

CHAPTER 93

AN ACT appropriating moneys to the Department of Environmental Protection for the purpose of making grants, zero interest loans, or principal forgiveness loans to project sponsors to finance a portion of the costs of environmental infrastructure projects.

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

1. a. (1) There is appropriated to the Department of Environmental Protection from the "Clean Water State Revolving Fund" established pursuant to section 1 of P.L.2009, c.77, an amount equal to the federal fiscal year 2011 capitalization grant made available to the State for clean water project loans pursuant to the "Water Quality Act of 1987" (33 U.S.C.s.1251 et seq.), and any amendatory and supplementary acts thereto (hereinafter referred to as the "Federal Clean Water Act").

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

(3) There is appropriated to the Department of Environmental Protection from the Drinking Water State Revolving Fund established pursuant to section 1 of P.L.1998, c.84 an amount equal to the Federal fiscal year 2011 capitalization grant made available to the State for drinking water projects pursuant to the "Safe Drinking Water Act Amendments of 1996," Pub.L.104-182, and any amendatory and supplementary acts thereto (hereinafter referred to as the "Federal Safe Drinking Water Act").

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

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

(4) There is appropriated to the Department of Environmental Protection the unappropriated balances from the "Clean Water State Revolving Fund" and any repayments of loans and interest therefrom, for the purposes of clean water project loans and providing the State match as available on or before June 30, 2012, as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(5) There is appropriated to the Department of Environmental Protection the unappropriated balances from the "Wastewater Treatment Fund" established pursuant to section 15 of the "Wastewater Treatment Bond Act of 1985" (P.L.1985, c.329), and any repayments of loans and interest therefrom, as available on or before June 30, 2012, for the purposes of clean water project loans and providing the State match as required or will be

required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(6) There is appropriated to the Department of Environmental Protection the unappropriated balances from the "1992 Wastewater Treatment Fund" established pursuant to section 27 of the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992" (P.L.1992, c.88), and any repayments of loans and interest therefrom, as available on or before June 30, 2012, for the purposes of clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(7) There is appropriated to the Department of Environmental Protection the unappropriated balances from the "2003 Water Resources and Wastewater Treatment Fund" established pursuant to subsection a. of section 19 of the "Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003" (P.L.2003, c.162), and any repayments of loans and interest therefrom, as available on or before June 30, 2012, for the purposes of clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(8) There is appropriated to the Department of Environmental Protection the unappropriated balances from the Drinking Water State Revolving Fund for the purposes of drinking water project loans and any repayments of loans and interest therefrom, that are or may become available on or before June 30, 2012.

(9) There is appropriated to the Department of Environmental Protection such sums as may be needed from loan repayments and interest earnings from the "Water Supply Fund" for the "Drinking Water State Revolving Fund (DWSRF) Match Accounts" contained within such fund for the purpose of providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(10) There is appropriated to the Department of Environmental Protection from the "Interim Financing Program Fund" created and established by the New Jersey Environmental Infrastructure Trust pursuant to subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-9) such amounts as may be or become available on or before June 30, 2012, and any repayments of loans and interest therefrom, as may be necessary to supplement the sums appropriated from the Drinking Water State Revolving Fund for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Safe Drinking Water Act.

(11) There is appropriated to the Department of Environmental Protection such sums as may be or become available on or before June 30, 2012, as repayments of drinking water project loans and any interest therefrom from the "Water Supply Fund" established pursuant to section 14 of the "Water Supply Bond Act of 1981" (P.L.1981, c.261) for the purposes of drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(12) Of the sums appropriated to the Department of Environmental Protection from the "Water Supply Fund" pursuant to P.L.1999, c.174, P.L.2001, c.222, P.L.2002, c.70 and P.L.2003, c.158, the department is authorized to transfer any unexpended balances and any repayments of loans and interest therefrom as may be or become available on or before June

30, 2012, in such amounts as needed to the Drinking Water State Revolving Fund accounts contained within the Water Supply Fund established for the purposes of providing drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(13) Of the sums appropriated to the Department of Environmental Protection from the "1992 Wastewater Treatment Fund" pursuant to P.L.1996, c.85, P.L.1997, c.221, P.L.1998, c.84, P.L.1999, c.174, P.L.2000, c.92, P.L.2001, c.222 and P.L.2002, c.70, the department is authorized to transfer any unexpended balances and any repayments of loans and interest therefrom as may be or become available on or before June 30, 2012, in such amounts as needed to the Clean Water State Revolving Fund accounts contained within the 1992 Wastewater Treatment Fund for the purposes of providing clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(14) Of the sums appropriated to the Department of Environmental Protection from the "2003 Water Resources and Wastewater Treatment Fund" pursuant to P.L.2004, c.109, and P.L.2007, c.139, the department is authorized to transfer any unexpended balances and any repayments of loans and interest therefrom as may be or become available on or before June 30, 2012, in such amounts as needed to the Clean Water State Revolving Fund accounts contained within the 2003 Water Resources and Wastewater Treatment Fund for the purposes of providing clean water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act.

