

**ASSEMBLY, No. 5588**

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**STATE OF NEW JERSEY**

**219th LEGISLATURE**

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INTRODUCED MAY 5, 2021

**Sponsored by:**

**Assemblywoman ANGELA V. MCKNIGHT**

**District 31 (Hudson)**

**Assemblyman JAMES J. KENNEDY**

**District 22 (Middlesex, Somerset and Union)**

**Assemblyman WILLIAM F. MOEN, JR.**

**District 5 (Camden and Gloucester)**

**Co-Sponsored by:**

**Assemblyman Benson**

**SYNOPSIS**

Appropriates funds to DEP for environmental infrastructure projects for FY2022.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/12/2021)**

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

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

8  
9 1. a. (1) There is appropriated to the department from the  
10 “Clean Water State Revolving Fund,” established pursuant to  
11 section 1 of P.L.2009, c.77, an amount equal to the federal fiscal  
12 year 2021 capitalization grant made available to the State for clean  
13 water project loans pursuant to the “Water Quality Act of 1987,” 33  
14 U.S.C. s.1251 et seq., and any amendatory and supplementary acts  
15 thereto (hereinafter referred to as the “Federal Clean Water Act”).

16 (2) There is appropriated to the department from the “Interim  
17 Environmental Financing Program Fund,” established by the New  
18 Jersey Infrastructure Bank pursuant to subsection d. of section 9 of  
19 P.L.1985, c.334 (C.58:11B-9), such amounts as may be necessary to  
20 supplement the sums appropriated from the Clean Water State  
21 Revolving Fund for the purposes of clean water project loans and  
22 providing the State match as may be required for the award of the  
23 capitalization grants made available to the State for clean water  
24 projects pursuant to the Federal Clean Water Act.

25 (3) There is appropriated to the department from the “Disaster  
26 Relief Emergency Financing Program Fund,” established by the  
27 New Jersey Infrastructure Bank pursuant to section 1 of P.L.2013,  
28 c.93 (C.58:11B-9.5), such amounts as may be necessary to  
29 supplement the sums appropriated from the Clean Water State  
30 Revolving Fund for the purposes of clean water project loans and  
31 providing the State match as may be required for the award of the  
32 capitalization grants made available to the State for clean water  
33 projects pursuant to the Federal Clean Water Act.

34 (4) There is appropriated to the department from the “Drinking  
35 Water State Revolving Fund,” established pursuant to section 1 of  
36 P.L.1998, c.84, an amount equal to the federal fiscal year 2021  
37 capitalization grant made available to the State for drinking water  
38 projects pursuant to the “Safe Drinking Water Act Amendments of  
39 1996,” Pub.L.104-182, and any amendatory and supplementary acts  
40 thereto (hereinafter referred to as the “Federal Safe Drinking Water  
41 Act”).

42 The department is authorized to transfer from the Clean Water  
43 State Revolving Fund to the Drinking Water State Revolving Fund,  
44 pursuant to the “Water Infrastructure Funding Transfer Act,”  
45 Pub.L.116-63, additional amounts as may be necessary to address a  
46 threat to public health, and an amount equal to the maximum  
47 amount authorized to be transferred is appropriated to the  
48 department for those purposes.

1       The department is authorized to transfer from the Clean Water  
2 State Revolving Fund to the Drinking Water State Revolving Fund  
3 an amount up to the maximum amount authorized to be transferred  
4 pursuant to the Federal Safe Drinking Water Act to meet present  
5 and future needs for the financing of eligible drinking water  
6 projects, and an amount equal to that maximum amount is  
7 appropriated to the department for those purposes.

8       The department is authorized to transfer from the Drinking  
9 Water State Revolving Fund to the Clean Water State Revolving  
10 Fund an amount up to the maximum amount authorized to be  
11 transferred pursuant to the Federal Clean Water Act to meet present  
12 and future needs for the financing of eligible clean water projects,  
13 and an amount equal to that maximum amount is appropriated to the  
14 department for those purposes.

15       Notwithstanding any provision of this act to the contrary, the  
16 department is authorized to utilize funds from the Clean Water State  
17 Revolving Fund for the purposes of the Drinking Water State  
18 Revolving Fund, and may charge interest on loans made with such  
19 invested funds to the extent permitted by the Federal Clean Water  
20 Act and the Federal Safe Drinking Water Act.

21       (5) There is appropriated to the department the unappropriated  
22 balances from the Clean Water State Revolving Fund, including the  
23 balances from the Federal Disaster Relief Appropriations Act, and  
24 any repayments of loans and interest therefrom, as may be available  
25 on or before June 30, 2022, for the purposes of clean water project  
26 loans and providing the State match as may be required for the  
27 award of the capitalization grants made available to the State for  
28 clean water projects pursuant to the Federal Clean Water Act.

29       (6) There is appropriated to the department the unappropriated  
30 balances from the “Wastewater Treatment Fund,” established  
31 pursuant to section 15 of the “Wastewater Treatment Bond Act of  
32 1985,” P.L.1985, c.329, and any repayments of loans and interest  
33 therefrom, as may be available on or before June 30, 2022, for the  
34 purposes of clean water project loans and providing the State match  
35 as may be required for the award of the capitalization grants made  
36 available to the State for clean water projects pursuant to the  
37 Federal Clean Water Act.

38       (7) There is appropriated to the department the unappropriated  
39 balances from the “1992 Wastewater Treatment Fund,” established  
40 pursuant to section 27 of the “Green Acres, Clean Water, Farmland  
41 and Historic Preservation Bond Act of 1992,” P.L.1992, c.88, and  
42 any repayments of loans and interest therefrom, as may be available  
43 on or before June 30, 2022, for the purposes of clean water project  
44 loans and providing the State match as may be required for the  
45 award of the capitalization grants made available to the State for  
46 clean water projects pursuant to the Federal Clean Water Act.

47       (8) There is appropriated to the department the unappropriated  
48 balances from the “2003 Water Resources and Wastewater

1 Treatment Fund,” established pursuant to subsection a. of section 19  
2 of the “Dam, Lake, Stream, Flood Control, Water Resources, and  
3 Wastewater Treatment Project Bond Act of 2003,” P.L.2003, c.162,  
4 and any repayments of loans and interest therefrom, as may be  
5 available on or before June 30, 2022, for the purposes of clean  
6 water project loans and providing the State match as may be  
7 required for the award of the capitalization grants made available to  
8 the State for clean water projects pursuant to the Federal Clean  
9 Water Act.

10 (9) There is appropriated to the department the unappropriated  
11 balances from the “Pinelands Infrastructure Trust Fund,”  
12 established pursuant to section 14 of the “Pinelands Infrastructure  
13 Trust Bond Act of 1985,” P.L.1985, c.302, and any repayments of  
14 loans and interest therefrom, as may be available on or before June  
15 30, 2022, for the purposes of clean water project loans and drinking  
16 water project loans and providing the State match as may be  
17 required for the award of the capitalization grants made available to  
18 the State for clean water projects pursuant to the Federal Clean  
19 Water Act and for drinking water projects pursuant to the Federal  
20 Safe Drinking Water Act.

21 (10) There is appropriated to the department the unappropriated  
22 balances from the “Stormwater Management and Combined Sewer  
23 Overflow Abatement Fund,” established pursuant to the  
24 “Stormwater Management and Combined Sewer Overflow  
25 Abatement Bond Act of 1989,” P.L.1989, c.181, and any  
26 repayments of loans and interest therefrom, as may be available on  
27 or before June 30, 2022, for the purposes of clean water project  
28 loans and providing the State match as may be required for the  
29 award of the capitalization grants made available to the State for  
30 clean water projects pursuant to the Federal Clean Water Act.

