

DEPARTMENT OF ENVIRONMENTAL PROTECTION

OVERVIEW

The mission of the Department of Environmental Protection is to assist the residents of New Jersey in preserving, sustaining, protecting, and enhancing the environment to integrate environmental quality, public health, and economic vitality. The Department will accomplish its mission in partnership with the general public, the business community, the environmental community, and all levels of government.

The Department's goals include clean air, clean and plentiful water, safe and healthy communities, healthy ecosystems, abundant open spaces, and open and effective government. Its objectives are to: regulate pollution discharges through a network of permit and enforcement programs; oversee the remediation of hazardous waste sites; operate a statewide system of parks, forests, and wildlife management areas for recreation; regulate development on environmentally sensitive land such as freshwater wetlands, the Pinelands, coastal areas, and flood plains; protect beaches and shore areas from coastal storm damage; and preserve precious open space.

The fiscal 2003 budget for the Department of Environmental Protection (DEP), excluding Debt Service, totals \$320.7 million, a decrease of \$69.9 million, or 17.9%, under the fiscal 2002 adjusted appropriation of \$390.5 million.

Managing Better with Less Resources

Not all changes will happen with money. Great results will be realized with better, smarter management. DEP is taking a close look at how efficiently and effectively public funds are spent through the Department. Well-intended program initiatives currently underway may not deliver the environmental and public health results and protections that the citizens of the State would expect. In addition to environmental programs supported through fiscal 2003 funding, additional program shifts - by creating, discontinuing or modifying programs - may occur through internal department reforms.

Open Space: Smart Growth and Community Revitalization

Over the past several years, the DEP's conservation and preservation programs have helped fund the acquisition of a substantial amount of open space. However, past acquisitions have focused on meeting goals to acquire a specific number of acres. As a result, the past acquisition strategy has missed opportunities to create and expand parks where more people can use them, especially in the urban and older suburban areas where much of the state's population lives. In these places, people have too little park space nearby and too little access to the parks that exist.

Moving forward, DEP will work to ensure that its Green Acres program is focused not only on the quantity of open space but also the quality of the space acquired. The Garden State Preservation Trust Act, the funding source for the more recent acquisitions, dedicates an additional \$98 million annually through the year 2009. Land purchased through the Green Acres program becomes part of the State's system of historic sites, parks, forests, natural and wildlife management areas. Open space purchases should support the long-term protection of our State's precious drinking water resources, wildlife, and other natural resources - but these purchases should also support public access for recreational use, and the linkage of parks by pedestrian paths and bikeways.

As a result of the 1999 Open Space initiative, municipalities are compensated at a higher rate for State-protected land. State payments to municipalities in lieu of tax ratables have increased from a level of \$2.3 million in fiscal 1999 to a projected \$8 million in fiscal 2003. The proposed increase of \$630,000 over the fiscal 2002 level is associated with the preservation of an estimated 21,900 new acres owned by the State and nonprofit organizations during 2001.

Operating/Permitting Fees

Many of the DEP's fees have been frozen for several years. Fees for New Jersey Pollutant Discharge Elimination System (NJPDDES) permits have not increased since 1993, fees for treatment works approvals (TWAs) have not increased since 1989, and several other fees are currently capped at 1995 levels. Fee revenues now fall far short of the cost of operating these programs. As a result, the permit applicants and others who generate the work of these programs pay less and less of the cost and the burden instead falls on the State's taxpayers to make up the difference.

To reduce this inequity, the fiscal 2003 Budget recommends a combined increase of nearly \$18 million in fees for the following services: New Jersey Pollutant Discharge Elimination System (NJPDDES) permits, stormwater permits, treatment works approvals, air operating permits, solid and hazardous waste, land use regulation, and the Environmental Infrastructure Financing Program. The proposed increase represents the first phase of a two-year plan to increase each fee to a level that fully supports its related program.

New Jersey Environmental Management System (NJEMS)

The DEP has been integrating its internal databases through NJEMS. The overall goal of NJEMS is to provide the DEP with an information system that enables the most informed environmental decision-making possible, at all levels of government, as well as to provide the public with better access to environmental information affecting their communities. DEP program staff are now using NJEMS to develop and issue permits, evaluate compliance, issue enforcement documents, and track fees and fines. NJEMS will eventually enable the DEP to assess facilities from a multimedia perspective, advance pollution prevention goals, monitor environmental indicators, and streamline regulatory compliance.

Over the past several years, the DEP has invested substantial money and staff time to transition its regulatory programs to the integrated NJEMS. However, much of the investment remains to be paid off by improvements in efficiency and in making better information available to support decision-making. The system needs a number of enhancements to promote sharing and access to information and to correct difficulties identified through experience.

For this reason, the fiscal 2003 Budget recommends using \$3.8 million of the fee increases described above to enhance and maintain NJEMS. This investment will enable the DEP to improve its delivery of services, and will make the information in NJEMS more easily available to county and local governments as well.

Watershed Management

Through the Watershed Management program, the Department partners with local stakeholders to address water resource issues in each watershed. Watershed Management offers the opportunity to integrate water supply issues with the need to maintain or restore water quality and protect aquatic ecosystems. Watershed planning can also work hand-in-hand with smart growth by identifying ways to address water quality issues that are expected to arise as an area changes and undergoes additional development.

Watershed planning in New Jersey, however, has not yet begun to achieve its potential, or to make the best use of scarce funds. In fiscal 2002, the program received a funding increase of \$9.1 million, which included \$3.3 million from the Safe Drinking Water Fund, and \$2.5 million in new federal funds. This increase funded planning by local entities on a watershed scale and projects to address localized problems in the short term. The task now before the DEP is to develop funding strategies aimed at targeting watershed planning investments where they can do the most good.

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In fiscal 2003, the Watershed Management program will receive \$10.6 million of the total DEP funding allocated from the State's Corporation Business Tax (CBT). In addition, the Budget proposes a General Fund appropriation of \$945,000. This General Fund component includes a reduction of \$850,000 from the fiscal 2002 appropriation of \$1.8 million, which will be offset by the DEP retaining \$850,000 of the CBT dedication previously transferred to the Department of Agriculture. The Department of Agriculture, in turn, will seek increased federal funds from the farm bill pending before Congress.

Protecting the Jersey Shore

The Jersey Shore, the State's most valuable tourist attraction, is integral to the State's economy. To protect the beaches, the fiscal 2003 Budget maintains \$25 million for shore protection from the Realty Transfer Fee. These funds will leverage up to \$34 million in federal funds and \$4 million in local funds for beach replenishment projects. The projects planned for fiscal 2003 include beach fills at Townsend Inlet, Cape May Inlet, Manasquan Inlet, Barnegat Inlet, Cape May City, and Lower Township.

Flood Control/Dams

To protect lives and property, \$8.6 million is recommended for flood control projects. These funds will generate an additional \$33.1 million in federal funds and \$2.6 million in local funds. Projects planned include the Ramapo River at Oakland, the Green Brook, the Passaic River and the Mill Brook. Additionally, \$5 million will be made available to address dam repairs in fiscal 2003.

West Nile Virus

The State Mosquito Control Commission is vital in the State's efforts to control the impact of mosquitoes on public health and welfare. The Commission offers aid to county mosquito control units, administers the State Airspray Program, and conducts service and research projects to determine the virus' intensity, geographic spread, and impact. Between fiscal 2000 and fiscal 2002, the Commission received increases totaling \$800,000 to heighten the State's efforts to track and control the West Nile Virus. These increases are maintained in the fiscal 2003 Budget. In addition, the Commission received a recommended increase of \$125,000 in Capital funding to replace heavy equipment.

Corporation Business Tax

The 1996 constitutional dedication of 4% of the annual revenue raised from the State's Corporation Business Tax (CBT) continues to finance the cleanup of privately owned underground storage tanks, remediation of contaminated sites, watershed monitoring and planning, and the Department's administrative costs. According to current CBT revenue projections, the Department will receive \$63.8 million from the CBT dedication in fiscal 2003. This is an increase of \$1.5 million from fiscal 2002 funding levels.

Funding available for administrative costs associated with the clean-up of hazardous sites will increase by \$0.1 million in fiscal 2003, from \$5.6 million to \$5.7 million. In fiscal 2003, \$21.3 million will go toward the remediation of underground storage tanks, an increase of \$0.5 million from fiscal 2002. For fiscal 2003, \$20.4 million will be dedicated to the clean-up of hazardous waste sites, up \$0.6 million from fiscal 2002. This increase will allow the Department to pursue new clean-up projects. Funding dedicated to the Watershed Management Program will increase from \$10.4 million in fiscal 2002 to \$10.6 million in fiscal 2003.

Water Pollution Control

The State appropriation to the Wastewater Facilities Regulation-Water Pollution Control Program and the Environmental Enforcement-Water Pollution Control Program are recommended to be reduced by \$665,000 and \$285,000, respectively. These decreases will be completely offset through reimbursements from a federal grant.

Program Eliminations

The Black Bear Response Management Program, a relatively new, unproven program, is not recommended for continuation into fiscal 2003 due to budgetary constraints, a savings of \$1.1 million. In addition, funding of \$350,000 for the Black Fly Grant Program is not recommended in fiscal 2003. These Programs were initiated at a time when State revenues were thought to be more robust and cannot be sustained under the current fiscal conditions. The \$60,000 appropriation for the Major Hazardous Waste Facilities Siting Commission also is eliminated. The Department will assume the responsibilities of the Commission's staff.

SUMMARY OF APPROPRIATIONS BY FUND (thousands of dollars)

Year Ending June 30, 2001					Year Ending June 30, 2003			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended		2002 Adjusted Approp.	Requested	Recommended
202,315	34,004	8,426	244,745	231,988	Direct State Services	226,956	218,980	218,980
7,986	1,331	14,259	23,576	14,222	Grants-In-Aid	10,960	500	500
11,583	36	103	11,722	10,976	State Aid	22,557	4,556	4,556
103,151	69,932	-11,106	161,977	77,278	Capital Construction	120,215	85,098	86,165
121,481	---	---	121,481	121,470	Debt Service	106,079	76,833	76,833
446,516	105,303	11,682	563,501	455,934	Total General Fund	486,767	385,967	387,034
9,273	---	---	9,273	9,211	Total Property Tax Relief Fund	9,823	10,453	10,453
455,789	105,303	11,682	572,774	465,145	GRAND TOTAL	496,590	396,420	397,487

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SUMMARY OF APPROPRIATIONS BY PROGRAM (thousands of dollars)

Year Ending June 30, 2001					Year Ending June 30, 2003			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		2002 Adjusted Approp.	Requested	Recom- mended
					DIRECT STATE SERVICES - GENERAL FUND			
					Natural Resource Management			
8,177	3	381	8,561	8,339	Forest Resource Management	7,488	7,291	7,291
37,257	184	1,417	38,858	38,539	Parks Management	39,955	39,539	39,539
11,649	4,135	531	16,315	13,906	Hunters' and Anglers' License Fund	12,464	12,303	12,303
1,336	79	-30	1,385	1,380	Shellfish and Marine Fisheries Management	1,677	1,667	1,667
485	65	287	837	835	Wildlife Management	1,385	338	338
1,804	143	2,142	4,089	4,052	Natural Resources Engineering	2,578	2,532	2,532
2,156	132	228	2,516	2,489	Palisades Interstate Park Commission	2,460	2,422	2,422
62,864	4,741	4,956	72,561	69,540	<i>Subtotal</i>	68,007	66,092	66,092
					Science and Technical Programs			
2,797	8	-204	2,601	2,571	Air Pollution Control	4,594	4,582	4,582
513	296	25	834	832	Water Supply and Watershed Management	4,651	649	649
1,189	206	-55	1,340	1,303	Water Monitoring and Planning	1,228	1,222	1,222
3,386	1	145	3,532	3,352	Science, Research and Technology	3,554	3,546	3,546
1,262	1	31	1,294	1,293	New Jersey Geological Survey	1,327	1,324	1,324
5,850	7,699	-855	12,694	9,928	Environmental Remediation and Monitoring	10,380	10,630	10,630
4,171	8	176	4,355	4,350	Watershed Management	5,584	2,227	2,227
19,168	8,219	-737	26,650	23,629	<i>Subtotal</i>	31,318	24,180	24,180
					Site Remediation			
5,124	1,516	---	6,640	6,524	Publicly-Funded Site Remediation	5,356	5,356	5,356
22,121	11,064	---	33,185	33,177	Responsible Party Site Remediation	23,686	23,686	23,686
5,700	3,491	---	9,191	6,076	Environmental Remediation and Monitoring	5,600	5,740	5,740
32,945	16,071	---	49,016	45,777	<i>Subtotal</i>	34,642	34,782	34,782
					Environmental Regulation			
6,620	988	119	7,727	6,158	Radiation Protection	6,198	5,277	5,277
5,877	31	284	6,192	6,129	Air Pollution Control	6,318	6,286	6,286
7,270	386	44	7,700	7,338	Water Supply and Watershed Management	7,947	7,834	7,834
7,547	74	78	7,699	7,655	Water Pollution Control	8,284	7,573	7,573
2,808	---	---	2,808	2,499	Public Wastewater Facilities	2,973	2,922	2,922
8,038	752	-101	8,689	8,679	Land Use Regulation	8,732	8,693	8,693
10,586	879	60	11,525	11,104	Solid and Hazardous Waste Management	11,237	11,137	11,137
48,746	3,110	484	52,340	49,562	<i>Subtotal</i>	51,689	49,722	49,722
					Environmental Planning and Administration			
1,923	35	193	2,151	2,108	Regulatory and Governmental Affairs	2,138	2,126	2,126
16,027	254	2,978	19,259	18,683	Administration and Support Services	16,835	20,147	20,147
17,950	289	3,171	21,410	20,791	<i>Subtotal</i>	18,973	22,273	22,273
					Compliance and Enforcement			
7,710	929	148	8,787	8,779	Air Pollution Control	8,351	8,316	8,316
1,958	19	-17	1,960	1,936	Pesticide Control	2,108	2,096	2,096
5,558	6	400	5,964	5,963	Water Pollution Control	5,996	5,677	5,677

