

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### OVERVIEW

The mission of the Department of Environmental Protection is to serve the residents of New Jersey by preserving, sustaining, protecting and enhancing public health, natural resources, and the environment, while ensuring sustainable economic growth. The Department will accomplish its mission in partnership with the general public, businesses, the environmental community and all levels of government.

The Department's goals include: combating sprawl, securing a clean water future, protecting communities from toxics, preserving the state's natural treasures, and promoting 21st century stewardship of the environment and the organization. Its objectives are to:

Develop and enforce reasonable, clear, and scientifically based standards to protect human health, the environment and natural resources.

Protect the public trust through sound management and restoration of natural resources.

Promote private stewardship and innovation in preventing pollution and in protecting and restoring the environment and natural resources, while promoting biodiversity and protecting the water supply through land acquisition, enforcement and conservation.

Promote sustainable living, including conservation of water, and energy, use of environmentally friendly building materials, promotion of renewable energy, and the reduction of waste through recycling and reuse programs.

Ensure public access to safe local parks, the waterfront, protected open space, and historic and natural resources.

Assist the Department and its partners in decision-making through increased availability of access to facility and resource data, using the most advanced information systems.

Ensure the environment and natural resources of all communities receive equal protection and benefits under the Department's regulations and programs.

Employ a decision-making process that is open, comprehensive, timely, predictable and efficient, and enhance environmental awareness and stewardship through education and communication.

The fiscal 2004 budget for the Department of Environmental Protection (DEP), excluding Debt Service, totals \$302.1 million, a decrease of \$13.9 million, or 4.4%, under the fiscal 2003 adjusted appropriation of \$316 million.

#### **Parks Management**

In order to maintain the many parks, forests and natural areas in the state, an across-the-board fee increase will be implemented for fiscal 2004. This fee increase is a way to maintain key services in a difficult budget. The last fee increase for the parks was in 1991. As a percent of total operations, New Jersey's park fees are among the lowest in the Northeast at 14%, with other states having fee revenue in the 30% range. The number of State parks has not expanded in seven years, and over the next three years this Administration will look to create or upgrade 200 local parks and add at least two State parks. The Governor's open space policy aims to preserve unspoiled land by discouraging undue growth and improve cities.

#### **Shore Protection, Flood Control, and Dam Repair**

The fiscal 2004 Budget provides \$25 million for shore protection and other natural resources engineering projects from the Realty Transfer Fee, pending the enactment of legislation to broaden the allowable uses of the Shore Protection Fund. Beach restoration projects are recommended at a level of \$12.5 million, which, combined with \$13.1 million in unexpended balances from fiscal 2003, will make a total of \$25.6 million available for shore protection in fiscal 2004. These funds

will leverage up to \$52.6 million in federal funds and \$6.5 million in local funds for beach replenishment projects. The projects planned for fiscal 2004 include beach fills at Townsend Inlet, Raritan Bay, Absecon Island, and Asbury Park to Deal.

Changes to the Shore Protection Fund dedication are being sought to allow other projects, including inland flood control and dam repairs, to be funded from the \$25 million dedication in fiscal 2004. To protect lives and property, \$8.3 million is recommended for flood control projects. These funds will generate an additional \$30 million in federal funds and \$2.5 million in local funds. Projects planned include the Ramapo River at Oakland, the Green Brook, the Harrison/Passaic River and the Mahwah/Suffern River. Funding of \$4.2 million from the dedication will be made available for private and public dam repairs and the associated administrative costs of the Dam Safety program.

#### **Corporation Business Tax**

The 1996 constitutional dedication of 4% of the annual revenue raised from the State's Corporation Business Tax (CBT) continues to provide funds 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 \$74.9 million from the CBT dedication in fiscal 2004. This is an increase of \$19.1 million from fiscal 2003 funding levels.

For fiscal 2004, \$30.7 million will be dedicated to the clean-up of hazardous waste sites, up \$7.8 million from fiscal 2003. Funding for the remediation of private underground storage tanks will increase \$6.4 million from fiscal 2003 to \$25.0 million. Funding available for administrative costs associated with the clean-up of hazardous sites will increase by \$1.7 million in fiscal 2004, from \$5.0 million to \$6.7 million. Watershed Management program funding will increase from \$9.3 million in fiscal 2003 to \$12.5 million in fiscal 2004. Of the total increase in CBT Watershed, \$3.4 million will offset current General Fund appropriations for water resource management programs, generating savings in the following programs: \$1.4 million for New Jersey Geological Survey, \$157,000 for Watershed Management, \$800,000 for Water Monitoring and Planning, \$500,000 for Forest Resource Management and \$540,000 for the Conservation Cost Share program in the Department of Agriculture.

#### **Right to Know**

All companies in the state are annually assessed a fee to administer the Worker and Community Right to Know Act, a program that provides information to residents and workers about the presence of hazardous substances in the community and workplace. For fiscal 2004, the minimum assessment paid by companies with less than 26 employees will be raised from \$50 to \$75 and the per employee fee paid by companies with 26 or more employees will be raised from \$2 to \$4. These increases will yield an additional \$2.1 million in annual revenue to the Worker and Community Right to Know Fund. Fees for this program have not changed since 1991. These increases will allow the fund to fully support Worker and Community Right to Know programs in the Departments of Environmental Protection, Health and Senior Services, and Labor.

#### **Community Revitalization: Brownfields and Open Space**

The department's newly created Office of Brownfields will help towns plan for the remediation and reuse of industrial sites whereby these sites can be reused for not only commercial space, but homes, parks, and schools. There are an estimated 1,300 brownfield sites in New Jersey. Policy changes will focus on reducing uncertainties and inefficiencies in existing site remediation regulations and broadening the scope of potential uses for brownfield sites. To generate additional funding

# ENVIRONMENTAL PROTECTION

sources for these remediation efforts, pending legislation will reallocate \$30 million from the Hazardous Discharge Fund of 1986, already appropriated to the Department of Environmental Protection, and make these funds available for Hazardous Discharge Site Remediation Fund loans and grants through the NJ Economic Development Authority. This will make additional brownfields funding available without incurring any cost to the General Fund. Additionally, \$9 million of prior State appropriations to the New Jersey Redevelopment Authority for grants to localities for remediation efforts, will be funded instead through the Hazardous Discharge Fund, thereby generating savings of \$9 million.

The Garden State Preservation Trust has approved a new financing structure, beginning in fiscal 2003, that will allow the State to minimize interest and debt service costs to taxpayers while maximizing the proceeds generated for the open space program. The plan will provide the Garden State Preservation Trust an additional \$100 million, through the use of current interest and zero coupon bonds, to expedite the preservation of New Jersey's critical open space. The Governor's Anti-Sprawl agenda sets new priorities for open space preservation, and the new financing plan will increase the funding resources available to accomplish these goals.

## Reductions

The total operating budget for the State's parks, including cost savings

achieved through administrative efficiencies and the fee increase offset, will decrease from \$34.1 million in fiscal 2003 to \$30.5 million in fiscal 2004, down \$3.6 million or 10.5%. Historically, many positions in the parks have remained unfilled and this budget recognizes savings through the elimination of funding for those vacant positions. The fiscal 2004 budget also reflects the elimination of dedicated funding for the support of the Delaware and Raritan Canal Commission.

Line of credit financing reductions will generate savings of \$854,000, and nonrecurring start-up costs for NJEMS generate savings of \$500,000. Other reductions include a cost shift of \$228,000 to federal funding sources in the Water Supply program, \$194,000 in Policy, Planning and Science programs, and \$100,000 in administrative efficiencies in the department's central services account.

All DEP grant programs are eliminated. This includes the \$5 million Statewide Livable Communities grant program, the \$500,000 Statewide Community Forestry program, and the \$165,000 Local Environmental Commissions state aid program.

The fiscal 2004 budget recommends a decrease of \$1.5 million in the department's salary accounts associated with savings from the fiscal 2003 attrition program and the assumption that only one of every three retirees who took advantage of the Early Retirement Incentive (ERI) program will be replaced. This budget also recommends a reduction of \$611,000 in the salary accounts for staff who were granted extensions up to June 30, 2003 under the ERI program.

## SUMMARY OF APPROPRIATIONS BY FUND (thousands of dollars)

Year Ending June 30, 2002					Year Ending June 30, 2004			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		2003 Adjusted Approp.	Requested	Recom- mended
229,236	29,683	1,334	260,253	235,153	Direct State Services	214,898	206,692	206,692
10,960	8,848	2,000	21,808	9,839	Grants-In-Aid	5,500	---	---
22,446	496	---	22,942	6,054	State Aid	4,420	4,255	4,255
120,215	84,390	-169	204,436	96,715	Capital Construction	80,745	80,680	80,680
81,407	---	-16,280	65,127	54,279	Debt Service	76,833	68,053	68,053
464,264	123,417	-13,115	574,566	402,040	Total General Fund	382,396	359,680	359,680
9,823	---	---	9,823	9,686	Total Property Tax Relief Fund	10,453	10,453	10,453
<b>474,087</b>	<b>123,417</b>	<b>-13,115</b>	<b>584,389</b>	<b>411,726</b>	<b>GRAND TOTAL</b>	<b>392,849</b>	<b>370,133</b>	<b>370,133</b>