31 (11) There is appropriated to the department the unappropriated  
32 balances from the Drinking Water State Revolving Fund and any  
33 repayments of loans and interest therefrom, including the balances  
34 from the Federal Disaster Relief Appropriations Act as may be  
35 available on or before June 30, 2022, for the purposes of drinking  
36 water project loans.

37 (12) There is appropriated to the department such sums as may  
38 be needed from loan repayments and interest earnings from the  
39 “Water Supply Fund,” established pursuant to section 14 of the  
40 “Water Supply Bond Act of 1981,” P.L.1981, c.261, for the  
41 “Drinking Water State Revolving Fund Match Accounts” contained  
42 within that fund, for the purpose of providing the State match as  
43 may be required for the award of the capitalization grants made  
44 available to the State for drinking water projects pursuant to the  
45 Federal Safe Drinking Water Act.

46 (13) There is appropriated to the department from the “Interim  
47 Environmental Financing Program Fund,” established by the New

1 Jersey Infrastructure Bank pursuant to subsection d. of section 9 of  
2 P.L.1985, c.334 (C.58:11B-9), such amounts as may be available on  
3 or before June 30, 2022, and any repayments of loans and interest  
4 therefrom, as may be necessary to supplement the sums  
5 appropriated from the Drinking Water State Revolving Fund for the  
6 purposes of drinking water project loans and providing the State  
7 match as may be required for the award of the capitalization grants  
8 made available to the State for drinking water projects pursuant to  
9 the Federal Safe Drinking Water Act.

10 (14) There is appropriated to the department from the "Disaster  
11 Relief Emergency Financing Program Fund," established by the  
12 New Jersey Infrastructure Bank pursuant to section 1 of P.L.2013,  
13 c.93 (C.58:11B-9.5), such amounts as may be necessary to  
14 supplement the sums appropriated from the Drinking Water State  
15 Revolving Fund for the purposes of drinking water project loans  
16 and providing the State match as may be required for the award of  
17 the capitalization grants made available to the State for drinking  
18 water projects pursuant to the Federal Safe Drinking Water Act.

19 (15) There is appropriated to the department such amounts as  
20 may be received by the Department of Community Affairs, as the  
21 grantee from the United States Department of Housing and Urban  
22 Development Community Development Block Grant - Disaster  
23 Recovery Program (CDBG-DR), as may be available on or before  
24 June 30, 2022, for the purposes of CDBG-DR eligible clean water  
25 and drinking water project loans and providing the State match as  
26 may be required for the award of the capitalization grants made  
27 available to the State for clean water projects pursuant to the  
28 Federal Clean Water Act and drinking water projects pursuant to the  
29 Federal Safe Drinking Water Act.

30 (16) There is appropriated to the department such sums as may  
31 be available on or before June 30, 2022, as repayments of drinking  
32 water project loans and any interest therefrom from the "Water  
33 Supply Fund," established pursuant to section 14 of the "Water  
34 Supply Bond Act of 1981," P.L.1981, c.261, for the purposes of  
35 drinking water project loans and providing the State match as may  
36 be required for the award of the capitalization grants made available  
37 to the State for drinking water projects pursuant to the Federal Safe  
38 Drinking Water Act.

39 (17) Of the sums appropriated to the department from the  
40 "Water Supply Fund" pursuant to P.L.1999, c.174, P.L.2001, c.222,  
41 P.L.2002, c.70, and P.L.2003, c.158, the department is authorized to  
42 transfer any unexpended balances and any repayments of loans and  
43 interest therefrom as may be available on or before June 30, 2022,  
44 in such amounts as needed to the Drinking Water State Revolving  
45 Fund accounts contained within the Water Supply Fund established  
46 for the purposes of providing drinking water project loans and  
47 providing the State match as may be required for the award of the

1 capitalization grants made available to the State for drinking water  
2 projects pursuant to the Federal Safe Drinking Water Act.

3 (18) Of the sums appropriated to the department from the “1992  
4 Wastewater Treatment Fund” pursuant to P.L.1996, c.85, P.L.1997,  
5 c.221, P.L.1998, c.84, P.L.1999, c.174, P.L.2000, c.92, P.L.2001,  
6 c.222, and P.L.2002, c.70, the department is authorized to transfer  
7 any unexpended balances and any repayments of loans and interest  
8 therefrom as may be available on or before June 30, 2022, in such  
9 amounts as needed to the Clean Water State Revolving Fund  
10 accounts contained within the 1992 Wastewater Treatment Fund for  
11 the purposes of providing clean water project loans and providing  
12 the State match as may be required for the award of the  
13 capitalization grants made available to the State for clean water  
14 projects pursuant to the Federal Clean Water Act.

15 (19) Of the sums appropriated to the department from the “2003  
16 Water Resources and Wastewater Treatment Fund” pursuant to  
17 P.L.2004, c.109 and P.L.2007, c.139, the department is authorized  
18 to transfer any unexpended balances and any repayments of loans  
19 and interest therefrom as may be available on or before June 30,  
20 2022, in such amounts as needed to the Clean Water State  
21 Revolving Fund accounts contained within the 2003 Water  
22 Resources and Wastewater Treatment Fund for the purposes of  
23 providing clean water project loans and providing the State match  
24 as may be required for the award of the capitalization grants made  
25 available to the State for clean water projects pursuant to the  
26 Federal Clean Water Act.

27 (20) There is appropriated to the department the sums deposited  
28 by the New Jersey Infrastructure Bank into the Clean Water State  
29 Revolving Fund, the “Wastewater Treatment Fund,” the “1992  
30 Wastewater Treatment Fund,” the “Water Supply Fund,” the  
31 “Stormwater Management and Combined Sewer Overflow  
32 Abatement Fund,” established pursuant to the “Stormwater  
33 Management and Combined Sewer Overflow Abatement Bond Act  
34 of 1989,” P.L.1989, c.181, the “2003 Water Resources and  
35 Wastewater Treatment Fund,” and the Drinking Water State  
36 Revolving Fund, as appropriate, pursuant to paragraph (6) of  
37 subsection c. of section 1 of P.L. , c. (pending before the  
38 Legislature as Senate Bill No. of the 2020-2021 session and  
39 Assembly Bill No. 5589 of the 2020-2021 session), as may be  
40 available on or before June 30, 2022, for the purposes of providing  
41 clean water project loans and drinking water project loans and  
42 providing the State match as may be required for the award of the  
43 capitalization grants made available to the State for clean water  
44 projects pursuant to the Federal Clean Water Act and for drinking  
45 water projects pursuant to the Federal Safe Drinking Water Act.

46 Any such amounts shall be for the purpose of making zero  
47 interest and principal forgiveness financing loans, to the extent

1 sufficient funds are available, to or on behalf of local government  
2 units or public water utilities (hereinafter referred to as “project  
3 sponsors”) to finance a portion of the cost of the construction of  
4 clean water projects and drinking water projects listed in sections 2  
5 and 3 of this act, and for the purpose of implementing and  
6 administering the provisions of this act, to the extent permitted by  
7 the Federal Disaster Relief Appropriations Act, the Federal Clean  
8 Water Act, the Federal Safe Drinking Water Act, P.L.2009, c.77,  
9 the “Wastewater Treatment Bond Act of 1985.” P.L.1985, c.329,  
10 the “Water Supply Bond Act of 1981,” P.L.1981, c.261, the  
11 “Stormwater Management and Combined Sewer Overflow  
12 Abatement Bond Act of 1989,” P.L.1989, c.181, the “Green Acres,  
13 Clean Water, Farmland and Historic Preservation Bond Act of  
14 1992,” P.L.1992, c.88, the “Dam, Lake, Stream, Flood Control,  
15 Water Resources, and the Wastewater Treatment Project Bond Act  
16 of 2003,” P.L.2003, c.162, and any amendatory and supplementary  
17 acts thereto.

