

CHAPTER 21

AN ACT concerning the financing of environmental infrastructure projects in Fiscal Year 2021 and amending P.L.2020, c.49.

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

1. Section 1 of P.L.2020, c.49 is amended to read as follows:

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 2020 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 Environmental Financing Program Fund," established by the New Jersey Infrastructure Bank 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 may 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 "Disaster Relief Emergency Financing Program Fund," established by the New Jersey Infrastructure Bank pursuant to section 1 of P.L.2013, c.93 (C.58:11B-9.5), 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 may 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.

(4) 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 2020 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, pursuant to the "Water Infrastructure Funding Transfer Act," Pub.L.116-63, additional amounts as may be necessary to address a threat to public health, and an amount equal to the maximum amount authorized to be transferred is appropriated to the department for those purposes.

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 that maximum amount is 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 that maximum amount is appropriated to the department for those purposes.

Notwithstanding any provision of P.L.2020, c.49, as amended by P.L.2021, c.21 to the contrary, the Department of Environmental Protection is authorized to utilize funds from the Clean Water State Revolving Fund for the purposes of the Drinking Water State Revolving Fund, and may charge interest on loans made with such invested funds to the extent permitted by the Federal Clean Water Act and the Federal Safe Drinking Water Act.

(5) There is appropriated to the Department of Environmental Protection the unappropriated balances from the Clean Water State Revolving Fund, including the balances from the Federal Disaster Relief Appropriations Act, and any repayments of loans and interest therefrom, as may be available on or before June 30, 2021, for the purposes of clean water project loans and providing the State match as may 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 "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 may be available on or before June 30, 2021, for the purposes of clean water project loans and providing the State match as may 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 "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 may be available on or before June 30, 2021, for the purposes of clean water project loans and providing the State match as may 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 "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 may be available on or before June 30, 2021, for the purposes of clean water project loans and providing the State match as may 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.

(9) There is appropriated to the Department of Environmental Protection the unappropriated balances from the "Pinelands Infrastructure Trust Fund," established pursuant to section 14 of the "Pinelands Infrastructure Trust Bond Act of 1985," P.L.1985, c.302, and any repayments of loans and interest therefrom, as may be available on or before June 30, 2021, for the purposes of clean water project loans and drinking water project loans and providing the State match as may 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 for drinking water projects pursuant to the Federal Safe Drinking Water Act.

(10) There is appropriated to the Department of Environmental Protection the unappropriated balances from the "Stormwater Management and Combined Sewer Overflow Abatement Fund," established pursuant to the "Stormwater Management and Combined Sewer Overflow Abatement Bond Act of 1989," P.L.1989, c.181, and any repayments of

loans and interest therefrom, as may be available on or before June 30, 2021, for the purposes of clean water project loans and providing the State match as may 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.

(11) There is appropriated to the Department of Environmental Protection the unappropriated balances from the Drinking Water State Revolving Fund and any repayments of loans and interest therefrom, including the balances from the Federal Disaster Relief Appropriations Act as may be available on or before June 30, 2021, for the purposes of drinking water project loans.

(12) 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," established pursuant to section 14 of the "Water Supply Bond Act of 1981," P.L.1981, c.261, for the "Drinking Water State Revolving Fund Match Accounts" contained within that fund, for the purpose of providing the State match as may 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) There is appropriated to the Department of Environmental Protection from the "Interim Environmental Financing Program Fund," established by the New Jersey Infrastructure Bank pursuant to subsection d. of section 9 of P.L.1985, c.334 (C.58:11B-9), such amounts as may be available on or before June 30, 2021, 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 may 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.

(14) There is appropriated to the Department of Environmental Protection from the "Disaster Relief Emergency Financing Program Fund," established by the New Jersey Infrastructure Bank pursuant to section 1 of P.L.2013, c.93 (C.58:11B-9.5), such amounts 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 may 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.

(15) There is appropriated to the Department of Environmental Protection such amounts as may be received by the Department of Community Affairs, as the grantee from the United States Department of Housing and Urban Development Community Development Block Grant - Disaster Recovery Program (CDBG-DR), as may be available on or before June 30, 2021, for the purposes of CDBG-DR eligible clean water and drinking water project loans and providing the State match as may 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.

(16) There is appropriated to the Department of Environmental Protection such sums as may be available on or before June 30, 2021, 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 may 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.

(17) 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 available on or before June 30, 2021, 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 may 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.

(18) 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 available on or before June 30, 2021, 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 may 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.

(19) 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 available on or before June 30, 2021, 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 may 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.

(20) There is appropriated to the Department of Environmental Protection the sums deposited by the New Jersey Infrastructure Bank 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," established pursuant to the "Stormwater Management and Combined Sewer Overflow Abatement Bond Act of 1989," P.L.1989, c.181, 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.2020, c.48, as amended by P.L.2021, c.22, as may be available on or before June 30, 2021, for the purposes of providing clean water project loans and drinking water project loans and providing the State match as may 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 for 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 the construction of clean water projects and drinking water projects listed in sections 2 and 3 of P.L.2021, c.22, and for the purpose of implementing and administering the provisions of P.L.2020, c.49, as amended by P.L.2021, c.21, to the extent permitted by the Federal Disaster Relief Appropriations Act, the Federal Clean Water Act, the Federal Safe Drinking Water Act, P.L.2009, c.77, 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 the Wastewater Treatment Project Bond Act of 2003," P.L.2003, c.162, and any amendatory and supplementary acts thereto.

