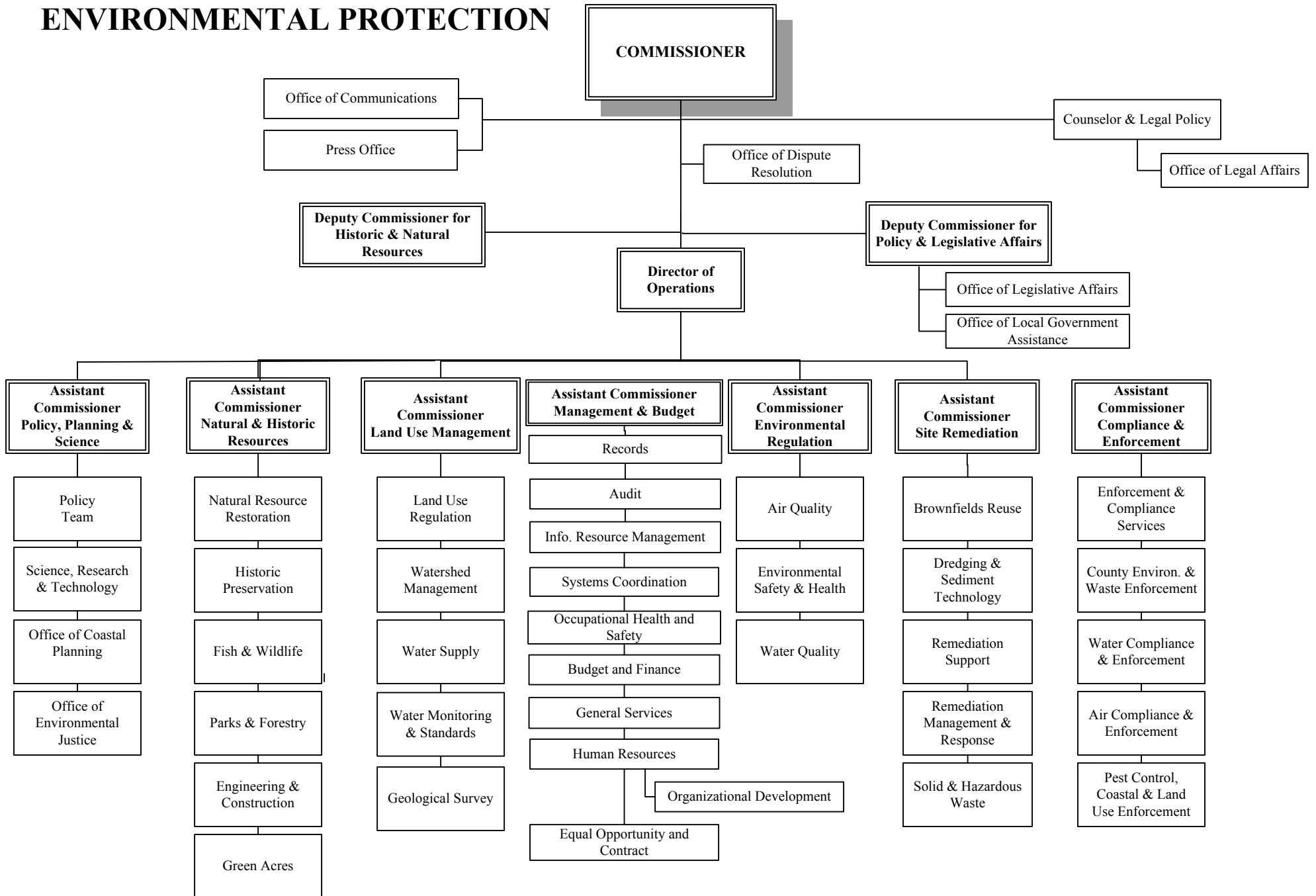


ENVIRONMENTAL PROTECTION



In-But-Not-Of Agencies

Palisades Interstate Park Commission

Highlands Council

Pinelands Commission

Mosquito Control Commission

ENVIRONMENTAL PROTECTION

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 promote sustainable 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 six environmental areas: Natural Resource Management, Science and Technical Programs, Land Use, 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 2008 Budget for the Department of Environmental Protection, excluding Debt Service, totals \$385.4 million, a decrease of \$22.9 million or 5.6% from the fiscal 2007 adjusted appropriation of \$408.3 million. This reduction is primarily attributable to the elimination of one-time funding for Passaic River Cleanup Litigation (\$12 million) and one-time resources to support capital improvements in the State parks (\$9 million). In fiscal 2008, capital funding for State parks and other recreational land development will be provided through the recently adopted reallocation of the Corporation Business Tax (CBT) constitutional dedication.

Corporation Business Tax Dedication

A constitutional dedication of 4% of CBT revenues has supported critical DEP programs for the past 11 years. In fiscal 2008, this important funding source will provide \$19.1 million in new funding for State parks, forests, wildlife management areas, and historic sites to address deferred capital and maintenance needs. In addition, the CBT dedication will continue to provide level funding for ongoing initiatives. The appropriation for the Diesel Risk Reduction program will amount to \$21.6 million in fiscal 2008, bringing total State appropriations for diesel emissions to over \$59 million since the program was initiated in fiscal 2006. The \$2.7 million appropriation for the Watershed Restoration Projects program will enable DEP to address the sedimentation and pollution of impaired ponds and streams including Greenwood Lake, Lake Carasajlo, Rockaway River, Cooper River, and the Sandlers Woods portion of Newton Creek.

Wildlife Management

A total of \$850,000 in new funding will be provided for non-lethal black bear management. These funds will be used to conduct research, public education, outreach, and black bear control. Human safety concerns are a critical aspect of black bear management. The state's growing black bear population has adapted to living in close proximity to people, taking advantage of human-derived food sources. Through public education, people can learn how to modify their behavior and take the precautions necessary to avoid conflicts with bears.

Ocean/Wind Power Ecological Baseline Study

The Fiscal 2008 Budget provides a total of \$4.5 million in dedicated funding, which includes \$2 million from the Clean Energy Fund, to support an Ocean/Wind Power Ecological Baseline Study. In April 2006, the Blue Ribbon Panel on Development of Wind Turbine Facilities in Coastal Waters recommended baseline studies of New Jersey's coastal waters to develop spatial and temporal information regarding ocean uses and living natural resources. The scope of work includes the collection of field data over an 18-month period on the distribution, abundance and migratory patterns of avian, marine mammal, marine turtle, and other species in a study area extending approximately 15 miles offshore and 1,000 square miles in size. The results of this study will help to inform the decision to place up to 80 wind turbines, which will provide a new source of clean energy for the state.