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

25 b. The department is authorized to make zero interest and  
26 principal forgiveness financing loans to or on behalf of the project  
27 sponsors for the environmental infrastructure projects listed in  
28 subsection a. of section 2 and subsection a. of section 3 of this act  
29 for clean water projects, up to the individual amounts indicated and  
30 in the priority stated, to the extent there are sufficient eligible  
31 project applications, except that any such amounts may be reduced  
32 if a project fails to meet the requirements of sections 4 or 5 of this  
33 act, or by the Commissioner of Environmental Protection pursuant  
34 to section 7 of this act.

35 (1) A maximum of \$15 million in principal forgiveness loans,  
36 plus any appropriated but unallocated funds designated in State  
37 fiscal year 2021 for combined sewer overflow projects, shall be  
38 issued as provided in subsection a. of section 3 of this act to  
39 communities in combined sewer overflow sewersheds for  
40 construction projects that reduce or eliminate discharges from  
41 combined sewer overflow outfalls. The amount of a principal  
42 forgiveness loan issued pursuant to this paragraph shall not exceed  
43 \$4 million per borrower whenever practicable. For project costs up  
44 to and including \$4 million, 50 percent of the principal of the loan  
45 shall be forgiven, and the remaining 50 percent of the loan shall  
46 have a blended interest rate of 25 percent of the trust's market rate.

1 For project costs greater than \$4 million and up to and including  
2 \$10 million, the loan shall have a blended interest rate of 50 percent  
3 of the trust's market rate. For project costs greater than \$10 million,  
4 the loan shall have an interest rate of 50 percent of the trust's  
5 market rate.

6 (2) A maximum of \$10 million in principal forgiveness loans,  
7 plus any appropriated but unallocated funds designated in State  
8 fiscal year 2021 for water quality restoration projects, shall be  
9 issued as provided in subsection a. of section 3 of this act for water  
10 quality restoration projects. The amount of a principal forgiveness  
11 loan issued pursuant to this paragraph shall not exceed \$4 million  
12 per borrower whenever practicable. For project costs up to and  
13 including \$4 million, 50 percent of the principal of the loan shall be  
14 forgiven, and the remaining 50 percent of the loan shall have a  
15 blended interest rate of 50 percent of the trust's market rate. For  
16 project costs greater than \$4 million and up to and including \$10  
17 million, the loan shall have a blended interest rate of 25 percent of  
18 the trust's market rate. For project costs greater than \$10 million,  
19 the loan shall have an interest rate of 50 percent of the trust's  
20 market rate.

21 (3) The projects listed in subsection a. of section 2 of this act  
22 and subsection a. of section 3 of this act that were previously  
23 identified in P.L.2020, c.49, as amended by P.L.2021, c.21, are  
24 granted continued priority status and shall be subject to the  
25 provisions of P.L.2020, c.49, as amended by P.L.2021, c.21,  
26 provided such projects receive short-term funding prior to June 30,  
27 2021.

28 c. The department is authorized to make zero interest and  
29 principal forgiveness financing loans to or on behalf of the project  
30 sponsors for the environmental infrastructure projects listed in  
31 subsection b. of section 3 of this act for drinking water projects, up  
32 to the individual amounts indicated and in the priority stated,  
33 provided:

34 (1) a maximum of 30 percent of the 2021 Drinking Water State  
35 Revolving Fund capitalization grant, not to exceed \$5 million, plus  
36 any funds transferred to the Drinking Water State Revolving Fund  
37 pursuant to paragraph (4) of subsection a. of this section may be  
38 issued as provided in subsection b. of section 3 of this act for  
39 drinking water systems, as follows:

40 (a) up to \$4 million of Drinking Water State Revolving Fund  
41 loans, plus any appropriated but unallocated funds designated in  
42 State fiscal year 2021 for drinking water systems serving  
43 populations of up to 10,000 residents, shall be available for drinking  
44 water systems serving populations of up to 10,000 residents  
45 wherein principal forgiveness shall not exceed \$500,000 in the  
46 aggregate and shall not exceed 50 percent of the total loan amount  
47 per project sponsor in an amount not to exceed \$1 million per  
48 project sponsor.



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

4 (b) up to \$2 million in principal forgiveness loans for drinking  
5 water systems that serve fewer than 500 persons and are assisted by  
6 the Community Engineering Corps to come into compliance with  
7 federal or State drinking water regulations. A loan issued pursuant  
8 to this subparagraph shall have 100 percent principal forgiveness  
9 for a loan amount of up to \$750,000 per project; and

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

16 (2) up to \$103 million of moneys from the Drinking Water State  
17 Revolving Fund, plus any appropriated but unallocated funds  
18 designated in State fiscal year 2021, may be issued for principal  
19 forgiveness loans for drinking water systems serving communities  
20 with a weighted median household income less than the median  
21 household income for the State to finance lead service line  
22 replacements, wherein principal forgiveness shall not exceed 50  
23 percent of the total fund loan amount of: \$2 million per water  
24 system for systems with fewer than 1,000 known lead service lines,  
25 \$10 million per water system for systems with 1,000 to 5,000  
26 known lead service lines, and \$20 million per water system for  
27 systems with greater than 5,000 known lead service lines.

28 Loans may be made pursuant to this subsection to the extent  
29 there are sufficient eligible project applications and as may be  
30 required for the award of the capitalization grants made available to  
31 the State for drinking water projects pursuant to the Federal Safe  
32 Drinking Water Act. Any such amounts may be reduced by the  
33 Commissioner of Environmental Protection pursuant to section 7 of  
34 this act, or if a project fails to meet the requirements of section 4 or  
35 5 of this act; and

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

42 d. The department is authorized to make zero interest and  
43 principal forgiveness financing loans to or on behalf of the project  
44 sponsors for the environmental infrastructure projects listed in  
45 sections 2 and 3 of this act under the same terms, conditions and  
46 requirements set forth in this section from any unexpended balances  
47 of the amounts appropriated pursuant to section 1 of P.L.1987,  
48 c.200, section 2 of P.L.1988, c.133, section 1 of P.L.1989, c.189,