(21) Of the \$60 million appropriated to the department for Drinking Water Infrastructure by the State fiscal year 2021 annual appropriations act, P.L.2020 c.97, up to \$25 million may be transferred to the New Jersey Infrastructure Bank to invest, provide debt service reserve or guarantee, or pay interest on behalf of a sponsor of a drinking water environmental infrastructure project.

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 subsection a. of section 3 of P.L.2020, c.49, as amended by P.L.2021, c.21 for clean water projects, up to the individual amounts indicated and in the priority stated, to the extent there are sufficient eligible project applications, except that any such amounts may be reduced if a project fails to meet the requirements of sections 4 or 5 of P.L.2020, c.49, as amended by P.L.2021, c.22, or by the Commissioner of Environmental Protection pursuant to section 7 of P.L.2020, c.49, as amended by P.L.2021, c.21, provided:

(1) a maximum of \$15 million in principal forgiveness loans, plus any appropriated but unallocated funds designated in State fiscal year 2020 for combined sewer overflow projects, shall be issued as provided in subsection a. of section 3 of P.L.2020, c.49, as amended by P.L.2021, c.21 to communities in combined sewer overflow sewersheds sponsoring construction projects that reduce or eliminate discharges from combined sewer overflow outfalls, wherein principal forgiveness loans shall not exceed \$4 million per borrower subject to the availability of funds, and wherein 50 percent of the principal of the fund loan shall be forgiven, 25 percent of the loan shall be a zero interest rate fund loan, and 25 percent of the loan shall be a trust market rate loan. For project costs greater than \$4 million up to and including \$10 million, 75 percent of the loan shall be a zero interest rate fund loan and 25 percent of the loan shall be a trust market rate loan. For project costs greater than \$10 million, 50 percent of the loan shall be a zero interest rate fund loan and 50 percent of the loan shall be a trust market rate loan;

(2) a maximum of \$10 million in principal forgiveness loans shall be issued as provided in subsection a. of section 3 of P.L.2020, c.49, as amended by P.L.2021, c.21 for water quality restoration projects wherein principal forgiveness loans shall not exceed \$2 million per borrower subject to the availability of funds, and wherein 50 percent of the principal of the fund loan shall be forgiven, 25 percent of the loan shall be a zero interest rate fund loan, and 25 percent of the loan shall be a trust market rate loan subject to the availability of funds. For project costs greater than \$4 million up to and including \$10 million, 75 percent of the loan shall be a zero interest rate fund loan and 25 percent of the loan shall be a trust market rate loan. For project costs greater than \$10 million, 50 percent of the loan shall be a zero interest rate fund loan and 50 percent of the loan shall be a trust market rate loan;

(3) to the extent funds are available, a maximum of \$500,000 in principal forgiveness loans shall be issued to finance clean water environmental infrastructure projects as provided in subsection a. of section 3 of P.L.2020, c.49, as amended by P.L.2021, c.21 for systems serving populations of up to 10,000 residents for the development of asset management plans

wherein principal forgiveness shall be 100 percent of the fund loan amount per project in an amount not to exceed \$100,000 per project sponsor; and

(4) those projects listed in subsection a. of section 2 of P.L.2020, c.49, as amended by P.L.2021, c.21 and subsection a. of section 3 of P.L.2020, c.49, as amended by P.L.2021, c.21 that were previously identified in P.L.2019, c.193, as amended by P.L.2019, c.514, are granted continued priority status and shall be subject to the provisions of P.L.2019, c.193, as amended by P.L.2019, c.514, provided such projects receive short-term funding prior to June 30, 2020.

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 3 of P.L.2020, c.49, as amended by P.L.2021, c.21 for drinking water projects, up to the individual amounts indicated and in the priority stated, provided:

(1) a maximum of 30 percent of the 2020 Drinking Water State Revolving Fund capitalization grant, not to exceed \$5 million, plus any funds transferred to the Drinking Water State Revolving Fund pursuant to paragraph (4) of subsection a. of this section may be issued as provided in subsection b. of section 3 of P.L.2020, c.49, as amended by P.L.2021, c.21 for drinking water systems, as follows:

(a) up to \$4 million of Drinking Water State Revolving Fund loans, plus any appropriated but unallocated funds designated in State fiscal year 2020 for drinking water systems serving populations of up to 10,000 residents, shall be available for drinking water systems serving populations of up to 10,000 residents wherein principal forgiveness shall not exceed \$500,000 in the aggregate and shall not exceed 50 percent of the total loan amount per project sponsor in an amount not to exceed \$1 million per project sponsor.

Loans for drinking water systems serving 500 or fewer residents shall be given the highest priority, followed by systems serving 501 to 10,000 residents;

(b) a maximum of \$500,000 in principal forgiveness loans shall be issued to drinking water systems serving populations of up to 10,000 residents for the development of asset management plans wherein principal forgiveness shall be 100 percent of the fund loan amount per project in an amount not to exceed \$100,000 per project sponsor subject to the availability of funds; and

(c) a maximum of \$10 million of principal forgiveness for drinking water systems serving communities with a population of up to 1,000 residents for corrosion control treatment and lead service line replacement projects wherein principal forgiveness shall not exceed 90 percent of the total fund loan amount of \$1 million per water system;

(2) up to \$103 million of moneys from the Drinking Water State Revolving Fund, plus any appropriated but unallocated funds designated in State fiscal year 2020, may be issued for principal forgiveness loans for drinking water systems serving communities with a weighted median household income less than the median household income for the State to finance lead service line replacements, wherein principal forgiveness shall not exceed 50 percent of the total fund loan amount of: \$2 million per water system for systems with fewer than 1,000 known lead service lines, \$10 million per water system for systems with 1,000 to 5,000 known lead service lines, and \$40 million per water system for systems with greater than 5,000 known lead service lines.

