

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### OVERVIEW

The mission of the Department of Environmental Protection (DEP) is to protect and improve New Jersey's air, land, water and natural resources; to ensure public health; to sustain economic growth; and to preserve and enhance the quality of life for all New Jersey citizens and for future generations.

The Department strives toward its mission by: employing a decision-making process that is open, comprehensive, timely, predictable, and efficient; developing standards to protect human health, the environment, and natural resources; protecting public trust through sound management and restoration of natural resources and by ensuring public access to safe local parks, the waterfront, protected open space, and historic and natural resources; enhancing environmental awareness and private stewardship through education, communication and incentives; ensuring the environment and natural resources of all communities receive equal protection and benefits under the Department's regulations and programs; protecting biodiversity and the water supply through land acquisition, enforcement and conservation; promoting sustainable living, including conservation of water, conservation of energy, use of environmentally friendly building materials, promotion of renewable energy, and reduction of waste through recycling and reuse programs; and fostering a work environment that attracts and retains a dedicated, diverse and talented work force.

The DEP is organizationally divided into five environmental areas: Natural Resource Management, Science and Technical Programs, Site Remediation and Waste Management, Environmental Regulation, and Compliance and Enforcement. The Management and Administration program provides department-wide administrative support to the programs. The Department of Environmental Protection also includes several in-but-not-of agencies that receive State appropriations: the Palisades Interstate Park Commission, the Highlands Water Protection and Planning Council, and the Pinelands Commission.

### Budget Highlights

The Fiscal 2007 Budget for the Department of Environmental Protection (DEP), excluding Debt Service, totals \$439.7 million, an increase of \$108.6 million or 32.8% over the fiscal 2006 adjusted appropriation of \$331.2 million. This growth is primarily attributable to an increase in the Corporation Business Tax constitutional dedication of \$53.8 million and a new Capital Construction appropriation of \$40 million for capital improvements in the State's parks, forests, wildlife management areas, and historic sites. Remaining growth is attributable to funding for Passaic River Cleanup Litigation and Water Resource Interconnection Projects.

### Parks and Recreation

To address a long-standing lack of capital funds required for the State's park system, an appropriation of \$40 million is proposed for fiscal 2007. This appropriation will provide an important start for much needed renovations in the State's parks, forests, historic sites, and wildlife management areas. DEP will undertake critical health and safety improvements; including demolition of unsafe structures, asbestos removal, and lead abatement. Additional major projects will include restorations to State-owned historic sites, such as Batsto and Atsion Mansions, Rockingham, Waterloo Village, the historic train sheds at Liberty State Park, and DEP's most recent acquisition - the office and homestead of James Still in the Pinelands.

### Corporation Business Tax Dedication

A constitutional dedication of 4% of Corporation Business Tax (CBT) revenues has supported critical DEP programs for the past 10 years. In fiscal 2007, this important funding source will increase by \$53.8 million, due to higher collections of CBT revenues. Along with providing additional funding for ongoing projects, such as cleanup of

privately owned underground tanks, remediation of contaminated sites, and watershed monitoring and planning, this increase will support two new initiatives: 1) Diesel Risk Mitigation Fund (\$21.8 million), which aims to reduce diesel exhaust emissions levels through the use of ultra-low-sulfur diesel fuel, prevention of idling, and retrofitting of 40,000 vehicles, including school and transit buses, garbage trucks, and publicly owned on-road and non-road vehicles; and 2) Watershed Restoration Projects (\$5 million), which address the ongoing sedimentation and pathogen loads in impaired ponds and streams and restore various watersheds, including Lake Hopatcong, Long Swamp Creek in the Barnegat Bay Estuary, Delaware & Raritan Canal Tributaries, Wreck Pond, and Pequannock River.

### Water Supply

An amount of \$6 million will be appropriated to a new Water Resource Interconnection Projects program intended to enhance the State's water supply through drought mitigation and land acquisition projects. Some portion of this appropriation will be used to leverage approximately \$100 million in debt to finance infrastructure that is required to address the State's most critical water supply needs. Major projects that are planned include: 1) the Raritan Confluence Reservoir Project, which will connect Round Valley Reservoir and the confluence of the north and south branches of the Raritan River; 2) an interconnection between the Central and Coastal North Drought Regions to help avert or mitigate Coastal North drought events in Southeastern Middlesex, Monmouth and Ocean Counties; and 3) interconnections within the Southwest Drought Region, which will extend the New Jersey American Tri-County Pipeline into Southwestern New Jersey to serve growth areas where water supplies are impacted by saltwater intrusion or contamination.

### Site Remediation

To pursue the cleanup of toxic dioxin contamination in the Newark Bay Complex, the Fiscal 2007 Budget will provide funds for legal and expert services, investigative expenses, and other associated costs. For more than 20 years, Occidental Chemical and its predecessors knowingly discharged a highly toxic form of dioxin, pesticides, and other chemicals into the Passaic River from their Newark facility. The environmental and economic damage this pollution has inflicted on the State includes increased cancer risks from consuming blue claw crabs and higher costs to dredge New York Harbor's navigational channels.

### Reduced Salary Costs

This Fiscal 2007 Budget recommends a reduction of DEP's salary costs by \$2.5 million. The Department will manage this reduction through more efficient reallocation of resources and attrition.

### Department Accomplishments

As the nation's most densely populated state, open spaces, whether urban parks or forest preserves, are essential to quality of life in the Garden State. Last year was a record-setting year for the acquisition of open space in New Jersey, with DEP's Green Acres program purchasing more than 38,000 acres of land for recreation and conservation. Green Acres continues to be one of DEP's most successful programs, enjoying wide public support. New Jerseyans have consistently supported open space initiatives at the ballot box, providing much needed funding to set aside lands for recreation and conservation purposes. Green Acres funding also helped municipalities, counties and nonprofits to acquire land and develop park and recreation facilities in all of New Jersey's 21 counties. Since its inception, the Green Acres Program, together with public and private partners, has acquired and protected more than 597,000 acres of open space. New Jersey has more than 1.3 million acres of protected open space, including restored and improved municipal, county and nonprofit parks.

# ENVIRONMENTAL PROTECTION

Last year New Jersey achieved a major milestone with the creation and funding of a program to reduce diesel emissions. The program, established by legislation and funded by a voter-approved constitutional amendment, is designed to cut exposure to harmful diesel emissions from school buses, garbage trucks, public and privately owned transit buses and publicly owned diesel vehicles. Pollution from diesel engines is linked to hundreds of premature deaths and thousands of serious respiratory illnesses in New Jersey every year. By taking action to reduce dangerous diesel emissions, we are prolonging and improving the lives of all New Jerseyans, including those most vulnerable to the harmful effects of air pollution -- children, seniors and those who live or work in urban areas.

The diesel program mandates the installation of particulate traps and other emissions-control devices in the tailpipes of garbage trucks, transit buses and publicly owned diesel vehicles and equipment. Diesel-powered school buses, both publicly owned and privately contracted, will be fitted with closed crankcase technology in their engines to reduce harmful diesel exhaust from seeping into the cabin and threatening the health of our children. This innovative diesel retrofit program was signed into law in September 2005, and funded by a voter-approved constitutional amendment authorizing use of Corporation Business Tax revenues.

In 2005, New Jersey advanced its efforts to combat global warming and to promote energy efficiency by signing a historic seven-state agreement to reduce carbon dioxide (CO2) emissions from power plants. Through the Regional Greenhouse Gas Initiative (RGGI),

New Jersey negotiated for two years with other northeast states to actively address global warming, one of the most pressing environmental challenges of our time. Global warming is a serious threat to New Jersey, with projections forecasting average temperature increases between 2 and 10 degrees Fahrenheit by the year 2100. Such severe climate change would contribute to air quality problems by exacerbating smog and ozone. New Jersey is especially vulnerable to another effect of global warming, the rise in sea levels, which results from thermal expansion of the oceans and the melting of polar ice caps. Global warming also threatens coastal areas through the increased intensity of extreme weather events, which threaten our gently sloping, highly developed coastline.

The RGGI agreement, approved by seven states (New Jersey, New York, Delaware, Connecticut, New Hampshire, Vermont and Maine) calls for a mandatory cap on emissions, coupled with a market-based trading program to achieve the lowest possible compliance costs. Under the plan, regional CO2 emissions will be capped at 121.3 million tons per year beginning in 2009 through 2014 (a level approximately equal to 1990 emissions), and will be reduced to 10% below this level by 2018. The cap-and-trade program established in the agreement sets limits on regional emissions, but allows companies to trade emissions allowances. Companies that do not have enough allowances to cover CO2 emissions must either reduce their emissions or purchase allowances from sources able to reduce their emissions below their prescribed cap. The RGGI agreement also provides that at least 25% of the emissions allowances will be used to benefit energy consumers.

## DEPARTMENT OF ENVIRONMENTAL PROTECTION SUMMARY OF APPROPRIATIONS BY FUND (thousands of dollars)

Year Ending June 30, 2005					Year Ending June 30, 2007			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		2006 Adjusted Approp.	Requested	Recom- mended
					<b>GENERAL FUND</b>			
217,273	34,215	15,181	266,669	251,306	Direct State Services	226,918	238,217	238,217
16,250	8,207	-5,980	18,477	13,491	Grants-In-Aid	750	33,165	33,165
12,207	32	150	12,389	12,162	State Aid	10,222	11,066	11,066
116,453	100,273	-9,730	206,996	89,837	Capital Construction	84,263	147,767	147,767
37,660	---	3,577	41,237	39,715	Debt Service	24,675	64,664	64,664
<b>399,843</b>	<b>142,727</b>	<b>3,198</b>	<b>545,768</b>	<b>406,511</b>	<b>Total General Fund</b>	<b>346,828</b>	<b>494,879</b>	<b>494,879</b>
					<b>PROPERTY TAX RELIEF FUND</b>			
8,500	---	---	8,500	8,457	State Aid	9,000	9,500	9,500
<b>8,500</b>	<b>---</b>	<b>---</b>	<b>8,500</b>	<b>8,457</b>	<b>Total Property Tax Relief Fund</b>	<b>9,000</b>	<b>9,500</b>	<b>9,500</b>
<b>408,343</b>	<b>142,727</b>	<b>3,198</b>	<b>554,268</b>	<b>414,968</b>	<b>Total Appropriation, Department of Environmental Protection</b>	<b>355,828</b>	<b>504,379</b>	<b>504,379</b>