(15) There is appropriated to the Department of Environmental Protection the sums deposited by the New Jersey Environmental Infrastructure Trust into the "Clean Water State Revolving Fund," the "Wastewater Treatment Fund," the "1992 Wastewater Treatment Fund," the "Water Supply Fund," the "Stormwater Management and Combined Sewer Overflow Abatement Fund," the "2003 Water Resources and Wastewater Treatment Fund" and the Drinking Water State Revolving Fund, as appropriate, pursuant to paragraph (6) of subsection c. of section 1 of P.L.2011, c.94, as available on or before June 30, 2012, for the purposes of providing clean water project loans and drinking water project loans and providing the State match as required or will be required for the award of the capitalization grants made available to the State for clean water projects pursuant to the Federal Clean Water Act and drinking water projects pursuant to the Federal Safe Drinking Water Act.

Any such amounts shall be for the purpose of making zero interest and principal forgiveness financing loans, to the extent sufficient funds are available, to or on behalf of local government units or public water utilities (hereinafter referred to as "project sponsors") to finance a portion of the cost of construction of clean water projects and drinking water projects listed in sections 2 and 3 of this act, and for the purpose of implementing and administering the provisions of this act, to the extent permitted by the Federal Clean Water Act, and any amendatory and supplementary acts thereto, the "Clean Water State Revolving Fund Act" (P.L.2009, c.77 and any amendatory and supplementary acts thereto), the "Wastewater Treatment Bond Act of 1985" (P.L.1985, c.329), the "Water Supply Bond Act of 1981" (P.L.1981, c.261), the "Stormwater Management and Combined Sewer Overflow Abatement Bond Act of 1989" (P.L.1989, c.181), the "Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992" (P.L.1992, c.88), the "Dam, Lake, Stream, Flood Control, Water Resources, and Wastewater Treatment Project Bond Act of 2003"

(P.L.2003, c.162), the Federal Safe Drinking Water Act, and any amendatory and supplementary acts thereto, and State law.

b. The department is authorized to make zero interest and principal forgiveness financing loans to or on behalf of the project sponsors for the environmental infrastructure projects listed in subsection a. of section 2, and subsections a. and b. of section 3, of this act for clean water projects, up to the individual amounts indicated and in the priority stated, provided:

(1) a maximum of \$17 million shall be issued to Barnegat Bay Watershed storm water improvement projects as provided in subsection a. of section 3 of this act, addressing projects in the priority stated to the extent there are sufficient eligible project applications, wherein principal forgiveness shall not exceed 100 percent of the fund loan amount per project sponsor.

Of the \$17 million: (a) \$1 million shall be made available as principal forgiveness loans to purchase storm water maintenance equipment which shall be limited to a maximum principal forgiveness loan of up to \$250,000, except that any such amounts may be reduced if a project fails to meet the requirements of section 4 or 5 of this act or by the Commissioner of Environmental Protection pursuant to section 6 of this act;

(b) \$11 million shall be made available for the highest ranked non-equipment projects in ranked order as 100% principal forgiveness loans, except that any such amounts may be reduced if a project fails to meet the requirements of section 4 or 5 of this act or by the Commissioner of Environmental Protection pursuant to section 6 of this act; and

(c) \$5 million shall be made available as 25% principal forgiveness loans for the remaining highest ranked non-equipment projects in ranked order, except that any such amounts may be reduced if a project fails to meet the requirements of section 4 or 5 of this act or by the Commissioner of Environmental Protection pursuant to section 6 of this act;

(2) a minimum of 20 percent of the 2011 Clean Water State Revolving Fund capitalization grant shall be issued to projects in subsection b. of section 3 of this act addressing green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities allocated to projects in the priority stated, to the extent there are sufficient eligible project applications; and

(3) principal forgiveness loans shall not exceed 30 percent of the amount of the 2011 Clean Water State Revolving Fund capitalization grant, wherein principal forgiveness shall not exceed the lesser of 20 percent or \$2 million of the combined trust loan amount and fund loan amount per project sponsor and allocated to projects in subsection b. of section 3 of this act in the priority stated, and except that any such amount may be reduced if a project fails to meet the requirements of section 4 or 5 of this act, or by the Commissioner of Environmental Protection pursuant to section 6 of this act.

c. The department is authorized to make zero interest and principal forgiveness financing loans to or on behalf of the project sponsors for the environmental infrastructure projects listed in subsection b. of section 2 and subsection c. of section 3 of this act for drinking water projects, up to the individual amounts indicated and in the priority stated, provided: (1) a minimum of 20 percent of the 2011 Drinking Water State Revolving Fund capitalization grant shall be issued to projects in subsection c. of section 3 of this act addressing green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities allocated to projects in the priority stated, to the extent there are sufficient eligible project applications; and (2) a minimum of 30 percent of the 2011 Drinking Water State Revolving Fund capitalization grant shall be issued to projects for principal forgiveness financing loans, wherein principal forgiveness to other than drinking water systems servicing fewer than 500 residents shall not exceed the lesser of 20 percent or \$2.5 million of the

combined trust loan amount and fund loan amount per project sponsor and allocated to projects in subsection c. of section 3 of this act in the priority stated or wherein principal forgiveness to drinking water systems servicing fewer than 500 residents shall not exceed the lesser of 50 percent or \$5 million of the combined trust loan amount and fund loan amount per project sponsor and allocated to projects in subsection c. of section 3 of this act in the priority stated, and except that any such amount may be reduced if a project fails to meet the requirements of section 4 or section 5 of this act, or by the Commissioner of Environmental Protection pursuant to section 6 of this act.

