of certain studies and assessments of water resources in the pinelands area and in Cape May county, and making appropriations therefor.

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

1. The Pinelands Commission shall, in cooperation with the Department of Environmental Protection, Rutgers, the State University, the United States Fish and Wildlife Service and the United States Geological Survey, assess and prepare a report on the key hydrologic and ecological information necessary to determine how the current and future water supply needs within the pinelands area may be met while protecting the Kirkwood-Cohansey aquifer system and while avoiding any adverse ecological impact on the pinelands area.

2. There is appropriated to the Department of Environmental Protection from the "Water Supply Fund" created pursuant to the "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by P.L.1983, c.355 and P.L.1997, c.223, the sum of \$5,500,000 , which constitutes a portion of the moneys repaid to the "Water Supply Fund" as repayments of principal on loans for local projects funded under the "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by P.L.1983, c.355, for the preparation by the Pinelands Commission of the aquifer assessment and report required pursuant to section 1 of this act.

3. a. The Department of Environmental Protection shall, in cooperation with the United States Fish and Wildlife Service, the National Marine Fisheries Service and the United States Geological Survey, assess and prepare a report on sustainable water supply alternatives within Cape May county, but outside of the pinelands area, necessary to meet the current and future water supply needs of Cape May county while avoiding any adverse ground water or ecological impact on Cape May county.

b. The assessment and report required pursuant to subsection a. of this section shall incorporate a county-wide ground water hydrological assessment, a county-wide water supply cost effectiveness study, and a county-wide water supply design, which shall include, but need not be limited to, the following:

- (1) Cape May County-wide alternative water supply cost effectiveness study;
- (2) Cape May County-wide ground water hydrologic survey; and
- (3) Cape May County-wide alternative water supply design.

c. The assessment and report required pursuant to subsection a. of this section shall also identify water conservation and re-use methods to protect the water supply of Cape May County. The studies, surveys and assessments authorized by this section shall include analyses of potential future water supply demands based on future development potential and environmental constraints within Cape May County.

d. During the assessment and the preparation of the report authorized pursuant to this section, the Department of Environmental Protection may issue approvals or allocations for increased ground water withdrawals in Cape May County only upon a finding that such new withdrawals will not accelerate salt water intrusion, lower existing stream base flow or harm ecological functions or wildlife.

4. There is appropriated to the Department of Environmental Protection from the "Water Supply Fund" created pursuant to the "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by P.L.1983, c.355 and P.L.1997, c.223, the sum of \$2,000,000 , which constitutes a portion of the moneys repaid to the "Water Supply Fund" as repayments of principal on loans for local projects funded under the "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by P.L.1983, c.355, for the preparation of the sustainable water supply alternative assessment and report required pursuant to section 3 of this act.

5. The Department of Environmental Protection and other agencies charged with performing the assessments authorized by this act shall hold one or more public hearings to explain and receive comments upon the scope of the work and research work plans for each of the studies authorized by this act. The Department of Environmental Protection and other agencies shall consider such public comments in framing the final scope of work and research plans authorized

by this act.

6. This act shall take effect immediately.

Approved July 20, 2001.