Department Accomplishments

New Jersey's coastline is a national treasure that residents and visitors flock to every year. With the densest population in the country and a growing tourism industry, it has become increasingly important to provide public access to our shoreline. In an effort to protect and expand public access, on November 6, 2006, the DEP published a rule proposal to strengthen the Department's existing public access requirements. DEP's proposal sets forth specific public access requirements for Shore Protection Program and Green Acres funding. In addition, a new special area rule was proposed to protect tidal waterways and their shores and ensure public access to these lands. DEP's proposed rule changes enforce the Public Trust Doctrine, which states that public rights to tidal waterways and their shores are held by the state in trust for the benefit of all, allowing the public to fully enjoy these lands and waters for a variety of uses, including bathing, swimming, sunbathing, and walking along the tidal waterway and its shore. As an accompaniment to the rule proposal, DEP also released an interactive coastal access web page that provides a map of public access points, including information on facilities and fees for all of New Jersey's Atlantic Ocean beach access sites.

The protection of the Highlands Region and its valuable water supplies continues to be a top priority at DEP. DEP has worked closely with the Highlands Council staff since their first meeting in December 2004. The draft Regional Master Plan, which was released in 2006, is designed to protect vital resources in the Highlands Region, and is the product of extensive work by the Council and DEP staff. DEP provided a multitude of data and documents and technical expertise to assist the Council in the development of the Regional Master Plan. DEP identified a team of planners, scientists and regulators, with a broad spectrum of expertise, to work with the Council. This team provided technical and policy guidance to the Council based on issue-specific expertise and years of experience in the field. DEP's various programs created new and unique data sets for use in creating the plan, and re-prioritized ongoing projects, studies and data development to inform the plan. During the last several months of plan development, DEP assigned staff directly to the Council to assist with final preparation and production.

ENVIRONMENTAL PROTECTION

New Jersey's parks, historic sites, and wildlife areas help to improve our quality of life and provide economic benefits, such as improved property values and jobs. The popularity of these sites continues to grow, but the ability to maintain them has not. In an effort to support these areas, DEP worked with the Legislature to craft a constitutional amendment that would re-dedicate a portion of the Corporation Business Tax revenue to improve these important sites. The proposed constitutional amendment passed unanimously in both houses and was presented to the voters for approval on the November ballot. Working with a broad-based coalition of organizations and individuals, DEP launched an aggressive educational outreach campaign to inform the public about the ballot question. Thanks to public support, the ballot question was passed and New Jersey will now have a stable source of funding to make desperately needed improvements and provide essential maintenance to historic sites, parks, and wildlife areas.

Over the past few years New Jersey has been subject to incidents of extreme flooding. In response, the New Jersey Flood Mitigation Task Force was established to recommend measures to reduce future impacts of flooding in New Jersey communities. As a member of this task force, DEP helped craft recommendations to mitigate future effects of flooding. Upon release of the task force report, the DEP proposed a comprehensive overhaul of the rules implementing the Flood Hazard Area Control Act. The new rules will clarify and reorganize New Jersey's regulations to limit new development in flood plains. The proposed flood rules will also require larger buffers, require that floor elevations and roadway surfaces be set one foot above the state's flood elevation in flood hazard areas and simplify mapping requirements for communities. Under the proposed rules the process for permitting environmentally responsible stream cleanings and the relocation and reconstruction of damaged buildings will also be streamlined. These rules are designed to minimize flood

damage and protect the lives of residents in communities that are chronically subjected to flooding.

As DEP works to implement protections for New Jersey's environment, it is also working to become a more efficient department. DEP is implementing tools to better assess and process permit applications. DEP has cross-referenced its data and data management systems to comprehensively screen and score projects so that glaring inconsistencies with environmental rules and laws are immediately apparent and can be communicated to applicants. These tools allow DEP to more rapidly identify the projects that are good for the State and can be made even better through incentives that encourage the use of green technology, water conservation, green roofs, solar power, and native landscaping. The Department is continuously taking advantage of evolving web technology to improve existing tools and is rolling out a number of web-based initiatives to promote efficiency, transparency and support economic growth, while providing the environmental protection the public expects from the Department. DEP has recently created a new field-activity blotter, which provides the public with a listing of all DEP's Compliance & Enforcement inspections conducted during the past 14 days. The public can also search specific facilities online and find a summary of the pollution and emissions discharges released at the site. In this past year, DEP enhanced its electronic permitting capabilities to allow applicants to process permit applications electronically. Permit status reports are also available online. Applicants can check on any permit applications submitted and receive up-to-the-minute status on applications, including the staff contact for applications. DEP also developed an electronic reporting system that will be used by laboratories, water systems, regulated and volunteer monitors to submit analysis and monitoring data to DEP over the web.

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

Year Ending June 30, 2006					Year Ending June 30, 2008			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		2007 Adjusted Approp.	Requested	Recom- mended
					GENERAL FUND			
221,540	40,111	9,105	270,756	254,163	Direct State Services	243,643	233,056	233,056
750	5,369	16,734	22,853	5,206	Grants-In-Aid	27,165	24,700	24,700
10,072	151	1,000	11,223	11,013	State Aid	11,216	10,916	10,916
84,263	117,638	-23,854	178,047	77,463	Capital Construction	116,767	107,271	107,271
24,675	---	---	24,675	24,673	Debt Service	64,664	56,790	56,790
341,300	163,269	2,985	507,554	372,518	Total General Fund	463,455	432,733	432,733
					PROPERTY TAX RELIEF FUND			
9,000	---	---	9,000	8,661	State Aid	9,500	9,500	9,500
9,000	---	---	9,000	8,661	Total Property Tax Relief Fund	9,500	9,500	9,500
350,300	163,269	2,985	516,554	381,179	Total Appropriation, Department of Environmental Protection	472,955	442,233	442,233

ENVIRONMENTAL PROTECTION

SUMMARY OF APPROPRIATIONS BY PROGRAM (thousands of dollars)