d. The department is authorized to make zero interest and principal forgiveness financing loans to or on behalf of the project sponsors for the environmental infrastructure projects listed in sections 2 and 3 of this act under the same terms, conditions and requirements as set forth in this section from any unexpended balances of the amounts appropriated pursuant to section 1 of P.L.1987, c.200, section 2 of P.L.1988, c.133, section 1 of P.L.1989, c.189, section 1 of P.L.1990, c.99, section 1 of P.L.1991, c.325, section 1 of P.L.1992, c.38, section 1 of P.L.1993, c.193, section 1 of P.L.1994, c.106, section 1 of P.L.1995, c.219, section 1 of P.L.1996, c.85, section 1 of P.L.1997, c.221, section 2 of P.L.1998, c.84, section 2 of P.L.1999, c.174, section 2 of P.L.2000, c.92, sections 1 and 2 of P.L.2001, c.222, sections 1 and 2 of P.L.2002, c.70, sections 1 and 2 of P.L.2003, c.158, sections 1 and 2 of P.L.2004, c.109, sections 1 and 2 of P.L.2005, c.196, sections 1 and 2 of P.L.2006, c.68, sections 1 and 2 of P.L.2007, c.139, sections 1 and 2 of P.L.2008, c.68, sections 1 and 2 of P.L.2009, c.102 and sections 1 and 2 of P.L.2010, c.63, including amounts resulting from the low bid and final building cost reductions authorized pursuant to section 6 of P.L.1987, c.200, section 7 of P.L.1988, c.133, section 6 of P.L.1989, c.189, section 6 of P.L.1990, c.99, section 6 of P.L.1991, c.325, section 6 of P.L.1992, c.38, section 6 of P.L.1993, c.193, section 6 of P.L.1994, c.106, section 6 of P.L.1995, c.219, section 6 of P.L.1996, c.85, section 6 of P.L.1997, c.221, section 7 of P.L.1998, c.84, section 6 of P.L.1999, c.174, section 6 of P.L.2000, c.92, section 6 of P.L.2001, c.222, section 6 of P.L.2002, c.70, section 6 of P.L.2003, c.158, section 6 of P.L.2004, c.109, section 6 of P.L.2005, c.196, section 6 of P.L.2006, c.68, section 6 of P.L.2007, c.139, section 6 of P.L.2008, c.68, section 7 of P.L.2009, c.102 and section 6 of P.L.2010, c.63, and from any repayments of loans and interest from the "Clean Water State Revolving Fund," the "Wastewater Treatment Fund," the "Water Supply Fund," the "1992 Wastewater Treatment Fund," the "2003 Water Resources and Wastewater Treatment Fund," and amounts deposited therein during State fiscal year 2011 and State fiscal year 2012 pursuant to the provisions of section 16 of P.L.1985, c.329, and section 2 of P.L.2010, c.77 and any amendatory and supplementary acts thereto, including any Clean Water State Revolving Fund Accounts contained within the "Wastewater Treatment Fund," and from any repayment of loans and interest from the Drinking Water State Revolving Fund.

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

Project Sponsor	Project Number	Estimated DEP Loan Amount	Estimated Total Allowable Loan Amount
Bayonne MUA	S340399-30-1	\$686,445	\$915,260

Bergen County UA	S340386-05-1	\$973,907	\$1,298,542
Gloucester County UA	S340902-06-1	\$240,000	\$320,000
Hudson County IA	S340098-01-1	\$2,628,632	\$3,504,842
Jersey City MUA	S340928-06-1	\$1,350,120	\$1,800,160
Newark City	S340815-05-1	\$7,225,725	\$9,634,300
Total:	6	\$13,104,829	\$17,473,104

(2) The loans authorized in this subsection shall be made for the difference between the allowable loan amounts required by these projects based upon final building costs pursuant to section 6 of this act and the loan amounts certified by the Commissioner of Environmental Protection in State fiscal years 2006, 2008, 2010, and 2011, and for increased allowable costs as defined and determined in accordance with the rules and regulations adopted by the department pursuant to section 4 of P.L.1985, c.329. The loans authorized in this subsection shall be made to or on behalf of the project sponsors listed, up to the individual amounts indicated and in the priority stated, to the extent sufficient funds are available, except as a project fails to meet the requirements of section 4 or section 5 of this act.