# ENVIRONMENTAL PROTECTION

## SUMMARY OF APPROPRIATIONS BY PROGRAM (thousands of dollars)

Year Ending June 30, 2002					Year Ending June 30, 2004			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		2003 Adjusted Approp.	Requested	Recom- mended
					<b>DIRECT STATE SERVICES - GENERAL FUND</b>			
					<b>Natural Resource Management</b>			
7,372	132	464	7,968	7,927	Forest Resource Management	7,210	6,650	6,650
39,370	267	-1,019	38,618	38,028	Parks Management	39,198	35,375	35,375
12,105	4,166	---	16,271	13,462	Hunters' and Anglers' License Fund	13,011	12,800	12,800
1,684	1	-39	1,646	1,631	Shellfish and Marine Fisheries Management	1,329	1,310	1,310
1,336	3	---	1,339	1,313	Wildlife Management	348	348	348
2,179	---	1,714	3,893	3,860	Natural Resources Engineering	1,756	269	269
2,299	26	111	2,436	2,435	Palisades Interstate Park Commission	2,214	2,214	2,214
<u>66,345</u>	<u>4,595</u>	<u>1,231</u>	<u>72,171</u>	<u>68,656</u>	<i>Subtotal</i>	<u>65,066</u>	<u>58,966</u>	<u>58,966</u>
					<b>Science and Technical Programs</b>			
12,379	703	-88	12,994	9,183	Water Supply and Watershed Management	8,253	7,997	7,997
1,242	---	-128	1,114	1,092	Water Monitoring and Planning	1,547	736	736
8,465	895	-171	9,189	9,025	Land Use Regulation	8,616	8,450	8,450
3,533	1	-38	3,496	3,365	Science, Research and Technology	3,177	2,986	2,986
1,311	---	120	1,431	1,376	New Jersey Geological Survey	1,398	---	---
10,380	2,794	-850	12,324	7,287	Environmental Remediation and Monitoring	9,257	12,447	12,447
5,569	1	226	5,796	1,423	Watershed Management	413	---	---
<u>42,879</u>	<u>4,394</u>	<u>-929</u>	<u>46,344</u>	<u>32,751</u>	<i>Subtotal</i>	<u>32,661</u>	<u>32,616</u>	<u>32,616</u>
					<b>Site Remediation and Waste Management</b>			
9,680	150	-82	9,748	8,921	Solid and Hazardous Waste Management	8,905	8,700	8,700
27,996	13,838	---	41,834	41,513	Remediation Management and Response	30,164	30,164	30,164
5,600	3,115	---	8,715	5,941	Environmental Remediation and Monitoring	5,020	6,740	6,740
<u>43,276</u>	<u>17,103</u>	<u>-82</u>	<u>60,297</u>	<u>56,375</u>	<i>Subtotal</i>	<u>44,089</u>	<u>45,604</u>	<u>45,604</u>
					<b>Environmental Regulation</b>			
6,168	1,445	-71	7,542	6,499	Radiation Protection	6,322	5,196	5,196
16,749	1,442	11	18,202	17,209	Air Pollution Control	16,710	16,391	16,391
8,116	---	5	8,121	7,213	Water Pollution Control	7,673	7,586	7,586
8,576	---	-40	8,536	8,517	Public Wastewater Facilities	2,943	2,908	2,908
<u>39,609</u>	<u>2,887</u>	<u>-95</u>	<u>42,401</u>	<u>39,438</u>	<i>Subtotal</i>	<u>33,648</u>	<u>32,081</u>	<u>32,081</u>
					<b>Environmental Planning and Administration</b>			
2,124	---	126	2,250	2,235	Regulatory and Governmental Affairs	2,259	2,153	2,153
17,193	176	549	17,918	17,518	Administration and Support Services	19,298	17,705	17,705
<u>19,317</u>	<u>176</u>	<u>675</u>	<u>20,168</u>	<u>19,753</u>	<i>Subtotal</i>	<u>21,557</u>	<u>19,858</u>	<u>19,858</u>
					<b>Compliance and Enforcement</b>			
4,061	---	326	4,387	4,349	Air Pollution Control	4,027	3,907	3,907
2,085	28	-13	2,100	2,055	Pesticide Control	2,296	2,232	2,232
5,907	2	292	6,201	5,869	Water Pollution Control	5,934	5,868	5,868

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2002					Year Ending June 30, 2004			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended		2003 Adjusted Approp.	Requested	Recom- mended
1,819	498	-83	2,234	2,228	Land Use Regulation	1,817	1,805	1,805
3,938	---	12	3,950	3,679	Solid and Hazardous Waste Management	3,803	3,755	3,755
<i>17,810</i>	<i>528</i>	<i>534</i>	<i>18,872</i>	<i>18,180</i>	<i>Subtotal</i>	<i>17,877</i>	<i>17,567</i>	<i>17,567</i>
<b>229,236</b>	<b>29,683</b>	<b>1,334</b>	<b>260,253</b>	<b>235,153</b>	<b>Subtotal Direct State Services - General Fund</b>	<b>214,898</b>	<b>206,692</b>	<b>206,692</b>
<b>229,236</b>	<b>29,683</b>	<b>1,334</b>	<b>260,253</b>	<b>235,153</b>	<b>TOTAL DIRECT STATE SERVICES</b>	<b>214,898</b>	<b>206,692</b>	<b>206,692</b>
<b>GRANTS-IN-AID - GENERAL FUND</b>								
<b>Natural Resource Management</b>								
900	13	---	913	900	Forest Resource Management	500	---	---
200	---	2,000	2,200	2,000	Parks Management	5,000	---	---
75	---	---	75	75	Wildlife Management	---	---	---
2,900	5,584	---	8,484	6,629	Natural Resources Engineering	---	---	---
<i>4,075</i>	<i>5,597</i>	<i>2,000</i>	<i>11,672</i>	<i>9,604</i>	<i>Subtotal</i>	<i>5,500</i>	<i>---</i>	<i>---</i>
<b>Science and Technical Programs</b>								
---	3,250	---	3,250	---	Water Supply and Watershed Management	---	---	---
35	---	---	35	35	Water Monitoring and Planning	---	---	---
6,500	---	---	6,500	---	Watershed Management	---	---	---
<i>6,535</i>	<i>3,250</i>	<i>---</i>	<i>9,785</i>	<i>35</i>	<i>Subtotal</i>	<i>---</i>	<i>---</i>	<i>---</i>
<b>Environmental Planning and Administration</b>								
350	1	---	351	200	Administration and Support Services	---	---	---
<b>10,960</b>	<b>8,848</b>	<b>2,000</b>	<b>21,808</b>	<b>9,839</b>	<b>Subtotal Grants-In-Aid - General Fund</b>	<b>5,500</b>	<b>---</b>	<b>---</b>
<b>10,960</b>	<b>8,848</b>	<b>2,000</b>	<b>21,808</b>	<b>9,839</b>	<b>TOTAL GRANTS-IN-AID</b>	<b>5,500</b>	<b>---</b>	<b>---</b>
<b>STATE AID - GENERAL FUND</b>								
<b>Natural Resource Management</b>								
---	479	---	479	469	Natural Resources Engineering	---	---	---
<b>Science and Technical Programs</b>								
35	---	---	35	35	Watershed Management	---	---	---
<b>Site Remediation and Waste Management</b>								
13,681	---	---	13,681	---	Solid and Hazardous Waste Management	---	---	---
<b>Environmental Regulation</b>								
10	---	---	10	---	Air Pollution Control	---	---	---
2,500	---	---	2,500	---	Public Wastewater Facilities	---	---	---
<i>2,510</i>	<i>---</i>	<i>---</i>	<i>2,510</i>	<i>---</i>	<i>Subtotal</i>	<i>---</i>	<i>---</i>	<i>---</i>
<b>Environmental Planning and Administration</b>								
6,220	5	---	6,225	5,538	Administration and Support Services	4,420	4,255	4,255
<b>Compliance and Enforcement</b>								
---	12	---	12	12	Water Pollution Control	---	---	---
<b>22,446</b>	<b>496</b>	<b>---</b>	<b>22,942</b>	<b>6,054</b>	<b>Subtotal State Aid - General Fund</b>	<b>4,420</b>	<b>4,255</b>	<b>4,255</b>

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2002					Year Ending June 30, 2004			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended		2003 Adjusted Approp.	Requested	Recom- mended
					<b>STATE AID - PROPERTY TAX RELIEF FUND</b>			
					<b>Environmental Planning and Administration</b>			
7,370	---	---	7,370	7,233	Administration and Support Services	8,000	8,000	8,000
					<b>Compliance and Enforcement</b>			
2,453	---	---	2,453	2,453	Water Pollution Control	2,453	2,453	2,453
<b>9,823</b>	<b>---</b>	<b>---</b>	<b>9,823</b>	<b>9,686</b>	<i>Subtotal State Aid - Property Tax Relief Fund</i>	<b>10,453</b>	<b>10,453</b>	<b>10,453</b>
<b>32,269</b>	<b>496</b>	<b>---</b>	<b>32,765</b>	<b>15,740</b>	<b>TOTAL STATE AID</b>	<b>14,873</b>	<b>14,708</b>	<b>14,708</b>
					<b>CAPITAL CONSTRUCTION</b>			
					<b>Natural Resource Management</b>			
16,500	25,937	1,800	44,237	13,700	Parks Management	2,500	---	---
3,500	1,513	---	5,013	557	Hunters' and Anglers' License Fund	---	---	---
---	100	---	100	57	Shellfish and Marine Fisheries Management	---	---	---
---	1,242	---	1,242	496	Wildlife Management	---	---	---
44,030	28,300	-1,969	70,361	32,454	Natural Resources Engineering	28,000	25,000	25,000
800	599	---	1,399	526	Palisades Interstate Park Commission	---	---	---
<b>64,830</b>	<b>57,691</b>	<b>-169</b>	<b>122,352</b>	<b>47,790</b>	<i>Subtotal</i>	<b>30,500</b>	<b>25,000</b>	<b>25,000</b>
					<b>Science and Technical Programs</b>			
8,285	1,457	---	9,742	8,816	Water Supply and Watershed Management	8,650	---	---
					<b>Site Remediation and Waste Management</b>			
---	71	---	71	14	Remediation Management and Response	---	---	---
46,290	24,462	---	70,752	39,839	Environmental Remediation and Monitoring	41,470	55,680	55,680
<b>46,290</b>	<b>24,533</b>	<b>---</b>	<b>70,823</b>	<b>39,853</b>	<i>Subtotal</i>	<b>41,470</b>	<b>55,680</b>	<b>55,680</b>
					<b>Environmental Regulation</b>			
---	3	---	3	---	Air Pollution Control	---	---	---
					<b>Environmental Planning and Administration</b>			
810	706	---	1,516	256	Administration and Support Services	125	---	---
<b>120,215</b>	<b>84,390</b>	<b>-169</b>	<b>204,436</b>	<b>96,715</b>	<i>Subtotal Capital Construction</i>	<b>80,745</b>	<b>80,680</b>	<b>80,680</b>
<b>392,680</b>	<b>123,417</b>	<b>3,165</b>	<b>519,262</b>	<b>357,447</b>	<b>TOTAL APPROPRIATION</b>	<b>316,016</b>	<b>302,080</b>	<b>302,080</b>

# ENVIRONMENTAL PROTECTION

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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.
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.