Loans may be made pursuant to this subsection to the extent there are sufficient eligible project applications and as may 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. Any such amounts may be reduced by the Commissioner of Environmental Protection

pursuant to section 7 of P.L.2020, c.49, as amended by P.L.2021, c.21, or if a project fails to meet the requirements of section 4 or 5 of P.L.2020, c.49, as amended by P.L.2021, c.21; and

(3) Those projects listed in subsections a. and b. of section 3 of P.L.2020, c.49, as amended by P.L.2021, c.21 that were previously identified in P.L.2019, c.193, as amended by P.L.2019, c.514, are granted continued priority status and shall be subject to the provisions of P.L.2019, c.193, as amended by P.L.2019, c.514, provided such projects receive short-term funding prior to June 30, 2020.

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 P.L.2021, c.21 under the same terms, conditions and requirements 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, sections 1 and 2 of P.L.2010, c.63, sections 1 and 2 of P.L.2011, c.93, sections 1 and 2 of P.L.2012, c.43, sections 1 and 2 of P.L.2013, c.95, sections 1 and 2 of P.L.2014, c.25, sections 1 and 2 of P.L.2015, c.108, sections 1 and 2 of P.L.2016, c.32, as amended by P.L.2017, c.14, sections 1 and 2 of P.L.2017, c.143, as amended by P.L.2017, c.326, sections 1 and 2 of P.L.2018, c.85, as amended by P.L.2018, c.137 and P.L.2019, c.12, sections 1 and 2 of P.L.2019, c.193, as amended by P.L.2019, c.514, and sections 1 and 2 of P.L.2020, c.49, as amended by P.L.2021, c.21, 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, section 6 of P.L.2010, c.63, section 6 of P.L.2011, c.93, section 6 of P.L.2012, c.43, section 6 of P.L.2013, c.95, section 7 of P.L.2014, c.25, section 7 of P.L.2015, c.108, section 7 of P.L.2016, c.32, as amended by P.L.2017, c.14, section 7 of P.L.2017, c.143 as amended by P.L.2017, c.326, section 7 of P.L.2018, c.85, as amended by P.L.2018, c.137 and P.L.2019, c.12, section 7 of P.L.2019, c.193, as amended by P.L.2019, c.514, and section 7 of P.L.2020, c.49, as amended by P.L.2021, c.21, 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 2019 and State fiscal year 2020 pursuant to the provisions of section 16 of P.L.1985, c.329, and section 2 of P.L.2009, 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.

e. The department is authorized to make zero interest and principal forgiveness Sandy financing loans to or on behalf of the project sponsors for the Sandy environmental infrastructure projects listed in subsection a. of section 3 of P.L.2020, c.49, as amended by P.L.2021, c.21 for clean water projects, in a manner consistent with the Federal Disaster Relief Appropriations Act, up to the individual amounts indicated, except that any such amount may be reduced by the Commissioner of Environmental Protection pursuant to section 7 of P.L.2020, c.49, as amended by P.L.2021, c.21, or if a project fails to meet the requirements of section 4, 5, or 7 of P.L.2020, c.49, as amended by P.L.2021, c.21, provided a maximum of \$300 million shall be provided for Sandy financing loans for clean water projects to provide financial assistance to communities affected by the Storm Sandy, and for projects whose purpose is to reduce flood damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or a natural disaster.

f. For the purposes of P.L.2020, c.49, as amended by P.L.2021, c.21:

"Base financing" means zero interest loans provided by the Department of Environmental Protection from moneys made available for the purposes of P.L.2020, c.49, as amended by P.L.2021, c.21 from any source other than funds received pursuant to the Federal Disaster Relief Appropriations Act, related State matching funds, and interest earned thereon.

"Federal Disaster Relief Appropriations Act" means the "Disaster Relief Appropriations, 2013," Pub.L.113-2, and any amendatory and supplementary acts thereto.

"Sandy financing" or "Sandy funding" means grants, zero interest loans or principal forgiveness loans provided by the Department of Environmental Protection from funds made available to the State for clean water projects or clean water project match, pursuant to the Federal Disaster Relief Appropriations Act.

2. Section 2 of P.L.2020, c.49 is amended to read as follows:

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 Allowable DEP Loan Amount	Estimated Total Loan Amount
Elizabeth City	S340942-19R	\$206,250	\$275,000
Ocean Twp. SA	S340750-14R	\$750,000	\$1,000,000
Hoboken City	S340635-06R	\$30,000,000	\$40,000,000
Franklin Township Sewerage Authority	S340839-06-1	\$750,000	\$1,000,000
Paterson City	S340850-03-1	\$1,912,500	\$2,550,000
Rockaway Valley RSA	S340821-06-1	\$581,250	\$775,000
Somerville Borough	S342013-01-1	\$1,387,500	\$1,850,000
Total Projects: 7		\$35,587,500	\$47,450,000

(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 7 of P.L.2020, c.49, as amended by P.L.2021, c.21 and the loan amounts certified by the Commissioner of Environmental Protection in State fiscal years 2008, 2019, and 2020 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, 5, or 7 of P.L.2020, c.49, as amended by P.L.2021, c.21.