(3) The zero interest loans for the projects authorized in this subsection shall have priority over projects listed in subsection b. of section 3 of this act.

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

Project Sponsor	Project Number	Estimated DEP Loan Amount	Estimated Total Allowable Loan Amount
Dover Town	1409001-002-1	\$193,234	\$257,645
Lakewood Township MUA	1514002-002/6/7/8/9/10-1	\$1,817,937	\$2,423,916
Ocean Township	1520001-001-1	\$225,330	\$300,440
Total:	3	\$2,236,501	\$2,982,001

(2) The loans authorized in this subsection shall be made for the difference between the allowable loan amounts required by these projects based upon final building costs pursuant to section 6 of this act and the loan amounts certified by the Commissioner of Environmental Protection in State fiscal years 2009, 2010, and 2011, and for increased allowable costs as defined and determined in accordance with the rules and regulations adopted by the department pursuant to section 5 of P.L.1981, c.261. The loans authorized in this subsection shall be made to or on behalf of the project sponsors listed, up to the individual amounts indicated and in the priority stated, to the extent sufficient funds are available, except as a project fails to meet the requirements of section 4 or section 5 of this act.

(3) The zero interest loans for the projects authorized in this subsection shall have priority over the environmental infrastructure projects listed in subsection c. of section 3 of this act.

c. The Department of Environmental Protection is authorized to adjust the allowable DEP loan amount for projects authorized in this section to between 25% and 75% of the total allowable loan amount.

3. a. The following environmental infrastructure projects shall be known and may be cited as the "State Fiscal Year 2012 Clean Water Barnegat Bay Watershed Project Priority List":

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Project Sponsor	Project Number	Estimated DEP Allowable Loan Amount	Estimated Total Allowable Loan Amount
Equipment			
Bay Head Borough	BBE1	\$250,000	\$250,125
Long Beach Township	BBE2	\$250,000	\$362,500
Point Pleasant Beach Borough	BBE3	\$250,000	\$340,750
Seaside Park Borough	BBE4	\$250,000	\$681,500
Equipment Subtotal: 4		\$1,000,000	\$1,634,875
Non-Equipment			
Stafford Township	BBB1	\$1,450,000	\$1,450,000
Stafford Township	BBB2	\$362,500	\$362,500
Ocean County	BBB3	\$1,054,747	\$1,054,747
Toms River Township	BBB4	\$1,740,000	\$1,740,000
Ocean County	BBB5	\$1,238,254	\$1,238,254
Ocean County	BBB6	\$839,364	\$839,364
Ocean County	BBB7	\$497,320	\$497,320
Manchester Township	BBB8	\$291,495	\$291,495
Manchester Township	BBB9	\$195,477	\$195,477
Ocean County	BBB10	\$434,191	\$434,191
Jackson Township	BBB11	\$1,347,956	\$1,347,956
Howell Township	BBB12	\$1,477,821	\$1,477,821
Howell Township	BBB13	\$1,406,486	\$1,406,486
Howell Township	BBB14	\$583,766	\$583,766
Ocean County	BBB15	\$990,844	\$990,844
Brick Township	BBB16	\$1,061,126	\$1,061,126
Ocean County	BBB17	\$1,653,300	\$1,653,300
Little Egg Harbor Township	BBB18	\$1,341,250	\$1,341,250
Ocean County	BBB19	\$577,358	\$577,358
Ocean County	BBB20	\$1,207,034	\$1,207,034
Howell Township	BBB21	\$883,537	\$883,537
Little Egg Harbor Township	BBB22	\$601,750	\$601,750
Ocean County	BBB23	\$414,483	\$414,483
Ocean County	BBB24	\$440,526	\$440,526
Ocean County	BBB25	\$558,917	\$558,917
Pine Beach Borough	BBB26	\$87,000	\$87,000
Ocean County	BBB27	\$658,370	\$658,370
Ocean County	BBB28	\$398,385	\$398,385
Ocean County	BBB29	\$430,496	\$430,496
Ocean County	BBB30	\$398,385	\$398,385
Ocean County	BBB31	\$616,456	\$616,456
Jackson Township	BBB32	\$582,772	\$582,772
Berkeley Township	BBB33	\$145,000	\$145,000
Little Egg Harbor Township	BBB34	\$540,125	\$540,125
Ocean County	BBB35	\$325,047	\$325,047
Ocean County	BBB36	\$398,385	\$398,385
Ocean County	BBB37	\$549,105	\$549,105
Beachwood Borough	BBB38	\$453,850	\$453,850
Manchester Township	BBB39	\$145,363	\$145,363

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Ocean County	BBB40	\$244,918	\$244,918
Jackson Township	BBB41	\$570,031	\$570,031
Ocean County	BBB42	\$411,558	\$411,558
Manchester Township	BBB43	\$125,099	\$125,099
Ocean County	BBB44	\$238,455	\$238,455
Ocean County	BBB45	\$236,621	\$236,621
Ocean County	BBB46	\$270,663	\$270,663
Manchester Township	BBB47	\$36,975	\$36,975
Manchester Township	BBB48	\$39,440	\$39,440
Non-Equipment Subtotal: 48		\$30,552,001	\$30,552,001
Total: 52		\$31,552,001	\$32,186,876

b. The following environmental infrastructure projects shall be known and may be cited as the "State Fiscal Year 2012 Clean Water Project Priority List":