1 section 1 of P.L.1990, c.99, section 1 of P.L.1991, c.325, section 1  
2 of P.L.1992, c.38, section 1 of P.L.1993, c.193, section 1 of  
3 P.L.1994, c.106, section 1 of P.L.1995, c.219, section 1 of  
4 P.L.1996, c.85, section 1 of P.L.1997, c.221, section 2 of P.L.1998,  
5 c.84, section 2 of P.L.1999, c.174, section 2 of P.L.2000, c.92,  
6 sections 1 and 2 of P.L.2001, c.222, sections 1 and 2 of P.L.2002,  
7 c.70, sections 1 and 2 of P.L.2003, c.158, sections 1 and 2 of  
8 P.L.2004, c.109, sections 1 and 2 of P.L.2005, c.196, sections 1 and  
9 2 of P.L.2006, c.68, sections 1 and 2 of P.L.2007, c.139, sections 1  
10 and 2 of P.L.2008, c.68, sections 1 and 2 of P.L.2009, c.102,  
11 sections 1 and 2 of P.L.2010, c.63, sections 1 and 2 of P.L.2011,  
12 c.93, sections 1 and 2 of P.L.2012, c.43, sections 1 and 2 of  
13 P.L.2013, c.95, sections 1 and 2 of P.L.2014, c.25, sections 1 and 2  
14 of P.L.2015, c.108, sections 1 and 2 of P.L.2016, c.32, as amended  
15 by P.L.2017, c.14, sections 1 and 2 of P.L.2017, c.143, as amended  
16 by P.L.2017, c.326, sections 1 and 2 of P.L.2018, c.85, as amended  
17 by P.L.2018, c.137 and P.L.2019, c.12, sections 1 and 2 of  
18 P.L.2019, c.193, as amended by P.L.2019, c.514, and P.L.2020,  
19 c.49, as amended by P.L.2021, c.21, including amounts resulting  
20 from the low bid and final building cost reductions authorized  
21 pursuant to section 6 of P.L.1987, c.200, section 7 of P.L.1988,  
22 c.133, section 6 of P.L.1989, c.189, section 6 of P.L.1990, c.99,  
23 section 6 of P.L.1991, c.325, section 6 of P.L.1992, c.38, section 6  
24 of P.L.1993, c.193, section 6 of P.L.1994, c.106, section 6 of  
25 P.L.1995, c.219, section 6 of P.L.1996, c.85, section 6 of P.L.1997,  
26 c.221, section 7 of P.L.1998, c.84, section 6 of P.L.1999, c.174,  
27 section 6 of P.L.2000, c.92, section 6 of P.L.2001, c.222, section 6  
28 of P.L.2002, c.70, section 6 of P.L.2003, c.158, section 6 of  
29 P.L.2004, c.109, section 6 of P.L.2005, c.196, section 6 of  
30 P.L.2006, c.68, section 6 of P.L.2007, c.139, section 6 of P.L.2008,  
31 c.68, section 7 of P.L.2009, c.102, section 6 of P.L.2010, c.63,  
32 section 6 of P.L.2011, c.93, section 6 of P.L.2012, c.43, section 6 of  
33 P.L.2013, c.95, section 7 of P.L.2014, c.25, section 7 of P.L.2015,  
34 c.108, section 7 of P.L.2016, c.32, as amended by P.L.2017, c.14,  
35 section 7 of P.L.2017, c.143 as amended by P.L.2017, c.326,  
36 section 7 of P.L.2018, c.85, as amended by P.L.2018, c.137 and  
37 P.L.2019, c.12, section 7 of P.L.2019, c.193, as amended by  
38 P.L.2019, c.514, and section 7 of P.L.2020, c.49, as amended by  
39 P.L.2021, c.21, and from any repayments of loans and interest from  
40 the Clean Water State Revolving Fund, the "Wastewater Treatment  
41 Fund," the "Water Supply Fund," the "1992 Wastewater Treatment  
42 Fund," the "2003 Water Resources and Wastewater Treatment  
43 Fund," and amounts deposited therein during State fiscal year 2020  
44 and State fiscal year 2021 pursuant to the provisions of section 16  
45 of P.L.1985, c.329, and section 2 of P.L.2009, c.77 and any  
46 amendatory and supplementary acts thereto, including any Clean  
47 Water State Revolving Fund Accounts contained within the

1 "Wastewater Treatment Fund," and from any repayment of loans  
2 and interest from the Drinking Water State Revolving Fund.

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

18 f. For the purposes of this act:

19 "Department" means the Department of Environmental  
20 Protection.

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

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

29 "Trust" means the New Jersey Infrastructure Bank created  
30 pursuant to section 4 of P.L.1985, c.334 (C.58:11B-4).

31

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

Project Sponsor	Project Number	Estimated Allowable DEP Loan Amount	Estimated Total Loan Amount
Camden County MUA	S340640-18R	\$7,500,000	\$10,000,000
Elizabeth City	S340942-19R	\$206,250	\$275,000
Hoboken City	S340635-06R	\$30,000,000	\$40,000,000
North Bergen MUA	S340652-14R	\$3,750,000	\$5,000,000
Ocean Twp. SA	S340750-14R	\$750,000	\$1,000,000
Plumsted Twp.	S340607-03R	\$7,500,000	\$10,000,000
Rockaway Valley RSA	S340821-07R	\$2,250,000	\$3,000,000
Franklin Twp. SA	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
<b>Total Projects: 11</b>		<b>\$56,587,500</b>	<b>\$75,450,000</b>

1  
2       (2) The loans authorized in this subsection shall be made for the  
3 difference between the allowable loan amounts required by these  
4 projects based upon final building costs pursuant to section 7 of this  
5 act and the loan amounts certified by the Commissioner of  
6 Environmental Protection in State fiscal years 2008, 2019, and 2020  
7 and for increased allowable costs as defined and determined in  
8 accordance with the rules and regulations adopted by the  
9 department pursuant to section 4 of P.L.1985, c.329. The loans  
10 authorized in this subsection shall be made to or on behalf of the  
11 project sponsors listed, up to the individual amounts indicated and  
12 in the priority stated, to the extent sufficient funds are available,  
13 except as a project fails to meet the requirements of section 4, 5, or  
14 7 of this act.

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

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

<b>Project Sponsor</b>	<b>Project Number</b>	<b>Estimated Allowable DEP Loan Amount</b>	<b>Estimated Total Loan Amount</b>
Newark City	0714001-016R	\$2,250,000	\$3,000,000
North Jersey District Water Supply Comm.	1613001-025R	\$19,125,000	\$25,500,000
<b>Total Projects: 2</b>		<b>\$21,375,000</b>	<b>\$28,500,000</b>

1

2       (2) The loans authorized in this subsection shall be made for the  
3 difference between the allowable loan amount required by these  
4 projects based upon final building costs pursuant to section 7 of this  
5 act and the loan amounts certified by the Commissioner of  
6 Environmental Protection in State fiscal year 2021 and for increased  
7 allowable costs as defined and determined in accordance with the  
8 rules and regulations adopted by the department pursuant to section  
9 5 of P.L.1981, c.261. The loans authorized in this subsection shall  
10 be made to or on behalf of the project sponsors listed, up to the  
11 individual amounts indicated and in the priority stated, to the extent  
12 sufficient funds are available, except as a project fails to meet the  
13 requirements of section 4, 5, or 7 of this act.

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

17       c. The department is authorized to adjust the allowable  
18 department loan amount for projects authorized in this section to  
19 between zero percent and 100 percent of the total allowable loan  
20 amount, and, if the department loan amount is adjusted to 100  
21 percent of the total allowable loan amount, the loan shall be  
22 provided pursuant to the terms and conditions of the financing  
23 program year in which the trust issued an interim financing program  
24 loan for the project or, in the absence of an interim financing  
25 program loan, the terms and conditions of the State fiscal year 2022  
26 financing program.