Year Ending June 30, 2006					Year Ending June 30, 2008			
Orig. & (S) Supplemental	Reapp. & (R) Recpts.	Transfers & (E) Emergencies	Total Available	Expended		2007 Adjusted Approp.	Requested	Recommended
DIRECT STATE SERVICES - GENERAL FUND								
Natural Resource Management								
6,921	---	652	7,573	7,573	Forest Resource Management	7,304	7,304	7,304
37,822	2,402	244	40,468	38,895	Parks Management	39,074	39,084	39,084
16,983	1,298	-219	18,062	15,847	Hunters' and Anglers' License Fund	15,373	15,080	15,080
1,416	---	365	1,781	1,781	Shellfish and Marine Fisheries Management	1,499	1,885	1,885
696	54	-4	746	503	Wildlife Management	661	1,390	1,390
1,597	47	3,043	4,687	4,685	Natural Resources Engineering	1,704	1,318	1,318
2,414	---	192	2,606	2,604	Palisades Interstate Park Commission	2,528	2,528	2,528
<u>67,849</u>	<u>3,801</u>	<u>4,273</u>	<u>75,923</u>	<u>71,888</u>	<i>Subtotal</i>	<u>68,143</u>	<u>68,589</u>	<u>68,589</u>
Science and Technical Programs								
7,769	3,992	-1,256	10,505	9,649	Water Supply	8,215	8,157	8,157
---	---	---	---	---	Smart Growth Permitting	---	---	---
---	---	250	250	250	Water Monitoring and Standards	---	---	---
12,924	3,636	-652	15,908	15,769	Land Use Regulation	13,558	13,061	13,061
3,097	---	-90	3,007	2,947	Science, Research and Technology	3,228	3,073	3,073
---	---	168	168	168	New Jersey Geological Survey	---	---	---
12,363	2,716	-1,540	13,539	13,365	Environmental Management - CBT Dedication	16,338	16,359	16,359
---	32	483	515	483	Watershed Management	---	---	---
<u>36,153</u>	<u>10,376</u>	<u>-2,637</u>	<u>43,892</u>	<u>42,631</u>	<i>Subtotal</i>	<u>41,339</u>	<u>40,650</u>	<u>40,650</u>
Site Remediation and Waste Management								
---	---	---	---	---	Publicly-Funded Site Remediation	---	---	---
8,064	2,631	-183	10,512	8,770	Solid and Hazardous Waste Management	6,785	6,042	6,042
30,489	12,458	-532	42,415	41,454	Remediation Management and Response	41,619	29,552	29,552
6,680	5,262	500	12,442	8,830	Environmental Management - CBT Dedication	7,715	9,920	9,920
<u>45,233</u>	<u>20,351</u>	<u>-215</u>	<u>65,369</u>	<u>59,054</u>	<i>Subtotal</i>	<u>56,119</u>	<u>45,514</u>	<u>45,514</u>
Environmental Regulation								
7,934	490	-94	8,330	7,665	Radiation Protection	8,267	7,066	7,066
17,230	1,106	-92	18,244	17,930	Air Pollution Control	17,172	17,327	17,327
7,974	2,435	-108	10,301	8,927	Water Pollution Control	8,370	8,282	8,282
3,082	2	-35	3,049	3,049	Public Wastewater Facilities	3,176	3,176	3,176
---	---	575	575	243	Environmental Management - CBT Dedication	---	---	---
<u>36,220</u>	<u>4,033</u>	<u>246</u>	<u>40,499</u>	<u>37,814</u>	<i>Subtotal</i>	<u>36,985</u>	<u>35,851</u>	<u>35,851</u>
Environmental Planning and Administration								
2,275	8	55	2,338	2,335	Regulatory and Governmental Affairs	2,121	2,005	2,005
14,100	57	4,913	19,070	19,009	Administration and Support Services	18,100	18,887	18,887
<u>16,375</u>	<u>65</u>	<u>4,968</u>	<u>21,408</u>	<u>21,344</u>	<i>Subtotal</i>	<u>20,221</u>	<u>20,892</u>	<u>20,892</u>

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2006					Year Ending June 30, 2008			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended		2007 Adjusted Approp.	Requested	Recom- mended
Compliance and Enforcement								
5,514	1	57	5,572	4,776	Air Pollution Control	4,586	4,586	4,586
2,357	1	26	2,384	2,383	Pesticide Control	2,468	2,468	2,468
5,824	1	336	6,161	6,160	Water Pollution Control	6,161	6,161	6,161
1,972	609	-135	2,446	2,436	Land Use Regulation	1,998	1,998	1,998
4,043	---	186	4,229	4,229	Solid and Hazardous Waste Management	5,623	6,347	6,347
---	873	2,000	2,873	1,448	Environmental Management - CBT Dedication	---	---	---
<u>19,710</u>	<u>1,485</u>	<u>2,470</u>	<u>23,665</u>	<u>21,432</u>	<i>Subtotal</i>	<u>20,836</u>	<u>21,560</u>	<u>21,560</u>
<u>221,540</u>	<u>40,111</u>	<u>9,105</u>	<u>270,756</u>	<u>254,163</u>	<i>Total Direct State Services - General Fund</i>	<u>243,643</u>	<u>233,056</u>	<u>233,056</u>
<u>221,540</u>	<u>40,111</u>	<u>9,105</u>	<u>270,756</u>	<u>254,163</u>	TOTAL DIRECT STATE SERVICES	<u>243,643</u>	<u>233,056</u>	<u>233,056</u>
GRANTS-IN-AID - GENERAL FUND								
Natural Resource Management								
250	---	---	250	180	Parks Management	---	---	---
---	420	---	420	---	Natural Resources Engineering	---	---	---
<u>250</u>	<u>420</u>	<u>---</u>	<u>670</u>	<u>180</u>	<i>Subtotal</i>	<u>---</u>	<u>---</u>	<u>---</u>
Science and Technical Programs								
500	---	---	500	500	Water Monitoring and Standards	400	400	400
---	4,949	1,000	5,949	4,526	Environmental Management - CBT Dedication	5,000	2,700	2,700
<u>500</u>	<u>4,949</u>	<u>1,000</u>	<u>6,449</u>	<u>5,026</u>	<i>Subtotal</i>	<u>5,400</u>	<u>3,100</u>	<u>3,100</u>
Environmental Regulation								
---	---	15,734	15,734	---	Environmental Management - CBT Dedication	21,765	21,600	21,600
<u>---</u>	<u>---</u>	<u>15,734</u>	<u>15,734</u>	<u>---</u>	<i>Subtotal</i>	<u>21,765</u>	<u>21,600</u>	<u>21,600</u>
<u>750</u>	<u>5,369</u>	<u>16,734</u>	<u>22,853</u>	<u>5,206</u>	<i>Total Grants-In-Aid - General Fund</i>	<u>27,165</u>	<u>24,700</u>	<u>24,700</u>
<u>750</u>	<u>5,369</u>	<u>16,734</u>	<u>22,853</u>	<u>5,206</u>	TOTAL GRANTS-IN-AID	<u>27,165</u>	<u>24,700</u>	<u>24,700</u>
STATE AID - GENERAL FUND								
Environmental Planning and Administration								
6,619	151	1,000	7,770	7,562	Administration and Support Services	7,763	7,463	7,463
<u>6,619</u>	<u>151</u>	<u>1,000</u>	<u>7,770</u>	<u>7,562</u>	<i>Subtotal</i>	<u>7,763</u>	<u>7,463</u>	<u>7,463</u>
Compliance and Enforcement								
3,453	---	---	3,453	3,451	Water Pollution Control	3,453	3,453	3,453
<u>3,453</u>	<u>---</u>	<u>---</u>	<u>3,453</u>	<u>3,451</u>	<i>Subtotal</i>	<u>3,453</u>	<u>3,453</u>	<u>3,453</u>
<u>10,072</u>	<u>151</u>	<u>1,000</u>	<u>11,223</u>	<u>11,013</u>	<i>Total State Aid - General Fund</i>	<u>11,216</u>	<u>10,916</u>	<u>10,916</u>