Project Sponsor	Project Number	Estimated DEP Allowable Loan Amount	Estimated Total Allowable Loan Amount
Newark City	S340815-21	\$7,423,500	\$9,898,000
Elizabeth City	S340942-11	\$7,351,500	\$9,802,000
Elizabeth City	S340942-13	\$8,430,000	\$11,240,000
Elizabeth City	S340942-14	\$2,176,500	\$2,902,000
Jersey City MUA	S340928-09	\$1,987,350	\$2,649,800
Ocean County UA	S340372-45	\$3,764,342	\$5,019,123
North Hudson SA	S340952-17	\$1,712,625	\$2,283,500
North Hudson SA	S340952-18	\$405,439	\$540,585
Linden Roselle SA	S340299-07	\$11,098,380	\$14,797,840
Phillipsburg Town	S340874-05	\$1,346,250	\$1,795,000
Frenchtown Borough	S340331-01	\$10,224,375	\$13,632,500
Raritan Township MUA	S340485-05	\$299,063	\$398,750
Bordentown SA	S340219-03	\$1,682,100	\$2,242,800
Clinton Town	S340924-04	\$1,142,250	\$1,523,000
Bergen County UA	S340386-11	\$11,887,500	\$15,850,000
Atlantic County UA	S340809-22	\$1,139,483	\$1,519,311
Rockaway Valley RSA	S340821-05	\$3,711,000	\$4,948,000
Maple Shade Township	S340710-07	\$1,226,250	\$1,635,000
Milltown Borough	S340102-02	\$1,084,817	\$1,446,422
Camden County MUA	S340640-10	\$37,537,500	\$50,050,000
Cape May County MUA	S340661-17	\$289,275	\$385,700
Old Bridge MUA	S340945-10	\$3,641,250	\$4,855,000
Princeton Borough	S340656-07A	\$1,391,234	\$1,854,978
Princeton Township	S340656-07B	\$1,787,414	\$2,383,218
Burlington Township	S340712-09	\$1,033,125	\$1,377,500
Cinnaminson SA	S340170-04	\$1,277,730	\$1,703,640
Ocean Township	S340112-02	\$632,576	\$843,434
Stone Harbor Borough	S340722-04	\$6,355,521	\$8,474,028
Cranford Township	S340858-01	\$707,775	\$943,700
Ocean County UA	S340372-46	\$3,100,829	\$4,134,438
Ocean County UA	S340372-47	\$1,806,413	\$2,408,551
Cape May County MUA	S340661-15	\$349,125	\$465,500

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Cape May County MUA	S340661-16	\$199,500	\$266,000
Cape May County MUA	S340661-18	\$498,750	\$665,000
Old Bridge MUA	S340945-11	\$1,616,250	\$2,155,000
Raritan Township MUA	S340485-06	\$875,438	\$1,167,250
Roselle Borough	S340332-01	\$2,141,250	\$2,855,000
Hamilton Township MUA	S340903-03	\$878,220	\$1,170,960
Maywood Borough	S340226-01	\$1,336,756	\$1,782,341
Midland Park Borough	S340227-01	\$519,750	\$693,000
Long Beach Township	S340023-04	\$2,135,835	\$2,847,780
Seaside Park Borough	S340083-02	\$2,849,632	\$3,799,509
Cape May County MUA	S340661-19	\$349,125	\$465,500
Cape May County MUA	S340661-20	\$199,500	\$266,000
Pleasantville City	S340752-01	\$975,919	\$1,301,225
Old Bridge MUA	S340945-08	\$6,730,500	\$8,974,000
NW Bergen County UA	S340700-09	\$4,354,500	\$5,806,000
Willingboro Township	S340132-03	\$2,032,500	\$2,710,000
Newark City	S340815-12	\$13,680,665	\$18,240,886
Atlantic County UA	S340809-18	\$1,665,000	\$2,220,000
Gloucester Township	S340364-07	\$1,185,938	\$1,581,250
Gloucester Township	S340364-08	\$525,975	\$701,300
Berkeley Township	S340969-10	\$528,308	\$704,410
Berkeley Township	S340969-11	\$286,838	\$382,450
Galloway Township	S340892-03	\$95,943	\$127,924
Little Falls Township	S340716-06	\$766,575	\$1,022,100
Mount Holly Township	S340817-05	\$142,463	\$189,950
Linwood City	S340217-01	\$587,970	\$783,960
Linwood City	S340217-02	\$1,469,475	\$1,959,300
Highlands Borough	S340901-03	\$3,218,400	\$4,291,200
Bellmawr Borough	S342011-02	\$7,014,568	\$9,352,757
New Jersey WSA	S343054-08	\$1,579,569	\$2,106,092
New Jersey City U.	S340111-02	\$12,213,716	\$16,284,954
Cape May County MUA	S342017-03	\$6,645,000	\$8,860,000
Cape May County MUA	S340661-21	\$780,000	\$1,040,000
Camden County MUA	S340640-12	\$3,397,500	\$4,530,000
Raritan Township MUA	S340485-08	\$1,202,340	\$1,603,120
Hanover SA	S340388-04	\$5,344,500	\$7,126,000
Stafford Township	S344100-01	\$3,398,438	\$4,531,250
Brick Township	S344030-01	\$795,845	\$1,061,126
Manchester Township	S344070-01	\$625,387	\$833,849
Little Egg Harbor Township	S344060-01	\$2,378,906	\$3,171,875
Hightstown Borough	S340915-03	\$618,765	\$825,020
Lakehurst Borough	S344150-01	\$392,588	\$523,450
Seaside Park Borough	S344200-01	\$511,125	\$681,500
Jackson Township	S344050-01	\$1,875,569	\$2,500,759
Lacey Township	S344140-01	\$245,101	\$326,801
Ocean County	S344080-01	\$12,546,699	\$16,728,932
Toms River Township	S344110-01	\$1,560,563	\$2,080,750
Howell Township	S344040-01	\$3,263,708	\$4,351,610
Berkeley Township	S344020-01	\$380,625	\$507,500
Point Pleasant Borough	S344210-01	\$239,250	\$319,000
Barneгат Township	S344130-01	\$282,750	\$377,000