# ENVIRONMENTAL PROTECTION

## EVALUATION DATA

	Actual FY 2001	Actual FY 2002	Revised FY 2003	Budget Estimate FY 2004
<b>PROGRAM DATA</b>				
<b>Forest Resource Management</b>				
Fires (annual) .....	1,715	1,929	1,800	1,800
Acres lost (annual) .....	3,142	4,476	10,500	10,500
Acres of hazardous fuel removed .....	14,680	12,125	15,000	15,000
<b>Parks Management</b>				
State parks and forests				
Total visitors .....	14,750,000	15,000,000	14,800,000	15,200,000
Total revenue .....	4,000,000	4,721,000	4,200,000	5,200,000
Historic sites				
Visitors .....	400,000	410,000	410,000	430,000
Revenue .....	23,000	23,000	55,000	62,000
<b>Hunters' and Anglers' License Fund</b>				
Trout propagated and distributed .....	770,000	770,000	770,000	770,000
Pheasants reared at game farms .....	60,000	55,000	55,000	55,000
Other fish propagated and distributed .....	1,000,000	1,000,000	1,250,000	1,500,000

## PERSONNEL DATA

### Position Data

#### Filled Positions by Funding Source

State Supported .....	1,018	1,047	989	1,015
Federal .....	6	6	6	5
All Other .....	19	17	17	19
<b>Total Positions .....</b>	<b>1,043</b>	<b>1,070</b>	<b>1,012</b>	<b>1,039</b>

#### Filled Positions by Program

Forest Resource Management .....	111	112	106	110
Parks Management .....	630	633	596	599
Hunters' and Anglers' License Fund .....	194	201	196	206
Shellfish and Marine Fisheries Management .....	37	37	34	48
Wildlife Management .....	15	25	22	17
Natural Resources Engineering .....	56	62	58	59
<b>Total Positions .....</b>	<b>1,043</b>	<b>1,070</b>	<b>1,012</b>	<b>1,039</b>

### Notes:

Actual payroll counts are reported for fiscal years 2001 and 2002 as of December, and revised fiscal year 2003 as of September.

The Budget Estimate for fiscal year 2004 reflects the number of positions funded.

Natural Resources Engineering data reflect the transfer of five staff in the Office of Dredging and Sediment Technology to Site Remediation and Waste Management.

## APPROPRIATIONS DATA (thousands of dollars)

	Year Ending June 30, 2002					Year Ending June 30, 2004			
	Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available Expended		Prog. Class.	2003 Adjusted Approp.	Requested	Recom- mended
<b><u>DIRECT STATE SERVICES</u></b>									
<b>Distribution by Fund and Program</b>									
7,372	132	464	7,968	7,927	Forest Resource Management	11	7,210	6,650	6,650
39,370	267	-1,019	38,618	38,028	Parks Management	12	39,198	35,375	35,375
12,105	4,166	---	16,271	13,462	Hunters' and Anglers' License Fund	13	13,011	12,800	12,800
1,684	1	-39	1,646	1,631	Shellfish and Marine Fisheries Management	14	1,329	1,310	1,310
1,336	3	---	1,339	1,313	Wildlife Management	20	348	348	348
2,179	---	1,714	3,893	3,860	Natural Resources Engineering	21	1,756	269	269
2,299	26	111	2,436	2,435	Palisades Interstate Park Commission	24	2,214	2,214	2,214
<b>66,345</b>	<b>4,595</b>	<b>1,231</b>	<b>72,171</b>	<b>68,656</b>	<b>Total Direct State Services</b>		<b>65,066<sup>(a)</sup></b>	<b>58,966</b>	<b>58,966</b>

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2002					Year Ending June 30, 2004			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	2003 Prog. Class.	Adjusted Approp.	Requested	Recommended
<b><u>DIRECT STATE SERVICES</u></b>								
<b>Distribution by Fund and Object</b>								
Personal Services:								
44,075	1,153							
161 <sup>S</sup>	1,699 <sup>R</sup>	2,074	49,162	45,630				
---	---	---	---	1,814				
44,236	2,852	2,074	49,162	47,444				
4,513	724	-434	4,803	3,984				
2,080	242	705	3,027	2,633				
3,414	31	115	3,560	3,337				
160	---	---	160	160				
1,905	---	130	2,035	2,035				
---	90	-9	81	21				
85	---	---	85	85				
4,696	---	-264	4,432	4,398				
---	36	---	36	---				
22	---	-1	21	21				
223	---	-12	211	211				
146	---	66	212	211				
5	---	---	5	5				
25 <sup>S</sup>	---	---	25	---				
79	---	---	79	79				
230	3	---	233	224				
1,027	---	---	1,027	1,010				
---	---	317	317	316				
1,316	---	-104	1,212	1,194				
---	26	---	26	26				
2,062	---	---	---	---				
121 <sup>S</sup>	591	-1,352	1,422	1,262				
<b><u>GRANTS-IN-AID</u></b>								
<b>Distribution by Fund and Program</b>								
900	13	---	913	900				
200	---	2,000	2,200	2,000				
75	---	---	75	75				
2,900	5,584	---	8,484	6,629				
4,075	5,597	2,000	11,672	9,604				
<b>Distribution by Fund and Object</b>								
Grants:								
900	13	---	913	900				
---	---	---	---	---				

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2002					Year Ending June 30, 2004				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		2003 Prog. Class.	Adjusted Approp.	Requested	Recom- mended
<b>GRANTS-IN-AID</b>									
200	---	---	200	---	Griggstown Historical Society-Restoration of Historical Griggstown Site	12	---	---	---
---	---	2,000	2,000	2,000	Atlantic County Regional Growth Area Plan	12	---	---	---
75	---	---	75	75	Hunters Helping the Hungry Food Bank	20	---	---	---
500	---	---	500	---	Bergen County-Flood Mitigation Study	21	---	---	---
400	---	---	400	400	Mountain Lakes Borough-Birchwood and Crystal Lake Dams Restoration Project	21	---	---	---
2,000	---	---	2,000	2,000	Atlantic County-Regional Drainage Basin, Northfield	21	---	---	---
---	180	---	180	180	De-Snagging of Peckman River	21	---	---	---
---	2,300	---	2,300	1,408	High Hazard Dams Grant/Loan	21	---	---	---
---	1,195	---	1,195	1,128	Hurricane Floyd Damaged Dams Grant/Loans	21	---	---	---
---	1,909	---	1,909	1,513	Significant Hazard Dams Grants/Loans	21	---	---	---
<b>STATE AID</b>									
<b>Distribution by Fund and Program</b>									
---	479	---	479	469	Natural Resources Engineering	21	---	---	---
---	<b>479</b>	---	<b>479</b>	<b>469</b>	<b>Total State Aid</b>		---	---	---
<b>Distribution by Fund and Object</b>									
State Aid:									
---	469	---	469	469	Restoration of Lake Lily, Cape May Point, Cape May County	21	---	---	---
---	10	---	10	---	Seawood Harbor Dredging	21	---	---	---
<b>CAPITAL CONSTRUCTION</b>									
<b>Distribution by Fund and Program</b>									
16,500	25,937	1,800	44,237	13,700	Parks Management	12	2,500	---	---
3,500	1,513	---	5,013	557	Hunters' and Anglers' License Fund	13	---	---	---
---	100	---	100	57	Shellfish and Marine Fisheries Management	14	---	---	---
---	1,242	---	1,242	496	Wildlife Management	20	---	---	---
44,030	28,300	-1,969	70,361	32,454	Natural Resources Engineering	21	28,000	25,000	25,000
800	599	---	1,399	526	Palisades Interstate Park Commission	24	---	---	---
<b>64,830</b>	<b>57,691</b>	<b>-169</b>	<b>122,352</b>	<b>47,790</b>	<b>Total Capital Construction</b>		<b>30,500</b>	<b>25,000</b>	<b>25,000</b>
<b>Distribution by Fund and Object</b>									
<b>Bureau of Parks</b>									
5,500	4,241	---	9,741	3,708	Historic Preservation/Renovation - Buildings, Structures and Monuments	12	2,200	---	---
1,100	324	---	1,424	250	Sanitary Facilities	12	---	---	---
---	358	---	358	212	Picnic Area Rehabilitation - Various State Parks & Forests	12	---	---	---
500	---	---	500	38	Barneget Lighthouse Exterior Coating	12	---	---	---

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2002					Year Ending June 30, 2004				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2003 Adjusted Approp.	Requested	Recommended	
<b>CAPITAL CONSTRUCTION</b>									
---	532	---	532	15	Liberty State Park - Liberty Walkway	12	---	---	---
---	111	---	111	74	Delaware River Recreational Path, Frenchtown to Milford	12	---	---	---
---	89	---	89	---	Shore Stabilization - Cape May Point	12	---	---	---
---	50	---	50	7	Belleplain State Park - Water Supply Improvement	12	---	---	---
---	358	---	358	284	ADA Development - Statewide	12	---	---	---
1,200	200	---	1,400	329	Buildings - Rehabilitation and Renovation	12	---	---	---
1,600	614	---	2,214	851	Site Areas/Facilities - Development, Rehabilitation and Repair	12	---	---	---
---	306	---	306	279	Administrative/Maintenance Facilities-Renovation, Rehabilitation & Maintenance	12	200	---	---
---	93	---	93	14	Asbestos Removal	12	---	---	---
400	693	---	1,093	136	Overnight Facilities - Development, Rehabilitation, Improvement and Repair	12	100	---	---
---	866	---	866	663	Recreational Areas - Development, Rehabilitation, Improvement and Repair	12	---	---	---
600	283	---	883	315	Day Use Areas - Development, Rehabilitation, Improvement and Repair	12	---	---	---
250	279	---	529	79	Demolition of Unused Structures	12	---	---	---
2,500	348	---	2,848	354	Dam Repairs and Inspections	12	---	---	---
1,000	729	---	1,729	823	Health, Safety and Environmental Compliance	12	---	---	---
1,250	55	---	1,305	443	Road, Bridge and Parking Area Repairs	12	---	---	---
600	---	---	600	600	Bulkhead Repair and Rehabilitation	12	---	---	---
---	12,293	---	12,293	2,300	Open Space - Local Match	12	---	---	---
---	67	---	67	41	Waterloo Village Urgent Needs	12	---	---	---
---	32	---	32	32	Steuben House Restoration	12	---	---	---
---	800	---	800	1	Liberty State Park	12	---	---	---
---	68	---	68	---	Liberty State Park, Boring and Testing	12	---	---	---
---	---	1,800	1,800	1,800	Ellis Island	12	---	---	---
---	1,893	---	1,893	18	Maintenance and Restoration	12	---	---	---
---	55	---	55	---	Underground Storage Tanks	12	---	---	---
---	200	---	200	34	Liberty State Park, Caven Point Pier Renovations	12	---	---	---
<b>Palisades Interstate Park Commission</b>									
---	382	---	382	231	Sanitary Facilities - Various Locations	24	---	---	---
---	3	---	3	3	Underground Storage Tank Remediation	24	---	---	---
---	209	---	209	189	Parkway Improvements	24	---	---	---
450	---	---	450	102	Bridge and Pedestrian Overpass Repairs	24	---	---	---
350	---	---	350	---	Building Life/Safety and Code Compliance - Repairs	24	---	---	---
---	5	---	5	1	Recreational Development	24	---	---	---