# ENVIRONMENTAL PROTECTION

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

Year Ending June 30, 2005					Year Ending June 30, 2007			
Orig. & (S)Supple- mental	Reapp. & (R)Repts.	Transfers & (E)Emer- gencies	Total Available	Expended		2006 Adjusted Approp.	Requested	Recom- mended
<b>DIRECT STATE SERVICES - GENERAL FUND</b>								
<b>Natural Resource Management</b>								
6,691	---	878	7,569	7,569	Forest Resource Management	7,087	7,087	7,087
36,469	1,718	1,139	39,326	38,557	Parks Management	38,506	38,491	38,491
13,177	103	1,297	14,577	13,334	Hunters' and Anglers' License Fund	16,764	15,185	15,185
1,356	---	589	1,945	1,945	Shellfish and Marine Fisheries Management	1,504	1,504	1,504
348	---	-79	269	215	Wildlife Management	692	661	661
1,533	48	4,534	6,115	6,068	Natural Resources Engineering	1,682	1,682	1,682
2,214	---	200	2,414	2,414	Palisades Interstate Park Commission	2,614	2,464	2,464
<u>61,788</u>	<u>1,869</u>	<u>8,558</u>	<u>72,215</u>	<u>70,102</u>	<i>Subtotal</i>	<u>68,849</u>	<u>67,074</u>	<u>67,074</u>
<b>Science and Technical Programs</b>								
7,631	1,182	1,196	10,009	9,916	Water Supply	7,976	7,976	7,976
---	5	---	5	5	Water Monitoring and Standards	---	---	---
15,131	1,299	-66	16,364	13,799	Land Use Regulation	13,380	13,380	13,380
3,019	---	-28	2,991	2,932	Science, Research and Technology	3,145	3,145	3,145
---	1	70	71	70	New Jersey Geological Survey	---	---	---
11,440	5,179	1,660	18,279	15,646	Environmental Management - CBT Dedication	12,363	16,338	16,338
---	---	244	244	244	Watershed Management	---	---	---
<u>37,221</u>	<u>7,666</u>	<u>3,076</u>	<u>47,963</u>	<u>42,612</u>	<i>Subtotal</i>	<u>36,864</u>	<u>40,839</u>	<u>40,839</u>
<b>Site Remediation and Waste Management</b>								
8,790	1,144	-222	9,712	8,704	Solid and Hazardous Waste Management	8,180	6,836	6,836
30,453	13,072	1	43,526	43,276	Remediation Management and Response	29,992	41,979	41,979
6,960	6,644	---	13,604	8,342	Environmental Management - CBT Dedication	6,680	7,715	7,715
<u>46,203</u>	<u>20,860</u>	<u>-221</u>	<u>66,842</u>	<u>60,322</u>	<i>Subtotal</i>	<u>44,852</u>	<u>56,530</u>	<u>56,530</u>
<b>Environmental Regulation</b>								
7,511	175	-30	7,656	7,363	Radiation Protection	8,092	6,993	6,993
16,630	726	23	17,379	17,183	Air Pollution Control	17,499	17,034	17,034
7,609	13	173	7,795	7,786	Water Pollution Control	8,199	8,193	8,193
2,935	61	-59	2,937	2,936	Public Wastewater Facilities	3,140	3,140	3,140
<u>34,685</u>	<u>975</u>	<u>107</u>	<u>35,767</u>	<u>35,268</u>	<i>Subtotal</i>	<u>36,930</u>	<u>35,360</u>	<u>35,360</u>
<b>Environmental Planning and Administration</b>								
2,172	---	191	2,363	2,355	Regulatory and Governmental Affairs	2,338	2,338	2,338
17,348	46	1,188	18,582	18,534	Administration and Support Services	17,992	15,659	15,659
<u>19,520</u>	<u>46</u>	<u>1,379</u>	<u>20,945</u>	<u>20,889</u>	<i>Subtotal</i>	<u>20,330</u>	<u>17,997</u>	<u>17,997</u>
<b>Compliance and Enforcement</b>								
4,250	1,259	57	5,566	5,565	Air Pollution Control	4,557	4,557	4,557
2,251	7	33	2,291	2,291	Pesticide Control	2,419	2,419	2,419
5,570	---	336	5,906	5,906	Water Pollution Control	5,968	5,968	5,968
1,925	788	-112	2,601	2,601	Land Use Regulation	2,029	2,029	2,029
3,860	---	-32	3,828	3,828	Solid and Hazardous Waste Management	4,120	5,444	5,444
---	745	2,000	2,745	1,922	Environmental Management - CBT Dedication	---	---	---

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2005					Year Ending June 30, 2007			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended		2006 Adjusted Approp.	Requested	Recommended
17,856	2,799	2,282	22,937	22,113	<i>Subtotal</i>	19,093	20,417	20,417
<b>217,273</b>	<b>34,215</b>	<b>15,181</b>	<b>266,669</b>	<b>251,306</b>	<b>Total Direct State Services - General Fund</b>	<b>226,918</b>	<b>238,217</b>	<b>238,217</b>
<b>217,273</b>	<b>34,215</b>	<b>15,181</b>	<b>266,669</b>	<b>251,306</b>	<b>TOTAL DIRECT STATE SERVICES</b>	<b>226,918</b>	<b>238,217</b>	<b>238,217</b>
<b>GRANTS-IN-AID - GENERAL FUND</b>								
<b>Natural Resource Management</b>								
10,250	---	-1,516	8,734	8,733	Parks Management	250	---	---
---	5,054	-2,651	2,403	2,340	Natural Resources Engineering	---	---	---
<b>10,250</b>	<b>5,054</b>	<b>-4,167</b>	<b>11,137</b>	<b>11,073</b>	<b>Subtotal</b>	<b>250</b>	<b>---</b>	<b>---</b>
<b>Science and Technical Programs</b>								
---	---	---	---	---	Water Supply	---	6,000	6,000
---	---	387	387	387	Water Monitoring and Standards	500	400	400
6,000	3,153	-2,200	6,953	2,031	Environmental Management - CBT Dedication	---	5,000	5,000
<b>6,000</b>	<b>3,153</b>	<b>-1,813</b>	<b>7,340</b>	<b>2,418</b>	<b>Subtotal</b>	<b>500</b>	<b>11,400</b>	<b>11,400</b>
<b>Environmental Regulation</b>								
---	---	---	---	---	Environmental Management - CBT Dedication	---	21,765	21,765
---	---	---	---	---	<b>Subtotal</b>	<b>---</b>	<b>21,765</b>	<b>21,765</b>
<b>16,250</b>	<b>8,207</b>	<b>-5,980</b>	<b>18,477</b>	<b>13,491</b>	<b>Total Grants-In-Aid - General Fund</b>	<b>750</b>	<b>33,165</b>	<b>33,165</b>
<b>16,250</b>	<b>8,207</b>	<b>-5,980</b>	<b>18,477</b>	<b>13,491</b>	<b>TOTAL GRANTS-IN-AID</b>	<b>750</b>	<b>33,165</b>	<b>33,165</b>
<b>STATE AID - GENERAL FUND</b>								
<b>Site Remediation and Waste Management</b>								
2,300	---	---	2,300	2,218	Solid and Hazardous Waste Management	---	---	---
<b>2,300</b>	<b>---</b>	<b>---</b>	<b>2,300</b>	<b>2,218</b>	<b>Subtotal</b>	<b>---</b>	<b>---</b>	<b>---</b>
<b>Environmental Planning and Administration</b>								
6,454	27	150	6,631	6,491	Administration and Support Services	6,769	7,613	7,613
<b>6,454</b>	<b>27</b>	<b>150</b>	<b>6,631</b>	<b>6,491</b>	<b>Subtotal</b>	<b>6,769</b>	<b>7,613</b>	<b>7,613</b>
<b>Compliance and Enforcement</b>								
3,453	5	---	3,458	3,453	Water Pollution Control	3,453	3,453	3,453
<b>3,453</b>	<b>5</b>	<b>---</b>	<b>3,458</b>	<b>3,453</b>	<b>Subtotal</b>	<b>3,453</b>	<b>3,453</b>	<b>3,453</b>
<b>12,207</b>	<b>32</b>	<b>150</b>	<b>12,389</b>	<b>12,162</b>	<b>Total State Aid - General Fund</b>	<b>10,222</b>	<b>11,066</b>	<b>11,066</b>

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Orig. & (S)Supple- mental	Year Ending June 30, 2005					2006 Adjusted Approp.	Year Ending June 30, 2007	
	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended			Requested	Recom- mended
<b>STATE AID - PROPERTY TAX RELIEF FUND</b>								
<b>Environmental Planning and Administration</b>								
8,500	---	---	8,500	8,457	Administration and Support Services	9,000	9,500	9,500
8,500	---	---	8,500	8,457	<i>Subtotal</i>	9,000	9,500	9,500
8,500	---	---	8,500	8,457	<i>Total State Aid - Property Tax Relief Fund</i>	9,000	9,500	9,500
20,707	32	150	20,889	20,619	<b>TOTAL STATE AID</b>	19,222	20,566	20,566
<b>CAPITAL CONSTRUCTION</b>								
<b>Natural Resource Management</b>								
4,000	2,965	840	7,805	5,114	Parks Management	---	40,000	40,000
---	1,676	-940	736	673	Hunters' and Anglers' License Fund	---	---	---
---	11	---	11	9	Shellfish and Marine Fisheries Management	---	---	---
---	144	---	144	65	Wildlife Management	---	---	---
32,233	22,181	-4,370	50,044	19,445	Natural Resources Engineering	29,106	30,555	30,555
---	731	---	731	172	Palisades Interstate Park Commission	---	---	---
36,233	27,708	-4,470	59,471	25,478	<i>Subtotal</i>	29,106	70,555	70,555
<b>Site Remediation and Waste Management</b>								
80,220	72,549	-5,260	147,509	64,359	Environmental Management - CBT Dedication	55,157	77,212	77,212
80,220	72,549	-5,260	147,509	64,359	<i>Subtotal</i>	55,157	77,212	77,212
<b>Environmental Regulation</b>								
---	3	---	3	---	Air Pollution Control	---	---	---
---	3	---	3	---	<i>Subtotal</i>	---	---	---
<b>Environmental Planning and Administration</b>								
---	13	---	13	---	Administration and Support Services	---	---	---
---	13	---	13	---	<i>Subtotal</i>	---	---	---
116,453	100,273	-9,730	206,996	89,837	<b>TOTAL CAPITAL CONSTRUCTION</b>	84,263	147,767	147,767
<b>DEBT SERVICE</b>								
<b>Environmental Planning and Administration</b>								
37,660	---	3,577	41,237	39,715	Administration and Support Services	24,675	64,664	64,664
37,660	---	3,577	41,237	39,715	<i>Subtotal</i>	24,675	64,664	64,664
37,660	---	3,577	41,237	39,715	<b>TOTAL DEBT SERVICE</b>	24,675	64,664	64,664
408,343	142,727	3,198	554,268	414,968	<i>Total Appropriation, Department of Environmental Protection</i>	355,828	504,379	504,379

# 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 preserve open space and support development of parks.
10. To provide technical assistance and implement statutory provisions that prevent, minimize or mitigate damage to historic resources.
11. 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 42 State parks, five marinas, 57 historic sites and districts, 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

ry 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, stamps and permits 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.** (Office of Engineering and Construction). Provides financial and technical assistance to local governments for the construction of groins, jetties, bulkheads, sea walls, and beach replenishment under the shore protection program. Performs dam safety inspections and dam construction and reconstruction permit reviews. Manages the dam loan program to achieve compliance with safe dam regulations. Provides financial and technical assistance to local governments for flood control projects, including flood walls, levees, and property buy-outs. Operates and maintains the bayshore floodgate. Dredges and marks 200 miles of navigation channels in the State's tidal inland waterways and large State-controlled lakes for boating safety.
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 2004	Actual FY 2005	Revised FY 2006	Budget Estimate FY 2007
<b>PROGRAM DATA</b>				
<b>Forest Resource Management</b>				
Fires (annual) .....	1,069	1,087	1,800	1,800
Acres lost (annual) .....	447	1,170	10,500	10,500
Acres of prescribed burning .....	14,654	9,500	20,000	20,000
<b>Parks Management</b>				
State parks and forests				
Total visitors .....	14,566,952	16,800,000	15,300,000	15,700,000
Total revenue (millions) .....	\$6.6	\$6.5	\$5.7	\$5.9
Historic sites				
Visitors .....	620,760	760,000	760,000	790,000
Revenue .....	16,000	44,000	65,000	67,500
<b>Hunters' and Anglers' License Fund</b>				
Trout propagated and distributed .....	770,000	770,000	770,000	770,000
Pheasants reared at game farms .....	62,000	59,000	60,000	60,000
Other fish propagated and distributed .....	1,500,000	1,700,000	2,000,000	2,000,000