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Beachwood Borough	S344010-01	\$757,444	\$1,009,925
Millstone Township	S344160-01	\$271,875	\$362,500
Point Pleasant Beach Borough	S344190-01	\$255,563	\$340,750
Long Beach Township	S344170-01	\$918,938	\$1,225,250
Ocean Gate Borough	S344180-01	\$1,837,875	\$2,450,500
Pine Beach Borough	S344090-01	\$331,688	\$442,250
Bay Head Borough	S344120-01	\$187,594	\$250,125
Hightstown Borough	S340915-04	\$47,981	\$63,975
Cranford Township	S340858-06	\$707,775	\$943,700
Gloucester County UA	S340902-08	\$922,500	\$1,230,000
Clifton City	S340844-01	\$242,894	\$323,978
Ewing-Lawrence SA	S340391-09	\$1,495,634	\$1,994,178
Montclair Township	S340837-02	\$904,373	\$1,205,830
South Plainfield Borough	S340408-01	\$264,075	\$352,100
Hightstown Borough	S340915-02	\$295,125	\$393,500
Kearny MUA	S340259-09	\$1,641,900	\$2,189,200
Clifton City	S340844-04	\$1,332,017	\$1,776,022
Middletown Township	S340097-01	\$2,767,500	\$3,690,000
Harrington Park Borough	S340223-01	\$283,943	\$378,590
Weehawken Township	S343077-01	\$8,625,000	\$11,500,000
North Bergen MUA	S340652-11	\$1,544,430	\$2,059,240
Total:	104	\$282,778,102	\$377,037,571

c. The following environmental infrastructure projects shall be known and may be cited as the "State Fiscal Year 2012 Drinking Water Project Priority List":

Project Sponsor	Project Number	Estimated DEP Allowable Loan Amount	Estimated Total Allowable Loan Amount
Winslow Township	0436007-007	\$2,819,018	\$3,758,690
Monroe Township	1213002-001	\$3,537,719	\$4,716,959
Pemberton Township	0329004-002	\$162,743	\$216,990
Sea Village Marina	0108021-002	\$816,938	\$1,089,250
Newark City	0714001-016	\$6,688,950	\$8,918,600
Newark City	0714001-017	\$1,056,075	\$1,408,100
Atlantic City MUA	0102001-005	\$6,003,075	\$8,004,100
Aqua New Jersey Inc.	1505002-001	\$604,598	\$806,130
Hammonton Town	0113001-004	\$4,012,957	\$5,350,609
Colonial Estates	0811003-002	\$2,126,315	\$2,835,086
Aqua New Jersey Inc.	2119001-007	\$369,935	\$493,246
Seaside Park Borough	1527001-002	\$3,209,741	\$4,279,654
NJ American Water Co.	0712001-005	\$58,500,000	\$78,000,000
Long Beach Township	1517001-011	\$2,283,755	\$3,045,007
Aqua New Jersey Inc.	0415002-007	\$906,543	\$1,208,724
Westville Borough	0821001-001	\$209,640	\$279,520
Jersey City MUA	0906001-006	\$12,247,500	\$16,330,000
New Jersey City U./Jersey City	0906001-005	\$953,885	\$1,271,847
SE Monmouth MUA	1352005-005	\$6,300,124	\$8,400,165
Hamilton Twp MUA	0112001-002	\$1,087,500	\$1,450,000
Stone Harbor Borough	0510001-005	\$854,490	\$1,139,320