# ENVIRONMENTAL PROTECTION

Orig. & (S)Supple- mental	Year Ending June 30, 2002				Total Available Expended	Prog. Class.	2003		Year Ending June 30, 2004	
	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies					Adjusted Approp.	Requested	Recom- mended	
<b>CAPITAL CONSTRUCTION</b>										
<b>Division of Fish and Wildlife</b>										
1,415	1,446	---	2,861	449	Dam Repair, Maintenance and Renovation	13	---	---	---	
2,000	---	---	2,000	---	Hackettstown Hatchery Renovation	13	---	---	---	
75	---	---	75	74	Pequest Road Repair	13	---	---	---	
10	---	---	10	10	ADA Sanitary Facility Renovation	13	---	---	---	
---	7	---	7	---	Dioxin Disposal - Freshwater Fisheries Lab	13	---	---	---	
---	31	---	31	19	Pequest Hatchery Water Treatment	13	---	---	---	
---	29	---	29	5	Roof Replacement - Fish Hatchery	13	---	---	---	
---	66	---	66	48	Wildlife Management Roof Replacement	20	---	---	---	
---	108	---	108	1	Storage Buildings - Wildlife Management - Regional	20	---	---	---	
---	1,068	---	1,068	447	Demolition of Unused Structures	20	---	---	---	
<b>Shellfish and Marine Fisheries Management</b>										
---	100	---	100	57	Marine Fisheries Field Office Improvements	14	---	---	---	
<b>Natural Resources Engineering</b>										
---	200	---	200	200	Maintenance Dredging of Shrewsbury River Channel	21	---	---	---	
25,000	27,329	-1,969	50,360	32,247	Shore Protection Fund Projects- Beach Restoration	21	25,000	12,452	12,452	
---	---	---	---	---	Shore Protection Fund Projects - HR-6 Flood Control	21	---	8,294	8,294	
---	---	---	---	---	Shore Protection Fund Projects - Dam Repairs	21	---	4,254	4,254	
---	350	---	350	---	Shore Restoration-December 1992 Storm	21	---	---	---	
2,300	---	---	2,300	---	Absecon Bay/Lakes Bay-Dredging	21	---	---	---	
10,000	421	---	10,421	7	High Hazard Dams	21	---	---	---	
6,730 <sup>S</sup>	---	---	6,730	---	Dam, Lake and Stream Project Fund	21	---	---	---	
---	---	---	---	---	Dam Repairs	21	3,000	---	---	
<b>135,250</b>	<b>68,362</b>	<b>3,062</b>	<b>206,674</b>	<b>126,519</b>	<b>Grand Total State Appropriation</b>		<b>101,066</b>	<b>83,966</b>	<b>83,966</b>	

## OTHER RELATED APPROPRIATIONS

### Federal Funds

1,366					Forest Resource Management	11	1,471	2,634	2,634
366 <sup>S</sup>	739	---	2,471	1,011					
27,867					Parks Management	12	32,032	35,037	35,037
90 <sup>S</sup>	2,212	---	30,169	2,742					
9,090					Hunters' and Anglers' License Fund	13	9,710	10,759	10,759
56 <sup>S</sup>	1,213	---	10,359	3,650					
3,705					Shellfish and Marine Fisheries Management	14	3,189	2,955	2,955
34 <sup>S</sup>	174	---	3,913	1,174					
---	---	---	---	---	Wildlife Management	20	---	1,331	1,331
290	131	---	421	197	Natural Resources Engineering	21	290	290	290
<b>42,864</b>	<b>4,469</b>	<b>---</b>	<b>47,333</b>	<b>8,774</b>	<b>Total Federal Funds</b>		<b>46,692</b>	<b>53,006</b>	<b>53,006</b>

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2002					Year Ending June 30, 2004				
Orig. & Supplemental	Reapp. & Recpts.	Transfers & Emergencies	Total Available	Expended	Prog. Class.	2003 Adjusted Approp.	Requested	Recommended	
<b>OTHER RELATED APPROPRIATIONS</b>									
<b>All Other Funds</b>									
---	4,988	---	5,306	868	Forest Resource Management	11	275	250	250
---	318 <sup>R</sup>	---	5,744	3,127	Parks Management	12	2,125	2,243	2,243
---	2,605	70	11,466	828	Hunters' and Anglers' License Fund	13	1,128	1,164	1,164
---	3,069 <sup>R</sup>	211	1,281	232	Shellfish and Marine Fisheries Management	14	358	575	575
---	7,522	200	1,813	983	Wildlife Management	20	449	502	502
---	3,733 <sup>R</sup>	38	3,870	3,189	Natural Resources Engineering	21	1,900	2,500	2,500
---	798	---	4,886	3,037	Palisades Interstate Park Commission	24	3,650	3,615	3,615
---	283 <sup>R</sup>	---	34,366	12,264	<b>Total All Other Funds</b>		<b>9,885</b>	<b>10,849</b>	<b>10,849</b>
---	1,277	---	178,114	106,678	<b>GRAND TOTAL ALL FUNDS</b>		<b>157,643</b>	<b>147,821</b>	<b>147,821</b>
---	498 <sup>R</sup>	---							
---	681	---							
---	3,189 <sup>R</sup>	---							
---	1,096	---							
---	3,790 <sup>R</sup>	---							

## Notes -- Direct State Services - General Fund

- (a) The fiscal year 2003 appropriation has been adjusted for the allocation of salary program, which includes \$511,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Interdepartmental Salary and Other Benefits accounts.
- (b) For fiscal 2004, the Dam Safety program is funded through an allocation from the capital appropriation for Shore Protection Projects-Dam Repairs, subject to the enactment of pending legislation.

## Language Recommendations -- Direct State Services - General Fund

- In addition to the amount hereinabove for Forest Resource Management, an amount not to exceed \$500,000 shall be made available from the Water Resources Monitoring and Planning- Constitutional Dedication special purpose account, to support nonpoint source pollution and watershed management programs in the Bureau of Forestry.
- 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, 2003 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, 2003 of such receipts, are appropriated.
- Notwithstanding any other law to the contrary, an amount not to exceed \$4,683,000 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.
- 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, 2003 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, 2003, 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 \$1,852,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects - Beach Restoration 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 \$325,000 is allocated from the capital appropriation for Shore Protection Fund Projects - HR-6 Flood Control for costs attributable to the operation and administration of the State Flood Control Program, subject to the approval of the Director of the Division of Budget and Accounting and subject to the enactment of enabling legislation.
- An amount not to exceed \$390,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects -Beach Restoration for the operation and maintenance of the Bayshore Flood Control facility.
- An amount not to exceed \$1,254,000 is allocated from the capital appropriation for Shore Protection Fund Projects - Dam Repairs for costs attributable to the operation and administration of the Dam Safety program, subject to the approval of the Director of the Division of Budget and Accounting and subject to the enactment of enabling legislation.

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

The unexpended balance as of June 30, 2003 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 - Beach Restoration, Shore Protection Fund Projects - HR-6 Flood Control, and Shore Protection Fund Projects - Dam Repairs 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) subject to the enactment of enabling legislation.

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

The unexpended balance as of June 30, 2003 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.

Of the amount hereinabove for Shore Protection Fund Projects - Dam Repairs, such sums as are necessary may be transferred to Grants-In-Aid for the repair of non-State owned dams, subject to the approval of the Director of the Division of Budget and Accounting.

All natural resource damages recovered by the State shall be deposited in the Hazardous Discharge Site Cleanup Fund, established pursuant to N.J.S.A. 58:10-23.34, and are appropriated for the restoration of natural resources injured by discharges at contaminated sites, or for projects that compensate the public for the lost use of natural resources, and for restoring, conserving and improving parks facilities.

## 40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

### 43. SCIENCE AND TECHNICAL PROGRAMS

#### OBJECTIVES

1. To assure a safe and dependable supply of water.
2. To undertake technical activities, applied scientific research, policy analysis, and technology evaluation associated with human and ecological exposure to toxic substances, as well as other critical environmental issues identified by DEP. To serve as DEP's primary unit for environmental assessment, risk analysis, and evaluation of innovative technologies and cutting-edge environmental management strategies. These activities are designed to meet the department's information and problem-solving needs, and to identify current scientific needs which warrant the department's attention, as well as to proactively identify scientific issues and environmental problems before they become 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

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.
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 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.

# ENVIRONMENTAL PROTECTION

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.** Maps the geology and topography of the state, assesses offshore mineral resources and dredging, maintains a cooperative water monitoring program with the United States Geological Service (USGS) and reviews plans for underground storage of gas, oil and chemical 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 Systems (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.

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.

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 2001	Actual FY 2002	Revised FY 2003	Budget Estimate FY 2004
<b>PROGRAM DATA</b>				
<b>Water Monitoring and Planning</b>				
Ambient Marine Water:				
Water Samples Analyzed .....	19,000	20,000	21,000	20,000
Percent of shellfish bed acres open .....	77%	78%	78%	79%
Percent of shellfish bed acres seasonal .....	4%	4%	3%	3%
Percent of shellfish bed acres condemned .....	12%	11%	11%	10%
Percent of shellfish bed acres specially restricted .....	7%	7%	8%	8%
<b>Land Use Regulation</b>				
Tidelands:				
Tidelands appraisals .....	180	210	260	260
Tidelands inspections (inquiries-search) .....	300	300	300	300
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	386	425	395	415
Federal .....	42	55	52	49
Other .....	12	12	11	20
Total Positions .....	440	492	458	484

# ENVIRONMENTAL PROTECTION

	Actual FY 2001	Actual FY 2002	Revised FY 2003	Budget Estimate FY 2004
Filled Positions by Program				
Water Monitoring and Planning .....	43	46	40	43
Water Supply and Watershed Management .....	129	136	126	131
Land Use Regulation .....	132	140	138	143
Science, Research and Technology .....	25	33	30	41
New Jersey Geological Survey .....	20	23	25	22
Environmental Remediation and Monitoring .....	37	40	37	66
Drinking Water State Revolving Fund .....	12	12	11	14
Watershed Management .....	42	62	51	24
Total Positions .....	440	492	458	484

**Notes:**

Actual payroll counts are reported in fiscal years 2001 and 2002 as of December, and revised fiscal year 2003 as of September. The Budget Estimate for fiscal year 2004 reflects the number of positions funded.