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2006					Year Ending June 30, 2008			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended		2007 Adjusted Approp.	Requested	Recommended
9,000	---	---	9,000	8,661	STATE AID - PROPERTY TAX RELIEF FUND			
					Environmental Planning and Administration			
					Administration and Support Services	9,500	9,500	9,500
9,000	---	---	9,000	8,661	Subtotal	9,500	9,500	9,500
9,000	---	---	9,000	8,661	Total State Aid - Property Tax Relief Fund	9,500	9,500	9,500
19,072	151	1,000	20,223	19,674	TOTAL STATE AID	20,716	20,416	20,416
					CAPITAL CONSTRUCTION			
					Natural Resource Management			
---	3,176	---	3,176	1,772	Parks Management	9,000	---	---
---	72	---	72	12	Hunters' and Anglers' License Fund	---	---	---
---	2	---	2	1	Shellfish and Marine Fisheries Management	---	---	---
---	79	---	79	15	Wildlife Management	---	---	---
29,106	30,600	-3,143	56,563	28,618	Natural Resources Engineering	30,555	30,790	30,790
---	558	435	993	639	Palisades Interstate Park Commission	---	---	---
---	---	---	---	---	Environmental Management - CBT Dedication	---	19,059	19,059
29,106	34,487	-2,708	60,885	31,057	Subtotal	39,555	49,849	49,849
					Site Remediation and Waste Management			
---	---	---	---	---	Publicly-Funded Site Remediation	---	---	---
55,157	83,151	-21,146	117,162	46,406	Environmental Management - CBT Dedication	77,212	57,422	57,422
55,157	83,151	-21,146	117,162	46,406	Subtotal	77,212	57,422	57,422
					Environmental Planning and Administration			
---	---	---	---	---	Administration and Support Services	---	---	---
---	---	---	---	---	Subtotal	---	---	---
84,263	117,638	-23,854	178,047	77,463	TOTAL CAPITAL CONSTRUCTION	116,767	107,271	107,271
					DEBT SERVICE			
					Environmental Planning and Administration			
24,675	---	---	24,675	24,673	Administration and Support Services	64,664	56,790	56,790
24,675	---	---	24,675	24,673	Subtotal	64,664	56,790	56,790
24,675	---	---	24,675	24,673	TOTAL DEBT SERVICE	64,664	56,790	56,790
350,300	163,269	2,985	516,554	381,179	Total Appropriation, Department of Environmental Protection	472,955	442,233	442,233

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,

ENVIRONMENTAL PROTECTION

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 that threatens 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 product 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 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.
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 2007, the dedication is expanded to provide funding for the development and conservation of recreational lands.

EVALUATION DATA

PROGRAM DATA	Actual FY 2005	Actual FY 2006	Revised FY 2007	Budget Estimate FY 2008
Forest Resource Management				
Fires (annual)	1,087	2,367	1,800	1,800
Acres lost (annual)	1,170	2,716	10,500	8,500
Acres of prescribed burning	9,500	17,270	20,000	20,000

ENVIRONMENTAL PROTECTION

	Actual FY 2005	Actual FY 2006	Revised FY 2007	Budget Estimate FY 2008
Parks Management				
State parks and forests				
Total visitors	17,321,000	16,975,700	16,600,000	17,300,000
Total revenue (millions)	\$6.5	\$6.9	\$6.7	\$7.0
Historic sites				
Visitors	760,000	760,000	725,000	730,000
Revenue	44,000	34,000	35,000	37,000
Green Acres/ Open Space Preservation				
Acres preserved since inception of GSPT (a)	118,470	137,740	164,979	185,572
Annual acres preserved	19,271	27,239	20,593	20,593
State funding (millions)	\$51.0	\$108.3	\$80.0	\$80.0
County/ Municipal funding (millions)	\$44.9	\$59.4	\$80.0	\$80.0
County/ Municipal dedicated tax revenue (millions)	\$273.7	\$301.4	\$301.4	\$301.4
Non-profits funding (millions)	\$11.0	\$12.0	\$12.0	\$12.0
Hunters' and Anglers' License Fund				
Trout propagated and distributed	770,000	770,000	770,000	750,000
Pheasants reared at game farms	59,000	60,000	57,000	55,000
Other fish propagated and distributed	1,700,000	2,000,000	2,000,000	1,500,000

PERSONNEL DATA

Position Data

Filled Positions by Funding Source

State Supported	727	714	671	709
Federal	4	6	6	5
All Other	283	274	256	272
Total Positions	1,014	994	933	986

Filled Positions by Program

Forest Resource Management	111	117	111	120
Parks Management	576	552	526	543
Hunters' and Anglers' License Fund	200	192	175	186
Shellfish and Marine Fisheries Management	45	43	38	42
Wildlife Management	15	16	16	22
Natural Resources Engineering	67	74	67	73
Total Positions	1,014	994	933	986

Notes:

Actual payroll counts are reported for fiscal years 2005 and 2006 as of December, and revised fiscal year 2007 as of January.

The Budget Estimate for fiscal year 2008 reflects the number of positions funded. All Other includes positions supported by fees or other dedicated resources previously reported as State Supported.

(a) Garden State Preservation Trust (GSPT)

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2006					Year Ending June 30, 2008			
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recom- mended
DIRECT STATE SERVICES								
Distribution by Fund and Program								
6,921	---	652	7,573	7,573	11	7,304	7,304	7,304
37,822	2,402	244	40,468	38,895	12	39,074	39,084	39,084
16,983	1,298	-219	18,062	15,847	13	15,373	15,080	15,080
1,416	---	365	1,781	1,781	14	1,499	1,885	1,885
696	54	-4	746	503	20	661	1,390	1,390
1,597	47	3,043	4,687	4,685	21	1,704	1,318	1,318
2,414	---	192	2,606	2,604	24	2,528	2,528	2,528
67,849	3,801	4,273	75,923	71,888		68,143 ^(a)	68,589	68,589
					Total Direct State Services			

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2006					Year Ending June 30, 2008				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recom- mended	
<u>DIRECT STATE SERVICES</u>									
Distribution by Fund and Object									
Personal Services:									
47,557									
283 ^S	1,226	4,436	53,502	48,262		46,381			
						283 ^S	45,740	45,740	
---	---	---	---	3,036		3,285	3,199	3,199	
47,840	1,226	4,436	53,502	51,298		49,949	48,939	48,939	
5,556	16	-435	5,137	5,137		4,200	4,782	4,782	
2,260	55	449	2,764	2,764		2,186	2,192	2,192	
3,556	1	-559	2,998	2,996		3,254	3,433	3,433	
Special Purpose:									
1,759	---	83	1,842	1,841	11	1,759	1,759	1,759	
	711								
---	1,684 ^R	-828	1,567	---	12	---	---	---	
4,683	---	---	4,683	4,674					
11	---	-1	10	10	12	11	11	11	
114	---	35	149	149	12	79	79	79	
3	---	-3	---	---	12	3	3	3	
79	---	---	79	78					
382 ^S	---	---	382	382	20	79	---	---	
235	54	-4	285	43	20	382	382	382	
---	---	---	---	---	20	200	158	158	
---	---	353	353	352	20	---	850	850	
1,319	---	-30	1,289	1,287	21	---	---	---	
52	54	777	883	877	21	1,318	1,318	1,318	
						40	---	---	
<u>GRANTS-IN-AID</u>									
Distribution by Fund and Program									
250	---	---	250	180	12	---	---	---	
---	420	---	420	---	21	---	---	---	
250	420	---	670	180		---	---	---	
Distribution by Fund and Object									
Grants:									
250	---	---	250	180	12	---	---	---	
---	166	---	166	---	21	---	---	---	
---	232	---	232	---	21	---	---	---	
---	22 ^R	---	22	---	21	---	---	---	
<u>CAPITAL CONSTRUCTION</u>									
Distribution by Fund and Program									
---	3,176	---	3,176	1,772	12	9,000	---	---	
---	72	---	72	12	13	---	---	---	
---	2	---	2	1	14	---	---	---	
---	79	---	79	15	20	---	---	---	
29,106	30,600	-3,143	56,563	28,618	21	30,555	30,790	30,790	
---	558	435	993	639	24	---	---	---	
---	---	---	---	---	29	---	19,059	19,059	