## PERSONNEL DATA

### Position Data

#### Filled Positions by Funding Source

State Supported .....	778	785	770	824
Federal .....	4	4	6	6
All Other .....	232	225	215	223
<b>Total Positions .....</b>	<b>1,014</b>	<b>1,014</b>	<b>991</b>	<b>1,053</b>

#### Filled Positions by Program

Forest Resource Management .....	110	111	117	127
Parks Management .....	579	576	555	581
Hunters' and Anglers' License Fund .....	206	200	191	197
Shellfish and Marine Fisheries Management .....	39	45	39	47
Wildlife Management .....	19	15	16	18
Natural Resources Engineering .....	61	67	73	83
<b>Total Positions .....</b>	<b>1,014</b>	<b>1,014</b>	<b>991</b>	<b>1,053</b>

### Notes:

Actual payroll counts are reported for fiscal years 2004 and 2005 as of December, and revised fiscal year 2006 as of March.  
The Budget Estimate for fiscal year 2007 reflects the number of positions funded.

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2005					Year Ending June 30, 2007			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recom- mended
<b><u>DIRECT STATE SERVICES</u></b>								
<b>Distribution by Fund and Program</b>								
6,691	---	878	7,569	7,569	11	7,087	7,087	7,087
36,469	1,718	1,139	39,326	38,557	12	38,506	38,491	38,491
13,177	103	1,297	14,577	13,334	13	16,764	15,185	15,185
1,356	---	589	1,945	1,945	14	1,504	1,504	1,504
348	---	-79	269	215	20	692	661	661
1,533	48	4,534	6,115	6,068	21	1,682	1,682	1,682
2,214	---	200	2,414	2,414	24	2,614	2,464	2,464
<b>61,788</b>	<b>1,869</b>	<b>8,558</b>	<b>72,215</b>	<b>70,102</b>	<b>Total Direct State Services</b>	<b>68,849</b> <sup>(a)</sup>	<b>67,074</b>	<b>67,074</b>

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2005					Year Ending June 30, 2007			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Total Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recommended
<b><u>DIRECT STATE SERVICES</u></b>								
<b>Distribution by Fund and Object</b>								
Personal Services:								
44,409	---	5,586	50,673	46,473		45,239		
678 <sup>S</sup>	---					283 <sup>S</sup>	45,511	45,511
---	---	---	---	2,975		3,276	3,285	3,285
<b>Total Personal Services</b>								
45,087	---	5,586	50,673	49,448		48,798	48,796	48,796
3,344	20	657	4,021	4,021		5,556	4,200	4,200
2,167	33	296	2,496	2,479		2,260	2,188	2,188
2,823	5	-627	2,201	2,200		3,556	3,254	3,254
Special Purpose:								
1,759	---	-95	1,664	1,663	11	1,759	1,759	1,759
---	345	-975	710	---	12	---	---	---
85	1,340 <sup>R</sup>	-85	---	---	12	---	---	---
4,683	---	---	4,683	4,630	12	4,683	4,683	4,683
11	---	-1	10	10	12	11	11	11
109	---	63	172	172	12	124	124	124
3	---	-2	1	1	12	3	3	3
79	---	-79	---	---	20	79	79	79
---	---	---	---	---	20	382 <sup>S</sup>	382	382
269	---	---	269	215	20	231	200	200
---	---	377	377	377	21	---	---	---
1,263	---	57	1,320	1,320	21	1,355	1,355	1,355
106	126	3,386	3,618	3,566		52	40	40
<b><u>GRANTS-IN-AID</u></b>								
<b>Distribution by Fund and Program</b>								
10,250	---	-1,516	8,734	8,733	12	250	---	---
---	5,054	-2,651	2,403	2,340	21	---	---	---
<b>Total Grants-in-Aid</b>								
<b>10,250</b>	<b>5,054</b>	<b>-4,167</b>	<b>11,137</b>	<b>11,073</b>		<b>250</b>	<b>---</b>	<b>---</b>
<b>Distribution by Fund and Object</b>								
Grants:								
10,000	---	-1,516	8,484	8,484	12	---	---	---
250	---	---	250	249	12	250	---	---
---	1,883	-1,540	343	343	21	---	---	---
---	3,160	-2,060	1,111	1,055	21	---	---	---
---	11 <sup>R</sup>	949	949	942	21	---	---	---
<b><u>CAPITAL CONSTRUCTION</u></b>								
<b>Distribution by Fund and Program</b>								
4,000	2,965	840	7,805	5,114	12	---	40,000	40,000
---	1,676	-940	736	673	13	---	---	---
---	11	---	11	9	14	---	---	---
---	144	---	144	65	20	---	---	---
32,233	22,181	-4,370	50,044	19,445	21	29,106	30,555	30,555

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2005					Year Ending June 30, 2007			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recommended
---	731	---	731	172				
<u>36,233</u>	<u>27,708</u>	<u>-4,470</u>	<u>59,471</u>	<u>25,478</u>				
					<b>CAPITAL CONSTRUCTION</b>			
					Palisades Interstate Park Commission			
					24	---	---	---
					<b>Total Capital Construction</b>			
					<u>29,106</u>	<u>70,555</u>	<u>70,555</u>	<u>70,555</u>
					<b>Distribution by Fund and Object</b>			
					<b>Bureau of Parks</b>			
2,000	---	---	2,000	1,425	Parks Improvements			
2,000	---	---	2,000	2,000	12	---	---	---
---	674	---	674	167	Liberty Science Center			
---	---	---	---	---	Historic Preservation/Renovation - Buildings, Structures and Monuments			
---	---	---	---	---	12	---	---	---
---	98	---	98	50	Capital Improvements for State Parks, Forests, Historic Sites, Wildlife Areas			
---	49	---	49	8	12	---	40,000	40,000
---	3	---	3	---	Sanitary Facilities			
---	34	---	34	32	12	---	---	---
---	62	---	62	62	Major Maintenance and Improvement Program			
---	35	---	35	16	12	---	---	---
---	27	---	27	---	Picnic Area Rehabilitation - Various State Parks & Forests			
---	43	---	43	---	12	---	---	---
---	151	---	151	---	Barnegat Lighthouse Exterior Coating			
---	31	1,900	1,931	1,069	12	---	---	---
---	1	---	1	1	Liberty State Park - Liberty Walkway			
---	21	---	21	3	12	---	---	---
---	44	---	44	37	Delaware River Recreational Path, Frenchtown to Milford			
---	21	---	21	20	12	---	---	---
---	8	---	8	8	Shore Stabilization - Cape May Point			
---	9	---	9	9	12	---	---	---
---	1,282	-1,060	222	52	Belleplain State Park - Water Supply Improvement			
---	58	---	58	---	12	---	---	---
---	40	---	40	34	ADA Development - Statewide			
---	20	---	20	---	12	---	---	---
---	96	---	96	63	Buildings - Rehabilitation and Renovation			
---	71	---	71	---	12	---	---	---
---	6	---	6	3	Site Areas/Facilities - Development, Rehabilitation and Repair			
---	81	---	81	55	12	---	---	---
					<b>Palisades Interstate Park Commission</b>			

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2005					Year Ending June 30, 2007				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recommended	
<b>CAPITAL CONSTRUCTION</b>									
---	73	---	73	73					
---	115	---	115	17	Sanitary Facilities - Various Locations	24	---	---	
---	63	---	63	63	Bridge and Pedestrian Overpass Repairs	24	---	---	
---	480	---	480	19	Building Life/Safety and Code Compliance - Repairs	24	---	---	
---	1,623	-940	683	673	Shore Protection Structures Repairs	24	---	---	
<b>Division of Fish and Wildlife</b>									
---	1	---	1	---	Dam Repair, Maintenance and Renovation	13	---	---	
---	8	---	8	---	Pequest Road Repair	13	---	---	
---	7	---	7	---	Law Enforcement Radio System	13	---	---	
---	13	---	13	---	Dioxin Disposal - Freshwater Fisheries Lab	13	---	---	
---	24	---	24	---	Pequest Hatchery Water Treatment	13	---	---	
---	12	---	12	9	Roof Replacement - Fish Hatchery	13	---	---	
---	98	---	98	42	Wildlife Management Roof Replacement	20	---	---	
---	34	---	34	14	Storage Buildings - Wildlife Management - Regional	20	---	---	
---	11	---	11	9	Demolition of Unused Structures	20	---	---	
<b>Shellfish and Marine Fisheries Management</b>									
---	11	---	11	9	Marine Fisheries Field Office Improvements	14	---	---	
<b>Natural Resources Engineering</b>									
25,000	18,716	-2,635	41,081	13,633	Shore Protection Fund Projects	21	25,000	25,000	
7,233	786	-399	7,620	5,526	HR-6 Flood Control	21	4,106	5,555	
---	114	-114	---	---	High Hazard Dams	21	---	---	
---	1,450	-1,222	228	228	Dam, Lake and Stream Project Fund	21	---	---	
---	1,115	---	1,115	58	Dam Repairs	21	---	---	
<b>108,271</b>	<b>34,631</b>	<b>-79</b>	<b>142,823</b>	<b>106,653</b>	<b>Grand Total State Appropriation</b>		<b>98,205</b>	<b>137,629</b>	

## OTHER RELATED APPROPRIATIONS

### Federal Funds

4,529								
131 <sup>S</sup>	1,422	---	6,082	1,566	Forest Resource Management	11	6,555	6,465
38,517								
84 <sup>S</sup>	1,561	5	40,167	4,537	Parks Management	12	38,827 <sup>S</sup>	35,352
12,452								
65 <sup>S</sup>	1,178	---	13,695	5,189	Hunters' and Anglers' License Fund	13	12,305 <sup>S</sup>	12,715
3,985	1,176	---	5,161	2,726	Shellfish and Marine Fisheries Management	14	3,505	3,505
1,330	57	---	1,387	850	Wildlife Management	20	1,630 <sup>S</sup>	1,630
290								
100 <sup>S</sup>	226	---	616	283	Natural Resources Engineering	21	390	390
<b>61,483</b>	<b>5,620</b>	<b>5</b>	<b>67,108</b>	<b>15,151</b>	<b>Total Federal Funds</b>		<b>63,364</b>	<b>60,057</b>

### All Other Funds

---	7,885	---	8,220	5,822	Forest Resource Management	11	5,550	5,572
---	335 <sup>R</sup>	---						
---	6,477	24	9,993	6,118	Parks Management	12	5,041	5,407
---	3,492 <sup>R</sup>							
---	6,304	-1,190	5,768	1,843	Hunters' and Anglers' License Fund	13	229	241
---	654 <sup>R</sup>							
---	1,108	273	1,661	619	Shellfish and Marine Fisheries Management	14	330	295
---	280 <sup>R</sup>							

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2005					Year Ending June 30, 2007				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recom- mended	
<b>OTHER RELATED APPROPRIATIONS</b>									
---	178 519 <sup>R</sup>	2	699	595	Wildlife Management	20	414	449	449
---	2,330 910 <sup>R</sup>	---	3,240	605	Natural Resources Engineering	21	6,250	5,000	5,000
---	2,681 4,479 <sup>R</sup>	---	7,160	4,566	Palisades Interstate Park Commission	24	4,055	4,010	4,010
---	<u>37,632</u>	<u>-891</u>	<u>36,741</u>	<u>20,168</u>	<b>Total All Other Funds</b>		<u>21,869</u>	<u>20,974</u>	<u>20,974</u>
<u>169,754</u>	<u>77,883</u>	<u>-965</u>	<u>246,672</u>	<u>141,972</u>	<b>GRAND TOTAL ALL FUNDS</b>		<u>183,438</u>	<u>218,660</u>	<u>218,660</u>

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

(a) The fiscal year 2006 appropriation has been adjusted for the allocation of salary program, which includes \$364,000 in appropriated receipts, and for the reallocation of administrative efficiencies.