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Year Ending June 30, 2001					Year Ending June 30, 2003			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		2002 Adjusted Approp.	Requested	Recom- mended
1,704	500	52	2,256	2,244	Land Use Regulation	1,852	1,846	1,846
3,712	120	-31	3,801	3,767	Solid and Hazardous Waste Management	4,020	3,996	3,996
20,642	1,574	552	22,768	22,689	<i>Subtotal</i>	22,327	21,931	21,931
202,315	34,004	8,426	244,745	231,988	Subtotal Direct State Services - General Fund	226,956	218,980	218,980
202,315	34,004	8,426	244,745	231,988	TOTAL DIRECT STATE SERVICES	226,956	218,980	218,980
GRANTS-IN-AID - GENERAL FUND								
Natural Resource Management								
900	181	---	1,081	1,077	Forest Resource Management	900	500	500
100	1,055	850	2,005	2,005	Parks Management	200	---	---
---	95	---	95	95	Wildlife Management	75	---	---
300	---	13,409	13,709	7,617	Natural Resources Engineering	2,900	---	---
1,300	1,331	14,259	16,890	10,794	<i>Subtotal</i>	4,075	500	500
Science and Technical Programs								
3,000	---	---	3,000	3,000	Water Monitoring and Planning	35	---	---
---	---	---	---	---	Watershed Management	6,500	---	---
3,000	---	---	3,000	3,000	<i>Subtotal</i>	6,535	---	---
Site Remediation								
86	---	---	86	86	Publicly-Funded Site Remediation	---	---	---
Environmental Regulation								
3,250	---	---	3,250	---	Water Supply and Watershed Management	---	---	---
Environmental Planning and Administration								
350	---	---	350	342	Administration and Support Services	350	---	---
7,986	1,331	14,259	23,576	14,222	Subtotal Grants-In-Aid - General Fund	10,960	500	500
7,986	1,331	14,259	23,576	14,222	TOTAL GRANTS-IN-AID	10,960	500	500
STATE AID - GENERAL FUND								
Natural Resource Management								
469	---	---	469	---	Natural Resources Engineering	---	---	---
Science and Technical Programs								
---	---	---	---	---	Air Pollution Control	10	---	---
75	---	---	75	75	Watershed Management	35	---	---
75	---	---	75	75	<i>Subtotal</i>	45	---	---
Environmental Regulation								
---	---	---	---	---	Public Wastewater Facilities	2,500	---	---
---	10	---	10	10	Natural Resources Engineering	---	---	---
---	---	---	---	---	Solid and Hazardous Waste Management	13,681	---	---
---	10	---	10	10	<i>Subtotal</i>	16,181	---	---

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Year Ending June 30, 2001					Year Ending June 30, 2003			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		2002 Adjusted Approp.	Requested	Recom- mended
11,039	---	103	11,142	10,891	Environmental Planning and Administration			
					Administration and Support Services	6,331	4,556	4,556
---	26	---	26	---	Compliance and Enforcement			
					Water Pollution Control	---	---	---
11,583	36	103	11,722	10,976	Subtotal State Aid - General Fund	22,557	4,556	4,556
					STATE AID - PROPERTY TAX RELIEF FUND			
					Environmental Planning and Administration			
6,820	---	---	6,820	6,758	Administration and Support Services	7,370	8,000	8,000
					Compliance and Enforcement			
2,453	---	---	2,453	2,453	Water Pollution Control	2,453	2,453	2,453
9,273	---	---	9,273	9,211	Subtotal State Aid - Property Tax Relief Fund	9,823	10,453	10,453
20,856	36	103	20,995	20,187	TOTAL STATE AID	32,380	15,009	15,009
					CAPITAL CONSTRUCTION			
					Natural Resource Management			
100	---	---	100	---	Forest Resource Management	---	---	---
13,090	22,193	-850	34,433	8,730	Parks Management	16,500	---	---
70	1,789	10	1,869	352	Hunters' and Anglers' License Fund	3,500	---	---
110	---	---	110	10	Shellfish and Marine Fisheries Management	---	---	---
515	911	-10	1,416	133	Wildlife Management	---	---	---
25,200	27,861	-10,900	42,161	13,808	Natural Resources Engineering	44,030	28,933	30,000
600	823	-1	1,422	816	Palisades Interstate Park Commission	800	---	---
39,685	53,577	-11,751	81,511	23,849	Subtotal	64,830	28,933	30,000
					Science and Technical Programs			
165	---	---	165	162	Air Pollution Control	---	---	---
					Site Remediation			
---	67	---	67	---	Publicly-Funded Site Remediation	---	---	---
51,810	15,652	---	67,462	42,167	Environmental Remediation and Monitoring	46,290	47,390	47,390
51,810	15,719	---	67,529	42,167	Subtotal	46,290	47,390	47,390
					Environmental Regulation			
6,241	515	---	6,756	5,460	Water Supply and Watershed Management	8,285	8,650	8,650
					Environmental Planning and Administration			
5,250	121	645	6,016	5,640	Administration and Support Services	810	125	125
103,151	69,932	-11,106	161,977	77,278	Subtotal Capital Construction	120,215	85,098	86,165
334,308	105,303	11,682	451,293	343,675	TOTAL APPROPRIATION	390,511	319,587	320,654

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40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

42. NATURAL RESOURCE MANAGEMENT

OBJECTIVES

1. To provide recreational, historic, natural and interpretive facilities.
2. To develop recreational lands and facilities, located in balance with population distribution.
3. To regulate the recreational use of public lands and minimize natural resource damage.
4. To provide safe marina facilities, navigational aids, and other services to the boating public.
5. To provide the financial assistance and engineering technology that minimizes potential loss of life and property damage due to flooding.
6. To manage and protect the state's forest resources. To minimize forest damage from wildfire, insects and disease, and to enhance the public's understanding of sustainable forest resource management.
7. To manage fish and wildlife resources of the State for long-term biological, economic and recreational viability.
8. To provide for the development of shore protection facilities and improvements, and to minimize personal and property damage resulting from tidal waters of the state.
9. To provide a system of highways, parkway roads, and bridges for the Palisades Interstate Park to facilitate travel through and within the park and ensure safe and efficient movement of traffic.

PROGRAM CLASSIFICATIONS

11. **Forest Resource Management.** The State Forestry Service manages and protects the rural and urban forest resources of New Jersey. The Forest Fire Service is mandated to prevent, manage and suppress wildfire on or threatening 3.1 million acres of State and private forest and wildlands of New Jersey. The Forest Service promotes forestry by providing both State and federal programs in urban and community forestry; forest products conservation and recycling; private non-industrial forest lands management; forest insect and disease control; forest conservation and education; reforestation and tree improvement; and State lands management.
12. **Parks Management.** Operates, maintains and provides stewardship for thirty-nine State parks, five marinas, fifty-seven historic sites and districts, facilities and other recreational, natural, and interpretive facilities in a clean, safe and non-discriminatory manner; staffs facilities with maintenance, administrative, ranger and seasonal personnel to provide assistance, information, education, and interpretive and protective services to the public; manages properties to ensure the preservation of natural and historic resources while maintaining high quality recreational opportunities; plans for the development and improvement of new facilities and reviews and approves all new construction; provides literature regarding recreational facilities, natural area and historic preservation. Operates and maintains State marinas in a clean, safe and non-discriminatory manner for all boat owners and visitors. Safe moorings are provided for boaters during heavy storms.
13. **Hunters' and Anglers' License Fund.** Manages the wildlife resources of the state through programs of research, regulation, habitat development, land acquisition, law enforcement and public education. Trout and other species of fish, pheasants and quail are reared at State hatcheries and game farms and released throughout the state; public lands are acquired and maintained for use as wildlife management areas. Regulations regarding hunting and fishing seasons are developed and licenses are sold to provide a source of revenue to manage the state's wildlife resources.
14. **Shellfish and Marine Fisheries Management.** Manages the marine shellfish and finfish resources of the state through research, monitoring, habitat protection, licensing and regulatory programs. Clam and oyster grounds are leased to commercial shellfishermen for aquaculture activities. Programs (relay and depuration) also provide for the safe utilization of shellfish from marginally polluted areas. Marine fisheries programs support the effective management of the numerous migratory species on a coastwide basis. An artificial reef program constructs fisheries habitat in ocean areas to enhance productivity, thus providing additional fishing and diving opportunities.
20. **Wildlife Management.** Conducts wildlife research to protect and manage the state's non-game, endangered and problem species. Additional responsibilities include permit review for wildlife possession, bird banding, scientific collection and public information.
21. **Natural Resources Engineering.** Develops, maintains, dredges and marks navigation channels on 200 miles of tidal inland waterways and large State-controlled lakes for the safety and protection of the boating public and industries. Provides financial assistance to local governments with the construction of groins, jetties, bulkheads, sea walls, and beach replenishment under the shore protection program, carries out various dam safety inspections, and administers flood control and harbor cleanup programs. The Office of Dredging and Sediment Technology is responsible for evaluating and permitting all coastal dredging projects and is committed to the beneficial reuse of dredged material.
24. **Palisades Interstate Park Commission.** Operates and maintains existing parks and historic sites in a clean, safe, and non-discriminatory manner for all visitors; plans for the improvement and development of new facilities; maintains highways, bridges, landscaped areas, signs, and traffic lines to ensure the safety of the motoring public. Enforces traffic laws on the Palisades Parkway and all other roads within the Commission's boundaries; polices Commission lands to ensure that park facilities are utilized in accordance with laws, statutes, and Commission regulations; maintains a police court with the powers and jurisdiction of a municipal court with respect to crimes, disorderly conduct, and violations of the motor vehicle and traffic or other laws of the State or of any of the rules and regulations of the Commission.

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EVALUATION DATA

	Actual FY 2000	Actual FY 2001	Revised FY 2002	Budget Estimate FY 2003
PROGRAM DATA				
Forest Resource Management				
Fires (annual)	1,888	1,715	1,800	1,800
Acres lost (annual)	15,500	3,142	10,500	10,500
Parks Management				
State parks and forests				
Total visitors	14,100,000	14,750,000	15,000,000	15,000,000
Total revenue	4,275,000	4,000,000	3,867,000	3,900,000
Historic sites				
Visitors	385,000	400,000	410,000	400,000
Revenue	22,000	23,000	23,000	22,000
Hunters' and Anglers' License Fund				
Trout propagated and distributed	770,000	770,000	770,000	770,000
Pheasants reared at game farms	50,000	60,000	60,000	60,000
Other fish propagated and distributed	800,000	1,000,000	1,000,000	1,250,000

PERSONNEL DATA

Position Data

Filled Positions by Funding Source

State Supported	923	1,023	1,048	1,110
Federal	25	6	6	6
All Other	18	19	18	18
Total Positions	966	1,048	1,072	1,134

Filled Positions by Program

Forest Resource Management	108	111	114	118
Parks Management	553	630	632	653
Hunters' and Anglers' License Fund	194	194	194	218
Shellfish and Marine Fisheries Management	38	37	38	46
Wildlife Management	18	15	26	17
Natural Resources Engineering	55	61	68	82
Total Positions	966	1,048	1,072	1,134

Notes

Actual payroll counts are reported for fiscal years 2000 and 2001 as of December, and revised fiscal year 2002 as of September. The Budget Estimate for fiscal year 2003 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available/Expended		2002 Prog. Class.	2002 Adjusted Approp.	Requested	Recom- mended	
<u>DIRECT STATE SERVICES</u>									
Distribution by Fund and Program									
8,177	3	381	8,561	8,339	Forest Resource Management	11	7,488	7,291	7,291
37,257	184	1,417	38,858	38,539	Parks Management	12	39,955	39,539	39,539
11,649	4,135	531	16,315	13,906	Hunters' and Anglers' License Fund	13	12,464	12,303	12,303
1,336	79	-30	1,385	1,380	Shellfish and Marine Fisheries Management	14	1,677	1,667	1,667
485	65	287	837	835	Wildlife Management	20	1,385	338	338
1,804	143	2,142	4,089	4,052	Natural Resources Engineering	21	2,578	2,532	2,532
2,156	132	228	2,516	2,489	Palisades Interstate Park Commission	24	2,460	2,422	2,422
62,864					Total Direct State Services				
4,741					68,007^(a)				
4,956					66,092				
72,561					66,092				
69,540									