27

28       3. a. (1) The following environmental infrastructure projects  
29 shall be known and may be cited as the “Storm Sandy and State  
30 Fiscal Year 2022 Clean Water Project Eligibility List”:

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14

<b>Project Sponsor</b>	<b>Project Number</b>	<b>Estimated Allowable DEP Loan Amount</b>	<b>Estimated Total Loan Amount</b>
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
Camden County MUA	S340640-16	\$9,975,000	\$13,300,000
Newark City	S340815-24	\$15,750,000	\$21,000,000
Camden County MUA	S340640-18	\$63,022,500	\$84,030,000
North Bergen MUA	S340652-14	\$21,000,000	\$28,000,000
Hopatcong Borough	S340488-08	\$450,000	\$600,000
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	S340928-28	\$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

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Jersey City MUA	S340928-24	\$80,693,069	\$108,000,000
Jersey City MUA	S340928-33	\$6,750,000	\$9,000,000
Elizabeth City	S340942-17	\$4,875,000	\$6,500,000
Camden County MUA	S340640-13	\$9,600,000	\$12,800,000
Bayonne City	S340399-31	\$1,650,000	\$2,200,000
Ocean County UA	S340372-62	\$3,225,000	\$4,300,000
Ocean County UA	S340372-63	\$1,650,000	\$2,200,000
Ocean County UA	S340372-61	\$3,975,000	\$5,300,000
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
Riverside SA	S340490-01	\$630,000	\$840,000
Perth Amboy City	S340435-11	\$4,844,513	\$6,459,351
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	S340689-37	\$91,125,000	\$121,500,000
Passaic Valley SC	S340689-38	\$16,125,000	\$21,500,000
Passaic Valley SC	S345200-02	\$1,500,000	\$2,000,000

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Passaic Valley SC	S340689-40	\$3,750,000	\$5,000,000
Passaic Valley SC	S345200-01	\$7,125,000	\$9,500,000
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
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
Raritan Twp. MUA	S340485-12	\$3,675,000	\$4,900,000
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
Stony Brook RSA	S340400-11	\$16,500,000	\$22,000,000
Evesham MUA	S340838-09	\$375,000	\$500,000
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
Willingboro MUA	S340132-09	\$6,750,000	\$9,000,000
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
Rockaway Valley RSA	S340821-08	\$11,625,000	\$15,500,000
Ocean County	S344080-09	\$975,000	\$1,300,000
Western Monmouth UA	S340128-06	\$9,825,000	\$13,100,000



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Chatham Borough	S340715-07A	\$5,466,885	\$7,289,180
Madison 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
Manasquan River RSA	S340911-03	\$495,000	\$660,000
Little Egg Harbor MUA	S340579-03	\$1,779,298	\$2,900,000
Middlesex County UA	S340699-14	\$8,250,000	\$11,000,000
Monmouth County Bayshore Outfall Authority	S340325-04	\$2,625,000	\$3,500,000
Atlantic County UA	S340809-29	\$3,000,000	\$4,000,000
Atlantic County UA	S340809-30	\$7,575,000	\$10,100,000
Toms River MUA	S340145-05	\$3,100,000	\$4,500,000
Toms River MUA	S340145-08	\$1,018,800	\$1,358,400
Ocean County UA	S340372-60	\$652,500	\$870,000
Two Rivers Water Reclamation Authority	S340117-09	\$3,000,000	\$4,000,000
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

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Old Bridge MUA	S340945-14	\$2,700,000	\$3,600,000
Franklin Twp. SA	S340839-09	\$5,625,000	\$7,500,000
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
Scotch Plains Twp.	S340512-01	\$2,025,000	\$2,700,000
Burlington Twp.	S340712-17	\$750,000	\$1,000,000
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
Pennsville SA	S340870-04	\$1,200,000	\$1,600,000
Red Bank Borough	S340528-01	\$1,125,000	\$1,500,000
Glen Ridge Borough	S340861-04	\$1,725,000	\$2,300,000
Glen Ridge Borough	S340861-03	\$334,387	\$445,849
Buena Borough MUA	S340518-06	\$973,500	\$1,298,000
Bradley Beach Borough	S340472-01	\$2,025,000	\$2,700,000
Lambertville MUA	S340882-10	\$525,000	\$700,000
Long Beach Twp.	S340023-07	\$3,450,000	\$4,600,000
Ship Bottom Borough	S340311-05	\$3,750,000	\$5,000,000
Passaic Valley SC	S340689-45	\$7,657,577	\$10,210,102
Passaic Valley SC	S340689-54	\$11,642,883	\$15,523,844
Plumsted Twp.	S340607-03	\$12,769,687	\$34,000,000

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19

Lakewood Twp. MUA	S340465-02	\$3,240,000	\$4,320,000
Lower Twp. MUA	S340810-05	\$12,825,000	\$17,100,000
Mantua Twp. MUA	S340514-02	\$1,687,500	\$2,250,000
Newton Town	S340449-04	\$403,500	\$538,000
Cranford Twp.	S340858-04	\$9,000,000	\$12,000,000
New Jersey Water Supply Authority	S340421-01	\$45,000,000	\$60,000,000
Northfield City	S340508-02	\$112,500	\$150,000
Spotswood Borough	S340510-01	\$4,070,250	\$5,427,000
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
Jersey City MUA	S340928-32	\$6,150,000	\$12,300,000
Atlantic City MUA	S340439-04	\$2,300,000	\$3,066,667
East Orange City	S340843-03	\$9,000,000	\$12,000,000
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
Lakewood Twp. MUA	S340465-03	\$1,312,500	\$1,750,000
Bloomfield Twp.	S340516-01	\$5,423,228	\$7,230,970
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
<b>Total Projects: 133</b>		<b>\$946,664,729</b>	<b>\$1,285,265,898</b>

(2) The department 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:

<b>Project Sponsor</b>	<b>Project Number</b>	<b>Estimated Total Loan Amount</b>
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
<b>Total Pinelands Projects: 4</b>		<b>\$15,343,415</b>

b. The following environmental infrastructure projects shall be known and may be cited as the “State Fiscal Year 2022 Drinking Water Project Eligibility List”:

<b>Project Sponsor</b>	<b>Project Number</b>	<b>Estimated Allowable DEP Loan Amount</b>	<b>Estimated Total Loan Amount</b>
Newark City	0714001-020	\$13,125,000	\$17,500,000
Trenton City	1111001-011	\$15,255,000	\$20,340,000
Newark City	0714001-019	\$9,375,000	\$12,500,000
Orange City	0717001-013	\$525,000	\$700,000
Newark City	0714001-022	\$17,250,000	\$23,000,000
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
Orange City	0717001-014	\$1,500,000	\$2,000,000
National Park Borough	0812001-005	\$1,144,875	\$1,526,500
Moorestown Twp.	0322001-001	\$18,468,750	\$24,625,000

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Brick Twp. MUA	1506001-011	\$15,667,500	\$20,890,000
East Orange City	0705001-014	\$24,750,000	\$33,000,000
Newark City	0714001-008	\$25,647,000	\$34,196,000
East Greenwich	0803001-004	\$1,950,000	\$2,600,000
Jersey City MUA	0906001-017	\$1,305,180	\$1,740,240
NJ American Water Co., Inc.	2004002-012	\$15,000,000	\$20,000,000
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
Seaside Park Borough	1527001-004	\$1,125,000	\$1,500,000
NJ American Water Co., Inc.	1345001-021	\$19,758,750	\$26,345,000
Manchester Twp.	1518005-002	\$4,125,000	\$5,500,000
Paulsboro Borough	0814001-003	\$2,100,000	\$2,800,000
Hamburg Borough	1909001-002	\$825,000	\$1,100,000
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
Old Bridge MUA	1209002-005	\$1,875,000	\$2,500,000
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	1005001-011	\$ 949,355	\$1,265,807
Clinton Town	1005001-010	\$1,320,000	\$2,640,000
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