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2006					Year Ending June 30, 2008				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recommended	
29,106	34,487	-2,708	60,885	31,057	CAPITAL CONSTRUCTION				
Total Capital Construction						39,555	49,849	49,849	
Distribution by Fund and Object									
Bureau of Parks									
---	575	---	575	509	Parks Improvements	12	---	---	---
---	507	---	507	416	Historic Preservation/Renovation - Buildings, Structures and Monuments	12	---	---	---
---	---	---	---	---	Capital Improvements for State Parks, Forests, Historic Sites, Wildlife Areas	12	9,000	---	---
---	56	---	56	47	Sanitary Facilities	12	---	---	---
---	41	---	41	31	Major Maintenance and Improvement Program	12	---	---	---
---	9	---	9	---	Picnic Area Rehabilitation - Various State Parks & Forests	12	---	---	---
---	3	---	3	3	Barnegat Lighthouse Exterior Coating	12	---	---	---
---	35	---	35	---	Delaware River Recreational Path, Frenchtown to Milford	12	---	---	---
---	27	---	27	---	Shore Stabilization - Cape May Point	12	---	---	---
---	43	---	43	---	Belleplain State Park - Water Supply Improvement	12	---	---	---
---	170	---	170	---	ADA Development - Statewide	12	---	---	---
---	866	---	866	335	Buildings - Rehabilitation and Renovation	12	---	---	---
---	7	---	7	4	Site Areas/Facilities - Development, Rehabilitation and Repair	12	---	---	---
---	24	---	24	---	Administrative/Maintenance Facilities-Renovation, Rehabilitation & Maintenance	12	---	---	---
---	7	---	7	---	Asbestos Removal	12	---	---	---
---	41	---	41	17	Overnight Facilities - Development, Rehabilitation, Improvement and Repair	12	---	---	---
---	3	---	3	3	Recreational Areas - Development, Rehabilitation, Improvement and Repair	12	---	---	---
---	2	---	2	---	Demolition of Unused Structures	12	---	---	---
---	123	---	123	18	Dam Repairs and Inspections	12	---	---	---
---	128	---	128	49	Health, Safety and Environmental Compliance	12	---	---	---
---	7	---	7	5	Road, Bridge and Parking Area Repairs	12	---	---	---
---	341	---	341	300	Open Space - Local Match	12	---	---	---
---	59	---	59	26	Liberty State Park	12	---	---	---
---	71	---	71	5	Liberty State Park, Boring and Testing	12	---	---	---
---	3	---	3	3	Underground Storage Tanks	12	---	---	---
---	28	---	28	1	Liberty State Park, Caven Point Pier Renovations	12	---	---	---
---	---	---	---	---	Recreational Land Development and Conservation-Constitutional Dedication	29	---	19,059	19,059
Palisades Interstate Park Commission									
---	98	435	533	294	Bridge and Pedestrian Overpass Repairs	24	---	---	---
---	460	---	460	345	Shore Protection Structures Repairs	24	---	---	---

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2006					Year Ending June 30, 2008				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recom- mended	
CAPITAL CONSTRUCTION									
Division of Fish and Wildlife									
---	20	---	20	---					
---	1	---	1	---	13	---	---	---	
---	7	---	7	7	13	---	---	---	
---	7	---	7	---					
---	13	---	13	5	13	---	---	---	
---	24	---	24	---	13	---	---	---	
---	3	---	3	1	20	---	---	---	
---	56	---	56	12	20	---	---	---	
---	20	---	20	2	20	---	---	---	
Shellfish and Marine Fisheries Management									
---	2	---	2	1	14	---	---	---	
Natural Resources Engineering									
25,000	27,448	-2,707	49,741	26,970	21	25,000	25,000	25,000	
4,106	2,094	-436	5,764	1,414	21	5,555	5,790	5,790	
---	1,058	---	1,058	234	21	---	---	---	
<u>97,205</u>	<u>38,708</u>	<u>1,565</u>	<u>137,478</u>	<u>103,125</u>	Grand Total State Appropriation		<u>107,698</u>	<u>118,438</u>	<u>118,438</u>
OTHER RELATED APPROPRIATIONS									
Federal Funds									
6,555	1,885	---	8,440	1,926	11	6,465	6,530	6,530	
38,827									
299 ^S	4,444	6	43,576	5,381	12	35,352	37,540	37,540	
12,305									
704 ^S	1,157	5	14,171	4,694	13	12,815	12,055	12,055	
3,505	66	---	3,571	1,565					
1,630									
20 ^S	47	---	1,697	850	20	1,630	2,695	2,695	
390	292	---	682	327	21	390	425	425	
<u>64,235</u>	<u>7,891</u>	<u>11</u>	<u>72,137</u>	<u>14,743</u>	Total Federal Funds		<u>60,157</u>	<u>63,100</u>	<u>63,100</u>
All Other Funds									
---	2,415								
	1,935 ^R	41	4,391	594	11	4,415	4,410	4,410	
---	3,893								
---	3,774 ^R	53	7,720	4,632	12	6,289	6,743	6,743	
---	4,005								
---	451 ^R	124	4,580	582	13	221	203	203	
---	1,053								
---	359 ^R	171	1,583	445	14	275	271	271	
---	112								
---	425 ^R	---	537	434	20	409	357	357	
---	2,636								
---	1,934 ^R	---	4,570	39	21	7,200	5,500	5,500	
---	2,595								
---	5,167 ^R	---	7,762	5,754	24	4,447	4,045	4,045	
<u>---</u>	<u>30,754</u>	<u>389</u>	<u>31,143</u>	<u>12,480</u>	Total All Other Funds		<u>23,256</u>	<u>21,529</u>	<u>21,529</u>
<u>161,440</u>	<u>77,353</u>	<u>1,965</u>	<u>240,758</u>	<u>130,348</u>	GRAND TOTAL ALL FUNDS		<u>191,111</u>	<u>203,067</u>	<u>203,067</u>

Notes -- Direct State Services - General Fund

(a) The fiscal year 2007 appropriation has been adjusted for the allocation of salary program, which includes \$468,000 in appropriated receipts, and for the fiscal year 2007 base budget reduction in the department, as well as the reallocation of State appropriations supporting information technology services to the Office of Information Technology within the Department of Treasury.

