

ASSEMBLY ENVIRONMENT, SCIENCE AND TECHNOLOGY
COMMITTEE

STATEMENT TO

[Second Reprint]

SENATE, No. 1776

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 1, 1997

The Assembly Environment, Science and Technology Committee favorably reports Senate Bill No. 1776 (2R) with committee amendments.

This bill provides the statutory direction for the State to adopt and implement a watershed-based approach to water quality management and pollution control, to be funded by the monies dedicated by Article VIII, Section II, paragraph 6, subparagraph (a) of the New Jersey Constitution. The constitutional amendment (approved by the voters in November 1996) dedicates 2/3 of one percent, or a minimum of \$5,000,000, whichever is less, of the revenues annually generated by the Corporation Business Tax for the purposes of water quality point and nonpoint source pollution monitoring, watershed-based water resource planning and management, and nonpoint source pollution prevention projects.

The bill establishes in the Department of Environmental Protection (DEP) a nonlapsing, revolving fund named the "Watershed Management Fund," to which the dedicated and appropriated monies would be credited annually. The bill requires that monies in this fund be used by the DEP only for:

- (1) the development and adoption of a priority list of environmentally threatened waterbodies;
- (2) the monitoring and assessment of all State waters;
- (3) the delineation of watershed management areas and stream segments;
- (4) the identification of potential causes of the degradation of waterbodies on the priority list;
- (5) the development of total maximum daily loads and water quality-based effluent limitations for targeted waterbodies;
- (6) the development and presentation of data on the DEP's Geographic Information System (GIS);
- (7) the development and adoption of pollution prevention best

management practices to control point and nonpoint sources of pollution;

(8) the characterization of land use and land cover in each watershed;

(9) the development and adoption of a watershed management plan;

(10) the development and planning by the DEP of a watershed management program and the integration of its regulations with that program; and

(11) the development and implementation of a watershed protection loan and grant program.

The bill limits the use of monies in the new fund to support the purposes enumerated above, but only to the extent that such purposes constitute activities in addition to those undertaken by DEP in Fiscal Year 1997. The bill also provides that use of the monies in the fund for Fiscal Year 1997 will be limited to watershed management and planning activities by the DEP; for Fiscal Year 1998, up to 35 percent of the monies may be used for loans and grants to watershed management groups and the remainder of the monies shall be used to support the DEP's watershed management and planning activities; and for Fiscal Year 1999 and thereafter, up to 50 percent of the monies may be used for loans and grants to watershed management groups and the remainder of the monies shall be used to support the DEP's watershed management and planning activities.

The bill appropriates \$4.9 million to the DEP for FY 1997.

The committee amended the bill to: (1) revise the definition of "watershed management group"; (2) revise the process by which loans or grants are awarded to watershed management groups; (3) include a provision providing for the approval by the Joint Budget Oversight Committee of transfers of appropriated funds; and (4) make technical amendments.

As amended and reported by the committee, the bill is identical to the Assembly committee substitute for Assembly Bill Nos. 2662 and 2564 as also reported by the committee.