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recommended	
DIRECT STATE SERVICES									
Distribution by Fund and Object									
Personal Services:									
42,218	783 1,691 ^R	2,805	47,497	46,344					
						Salaries and Wages	46,001 282 ^S	46,525	46,525
<u>42,218</u>	<u>2,474</u>	<u>2,805</u>	<u>47,497</u>	<u>46,344</u>		<u>Total Personal Services</u>	<u>46,283</u>	<u>46,525</u>	<u>46,525</u>
4,073	805	349	5,227	4,521		Materials and Supplies	4,510	4,005	4,005
2,150	180	1,268	3,598	3,390		Services Other Than Personal	2,054	2,445	2,445
3,829	31	-176	3,684	3,654		Maintenance and Fixed Charges	3,414	3,405	3,405
Special Purpose:									
160	---	-80	80	80		Statewide Community Forestry Program	11 160	140	140
95 ^S	---	---	95	95		Oak Tree Disease Survey	11 ---	---	---
1,905	---	-65	1,840	1,839		Fire Fighting Costs	11 1,905	1,759	1,759
90	---	---	90	---		Historic New Bridge Landing Park Commission	12 ---	---	---
85	---	---	85	85		Cape May Point State Park - Staffing	12 85	85	85
4,447	---	41	4,488	4,474		Green Acres / Open Space Administration	12 4,857	4,768	4,768
150	---	---	150	150		Greenway Mapping Municipal Assistance	12 ---	---	---
22	---	---	22	22		Liberty State Park Commission	12 22	22	22
212	---	-23	189	189		Expenses of the Delaware and Raritan Canal Commission	12 232	231	231
138	---	57	195	195		Natural Lands Trust	12 151	150	150
5	---	---	5	5		Natural Areas Council	12 5	5	5
---	42	-2	40	40		Delaware and Raritan Canal Commission, Canal Corridor Base Maps	12 ---	---	---
---	---	---	---	---		Historic Markers Inventory, Restoration, Replacement and Erection	12 25 ^S	---	---
---	28	---	28	28		Atlantic States Marine Fisheries Commission, Past Dues	14 ---	---	---
---	---	---	---	---		Wildlife Monitoring - West Nile Virus	20 79	79	79
60	---	---	60	60		Wildlife Habitat Conservation	20 ---	---	---
225	3 62 ^R	17	307	305		Endangered Species Tax Check-Off Donations	20 259	259	259
200	---	220	420	420		Black Bear Response Team	20 1,047	---	---
---	---	50	50	50		Horseshoe Crab Study	20 ---	---	---
350	---	-52	298	298		Office of Dredging and Sediment Technology	21 360	358	358
---	---	330	330	330		Bayshore Flood Control	21 ---	---	---
287	135 ^R	---	422	422		Dam Repair Administrative Costs	21 ---	---	---
---	---	---	---	---		Dam Safety	21 1,356	1,316	1,316
---	66	---	66	40		Highlands Land Use and Zoning	24 ---	---	---
1,163	---	---	---	---		Additions, Improvements and Equipment	1,203	540	540
<u>1,000^S</u>	<u>915</u>	<u>217</u>	<u>3,295</u>	<u>2,504</u>					

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recommended	
GRANTS-IN-AID									
Distribution by Fund and Program									
900	181	---	1,081	1,077	Forest Resource Management	11	900	500	500
100	1,055	850	2,005	2,005	Parks Management	12	200	---	---
---	95	---	95	95	Wildlife Management	20	75	---	---
300	---	13,409	13,709	7,617	Natural Resources Engineering	21	2,900	---	---
1,300	1,331	14,259	16,890	10,794	Total Grants-in-Aid		4,075	500	500
Distribution by Fund and Object									
Grants:									
900	181	---	1,081	1,077	Statewide Community Forestry Program	11	900	500	500
---	---	---	---	---	Griggstown Historical Society - Restoration of Historical Griggstown Site	12	200	---	---
---	55	---	55	55	Monument Restoration and Maintenance - Gettysburg National Military Park	12	---	---	---
100	---	---	100	100	Civil War Monument Replacement - Hackensack	12	---	---	---
---	---	850	850	850	Hudson River Waterfront Walkway (b)	12	---	---	---
---	1,000	---	1,000	1,000	Land Acquisition Sterling Forest	12	---	---	---
---	95	---	95	95	Northwest New Jersey Community Action Program (NORWESCAP)	20	---	---	---
---	---	---	---	---	Hunters Helping the Hungry Food Bank	20	75	---	---
---	---	---	---	---	Bergen County - Flood Mitigation Study	21	500	---	---
---	---	---	---	---	Mountain Lakes Borough - Birchwood and Crystal Lake Dams Restoration Project	21	400	---	---
---	---	---	---	---	Atlantic County - Regional Drainage Basin, Northfield	21	2,000	---	---
300	---	---	300	120	De-Snagging of Peckman River	21	---	---	---
---	---	8,000	8,000	5,700	High Hazard Dams Grant/Loan	21	---	---	---
---	---	3,500	3,500	1,797	Hurricane Floyd Damaged Dams Grant/Loans	21	---	---	---
---	---	1,909	1,909	---	Significant Hazard Dams Grants/Loans	21	---	---	---
STATE AID									
Distribution by Fund and Program									
469	---	---	469	---	Natural Resources Engineering	21	---	---	---
469	---	---	469	---	Total State Aid		---	---	---
Distribution by Fund and Object									
State Aid:									
469 ^S	---	---	469	---	Restoration of Lake Lily, Cape May Point, Cape May County	21	---	---	---

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Orig. & (S) Supplemental	Year Ending June 30, 2001				2002 Prog. Class.	2002 Adjusted Approp.	Year Ending June 30, 2003	
	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Total Expended			Requested	Recommended
CAPITAL CONSTRUCTION								
Distribution by Fund and Program								
100	---	---	100	---	11	---	---	---
13,090	22,193	-850	34,433	8,730	12	16,500	---	---
70	1,789	10	1,869	352	13	3,500	---	---
110	---	---	110	10	14	---	---	---
515	911	-10	1,416	133	20	---	---	---
25,200	27,861	-10,900	42,161	13,808	21	44,030	28,933	30,000
600	823	-1	1,422	816	24	800	---	---
39,685	53,577	-11,751	81,511	23,849	64,830		28,933	30,000
Distribution by Fund and Object								
Bureau of Forestry								
100	---	---	100	---	11	---	---	---
Bureau of Parks								
3,100	1,956	---	5,056	864	12	5,500	---	---
1,050	593	---	1,643	1,319	12	1,100	---	---
170	---	---	170	170	12	---	---	---
---	412	---	412	53	12	---	---	---
---	---	---	---	---	12	---	---	---
250	283	---	533	---	12	500	---	---
---	111	---	111	---	12	---	---	---
---	100	---	100	73	12	---	---	---
50	---	---	50	---	12	---	---	---
---	102	---	102	---	12	---	---	---
450	178	---	628	176	12	1,200	---	---
950	53	---	1,003	340	12	1,600	---	---
400	33	---	433	127	12	---	---	---
---	46	---	46	---	12	---	---	---
200	518	---	718	25	12	---	---	---
1,000	285	---	1,285	419	12	400	---	---
450	---	---	450	167	12	---	---	---
500	316	---	816	537	12	600	---	---
450	227	---	677	441	12	250	---	---
					12	2,500	---	---

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Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recommended	
CAPITAL CONSTRUCTION									
800	808	-150	1,458	716					
700	5	---	705	650	12	1,000	---	---	
---	---	---	---	---	12	1,250	---	---	
---	---	---	---	---	12	600	---	---	
---	13,664	---	13,664	1,382	12	---	---	---	
300	---	---	300	233	12	---	---	---	
70	---	---	70	38	12	---	---	---	
800	---	---	800	---	12	---	---	---	
---	68	---	68	---	12	---	---	---	
1,000	---	---	1,000	1,000	12	---	---	---	
---	1,893	---	1,893	---	12	---	---	---	
---	42	---	42	---	12	---	---	---	
---	500	-300	200	---	12	---	---	---	
400	---	-400	---	---	12	---	---	---	
Palisades Interstate Park Commission									
200	802	---	1,002	619	24	---	---	---	
---	16	-1	15	11	24	---	---	---	
400	---	---	400	186	24	---	---	---	
---	---	---	---	---	24	450	---	---	
---	---	---	---	---	24	350	---	---	
---	5	---	5	---	24	---	---	---	
Division of Fish and Wildlife									
---	1,736	---	1,736	290	13	1,415	---	---	
---	---	---	---	---	13	2,000	---	---	
---	---	---	---	---	13	75	---	---	
---	---	---	---	---	13	10	---	---	
---	---	10	10	---	13	---	---	---	
---	53	---	53	21	13	---	---	---	
70	---	---	70	41	13	---	---	---	
---	1	---	1	---	20	---	---	---	
100	---	---	100	34	20	---	---	---	
40	---	---	40	---	20	---	---	---	
125	---	-10	115	7	20	---	---	---	
250	910	---	1,160	92	20	---	---	---	
Shellfish and Marine Fisheries Management									
110	---	---	110	10	14	---	---	---	
Natural Resources Engineering									
---	2	---	2	---	21	---	---	---	
---	141	---	141	---	21	---	---	---	

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recommended	
CAPITAL CONSTRUCTION									
200	---	---	200	---					
25,000	17,868	-1,859	41,009	13,770	Maintenance Dredging of Shrewsbury River Channel	21	---	---	
---	350	16	366	16	Shore Protection Fund Projects	21	25,000	28,933	
---	---	---	---	---	Shore Restoration- December 1992 Storm	21	---	---	
---	---	---	---	---	Absecon Bay/Lakes Bay- Dredging	21	2,300	---	
---	9,500	-9,057	443	22	High Hazard Dams	21	10,000	---	
---	---	---	---	---	Dam, Lake and Stream Project Fund	21	6,730 ^S	---	
---	---	---	---	---	Dam Repairs	21	---	5,000	
104,318	59,649	7,464	171,431	104,183	Grand Total State Appropriation		136,912	95,525	
								96,592	
OTHER RELATED APPROPRIATIONS									
Federal Funds									
2,005					Forest Resource Management	11	1,366	1,471	
7 ^S	470	---	2,482	737	Parks Management	12	27,867	31,942	
24,141					Hunters' and Anglers' License Fund	13	9,090	9,710	
25 ^S	1,340	---	25,506	2,074	Shellfish and Marine Fisheries Management	14	3,705	3,089	
6,340	1,152	---	7,492	3,137	Natural Resources Engineering	21	290	290	
2,951	907	---	3,858	2,182	Total Federal Funds		42,318	46,502	
290	180	---	470	249	All Other Funds				
35,759	4,049	---	39,808	8,379	Forest Resource Management	11	250	275	
	4,934				Parks Management	12	1,987	2,125	
---	312 ^R	---	5,246	268	Hunters' and Anglers' License Fund	13	1,196	1,128	
---	1,944	---	4,695	2,102	Shellfish and Marine Fisheries Management	14	388	358	
---	2,751 ^R	---	4,695	2,102	Wildlife Management	20	469	449	
---	7,418	339	7,995	488	Natural Resources Engineering	21	4,832	1,900	
---	238 ^R	---	7,995	488	Palisades Interstate Park Commission	24	3,609	3,610	
---	594	197	1,067	368	Total All Other Funds		12,731	9,845	
---	276 ^R	---	1,067	368	GRAND TOTAL ALL FUNDS		191,961	151,872	
---	1,487	75	1,958	691				152,939	
---	396 ^R	---	1,958	691					
---	634	---	1,684	1,050					
---	1,050 ^R	---	1,684	1,050					
---	963	---	4,437	3,340					
---	3,474 ^R	---	4,437	3,340					
---	26,471	611	27,082	8,307					
140,077	90,169	8,075	238,321	120,869					

Notes

- (a) The fiscal year 2002 appropriation has been adjusted for the allocation of salary program, which includes \$388,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Interdepartmental Salary and Other Benefits accounts.
- (b) Reflects the transfer of funds from Capital Construction projects.

Language Recommendations -- Direct State Services - General Fund

An amount equivalent to 75% of receipts in excess of the amount anticipated from fees and permit receipts from the use of State park and marina facilities, and the unexpended balance as of June 30, 2002 of such receipts, are appropriated for Parks Management, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts from police court, stands, concessions and self-sustaining activities operated or supervised by the Palisades Interstate Park Commission, and the unexpended balance as of June 30, 2002 of such receipts, are appropriated.

Notwithstanding any other law to the contrary, an amount not to exceed \$4,768,000 shall be transferred from the Garden State Green Acres Preservation Trust Fund to the General Fund and is appropriated to the Department of Environmental Protection for Green Acres/Open Space Administration.

ENVIRONMENTAL PROTECTION

The amount hereinabove for the Hunters' and Anglers' License Fund is payable out of that Fund and any amount remaining therein and the unexpended balance as of June 30, 2002 in the Hunters' and Anglers' License Fund, together with any receipts in excess of the amount anticipated, are appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

Pursuant to section 2 of P.L.1993, c.303 (C.23:3-1f) there are appropriated such sums as may be necessary to offset revenue losses associated with the issuance of free hunting and fishing licenses to active members of the New Jersey State National Guard and disabled veterans. The amount to be appropriated shall be certified by the Division of Fish and Wildlife and is subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Endangered Species Tax Check-Off Donations account is payable out of receipts, and the unexpended balances in the Endangered Species Tax Check-Off Donations account as of June 30, 2002, together with receipts in excess of the amount anticipated, are appropriated. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

An amount not to exceed \$1,727,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects for costs attributable to planning, operation, and administration of the shore protection program, subject to the approval of the Director of the Division of Budget and Accounting.

An amount not to exceed \$390,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects for the operation and maintenance of the Bayshore Flood Control facility.

Language Recommendations -- Grants-In-Aid - General Fund

The unexpended balance as of June 30, 2002 for public and private dam repair, made available through a transfer to the Department of Environmental Protection from the unexpended balances in accounts established pursuant to the "Emergency Disaster Relief Act of 1999," and from the Emergency Services Fund allocation for Hurricane Floyd, is appropriated.