Payroll counts adjusted for all years to reflect the transfer in of the Water Supply and Watershed Management, Land Use Regulation, and Drinking Water State Revolving Fund programs from Statewide Program 45, Environmental Regulation and the transfer out of the Air Pollution Control program to Statewide Program 45, Environmental Regulation.

### APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2002					Year Ending June 30, 2004				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available Expended		2003 Prog. Adjusted Class. Approp.	Requested	Recom- mended		
<b><u>DIRECT STATE SERVICES</u></b>									
<b>Distribution by Fund and Program</b>									
12,379	703	-88	12,994	9,183	Water Supply and Watershed Management	05	8,253	7,997	7,997
1,242	---	-128	1,114	1,092	Water Monitoring and Planning	07	1,547	736	736
8,465	895	-171	9,189	9,025	Land Use Regulation	15	8,616	8,450	8,450
3,533	1	-38	3,496	3,365	Science, Research and Technology	18	3,177	2,986	2,986
1,311	---	120	1,431	1,376	New Jersey Geological Survey (b)	22	1,398	---	---
10,380	2,794	-850	12,324	7,287	Environmental Remediation and Monitoring	29	9,257	12,447	12,447
5,569	1	226	5,796	1,423	Watershed Management (b)	90	413	---	---
<b>42,879</b>	<b>4,394</b>	<b>-929</b>	<b>46,344</b>	<b>32,751</b>	<b>Total Direct State Services</b>		<b>32,661 (a)</b>	<b>32,616</b>	<b>32,616</b>
<b>Distribution by Fund and Object</b>									
Personal Services:									
10,558	---	376	10,934	10,712	Salaries and Wages		9,697	8,153	8,153
10,558	---	376	10,934	10,712	<b>Total Personal Services</b>		<b>9,697</b>	<b>8,153</b>	<b>8,153</b>
233	---	-28	205	187	Materials and Supplies		182	168	168
2,884	---	-171	2,713	2,583	Services Other Than Personal		2,913	1,385	1,385
125	---	-12	113	92	Maintenance and Fixed Charges		145	138	138
Special Purpose:									
3,000	---	---	3,000	---	Environmental Testing Laboratory	05	---	---	---
300	---	---	300	---	Drinking Water Quality Institute	05	---	---	---
1,208	16 R	---	1,224	1,224	Administrative Costs Water Supply Bond Act of 1981 - Management	05	1,267	1,267	1,267
1,321	---	---	1,321	1,319	Administrative Costs Water Supply Bond Act of 1981 - Watershed and Aquifer	05	1,424	1,424	1,424



# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2002					Year Ending June 30, 2004				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended		2003 Prog. Class.	Adjusted Approp.	Requested	Recommended
<b>CAPITAL CONSTRUCTION</b>									
<b>Distribution by Fund and Program</b>									
8,285	1,457	---	9,742	8,816	Water Supply and Watershed Management	05	8,650	---	---
<u>8,285</u>	<u>1,457</u>	<u>---</u>	<u>9,742</u>	<u>8,816</u>	<b>Total Capital Construction</b>		<u>8,650</u>	<u>---</u>	<u>---</u>
<b>Distribution by Fund and Object</b>									
<b>Water Supply Management</b>									
---	100	---	100	---	Flood Control, Non-HR6	05	---	---	---
<u>8,285</u>	<u>1,357</u>	<u>---</u>	<u>9,642</u>	<u>8,816</u>	Flood Control HR6 Projects	05	<u>8,650</u>	<u>---</u>	<u>---</u>
<u>57,734</u>	<u>9,101</u>	<u>-929</u>	<u>65,906</u>	<u>41,637</u>	<b>Grand Total State Appropriation</b>		<u>41,311</u>	<u>32,616</u>	<u>32,616</u>
<b>OTHER RELATED APPROPRIATIONS</b>									
<b>Federal Funds</b>									
22,200	-8	---	22,192	1,839	Water Supply and Watershed Management (C)	05	23,700	23,700	23,700
3,100	1,106	---	4,206	3,448	Water Monitoring and Planning	07	3,500	3,500	3,500
5,700	870	---	6,570	2,383	Land Use Regulation	15	5,710	6,850	6,850
1,320	49	---	1,369	566	Science, Research and Technology	18	800	1,100	1,100
305	6	---	311	128	New Jersey Geological Survey	22	325	325	325
10,210					Watershed Management	90	10,610	10,610	10,610
<u>109<sup>S</sup></u>	<u>15</u>	<u>---</u>	<u>10,334</u>	<u>4,401</u>	<b>Total Federal Funds</b>		<u>44,645</u>	<u>46,085</u>	<u>46,085</u>
<u>42,944</u>	<u>2,038</u>	<u>---</u>	<u>44,982</u>	<u>12,765</u>	<b>All Other Funds</b>				
---	376	---	443	163	Water Supply and Watershed Management	05	1,287	1,787	1,787
---	67 <sup>R</sup>	---	20	---	Water Monitoring and Planning	07	---	---	---
---	20	---	138	20	Land Use Regulation	15	1,291	1,126	1,126
---	78	---	1,566	18	Science, Research and Technology	18	271	239	239
---	60 <sup>R</sup>	---	21	---	New Jersey Geological Survey	22	---	---	---
---	11	---	2,121	2,121	Drinking Water State Revolving Fund	80	5,663	5,786	5,786
---	1,555 <sup>R</sup>	---	1,865	932	Watershed Management	90	---	---	---
---	21	---	<u>6,174</u>	<u>3,254</u>	<b>Total All Other Funds</b>		<u>8,512</u>	<u>8,938</u>	<u>8,938</u>
---	10	---	<u>117,062</u>	<u>57,656</u>	<b>GRAND TOTAL ALL FUNDS</b>		<u>94,468</u>	<u>87,639</u>	<u>87,639</u>
<u>---</u>	<u>1,865</u>	<u>---</u>	<u>117,062</u>	<u>57,656</u>			<u>94,468</u>	<u>87,639</u>	<u>87,639</u>
<u>---</u>	<u>6,174</u>	<u>---</u>	<u>117,062</u>	<u>57,656</u>			<u>94,468</u>	<u>87,639</u>	<u>87,639</u>
<u>100,678</u>	<u>17,313</u>	<u>-929</u>	<u>117,062</u>	<u>57,656</u>			<u>94,468</u>	<u>87,639</u>	<u>87,639</u>

**Notes -- Direct State Services - General Fund**

- (a) The fiscal year 2003 appropriation has been adjusted for the allocation of salary program, which includes \$316,000 in appropriated receipts, and has been reduced to reflect the transfer of funds to the Interdepartmental Salary and Other Benefits accounts.
- (b) For fiscal 2004, the New Jersey Geological Survey and Watershed Management programs are funded from the Water Resources Monitoring and Planning- Constitutional Dedication special purpose account.
- (c) Program expenditures for the Drinking Water State Revolving Fund are reflected off budget.

**Language Recommendations -- Direct State Services - General Fund**

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 \$62,000, 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.

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, together with an amount not to exceed \$239,000 for costs attributable to administration of the Greenhouse Gas Action Plan, subject to the Director of the Division of Budget and Accounting.

# ENVIRONMENTAL PROTECTION

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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, 2003 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 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 \$1,080,000, 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.

There is appropriated from the Safe Drinking Water Fund an amount not to exceed \$600,000 to administer the Private Well Testing Program.

Notwithstanding any law to the contrary, funds shall be made available from the Water Resources Monitoring and Planning- Constitutional Dedication special purpose account to support nonpoint source pollution and watershed management programs within the Department of Environmental Protection in the amounts of \$800,000 for Water Monitoring and Planning, \$1,392,000 for New Jersey Geological Survey, \$157,000 for Watershed Management, and \$500,000 for Forestry Management, and \$540,000 shall be made available to support the Conservation Cost Share program in the Department of Agriculture, subject to a Memorandum of Understanding between the Commissioner of the Department of Environmental Protection and the Secretary of Agriculture that the use of the funds shall be consistent with the State's watershed management goals.

## 40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

### 44. SITE REMEDIATION AND WASTE MANAGEMENT

#### 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.
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 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.
9. 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

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 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. 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.
27. **Remediation Management and Response.** *The Publicly-Funded Site Remediation program, formerly program classification 19, and the Responsible Party Site Remediation program, program classification 27, have been combined into the new program classification 27 - Remediation Management and Response.* 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 and to remediate those sites for which a responsible party cannot be identified or is either unable or unwilling to voluntarily participate. Provides oversight to ensure 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

# ENVIRONMENTAL PROTECTION

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 2001	Actual FY 2002	Revised FY 2003	Budget Estimate FY 2004
<b>PROGRAM DATA</b>				
<b>Responsible Party Site Remediation</b>				
ISRA:				
Negative declarations .....	174	250	250	250
Remedial action workplan approvals .....	13	13	13	13
Remediations monitored .....	813	1,600	1,600	1,600
Remediations completed .....	74	230	230	230
Discharge Response Element:				
Emergency responses .....	992	1,168	1,168	1,168
Remediations monitored .....	4,856	5,924	5,924	5,924
Remediations completed .....	1,722	1,600	1,600	1,600
Responsible Party Cleanup Element:				
Remedial action workplan approvals .....	97	89	89	89
<b>Solid and Hazardous Waste Management</b>				
Annual tonnage of solid waste:				
Generated statewide .....	17,200,000	17,700,000	17,800,000	17,900,000
Generated per capita (lbs./person/day) .....	12.20	11.50	11.60	11.70
Recycled statewide .....	9,500,000	9,600,000	9,700,000	9,800,000
Recycled per capita (lbs./person/day) .....	6.72	6.30	6.30	6.40
% reduction in solid waste stream due to recycling .....	55.2%	54.2%	54.5%	54.7%
Annual tonnage of hazardous waste generated statewide ...				
Disposed (Notice of violations) .....	28,253	48,119	52,000	50,000
Stored .....	70,074	84,100	111,000	98,000
Recycled .....	202,719	247,605	344,000	296,000
Incinerated .....	71,178	70,704	36,000	53,000
Other .....	173,548	167,613	156,000	162,000
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	612	604	580	586
Federal .....	40	44	42	43
Total Positions .....	652	648	622	629
Filled Positions by Program				
Solid and Hazardous Waste Management .....	141	142	137	130
Remediation Management and Response .....	417	415	400	411
Environmental Remediation and Monitoring .....	94	91	85	88
Total Positions .....	652	648	622	629

**Notes:**

Actual payroll counts are reported for fiscal years 2001 and 2002 as of December, and revised fiscal year 2003 as of September. The Budget Estimate for fiscal year 2004 reflects the number of positions funded.

