

CHAPTER 116

A SUPPLEMENT to "An Act making appropriations for the support of the State Government and the several public purposes for the fiscal year ending June 30, 2019 and regulating the disbursement thereof," approved July 01, 2018 (P.L.2018, c.53).

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

1. In addition to the amounts appropriated under P.L.2018, c.53, there is appropriated out of the General Fund the following sum for the purpose specified:

42 DEPARTMENT OF ENVIRONMENTAL PROTECTION

40 Community Development and Environmental Management

44 Site Remediation and Waste Management

CAPITAL CONSTRUCTION

27-4815 Remediation Management.....	\$50,000,000
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Total Capital Construction Appropriation,	
Site Remediation and Waste Management.....	\$50,000,000
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Capital Projects:

Site Remediation:

27 Hazardous Discharge Site Cleanup Fund –	
Natural Resource Restoration Projects.....	(\$50,000,000)

The amount hereinabove appropriated for Hazardous Discharge Site Cleanup Fund - Natural Resource Restoration Projects shall be deposited as natural resource damages into the Hazardous Discharge Site Cleanup Fund established pursuant to section 1 of P.L.1985, c.247 (C.58:10-23.34), provided that the appropriation shall not occur until receipt to the General Fund of settlement revenues attributable to receipts in N.J. Dep't of Env. Protection v. Exxon Mobil Corp., 453 N.J. Super. 588 (Law Div. 2015).

Notwithstanding the provisions of any law or regulation to the contrary, for the purpose of implementing projects and activities to protect, repair, restore, replace, and acquire natural resources, recoveries of natural resource damages not subject to the provisions of Article VIII, Section II, paragraph 9 of the State Constitution shall be deposited into the Hazardous Discharge Site Cleanup Fund, and such recoveries, and the unexpended balance at the end of the preceding fiscal year of such recoveries, are appropriated to the department for: direct and indirect costs of remediation, restoration, and cleanup; costs for consulting, expert, and legal services incurred in pursuing claims for damages; grants and loans to local governments; and grants to nonprofit organizations.

There is appropriated the sum of \$110,412,549 from dedicated natural resource damages revenues pursuant to Article VIII, Section II, paragraph 9 of the State Constitution in the Natural Resources Damages – Constitutional Dedication account, from funds recovered in connection with claims made by the State in the matter of N.J. Dep't of Env. Protection v. Atlantic Richfield Co., et al., No. 08 CIV 00312 (S.D.N.Y.) for projects to repair, restore, or replace damaged or lost natural resources of the State, or permanently protect the natural resources of the State pursuant to the prioritization set forth in Article VIII, Section II, paragraph 9 of the State Constitution, as follows:

RESTORATION/ACQUISITION	\$99,371,295
Cape May Point Saltwater Intrusion	
Mitigation and Habitat Restoration	\$30,000,000
Atlantic White Cedar Forest Watershed Restoration	\$19,000,000
Hudson-Raritan Estuary Water Quality	
Infrastructure/CSO Improvements	\$10,000,000
Water Supply and Wastewater	
Improvements Statewide	\$20,000,000
Habitat Restoration	\$10,000,000
Open Space Acquisitions for Groundwater Recharge	\$10,371,295
ADMINISTRATION	\$11,041,254

The department may reallocate funds among the projects identified hereinabove, subject to the approval of the Director of the Division of Budget and Accounting in the Department of the Treasury. The department shall send written notification of any such reallocation of funds to the President of the Senate, the Speaker of the General Assembly, the Legislative Budget and Finance Officer, the Joint Budget Oversight Committee, or its successor, and the chairs of the Senate Environment and Energy Committee and Assembly Environment and Solid Waste Committee, or their respective successor committees.

Monies appropriated hereinabove are appropriated for State costs, including but not limited to grants and loans to local governments, and grants to nonprofit organizations, as determined by the department.

No later than March 31, the department shall send written notification of project expenditures to the President of the Senate, the Speaker of the General Assembly, the Legislative Budget and Finance Officer, the Joint Budget Oversight Committee, or its successor, and the chairs of the Senate Environment and Energy Committee and Assembly Environment and Solid Waste Committee, or their respective successor committees.

There is appropriated to the Department of Environmental Protection such additional sums as may be, or may become, available on or before December 31, 2018, in the Natural Resources Damages – Constitutional Dedication account, due to additional recoveries received in connection with the matter of N.J. Dep’t of Env. Protection v. Atlantic Richfield Co., et al., No. 08 CIV 00312 (S.D.N.Y.) for the purpose of providing additional funding for the projects identified hereinabove. Any such additional funding may include administrative costs in an amount not to exceed 10 percent of the additional recoveries.

2. This act shall take effect immediately.

Approved May 10, 2019.