(3) The zero interest loans for the projects authorized in this subsection shall have priority over projects listed in subsection a. of section 3 of P.L.2020, c.49, as amended by P.L.2021, c.21.

b. (1) The Department of Environmental Protection 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 Allowable DEP Loan Amount	Estimated Total Loan Amount
Newark City	0714001-016R	\$2,250,000	\$3,000,000
North Jersey District Water Supply Comm.	1613001-025R	\$19,125,000	\$25,500,000
Total Projects: 2		\$21,375,000	\$28,500,000

(2) The loans authorized in this subsection shall be made for the difference between the allowable loan amount required by these projects based upon final building costs pursuant to section 7 of P.L.2020, c.49, as amended by P.L.2021, c.21 and the loan amounts certified by the Commissioner of Environmental Protection in State fiscal year 2020 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, 5, or 7 of P.L.2020, c.49, as amended by P.L.2021, c.21.

(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 P.L.2020, c.49, as amended by P.L.2021, c.21.

c. The Department of Environmental Protection is authorized to adjust the allowable Department of Environmental Protection loan amount for projects authorized in this section to between zero percent and 100 percent of the total allowable loan amount, and, if the Department of Environmental Protection loan amount is adjusted to 100 percent of the total allowable loan amount, the loan shall be provided pursuant to the terms and conditions of the financing program year in which the trust issued an interim financing program loan for the project or, in the absence of an interim financing program loan, the terms and conditions of the State fiscal year 2021 financing program.

3. Section 3 of P.L.2020, c.49 is amended to read as follows:

3. a. (1) The following environmental infrastructure projects shall be known and may be cited as the "Storm Sandy and State Fiscal Year 2021 Clean Water Project Eligibility List":

Project Sponsor	Project Number	Estimated Allowable DEP Loan Amount	Estimated Total Loan Amount
Musconetcong SA	S340384-09	\$4,500,000	\$6,000,000
Camden County MUA	S340640-17	\$2,625,000	\$3,500,000
Camden County MUA	S340640-24	\$4,875,000	\$6,500,000
Rahway Valley SA	S340547-14	\$7,125,000	\$9,500,000
Rahway Valley SA	S340547-15	\$1,941,389	\$2,588,518
Camden County MUA	S340640-22	\$2,625,000	\$3,500,000
Camden County MUA	S340640-23	\$4,200,000	\$5,600,000
Newark City	S340815-28	\$4,500,000	\$6,000,000
Camden County MUA	S340640-16	\$9,975,000	\$13,300,000
Newark City	S340815-24	\$15,750,000	\$21,000,000
Camden City	S340366-15	\$9,997,500	\$13,330,000
Camden County MUA	S340640-18	\$63,022,500	\$84,030,000
North Bergen MUA	S340652-14	\$17,250,000	\$23,000,000
Jersey City MUA	S340928-15	\$30,750,000	\$41,000,000
Jersey City MUA	S340928-20	\$5,400,000	\$7,200,000
Jersey City MUA	S340928-21	\$18,750,000	\$25,000,000
Jersey City MUA	S340928-24	\$80,693,069	\$108,000,000
Jersey City MUA	S340928-28	\$2,025,000	\$2,700,000
Jersey City MUA	S340928-31	\$8,294,700	\$11,059,600
Jersey City MUA	S340928-34	\$975,000	\$1,300,000
Elizabeth City	S340942-17	\$4,875,000	\$6,500,000
Camden County MUA	S340640-13	\$9,600,000	\$12,800,000
Long Branch SA	S340336-08	\$1,305,525	\$1,740,700
Ocean County UA	S340372-62	\$3,225,000	\$4,300,000
Ocean County UA	S340372-61	\$3,975,000	\$5,300,000

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Ocean County UA	S340372-59	\$5,715,000	\$7,620,000
Hoboken City	S340635-07	\$3,750,000	\$5,000,000
Hoboken City	S340635-09	\$375,000	\$500,000
Mount Laurel Twp. MUA	S340943-06	\$6,000,000	\$8,000,000
Jersey City	S340928-30	\$2,033,250	\$2,711,000
North Hudson SA	S340952-30	\$17,400,000	\$23,200,000
North Hudson SA	S340952-31	\$74,550	\$547,350
North Hudson SA	S345190-01	\$4,500,000	\$6,000,000
Riverside SA	S340490-01	\$630,000	\$840,000
Perth Amboy City	S340435-11	\$4,844,513	\$6,459,351
Perth Amboy City	S340435-14	\$1,956,000	\$2,608,000
Perth Amboy City	S345220-01	\$750,000	\$1,000,000
Hackensack City	S340923-14	\$6,000,000	\$8,000,000
Somerset Raritan Valley SA	S340801-09	\$4,875,000	\$6,500,000
Somerset Raritan Valley SA	S340801-07	\$25,500,000	\$34,000,000
Passaic Valley SC	S340689-48	\$675,308	\$900,410
Passaic Valley SC	S340689-38	\$15,750,000	\$21,000,000
Passaic Valley SC	S345200-01	\$6,750,000	\$9,000,000
Passaic Valley SC	S345200-02	\$1,500,000	\$2,000,000
Passaic Valley SC	S340689-40	\$13,217,254	\$123,300,000
Passaic Valley SC	S340689-30	\$2,775,000	\$3,700,000
Passaic Valley SC	S340689-32	\$7,500,000	\$10,000,000
Northwest Bergen County UA	S340700-16	\$3,675,000	\$4,900,000
Bergen County UA	S340386-21	\$5,700,000	\$7,600,000
Bergen County UA	S340386-24	\$1,462,500	\$1,950,000
Linden Roselle SA	S340299-09	\$1,575,000	\$2,100,000
Linden Roselle SA	S340299-08	\$12,750,000	\$17,000,000
Lambertville MUA	S340882-09	\$1,350,000	\$1,800,000