Payroll counts for all years adjusted to reflect the transfer in of the Solid and Hazardous Waste Management program classification, excluding the Pollution Prevention special purpose account, from Statewide Program 45 and the Office of Dredging and Sediment Technology from Statewide Program 42.

# ENVIRONMENTAL PROTECTION

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2002					Year Ending June 30, 2004			
Orig. & Supplemental	Reapp. & Recpts.	Transfers & Emergencies	Total Available	Expended	Prog. Class.	2003 Adjusted Approp.	Requested	Recommended
<b><u>DIRECT STATE SERVICES</u></b>								
<b>Distribution by Fund and Program</b>								
9,680	150	-82	9,748	8,921				
27,996	13,838	---	41,834	41,513	23	8,905	8,700	8,700
5,600	3,115	---	8,715	5,941	27	30,164	30,164	30,164
					29	5,020	6,740	6,740
<b>43,276</b>	<b>17,103</b>	<b>-82</b>	<b>60,297</b>	<b>56,375</b>		<b>44,089</b> <sup>(a)</sup>	<b>45,604</b>	<b>45,604</b>
<b>Distribution by Fund and Object</b>								
Personal Services:								
13,248	4,297 <sup>R</sup>	-1,993	15,552	13,251				
---	---	---	---	1,989				
13,248	4,297	-1,993	15,552	15,240		14,104	14,884	14,884
326	---	-4	322	314		---	---	---
3,901	---	-410	3,491	3,379		---	---	---
420	---	-54	366	363		---	---	---
Special Purpose:								
350	---	-50	300	299				
416	---	---	416	189	23	379	338	338
60	82	-14	128	30	23	---	---	---
226	---	---	226	154	23	---	---	---
959	68 <sup>R</sup>	---	1,027	1,027	23	1,014	1,014	1,014
---	---	2,488	2,488	2,488	27	---	---	---
16,049	8,852 <sup>R</sup>	---	24,901	24,900	27	17,385	17,385	17,385
723	361 <sup>R</sup>	---	1,084	1,083	27	795	795	795
5,600	3,115	---	8,715	5,941	29	5,020	6,740	6,740
998	328	-45	1,281	968		964	318	318
<b><u>STATE AID</u></b>								
<b>Distribution by Fund and Program</b>								
13,681	---	---	13,681	---	23	---	---	---
<b>13,681</b>	<b>---</b>	<b>---</b>	<b>13,681</b>	<b>---</b>		<b>---</b>	<b>---</b>	<b>---</b>
<b>Distribution by Fund and Object</b>								
State Aid:								
9,681	---	---	9,681	---	23	---	---	---

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2002					Year Ending June 30, 2004			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2003 Adjusted Approp.	Requested	Recommended
<b>STATE AID</b>								
4,000	---	---	4,000	---	Carney's Point Regional Wastewater Management Project	23	---	---
<b>CAPITAL CONSTRUCTION</b>								
<b>Distribution by Fund and Program</b>								
---	71	---	71	14	Remediation Management and Response	27	---	---
46,290	24,462	---	70,752	39,839	Environmental Remediation and Monitoring	29	41,470	55,680
<u>46,290</u>	<u>24,533</u>	<u>---</u>	<u>70,823</u>	<u>39,853</u>	<b>Total Capital Construction</b>	<u>41,470</u>	<u>55,680</u>	<u>55,680</u>
<b>Distribution by Fund and Object</b>								
<b>Site Remediation</b>								
---	71	---	71	14	Hazardous Site Mitigation - Statewide	27	---	---
25,530	24,462	---	49,992	19,079	Hazardous Substance Discharge Remediation - Constitutional Dedication	29	22,870	30,710
<u>20,760</u>	<u>---</u>	<u>---</u>	<u>20,760</u>	<u>20,760</u>	Private Underground Tank Remediation - Constitutional Dedication	29	<u>18,600</u>	<u>24,970</u>
<u>103,247</u>	<u>41,636</u>	<u>-82</u>	<u>144,801</u>	<u>96,228</u>	<b>Grand Total State Appropriation</b>	<u>85,559</u>	<u>101,284</u>	<u>101,284</u>
<b>OTHER RELATED APPROPRIATIONS</b>								
<b>Federal Funds</b>								
2,395	438	---	2,833	2,540	Solid and Hazardous Waste Management	23	2,395	2,395
<u>36,405</u>	<u>2,435</u>	<u>---</u>	<u>38,840</u>	<u>3,597</u>	Remediation Management and Response	27	<u>37,305</u>	<u>42,960</u>
<u>38,800</u>	<u>2,873</u>	<u>---</u>	<u>41,673</u>	<u>6,137</u>	<b>Total Federal Funds</b>	<u>39,700</u>	<u>45,355</u>	<u>45,355</u>
<b>All Other Funds</b>								
---	445	---	445	233	Solid and Hazardous Waste Management	23	1,192	1,081
---	7	---	13	---	Remediation Management and Response	27	<u>15,157</u>	<u>14,326</u>
<u>---</u>	<u>6<sup>R</sup></u>	<u>---</u>	<u>458</u>	<u>233</u>	<b>Total All Other Funds</b>	<u>16,349</u>	<u>15,407</u>	<u>15,407</u>
<u>142,047</u>	<u>44,967</u>	<u>-82</u>	<u>186,932</u>	<u>102,598</u>	<b>GRAND TOTAL ALL FUNDS</b>	<u>141,608</u>	<u>162,046</u>	<u>162,046</u>

**Notes -- Direct State Services - General Fund**

- (a) The fiscal year 2003 appropriation has been adjusted for the allocation of salary program which includes \$1,166,000 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 in of the Solid and Hazardous Waste Management program classification, excluding the Pollution Prevention special purpose account, from Statewide Program 45, and the transfer in of the Office of Dredging and Sediment Technology from Statewide Program 42.
- (c) The Publicly-Funded Site Remediation program and the Responsible Party Site Remediation program have been combined into the Remediation Management and Response program.

**Language Recommendations -- Direct State Services - General Fund**

In addition to site specific charges, the amounts hereinabove for the Remediation Management and Response program class, 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 \$5,297,000, 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 Remediation Management and Response program class, such additional sums that may be received from the federal government for the Superfund Grants program are hereby appropriated.

# ENVIRONMENTAL PROTECTION

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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 \$8,581,000, 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 \$448,000, 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, 2003 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.

Notwithstanding section 11 of P.L.2002, c. 128, the amount hereinabove for the Recycling of Solid Waste account is appropriated from the State Recycling Fund, together with an amount not to exceed \$380,000, 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 derived from the sale of salvaged materials are appropriated to offset costs incurred in the cleanup and removal of hazardous substances.

Receipts deposited to the Resource Recovery Investment Tax Fund and the Solid Waste Services Tax Fund are appropriated.

## 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.

Of the amount hereinabove appropriated for Hazardous Substance Discharge Remediation- Constitutional Dedication, an amount up to \$5,000,000, as determined by the Director of the Division of Budget and Accounting, shall be made available for site remediation costs associated with State-owned properties.

Of the unexpended balances in the hereinabove account for Hazardous Substance Discharge Remediation- Constitutional Dedication, such sums as necessary, as determined by the Director of the Division of Budget and Accounting, shall be made available for site remediation costs associated with State-owned underground storage tanks.

## 40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

### 45. ENVIRONMENTAL REGULATION

#### OBJECTIVES

1. 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.
2. To carry out the purposes and requirements of enabling legislation and regulations.
3. To conduct reviews of permit applications so as to promote meaningful public input.
4. To help permit applicants comply with applicable requirements and promptly inform them when compliance does not seem possible.
5. 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.

6. To improve and protect water quality with available Environmental Infrastructure Trust funds.
7. 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).
8. To certify the analytical capabilities of laboratories performing analyses in response to the State's environmental programs.
9. 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.

#### 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

# ENVIRONMENTAL PROTECTION

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. 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.

**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. The Pollution Prevention program analyzes pollution prevention plans submitted by operators of priority industrial facilities. These plans document how operators plan to reduce the release of hazardous substances into the environment.

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).
16. **Water Monitoring and Planning.** Federal funds for regulating the discharge of contaminants/toxics from wastewater treatment facilities and the management of residuals, the management of sludge (residuals), and the issuance of stormwater permits.
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.

## EVALUATION DATA

PROGRAM DATA	Actual FY 2001	Actual FY 2002	Revised FY 2003	Budget Estimate FY 2004
<b>Radiation Protection</b>				
X-ray machines inspected .....	5,796	7,541	3,588	4,000
X-ray machine violations (% of inspected) .....	22%	26%	40%	30%
Homes tested for radon .....	35,000	31,000	33,000	34,000
Homes mitigated for radon .....	3,000	2,500	2,700	2,800
Lung cancers avoided .....	125	125	125	125
<b>Release Prevention</b>				
Toxic Catastrophe Prevention				
Inspections .....	150	184	120	120
Accident investigations .....	3	1	2	2
Right To Know				
Information requests .....	2,000	1,246	1,600	1,600
Audits for facilities .....	1,200	938	1,000	1,000
Notice of violations .....	200	194	200	200

# ENVIRONMENTAL PROTECTION

	Actual FY 2001	Actual FY 2002	Revised FY 2003	Budget Estimate FY 2004
<b>Filled Positions by Funding Source</b>				
State Supported .....	489	526	497	492
All Other .....	44	45	38	33
<b>Total Positions .....</b>	<b>533</b>	<b>571</b>	<b>535</b>	<b>525</b>
<b>Filled Positions by Program</b>				
Radiation Protection .....	80	91	85	83
Air Pollution Control .....	170	186	175	167
Release Prevention Programs .....	73	72	65	68
Water Pollution Control .....	131	141	134	133
Public Wastewater Facilities .....	56	61	56	53
Clean Waters .....	23	20	20	21
<b>Total Positions .....</b>	<b>533</b>	<b>571</b>	<b>535</b>	<b>525</b>

**Notes:**

Actual payroll counts are reported for fiscal years 2001 and 2002 as of December, and revised fiscal year 2003 as of September. The Budget Estimate for fiscal year 2004 reflects the number of positions funded.