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

In addition to the amount hereinabove appropriated 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.

Notwithstanding any other law to the contrary, the amount hereinabove for the Green Acres/Open Space Administration account is transferred from the Garden State Preservation Trust to the General Fund, together with an amount not to exceed \$364,000, and is appropriated to the Department of Environmental Protection for Green Acres/Open Space Administration subject to the approval of the Director of the Division of Budget and Accounting.

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 at the end of the preceding fiscal year 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 at the end of the preceding fiscal year of such receipts, are appropriated.

Of the amount hereinabove for the Hunters' and Anglers' License Fund the first \$11,000,000 is payable out of that fund and any amount remaining therein and the unexpended balance at the end of the preceding fiscal year of the receipts 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 from the fund 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 at the end of the preceding fiscal year, 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 \$2,376,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects for costs attributable to planning, operation, and administration of the shore protection program, subject to the approval of the Director of the Division of Budget and Accounting.

An amount not to exceed \$469,000 is allocated from the capital construction appropriation for 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.

An amount not to exceed \$440,000 is allocated from the capital construction appropriation for Shore Protection Fund Projects for the operation and maintenance of the Bayshore Flood Control facility.

An amount not to exceed \$66,000 is allocated from the 2003 Dam, Lake, Stream and Flood Control Project Fund-Flood Control account in accordance with the Dam, Lake, Stream Flood Control, Water Resources and Wastewater Treatment Project Bond Act of 2003, P.L. 2003, c.162, for costs attributable to flood control, subject to the approval of the Director of the Division of Budget and Accounting.

An amount not to exceed \$200,000 is allocated from the 2003 Dam, Lake, and Stream Project Revolving Loan Fund-Dam Safety account in accordance with the Dam, Lake, Stream Flood Control, Water Resources and Wastewater Treatment Project Bond Act of 2003, P.L. 2003, c.162, for costs attributable to dam safety, subject to the approval of the Director of the Division of Budget and Accounting.

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

Loan repayments received from dam rehabilitation projects pursuant to P.L.1999, c.347, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

# ENVIRONMENTAL PROTECTION

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## Language Recommendations -- Capital Construction

Notwithstanding the provisions of P.L.1954, c.48 (C.52:34-6 et seq.), of the amounts appropriated for improvements in State parks, 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 appropriated for Shore Protection Fund Projects is payable from the receipts of the portion of the realty transfer tax directed to be credited to the Shore Protection Fund pursuant to section 1 of P.L.1992, c.148 (C.13:19-16.1).

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

## 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.** Administers New Jersey Private Well Testing Act and the federal and State Safe Drinking Water programs, the Well Permit program, and the Water Allocation program to ensure a safe and reliable water supply. Also administers the Drought Management Program. 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 assessment and delineation activities.
07. **Water Monitoring and Standards.** Conducts ambient statewide freshwater quality monitoring (rivers and streams, lake and ground water), ambient marine surface water quality monitoring, biological monitoring, and targeted assessments in support of Total Maximum Daily Load (TMDL) and New

Jersey Pollutant Discharge Elimination System (NJPDDES) permit issuance. Develops New Jersey's Integrated Water Quality Monitoring and Assessment Report, including the Integrated Waterbodies List. Develops surface water and ground water standards. Coordinates the development and integration of biological criteria into State water quality standards. Manages the Lakes Grant Assistance program. Classifies shellfish growing area waters for shellfish harvesting, and conducts bacteriological and chemical analysis of shellfish for public health protection. Develops, operates, and maintains water quality database systems for both government and public data dissemination.

15. **Land Use Regulation.** Protects and manages the State's land and water resources through the implementation of the Coastal Area Facility Review Act (CAFRA), the Waterfront Development Law, the Coastal Wetlands Act of 1970, the Flood Hazard Area Control Act, the Freshwater Wetlands Protection Act, the Highlands Water Protection and Planning Act, and the federal consistency provisions of the Federal Coastal Zone Management Act. In addition to the resource protection mandates of these statutes, provisions of these programs have been established to protect lives and property from storm and flood damages throughout the state.
18. **Science, Research and Technology.** 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. Fosters the growth and acceptance of innovative environmental and energy technology products and services in New Jersey by implementing the New Jersey Energy and Environmental Technology and Reciprocity Cooperation initiative. Serves as DEP's lead program for the implementation of the New Jersey Greenhouse Gas/Climate Change Action Plan, as primary liaison with New Jersey Board of Public Utilities (BPU) regarding environmental implications of BPU's renewable energy and energy conservation programs in fulfillment of DEP's role as

# ENVIRONMENTAL PROTECTION

environmental consultant to the BPU, as established in the Electric Discount and Energy Competition Act, and provides expertise to DEP in areas of environmental economics and sustainability.

- 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 Management - CBT Dedication.** 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, nonpoint source pollution prevention projects, TMDL development and implementation, as well as lake restoration and grants. Conducts planning on watershed management, water quality, water supply, coastal zone management, nonpoint source control, stormwater management and other planning requirements associated with the federal Clean Water Act and New Jersey Water Quality Planning Act. Also administers the National Estuary Program and federal Section 604(b) water quality management planning and Section 319(h) nonpoint source grant programs.

- 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 2004	Actual FY 2005	Revised FY 2006	Budget Estimate FY 2007
<b>PROGRAM DATA</b>				
<b>Water Monitoring and Standards</b>				
Ambient Marine Water:				
Water Samples Analyzed . . . . .	19,000	18,000	17,500	17,500
Percent of shellfish bed acres open . . . . .	78%	78%	78%	78%
Percent of shellfish bed acres seasonal . . . . .	4%	4%	4%	4%
Percent of shellfish bed acres condemned . . . . .	10%	10%	11%	11%
Percent of shellfish bed acres specially restricted . . . . .	8%	8%	8%	8%
 <b>Land Use Regulation</b>				
Tidelands:				
Tidelands appraisals . . . . .	260	245	285	300
Tidelands inspections (inquiries-search) . . . . .	280	280	325	340
 <b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported . . . . .	298	365	384	437
Federal . . . . .	58	57	51	53
All Other . . . . .	124	136	124	135
Total Positions . . . . .	480	558	559	625
Filled Positions by Program				
Water Supply . . . . .	138	163	157	164
Water Monitoring and Standards . . . . .	48	46	46	49
Land Use Regulation . . . . .	137	176	193	241
Science, Research and Technology . . . . .	33	34	33	41
New Jersey Geological Survey . . . . .	22	22	21	21
Environmental Management - CBT Dedication . . . . .	60	69	66	70
Drinking Water State Revolving Fund . . . . .	12	12	9	6
Watershed Management . . . . .	30	36	34	33
Total Positions . . . . .	480	558	559	625

# ENVIRONMENTAL PROTECTION

## Notes:

Actual payroll counts are reported in fiscal years 2004 and 2005 as of December, and revised fiscal year 2006 as of March. The Budget Estimate for fiscal 2007 reflects the number of positions funded. All Other includes positions supported by fees or other dedicated resources previously reported as State Supported.

## APPROPRIATIONS DATA (thousands of dollars)

Orig. & (S)Supple- mental	Year Ending June 30, 2005			Total Available	Expended	Prog. Class.	Year Ending June 30, 2007		
	Reapp. & (R)Repts.	Transfers & (E)Emer- gencies					2006 Adjusted Approp.	Requested	Recom- mended
<b><u>DIRECT STATE SERVICES</u></b>									
<b>Distribution by Fund and Program</b>									
7,631	1,182	1,196	10,009	9,916	Water Supply	05	7,976	7,976	7,976
---	5	---	5	5	Water Monitoring and Standards	07	---	---	---
15,131	1,299	-66	16,364	13,799	Land Use Regulation	15	13,380	13,380	13,380
3,019	---	-28	2,991	2,932	Science, Research and Technology	18	3,145	3,145	3,145
---	1	70	71	70	New Jersey Geological Survey	22	---	---	---
11,440	5,179	1,660	18,279	15,646	Environmental Management - CBT Dedication	29	12,363	16,338	16,338
---	---	244	244	244	Watershed Management	90	---	---	---
<b>37,221</b>	<b>7,666</b>	<b>3,076</b>	<b>47,963</b>	<b>42,612</b>	<b>Total Direct State Services</b>		<b>36,864<sup>(a)</sup></b>	<b>40,839</b>	<b>40,839</b>
<b>Distribution by Fund and Object</b>									
Personal Services:									
7,676	---	1,903	12,883	10,811	Salaries and Wages		9,165	9,980	9,980
3,304 <sup>S</sup>	---	---	---	---			698 <sup>S</sup>	---	---
<b>10,980</b>	<b>---</b>	<b>1,903</b>	<b>12,883</b>	<b>10,811</b>	<b>Total Personal Services</b>		<b>9,863</b>	<b>9,980</b>	<b>9,980</b>
42	---	-10	32	32	Materials and Supplies		47	30	30
1,582	---	-25	1,557	1,557	Services Other Than Personal		1,410	1,596	1,596
68	---	-2	66	66	Maintenance and Fixed Charges		302 <sup>S</sup>	132	132
Special Purpose:									
1,317	322 <sup>R</sup>	---	1,639	1,639	Administrative Costs Water Supply Bond Act of 1981 - Management	05	1,348	2,111	2,111
1,480	---	---	1,480	1,469	Administrative Costs Water Supply Bond Act of 1981 - Watershed and Aquifer	05	1,545	1,545	1,545
982	---	---	982	898	Administrative Costs Water Supply Bond Act of 1981 - Planning and Standards	05	1,018	255	255
43	---	-43	---	---	Water/Wastewater Operators Licenses	05	43	43	43
58	---	---	58	58	Office of the Rivermaster	05	58	58	58
2,339	860 <sup>R</sup>	---	3,199	3,199	Safe Drinking Water Fund	05	2,368	2,368	2,368
12	---	-10	2	2	Tidelands Resource Council	15	12	12	12
2,676	1,298 <sup>R</sup>	-31	3,943	3,943	Tidelands Peak Demands	15	2,701	2,701	2,701
604	---	-8	596	596	Office of Permit Information and Assistance	15	647	647	647
2,166 <sup>S</sup>	---	---	2,166	1,699	Highlands Permitting	15	2,169	2,169	2,169
604	---	-418	186	184	Environmental Indicators and Monitoring	18	604	604	604
577	---	---	577	540	Greenhouse Gas Action Plan <sup>(b)</sup>	18	---	---	---
250	---	---	250	230	Hazardous Waste Research	18	250	250	250
11,440	5,179	1,660	18,279	15,646	Water Resources Monitoring and Planning - Constitutional Dedication	29	12,363	16,338	16,338
1	7	60	68	43	Additions, Improvements and Equipment		66	---	---
<b><u>GRANTS-IN-AID</u></b>									
<b>Distribution by Fund and Program</b>									