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22

Jersey City MUA	0906001-021	\$8,250,000	\$11,000,000
Jackson Twp. MUA	1511001-013	\$15,000,000	\$20,000,000
Ship Bottom Borough	1528001-003	\$7,500,000	\$10,000,000
South Orange Village	0719001-012	\$ 600,000	\$800,000
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
Hightstown Borough	1104001-010	\$1,331,759	\$1,775,678
Middlesex Water Co.	1225001-025	\$42,750,000	\$57,000,000
Evesham MUA	0313001-001	\$1,950,000	\$2,600,000
Moorestown Twp.	0322001-002	\$11,430,000	\$15,240,000
Brick Twp. MUA	1506001-009	\$4,446,570	\$5,928,760
Ship Bottom Borough	1528001-004	\$3,075,000	\$4,100,000
Lakehurst Borough	1513001-002	\$ 900,000	\$1,200,000
East Windsor MUA	1101002-005	\$1,500,000	\$2,000,000
Clinton Town	1005001-012	\$2,625,000	\$3,500,000
Long Beach Twp.	1517001-015	\$3,119,401	\$4,159,201
Milltown Borough	1212001-005	\$1,350,000	\$1,800,000
Allentown Borough	1302001-002	\$411,825	\$549,100
Roosevelt Borough	1341001-007	\$450,000	\$600,000
NJ American Water Co., Inc.	2004002-013	\$12,000,000	\$16,000,000
Jackson Twp. MUA	1511001-012	\$8,250,000	\$11,000,000
Clinton Town	1005001-013	\$2,250,000	\$3,000,000
Brielle Borough	1308001-004	\$1,845,000	\$2,460,000

Mount Arlington Borough	1426005-001	\$165,836	\$250,285
Brielle Borough	1308001-005	\$2,700,000	\$3,600,000
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 Municipal Utility Authority	1911006-003	\$75,000	\$100,000
<b>Total Projects: 72</b>		<b>\$430,155,294</b>	<b>\$574,449,560</b>

1  
2 c. The department is authorized to adjust the allowable  
3 department loan amount for projects authorized in this section to  
4 between zero percent and 100 percent of the total allowable loan  
5 amount, and, if the department loan amount is adjusted to 100  
6 percent of the total allowable loan amount, the loan shall be  
7 provided pursuant to the terms and conditions of the financing  
8 program year in which the trust issued an interim financing program  
9 loan for the project or, in the absence of an interim financing  
10 program loan, the terms and conditions of the State fiscal year 2022  
11 financing program.  
12  
13 4. Any financing loan made by the department pursuant to this  
14 act shall be subject to the following requirements:  
15 a. The Commissioner Environmental Protection has certified  
16 that the project is in compliance with the provisions of P.L.1977,  
17 c.224, P.L.1985, c.329, P.L.1992, c.88, P.L.1997, c.223, P.L.1997,  
18 c.225, or P.L.2003, c.162, and any rules and regulations adopted  
19 pursuant thereto;  
20 b. Except as otherwise provided in this subsection, a loan for  
21 an environmental infrastructure project listed in section 2 or 3 of  
22 this act shall be subject to the terms and conditions of the financing  
23 program year in which the trust issued an interim financing program  
24 loan for the project or, in the absence of an interim financing  
25 program loan, the terms and conditions of the State fiscal year 2022  
26 financing program. Notwithstanding any provision of this act or a  
27 financial plan of the trust for State fiscal years 2018 through 2021

1 developed pursuant to section 21 of P.L.1985, c.334 (C.58:11B-21)  
2 or section 25 of P.L.1997, c.224 (C.58:11B-21.1) to the contrary, a  
3 loan for an environmental infrastructure project listed in section 2  
4 or 3 of this act that is partially funded from the proceeds of bonds  
5 issued by the trust to the United States Environmental Protection  
6 Agency pursuant to the federal "Water Infrastructure Finance and  
7 Innovation Act of 2014," 33 U.S.C. s.3901 et seq., shall be subject  
8 to terms and conditions regulating the blending of federal and other  
9 funds that are consistent with those provisions of Section III of the  
10 applicable financial plan of the trust for State fiscal year 2021 that  
11 reference the federal "Water Infrastructure Finance and Innovation  
12 Act of 2014;"

13 c. Notwithstanding the provisions of sections 2 and 3 of this  
14 act, the department allowable loan amount may be 100 percent of  
15 the total allowable loan amount for:

16 (1) clean water project and drinking water project loans to (a)  
17 municipalities that do not satisfy the New Jersey Infrastructure  
18 Bank credit policy but are subject to State financial supervision and  
19 oversight pursuant to the "Local Government Supervision Act  
20 (1947)," P.L.1947, c.151 (C.52:27BB-1 et seq.), or (b) municipal,  
21 county, or regional sewerage authorities, or utilities authorities, that  
22 do not satisfy the New Jersey Infrastructure Bank credit policy but  
23 where the municipal participant through its service agreement with  
24 the authority or utility is under State financial supervision and  
25 oversight pursuant to the "Local Government Supervision Act  
26 (1947)," P.L.1947, c.151 (C.52:27BB-1 et seq.), and the repayment  
27 obligation of the authority or utility is secured by the full faith and  
28 credit of the participating municipality pursuant to the service  
29 agreement; and

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

34 d. With the exception of a loan for which the department issues  
35 100 percent of the loan amount pursuant to subsection b. of section  
36 2, subsection c. of section 3, and subsection c. of this section, the  
37 loan shall be conditioned upon approval of a loan from the New  
38 Jersey Infrastructure Bank pursuant to P.L. , c. (pending before  
39 the Legislature as Senate Bill No. of the 2020-2021 session and  
40 Assembly Bill No. 5589 of the 2020-2021 session), prior to June  
41 30, 2021;

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

45 f. The loan shall be subject to any other terms and conditions  
46 as may be established by the commissioner and approved by the  
47 State Treasurer, which may include, notwithstanding any other



1 provision of law to the contrary, subordination of a loan authorized  
2 in this act to loans made by the New Jersey Infrastructure Bank  
3 pursuant to P.L. , c. (pending before the Legislature as Senate  
4 Bill No. of the 2020-2021 session and Assembly Bill No. 5589  
5 of the 2020-2021 session), or to administrative fees payable to the  
6 trust pursuant to subsection o. of section 5 of P.L.1985, c.334  
7 (C.58:11B-5).

8  
9 5. Any Sandy financing loan made by the department pursuant  
10 to this act shall be subject to the following requirements:

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

14 b. The commissioner has certified that the project is in  
15 compliance with the provisions of P.L.1977, c.224, P.L.1985, c.329,  
16 P.L.1992, c.88, P.L.1997, c.223, P.L.1997, c.225 or P.L.2003,  
17 c.162, and any rules and regulations adopted pursuant thereto; and

18 c. The loan shall be subject to any other terms and conditions  
19 as may be established by the commissioner and approved by the  
20 State Treasurer, which may include, notwithstanding any other  
21 provision of law to the contrary, subordination of a loan authorized  
22 in this act to loans made by the trust pursuant to P.L. ,  
23 c. (pending before the Legislature as Senate Bill No. of the  
24 2020-2021 session and Assembly Bill No. 5589 of the 2020-2021  
25 session) prior to June 30, 2021, or to administrative fees payable to  
26 the trust pursuant to subsection o. of section 5 of P.L.1985, c.334  
27 (C.58:11B-5).

28  
29 6. The eligibility lists and authorization for the making of loans  
30 pursuant to sections 2 and 3 of this act shall expire on July 1, 2022,  
31 and any project sponsor which has not executed and delivered a  
32 loan agreement with the department for a loan authorized in this act  
33 shall no longer be entitled to that loan.