Payroll counts adjusted for all years to reflect the transfer in of the Air Pollution Control program from Statewide Program 43, Science and Technical Programs, and of the Release Prevention program from Statewide Program 47, Compliance and Enforcement, and to reflect the transfer out of the Water Supply and Watershed Management, Land Use Regulation, Drinking Water State Revolving Fund, and Solid and Hazardous Waste programs, exclusive of the Pollution Prevention special purpose account which has been consolidated with the Release Prevention program.

**APPROPRIATIONS DATA  
(thousands of dollars)**

<u>Year Ending June 30, 2002</u>					<u>Year Ending June 30, 2004</u>				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Total Expended	Prog. Class.	2003 Adjusted Approp.	Requested	Recom- mended	
<b><u>DIRECT STATE SERVICES</u></b>									
<b>Distribution by Fund and Program</b>									
6,168	1,445	-71	7,542	6,499	01	6,322	5,196	5,196	
16,749	1,442	11	18,202	17,209	02	16,710	16,391	16,391	
8,116	---	5	8,121	7,213	08	7,673	7,586	7,586	
8,576	---	-40	8,536	8,517	09	2,943	2,908	2,908	
<b>39,609</b>	<b>2,887</b>	<b>-95</b>	<b>42,401</b>	<b>39,438</b>		<b>33,648</b> <sup>(a)</sup>	<b>32,081</b>	<b>32,081</b>	
<b>Distribution by Fund and Object</b>									
Personal Services:									
18,130	---	2,620	20,750	19,551		18,656	18,423	18,423	
<b>18,130</b>	<b>---</b>	<b>2,620</b>	<b>20,750</b>	<b>19,551</b>		<b>18,656</b>	<b>18,423</b>	<b>18,423</b>	
366	---	-68	298	267		240	245	245	
5,073	2	-1,110	3,965	3,296		4,447	3,841	3,841	
293	7	-28	272	215		233	238	238	
Special Purpose:									
1,256					01	1,317			
888 <sup>S</sup>	1,429	---	3,573	2,594		888 <sup>S</sup>	1,317	1,317	
1,496	---	-1,327	169	157					
					01	1,674	1,658	1,658	
1,672	669 <sup>R</sup>	---	2,341	2,340	02	1,789	1,789	1,789	
895	---	-23	872	872	02	837	827	827	
984	213 <sup>R</sup>	---	1,197	1,197	02	1,051	1,051	1,051	
2,368	556 <sup>R</sup>	---	2,924	2,924	02	2,516	2,516	2,516	
5,680 <sup>S</sup>	---	---	5,680	5,680	09	---	---	---	

# ENVIRONMENTAL PROTECTION

Orig. & (S)Supple- mental	Year Ending June 30, 2002				2003 Prog. Class.	2003 Adjusted Approp.	Year Ending June 30, 2004		
	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended			Requested	Recom- mended	
508	11	-159	360	345	<b><u>DIRECT STATE SERVICES</u></b>				
					Additions, Improvements and Equipment				
					---	176	176		
					<b><u>STATE AID</u></b>				
					<b>Distribution by Fund and Program</b>				
10	---	---	10	---	02	---	---	---	
2,500	---	---	2,500	---	09	---	---	---	
<u>2,510</u>	<u>---</u>	<u>---</u>	<u>2,510</u>	<u>---</u>	<b>Total State Aid</b>		<u>---</u>	<u>---</u>	
					<b>Distribution by Fund and Object</b>				
					State Aid:				
10	---	---	10	---	Warren County Air Quality Monitoring System				
2,500	---	---	2,500	---	02	---	---	---	
					09	---	---	---	
					<b><u>CAPITAL CONSTRUCTION</u></b>				
					<b>Distribution by Fund and Program</b>				
---	3	---	3	---	02	---	---	---	
<u>---</u>	<u>3</u>	<u>---</u>	<u>3</u>	<u>---</u>	<b>Total Capital Construction</b>		<u>---</u>	<u>---</u>	
					<b>Distribution by Fund and Object</b>				
					<b>Policy and Planning</b>				
---	3	---	3	---	Air Pollution Monitoring Equipment				
<u>42,119</u>	<u>2,890</u>	<u>-95</u>	<u>44,914</u>	<u>39,438</u>	02	<u>---</u>	<u>---</u>	<u>---</u>	
					<b>Grand Total State Appropriation</b>		<u>33,648</u>	<u>32,081</u>	<u>32,081</u>
					<b><u>OTHER RELATED APPROPRIATIONS</u></b>				
					<b>Federal Funds</b>				
500	9	---	509	288	01	500	500	500	
6,217					Radiation Protection				
272 <sup>S</sup>	483	---	6,972	3,848	02	6,217	6,217	6,217	
57,600	---	---	57,600	---	09	57,600	57,600	57,600	
710	197	---	907	724	16	710	705	705	
<u>65,299</u>	<u>689</u>	<u>---</u>	<u>65,988</u>	<u>4,860</u>	<b>Total Federal Funds</b>		<u>65,027</u>	<u>65,022</u>	<u>65,022</u>
					<b>All Other Funds</b>				
---	3,007	---	3,291	2,666	01	1,222	1,209	1,209	
---	284 <sup>R</sup>	---	549	174	Radiation Protection				
---	549	---	549	---	02	1,169	1,556	1,556	
---	60	---	60	---	09	---	---	---	
---	7	---	---	---	Public Wastewater Facilities				
<u>---</u>	<u>2,140<sup>R</sup></u>	<u>---</u>	<u>2,147</u>	<u>2,144</u>	70	<u>2,400</u>	<u>2,400</u>	<u>2,400</u>	
<u>---</u>	<u>6,047</u>	<u>---</u>	<u>6,047</u>	<u>4,984</u>	<b>Total All Other Funds</b>		<u>4,791</u>	<u>5,165</u>	<u>5,165</u>
<u>107,418</u>	<u>9,626</u>	<u>-95</u>	<u>116,949</u>	<u>49,282</u>	<b>GRAND TOTAL ALL FUNDS</b>		<u>103,466</u>	<u>102,268</u>	<u>102,268</u>

**Notes -- Direct State Services - General Fund**

- (a) The fiscal year 2003 appropriation has been adjusted for the allocation of salary program, which includes \$250,000 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 Clean Water State Revolving Fund are reflected off budget in the Wastewater Treatment Fund.

**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, 2003 in the Nuclear Emergency Response account, together with receipts in excess of the amount anticipated, not to exceed \$838,000, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

# ENVIRONMENTAL PROTECTION

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.

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 \$458,000, 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 \$1,098,000, 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.

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 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 \$701,000, 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.

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 Fund monies, federal funds, bond funds and tax accounts.

#### PROGRAM CLASSIFICATIONS

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

#### EVALUATION DATA

	Actual FY 2001	Actual FY 2002	Revised FY 2003	Budget Estimate FY 2004
<b>PROGRAM DATA</b>				
<b>Administration and Support Services</b>				
Male Minority .....	215	215	219	225
Male Minority % .....	6.5%	6.5%	6.6%	6.8%
Female Minority .....	261	261	266	270
Female Minority % .....	7.7%	7.9%	8.1%	8.3%
Total Minority .....	476	476	485	495
Total Minority % .....	14.2%	14.4%	14.7%	15.1%
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	311	325	309	305
Total Positions .....	311	325	309	305

# ENVIRONMENTAL PROTECTION

	Actual FY 2001	Actual FY 2002	Revised FY 2003	Budget Estimate FY 2004
Filled Positions by Program				
Regulatory and Governmental Affairs . . . . .	39	41	39	45
Management and Administrative Services . . . . .	272	284	270	260
Total Positions . . . . .	311	325	309	305

**Notes:**

Actual payroll counts are reported for fiscal years 2001 and 2002 as of December, and revised fiscal year 2003 as of September. The Budget Estimate for fiscal year 2004 reflects the number of positions funded.

### APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2002					Year Ending June 30, 2004			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2003 Adjusted Approp.	Requested	Recom- mended
<b><u>DIRECT STATE SERVICES</u></b>								
<b>Distribution by Fund and Program</b>								
2,124	---	126	2,250	2,235				
17,193	176	549	17,918	17,518	26	2,259	2,153	2,153
19,317	176	675	20,168	19,753	99	19,298	17,705	17,705
						21,557 <sup>(a)</sup>	19,858	19,858
<b>Distribution by Fund and Object</b>								
Personal Services:								
14,602	---	1,969	16,571	16,571				
14,602	---	1,969	16,571	16,571		16,348	15,862	15,862
280	---	98	378	314		232	152	152
1,166	---	-66	1,100	1,039		988	975	975
172	---	28	200	168		280	258	258
Special Purpose:								
---	---	---	---	---				
---	125	---	125	---	99	2,000	1,500	1,500
98	---	-98	---	---	99	---	---	---
90	---	---	90	---	99	98	98	98
2,909	51	-1,256	1,704	1,661	99	---	---	---
						1,611	1,013	1,013
<b><u>GRANTS-IN-AID</u></b>								
<b>Distribution by Fund and Program</b>								
350	1	---	351	200				
350	1	---	351	200	99	---	---	---
						---	---	---
<b>Distribution by Fund and Object</b>								
Grants:								
350	1	---	351	200				
					99	---	---	---
<b><u>STATE AID</u></b>								
<b>Distribution by Fund and Program</b>								
13,590	5	---	13,595	12,771				
6,220	5	---	6,225	5,538	99	12,420	12,255	12,255
						4,420	4,255	4,255