ENVIRONMENTAL PROTECTION

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 the provisions of any law or regulation 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 \$468,000, 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 waterfowl stamps and 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 \$3,166,000 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 \$518,000 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 \$68,000 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 \$255,000 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.

Of the amount hereinabove appropriated for the Recreational Land Development and Conservation - Constitutional Dedication account an amount not to exceed five percent of the appropriation shall be allocated for costs associated with the administration of the program pursuant to the amendments effective December 7, 2006 to Article VIII, Section II, paragraph 6 of the State Constitution.

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.

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.

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

40. COMMUNITY DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT

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 the 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 monitoring of freshwater (i.e., rivers and streams, lake and ground water) and marine surface water quality on a statewide basis, as well as biological monitoring and targeted assessments in support of Total Maximum Daily Load (TMDL) and New Jersey Pollutant Discharge Elimination System (NJPDES) 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, these programs protect lives and property from storm and flood damages.
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 Regional Greenhouse Gas Initiative. Acts as the 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 consultant to the BPU, as established in the Electric Discount and Energy Competition Act. 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:

ENVIRONMENTAL PROTECTION

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 2005	Actual FY 2006	Revised FY 2007	Budget Estimate FY 2008
PROGRAM DATA				
Water Monitoring and Standards				
Ambient Marine Water:				
Water Samples Analyzed	18,000	17,500	17,000	16,500
Shellfish bed acres open	78%	78%	78%	78%
Shellfish bed acres seasonal	4%	4%	4%	4%
Shellfish bed acres condemned	10%	11%	11%	11%
Shellfish bed acres specially restricted	8%	8%	8%	8%
Land Use Regulation				
Tidelands:				
Tidelands appraisals	230	325	325	325
Tidelands inspections (inquiries-search)	300	350	360	360
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	365	374	358	381
Federal	57	53	48	40
All Other	136	135	131	132
Total Positions	558	562	537	553
Filled Positions by Program				
Water Supply	163	157	150	159
Water Monitoring and Standards	46	47	48	48
Land Use Regulation	176	194	189	196
Science, Research and Technology	34	33	33	30
New Jersey Geological Survey	22	22	19	21
Environmental Management - CBT Dedication	69	65	65	65
Drinking Water State Revolving Fund	12	9	6	6
Watershed Management	36	35	27	28
Total Positions	558	562	537	553

Notes:

Actual payroll counts are reported for fiscal years 2005 and 2006 as of December and revised fiscal year 2007 as of January. The Budget Estimate for fiscal year 2008 reflects the number of positions funded. All Other includes positions supported by fees or other dedicated resources previously reported as State Supported.

ENVIRONMENTAL PROTECTION

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2006					Year Ending June 30, 2008				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recom- mended	
<u>DIRECT STATE SERVICES</u>									
Distribution by Fund and Program									
7,769	3,992	-1,256	10,505	9,649	Water Supply	05	8,215	8,157	8,157
---	---	250	250	250	Water Monitoring and Standards	07	---	---	---
12,924	3,636	-652	15,908	15,769	Land Use Regulation	15	13,558	13,061	13,061
3,097	---	-90	3,007	2,947	Science, Research and Technology	18	3,228	3,073	3,073
---	---	168	168	168	New Jersey Geological Survey	22	---	---	---
12,363	2,716	-1,540	13,539	13,365	Environmental Management - CBT Dedication	29	16,338	16,359	16,359
---	32	483	515	483	Watershed Management	90	---	---	---
36,153	10,376	-2,637	43,892	42,631	Total Direct State Services		41,339 ^(a)	40,650	40,650
Distribution by Fund and Object									
Personal Services:									
8,245					Salaries and Wages		10,200	9,634	9,634
750 ^S	3,609 ^R	-138	12,466	12,325	Total Personal Services		10,200	9,634	9,634
8,995	3,609	-138	12,466	12,325	Materials and Supplies		30	68	68
47	---	25	72	72	Services Other Than Personal		2,200	2,126	2,126
1,410	2,070	789	4,269	4,241	Maintenance and Fixed Charges		132	82	82
627	---	-478	149	148	Special Purpose:				
1,348	330 ^R	-25	1,653	1,653	Administrative Costs Water Supply Bond Act of 1981 - Management	05	2,165	2,165	2,165
1,512	51 ^R	-25	1,538	1,536	Administrative Costs Water Supply Bond Act of 1981 - Watershed and Aquifer	05	1,649	1,649	1,649
1,005	---	-17	988	864	Administrative Costs Water Supply Bond Act of 1981 - Planning and Standards	05	312	312	312
43	---	-43	---	---	Water/Wastewater Operators Licenses	05	43	43	43
58	---	---	58	58	Office of the Rivermaster	05	58	---	---
2,339	---	-51	2,288	1,609	Safe Drinking Water Fund	05	2,333	2,333	2,333
12	---	-8	4	3	Tidelands Resource Council	15	12	12	12
2,676	1,541 ^R	-60	4,157	4,156	Tidelands Peak Demands	15	2,849	2,849	2,849
632	---	-67	565	564	Office of Permit Information and Assistance	15	580	580	580
2,166	1	-657	1,510	1,510	Highlands Permitting	15	2,188	2,188	2,188
604	---	-451	153	152	Environmental Indicators and Monitoring ^(b)	18	---	---	---
250	---	---	250	220	Hazardous Waste Research	18	250	250	250
12,363	2,716	-1,540	13,539	13,365	Water Resources Monitoring and Planning - Constitutional Dedication	29	16,338	16,359	16,359
---	32	---	32	---	Water Resources Monitoring and Planning	90	---	---	---
66	26	109	201	155	Additions, Improvements and Equipment		---	---	---
<u>GRANTS-IN-AID</u>									
Distribution by Fund and Program									
500	---	---	500	500	Water Monitoring and Standards	07	400	400	400
---	4,949	1,000	5,949	4,526	Environmental Management - CBT Dedication	29	5,000	2,700	2,700
500	4,949	1,000	6,449	5,026	Total Grants-in-Aid		5,400	3,100	3,100