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Raritan Twp. MUA	S340485-12	\$3,675,000	\$4,900,000
Clinton Town	S340924-08	\$3,075,000	\$4,100,000
Gloucester County UA	S340902-15	\$8,625,000	\$11,500,000
Stafford Twp.	S344100-03	\$4,200,000	\$5,600,000
Allentown Borough	S340567-05	\$3,825,000	\$5,100,000
JMEUC - East Orange City	S340686-09a	\$465,378	\$620,504
JMEUC - Elizabeth City	S340686-09b	\$4,879,407	\$6,505,876
JMEUC - Hillside Twp.	S340686-09c	\$681,323	\$908,430
JMEUC - Irvington Twp.	S340686-09d	\$1,689,260	\$2,252,347
JMEUC - Newark City	S340686-09e	\$1,022,282	\$1,363,042
JMEUC - South Orange Village Twp.	S340686-09f	\$488,105	\$650,806
JMEUC - Summit City	S340686-09g	\$889,742	\$1,186,322
JMEUC - Union Twp.	S340686-09h	\$1,837,001	\$2,449,335
JMEUC - West Orange Twp.	S340686-09i	\$1,189,072	\$1,585,429
Howell Twp.	S344040-02	\$11,010,000	\$14,680,000
Rutgers, The State University of New Jersey	S340500-01	\$27,750,000	\$37,000,000
Ocean County	S344080-10	\$187,500	\$250,000
Ocean County	S344080-11	\$262,500	\$350,000
Rockaway Valley RSA	S340821-07	\$6,150,000	\$8,200,000
Ocean County	S344080-09	\$975,000	\$1,300,000
Western Monmouth UA	S340128-06	\$9,825,000	\$13,100,000
Chatham (MCJM) Borough	S340715-07A	\$5,466,885	\$7,289,180
Madison (MCJM) Borough	S340715-07B	\$5,466,885	\$7,289,180
Wildwood City	S340664-06	\$11,784,758	\$15,713,010
Point Pleasant Beach Borough	S344190-02	\$2,362,500	\$3,150,000
New Jersey Water Supply Authority	S340421-02	\$64,575,000	\$86,100,000
Long Branch SA	S340336-09	\$4,200,000	\$5,600,000

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Manasquan River RSA	S340911-03	\$495,000	\$660,000
Little Egg Harbor MUA	S340579-03	\$1,779,298	\$2,900,000
Delran Twp.	S340794-10	\$1,575,000	\$2,100,000
Hopatcong Borough	S340488-07	\$76,000	\$80,000
Middlesex County UA	S340699-14	\$8,250,000	\$11,000,000
Bergen County UA	S340386-25	\$3,000,000	\$4,000,000
Monmouth County Bayshore Outfall Authority	S340325-04	\$2,625,000	\$3,500,000
Camden County MUA	S340640-28	\$5,625,000	\$7,500,000
Toms River MUA	S340145-05	\$3,100,000	\$4,500,000
Ocean County UA	S340372-60	\$652,500	\$870,000
Two Rivers Water Reclamation Authority	S340117-10	\$56,250,000	\$75,000,000
Brick Twp. MUA	S340448-11	\$4,275,000	\$5,700,000
Northwest Bergen County UA	S340700-15	\$5,250,000	\$7,000,000
Northwest Bergen County UA	S340700-18	\$1,500,000	\$2,000,000
Northwest Bergen County UA	S340700-19	\$6,099,338	\$8,132,450
Western Monmouth UA	S340128-05	\$5,887,500	\$7,850,000
Old Bridge MUA	S340945-14	\$2,700,000	\$3,600,000
Franklin Twp. SA	S340839-08	\$3,150,000	\$4,200,000
Evesham MUA	S340838-07	\$1,200,000	\$1,600,000
Mount Laurel Twp. MUA	S340943-07	\$2,400,000	\$3,200,000
Winslow Twp.	S340895-10	\$1,275,000	\$1,700,000
Ocean Twp. SA	S340750-13	\$412,500	\$550,000
Ocean Twp. SA	S340750-12	\$3,375,000	\$4,500,000
Vernon Twp.	S340745-03	\$82,500	\$110,000
Scotch Plains Twp.	S340512-01	\$2,025,000	\$2,700,000
Carteret Borough	S340939-10	\$4,950,000	\$6,600,000
Burlington Twp.	S340712-17	\$750,000	\$1,000,000