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Stone Harbor Borough	0510001-004	\$572,861	\$763,814
Phillipsburg RA	2119001-006	\$2,175,000	\$2,900,000
Woodbury City	0822001-001	\$2,512,500	\$3,350,000
Matawan Borough	1329001-001	\$3,615,000	\$4,820,000
Ocean Township	1520001-003	\$542,150	\$722,866
Westville Borough	0821001-002	\$652,388	\$869,850
Alpha Borough	2102001-001	\$1,727,173	\$2,302,897
Byram HOA	1904009-002	\$189,375	\$252,500
Middlesex Water Co.	1225001-013	\$3,000,000	\$4,000,000
Aberdeen Township	1330002-002	\$1,089,525	\$1,452,700
Byram HOA	1904009-005	\$116,625	\$155,500
Matawan Borough	1329001-002	\$531,000	\$708,000
Washington Twp. MUA	0818004-008	\$693,825	\$925,100
NJ American Water Co.	0323001-002	\$5,314,125	\$7,085,500
Lakehurst Borough	1513001-001	\$54,863	\$73,150
Byram HOA	1904009-004	\$21,000	\$28,000
Westville Borough	0821001-003	\$110,700	\$147,600
Hamilton Township MUA	0112001-001	\$296,250	\$395,000
Byram HOA	1904009-001	\$67,500	\$90,000
Pemberton Township	0329004-003	\$296,250	\$395,000
Ocean Township	1520001-002	\$194,100	\$258,800
Mt. Olive Township	1427015-001	\$726,750	\$969,000
Byram HOA	1904009-003	\$28,875	\$38,500
Nutley Township	0716001-001	\$2,307,394	\$3,076,525
New Jersey WSA	1352005-004	\$3,000,000	\$4,000,000
Egg Harbor City	0107001-002	\$8,050,778	\$10,734,370
Collingswood Borough	0412001-002	\$249,300	\$332,400
Hightstown Borough	1104001-005	\$692,430	\$923,240
Kearny Town	0907001-001	\$704,625	\$939,500
Collingswood Borough	0412001-003	\$623,250	\$831,000
Lakewood Township MUA	1514002-011	\$2,587,221	\$3,449,628
Clinton Town	1005001-003	\$763,730	\$1,018,307
Pompton Lakes MUA	1609001-006	\$1,857,000	\$2,476,000
Clinton Town	1005001-004	\$811,796	\$1,082,394
Boonton Town	1401001-002	\$1,607,000	\$2,142,666
Collingswood Borough	0412001-004	\$789,450	\$1,052,600
Collingswood Borough	0412001-005	\$415,500	\$554,000
Total:	58	\$163,738,810	\$218,318,404

d. The Department of Environmental Protection is authorized to adjust the allowable DEP loan amount for projects authorized in this section to between 25% and 75% of the total allowable loan amount.

4. Any financing loan made by the Department of Environmental Protection pursuant to this act shall be subject to the following requirements:

a. The Commissioner of Environmental Protection 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;

b. The estimated DEP allowable loan amount shall not exceed 75% of the total allowable loan amount of the environmental infrastructure facility for projects listed in subsections a. and b. of section 2 of this act, and in subsections b. and c. of section 3 of this act. The estimated DEP allowable loan amount shall not exceed 100% of the total allowable loan amount of the environmental infrastructure facility for projects listed in subsection a. of section 3 of this act. The loan amount for supplemental loans shall not exceed that percentage of the allowable project cost of the project's initial program loan;

c. The loan shall be repaid within a period not to exceed 23 years of the making of the loan;

d. 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 to loans made by the trust pursuant to P.L.2011, c.95, 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).

5. The priority lists and authorization for the making of loans pursuant to sections 2 and 3 of this act shall expire on July 1, 2012, and any project sponsor which has not executed and delivered a loan agreement with the department for a loan authorized in this act shall no longer be entitled to that loan.

6. The Commissioner of Environmental Protection is authorized to reduce or increase the individual amount of loan funds made available to or on behalf of project sponsors pursuant to sections 2 and 3 of this act based upon final or low bid building costs defined in and determined in accordance with rules and regulations adopted by the commissioner pursuant to section 4 of P.L.1985, c.329, section 2 of P.L.1999, c.362 (C.58:12A-12.2) or section 5 of P.L.1981, c.261, provided that the total loan amount does not exceed the original loan amount.

7. The expenditure of the funds appropriated by this act is subject to the provisions and conditions 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 the rules and regulations adopted by the Commissioner of Environmental Protection pursuant thereto, and the provisions of the Federal Clean Water Act or the Federal Safe Drinking Water Act, and any amendatory and supplementary acts thereto, as appropriate.

8. The Department of Environmental Protection shall provide general technical assistance to any project sponsor requesting assistance regarding environmental infrastructure project development or applications for funds for a project.