Language Recommendations -- Capital Construction

Notwithstanding the provisions of P.L.1954, c.48 (C.52:34-6 et seq.), the Department of Environmental Protection may enter into a contract with the Waterloo Foundation for the Arts for improvements to existing State-owned structures or for the construction of new facilities at Waterloo Village.

The amount hereinabove for Shore Protection Fund Projects is payable from the receipts of the portion of the realty transfer tax directed to be credited to the Shore Protection Fund pursuant to section 1 of P.L.1992, c.148 (C.13:19-16.1).

An amount not to exceed \$500,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects for repairs to the Bayshore Flood Control facility.

The unexpended balance as of June 30, 2002 for public and private dam repair, made available through a transfer to the Department of Environmental Protection from the unexpended balances in accounts established pursuant to the "Emergency Disaster Relief Act of 1999," and from the Emergency Services Fund allocation for Hurricane Floyd, is appropriated.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

43. SCIENCE AND TECHNICAL PROGRAMS

OBJECTIVES

1. To ensure a high quality of life for the residents of New Jersey by protecting and enhancing the air environment.
2. To identify current scientific needs and issues and environmental issues - through technical activities, policy development, and applied scientific research - regarding human and ecological exposure to toxic substances and other critical environmental issues. To conduct environmental assessment, risk analysis, and development of an environmental indicators system. These activities will allow the Department to proactively identify scientific issues and environmental problems to avoid crises.
3. To map, research, and interpret scientific information on the State's geology and groundwater resources. This information supports the Department's and other government agencies' regulatory and planning activities and provides the business community and the public with the geologic and hydrologic information needed to address environmental concerns and make economic decisions.
4. To develop and coordinate implementation of watershed management programs, ground water protection programs, and water supply management, development, conservation and protection plans.
5. To develop and coordinate the implementation of the Coastal Zone Management and the National Estuary programs, including the Delaware, NY/NJ Harbor and Barnegat Bay Estuaries.
6. To develop and coordinate water quality management planning functions, including water quality standards, wastewater management, point and nonpoint source pollution control and the restoration of aquatic habitats.

PROGRAM CLASSIFICATIONS

02. **Air Pollution Control.** Protects and enhances the air environment. Provides program coordination in compliance with State and federal mandates to attain air quality standards. Conducts air monitoring, planning and analysis, as well as motor vehicle pollution control projects and the development of regulations.
05. **Water Supply and Watershed Management.** Administers the Division of Science and Research's component of the federal and State safe drinking water programs.
07. **Water Monitoring and Planning.** Conducts ambient statewide freshwater quality monitoring (surface, ground water and sediment), marine ambient surface water quality monitoring, statewide biological monitoring (AMNET), and assessments in support of New Jersey Pollutant Discharge Elimination System (NJPDES) permit issuance. Conducts water quality inventory reporting, water quality planning, enforcement actions and water

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quality surveys. Operates the State's biological and aquatic toxicological programs. Develops regulations for toxicity testing and certification in the biological program. Manages the lakes restoration and grant assistance programs. Develops, operates and maintains water quality database systems for both government and public access. Coordinates the development and integration of biological criteria into State water quality standards. Classifies shellfish growing areas as approved or condemned, and conducts bacteriological and chemical analysis of shellfish for health hazard prevention.

15. **Land Use Regulation.** Protects and manages the state's land and water resources through the Coastal Zone Management program planning activities (including implementation of the Coastal Area Facility Review Act, or CAFRA, coastal wetlands and water development laws) and management of stormwater through the Stream Encroachment and CAFRA laws.
18. **Science, Research and Technology.** Environmental Assessment and Risk Analysis: Provides a fundamental scientific foundation for a wide range of departmental policies, actions and standard setting activities. Develops scientific information and innovative management strategies by performing: environmental assessments and risk analyses; scientific investigations and technical assessments of toxic and carcinogenic contaminants; human health and ecological risk assessments; water quality assessments; applied research and technical evaluations; comprehensive review and assessment of the current state of scientific knowledge on specific issues; scientific connections for dealing with cross-media contaminants; new economically-based environmental management approaches; innovative technologies for remediation of hazardous waste sites; and effective risk communication techniques. Identifies emerging environmental strategies and issues and develops them for departmental implementation. Provides technical expertise toward the development of human health criteria for toxic contaminant standards in potable water, ground water, surface water and soil. Supports DEP's implementation of the National Environmental Performance Partnership System (NEPPS) and development of New Jersey's environmental indicators system. The Office of Innovative Technology and Market Development (OITMD) positions the state more favorably in the global

environmental technology marketplace by sustaining and improving New Jersey's environmental quality indicators. It implements the New Jersey Energy and Environmental Technology Verification Act in conjunction with the New Jersey Corporation for Advanced Technology. OITMD fosters the growth and acceptance of innovative environmental technology products and services in the state and enhances communication among New Jersey's academic, government and business communities by developing policies and programs that link environmental protection and economic development.

22. **New Jersey Geological Survey.** The New Jersey Geological Survey, as part of the Division of Science, Research and Technology, maps the geology and topography of the state, assesses offshore mineral resources and dredging, maintains a cooperative monitoring program with the United States Geological Service (USGS) and reviews plans for underground storage of gas, oil and chemicals, high level radioactive wastes, and disposal wells. The program also evaluates the supply potential and water quality of the state's aquifers, maintains a statewide geohydrologic database, maps aquifer recharge and wellhead protection areas, investigates groundwater pollution problems, and supports other State and municipal programs through geophysical studies, groundwater investigations, and the use of Geographic Information System (GIS) technology.
29. **Environmental Remediation and Monitoring.** Since 1996, 4% of the revenue annually derived from the tax imposed by the Corporation Business Tax Act (P.L.1945, c.162) has been dedicated to the Department. A portion of this dedication has been used for the following purposes: watershed-based water resource planning and management, financing the cost of water quality point and nonpoint source pollution monitoring, and nonpoint source pollution prevention projects.
90. **Watershed Management.** Conducts planning on watershed management, water quality, water supply, coastal zone management, stormwater management and planning requirements associated with the federal Clean Water Act. Conducts environmental impact statement reviews, acts as liaison with the State Planning Commission, and implements the State Development and Redevelopment Plan within the Department.

EVALUATION DATA

	Actual FY 2000	Actual FY 2001	Revised FY 2002	Budget Estimate FY 2003
PROGRAM DATA				
Water Monitoring and Planning				
Ambient Marine Water:				
Water Samples Analyzed	17,588	19,000	20,000	21,000
Percent of shellfish bed acres open	77%	77%	78%	78%
Percent of shellfish bed acres seasonal	4%	4%	4%	3%
Percent of shellfish bed acres condemned	12%	12%	11%	11%
Percent of shellfish bed acres specially restricted	7%	7%	7%	8%
PERSONNEL DATA				
Position Data (a)				
Filled Positions by Funding Source				
State Supported	198	220	236	271
Federal	26	18	24	38
Other	1	7	11	5
Total Positions	225	245	271	314

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Filled Positions by Program	Actual FY 2000	Actual FY 2001	Revised FY 2002	Budget Estimate FY 2003
Air Pollution Control	62	70	72	86
Water Monitoring and Planning	42	43	45	43
Water Supply and Watershed Management	8	8	8	8
Science, Research and Technology	32	25	29	37
New Jersey Geological Survey	18	20	22	24
Environmental Remediation and Monitoring	23	37	41	46
Watershed Management	40	42	54	70
Total Positions	225	245	271	314

Notes

(a) Actual payroll counts are reported in fiscal years 2000 and 2001 as of December, and revised fiscal year 2002 as of September. The Budget Estimate for fiscal year 2003 reflects the number of positions funded.

APPROPRIATIONS DATA
(thousands of dollars)

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recom- mended	
<u>DIRECT STATE SERVICES</u>									
Distribution by Fund and Program									
2,797	8	-204	2,601	2,571	02	4,594	4,582	4,582	
513	296	25	834	832	05	4,651	649	649	
1,189	206	-55	1,340	1,303	07	1,228	1,222	1,222	
3,386	1	145	3,532	3,352	18	3,554	3,546	3,546	
1,262	1	31	1,294	1,293	22	1,327	1,324	1,324	
5,850	7,699	-855	12,694	9,928	29	10,380	10,630	10,630	
4,171	8	176	4,355	4,350	90	5,584	2,227	2,227	
19,168	8,219	-737	26,650	23,629	Total Direct State Services		31,318 (a)	24,180	24,180
Distribution by Fund and Object									
Personal Services:									
4,985	---	440	5,425	5,425			5,616	5,985	5,985
Total Personal Services									
4,985	---	440	5,425	5,425			5,616	5,985	5,985
218	---	22	240	240			304	229	229
2,313	---	-437	1,876	1,876			3,792	3,632	3,632
200	---	-95	105	105			192	172	172
Special Purpose:									
Environmental Testing Laboratory									
Drinking Water Quality Institute									
---	---	---	---	---	05	3,000	---	---	
---	---	---	---	---	05	300	---	---	
513	296 ^R	25	834	832	05	1,351	649	649	
900	---	---	900	900	18	900	900	900	
526	---	---	526	364	18	538	538	538	
500	---	---	500	498	18	500	500	500	
5,850	7,699	-855	12,694	9,928	29	7,880	10,630	10,630	
---	---	---	---	---	29	2,500	---	---	

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Total Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recommended	
<u>DIRECT STATE SERVICES</u>									
3,000	---	---	3,000	3,000					
---	---	---	---	---					
163	224	163	550	461					
<u>GRANTS-IN-AID</u>									
Distribution by Fund and Program									
3,000	---	---	3,000	3,000	07	35	---	---	
---	---	---	---	---	90	6,500	---	---	
3,000	---	---	3,000	3,000		6,535	---	---	
Distribution by Fund and Object									
Grants:									
---	---	---	---	---					
3,000 ^S	---	---	3,000	3,000	07	35	---	---	
---	---	---	---	---	07	---	---	---	
---	---	---	---	---	90	500	---	---	
---	---	---	---	---	90	6,000	---	---	
<u>STATE AID</u>									
Distribution by Fund and Program									
---	---	---	---	---	02	10	---	---	
75	---	---	75	75	90	35	---	---	
75	---	---	75	75		45	---	---	
Distribution by Fund and Object									
State Aid:									
---	---	---	---	---	02	10	---	---	
---	---	---	---	---	90	35	---	---	
75	---	---	75	75	90	---	---	---	
<u>CAPITAL CONSTRUCTION</u>									
Distribution by Fund and Program									
165	---	---	165	162	02	---	---	---	
165	---	---	165	162		---	---	---	
Distribution by Fund and Object									
Policy and Planning									
165	---	---	165	162	02	---	---	---	
22,408	8,219	-737	29,890	26,866		37,898	24,180	24,180	
<u>OTHER RELATED APPROPRIATIONS</u>									
Federal Funds									
4,710	530	---	5,240	2,799	02	5,210	5,210	5,210	
2,200	---	---	2,600	1,681	07	3,100	3,500	3,500	
400 ^S	---	---	2,600	1,681	15	3,950	3,960	3,960	
2,900	403	---	3,303	1,946					

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recommended	
OTHER RELATED APPROPRIATIONS									
2,520									
30 ^S	557	---	3,107	1,082	Science, Research and Technology	18	1,320	800	800
305	94	---	399	253	New Jersey Geological Survey	22	305	325	325
<u>9,810</u>	<u>999</u>	<u>234</u>	<u>11,043</u>	<u>5,207</u>	Watershed Management	90	<u>10,210</u>	<u>10,310</u>	<u>10,310</u>
<u>22,875</u>	<u>2,583</u>	<u>234</u>	<u>25,692</u>	<u>12,968</u>	Total Federal Funds		<u>24,095</u>	<u>24,105</u>	<u>24,105</u>
All Other Funds									
---	510	789	1,299	238	Air Pollution Control	02	---	---	---
---	---	---	---	---	Water Supply and Watershed Management	05	336	387	387
---	26	---	26	6	Water Monitoring and Planning	07	---	---	---
---	13	---	13	3	Science, Research and Technology	18	---	---	---
---	21	---	21	---	New Jersey Geological Survey	22	---	---	---
---	<u>1,350^R</u>	---	<u>1,350</u>	---	Watershed Management	90	---	---	---
---	<u>1,920</u>	<u>789</u>	<u>2,709</u>	<u>247</u>	Total All Other Funds		<u>336</u>	<u>387</u>	<u>387</u>
<u>45,283</u>	<u>12,722</u>	<u>286</u>	<u>58,291</u>	<u>40,081</u>	GRAND TOTAL ALL FUNDS		<u>62,329</u>	<u>48,672</u>	<u>48,672</u>

Notes

(a) The fiscal year 2002 appropriation has been adjusted for the allocation of salary program, which includes \$33,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Interdepartmental Salary and Other Benefits accounts.

Language Recommendations -- Direct State Services - General Fund

There is allocated from the Commercial Vehicle Enforcement Fund, established pursuant to section 17 of P.L.1995, c.157 (C.39:8-75), such sums as may be necessary to fund the costs of the regulation of the Diesel Exhaust Emissions program, subject to the approval of the Director of the Division of Budget and Accounting.

There is allocated from the Motor Vehicle Inspection Fund, established in subsection j. of R.S.39:8-2, such sums as may be necessary to administer and implement the Inspection and Maintenance program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.1991, c.235 (C.13:1D-35 et seq.) or any other law to the contrary, the amount appropriated hereinabove for Greenhouse Gas Action Plan is chargeable to receipts anticipated from the Pollution Prevention Fund.