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2005					Year Ending June 30, 2007									
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recommended						
<b>GRANTS-IN-AID</b>														
---	---	---	---	---	05	---	6,000	6,000						
---	---	387	387	387	07	500	400	400						
6,000	3,153	-2,200	6,953	2,031	29	---	5,000	5,000						
<b>6,000</b>	<b>3,153</b>	<b>-1,813</b>	<b>7,340</b>	<b>2,418</b>	<b>Total Grants-in-Aid</b>		<b>500</b>	<b>11,400</b>	<b>11,400</b>					
<b>Distribution by Fund and Object</b>														
Grants:														
---	---	---	---	---	05	---	6,000	6,000						
---	---	387	387	387	07	500	400	400						
6,000	3,153	-2,200	6,953	2,031	29	---	---	---						
---	---	---	---	---	29	---	5,000	5,000						
<b>43,221</b>	<b>10,819</b>	<b>1,263</b>	<b>55,303</b>	<b>45,030</b>	<b>Grand Total State Appropriation</b>		<b>37,364</b>	<b>52,239</b>	<b>52,239</b>					
<b>OTHER RELATED APPROPRIATIONS</b>														
<b>Federal Funds</b>														
23,700	88	---	23,788	2,143	05	22,200	22,200	22,200						
4,250	16	---	4,281	2,677	07	4,750	5,250	5,250						
15 <sup>S</sup>	866	---	12,716	2,339	15	9,372	10,575	10,575						
11,850	64	---	1,364	1,025	18	1,850	1,465	1,465						
1,250	20	---	370	187	22	350	350	350						
50 <sup>S</sup>	---	---	---	---	90	6,488	6,662	6,662						
350	680	500	8,895	5,705	<b>Total Federal Funds</b>		<b>45,010</b>	<b>46,502</b>	<b>46,502</b>					
<b>7,715</b>	<b>1,734</b>	<b>500</b>	<b>51,414</b>	<b>14,076</b>	<b>All Other Funds</b>									
<b>49,180</b>														
---	322	---	1,000	371	05	5,503	4,338	4,338						
---	678 <sup>R</sup>	---	59	4	07	---	---	---						
---	879	---	943	---	15	1,723	4,883	4,883						
---	64 <sup>R</sup>	---	1,985	1,576	18	30	30	30						
---	74	---	2,979	2,980	80	4,400	4,400	4,400						
---	2,905 <sup>R</sup>	---	439	180	90	---	---	---						
---	439	---	439	180	<b>Total All Other Funds</b>		<b>11,656</b>	<b>13,651</b>	<b>13,651</b>					
<b>---</b>	<b>7,405</b>	<b>---</b>	<b>7,405</b>	<b>5,111</b>	<b>GRAND TOTAL ALL FUNDS</b>		<b>94,030</b>	<b>112,392</b>	<b>112,392</b>					
<b>92,401</b>	<b>19,958</b>	<b>1,763</b>	<b>114,122</b>	<b>64,217</b>										

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

- (a) The fiscal year 2006 appropriation has been adjusted for the allocation of salary program, which includes \$271,000 in appropriated receipts, and for the reallocation of administrative efficiencies.
- (b) Funding for the Greenhouse Gas Action Plan program is provided in the base appropriation for the Science, Research and Technology program classification beginning in fiscal year 2006.
- (c) Water supply project 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 \$215,000, for costs attributable to administration of water supply programs, subject to the approval of the Director of the Division of Budget and Accounting.

There is appropriated from the Safe Drinking Water Fund an amount not to exceed \$800,000 to administer the Private Well Testing Program.

# ENVIRONMENTAL PROTECTION

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The amount hereinabove for the Safe Drinking Water Fund account is appropriated from receipts received pursuant to the "Safe Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.), for administration of the Safe Drinking Water 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.

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 discharge 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 appropriated for the Environmental Management - CBT Dedication 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 at the end of the preceding fiscal year in the Water Resources Monitoring and Planning-Constitutional Dedication special purpose account is appropriated to be used in a manner consistent with the requirements of the constitutional dedication.

Notwithstanding any law to the contrary, funds appropriated in the Water Resources Monitoring and Planning- Constitutional Dedication special purpose account shall be made available to support nonpoint source pollution and watershed management programs, consistent with the constitutional dedication, within the Department of Environmental Protection in the amounts of \$1,536,000 for Water Monitoring and Standards, \$1,392,000 for New Jersey Geological Survey, \$157,000 for Watershed Management, \$500,000 for Forestry Management, and \$790,000 transferred to the Department of Agriculture to support the Conservation Cost Share program, at a level of \$540,000, and the Conservation Assistance Program, at a level of \$250,000, on or before September 1, 2006.

Notwithstanding the provisions of the "Spill Compensation and Control Act," P.L.1976, c.141 (C.58:10-23.11 et seq.) and the "Safe Drinking Water Act," P.L.1977, c.224 (C.58:12A-1 et seq.), the Commissioner of the Department of Environmental Protection may utilize from the funds appropriated from those sources hereinabove such sums as the Commissioner may determine as necessary to broaden the Department's research efforts to address emerging environmental issues.

In addition to the federal funds amount hereinabove for the Water Supply program classification, such additional sums that may be received from the federal government for the Drinking Water State Revolving Fund program are appropriated.

Receipts in excess of those anticipated for Water Allocation Fees are appropriated to the Department of Environmental Protection for expansion of the Water Supply program, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the individual amounts anticipated for Coastal Area Facility Review Act, Freshwater Wetlands, Stream Encroachment, Waterfront Development, and Wetlands fees are appropriated for administrative costs associated with Land Use Regulation, subject to the approval of the Director of the Division of Budget and Accounting.

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

The unexpended balance at the end of the preceding fiscal year in the Stormwater Management Grants account is appropriated.

Of the amount hereinabove appropriated for the Stormwater Management Grants program, such sums as are necessary or required may be transferred to the Water Resources Monitoring and Planning - Constitutional Dedication special purpose account, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated for Watershed Restoration Projects shall be provided from revenue received from the Corporation Business Tax, pursuant to the "Corporation Business Tax Act (1945)," P.L.1945, c.162 (C.54:10A-1 et seq.), as dedicated by Article VIII, Section II, paragraph 6 of the State Constitution.

## 40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

### 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, and rank such sites for cleanup and closure in accordance with applicable regulations.
3. To rank sites, in order of their imminent risk to human health and the environment, and in those cases when the responsible party is either unknown or unable to perform the cleanup, utilize public funds to 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 throughout the state and enable the public to report environmental emergencies to the Department's communication center via toll-free access.
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 for performing remedial work using public funds.
7. To develop and implement clear, consistent and predictable regulations on site remediation for use by the regulated community and the Department, and ensure that technically, geologically and scientifically justified cleanup objectives are met.
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 and landfill closures.

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 loans and grants, administered in conjunction with the Economic Development Authority, from the Hazardous Discharge Site Remediation Fund and Underground Storage Tank Fund.

**PROGRAM CLASSIFICATIONS**

19. **Publicly-Funded Site Remediation.** Conducts a program to remediate sites contaminated by hazardous substances where a responsible party cannot be identified or is unable or unwilling to voluntarily participate. These activities are supported by federal (Superfund) funds.
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.** 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 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 Management - CBT Dedication.** 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. Beginning in fiscal 2005, the dedication is expanded to include the provision of loans and grants for site remediation redevelopment, pursuant to a November 2003 amendment to the State Constitution.

**EVALUATION DATA**

	Actual FY 2004	Actual FY 2005	Revised FY 2006	Budget Estimate FY 2007
<b>PROGRAM DATA</b>				
<b>Solid and Hazardous Waste Management</b>				
Annual tonnage of solid waste:				
Generated statewide . . . . .	18,800,000	19,300,000	20,700,000	21,000,000
Generated per capita (lbs./person/day) . . . . .	12.20	12.60	13.10	13.30
Recycled statewide . . . . .	10,200,000	10,300,000	10,500,000	10,700,000
Recycled per capita (lbs./person/day) . . . . .	6.60	6.71	6.80	6.90
% reduction in solid waste stream due to recycling . . . . .	54.2%	53.5%	50.9%	50.9%
Annual tonnage of hazardous waste generated statewide . . . . .				
Disposed . . . . .	89,000	161,000	74,980	117,990
Incinerated . . . . .	71,000	107,000	50,735	78,868
	18,000	54,000	24,245	39,123
<b>Remediation Management and Response</b>				
ISRA:				
Negative declarations . . . . .	500	500	500	500
Remedial action workplan approvals . . . . .	15	11	11	10
Remediations monitored . . . . .	1,600	1,600	1,600	1,600
Remediations completed . . . . .	500	500	500	500
Discharge Response Element:				
Emergency responses . . . . .	1,000	1,000	1,000	1,000
Remediations monitored . . . . .	3,000	3,000	3,000	3,000
Remediations completed . . . . .	2,000	2,000	2,000	2,000
Responsible Party Cleanup Element:				
Remedial action workplan approvals . . . . .	75	75	72	72

# ENVIRONMENTAL PROTECTION

	Actual FY 2004	Actual FY 2005	Revised FY 2006	Budget Estimate FY 2007
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	187	231	237	245
Federal .....	41	34	25	22
All Other .....	402	368	377	353
Total Positions .....	630	633	639	620
Filled Positions by Program				
Solid and Hazardous Waste Management (a) .....	127	122	124	102
Remediation Management and Response .....	413	384	389	373
Environmental Management - CBT Dedication (b) .....	90	127	126	145
Total Positions .....	630	633	639	620

**Notes:**

Actual payroll counts are reported for fiscal years 2004 and 2005 as of December, and revised fiscal year 2006 as of March. The Budget Estimate for fiscal year 2007 reflects the number of positions funded. All Other includes positions supported by fees or other dedicated resources previously reported as State Supported.

- (a) Fiscal year 2007 position data reflects a transfer of inspectors to Statewide Program 47, Solid and Hazardous Waste Management.
- (b) Fiscal year 2007 position data includes positions associated with the new Private Underground Storage Tanks Administrative Costs - Constitutional Dedication Program.