9. a. Prior to repayment to the Clean Water State Revolving Fund pursuant to sections 1 and 2 of P.L.2009, c.77 and any amendatory and supplementary acts thereto, prior to repayment to the "Wastewater Treatment Fund" pursuant to the provisions of section 16 of P.L.1985, c.329, prior to repayment to the "1992 Wastewater Treatment Fund" pursuant to the provisions of section 28 of P.L.1992, c.88, prior to repayment to the Drinking Water State Revolving Fund, prior to repayment to the "Stormwater Management and Combined Sewer Overflow Abatement Fund" pursuant to the provisions of section 15 of P.L.1989, c.181, prior to repayment to the "2003 Water Resources and Wastewater Treatment Fund" pursuant to the provisions of section 20 of P.L.2003, c.162, or prior to repayment to the

"Water Supply Fund" pursuant to the provisions of section 15 of P.L.1981, c.261, repayments of loans made pursuant to these acts may be utilized by the New Jersey Environmental Infrastructure Trust established pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.), as amended and supplemented by P.L.1997, c.224, under terms and conditions established by the commissioner and trust, and approved by the State Treasurer, and consistent with the provisions of P.L.1985, c.334 (C.58:11B-1 et seq.) and federal tax, environmental or securities law, to the extent necessary to secure repayment of trust bonds issued to finance loans approved pursuant to P.L.2011, c.95, and to secure the administrative fees payable to the trust pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5) by the project sponsors receiving trust loans.

b. Prior to repayment to the Clean Water State Revolving Fund pursuant to sections 1 and 2 of P.L. 2009, c.77 and any amendatory and supplementary acts thereto, prior to repayment to the "Wastewater Treatment Fund" pursuant to the provisions of section 16 of P.L.1985, c.329, prior to repayment to the "1992 Wastewater Treatment Fund" pursuant to the provisions of section 28 of P.L.1992, c.88, prior to repayment to the "Water Supply Fund" pursuant to the provisions of section 15 of P.L.1981, c.261, prior to repayment to the Drinking Water State Revolving Fund, prior to repayment to the "2003 Water Resources and Wastewater Treatment Fund" pursuant to the provisions of section 20 of P.L.2003, c.162, or prior to repayment to the "Stormwater Management and Combined Sewer Overflow Abatement Fund" pursuant to the provisions of section 15 of P.L.1989, c.181, the trust is further authorized to utilize repayments of loans made pursuant to P.L.1989, c.189, P.L.1990, c.99, P.L.1991, c.325, P.L.1992, c.38, P.L.1993, c.193, P.L.1994, c.106, P.L.1995, c.219, P.L.1996, c.85, P.L.1997, c.221, P.L.1998, c.84, P.L.1999, c.174, P.L.2000, c.92, P.L.2001, c.222, P.L.2002, c.70, P.L.2003, c.158, P.L.2004, c.109, P.L.2005, c.196, P.L.2006, c.68, P.L.2007, c.139, P.L.2008, c.68, P.L.2009, c.102, P.L.2010, c.63 or P.L.2011, c.93 to secure repayment of trust bonds issued to finance loans approved pursuant to P.L.1995, c.218, P.L.1996, c.87, P.L.1997, c.222, P.L.1998, c.85, P.L.1999, c.173, P.L.2000, c.93, P.L.2001, c.224, P.L.2002, c.71, P.L.2003, c.159, P.L.2004, c.110, P.L.2005, c.197, P.L.2006, c.67, P.L.2007, c.140, P.L.2008, c.67, P.L.2009, c.101, P.L.2010, c.62 or P.L.2011, c.95, and to secure the administrative fees payable to the trust under these loans pursuant to subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5).

c. To the extent that any loan repayment sums are used to satisfy any trust bond repayment or administrative fee payment deficiencies, the trust shall repay such sums to the department for deposit into the Clean Water State Revolving Fund, the "Wastewater Treatment Fund," the "1992 Wastewater Treatment Fund," the "Water Supply Fund," the Drinking Water State Revolving Fund, the "2003 Water Resources and Wastewater Treatment Fund," or the "Stormwater Management and Combined Sewer Overflow Abatement Fund," as appropriate, from amounts received by or on behalf of the trust from project sponsors causing any such deficiency.

10. The Commissioner of Environmental Protection is authorized to enter into capitalization grant agreements as may be required pursuant to the Federal Clean Water Act or the Federal Safe Drinking Water Act.

11. There is appropriated to the New Jersey Environmental Infrastructure Trust established pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.) from repayments of loans and interest deposited in any account, on or before June 30, 2012, including the "Clean Water State Revolving Fund," the "1992 Wastewater Treatment Fund," the "Water Supply Fund,"

the "Stormwater Management and Combined Sewer Overflow Abatement Fund," "2003 Water Resources and Wastewater Treatment Fund," or the Drinking Water State Revolving Fund, as appropriate, and from any net earnings received from the investment and reinvestment of such deposits, such sums as the chairman of the trust shall certify to the Commissioner of Environmental Protection to be necessary and appropriate for deposit into one or more reserve funds or the Interim Financing Program Fund established by the trust pursuant to section 11 of P.L.1985, c.334 (C.58:11B-11).

12. This act shall take effect immediately.

Approved August 4, 2011.