The amount hereinabove for the Hazardous Waste Research account is appropriated from interest earned by the New Jersey Spill Compensation Fund for research on the prevention and the effects of discharges of hazardous substances on the environment and organisms, on methods of pollution prevention and recycling of hazardous substances, and on the development of improved cleanup, removal and disposal operations, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Environmental Remediation and Monitoring program classification shall be provided from revenue received from the Corporation Business Tax, pursuant to the Corporation Business Tax Act (1945), P.L.1945, c.162 (C.54:10A-1 et seq.), as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution. The unexpended balance as of June 30, 2002 in the Water Resources Monitoring and Planning-Constitutional Dedication and the Action Now Projects - Constitutional Dedication accounts are appropriated to be used in a manner consistent with the requirements of the constitutional dedication.

The unexpended balance as of June 30, 2002 in the Action Now Projects - Safe Drinking Water Fund is appropriated and up to \$600,000 shall be made available to the Private Well Testing program.

The unexpended balance as of June 30, 2002 in the Safe Drinking Water Fund account, not to exceed the \$800,000 budgeted for Total Maximum Daily Load (TMDL) activities, is appropriated.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

44. SITE REMEDIATION

OBJECTIVES

1. To remediate sites contaminated by hazardous substances and pollutants to protect human health and the environment, and to restore contaminated areas of the state for beneficial use.
2. To identify the universe of potential remediation sites, including currently known and suspected discharge sites, regulated

underground storage tank sites, industrial establishments as defined by Industrial Site Recovery Act (ISRA), non-operating landfills, and Resource Conservation and Recovery Act (RCRA) facilities.

3. To rank sites, in order of their risk to humans and the environment, and remediate the "worst sites" first.

ENVIRONMENTAL PROTECTION

4. To coordinate responses and take immediate action when major discharges of hazardous substances and pollutants endanger human health and the environment, especially water supplies.
5. To respond to emergency discharges of hazardous substances and pollutants in the state and enable the public to report environmental emergencies to the Department's communication center.
6. To maximize the use of private-party funds and require responsible parties to either conduct remedial work with Department oversight or to pay the Department to conduct remedial work.
7. To develop and implement clear, consistent and predictable regulations on site remediation for use by the regulated community and the Department.
8. To compensate persons affected by hazardous substance discharges through the Spill Compensation Fund environmental claims program, the Sanitary Landfill Contingency Fund claims program, and with loans and grants, administered in conjunction with the Economic Development Authority, from the Hazardous Discharge Site Remediation Fund and Underground Storage Tank Fund.

PROGRAM CLASSIFICATIONS

19. **Publicly-Funded Site Remediation.** Conducts a statewide program to remediate sites contaminated by hazardous substances when a responsible party cannot be identified or is either unable or unwilling to voluntarily participate. The Spill Fund Compensation and Control Act (P.L. 1979, c.346) allows the program to respond to a broad class of hazardous substance discharges, to identify and remedy abandoned contaminated

sites, and to mitigate discharges that pose risk to human health or the environment. Remedial projects generally go through the following project cycle: Preliminary Assessment/Site Investigation; Remedial Investigation; Design; Construction; and Operation and Maintenance. These activities are supported by a combination of federal (Superfund) and State funds.

23. **Solid and Hazardous Waste Management.** Provides oversight for corrective action and/or closure and post-closure remedial cases according to RCRA requirements and State regulations in order to protect human health and the environment.
27. **Responsible Party Site Remediation.** Conducts a statewide program to oversee the remediation of sites by private parties under the State's voluntary cleanup program and risk-based cleanup program. Provides oversight to assure that appropriate standards and technical requirements are met. The State Spill Compensation and Control Act, ISRA, Underground Storage of Hazardous Substances Act and the Water Pollution Control Act authorize the Department to oversee these projects. The program also provides management assistance and coordination of remedial activities at National Priority List Hazardous Site-Cleanups where the projects are led by the federal Environmental Protection Agency, Department of Defense, or Department of Energy.
29. **Environmental Remediation and Monitoring.** Since 1996, 4% of the revenue annually derived from the tax imposed by the Corporation Business Tax Act (P.L.1945, c.162) has been dedicated to the Department. A portion of this dedication has been used to provide loans or grants to upgrade, replace or close underground storage tanks, including the costs of remediation, and to finance the cost of remediating hazardous substance discharges.

EVALUATION DATA

	Actual FY 2000	Actual FY 2001	Revised FY 2002	Budget Estimate FY 2003
PROGRAM DATA				
Responsible Party Site Remediation				
ISRA:				
Negative declarations	212	174	250	250
Remedial action workplan approvals	3	13	13	13
Remediations monitored	1,497	813	1,600	1,600
Remediations completed	212	74	230	230
Discharge Response Element:				
Emergency responses	1,103	992	1,168	1,168
Remediations monitored	3,960	4,856	5,924	5,924
Remediations completed	2,058	1,722	1,600	1,600
Responsible Party Cleanup Element:				
Remedial action workplan approvals	161	97	89	89
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	488	490	489	504
Federal	22	24	24	25
Total Positions	510	514	513	529

ENVIRONMENTAL PROTECTION

	Actual FY 2000	Actual FY 2001	Revised FY 2002	Budget Estimate FY 2003
Filled Positions by Program				
Publicly-Funded Site Remediation	54	55	55	62
Solid and Hazardous Waste Management	4	3	3	4
Responsible Party Site Remediation	362	362	363	365
Environmental Remediation and Monitoring	90	94	92	98

Notes

Actual payroll counts are reported for fiscal years 2000 and 2001 as of December, and revised fiscal year 2002 as of September. The Budget Estimate for fiscal year 2003 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		2002 Prog. Class.	Adjusted Approp.	Requested	Recom- mended
<u>DIRECT STATE SERVICES</u>									
Distribution by Fund and Program									
5,124	1,516	---	6,640	6,524	Publicly-Funded Site Remediation	19	5,356	5,356	5,356
22,121	11,064	---	33,185	33,177	Responsible Party Site Remediation	27	23,686	23,686	23,686
5,700	3,491	---	9,191	6,076	Environmental Remediation and Monitoring	29	5,600	5,740	5,740
32,945	16,071	---	49,016	45,777	Total Direct State Services		34,642 (a)	34,782	34,782
Distribution by Fund and Object									
Personal Services:									
6,715	3,923 ^R	-2,206	8,432	8,431	Salaries and Wages		7,629	7,830	7,830
6,715	3,923	-2,206	8,432	8,431	Total Personal Services		7,629	7,830	7,830
192	---	30	222	221	Materials and Supplies		195	175	175
2,587	---	-373	2,214	2,213	Services Other Than Personal		2,491	2,200	2,200
502	---	-56	446	446	Maintenance and Fixed Charges		367	421	421
Special Purpose:									
---	---	1,089	1,089	1,089	Publicly-Funded Site Remediation	19	---	---	---
---	---	1,516	1,516	1,516	Responsible Party Site Remediation	27	---	---	---
15,546	8,272 ^R	---	23,818	23,818	Hazardous Discharge Site Cleanup Fund- Responsible Party	27	16,692	16,692	16,692
723	261 ^R	---	984	984	Underground Storage Tanks	27	760	760	760
5,700	3,491	---	9,191	6,076	Cleanup Projects Administrative Costs- Constitutional Dedication	29	5,600	5,740	5,740
980	124	---	1,104	983	Additions, Improvements and Equipment		908	964	964
<u>GRANTS-IN-AID</u>									
Distribution by Fund and Program									
86	---	---	86	86	Publicly-Funded Site Remediation	19	---	---	---
86	---	---	86	86	Total Grants-in-Aid		---	---	---
Distribution by Fund and Object									
Grants:									
86	---	---	86	86	GEMS Landfill	19	---	---	---

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2001					Year Ending June 30, 2003			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recommended
CAPITAL CONSTRUCTION								
Distribution by Fund and Program								
---	67	---	67	---	Publicly-Funded Site Remediation	19	---	---
51,810	15,652	---	67,462	42,167	Environmental Remediation and Monitoring	29	46,290	47,390
51,810	15,719	---	67,529	42,167	Total Capital Construction		46,290	47,390
Distribution by Fund and Object								
Site Remediation								
---	67	---	67	---	Hazardous Site Mitigation - Statewide	19	---	---
30,690	15,652	---	46,342	21,047	Hazardous Substance Discharge Remediation - Constitutional Dedication	29	25,530	26,140
21,120	---	---	21,120	21,120	Private Underground Tank Remediation - Constitutional Dedication	29	20,760	21,250
84,841	31,790	---	116,631	88,030	Grand Total State Appropriation		80,932	82,172
OTHER RELATED APPROPRIATIONS								
Federal Funds								
32,100	3,005	---	35,105	3,034	Publicly-Funded Site Remediation	19	31,500	32,250
360	---	---	360	219	Solid and Hazardous Waste Management	23	360	360
4,855	2,378	---	7,233	2,672	Responsible Party Site Remediation	27	4,905	5,055
37,315	5,383	---	42,698	5,925	Total Federal Funds		36,765	37,665
All Other Funds								
---	3 ⁴ R	---	7	---	Publicly-Funded Site Remediation	19	1,718	1,847
---	---	---	---	---	Responsible Party Site Remediation	27	12,569	13,310
---	7	---	7	---	Total All Other Funds		14,287	15,157
122,156	37,180	---	159,336	93,955	GRAND TOTAL ALL FUNDS		131,984	134,994

Notes

(a) The fiscal year 2002 appropriation has been adjusted for the allocation of salary program which includes \$1,046,000 in appropriated receipts.

Language Recommendations -- Direct State Services - General Fund

In addition to site specific charges, the amounts hereinabove for the Publicly-Funded Site Remediation and the Responsible Party Site Remediation program classifications, excluding the Hazardous Discharge Site Cleanup Fund-Responsible Party, and the Underground Storage Tanks accounts, are appropriated from the New Jersey Spill Compensation Fund, in accordance with the provisions of P.L.1976, c.141 (C.58:10-23.11 et seq.), together with an amount not to exceed \$5,265,000, for administrative costs associated with the cleanup of hazardous waste sites, subject to the approval of the Director of the Division of Budget and Accounting.

In addition to the federal funds amount for the Publicly-Funded Site Remediation program class, such additional sums that may be received from the federal government for the Superfund Grants program are hereby appropriated.

There are appropriated from the New Jersey Spill Compensation Fund such sums as may be required for cleanup operations, adjusters and paying approved claims for damages in accordance with the provisions of P.L.1976, c.141 (C.58:10-23.11 et seq.), subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Hazardous Discharge Site Cleanup Fund-Responsible Party account is appropriated from responsible party cost recoveries deposited in the Hazardous Discharge Site Cleanup Fund, together with an amount not to exceed \$9,413,000, for administrative costs associated with the cleanup of hazardous waste sites, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for Underground Storage Tanks is appropriated from responsible party cost recoveries deposited in the Hazardous Discharge Site Cleanup Fund, together with an amount not to exceed \$479,000, for administrative costs associated with the cleanup of hazardous waste sites, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove for the Environmental Remediation and Monitoring program classification shall be provided from revenue received from the Corporation Business Tax, pursuant to the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution. The unexpended balance as of June 30, 2002 in the Cleanup Projects Administrative Costs-Constitutional Dedication account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts derived from the sale of salvaged materials are appropriated to offset costs incurred in the cleanup and removal of hazardous substances.

Language Recommendations -- Capital Construction

The amounts hereinabove for Hazardous Substance Discharge Remediation - Constitutional Dedication and Private Underground Storage Tank Remediation - Constitutional Dedication shall be provided from revenue received from the Corporation Business Tax, pursuant to the Corporation Business Tax Act (1945), P.L. 1945, c.162 (C.54:10A-1 et seq.), as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT 45. ENVIRONMENTAL REGULATION

OBJECTIVES

1. To assure a safe and dependable supply of water.
2. To monitor and report on the biological, chemical and physical quality of surface waters, ground waters and sediments in the state. To monitor New Jersey Pollutant Discharge Elimination System (NJPDES) permit compliance in order to develop water quality standards and programs and to evaluate the effectiveness of existing regulatory programs in protecting and improving New Jersey's water quality.
3. To carry out the purposes and requirements of enabling legislation and regulations.
4. To conduct reviews of permit applications so as to promote meaningful public input.
5. To develop procedural and regulatory changes, as well as non-regulatory studies and outreach efforts, to expand the utilization of pollution prevention, the protection of critical watersheds from cumulative negative impacts, and the consideration of the State Development and Redevelopment Plan in the Department's decision-making.
6. To help permit applicants comply with applicable requirements and promptly inform them when compliance does not seem possible.
7. To find opportunities to make permit reviews efficient while maintaining or improving protection of the environment, to eliminate procedures and requirements that do not lead to greater environmental protection, and to consolidate the reviews of multiple permits for individual facilities or projects.
8. To improve and protect water quality with available Environmental Infrastructure Trust funds.
9. To implement a statewide solid waste planning process that emphasizes source reduction, recycling, and market development activities. To conduct comprehensive reviews of permit applications for solid waste, hazardous waste, recycling and composting facilities.
10. To establish and maintain policies and procedures for the generation, compilation, review and use of data of documented quality, as required by the United States Environmental Protection Agency (USEPA).

11. To certify the analytical capabilities of laboratories performing analyses in response to the State's environmental programs.