**APPROPRIATIONS DATA**  
(thousands of dollars)

Year Ending June 30, 2005					Year Ending June 30, 2007			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recommended
<b>DIRECT STATE SERVICES</b>								
<b>Distribution by Fund and Program</b>								
8,790	1,144	-222	9,712	8,704				
					23	8,180	6,836	6,836
30,453	13,072	1	43,526	43,276	27	29,992	41,979	41,979
6,960	6,644	---	13,604	8,342	29	6,680	7,715	7,715
<b>46,203</b>	<b>20,860</b>	<b>-221</b>	<b>66,842</b>	<b>60,322</b>		<b>44,852 (b)</b>	<b>56,530</b>	<b>56,530</b>
<b>Distribution by Fund and Object</b>								
Personal Services:								
13,885	5,885 R	-2,053	17,717	17,717		15,741	14,725	14,725
13,885	5,885	-2,053	17,717	17,717		15,741	14,725	14,725
302	---	-52	250	250		274	205	205
3,861	---	-379	3,482	3,482		3,613	3,597	3,597
516	---	-198	318	318		495	727	727
Special Purpose:								
---	1,008 R	---	1,008	---	23	---	---	---
338	94 R	---	432	432	23	355	355	355
1,046	41 R	---	1,087	1,087	23	---	---	---
---	---	3,176	3,176	3,176	27	---	---	---
17,637	6,118 R	176	23,931	23,931	27	16,335	16,322	16,322
---	---	---	---	---	27	---	12,000	12,000
832	---	-176	656	656	27	884	884	884

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2005					Year Ending June 30, 2007			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recommended
<b><u>DIRECT STATE SERVICES</u></b>								
6,960	6,644	---	13,604	8,342				
826	1,070	-715	1,181	931	29	6,680	7,715	7,715
						475	---	---
<b><u>STATE AID</u></b>								
<b>Distribution by Fund and Program</b>								
2,300	---	---	2,300	2,218	23	---	---	---
<b>2,300</b>	<b>---</b>	<b>---</b>	<b>2,300</b>	<b>2,218</b>		<b>---</b>	<b>---</b>	<b>---</b>
<b>Distribution by Fund and Object</b>								
State Aid:								
2,300	---	---	2,300	2,218	23	---	---	---
<b><u>CAPITAL CONSTRUCTION</u></b>								
<b>Distribution by Fund and Program</b>								
80,220	72,549	-5,260	147,509	64,359	29	55,157	77,212	77,212
<b>80,220</b>	<b>72,549</b>	<b>-5,260</b>	<b>147,509</b>	<b>64,359</b>		<b>55,157</b>	<b>77,212</b>	<b>77,212</b>
<b>Distribution by Fund and Object</b>								
<b>Site Remediation</b>								
45,350	64,779	---	110,129	27,919	29	30,431	34,535	34,535
17,435	3,885	---	21,320	21,320	29	12,363	17,071	17,071
17,435	3,885	-5,260	16,060	15,120	29	12,363	25,606	25,606
<b>128,723</b>	<b>93,409</b>	<b>-5,481</b>	<b>216,651</b>	<b>126,899</b>		<b>100,009</b>	<b>133,742</b>	<b>133,742</b>
<b>OTHER RELATED APPROPRIATIONS</b>								
<b>Federal Funds</b>								
30,500	333	---	30,833	533	19	30,450	30,450	30,450
2,395	30	---	2,425	2,137	23	2,395	2,395	2,395
10,055	3,430	85	13,570	3,821	27	7,185	4,755	4,755
<b>42,950</b>	<b>3,793</b>	<b>85</b>	<b>46,828</b>	<b>6,491</b>		<b>40,030</b>	<b>37,600</b>	<b>37,600</b>
<b>All Other Funds</b>								
---	39	---	39	---	19	---	---	---
---	9	---	9	---	23	1,547	1,551	1,551
---	1,455	---	1,455	1,454	27	18,217	17,642	17,642
<b>---</b>	<b>1,503</b>	<b>---</b>	<b>1,503</b>	<b>1,454</b>		<b>19,764</b>	<b>19,193</b>	<b>19,193</b>
<b>171,673</b>	<b>98,705</b>	<b>-5,396</b>	<b>264,982</b>	<b>134,844</b>		<b>159,803</b>	<b>190,535</b>	<b>190,535</b>

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

(a) Fiscal year 2007 appropriation data reflects a transfer of inspectors to Statewide Program 47, Solid and Hazardous Waste Management.

## ENVIRONMENTAL PROTECTION

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- (b) The fiscal year 2006 appropriation has been adjusted for the allocation of salary program and reallocation of administrative efficiencies.
- (c) Funding for administrative costs associated with the State recycling programs is provided in the base appropriation for Solid and Hazardous Waste Management beginning in fiscal 2006.

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

The amount hereinabove for the Office of Dredging and Sediment Technology is appropriated from the "1996 Dredging and Containment Facility Fund," created pursuant to section 18 of P.L.1996, c.70, the "Port of New Jersey Revitalization, Dredging, Environmental Cleanup, Lake Restoration, and Delaware Bay Area Economic Bond Act of 1996," together with an amount not to exceed \$251,000 for the administration of the Dredging and Sediment Technology program, subject to the approval of the Director of the Division of Budget and Accounting.

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.).

Notwithstanding any other law to the contrary, there is appropriated \$5,000,000 from the Sanitary Landfill Facility Contingency Fund to the General Fund as State revenue.

In addition to site specific charges, the amounts hereinabove for the Remediation Management and Response program classification, 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 \$6,854,000 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 Hazardous Discharge Site Cleanup Fund - Responsible Party account is appropriated from responsible party cost recoveries deposited in the Hazardous Discharge Site Cleanup Fund, together with an amount not to exceed \$9,852,000 for administrative costs associated with the cleanup of hazardous waste sites, subject to the approval of the Director of the Division of Budget and Accounting.

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

The amount hereinabove appropriated for the Environmental Management - CBT Dedication 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 at the end of the preceding fiscal year in the Cleanup Projects Administrative Costs - Constitutional Dedication account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amount anticipated from Solid Waste Utility Regulation, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated to the Solid and Hazardous Waste Management program classification for costs incurred to oversee the State's recycling efforts and other solid waste program activities.

There is appropriated from the Clean Communities Program Fund such sums as may be available to meet the following requirements: 1) 25% of the estimated annual balance up to \$4,000,000, as determined by the Director of the Division of Budget and Accounting, to the State Recycling Fund established pursuant to section 5 of P.L.1981, c.278 (C.13:1E-96); 2) \$300,000 of the estimated annual balance to the Department of Environmental Protection for an organization under contract with the Department which meets the requirements pursuant to subsection d. of section 6 of P.L. 2002, c.128 (C.13:1E-218); and 3) the balance, as determined by the Director of the Division of Budget and Accounting, of the Clean Communities Program Fund established pursuant to section 5 of P.L. 2002, c.128 (C.13:1E-217) for the purposes set forth in subsections a., b., c. and d. of that section.

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.

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.

Notwithstanding the provisions of P.L. 1954, c.48 (C.52:34-6 et seq.), monies appropriated to the Department of Environmental Protection from the Clean Communities Fund shall be provided by the Department to the Clean Communities Council pursuant to a contract between the Department and the Clean Communities Council to implement the requirements of the Clean Communities Program pursuant to subsection d of section 6 of P.L. 2002, c.128 (C.13:1E-218).

Of the amount hereinabove for the Private Underground Storage Tank Remediation - Constitutional Dedication account an amount not to exceed \$1,000,000 shall be allocated for costs associated with the Department's administration of the loan and grant program for the upgrade, replacement or closure of underground storage tanks that store or were used to store hazardous substances pursuant to the amendments effective December 8, 2005 to Article VIII, Section II, paragraph 6 of the State Constitution. The unexpended balance at the end of the preceding fiscal year in the Underground Storage Tank Remediation account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

## Language Recommendations -- Capital Construction

The amounts hereinabove appropriated for Hazardous Substance Discharge Remediation - Constitutional Dedication, Private Underground Storage Tank Remediation - Constitutional Dedication, and Hazardous Substance Discharge Remediation Loans and Grants - 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, 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 properties and State-owned underground storage tanks.

All natural resource damages recovered by the State shall be deposited in the Hazardous Discharge Site Cleanup Fund established pursuant to section 1 of P.L.1985, c.247 (C.58:10-23.34), and are appropriated for the direct and indirect costs of restoration and associated consulting and legal services.

Funds made available for the remediation of the discharges of hazardous substances pursuant to the amendments effective December 4, 2003, to Article VIII, Section II, paragraph 6 of the State Constitution and appropriated hereinabove, shall be allocated to the Economic Development Authority's Hazardous Discharge Site Remediation Fund and the Department of Treasury's Brownfield Site Reimbursement Fund, subject to the approval of the Director of the Division of Budget and Accounting.

## 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 so as to evaluate the effectiveness of existing regulatory programs in protecting and improving New Jersey's water quality. To monitor New Jersey Pollutant Discharge Elimination System (NJPDES) permit compliance.
2. To carry out the purposes and requirements of enabling legislation and regulations.
3. To conduct reviews of permit applications and to promote meaningful public input.
4. To assist permittees in complying with applicable permit requirements and inform them of compliance issues.
5. To improve the efficiency of the permit review process 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 Financing Program 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 these releases in the community and the workplace.

#### PROGRAM CLASSIFICATIONS

01. **Radiation Protection.** Licenses, registers and inspects owners of machine sources, naturally occurring or accelerator-produced radioactive materials, and non-ionizing sources of radiation. Inspects mammography facilities under contract with the Food and Drug Administration. Licenses x-ray technologists, nuclear medicine technologists, and radon testers and mitigators. Determines exposure pathways and

environmental or health impact of sources of radiation and provides direction on remediation. Provides emergency planning and response and monitoring around nuclear power plant sites. Tracks shipments of large quantities of radioactive materials through New Jersey. 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.** Protects and enhances the air environment. Provides overall air quality management to attain the health based ambient air quality standards and visibility goals. Coordinates air quality planning to ensure compliance with State and federal requirements. Conducts ambient air monitoring, emission inventory development, and air pollution control rule development. Participates in the air pollution control aspects of the motor vehicle inspection and maintenance programs. 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 the 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

# ENVIRONMENTAL PROTECTION

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 to protect New Jersey's surface and ground water by assuring proper treatment and disposal of wastewater (and its residuals) and stormwater from various types of facilities and activities, including the generation, monitoring, and beneficial management of sludge and sludge derived products. To accomplish this, the program issues permits which impose requirements to limit and/or prevent the discharge of pollutants into waters of the state. The regulated facilities vary widely in size from small uses such as campgrounds, schools, and shopping centers to larger industrial and municipal wastewater discharges. Implements Treatment Works Approval program to regulate the construction of wastewater collection, conveyance, and treatment facilities.
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 facilities through the Clean