34  
35 7. The Commissioner of Environmental Protection is  
36 authorized to reduce or increase the individual amount of loan funds  
37 made available to or on behalf of project sponsors pursuant to  
38 sections 2 and 3 of this act based upon final or low bid building  
39 costs defined in and determined in accordance with rules and  
40 regulations adopted by the commissioner pursuant to section 4 of  
41 P.L.1985, c.329, section 2 of P.L.1999, c.362 (C.58:12A-12.2), or  
42 section 5 of P.L.1981, c.261, provided that the total loan amount  
43 does not exceed the estimated total allowable loan amount. The  
44 commissioner is authorized to reduce or increase the individual  
45 amount of loan funds made available to or on behalf of project  
46 sponsors pursuant to sections 2 and 3 of this act in an amount not to

1 exceed 10 percent of the total allowable loan amount based upon  
2 additional project costs to comply with the department's guidance  
3 for asset management, emergency response, flood protection, and  
4 auxiliary power.

5  
6 8. The expenditure of the funds appropriated by this act is  
7 subject to the provisions and conditions of P.L.1977, c.224,  
8 P.L.1085, c.302, P.L.1985, c.329, P.L.1989, c.181, P.L.1992, c.88,  
9 P.L.1997, c.223, P.L.1997, c.225 or P.L.2003, c.162, and the rules  
10 and regulations adopted by the Commissioner of Environmental  
11 Protection pursuant thereto, and the provisions of the Federal  
12 Disaster Relief Appropriations Act, the Federal Clean Water Act,  
13 and the Federal Safe Drinking Water Act, and any amendatory and  
14 supplementary acts thereto.

15  
16 9. The department shall provide general technical assistance to  
17 any project sponsor requesting assistance regarding environmental  
18 infrastructure project development or applications for funds for a  
19 project.

20  
21 10. a. Prior to repayment to the Clean Water State Revolving  
22 Fund pursuant to sections 1 and 2 of P.L.2009, c.77 and any  
23 amendatory and supplementary acts thereto, prior to repayment to  
24 the "Wastewater Treatment Fund" pursuant to the provisions of  
25 section 16 of P.L.1985, c.329, prior to repayment to the "1992  
26 Wastewater Treatment Fund" pursuant to the provisions of section  
27 28 of P.L.1992, c.88, prior to repayment to the Drinking Water  
28 State Revolving Fund, prior to repayment to the "Stormwater  
29 Management and Combined Sewer Overflow Abatement Fund"  
30 pursuant to the provisions of section 15 of P.L.1989, c.181, prior to  
31 repayment to the "2003 Water Resources and Wastewater  
32 Treatment Fund" pursuant to the provisions of section 20 of  
33 P.L.2003, c.162, prior to repayment to the "Water Supply Fund"  
34 pursuant to the provisions of section 15 of P.L.1981, c.261, or prior  
35 to the repayment to the "Pinelands Infrastructure Trust Fund"  
36 pursuant to the provisions of section 5 of P.L.1985, c.302,  
37 repayments of loans made pursuant to these acts may be utilized by  
38 the New Jersey Infrastructure Bank established pursuant to  
39 P.L.1985, c.334 (C.58:11B-1 et seq.), as amended and  
40 supplemented by P.L.1997, c.224, under terms and conditions  
41 established by the commissioner and trust, approved by the State  
42 Treasurer, and consistent with the provisions of P.L.1985, c.334  
43 (C.58:11B-1 et seq.) and federal tax, environmental or securities  
44 law, to the extent necessary to secure repayment of trust bonds  
45 issued to finance loans approved pursuant to P.L. , c. (pending  
46 before the Legislature as Senate Bill No. of the 2020-2021  
47 session and Assembly Bill No. 5589 of the 2020-2021 session), and

1 to secure the administrative fees payable to the trust pursuant to  
2 subsection o. of section 5 of P.L.1985, c.334 (C.58:11B-5) by the  
3 project sponsors receiving trust loans.

4 b. Prior to repayment to the Clean Water State Revolving Fund  
5 pursuant to section 1 and 2 of P.L.2009, c.77 and any amendatory  
6 and supplementary acts thereto, prior to repayment to the  
7 “Wastewater Treatment Fund” pursuant to the provisions of section  
8 16 of P.L.1985, c.329, prior to repayment to the “1992 Wastewater  
9 Treatment Fund” pursuant to the provisions of section 28 of  
10 P.L.1992, c.88, prior to repayment to the “Water Supply Fund”  
11 pursuant to the provisions of section 15 of P.L.1981, c.261, prior to  
12 repayment to the Drinking Water State Revolving Fund, prior to  
13 repayment to the “2003 Water Resources and Wastewater  
14 Treatment Fund” pursuant to the provisions of section 20 of  
15 P.L.2003, c.162, prior to repayment to the “Stormwater  
16 Management and Combined Sewer Overflow Abatement Fund”  
17 pursuant to the provisions of section 15 of P.L.1989, c.181, or prior  
18 to repayment to the “Pinelands Infrastructure Trust Fund” pursuant  
19 to the provisions of section 5 of P.L.1985, c.302, the trust is further  
20 authorized to utilize repayments of loans made pursuant to  
21 P.L.1989, c.189, P.L.1990, c.99, P.L.1991, c.325, P.L.1992, c.38,  
22 P.L.1993, c.193, P.L.1994, c.106, P.L.1995, c.219, P.L.1996, c.85,  
23 P.L.1997, c.221, P.L.1998, c.84, P.L.1999, c.174, P.L.2000, c.92,  
24 P.L.2001, c.222, P.L.2002, c.70, P.L.2003, c.158, P.L.2004, c.109,  
25 P.L.2005, c.196, P.L.2006, c.68, P.L.2007, c.139, P.L.2008, c.68,  
26 P.L.2009, c.102, P.L.2010, c.63, P.L.2011, c.93, P.L.2012, c.43,  
27 P.L.2013, c.95, P.L.2014, c.25, P.L.2015, c.108, P.L.2016, c.32,  
28 P.L.2017, c.143, as amended by P.L.2017, c.326, P.L.2018, c.85, as  
29 amended by P.L.2018, c.137, P.L.2019, c.12, P.L.2019, c.193, as  
30 amended by P.L.2019, c.514, P.L.2020, c.49, as amended by  
31 P.L.2021, c.21, or P.L. , c. (pending before the Legislature as  
32 this bill) to secure repayment of trust bonds issued to finance loans  
33 approved pursuant to P.L.1995, c.218, P.L.1996, c.87, P.L.1997,  
34 c.222, P.L.1998, c.85, P.L.1999, c.173, P.L.2000, c.93, P.L.2001,  
35 c.224, P.L.2002, c.71, P.L.2003, c.159, P.L.2004, c.110, P.L.2005,  
36 c.197, P.L.2006, c.67, P.L.2007, c.140, P.L.2008, c.67, P.L.2009,  
37 c.101, P.L.2010, c.62, P.L.2011, c.95, P.L.2012, c.38, P.L.2013,  
38 c.94, P.L.2014, c.26, P.L.2015, c.107, P.L.2016, c.31, P.L.2017,  
39 c.142, as amended by P.L.2017, c.327, P.L.2018, c.84, as amended  
40 by P.L.2019, c.30, P.L.2019, c.192, as amended by P.L.2019, c.515,  
41 P.L.2020, c.48, as amended by P.L.2021, c.22, or P.L. ,  
42 c. (pending before the Legislature as Senate Bill No. of the  
43 2020-2021 session and Assembly Bill No. 5589 of the 2020-2021  
44 session), and to secure the administrative fees payable to the trust  
45 under these loans pursuant to subsection o. of section 5 of P.L.1985,  
46 c.334 (C.58:11B-5).