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2006					Year Ending June 30, 2008				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recommended	
GRANTS-IN-AID									
Distribution by Fund and Object									
Grants:									
500	---	---	500	500	Lake Hopatcong Commission	07	400	400	400
---	4,949	1,000	5,949	4,526	Stormwater Management Grants	29	---	---	---
---	---	---	---	---	Watershed Restoration Projects	29	<u>5,000</u>	<u>2,700</u>	<u>2,700</u>
<u>36,653</u>	<u>15,325</u>	<u>-1,637</u>	<u>50,341</u>	<u>47,657</u>	Grand Total State Appropriation		<u>46,739</u>	<u>43,750</u>	<u>43,750</u>
OTHER RELATED APPROPRIATIONS									
Federal Funds									
22,200	222	---	22,422	2,221	Water Supply (c)	05	22,200	22,200	22,200
4,750	84	---	5,076	2,804	Water Monitoring and Standards	07	5,250	4,750	4,750
242 ^S	3,667	---	13,039	4,837	Land Use Regulation	15	10,575	10,050	10,050
9,372	15	---	1,935	320	Science, Research and Technology	18	1,495	1,490	1,490
1,880	11	---	361	108	New Jersey Geological Survey	22	350	370	370
40 ^S	343	337	7,168	4,697	Watershed Management	90	<u>6,387</u>	<u>6,075</u>	<u>6,075</u>
350					Total Federal Funds		<u>46,257</u>	<u>44,935</u>	<u>44,935</u>
<u>6,488</u>	<u>4,342</u>	<u>337</u>	<u>50,001</u>	<u>14,987</u>	All Other Funds				
<u>45,322</u>		<u>337</u>			Water Supply	05	3,824	5,486	5,486
	415	-1	1,089	539	Water Monitoring and Standards	07	---	---	---
	675 ^R				Land Use Regulation	15	3,645	4,184	4,184
	56				Science, Research and Technology	18	---	2,000	2,000
	33 ^R		89	30	Drinking Water State Revolving Fund	80	4,400	4,450	4,450
	1,182		1,213	---	Watershed Management	90	---	---	---
	31 ^R				Total All Other Funds		<u>11,869</u>	<u>16,120</u>	<u>16,120</u>
	409		1,365	387	GRAND TOTAL ALL FUNDS		<u>104,865</u>	<u>104,805</u>	<u>104,805</u>
	956 ^R								
	234		3,313	3,143					
	3,079 ^R								
	286		286	184					
	<u>7,356</u>	<u>-1</u>	<u>7,355</u>	<u>4,283</u>					
<u>81,975</u>	<u>27,023</u>	<u>-1,301</u>	<u>107,697</u>	<u>66,927</u>					

Notes -- Direct State Services - General Fund

- (a) The fiscal year 2007 appropriation has been adjusted for the allocation of salary program, which includes \$363,000 in appropriated receipts, and for the fiscal year 2007 base budget reduction in the department.
- (b) Funding for the Environmental Indicators and Monitoring program is provided in the base appropriation for the Science, Research and Technology program classification beginning in fiscal year 2007.
- (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 appropriated 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 \$88,000, for costs attributable to administration of water supply programs, subject to the approval of the Director of the Division of Budget and Accounting.

The amount hereinabove appropriated 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.), together with an amount not to exceed \$1,289,000, for administration of the Safe Drinking Water program and the Private Well Testing 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 the provisions of any law or regulation 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, 2007.

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, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated to the Department of Environmental Protection to offset the costs 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, and the unexpended balance at the end of the preceding year of such receipts, are appropriated for administrative costs associated with Land Use Regulation, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year, of the amounts appropriated pursuant to P.L.2004, c.71 from the Water Supply Fund established in Section 14 of the "Water Supply Bond Act of 1981," P.L.1981, c.261, is appropriated to the Department of Environmental Protection to be used for water supply demonstration projects consistent with the "Water Supply Bond Act of 1981," P.L.1981, c.261, subject to the approval of the Director of the Division of Budget and Accounting.

Receipts in excess of the amounts anticipated for Well Permits/Well Drillers/Pump Installers Licenses, and the unexpended balances at the end of the preceding year of such receipts, are appropriated to the Department of Environmental Protection for the Water Supply Program and for the Private Well Testing Program, subject to the approval of the Director of the Division of Budget and Accounting.

Notwithstanding the provisions of any law or regulation to the contrary, in addition to the amounts appropriated hereinabove, there is appropriated to the Department of Environmental Protection from the Clean Energy Fund the amount of \$2,000,000 for an Ocean/Wind Power Ecological Baseline Study.

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 amounts 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.

The unexpended balance at the end of the preceding fiscal year in the Watershed Restoration Projects account is appropriated.

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.

ENVIRONMENTAL PROTECTION

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. 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. The program also reviews preliminary assessment and site investigation reports to determine the approval of child care licenses and conducts periodic inspections of child care facilities in the State.
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 was expanded to include the provision of loans and grants for site remediation redevelopment of brownfields, pursuant to a November 2003 amendment to the State Constitution.

EVALUATION DATA

PROGRAM DATA	Actual FY 2005	Actual FY 2006	Revised FY 2007	Budget Estimate FY 2008
Solid and Hazardous Waste Management				
Annual tonnage of solid waste:				
Generated statewide	19,300,000	20,700,000	21,000,000	21,200,000
Generated per capita (lbs./person/day)	12.60	13.10	13.30	13.40
Recycled statewide	10,300,000	10,500,000	10,700,000	10,800,000
Recycled per capita (lbs./person/day)	6.71	6.80	6.90	7.00
Reduction in solid waste stream due to recycling	53.5%	50.9%	50.9%	50.9%
Annual tonnage of hazardous waste generated statewide	161,000	75,127	110,152	92,640
Disposed	107,000	50,834	75,985	63,410
Incinerated	54,000	24,293	34,167	29,230
Remediation Management and Response				
Responsible Party Remediation:				
ISRA negative declarations	368	314	300	300
ISRA remedial action workplan approvals	6	---	10	10
ISRA remediations monitored	1,402	1,550	1,500	1,500
ISRA remediations completed	368	314	300	300
Voluntary cleanup - remediations monitored	5,583	5,737	4,000	4,000
Voluntary cleanup - remediations completed	3,018	3,692	3,000	3,000
Remedial Response:				
Remedial action workplan approvals	75	72	70	65
Remediation Support:				
Emergency responses total deployments	1,058	1,259	1,300	1,350
Child Care Facilities Inspected	---	---	1,440	1,700

ENVIRONMENTAL PROTECTION

	Actual FY 2005	Actual FY 2006	Revised FY 2007	Budget Estimate FY 2008
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	231	237	224	239
Federal	34	26	20	21
All Other	368	379	356	365
Total Positions	633	642	600	625
Filled Positions by Program				
Solid and Hazardous Waste Management	122	122	93	98
Remediation Management and Response	384	392	377	385
Environmental Management - CBT Dedication	127	128	130	142
Total Positions	633	642	600	625

Notes:

Actual payroll counts are reported for fiscal years 2005 and 2006 as of December and revised fiscal year 2007 as of January. The Budget Estimate for fiscal year 2008 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, 2006					Year Ending June 30, 2008				
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recom- mended	
<u>DIRECT STATE SERVICES</u>									
Distribution by Fund and Program									
8,064	2,631	-183	10,512	8,770					
					23	6,785	6,042	6,042	
30,489	12,458	-532	42,415	41,454		41,619	29,552	29,552	
					27				
6,680	5,262	500	12,442	8,830		7,715	9,920	9,920	
					29				
45,233	20,351	-215	65,369	59,054		56,119 ^(b)	45,514	45,514	
Distribution by Fund and Object									
Personal Services:									
15,843	6,476 ^R	-3,164	19,155	16,150		14,339	15,544	15,544	
---	---	---	---	3,005		---	---	---	
15,843	6,476	-3,164	19,155	19,155		14,339	15,544	15,544	
274	---	-23	251	236		205	166	166	
3,613	---	240	3,853	3,360		3,597	1,866	1,866	
495	---	-26	469	428		727	389	389	
Special Purpose:									
---	1,008								
---	1,446 ^R	-766	1,688	---	23	---	---	---	
348	177 ^R	-7	518	518					
---	---	3,350	3,350	3,260	23	375	375	375	
---	---	3,350	3,350	3,260	27	---	---	---	
16,637	5,732 ^R	-302	22,067	22,067					
---	---	---	---	---	27	16,242	16,215	16,215	
---	---	---	---	---	27	12,000	---	---	
868	---	-22	846	846	27	919	919	919	
6,680	5,262	---	11,942	8,799	29	7,715	9,920	9,920	

ENVIRONMENTAL PROTECTION

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 \$6,593,000 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 \$10,552,000 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).