Water State Revolving Fund, with funds made available under the federal Clean Water Act and various State bond acts. The 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, brownfield remediation, 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, and the issuance of stormwater permits.
29. **Environmental Management - CBT Dedication.** 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. Beginning in 2006, the dedication is expanded to provide grants for the costs of air pollution control equipment to reduce particulate matter emissions from diesel-powered engines and to provide funds for other measures to reduce human exposure to emissions.
70. **Clean Waters.** Administrative costs provided by the Clean Water State Revolving Fund, which 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 2004	Actual FY 2005	Revised FY 2006	Budget Estimate FY 2007
<b>Radiation Protection</b>				
X-ray machines inspected .....	5,429	6,334	7,000	8,000
X-ray machine violations (% of inspected) .....	30%	26%	25%	25%
Homes tested for radon .....	40,000	55,000	58,000	59,000
Homes mitigated for radon .....	3,000	3,500	3,450	3,500
Lung cancers avoided .....	137	140	140	140
<b>Release Prevention</b>				
Toxic Catastrophe Prevention				
Inspections .....	130	150	150	150
Accident investigations .....	2	2	4	4
Right To Know				
Information requests .....	1,500	2,000	2,000	2,000
Audits for facilities .....	1,000	1,000	1,000	1,000
Notice of violations .....	80	200	200	200
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	421	439	444	461
All Other .....	111	111	118	112
Total Positions .....	532	550	562	573

# ENVIRONMENTAL PROTECTION

	Actual FY 2004	Actual FY 2005	Revised FY 2006	Budget Estimate FY 2007
Filled Positions by Program				
Radiation Protection .....	89	92	91	95
Air Pollution Control .....	168	176	174	175
Release Prevention .....	64	65	72	64
Water Pollution Control .....	133	142	145	147
Public Wastewater Facilities .....	55	52	54	57
Environmental Management - CBT Dedication .....	---	---	---	11
Clean Waters (a) .....	23	23	26	24
Total Positions .....	532	550	562	573

**Notes:**

Actual payroll counts are reported for fiscal years 2004 and 2005 as of December, and revised fiscal year 2006 as of March. The Budget Estimate for fiscal 2007 reflects the number of positions funded. All Other includes positions supported by fees or other dedicated resources previously reported as State Supported.

### APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2005					Year Ending June 30, 2007			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recom- mended
<b><u>DIRECT STATE SERVICES</u></b>								
<b>Distribution by Fund and Program</b>								
7,511	175	-30	7,656	7,363	01	8,092	6,993	6,993
16,630	726	23	17,379	17,183	02	17,499	17,034	17,034
7,609	13	173	7,795	7,786	08	8,199	8,193	8,193
2,935	61	-59	2,937	2,936	09	3,140	3,140	3,140
<b>34,685</b>	<b>975</b>	<b>107</b>	<b>35,767</b>	<b>35,268</b>	<b>36,930<sup>(a)</sup></b>		<b>35,360</b>	<b>35,360</b>
<b>Distribution by Fund and Object</b>								
Personal Services:								
19,425	51 <sup>R</sup>	199	19,675	19,675		21,224	19,827	19,827
Salaries and Wages								
19,425	51	199	19,675	19,675		21,224	19,827	19,827
198	---	16	214	211		218	301	301
3,460	---	78	3,538	3,538		3,344	4,416	4,416
232	---	-47	185	185		250	529	529
Special Purpose:								
2,217					01	2,306		
928 <sup>S</sup>	175	---	3,320	3,029		1,094 <sup>S</sup>	2,306	2,306
Nuclear Emergency Response								
1,571	---	-12	1,559	1,559		1,703	1,703	1,703
Quality Assurance - Lab Certification Programs								
1,803	---	---	1,803	1,628	02	1,775	1,497	1,497
Pollution Prevention								
1,084	---	-333	751	750	02	1,144	1,144	1,144
Toxic Catastrophe Prevention								
1,087	---	---	1,087	1,076	02	1,071	1,071	1,071
Worker and Community Right to Know Act								
2,607	556 <sup>R</sup>	---	3,163	3,163	02	2,566	2,566	2,566
Oil Spill Prevention								
73	193	206	472	454		235	---	---
Additions, Improvements and Equipment								
<b><u>GRANTS-IN-AID</u></b>								
<b>Distribution by Fund and Program</b>								
---	---	---	---	---	29	---	21,765	21,765
Environmental Management - CBT Dedication								
---	---	---	---	---	---		21,765	21,765
<b>Total Grants-in-Aid</b>								



# ENVIRONMENTAL PROTECTION

The amount hereinabove for the Oil Spill Prevention account is payable out of the New Jersey Spill Compensation Fund, and the receipts in excess of those anticipated, not to exceed \$1,490,000, 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.

Receipts in excess of the amount anticipated from fees and permit receipts from the Title V Operating Permits are appropriated.

Any funds received by the New Jersey Environmental Infrastructure Trust from any State agency to offset the Trust's annual operating expenses are appropriated.

In addition to the federal funds amount for the Public Wastewater Facilities program classification, such additional sums that may be received from the federal government for the Clean Water State Revolving Fund program are appropriated.

Receipts in excess of those anticipated from Air Permitting Minor Source Fees are appropriated to the Department of Environmental Protection for expansion of the Air Pollution Control program, of which \$1,000,000 shall be made available for County Environmental Health Act agencies to inspect non-major source facilities, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provision of subsection b of section 1 of P.L. 2005, c.202 (C58:11B-10.2) or any other law to the contrary, in addition to the amount anticipated to the General Fund from the Environmental Infrastructure Financing Program Administrative Fee, there is appropriated \$1,200,000 to the Department of Environmental Protection for associated administrative and operating expenses, subject to the approval of the Director of the Division of Budget and Accounting.

Of the amount hereinabove for the Diesel Risk Mitigation Fund - Constitutional Dedication, \$900,000 shall be appropriated for costs associated with the administration of the program pursuant to the amendments effective December 8, 2005, to Article VIII, Section II, paragraph 6 of the State Constitution. The unexpended balance at the end of the preceding fiscal year in the Diesel Risk Mitigation Fund Administrative Costs - Constitutional Dedication account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

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

The amount hereinabove appropriated for the Diesel Risk Mitigation Fund - 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. The unexpended balance at the end of the preceding fiscal year in the Diesel Risk Mitigation Fund - Constitutional Dedication account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

## 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.

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.** 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, information technology, e-government applications, training and organizational development, program evaluation, and property control. Also provides financial management, including budget and accounting services, as well as 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. Serves as central point of contact regarding State and federal legislation. Develops and executes public information,

# ENVIRONMENTAL PROTECTION

## EVALUATION DATA

	Actual FY 2004	Actual FY 2005	Revised FY 2006	Budget Estimate FY 2007
<b>PROGRAM DATA</b>				
<b>Administration and Support Services</b>				
Male Minority .....	222	226	252	261
Male Minority % .....	6.7	6.8	7.3	7.5
Female Minority .....	271	279	300	309
Female Minority % .....	8.1	8.4	8.6	8.9
Total Minority .....	493	505	552	570
Total Minority % .....	14.8	15.2	15.9	16.4
<b>PERSONNEL DATA</b>				
<b>Position Data</b>				
Filled Positions by Funding Source				
State Supported .....	310	311	327	305
All Other .....	5	6	5	5
Total Positions .....	315	317	332	310
Filled Positions by Program				
Regulatory and Governmental Affairs .....	42	40	36	38
Administration and Support Services .....	273	277	296	272
Total Positions .....	315	317	332	310

### Notes:

Actual payroll counts are reported for fiscal years 2004 and 2005 as of December, and revised fiscal year 2006 as of March. The Budget Estimate for fiscal 2007 reflects the number of positions funded.

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2005					Year Ending June 30, 2007				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recom- mended	
<b><u>DIRECT STATE SERVICES</u></b>									
<b>Distribution by Fund and Program</b>									
2,172	---	191	2,363	2,355					
					Regulatory and Governmental Affairs	26	2,338	2,338	2,338
17,348	46	1,188	18,582	18,534	Administration and Support Services	99	17,992	15,659	15,659
<b>19,520</b>	<b>46</b>	<b>1,379</b>	<b>20,945</b>	<b>20,889</b>	<b>Total Direct State Services</b>		<b>20,330<sup>(a)</sup></b>	<b>17,997</b>	<b>17,997</b>
<b>Distribution by Fund and Object</b>									
Personal Services:									
16,015	---	1,638	17,653	17,653	Salaries and Wages		17,322	15,045	15,045
<b>16,015</b>	<b>---</b>	<b>1,638</b>	<b>17,653</b>	<b>17,653</b>	<b>Total Personal Services</b>		<b>17,322</b>	<b>15,045</b>	<b>15,045</b>
117	---	-45	72	72	Materials and Supplies		100	116	116
1,000	---	27	1,027	1,027	Services Other Than Personal		1,003	1,079	1,079
267	---	-93	174	174	Maintenance and Fixed Charges		255	159	159
Special Purpose:									
1,500	---	---	1,500	1,500	New Jersey Environmental Management System	99	1,500	1,500	1,500
98	---	-98	---	---	Affirmative Action and Equal Employment Opportunity	99	98	98	98
523	46	-50	519	463	Additions, Improvements and Equipment		52	---	---
<b><u>STATE AID</u></b>									
<b>Distribution by Fund and Program</b>									
14,954	27	150	15,131	14,948	Administration and Support Services	99	15,769	17,113	17,113
<b>6,454</b>	<b>27</b>	<b>150</b>	<b>6,631</b>	<b>6,491</b>	<b>(From General Fund)</b>		<b>6,769</b>	<b>7,613</b>	<b>7,613</b>

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2005					Year Ending June 30, 2007			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recommended
8,500	---	---	8,500	8,457	<b>STATE AID</b>			
					<i>(From Property Tax Relief Fund)</i>			
						9,000	9,500	9,500
<b>14,954</b>	<b>27</b>	<b>150</b>	<b>15,131</b>	<b>14,948</b>	<b>Total State Aid</b>			
6,454	27	150	6,631	6,491	<i>(From General Fund)</i>			
8,500	---	---	8,500	8,457	<i>(From Property Tax Relief Fund)</i>			
						9,000	9,500	9,500
<b>Distribution by Fund and Object</b>								
State Aid:								
1,500	27	634	2,161	2,022	99	1,515	1,515	1,515
					Mosquito Control, Research, Administration and Operations			
8,000	---	---	8,500	8,457	99	9,000	9,500	9,500
500 <sup>S</sup>					Payment In Lieu of Taxes (PTRF)			
2,000	---	-634	1,366	1,365	99	2,000	3,000	3,000
					Administration and Operations of the Highlands Council			
2,954	---	150	3,104	3,104	99	3,254	3,098	3,098
					Administration, Planning and Development Activities of the Pinelands Commission			
<b>CAPITAL CONSTRUCTION</b>								
<b>Distribution by Fund and Program</b>								
---	13	---	13	---	99	---	---	---
					Administration and Support Services			
---	<b>13</b>	---	<b>13</b>	---	<b>Total Capital Construction</b>			
<b>Distribution by Fund and Object</b>								
<b>Administrative Operations</b>								
---	6	---	6	---	99	---	---	---
					New Jersey Environmental Management System			
---	7	---	7	---	99	---	---	---
					Mosquito Control Equipment			
<b>34,474</b>	<b>86</b>	<b>1,529</b>	<b>36,089</b>	<b>35,837</b>	<b>Grand Total State Appropriation</b>			
						<b>36,099</b>	<b>35,110</b>	<b>35,110</b>
<b>OTHER RELATED APPROPRIATIONS</b>								
<b>37,660</b>	---	<b>3,577</b>	<b>41,237</b>	<b>39,715</b>	<b>Total Debt Service</b>			
<b>Federal Funds</b>								
150	---	---	150	---	26	150	150	150
					Regulatory and Governmental Affairs			
3,250	---	---	3,843	807	99	2,500	2,400	2,400
300 <sup>S</sup>	293	---	3,843	807	Administration and Support Services			
<b>3,700</b>	<b>293</b>	---	<b>3,993</b>	<b>807</b>	<b>Total Federal Funds</b>			
						<b>2,650</b>	<b>2,550</b>	<b>2,550</b>
<b>All Other Funds</b>								
---	90	---	90	8	26	---	---	---
					Regulatory and Governmental Affairs			
---	2,934	---	4,200	2,792	99	158	158	158
164 <sup>R</sup>	3,188	1,102	4,290	2,800	Administration and Support Services			
<b>75,834</b>	<b>3,567</b>	<b>6,208</b>	<b>85,609</b>	<b>79,159</b>	<b>Total All Other Funds</b>			
						<b>158</b>	<b>158</b>	<b>158</b>
						<b>63,582</b>	<b>102,482</b>	<b>102,482</b>
<b>GRAND TOTAL ALL FUNDS</b>								

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

(a) The fiscal year 2006 appropriation has been adjusted for the allocation of salary program and reallocation of administrative efficiencies.