1       c. To the extent that any loan repayment sums are used to  
2 satisfy any trust bond repayment or administrative fee payment  
3 deficiencies, the trust shall repay such sums to the department for  
4 deposit into the Clean Water State Revolving Fund, the  
5 "Wastewater Treatment Fund," the "1992 Wastewater Treatment  
6 Fund," the "Water Supply Fund," the Drinking Water State  
7 Revolving Fund, the "2003 Water Resources and Wastewater  
8 Treatment Fund," the "Stormwater Management and Combined  
9 Sewer Overflow Abatement Fund," or the "Pinelands Infrastructure  
10 Trust Fund," as appropriate, from amounts received by or on behalf  
11 of the trust from project sponsors causing any such deficiency.  
12

13       11. The Commissioner of Environmental Protection is  
14 authorized to enter into capitalization grant agreements as may be  
15 required pursuant to the Federal Disaster Relief Appropriations Act,  
16 the Federal Clean Water Act, or the Federal Safe Drinking Water  
17 Act.  
18

19       12. There is appropriated to the New Jersey Infrastructure Bank  
20 established pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.) from  
21 repayments of loans and interest deposited in any account, on or  
22 before June 30, 2022, including the "Clean Water State Revolving  
23 Fund," the "1992 Wastewater Treatment Fund," the "Water Supply  
24 Fund," the "Stormwater Management and Combined Sewer  
25 Overflow Abatement Fund," the "2003 Water Resources and  
26 Wastewater Treatment Fund," or the Drinking Water State  
27 Revolving Fund, as appropriate, and from any net earnings received  
28 from the investment and reinvestment of such deposits, such sums  
29 as the chairperson or secretary of the trust shall certify to the  
30 Commissioner of Environmental Protection to be necessary and  
31 appropriate for deposit into one or more reserve funds or accounts  
32 established by the trust pursuant to section 11 of P.L.1985, c.334  
33 (C.58:11B-11).  
34

35       13. There is appropriated to the New Jersey Infrastructure Bank  
36 established pursuant to P.L.1985, c.334 (C.58:11B-1 et seq.), funds  
37 from the Federal Disaster Relief Appropriations Act deposited in  
38 any account including the Clean Water State Revolving Fund, the  
39 "Water Supply Fund," or the Drinking Water State Revolving Fund,  
40 as appropriate, and from any net earnings received from the  
41 investment and reinvestment of such deposits, such sums as the  
42 chairperson of the trust certifies to the Commissioner of  
43 Environmental Protection to be necessary and appropriate for  
44 deposit into one or more reserve funds or accounts established by  
45 the trust pursuant to section 11 of P.L.1985, c.334 (C.58:11B-11).  
46

47       14. This act shall take effect immediately.

## STATEMENT

This bill appropriates certain federal and State moneys to the Department of Environmental Protection (DEP) for the purpose of implementing the State Fiscal Year 2022 New Jersey Environmental Infrastructure Financing Program (NJEIFP), which is expected to finance up to \$1.979 billion in water infrastructure projects for State Fiscal Year 2022. The bill would appropriate these funds for the purpose of making loans to local governments and privately-owned water companies (project sponsors) for a portion of the costs of water infrastructure projects.

A companion bill, Assembly Bill No. 5589 of the 2020-2021 session, would authorize the I-Bank to execute loans using the funds appropriated to the DEP by this bill to finance a portion of the costs of the clean water and drinking water projects enumerated by the bill.

This bill and the companion bill would establish: (1) a list of 11 projects to improve water discharge and treatment systems that had previously received a loan and require supplemental loans, representing \$75.45 million in estimated total loan amounts; (2) a list of two projects to improve drinking water systems that had previously received a loan and require supplemental loans, representing \$28.5 million in estimated total loan amounts; (3) the "Storm Sandy and State Fiscal Year 2022 Clean Water Project Eligibility List," a list of 133 projects to improve water discharge and treatment systems, representing \$1.285 billion in estimated total loan amounts; (4) a list of four projects in the in the Pinelands area that are receiving funding under the "Pinelands Infrastructure Trust Bond Act of 1985," P.L.1985, c.302 to improve water discharge and treatment systems, representing \$15.343 million in estimated total loan amounts; and (5) the "State Fiscal Year 2021 Drinking Water Project Eligibility List," a list of 72 projects to improve drinking water systems, representing \$574.449 million in estimated total loan amounts. Several projects in the "Storm Sandy and State Fiscal Year 2022 Clean Water Project Eligibility List" and the "State Fiscal Year 2021 Drinking Water Project Eligibility List," representing \$409.168 million in estimated total loan amounts, are eligible to receive long-term funding from the New Jersey Infrastructure Bank (I-Bank) by the end of FY2021, and thus would not receive loans under the 2022 NJEIFP. However, they are included in these lists in the event that long-term financing cannot be secured by the end of FY2021.

The bill would also appropriate the unexpended balances from various funds to the DEP, and allow the DEP to transfer moneys between various State funds, for the purpose of funding the NJEIFP and providing the State match for federal funding provided under the federal laws, including the Clean Water Act and Safe Drinking Water Act, as detailed in subsection a. of section 1 of the bill. In

1 particular, the bill would authorize the DEP to transfer up to \$25  
2 million of the \$60 million appropriated to the department for  
3 Drinking Water Infrastructure by the State fiscal year 2021 annual  
4 appropriations act, P.L.2020 c.97, to the I-Bank to invest, provide  
5 debt service reserve or guarantee, or pay interest on behalf of a  
6 project sponsor.

7 The bill would authorize loans to certain project sponsors to  
8 include zero interest or principal forgiveness, subject to certain  
9 funding limits and restrictions detailed in subsections b. through e.  
10 of section 1 of the bill. Projects designated for zero interest or  
11 principal forgiveness loans include projects that reduce or eliminate  
12 discharges from combined sewer overflow outfalls, water quality  
13 restoration projects, projects by drinking water systems that serve  
14 fewer than 500 persons, and lead service line replacement projects.

15 The bill would establish certain requirements on loans to project  
16 sponsors made by the DEP pursuant to the bill, as enumerated in  
17 section 4 of the bill. The bill would also establish additional  
18 restrictions, described in section 5 of the bill, for "Sandy financing  
19 loans," which are those loans that utilize federal funding provided  
20 pursuant to the federal "Disaster Relief Appropriations Act, 2013,"  
21 Pub.L.113-2.

22 Under the bill, the project lists and the DEP's authorization to  
23 utilize the funds appropriated by the bill would expire on July 1,  
24 2022.

25 The bill would authorize the I-Bank to utilize repayments of  
26 loans made using moneys from various State funds, enumerated in  
27 subsections a. and b. of section 10 of the bill, to recoup trust bond  
28 repayments and administrative fees that have not been paid by  
29 project sponsors instead of redepositing the money into the funds.  
30 However, the bill would also require the I-Bank to make a  
31 compensatory deposit into certain State funds, enumerated in  
32 subsection c. of section 10 of the bill, when the I-Bank receives the  
33 deficient payments or fees from the project sponsor. Finally, the  
34 bill would appropriate to the I-Bank, from repayments of loans,  
35 interest payments, certain federal funds, and any earnings received  
36 from the investment of those funds, as enumerated in sections 12  
37 and 13 of the bill, such amounts as the chairperson or secretary of  
38 the I-Bank certifies are necessary and appropriate for deposit into  
39 one or more reserve funds established by the I-Bank.