PROGRAM CLASSIFICATIONS

01. **Radiation Protection.** Identifies the location and character of natural and human-generated radiation sources, determines the exposure pathway and biological impact of those sources (including major nuclear facilities), and provides direction on remediation options. Controls the possession, transportation, use and storage of radioactive materials and plans for the prevention and remedy of mass exposure including evacuation, containment and decontamination. Registers and inspects x-ray machines and radioactive material users, licenses x-ray technologists, nuclear medicine technologists, and radon testers and mitigators. Establishes and maintains policies and procedures for the generation, compilation, review and the use of data of documented quality, as required by the USEPA. Reviews data submitted to the Department to verify its quality and determine its usability. Certifies the analytical capabilities of laboratories performing analyses in response to the State's environmental programs.
02. **Air Pollution Control.** Reviews construction plans for new and modified stationary sources of potential air pollution and issues permits for construction and operation; validates tax exemption claims for air pollution control equipment; oversees the conduct of periodic stack tests to determine air contaminant emission rates; oversees continuous emission monitoring of stacks; reviews and conducts air quality modeling studies of major new sources of air contamination; reviews and restricts health risk of toxic air contaminant emissions from stationary sources; and reviews and issues facility-wide operating permits for major existing sources of air pollution.
05. **Water Supply and Watershed Management.** Administers the federal and State safe drinking water programs, the well drilling permit program, and the water allocation program to ensure a safe and reliable water supply. As part of the Safe Drinking Water program, administers the Drinking Water State Revolving Fund (DWSRF) which includes a financing program for water supply projects, along with set asides for capacity development, training for licensed operators, and source water protection activities.

ENVIRONMENTAL PROTECTION

- 08. Water Pollution Control.** Administers the NJPDES program, which protects New Jersey's ground and surface water quality by assuring that stormwater and wastewater from various types of facilities and activities receive proper treatment and discharge. To accomplish this, permits are issued limiting the mass and concentration of pollutants which may be discharged into ground water, streams, rivers and the ocean. Management of residuals and the oversight of local pretreatment programs are also administered through the NJPDES program. This program also regulates the construction of wastewater treatment facilities and sewer lines.
- 09. Public Wastewater Facilities.** Administers the New Jersey Environmental Infrastructure Financing program along with the New Jersey Environmental Infrastructure Trust, an independent State financing authority. The program provides loans to local government units for the construction of Environmental Infrastructure treatment facilities through the Clean Water State Revolving Fund, with funds made available under the federal Clean Water Act and various State bond acts. Projects eligible for financial assistance include water and wastewater treatment plant upgrades or improvements, facilities for the beneficial reuse and treatment of sewage sludge, collection and conveyance facilities, on-site system rehabilitation, infiltration/inflow correction, combined sewer overflow and interconnection/cross-connection abatement, and nonpoint source projects (such as land acquisition, well sealing, and landfills). The Division of Water Quality and the Water Supply program are working in conjunction with the New Jersey Environmental Infrastructure Trust on the implementation of a Drinking Water State Revolving Fund (DWSRF) program. The DWSRF includes a financing program for water supply projects, which is similarly structured to that of the Environmental Infrastructure Financing

program.

- 15. Land Use Regulation.** Protects and manages the state's land and water resources according to riparian, waterfront development, stream encroachment, Coastal Area Facility Review Act (CAFRA), coastal wetlands and freshwater wetlands laws and regulations.
- 23. Solid and Hazardous Waste Management.** Provides leadership, planning, education, and financial and technical assistance to the state's citizens and businesses to help them manage their waste responsibly. Regulates the generation, storage, collection, transportation, processing, treatment, and disposal of solid and hazardous wastes. Regulations and standards are implemented and monitored through on-site construction inspections, design reviews, data collection, and permit issuance. Administers parts of the federal Resource Conservation and Recovery Act of 1976 (RCRA). Develops and implements programs to attain statewide recycling goals, and to reduce the quantities of waste generated. Monitors the solid waste collection industry to promote effective competition and to prohibit anti-competitive practices. Regulates and oversees mergers, acquisitions, and long-term financing arrangements of the solid waste utility industry.
- 70. Clean Waters.** Administrative costs provided by the Clean Water State Revolving Fund. The Clean Water State Revolving Fund provides loans to local government units for the construction of environmental infrastructure treatment facilities. See related program classification 09 for further details.
- 80. Drinking Water State Revolving Fund.** Set asides provided by the Drinking Water State Revolving Fund, including program administration, small system technical assistance, capacity development, operator certification, and source water protection activities. See related program classification 05 for further details.

EVALUATION DATA

PROGRAM DATA	Actual FY 2000	Actual FY 2001	Revised FY 2002	Budget Estimate FY 2003
Radiation Protection				
X-ray machines inspected	5,026	5,796	6,000	5,500
X-ray machine violations (% of inspected)	16%	22%	20%	15%
Homes tested for radon	33,000	35,000	31,000	33,000
Homes mitigated for radon	3,000	3,000	2,500	2,700
Lung cancers avoided	125	125	125	125
Land Use Regulation				
Tidelands:				
Tidelands appraisals	310	180	210	240
Tidelands inspections (inquiries-search)	340	300	300	300
Solid and Hazardous Waste Management				
Annual tonnage of solid waste:				
Generated statewide	15,700,000	15,700,000	17,200,000	17,200,222
Generated per capita (lbs./person/day)	11	11	12	12
Recycled statewide	8,700,000	8,700,000	9,500,000	9,500,000
Recycled per capita (lbs./person/day)	6	6	7	7
% reduction in solid waste stream due to recycling	55.4%	55.4%	55.2%	55.2%
Annual tonnage of hazardous waste generated statewide				
Disposed (Notice of violations)	25,896	41,000	48,000	38,000
Stored	48,119	72,000	84,000	77,000
Recycled	124,588	205,000	248,000	225,000
Incinerated	45,883	72,000	71,000	71,000
Other	56,714	176,000	168,000	171,000

ENVIRONMENTAL PROTECTION

	Actual FY 2000	Actual FY 2001	Revised FY 2002	Budget Estimate FY 2003
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	696	716	741	771
Federal	37	40	41	42
All Other	47	49	45	48
Total Positions	780	805	827	861
Filled Positions by Program				
Radiation Protection	79	80	88	89
Air Pollution Control	83	100	106	110
Water Supply and Watershed Management	115	121	125	128
Water Pollution Control	133	131	133	139
Public Wastewater Facilities	56	56	59	61
Land Use Regulation	134	132	135	146
Solid and Hazardous Waste Management	146	150	150	154
Clean Waters	23	23	19	21
Drinking Water State Revolving Fund	11	12	12	13
Total Positions	780	805	827	861

Notes

Actual payroll counts are reported for fiscal years 2000 and 2001 as of December, and revised fiscal year 2002 as of September. The Budget Estimate for fiscal year 2003 reflects the number of positions funded.

APPROPRIATIONS DATA
(thousands of dollars)

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available/Expended		2002 Prog. Class.	Adjusted Approp.	Requested	Recom- mended	
<u>DIRECT STATE SERVICES</u>									
Distribution by Fund and Program									
6,620	988	119	7,727	6,158	01	6,198	5,277	5,277	
5,877	31	284	6,192	6,129	02	6,318	6,286	6,286	
7,270	386	44	7,700	7,338	05	7,947	7,834	7,834	
7,547	74	78	7,699	7,655	08	8,284	7,573	7,573	
2,808	---	---	2,808	2,499	09	2,973	2,922	2,922	
8,038	752	-101	8,689	8,679	15	8,732	8,693	8,693	
10,586	879	60	11,525	11,104	23	11,237	11,137	11,137	
48,746	3,110	484	52,340	49,562	51,689^(a)		49,722	49,722	
Distribution by Fund and Object									
Personal Services:									
25,261	---	3,015	28,276	27,968	30,461		30,034	30,034	
25,261	---	3,015	28,276	27,968	30,461		30,034	30,034	
324	---	56	380	378	426		363	363	
4,962	---	509	5,471	5,471	5,456		5,137	5,137	
258	---	-111	147	147	279		259	259	
Special Purpose:									
1,760	---	---	3,814	2,481	01	1,256	1,256	1,256	
1,091 ^S	963	---	3,814	2,481	888 ^S		1,256	1,256	
1,400	---	-66	1,334	1,154	01	1,547	1,527	1,527	

ENVIRONMENTAL PROTECTION

Orig. & (S) Supplemental	Year Ending June 30, 2001			Total Available	Expended	Prog. Class.	2002		Year Ending June 30, 2003	
	Reapp. & (R) Recpts.	Transfers & (E) Emergencies					Adjusted Approp.	Requested	Recommended	
991	---	---	991	632						
1,284	21 ^R	---	1,305	1,305	Administrative Costs Water Supply Bond Act of 1981 - Management	05	1,231	1,231	1,231	
844	37 ^R	---	881	880	Administrative Costs Water Supply Bond Act of 1981 - Watershed and Aquifer	05	1,370	1,370	1,370	
43	---	-43	---	---	Administrative Costs Water Supply Bond Act of 1981 - Planning and Standards	05	904	904	904	
58	---	---	58	58	Water/Wastewater Operators Licenses	05	43	43	43	
1,530	325 ^R	-25	1,830	1,830	Office of the Rivermaster	05	58	58	58	
2,808	---	-2,729	79	79	Safe Drinking Water Fund	05	1,617	1,519	1,519	
25	---	-20	5	4	1992 Wastewater Treatment Fund	09	---	---	---	
1,914	750 ^R	---	2,664	2,663	Tidelands Resource Council	15	25	25	25	
543	---	-12	531	531	Tidelands Peak Demands	15	2,047	2,047	2,047	
1,637	633 ^R	---	2,270	2,270	Office of Permit Information and Assistance	15	599	591	591	
416	---	---	416	139	Pollution Prevention	23	1,731	1,731	1,731	
60	64	---	124	42	Sanitary Landfill Facility Contingency Fund - Administration	23	416	416	416	
224	---	---	224	177	Major Hazardous Waste Facilities Siting Act-Siting Commission	23	60	---	---	
959	150 ^R	---	1,109	1,108	Administration of Resource Recovery and Solid Waste Disposal Facility Fund	23	228	228	228	
354	167	-90	431	245	Recycling of Solid Waste	23	983	983	983	
					Additions, Improvements and Equipment		64	---	---	
<u>GRANTS-IN-AID</u>										
Distribution by Fund and Program										
3,250	---	---	3,250	---	Water Supply and Watershed Management	05	---	---	---	
3,250	---	---	3,250	---	Total Grants-in-Aid		---	---	---	
Distribution by Fund and Object										
Grants:										
3,250 ^S	---	---	3,250	---	Cranford Township Flood Control	05	---	---	---	
<u>STATE AID</u>										
Distribution by Fund and Program										
---	---	---	---	---	Public Wastewater Facilities	09	2,500	---	---	
---	10	---	10	10	Natural Resources Engineering	21	---	---	---	
---	---	---	---	---	Solid and Hazardous Waste Management	23	13,681	---	---	
---	10	---	10	10	Total State Aid		16,181	---	---	
Distribution by Fund and Object										
State Aid:										
---	---	---	---	---	Quinton Township - Wastewater Project	09	2,500	---	---	
---	10	---	10	10	Paulinskill Lake Dam Restoration	21	---	---	---	

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recommended	
STATE AID									
---	---	---	---	---	23	9,681	---	---	
					Pollution Control Financing Authority of Salem County				
---	---	---	---	---	23	4,000	---	---	
					Carney's Point Regional Wastewater Management Project				
CAPITAL CONSTRUCTION									
Distribution by Fund and Program									
6,241	515	---	6,756	5,460	05	8,285	8,650	8,650	
					Water Supply and Watershed Management				
6,241	515	---	6,756	5,460	8,285		8,650	8,650	
					Total Capital Construction				
Distribution by Fund and Object									
Water Supply Management									
6,241	515	---	6,756	5,460	05	8,285	8,650	8,650	
					Flood Control HR6 Projects				
58,237	3,635	484	62,356	55,032	76,155		58,372	58,372	
					Grand Total State Appropriation				
OTHER RELATED APPROPRIATIONS									
Federal Funds									
500	-10	---	490	319	01	500	500	500	
					Radiation Protection				
1,007	4	---	1,011	784	02	1,007	1,007	1,007	
					Air Pollution Control				
22,200	---	---	22,200	1,877	05	22,200	22,200	22,200	
					Water Supply and Watershed Management (b)				
57,600	---	---	57,600	---	09	57,600	57,600	57,600	
					Public Wastewater Facilities (c)				
1,750	352	---	2,102	1,221	15	1,750	1,750	1,750	
					Land Use Regulation				
710	60	---	770	477	16	710	710	710	
					Water Monitoring and Planning				
2,135	419	---	2,554	2,059	23	2,135	2,135	2,135	
					Solid and Hazardous Waste Management				
85,902	825	---	86,727	6,737	85,902		85,902	85,902	
					Total Federal Funds				
All Other Funds									
---	3,080	---	3,372	367	01	1,188	1,222	1,222	
					Radiation Protection				
---	292 ^R	---	---	---	02	---	---	---	
					Air Pollution Control				
---	1	---	---	---	05	2,259	900	900	
					Water Supply and Watershed Management				
---	338	---	483	110	09	---	---	---	
					Public Wastewater Facilities				
---	145 ^R	---	109	65	15	1,240	1,291	1,291	
					Land Use Regulation				
---	25	---	35	---	16	---	---	---	
					Water Monitoring and Planning				
---	75	---	114	---	17	---	---	---	
					Solid Waste Resource Management				
---	34 ^R	---	56	---	23	1,283	1,421	1,421	
					Solid and Hazardous Waste Management				
---	35	---	2,270	1,876	70	2,400	2,400	2,400	
					Clean Waters				
---	114	---	1,626	1,626	80	4,916	5,663	5,663	
					Drinking Water State Revolving Fund				
---	56	---	8,090	4,044	13,286		12,897	12,897	
					Total All Other Funds				
144,139	12,550	484	157,173	65,813	175,343		157,171	157,171	
					GRAND TOTAL ALL FUNDS				

Notes

- (a) The fiscal year 2002 appropriation has been adjusted for the allocation of salary program, which includes \$364,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Interdepartmental Salary and Other Benefits accounts.
- (b) Program expenditures for the Drinking Water State Revolving Fund are reflected off budget.
- (c) Program expenditures for the Clean Water State Revolving Fund are reflected off budget in the Wastewater Treatment Fund.