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West Deptford Twp.	S340947-05	\$1,061,250	\$1,415,000
Princeton	S340656-11	\$2,944,259	\$3,925,678
Warren Twp. SA	S340964-05	\$8,100,000	\$10,800,000
Middlesex Borough	S340698-02	\$1,926,563	\$2,568,750
Red Bank Borough	S340528-01	\$1,125,000	\$1,500,000
North Haledon Borough	S340229-02	\$75,000	\$100,000
Glen Ridge Borough	S340861-03	\$334,387	\$445,849
Glen Ridge Borough	S340861-04	\$1,725,000	\$2,300,000
Emerson Borough	S340497-01	\$75,000	\$100,000
Mount Arlington Borough	S340451-05	\$159,456	\$212,785
Buena Borough MUA	S340518-06	\$973,500	\$1,298,000
Bradley Beach Borough	S340472-01	\$2,025,000	\$2,700,000
Medford Lakes Borough	S340319-03	\$8,250,000	\$11,000,000
Lambertville MUA	S340882-10	\$525,000	\$700,000
Hamburg Borough	S340149-03	\$75,000	\$100,000
Long Beach Twp.	S340023-07	\$3,450,000	\$4,600,000
Long Beach Twp.	S340023-08	\$90,000	\$120,000
Ship Bottom Borough	S340311-05	\$3,750,000	\$5,000,000
Passaic Valley SC	S340689-45	\$7,657,577	\$10,210,102
Plumsted Twp.	S340607-03	\$12,769,687	\$34,000,000
Camden County MUA	S340640-26	\$21,150,000	\$28,200,000
Lakewood Twp. MUA	S340465-02	\$3,240,000	\$4,320,000
Marlboro Twp.	S340268-02	\$723,188	\$964,250
Cumberland County	S340438-03	\$12,750,000	\$17,000,000
Cranford Twp.	S340858-04	\$9,000,000	\$12,000,000
New Jersey Water Supply Authority	S340421-01	\$42,600,000	\$56,800,000
Gloucester Twp.	S340364-11	\$712,500	\$950,000
Gloucester Twp.	S340364-15	\$1,087,500	\$1,450,000

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Spotswood Borough	S340510-01	\$4,070,250	\$5,427,000
Northfield City	S340508-02	\$112,500	\$150,000
Paulsboro Borough	S340164-01	\$2,062,500	\$2,750,000
North Hudson SA	S340952-36	\$675,000	\$900,000
Clinton Town	S340924-07	\$600,000	\$800,000
Sussex County MUA	S342008-04	\$6,300,000	\$8,400,000
Kearny Town	S340259-12	\$16,125,000	\$21,500,000
Jersey City MUA	S340928-32	\$6,150,000	\$12,300,000
Atlantic City MUA	S340439-04	\$2,300,000	\$3,066,667
Gloucester County Improvement Authority	S342016-04	\$13,875,001	\$18,500,001
Salem County Improvement Authority	S342022-02	\$7,399,084	\$8,500,000
Burlington City	S340140-02	\$1,950,000	\$2,600,000
Willingboro MUA	S340132-11	\$7,500,000	\$10,000,000
Lakewood Twp. MUA	S340465-03	\$1,312,500	\$1,750,000
Bloomfield Twp.	S340516-01	\$5,423,228	\$7,230,970
Brick Twp. MUA	S340448-14	\$1,500,000	\$2,000,000
North Brunswick Twp.	S340888-02	\$6,000,000	\$8,000,000
University Hospital	S340500-03	\$5,850,000	\$7,800,000
Manchester Twp.	S340650-08	\$2,250,000	\$3,000,000
Point Pleasant Beach Borough	S340479-04	\$1,447,500	\$1,930,000
Allentown Borough	S340567-06	\$498,704	\$664,938
Ship Bottom Borough	S340311-04	\$536,663	\$2,750,000
Total Projects: 157		\$1,034,948,089	\$1,509,080,830

(2) The Department of Environmental Protection is authorized to make clean water project loans to the following municipalities receiving funding from the "Pinelands Infrastructure Trust Fund," established pursuant to section 14 of the "Pinelands Infrastructure Trust Bond Act of 1985," P.L.1985, c.302:

Project Sponsor	Project Number	Estimated Total Loan Amount
Pemberton Twp.	Pinelands 1	\$2,929,000
Manchester Twp./ Jackson MUA	Pinelands 2	\$7,192,035
Galloway Twp.	Pinelands 4	\$3,493,440
Winslow Twp.	Pinelands 5	\$1,728,940
Total Pinelands Projects: 4		\$15,343,415

b. The following environmental infrastructure projects shall be known and may be cited as the "State Fiscal Year 2021 Drinking Water Project Eligibility List":

Project Sponsor	Project Number	Estimated Allowable DEP Loan Amount	Estimated Total Loan Amount
Newark City	0714001-020	\$13,125,000	\$17,500,000
Newark City	0714001-019	\$9,375,000	\$12,500,000
Trenton City	1111001-011	\$15,255,000	\$20,340,000
Bloomfield Twp.	0702001-003	\$823,796	\$1,098,395
NJ American Water Co., Inc.	1345001-017	\$7,575,000	\$10,100,000
Burlington City	0305001-002	\$2,700,000	\$3,600,000
Moorestown Twp.	0322001-001	\$18,468,750	\$24,625,000
Brick Twp. MUA	1506001-011	\$15,667,500	\$20,890,000
East Orange City	0705001-014	\$24,750,000	\$33,000,000
East Greenwich	0803001-004	\$1,950,000	\$2,600,000
Jersey City MUA	0906001-017	\$1,305,180	\$1,740,240
Woodbine Borough	0516001-001	\$3,750,000	\$5,000,000
Newark City	0714001-018	\$3,862,500	\$5,150,000
Jersey City MUA	0906001-019	\$5,025,000	\$6,700,000
Wildwood City	0514001-006	\$4,637,403	\$6,183,204
Little Egg Harbor MUA	1516001-005	\$1,087,500	\$1,450,000
NJ American Water Co., Inc.	1345001-021	\$19,758,750	\$26,345,000