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2002					Year Ending June 30, 2004			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2003 Adjusted Approp.	Requested	Recommended
7,370	---	---	7,370	7,233				
					<b>STATE AID</b>			
					(From Property Tax Relief Fund)			
						8,000	8,000	8,000
<b>13,590</b>	<b>5</b>	<b>---</b>	<b>13,595</b>	<b>12,771</b>	<b>Total State Aid</b>	<b>12,420</b>	<b>12,255</b>	<b>12,255</b>
6,220	5	---	6,225	5,538	(From General Fund)	4,420	4,255	4,255
7,370	---	---	7,370	7,233	(From Property Tax Relief Fund)	8,000	8,000	8,000
					<b>Distribution by Fund and Object</b>			
					State Aid:			
450	---	---	450	---	Fortescue Inlet Dredging	99	---	---
200	---	---	200	200	Moorestown Township - Strawbridge Lake Dredging	99	---	---
1,278	---	---	1,278	1,277	Mosquito Control, Research, Administration and Operations	99	1,287	1,301
7,370	---	---	7,370	7,233	Payment In Lieu of Taxes (PTRF)	99	8,000	8,000
4,127	---	---	4,127	3,895	Administration, Planning and Development Activities of the Pinelands Commission	99	2,968	2,954
165	5	---	170	166	Grants to Local Environmental Commissions	99	165	---
					<b>CAPITAL CONSTRUCTION</b>			
					<b>Distribution by Fund and Program</b>			
810	706	---	1,516	256	Administration and Support Services	99	125	---
<b>810</b>	<b>706</b>	<b>---</b>	<b>1,516</b>	<b>256</b>	<b>Total Capital Construction</b>	<b>125</b>	<b>---</b>	<b>---</b>
					<b>Distribution by Fund and Object</b>			
					<b>Administrative Operations</b>			
---	163	---	163	149	New Jersey Environmental Management System	99	---	---
810	271	---	1,081	---	Mosquito Control Equipment	99	125	---
---	15	---	15	---	State Owned Lakes Management	99	---	---
---	150	---	150	---	Third River Riverbank Restoration, Nutley	99	---	---
---	107	---	107	107	Network Infrastructure	99	---	---
<b>34,067</b>	<b>888</b>	<b>675</b>	<b>35,630</b>	<b>32,980</b>	<b>Grand Total State Appropriation</b>	<b>34,102</b>	<b>32,113</b>	<b>32,113</b>
					<b>OTHER RELATED APPROPRIATIONS</b>			
<b>81,407</b>	<b>---</b>	<b>-16,280</b>	<b>65,127</b>	<b>54,279</b>	<b>Total Debt Service</b>	<b>76,833</b>	<b>68,053</b>	<b>68,053</b>
					<b>Federal Funds</b>			
150	---	---	150	---	Regulatory and Governmental Affairs	26	150	150
950	227	---	1,177	228	Administration and Support Services	99	2,500	3,250
<b>1,100</b>	<b>227</b>	<b>---</b>	<b>1,327</b>	<b>228</b>	<b>Total Federal Funds</b>	<b>2,650</b>	<b>3,400</b>	<b>3,400</b>
					<b>All Other Funds</b>			
---	193	---	371	140	Regulatory and Governmental Affairs	26	150	150
---	1,316	---	2,779	1,743	Administration and Support Services	99	183	148
---	409 <sup>R</sup>	1,054	3,150	1,883	<b>Total All Other Funds</b>	<b>333</b>	<b>298</b>	<b>298</b>
<b>116,574</b>	<b>3,211</b>	<b>-14,551</b>	<b>105,234</b>	<b>89,370</b>	<b>GRAND TOTAL ALL FUNDS</b>	<b>113,918</b>	<b>103,864</b>	<b>103,864</b>

## Notes -- Direct State Services - General Fund

- (a) The fiscal year 2003 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

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, and pesticides.
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.
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.
7. To protect the public and the environment from any hazards resulting from the production, use, sale, storage or other activities related to pesticides.

#### 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.

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 (NJPDES) 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

# ENVIRONMENTAL PROTECTION

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

	Actual FY 2001	Actual FY 2002	Revised FY 2003	Budget Estimate FY 2004
<b>PROGRAM DATA</b>				
<b>Air Pollution Control</b>				
Investigations and inspections .....	6,500	6,900	6,000	7,200
<b>Pesticide Control</b>				
Investigations and inspections .....	2,000	1,704	1,200	1,200
Pesticide products regulated .....	11,500	12,000	12,000	12,000
Pesticide licenses and permits .....	16,500	17,000	17,000	17,000
<b>Water Pollution Control</b>				
Inspections .....	4,000	5,074	4,500	5,000
Clean Shores:				
Miles of beaches cleaned .....	160	171	140	160
Tons of debris removed .....	2,500	2,266	2,300	2,400
<b>Land Use Regulation</b>				
Investigations and inspections .....	2,750	2,600	2,100	2,100
<b>Solid and Hazardous Waste Management</b>				
Hazardous waste annual inspections .....	2,150	2,200	2,000	2,000
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	299	311	285	302
Federal .....	13	11	12	14
All Other .....	6	6	5	5
Total Positions .....	318	328	302	321
Filled Positions by Program				
Air Pollution Control .....	75	81	75	79
Pesticide Control .....	37	40	40	38
Water Pollution Control .....	96	98	91	95
Land Use Regulation .....	34	33	31	35
Solid and Hazardous Waste Management .....	76	76	65	74
Total Positions .....	318	328	302	321

### Notes:

Actual payroll counts are reported for fiscal years 2001 and 2002 as of December, and revised fiscal year 2003 as of September. The Budget Estimate for fiscal year 2004 reflects the number of positions funded.

Payroll counts for all years adjusted to reflect transfer of the Release Prevention program to Statewide Program 45, Environmental Regulation.

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2002					Year Ending June 30, 2004			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Total Expended	Prog. Class.	2003 Adjusted Approp.	Requested	Recom- mended
<b>DIRECT STATE SERVICES</b>								
<b>Distribution by Fund and Program</b>								
4,061	---	326	4,387	4,349	02	4,027	3,907	3,907
2,085	28	-13	2,100	2,055	04	2,296	2,232	2,232

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2002					Year Ending June 30, 2004				
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2003 Adjusted Approp.	Requested	Recommended	
<b><u>DIRECT STATE SERVICES</u></b>									
5,907	2	292	6,201	5,869	Water Pollution Control	08	5,934	5,868	5,868
1,819	498	-83	2,234	2,228	Land Use Regulation	15	1,817	1,805	1,805
3,938	---	12	3,950	3,679	Solid and Hazardous Waste Management	23	3,803	3,755	3,755
<b>17,810</b>	<b>528</b>	<b>534</b>	<b>18,872</b>	<b>18,180</b>	<b>Total Direct State Services</b>		<b>17,877<sup>(a)</sup></b>	<b>17,567</b>	<b>17,567</b>
<b>Distribution by Fund and Object</b>									
Personal Services:									
14,754	---	713	15,467	14,835	Salaries and Wages		15,466	15,188	15,188
<b>14,754</b>	<b>---</b>	<b>713</b>	<b>15,467</b>	<b>14,835</b>	<b>Total Personal Services</b>		<b>15,466</b>	<b>15,188</b>	<b>15,188</b>
161	---	-84	77	67	Materials and Supplies		175	90	90
1,397	---	52	1,449	1,427	Services Other Than Personal		1,070	1,024	1,024
328	---	74	402	402	Maintenance and Fixed Charges		350	369	369
Special Purpose:									
746	498 <sup>R</sup>	---	1,244	1,244	Tidelands Peak Demands	15	816	816	816
424	30	-221	233	205	Additions, Improvements and Equipment		---	80	80
<b><u>STATE AID</u></b>									
<b>Distribution by Fund and Program</b>									
2,453	12	---	2,465	2,465	Water Pollution Control	08	2,453	2,453	2,453
---	12	---	12	12	(From General Fund)		---	---	---
2,453	---	---	2,453	2,453	(From Property Tax Relief Fund)		2,453	2,453	2,453
<b>2,453</b>	<b>12</b>	<b>---</b>	<b>2,465</b>	<b>2,465</b>	<b>Total State Aid</b>		<b>2,453</b>	<b>2,453</b>	<b>2,453</b>
---	12	---	12	12	(From General Fund)		---	---	---
2,453	---	---	2,453	2,453	(From Property Tax Relief Fund)		2,453	2,453	2,453
<b>Distribution by Fund and Object</b>									
State Aid:									
2,453	---	---	2,453	2,453	County Environmental Health Act (PTRF)	08	2,453	2,453	2,453
---	12	---	12	12	Operation Clean Shores	08	---	---	---
<b>20,263</b>	<b>540</b>	<b>534</b>	<b>21,337</b>	<b>20,645</b>	<b>Grand Total State Appropriation</b>		<b>20,330</b>	<b>20,020</b>	<b>20,020</b>
<b><u>OTHER RELATED APPROPRIATIONS</u></b>									
<b>Federal Funds</b>									
1,802	8	---	1,810	1,258	Air Pollution Control	02	1,802	1,802	1,802
750	36	---	806	598	Pesticide Control	04	750	750	750
20 <sup>S</sup>	---	---	---	---	Water Pollution Control	08	1,000	1,000	1,000
1,000	---	---	1,050	---	Land Use Regulation	15	500	500	500
50 <sup>S</sup>	---	---	---	---	Solid and Hazardous Waste Management	23	1,886	1,886	1,886
500	57	---	557	338	<b>Total Federal Funds</b>		<b>5,938</b>	<b>5,938</b>	<b>5,938</b>
1,886	193	---	2,079	1,535	<b>All Other Funds</b>		<b>---</b>	<b>---</b>	<b>---</b>
<b>6,008</b>	<b>294</b>	<b>---</b>	<b>6,302</b>	<b>3,729</b>	Air Pollution Control	02	---	---	---
---	45	---	45	---	Water Pollution Control	08	1,000	1,000	1,000
---	1,948	-150	3,939	1,406	Land Use Regulation	15	517	681	681
---	2,141 <sup>R</sup>	---	---	---	<b>Total All Other Funds</b>		<b>1,517</b>	<b>1,681</b>	<b>1,681</b>
<b>---</b>	<b>4,134</b>	<b>-150</b>	<b>3,984</b>	<b>1,406</b>			<b>---</b>	<b>---</b>	<b>---</b>

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2002					Year Ending June 30, 2004			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	2003 Prog. Class.	2003 Adjusted Approp.	Requested	Recommended
26,271	4,968	384	31,623	25,780	<b>OTHER RELATED APPROPRIATIONS</b>			
<b>GRAND TOTAL ALL FUNDS</b>					27,785	27,639	27,639	

## Notes -- Direct State Services - General Fund

- (a) The fiscal year 2003 appropriation has been adjusted for the allocation of salary program, which includes \$39,000 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

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

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 \$1,772,000, 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.

Receipts in excess of the amount anticipated for Air Pollution, Clean Water Enforcement and Solid Waste fines, not to exceed \$1,500,000, are appropriated for the expansion of compliance, enforcement and permitting efforts in the department, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of those anticipated for the Stormwater Management Program are appropriated to the Department for expansion of the Stormwater Management Program to meet new federal mandates relating to the regulation of municipal stormwater management, subject to the approval of the Director of the Division of Budget and Accounting.