ENVIRONMENTAL PROTECTION

Language Recommendations -- Direct State Services - General Fund

- The amount hereinabove for the Nuclear Emergency Response account is payable from receipts received pursuant to the assessments of electrical utility companies under P.L.1981, c.302 (C.26:2D-37 et seq.), and the unexpended balances as of June 30, 2002 in the Nuclear Emergency Response account, together with receipts in excess of the amount anticipated, not to exceed \$888,000, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.
- The amounts hereinabove for the Administrative Costs Water Supply Bond Act of 1981 - Water Supply Management; Watershed and Aquifer; and Planning and Standards accounts are appropriated from the "Water Supply Bond Act of 1981," P.L.1981, c.261, together with an amount, not to exceed \$110,000, for costs attributable to administration of water supply programs, subject to the approval of the Director of the Division of Budget and Accounting.
- In addition to the federal funds amount hereinabove for the Water Supply and Watershed Management program classification, such additional sums that may be received from the federal government for the Drinking Water State Revolving Fund program are appropriated.
- Any funds received by the New Jersey Environmental Infrastructure Trust from any State agency to offset the Trust's annual operating expenses are appropriated.
- In addition to the federal funds amount for the Public Wastewater Facilities program classification, such additional sums that may be received from the federal government for the Clean Water State Revolving Fund program are appropriated.
- The amount hereinabove for the Sanitary Landfill Facility Contingency Fund - Administration account is appropriated from the Sanitary Landfill Facility Contingency Fund, together with an amount not to exceed \$186,000, subject to the approval of the Director of the Division of Budget and Accounting.
- The amount hereinabove for the Administration of Resource Recovery and Solid Waste Disposal Facility Fund account is appropriated from the Resource Recovery and Solid Waste Disposal Facility Fund, together with an amount not to exceed \$43,000, for administrative costs related to the Resource Recovery and Solid Waste Disposal Facility program, subject to the approval of the Director of the Division of Budget and Accounting.
- Notwithstanding the provisions of P.L.1981, c.278 (C.13:1E-92 et seq.), as amended by P.L.1985, c.533, the amount hereinabove for the Recycling of Solid Waste account is appropriated from the State Recycling Fund, together with an amount not to exceed \$411,000, for the administration of the Recycling of Solid Waste program, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are less than anticipated, the appropriation shall be reduced proportionately.
- There are appropriated from the Sanitary Landfill Facility Contingency Fund such sums as may be required to carry out the provisions of the "Sanitary Landfill Facility Closure and Contingency Fund Act," P.L.1981, c.306 (C.13:1E-100 et seq.).
- Receipts deposited to the Resource Recovery Investment Tax Fund and the Solid Waste Services Tax Fund are appropriated.
- The amount hereinabove for the Pollution Prevention account is appropriated from receipts received pursuant to the "Pollution Prevention Act," P.L.1991, c.235 (C.13:1D-35 et seq.), together with an amount not to exceed \$781,000, subject to the approval of the Director of the Division of Budget and Accounting, for administration of the Pollution Prevention program. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

46. ENVIRONMENTAL PLANNING AND ADMINISTRATION

OBJECTIVES

1. To develop administrative policy, evaluate performance and coordinate program activities.
2. To support activities related to departmental planning, auditing, and legislative services.
3. To support a communication program which imparts the Department's mission to the public and to encourage public participation in decision-making.
4. To support the Department and its objectives in terms of the control of personnel, financial resources, general services, information systems and equipment.

PROGRAM CLASSIFICATIONS

26. **Regulatory and Governmental Affairs.** Coordinates the proposal and adoption of environmental rules and regulations.

Serves as central point of contact regarding State and federal legislation. Develops and executes public information, environmental education and communications strategies for the Department's programs. Serves as liaison to the Legislature as well as county and municipal governmental officials.

99. **Administration and Support Services.** The Commissioner's office sets policies and develops short and long range plans and strategies; coordinates with governmental agencies; and provides legislative review and legal analysis. Provides general support services including personnel, payroll, purchasing, data processing, printing, training, word processing, program evaluation, and property control; and financial management, including budget, accounting, as well as responsibility for the fiscal control and financial monitoring of all General State Fund monies, federal funds, bond funds and tax accounts.

ENVIRONMENTAL PROTECTION

EVALUATION DATA

PROGRAM DATA	Actual FY 2000	Actual FY 2001	Revised FY 2002	Budget Estimate FY 2003
Administration and Support Services				
Male Minority	207	215	220	222
Male Minority %	6.2%	6.5%	6.5%	6.6%
Female Minority	252	261	265	273
Female Minority %	7.5%	7.7%	7.8%	8.0%
Total Minority	459	476	485	495
Total Minority %	13.7%	14.2%	14.3%	14.6%

PERSONNEL DATA

Position Data

Filled Positions by Funding Source

State Supported	308	311	321	319
Total Positions	308	311	321	319

Filled Positions by Program

Regulatory and Governmental Affairs	38	39	39	38
Management and Administrative Services	270	272	282	281
Total Positions	308	311	321	319

Notes

Actual payroll counts are reported for fiscal years 2000 and 2001 as of December, and revised fiscal year 2002 as of September. The Budget Estimate for fiscal year 2003 reflects the number of positions funded.

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2001					Year Ending June 30, 2003			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	2002 Prog. Class.	Adjusted Approp.	Requested	Recom- mended
<u>DIRECT STATE SERVICES</u>								
Distribution by Fund and Program								
1,923	35	193	2,151	2,108				
16,027	254	2,978	19,259	18,683	26	2,138	2,126	2,126
					99	16,835	20,147	20,147
17,950	289	3,171	21,410	20,791	18,973^(a)		22,273	22,273
Distribution by Fund and Object								
13,387	---	1,834	15,221	15,221				
13,387	---	1,834	15,221	15,221		15,194	15,089	15,089
279	---	-170	109	108		280	232	232
1,177	---	211	1,388	1,386		1,108	1,163	1,163
181	---	-16	165	165		172	280	280
---	---	---	---	---				
98	---	-98	---	---	99	---	3,800	3,800
---	---	---	---	---	99	98	98	98
---	---	---	---	---	99	90	---	---
2,828	289	1,410	4,527	3,911		2,031	1,611	1,611

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recommended	
GRANTS-IN-AID									
Distribution by Fund and Program									
350	---	---	350	342	Administration and Support Services	99	350	---	---
350	---	---	350	342	Total Grants-in-Aid		350	---	---
Distribution by Fund and Object									
Grants:									
350	---	---	350	342	Black Fly Treatment - Delaware River	99	350	---	---
STATE AID									
Distribution by Fund and Program									
17,859	---	103	17,962	17,649	Administration and Support Services	99	13,701	12,556	12,556
11,039	---	103	11,142	10,891	(From General Fund)		6,331	4,556	4,556
6,820	---	---	6,820	6,758	(From Property Tax Relief Fund)		7,370	8,000	8,000
17,859	---	103	17,962	17,649	Total State Aid		13,701	12,556	12,556
11,039	---	103	11,142	10,891	(From General Fund)		6,331	4,556	4,556
6,820	---	---	6,820	6,758	(From Property Tax Relief Fund)		7,370	8,000	8,000
Distribution by Fund and Object									
State Aid:									
---	---	---	---	---	Fortescue Inlet Dredging	99	450	---	---
7,000 ^S	---	---	7,000	7,000	Pinelands Development Credits	99	---	---	---
---	---	---	---	---	Moorestown Township - Strawbridge Lake Dredging	99	200	---	---
970	---	15	985	984	Mosquito Control, Research, Administration and Operations	99	1,289	1,287	1,287
250	---	---	250	---	Payment In Lieu of Taxes	99	---	---	---
6,820	---	---	6,820	6,758	Payment In Lieu of Taxes (PTRF)	99	7,370	8,000	8,000
2,654	---	88	2,742	2,742	Administration, Planning and Development Activities of the Pinelands Commission	99	4,227	3,104	3,104
165	---	---	165	165	Grants to Local Environmental Commissions	99	165	165	165
CAPITAL CONSTRUCTION									
Distribution by Fund and Program									
5,250	121	645	6,016	5,640	Administration and Support Services	99	810	125	125
5,250	121	645	6,016	5,640	Total Capital Construction		810	125	125
Distribution by Fund and Object									
Administrative Operations									
5,000	---	---	5,000	5,000	New Jersey Environmental Management System	99	---	---	---
250	120	---	370	100	Mosquito Control Equipment	99	810	125	125
---	1	---	1	---	Willes Hole Dredging (HR6 Project)	99	---	---	---
---	---	645	645	540	Network Infrastructure	99	---	---	---
41,409	410	3,919	45,738	44,422	Grand Total State Appropriation		33,834	34,954	34,954

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recommended	
OTHER RELATED APPROPRIATIONS									
121,481	---	---	121,481	121,470	Total Debt Service		106,079	76,833	76,833
					Federal Funds				
150	---	---	150	---	Regulatory and Governmental Affairs		26	150	150
<u>1,800</u>	<u>15</u>	<u>62</u>	<u>1,877</u>	<u>26</u>	Administration and Support Services		99	950	950
<u>1,950</u>	<u>15</u>	<u>62</u>	<u>2,027</u>	<u>26</u>	Total Federal Funds		<u>1,100</u>	<u>1,100</u>	<u>1,100</u>
					All Other Funds				
---	205	---	333	143	Regulatory and Governmental Affairs		26	150	150
---	1,924	---	3,468	2,252	Administration and Support Services		99	236	183
---	<u>430</u>	<u>1,114</u>	<u>3,801</u>	<u>2,395</u>	Total All Other Funds		<u>386</u>	<u>333</u>	<u>333</u>
<u>164,840</u>	<u>3,112</u>	<u>5,095</u>	<u>173,047</u>	<u>168,313</u>	GRAND TOTAL ALL FUNDS		<u>141,399</u>	<u>113,220</u>	<u>113,220</u>

Notes

(a) The fiscal year 2002 appropriation has been adjusted for the allocation of salary program and has been reduced to reflect the transfer of funds to the Interdepartmental Salary and Other Benefits accounts.

Language Recommendations -- Direct State Services - General Fund

The amount hereinabove for the New Jersey Environmental Management System is payable from receipts attributable to the increase in the New Jersey Pollutant Discharge Elimination System Permit fees, Stormwater Permit fees, Air Pollution fees, Solid and Hazardous Waste fees and Land Use Regulation fees.

Language Recommendations -- State Aid - General Fund

Receipts derived from permit fees issued by the Pinelands Commission on behalf of the Department of Environmental Protection, pursuant to a memorandum of agreement between the Pinelands Commission and the Department of Environmental Protection, are hereby appropriated to the Pinelands Commission.

Language Recommendations -- State Aid - Property Tax Relief Fund

If the amount appropriated herein for Payment in Lieu of Taxes is insufficient to compensate municipalities for land owned by the State for conservation and recreation purposes, as determined according to the formula for payments in lieu of taxes in the "Garden State Preservation Trust Act" P.L.1999, c.152 (C.13:8C-1 et seq.) such additional sums as are necessary are appropriated subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of subsection d. of section 29 of P.L.1999, c.152 (C.13:8C-29) or subsection d. of section 30 of P.L.1999, c.152 (C.13:8C-30), or any other law to the contrary, all payments to municipalities in lieu of taxes for lands acquired by the State for recreation and conservation purposes shall be retained by the municipality and not apportioned in the same manner as the general tax rate of the municipality.

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

47. COMPLIANCE AND ENFORCEMENT

OBJECTIVES

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. To protect public health and improve the environment by ensuring compliance with the State's rules and regulations concerning coastal and land use, air pollution, water resources, solid and hazardous waste, pesticides and toxic release prevention programs. 2. To assure consistency in enforcement policies, protocols and actions taken by the Department. 3. To provide compliance assistance to all businesses, with a special emphasis on small businesses and local governments. | <ol style="list-style-type: none"> 4. To augment the Department's enforcement, inspection and monitoring activities under the County Environmental Health Act by strengthening agreements with local health agencies to enforce environmental regulations. 5. To improve the quality of the State's beaches through cooperation with the Departments of Correction and Health and the Army Corps of Engineers in programs which reduce floatable debris and monitor ocean water quality. 6. To inspect, monitor, and report on the quality of surface and groundwater discharges in the State. |
|--|---|

ENVIRONMENTAL PROTECTION

7. To protect the public and the environment from any hazards resulting from the production, use, sale, storage or other activities related to pesticides.
8. To provide a comprehensive program to prevent releases of petroleum products and hazardous substances by providing information regarding hazardous substances in the community and the workplace.
9. To survey hazardous substances inventory data from 33,000 facilities and actual release data of hazardous substances from 700 facilities.
10. To submit risk management plans detailing how to manage the risks involved with the handling and storage of extraordinarily hazardous substances whose release in the environment could cause death or permanent disability.