**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.

# ENVIRONMENTAL PROTECTION

The unexpended balance at the end of the preceding fiscal year in the Mosquito Control, Research, Administration and Operations account is appropriated subject to the approval of the Director of the Division of Budget and Accounting.

## 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.
8. To perform regular comprehensive underground storage tank inspections in order to protect ground water resources from gasoline and other contamination by reducing the number of leaking tanks.

#### 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. Promotes reducing the use of pesticides through practical pest control techniques known as "Integrated Pest Management" (IPM). Enforces requirements for IPM in public, private, and charter schools in New Jersey. Enforces farm worker pesticide safety requirements at agricultural establishments. 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 Highlands Water Protection & Planning Act, Freshwater Wetlands Protection Act, the Flood Hazard Area Control Act, the Coastal Area Facility Review Act, the Wetlands Act of 1970, the Dam Safety Act, and the Waterfront Development and Riparian Lands statutes. Responding to reports of alleged violations of the above statutes, the program advises individuals how to achieve and/or maintain compliance.

23. **Solid and Hazardous Waste Management.** Manages and conducts compliance and enforcement activities to ensure that hazardous waste and used oil are collected, stored, transported, recycled, and disposed of in an environmentally acceptable manner. Assures compliance with federal Resource Conservation and Recovery Act (RCRA) regulations. Activities include such compliance assistance functions as environmental audits, grace periods, and supplemental environmental projects as well as conventional inspections and investigations, and when necessary, formal enforcement actions.

29. **Environmental Management - CBT Dedication.** 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. Beginning in fiscal 2004, the dedication is expanded to include the implementation of the Underground Storage Tank (UST) Inspection Program.

# ENVIRONMENTAL PROTECTION

## EVALUATION DATA

	Actual FY 2004	Actual FY 2005	Revised FY 2006	Budget Estimate FY 2007
<b>PROGRAM DATA</b>				
<b>Air Pollution Control</b>				
Investigations and inspections .....	6,500	6,500	6,500	6,500
<b>Pesticide Control</b>				
Investigations and inspections .....	800	800	800	800
Pesticide products regulated .....	11,800	11,800	11,800	11,800
Pesticide licenses and permits .....	17,000	17,000	17,000	17,000
<b>Water Pollution Control</b>				
Inspections .....	4,576	4,500	4,500	4,500
Clean Shores:				
Miles of beaches cleaned .....	145	125	135	135
Tons of debris removed .....	2,500	2,400	2,500	2,500
<b>Land Use Regulation</b>				
Investigations and inspections .....	1,800	2,000	2,150	2,200
<b>Solid and Hazardous Waste Management</b>				
Hazardous waste annual inspections .....	2,010	2,100	2,300	2,300

## PERSONNEL DATA

### Position Data

#### Filled Positions by Funding Source

State Supported .....	278	294	298	336
Federal .....	15	14	14	20
All Other .....	22	23	22	23
<b>Total Positions</b> .....	<b>315</b>	<b>331</b>	<b>334</b>	<b>379</b>

#### Filled Positions by Program

Air Pollution Control .....	75	77	78	79
Pesticide Control .....	38	39	39	40
Water Pollution Control .....	97	105	100	101
Land Use Regulation .....	33	34	32	35
Solid and Hazardous Waste Management (a) .....	72	74	75	104
Environmental Management - CBT Dedication .....	---	2	10	20
<b>Total Positions</b> .....	<b>315</b>	<b>331</b>	<b>334</b>	<b>379</b>

### Notes:

Actual payroll counts are reported for fiscal years 2004 and 2005 as of December, and revised fiscal year 2006 as of March. The Budget Estimate for fiscal 2007 reflects the number of positions funded. All Other includes positions supported by fees or other dedicated resources previously reported as State Supported.

(a) Fiscal 2007 position data reflects a transfer of inspectors from Statewide Program 44, Solid and Hazardous Waste Management.

## APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2005					Year Ending June 30, 2007				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Total Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recom- mended	
<b><u>DIRECT STATE SERVICES</u></b>									
<b>Distribution by Fund and Program</b>									
4,250	1,259	57	5,566	5,565	02	4,557	4,557	4,557	4,557
2,251	7	33	2,291	2,291	04	2,419	2,419	2,419	2,419
5,570	---	336	5,906	5,906	08	5,968	5,968	5,968	5,968
1,925	788	-112	2,601	2,601	15	2,029	2,029	2,029	2,029
3,860	---	-32	3,828	3,828	23	4,120	5,444	5,444	5,444
---	745	2,000	2,745	1,922	29	---	---	---	---
<b>17,856</b>	<b>2,799</b>	<b>2,282</b>	<b>22,937</b>	<b>22,113</b>	<b>Total Direct State Services</b>	<b>19,093</b> <sup>(b)</sup>	<b>20,417</b>	<b>20,417</b>	<b>20,417</b>

# ENVIRONMENTAL PROTECTION

Year Ending June 30, 2005					Year Ending June 30, 2007				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2006 Adjusted Approp.	Requested	Recommended	
<b>DIRECT STATE SERVICES</b>									
<b>Distribution by Fund and Object</b>									
Personal Services:									
15,091	---	223	15,314	15,314					
						Salaries and Wages	16,157	17,258	17,258
<u>15,091</u>	<u>---</u>	<u>223</u>	<u>15,314</u>	<u>15,314</u>		<i>Total Personal Services</i>	<u>16,157</u>	<u>17,258</u>	<u>17,258</u>
126	---	63	189	188		Materials and Supplies	131	149	149
1,390	1,258	-801	1,847	1,847		Services Other Than Personal	1,417	1,627	1,627
390	---	56	446	446		Maintenance and Fixed Charges	407	502	502
Special Purpose:									
856	753 <sup>R</sup>	30	1,639	1,639	15	Tidelands Peak Demands	881	881	881
---	745	2,000	2,745	1,922		Underground Storage Tank Inspection Program - Constitutional Dedication	---	---	---
3	43	711	757	757	29	Additions, Improvements and Equipment	100	---	---
<b>STATE AID</b>									
<b>Distribution by Fund and Program</b>									
3,453	5	---	3,458	3,453	08	Water Pollution Control	3,453	3,453	3,453
<u>3,453</u>	<u>5</u>	<u>---</u>	<u>3,458</u>	<u>3,453</u>		<i>Total State Aid</i>	<u>3,453</u>	<u>3,453</u>	<u>3,453</u>
<b>Distribution by Fund and Object</b>									
State Aid:									
3,453	---	---	3,453	3,453	08	County Environmental Health Act	3,453	3,453	3,453
---	5	---	5	---	08	Operation Clean Shores	---	---	---
<u>21,309</u>	<u>2,804</u>	<u>2,282</u>	<u>26,395</u>	<u>25,566</u>		<i>Grand Total State Appropriation</i>	<u>22,546</u>	<u>23,870</u>	<u>23,870</u>
<b>OTHER RELATED APPROPRIATIONS</b>									
<b>Federal Funds</b>									
1,802	-9	---	1,793	1,010	02	Air Pollution Control	1,802	1,802	1,802
850	105	---	955	573	04	Pesticide Control	740	740	740
1,000	-4	---	996	---	08	Water Pollution Control	1,000	1,000	1,000
600	484	---	1,084	522	15	Land Use Regulation	600	600	600
1,886	24	---	1,910	1,566	23	Solid and Hazardous Waste Management	1,886	2,500	2,500
50 <sup>S</sup>	---	---	50	---	29	Environmental Management - CBT Dedication	---	---	---
<u>6,188</u>	<u>600</u>	<u>---</u>	<u>6,788</u>	<u>3,671</u>		<i>Total Federal Funds</i>	<u>6,028</u>	<u>6,642</u>	<u>6,642</u>
<b>All Other Funds</b>									
---	15	---	15	---	02	Air Pollution Control	---	---	---
---	1,911	---	---	---	08	Water Pollution Control	1,000	1,000	1,000
---	1,282 <sup>R</sup>	-23	3,170	950	15	Land Use Regulation	772	929	929
<u>---</u>	<u>3,208</u>	<u>-23</u>	<u>3,185</u>	<u>950</u>		<i>Total All Other Funds</i>	<u>1,772</u>	<u>1,929</u>	<u>1,929</u>
<u>27,497</u>	<u>6,612</u>	<u>2,259</u>	<u>36,368</u>	<u>30,187</u>		<i>GRAND TOTAL ALL FUNDS</i>	<u>30,346</u>	<u>32,441</u>	<u>32,441</u>

### Notes -- Direct State Services - General Fund

- (a) Fiscal year 2007 appropriation data reflects a transfer of inspectors from Statewide Program 44, Solid and Hazardous Waste Management.
- (b) The fiscal year 2006 appropriation has been adjusted for the allocation of salary program and reallocation of administrative efficiencies.

### 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

## ENVIRONMENTAL PROTECTION

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 \$2,889,000, 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, with regard to the fee-related appropriations provided hereinabove, 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 United States 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, of the amounts appropriated for site remediation, 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).

Receipts in excess of \$7,210,000 anticipated for Air Pollution, Clean Water Enforcement, Land Use, Solid Waste, and Hazardous 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 from New Jersey Pollutant Discharge Elimination System/Stormwater Permits are appropriated to the Department of Environmental Protection for expansion of the Water Pollution Control Program, 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 law to the contrary, of the amounts appropriated for water resource evaluation studies and monitoring, the Department of Environmental Protection may enter into contracts with the United States Geological Survey to provide the State's match to joint funding agreements for water resource evaluation studies and monitoring analyses.

Of the amount hereinabove appropriated for the Hazardous Substance Discharge Remediation Loans and Grants-Constitutional Dedication account, an amount not to exceed \$2,000,000 shall be allocated for costs associated with the State Underground Storage Tank Inspection Program, pursuant to the amendments effective December 4, 2003, to Article VIII, Section II, paragraph 6 of the State Constitution. The unexpended balance at the end of the preceding fiscal year in the Underground Storage Tank Inspection Program account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

# NOTES