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Manchester Twp.	1518005-002	\$4,125,000	\$5,500,000
Paulsboro Borough	0814001-003	\$2,100,000	\$2,800,000
Jersey City MUA	0906001-025	\$24,000,000	\$32,000,000
Jersey City MUA	0906001-009	\$3,750,000	\$5,000,000
Middlesex Water Co.	1225001-028	\$8,400,000	\$11,200,000
Hoboken City	0905001-002	\$6,000,000	\$8,000,000
Wall Twp.	1352003-001	\$1,350,000	\$1,800,000
Wall Twp.	1352003-002	\$2,775,000	\$3,700,000
Clinton Town	1005001-010	\$1,320,000	\$2,640,000
Clinton Town	1005001-011	\$949,355	\$1,265,807
Spotswood Borough	1224001-001	\$2,582,936	\$3,443,914
Glen Ridge Borough	0708001-008	\$1,929,908	\$2,573,210
Jersey City MUA	0906001-020	\$4,965,000	\$6,620,000
Jersey City MUA	0906001-021	\$8,250,000	\$11,000,000
Jackson Twp. MUA	1511001-013	\$15,000,000	\$20,000,000
Berkeley Twp. MUA	1505004-009	\$1,875,000	\$2,500,000
Jersey City MUA	0906001-015	\$2,691,950	\$3,589,266
Hoboken City	0905001-001	\$6,375,000	\$8,500,000
Middlesex Water Co.	1225001-025	\$42,750,000	\$57,000,000
Evesham MUA	0313001-001	\$1,950,000	\$2,600,000
Brick Twp. MUA	1506001-009	\$4,446,570	\$5,928,760
Clinton Town	1005001-012	\$2,625,000	\$3,500,000
Milltown Borough	1212001-005	\$1,350,000	\$1,800,000
NJ American Water Co., Inc.	2004002-013	\$12,000,000	\$16,000,000
Jackson Twp. MUA	1511001-012	\$8,250,000	\$11,000,000
Mount Arlington Borough	1426005-001	\$165,836	\$250,285
Hampton Borough	1013001-001	\$1,350,000	\$1,800,000
Little Egg Harbor MUA	1516001-003	\$4,143,750	\$5,525,000

National Park Borough	0812001-004	\$1,275,000	\$1,700,000
Hopatcong Borough	1912001-004	\$75,000	\$100,000
Hamburg Borough	1909001-001	\$63,750	\$85,000
Highbridge Borough	1014001-001	\$75,000	\$100,000
Hardyston MUA	1911006-003	\$75,000	\$100,000
Total Projects: 50		\$328,150,434	\$438,443,081

c. The Department of Environmental Protection is authorized to adjust the allowable Department of Environmental Protection loan amount for projects authorized in this section to between zero percent and 100 percent of the total allowable loan amount, and, if the Department of Environmental Protection loan amount is adjusted to 100 percent of the total allowable loan amount, the loan shall be provided pursuant to the terms and conditions of the financing program year in which the trust issued an interim financing program loan for the project or, in the absence of an interim financing program loan, the terms and conditions of the State fiscal year 2021 financing program.

4. Section 4 of P.L.2020, c.49 is amended to read as follows:

4. Any financing loan made by the Department of Environmental Protection pursuant to P.L.2020, c.49, as amended by P.L.2021, c.21 shall be subject to the following requirements:

a. The Commissioner 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. Except as otherwise provided in this subsection, a loan for an environmental infrastructure project listed in section 2 or 3 of P.L.2020, c.49, as amended by P.L.2021, c.21 shall be subject to the terms and conditions of the financing program year in which the trust issued an interim financing program loan for the project or, in the absence of an interim financing program loan, the terms and conditions of the State fiscal year 2021 financing program. Notwithstanding any provision of P.L.2020, c.49, as amended by P.L.2021, c.21 or a financial plan of the trust for State fiscal years 2018, 2019, or 2020 developed pursuant to section 21 of P.L.1985, c.334 (C.58:11B-21) or section 25 of P.L.1997, c.224 (C.58:11B-21.1) to the contrary, a loan for an environmental infrastructure project listed in section 2 or 3 of P.L.2020, c.49, as amended by P.L.2021, c.21, that is partially funded from the proceeds of bonds issued by the trust to the United States Environmental Protection Agency pursuant to the federal "Water Infrastructure Finance and Innovation Act of 2014," 33 U.S.C. s.3901 et seq., shall be subject to terms and conditions regulating the blending of federal and other funds that are consistent with those provisions of Section III of the applicable financial plan of the trust for State fiscal year 2021 that reference the federal "Water Infrastructure Finance and Innovation Act of 2014";

c. Notwithstanding the provisions of sections 2 and 3 of P.L.2020, c.49, as amended by P.L.2021, c.21, the Department of Environmental Protection allowable loan amount may be 100 percent of the total allowable loan amount for:

(1) clean water project and drinking water project loans to (a) municipalities that do not satisfy the New Jersey Infrastructure Bank credit policy but are subject to State financial supervision and oversight pursuant to the "Local Government Supervision Act (1947)," P.L.1947, c.151 (C.52:27BB-1 et seq.), or (b) municipal, county, or regional sewerage authorities, or utilities authorities, that do not satisfy the New Jersey Infrastructure Bank credit policy but where the municipal participant through its service agreement with the authority or utility is under State financial supervision and oversight pursuant to the "Local Government Supervision Act (1947)," P.L.1947, c.151 (C.52:27BB-1 et seq.), and the repayment obligation of the authority or utility is secured by the full faith and credit of the participating municipality pursuant to the service agreement; and

(2) clean water and drinking water loans to municipalities receiving funding under the United States Department of Housing and Urban Development Community Development Block Grant – Disaster Recovery Program (CDBG-DR);

d. With the exception of a loan for which the Department of Environmental Protection issues 100 percent of the loan amount pursuant to subsection b. of section 2, subsection c. of section 3, and subsection c. of this section, the loan shall be conditioned upon approval of a loan from the New Jersey Infrastructure Bank pursuant to P.L.2020, c.48, as amended by P.L.2021, c.22, prior to June 30, 2021;

e. The loan shall be repaid within a period not to exceed 30 years, or 45 years for combined sewer overflow abatement projects, of the making of the loan; and

f. 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 P.L.2020, c.49, as amended by P.L.2021, c.21, to loans made by the New Jersey Infrastructure Bank pursuant to P.L.2020, c.48, as amended by P.L.2021, c.22, 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. Section 5 of P.L.2020, c.49 is amended to read as follows:

5. Any Sandy financing loan made by the Department of Environmental Protection pursuant to P.L.2020, c.49, as amended by P.L.2021, c.21, shall be subject to the following requirements:

a. The commissioner has certified that the project is in compliance with the provisions of Title X, Chapter 7 of the Federal Disaster Relief Appropriations Act;

b. The commissioner 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; and

c. 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 P.L.2020, c.49, as amended by P.L.2021, c.21, to loans made by the trust pursuant to P.L.2020, c.48, as amended by P.L.2021, c.22, prior to June 30, 2021, 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).

6. Section 6 of P.L.2020, c.49 is amended to read as follows:

6. The eligibility lists and authorization for the making of loans pursuant to sections 2 and 3 of P.L.2020, c.49, as amended by P.L.2021, c.21, shall expire on July 1, 2021, and any project sponsor which has not executed and delivered a loan agreement with the department

for a loan authorized in P.L.2020, c.49, as amended by P.L.2021, c.21, shall no longer be entitled to that loan.

7. Section 7 of P.L.2020, c.49 is amended to read as follows:

7. 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 P.L.2020, c.49, as amended by P.L.2021, c.21, 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 estimated total allowable loan amount. The commissioner 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 P.L.2020, c.49, as amended by P.L.2021, c.21, in an amount not to exceed 10 percent of the total allowable loan amount based upon additional project costs to comply with the Department of Environmental Protection's guidance for asset management, emergency response, flood protection, and auxiliary power.

8. Section 8 of P.L.2020, c.49 is amended to read as follows:

8. The expenditure of the funds appropriated by P.L.2020, c.49, as amended by P.L.2021, c.21, is subject to the provisions and conditions of P.L.1977, c.224, P.L.1985, c.302, P.L.1985, c.329, P.L.1989, c.181, 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 Disaster Relief Appropriations Act, the Federal Clean Water Act, and the Federal Safe Drinking Water Act, and any amendatory and supplementary acts thereto.

9. Section 10 of P.L.2020, c.49 is amended to read as follows:

10. 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, prior to repayment to the "Water Supply Fund" pursuant to the provisions of section 15 of P.L.1981, c.261, or prior to the repayment to the "Pinelands Infrastructure Trust Fund" pursuant to the provisions of section 5 of P.L.1985, c.302, repayments of loans made pursuant to these acts may be utilized by the New Jersey Infrastructure Bank 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, 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.2020, c.48, as amended by P.L.2021, c.22, 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, 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, or prior to repayment to the "Pinelands Infrastructure Trust Fund" pursuant to the provisions of section 5 of P.L.1985, c.302, 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, P.L.2011, c.93, P.L.2012, c.43, P.L.2013, c.95, P.L.2014, c.25, P.L.2015, c.108, P.L.2016, c.32, P.L.2017, c.143, as amended by P.L.2017, c.326, P.L.2018, c.85, as amended by P.L.2018, c.137, P.L.2019, c.12, P.L.2019, c.193, as amended by P.L.2019, c.514, or P.L.2020, c.49, as amended by P.L.2021, c.21, 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, P.L.2011, c.95, P.L.2012, c.38, P.L.2013, c.94, P.L.2014, c.26, P.L.2015, c.107, P.L.2016, c.31, P.L.2017, c.142, as amended by P.L.2017, c.327, P.L.2018, c.84, as amended by P.L.2019, c.30, P.L.2019, c.192, as amended by P.L.2019, c.515, or P.L.2020, c.48, as amended by P.L.2021, c.22, 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," the "Stormwater Management and Combined Sewer Overflow Abatement Fund," or the "Pinelands Infrastructure Trust Fund," as appropriate, from amounts received by or on behalf of the trust from project sponsors causing any such deficiency.

10. This act shall take effect immediately.

Approved February 22, 2021.