PROGRAM CLASSIFICATIONS

02. **Air Pollution Control.** Conducts investigations to determine compliance with the Air Pollution Control Act at regulated facilities. Issues enforcement documents and tracks, records and reports on associated administrative activities to ensure compliance. Develops enforcement cases, processes violations, assesses penalties and negotiates compliance schedules for these programs.
Release Prevention. Implements and ensures compliance with New Jersey's Community Right To Know and Superfund Amendments and Reauthorization Act (SARA) Title III programs which gather information on the use, storage and release of toxic chemicals in the State and make information available to the public. Implements and ensures compliance with the Toxic Catastrophe Prevention Act to identify companies which handle extraordinarily hazardous substances and ensure that procedures are in place to prevent devastating accidental chemical releases. The Discharge Prevention Containment and Countermeasures (Oil Spill Prevention) program reduces the possibility of hazardous spills through plan submittals and compliance/investigative procedures.
04. **Pesticide Control.** Regulates the manufacture, distribution, storage, sale, possession, and use of pesticides. Conducts complaint investigations and routine inspections. Compliance assistance and pollution prevention activities are performed through training and outreach. All pesticide products sold in the state are registered with this program. Pesticide applicators and

dealers are certified and licensed, and permits are issued for mosquito/fly control and aquatic pesticide use. Monitoring and evaluation of pesticide hazards and laboratory analysis of pesticide samples are also conducted.

08. **Water Pollution Control.** Responsible for providing compliance assistance, conducting monitoring and investigations, and issuing enforcement actions in support of the water programs. A particular focus is placed on inspections of wastewater dischargers and community drinking water supply facilities; prevention and correction of non-compliance conditions through a multifaceted compliance assistance program including outreach, education, and a Discharge Monitoring Report guidance manual; issuance of administrative and judicial enforcement actions for chronic or significant violations; and investigation of complaints relating to water resources. Monitors compliance with all permits issued under the New Jersey Pollutant Discharge Elimination System (NJPDDES) for surface water, ground water and indirect discharges to Publicly-Owned Treatment Works (POTW's). Formal enforcement actions are also issued for violations in the Water Allocation Program and against State certified laboratories which fail to comply with the laboratory certification program requirements.
15. **Land Use Regulation.** Conducts investigations and site inspections required for compliance with State regulations and permits issued pursuant to the Freshwater Wetlands Protection Act, the Flood Hazard Area Control Act, the Coastal Area Facility Review Act, the Wetlands Act of 1970, the Dam Safety Act, and the Waterfront Development and Riparian Lands statutes. Responding to reports of alleged violations of the above statutes, the program advises individuals how to achieve and/or maintain compliance.
23. **Solid and Hazardous Waste Management.** Manages and conducts compliance and enforcement activities to ensure that hazardous waste and used oil are collected, stored, transported, recycled and disposed of in an environmentally acceptable manner. Assures compliance with federal Resource Conservation and Recovery Act (RCRA) regulations. Activities include such compliance assistance functions as environmental audits, grace periods and supplemental environmental projects as well as conventional inspections and investigations, and when necessary, formal enforcement actions.

EVALUATION DATA

PROGRAM DATA	Actual FY 2000	Actual FY 2001	Revised FY 2002	Budget Estimate FY 2003
Air Pollution Control				
Investigations and inspections	6,092	6,500	6,900	6,900
Release Prevention				
Toxic Catastrophe Prevention				
Inspections	156	150	150	150
Accident investigations	3	3	3	3
Right To Know				
Information requests	1,820	2,000	2,000	1,600
Audits for facilities	1,312	1,200	1,200	1,200
Notice of violations	183	200	200	200
Pesticide Control				
Investigations and inspections	2,220	2,000	2,000	2,000
Pesticide products regulated	11,384	11,500	12,000	12,000
Pesticide licenses and permits	17,549	16,500	17,000	17,000

ENVIRONMENTAL PROTECTION

	Actual FY 2000	Actual FY 2001	Revised FY 2002	Budget Estimate FY 2003
Water Pollution Control				
Inspections	4,122	4,000	4,000	4,000
Clean Shores:				
Miles of beaches cleaned	148	140	140	150
Tons of debris removed	2,617	2,500	2,500	2,600
Land Use Regulation				
Investigations and inspections	3,347	2,750	2,600	2,100
Solid and Hazardous Waste Management				
Hazardous waste annual inspections	2,276	2,150	2,200	3,000

PERSONNEL DATA

Position Data

Filled Positions by Funding Source

State Supported	349	355	355	359
Federal	15	13	11	14
All Other	5	6	5	5
Total Positions	369	374	371	378

Filled Positions by Program

Air Pollution Control	75	75	78	81
Release Prevention	53	56	53	53
Pesticide Control	37	37	37	39
Water Pollution Control	91	96	96	96
Land Use Regulation	34	34	31	32
Solid and Hazardous Waste Management	79	76	76	77
Total Positions	369	374	371	378

Notes

Actual payroll counts are reported for fiscal years 2000 and 2001 as of December, and revised fiscal year 2002 as of September. The Budget Estimate for fiscal year 2003 reflects the number of positions funded.

APPROPRIATIONS DATA
(thousands of dollars)

Year Ending June 30, 2001					Year Ending June 30, 2003				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available/Expended		2002 Prog. Class.	Adjusted Approp.	Requested	Recom- mended	
<u>DIRECT STATE SERVICES</u>									
Distribution by Fund and Program									
7,710	929	148	8,787	8,779	02	8,351	8,316	8,316	
1,958	19	-17	1,960	1,936	04	2,108	2,096	2,096	
5,558	6	400	5,964	5,963	08	5,996	5,677	5,677	
1,704	500	52	2,256	2,244	15	1,852	1,846	1,846	
3,712	120	-31	3,801	3,767	23	4,020	3,996	3,996	
20,642	1,574	552	22,768	22,689	22,327^(a)		21,931	21,931	
Distribution by Fund and Object									
Personal Services:									
13,991	---	510	14,501	14,501	15,352		15,196	15,196	
13,991	---	510	14,501	14,501	15,352		15,196	15,196	
143	---	-39	104	104	161		175	175	
1,115	---	144	1,259	1,259	1,250		1,070	1,070	
382	---	-75	307	307	328		350	350	
Special Purpose:									
844	---	27	871	871	02	925	912	912	
958	185 ^R	---	1,143	1,141	02	1,012	1,012	1,012	

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2001					Year Ending June 30, 2003			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2002 Adjusted Approp.	Requested	Recommended
DIRECT STATE SERVICES								
2,306	744 ^R	---	3,050	3,047	02	2,439	2,439	2,439
720	481 ^R	---	1,201	1,201	15	777	777	777
183	164	-15	332	258		83	---	---
STATE AID								
Distribution by Fund and Program								
2,453	26	---	2,479	2,453	08	2,453	2,453	2,453
---	26	---	26	---		---	---	---
2,453	---	---	2,453	2,453		2,453	2,453	2,453
2,453	26	---	2,479	2,453	Total State Aid	2,453	2,453	2,453
---	26	---	26	---	(From General Fund)	---	---	---
2,453	---	---	2,453	2,453	(From Property Tax Relief Fund)	2,453	2,453	2,453
Distribution by Fund and Object								
State Aid:								
2,453	---	---	2,453	2,453	08	2,453	2,453	2,453
---	26	---	26	---	08	---	---	---
23,095	1,600	552	25,247	25,142	Grand Total State Appropriation	24,780	24,384	24,384
OTHER RELATED APPROPRIATIONS								
Federal Funds								
1,802	67	---	1,869	1,203	02	1,802	1,802	1,802
680					04	750	750	750
70 ^S	24	---	774	598	08	1,000	1,000	1,000
---	---	---	---	---	15	500	500	500
500	87	---	587	354	23	1,886	1,886	1,886
1,886	11	---	1,897	1,490		5,938	5,938	5,938
4,938	189	---	5,127	3,645	Total Federal Funds			
All Other Funds								
---	100 ^R	---	100	55	02	1,169	1,169	1,169
---	1,921	---			08	1,000	1,000	1,000
---	1,071 ^R	-147	2,845	915	15	498	517	517
---	---	---	---	---		2,667	2,686	2,686
---	3,092	-147	2,945	970	Total All Other Funds			
28,033	4,881	405	33,319	29,757	GRAND TOTAL ALL FUNDS	33,385	33,008	33,008

Notes

- (a) The fiscal year 2002 appropriation has been adjusted for the allocation of salary program, which includes \$130,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Interdepartmental Salary and Other Benefits accounts.

Language Recommendations - Direct State Services - General Fund

Notwithstanding the provisions of the "Worker and Community Right to Know Act," P.L.1983, c.315 (C.34:5A-1 et seq.), the amount hereinabove for the Worker and Community Right to Know Act account is payable out of the Worker and Community Right to Know Trust Fund, and the receipts in excess of the amount anticipated, not to exceed \$222,000, are appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

The amount hereinabove for the Oil Spill Prevention program is payable out of the New Jersey Spill Compensation Fund, and the receipts in excess of those anticipated, not to exceed \$947,000, from the New Jersey Spill Compensation Fund for the Oil Spill Prevention program are appropriated, in accordance with the provisions of P.L.1990, c.76 (C.58:10-23.11f2 et seq.), P.L.1990, c.78 (C.58:10-23.11d1 et seq.), and P.L.1990, c.80 (C.58:10-23.11f1), subject to the approval of the Director of the Division of Budget and Accounting.

ENVIRONMENTAL PROTECTION

Receipts deposited into the Coastal Protection Trust Fund pursuant to P.L.1993, c.168 (C.39:3-27.47 et seq.) are appropriated in an amount not to exceed \$600,000 for the cleanup or maintenance of beaches or shores, an amount not to exceed \$200,000 for the cost of providing monitoring, surveillance and enforcement activities for the Cooperative Coastal Monitoring Program, an amount not to exceed \$50,000 for the implementation of the "New Jersey Adopt a Beach Act," P.L.1992, c.213 (C.13:19-22 et seq.), and an amount not to exceed \$150,000 for a program of grants for the operation of a sewage pump-out boat and the construction of sewage pump-out devices for marine sanitation devices and portable toilet emptying receptacles at public and private marinas and boatyards in furtherance of the provisions of P.L.1988, c.117 (C.58:10A-56 et seq.). Receipts deposited to the Coastal Protection Trust Fund in excess of \$1,000,000 are appropriated to finance emergency shore protection projects and the cleanup of discharges into the ocean.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Language Recommendations - Direct State Services - General Fund

The amounts hereinabove for the Safe Drinking Water Fund account are payable out of receipts, and receipts in excess of the amount anticipated, not to exceed \$1,177,000, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

The amounts hereinabove for the Tidelands Peak Demands account are appropriated from receipts derived from the sales, grants, leases, licensing, and rentals of State riparian lands, together with an amount not to exceed \$1,771,000, subject to the approval of the Director of the Division of Budget and Accounting. If receipts are less than anticipated, the appropriation shall be reduced proportionately.

Notwithstanding any other law, the Commissioner of the Department of Environmental Protection shall obtain concurrence from the Director of the Division of Budget and Accounting before altering fee schedules or any other revenue-generating mechanism under the department's purview.

Notwithstanding the provisions of the "Environmental Fee Fund Accountability Act of 1991," P.L.1991, c.426 (C.52:27B-20.1 et seq.) and P.L.1991, c.427 (C.13:1D-9.1 et seq.), all revenues from fees and fines collected by the Department of Environmental Protection, unless otherwise dedicated herein, shall be deposited into the State General Fund without regard to their specific dedication.

Notwithstanding any other provisions in this act, of the Federal Fund amounts appropriated for the programs included in the Performance Partnership Grant Agreement with the Environmental Protection Agency, the Department of Environmental Protection is authorized to reallocate the appropriations, in accordance with the Grant Agreement and subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of P.L.1954, c.48 (C.52:34-6 et seq.) or any other law to the contrary, the Department of Environmental Protection may enter into a contract with the United States Environmental Protection Agency (EPA) to provide the State's statutory matching share for EPA-led Superfund remedial actions pursuant to the State Superfund Contract (SSC).

Notwithstanding any other law to the contrary, any grants awarded during the fiscal year ending June 30, 2003, or during any preceding fiscal year, by the Department of Environmental Protection, or its predecessors, from the proceeds of bonds issued pursuant to P.L.1969, c.127; P.L.1976, c.92; P.L.1980, c.70; P.L.1981, c.261; P.L.1985, c.329; P.L.1989 c.181 or P.L.1992, c.88 or other grants awarded pursuant to other grant programs administered by the department, shall not be considered to be impaired by a structured financing transaction undertaken by a governmental entity which is authorized by section 10 of P.L.1999, c.157 (C.52:31C-10) as amended by section 1 of P.L.2000, c.54, to undertake such transactions, nor shall any State interest created by the award of any such grant be determined to be so impaired by a structured financing transaction undertaken by any local governmental entity pursuant to section 10 of P.L.1999, c.157. Any such grant, and any provisions, covenants and conditions contained in the award thereof, shall not (i) limit, restrict or impair the rights of the local governmental entity to transfer or encumber its facilities or assets for purposes of entering into a structured financing transaction pursuant to that section, (ii) be violated by the completion of a structured financing transaction undertaken pursuant to that section and (iii) cause the Department of Environmental Protection to rescind or annul any grant, or undertake any other enforcement actions, including the revocation of any permit or license granted, in response to a structured financing transaction undertaken pursuant to that section.