

P.L. 2019, CHAPTER 116, *approved May 10, 2019*  
Assembly, No. 4578

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

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

8  
9       1. In addition to the amounts appropriated under P.L.2018,  
10      c.53, there is appropriated out of the General Fund the following  
11      sum for the purpose specified:

12  
          **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
Total Capital Construction Appropriation,	
Site Remediation and Waste Management.....	\$50,000,000

**Capital Projects:**

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

13  
14       The amount hereinabove appropriated for Hazardous Discharge  
15       Site Cleanup Fund - Natural Resource Restoration Projects shall be  
16       deposited as natural resource damages into the Hazardous  
17       Discharge Site Cleanup Fund established pursuant to section 1 of  
18       P.L.1985, c.247 (C.58:10-23.34), provided that the appropriation  
19       shall not occur until receipt to the General Fund of settlement  
20       revenues attributable to receipts in N.J. Dep’t of Env. Protection v.  
21       Exxon Mobil Corp., 453 N.J. Super. 588 (Law Div. 2015).

22       Notwithstanding the provisions of any law or regulation to the  
23       contrary, for the purpose of implementing projects and activities to  
24       protect, repair, restore, replace, and acquire natural resources,  
25       recoveries of natural resource damages not subject to the provisions  
26       of Article VIII, Section II, paragraph 9 of the State Constitution  
27       shall be deposited into the Hazardous Discharge Site Cleanup Fund,  
28       and such recoveries, and the unexpended balance at the end of the  
29       preceding fiscal year of such recoveries, are appropriated to the  
30       department for: direct and indirect costs of remediation,  
31       restoration, and cleanup; costs for consulting, expert, and legal

1 services incurred in pursuing claims for damages; grants and loans  
2 to local governments; and grants to nonprofit organizations.

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

14		
15	RESTORATION/ACQUISITION	\$99,371,295
16		
17	Cape May Point Saltwater Intrusion	
18	Mitigation and Habitat Restoration	\$30,000,000
19	Atlantic White Cedar Forest Watershed Restoration	\$19,000,000
20	Hudson-Raritan Estuary Water Quality	
21	Infrastructure/CSO Improvements	\$10,000,000
22	Water Supply and Wastewater	
23	Improvements Statewide	\$20,000,000
24	Habitat Restoration	\$10,000,000
25	Open Space Acquisitions for Groundwater Recharge	\$10,371,295
26		
27	ADMINISTRATION	\$11,041,254
28		

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

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

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



1 of the Division of Budget and Accounting in the Department of the  
2 Treasury. The bill requires the DEP, no later than March 31, to  
3 send written notification of project expenditures to the President of  
4 the Senate, the Speaker of the General Assembly, the Legislative  
5 Budget and Finance Officer, the Joint Budget Oversight Committee,  
6 or its successor, and the chairs of the Senate Environment and  
7 Energy Committee and Assembly Environment and Solid Waste  
8 Committee, or their respective successor committees.

9 Lastly, the bill appropriates to the DEP any additional sums as  
10 may be, or may become, available on or before December 31, 2018,  
11 in the Natural Resources Damages – Constitutional Dedication  
12 account, due to additional recoveries received in connection with  
13 the matter of N.J. Dep’t of Env. Protection v. Atlantic Richfield  
14 Co., et al. for the purpose of providing additional funding for the  
15 projects identified in the bill. This additional funding may include  
16 administrative costs in an amount not to exceed 10 percent of the  
17 additional recoveries.

18

19

20

21

22 Makes supplemental appropriation of \$50 million from General  
23 Fund to DEP and adds language provisions concerning use of  
24 certain environmental settlement monies for natural resource  
25 restoration projects.