There is hereby appropriated from the Petroleum Underground Storage Tank Remediation, Upgrade, and Closure Fund an amount not to exceed \$1,000,000 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 Private Underground Tank Administrative Costs - Constitutional Dedication account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

The unexpended balance at the end of the preceding fiscal year in the Passaic River Cleanup Litigation account is appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

There is appropriated to the Department of Environmental Protection from those facilities submitting environmental assessments required for licensing pursuant to N.J.S.A. 9:3A-7(f) and 30:5B-5 such sums as may be collected to offset the Department's cost related to the environmental inspection of day care facilities.

Language Recommendations -- Capital Construction

The amounts hereinabove appropriated for Hazardous Substance Discharge 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, associated consulting and legal services, and grants to local governments and nonprofit organizations to further implement restoration activities of the Office of Natural Resource Restoration.

ENVIRONMENTAL PROTECTION

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. Monitors compliance with the Toxic Catastrophe Prevention Act to identify companies which handle extraordinarily hazardous substances and ensure that procedures are in place to prevent devastating accidental chemical releases. The Discharge Prevention Containment and Countermeasures (Oil Spill Prevention) program reduces the possibility of hazardous spills through plan submittals and compliance/investigative procedures. The Pollution Prevention program analyzes pollution prevention plans submitted by operators of priority industrial facilities. These plans document how operators plan to reduce the release of hazardous substances into the environment.

08. **Water Pollution Control.** Administers the NJPDES program 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

ENVIRONMENTAL PROTECTION

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 was 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

	Actual FY 2005	Actual FY 2006	Revised FY 2007	Budget Estimate FY 2008
PROGRAM DATA				
Radiation Protection				
X-ray machines inspected	8,818	6,822	5,350	7,000
X-ray machine violations (% of inspected)	26%	25%	25%	25%
Homes tested for radon	70,180	57,671	58,000	59,000
Homes mitigated for radon	3,402	3,277	3,350	3,400
Lung cancers avoided	140	140	140	140
Release Prevention				
Toxic Catastrophe Prevention				
Inspections	240	148	365	365
Accident investigations	2	2	2	2
Right To Know				
Information requests	2,913	3,003	3,000	3,000
Audits for facilities	799	1,012	1,000	1,000
Administrative Orders (a)	---	---	300	300
Public Wastewater Facilities				
Capitalized Funding Provided for Municipal				
Infrastructure Improvement Projects (in millions)	\$284.9	\$481.5	\$440.7	\$400.0
Municipal Infrastructure Improvement Projects Funded	58	47	56	50
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	439	447	430	440
All Other	111	116	106	112
Total Positions	550	563	536	552
Filled Positions by Program				
Radiation Protection	92	91	85	89
Air Pollution Control	176	179	166	167
Release Prevention	65	68	60	64
Water Pollution Control	142	145	140	140
Public Wastewater Facilities	52	54	55	56
Environmental Management - CBT Dedication	---	---	8	11
Clean Waters	23	26	22	25
Total Positions	550	563	536	552

Notes:

Actual payroll counts are reported for fiscal years 2005 and 2006 as of December and revised fiscal year 2007 as of January. The Budget Estimate for fiscal year 2008 reflects the number of positions funded. All Other includes positions supported by fees or other dedicated resources previously reported as State Supported.

(a) No data available prior to fiscal 2007.

ENVIRONMENTAL PROTECTION

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2006					Year Ending June 30, 2008				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recommended	
DIRECT STATE SERVICES									
Distribution by Fund and Program									
7,934	490	-94	8,330	7,665	Radiation Protection	01	8,267	7,066	7,066
17,230	1,106	-92	18,244	17,930	Air Pollution Control	02	17,172	17,327	17,327
7,974	2,435	-108	10,301	8,927	Water Pollution Control	08	8,370	8,282	8,282
3,082	2	-35	3,049	3,049	Public Wastewater Facilities	09	3,176	3,176	3,176
---	---	575	575	243	Environmental Management - CBT Dedication	29	---	---	---
36,220	4,033	246	40,499	37,814	Total Direct State Services		36,985^(A)	35,851	35,851
Distribution by Fund and Object									
Personal Services:									
20,530	2,760 ^R	-276	23,014	21,646	Salaries and Wages		20,094	20,041	20,041
20,530	2,760	-276	23,014	21,646	Total Personal Services		20,094	20,041	20,041
218	---	-34	184	184	Materials and Supplies		301	255	255
3,344	---	618	3,962	3,961	Services Other Than Personal		4,416	4,908	4,908
250	---	-32	218	218	Maintenance and Fixed Charges		529	203	203
Special Purpose:									
2,283					Nuclear Emergency Response	01	2,410		
1,094 ^S	487	-35	3,829	3,179			1,201 ^S	2,410	2,410
1,641	---	13	1,654	1,653	Quality Assurance - Lab Certification Programs	01	1,743	1,743	1,743
1,803	---	-28	1,775	1,555	Pollution Prevention	02	1,497	1,497	1,497
1,128	---	-390	738	737	Toxic Catastrophe Prevention	02	1,171	1,173	1,173
1,087	71 ^R	-16	1,142	1,140	Worker and Community Right to Know Act	02	1,057	1,057	1,057
2,607	455 ^R	-40	3,022	3,022	Oil Spill Prevention	02	2,566	2,564	2,564
---	---	575	575	243	Diesel Risk Mitigation Fund Administrative Costs - Constitutional Dedication	29	---	---	---
235	260	-109	386	276	Additions, Improvements and Equipment		---	---	---
GRANTS-IN-AID									
Distribution by Fund and Program									
---	---	15,734	15,734	---	Environmental Management - CBT Dedication	29	21,765	21,600	21,600
---	---	15,734	15,734	---	Total Grants-in-Aid		21,765	21,600	21,600
Distribution by Fund and Object									
Grants:									
---	---	15,734	15,734	---	Diesel Risk Mitigation Fund - Constitutional Dedication	29	21,765	21,600	21,600
36,220	4,033	15,980	56,233	37,814	Grand Total State Appropriation		58,750	57,451	57,451
OTHER RELATED APPROPRIATIONS									
Federal Funds									
500	-1	---	499	306	Radiation Protection	01	500	500	500
4,915					Air Pollution Control	02	10,165	6,448	6,448
20 ^S	612	95	5,642	3,891	Public Wastewater Facilities ^(b)	09	44,035	40,000	40,000
57,600	---	---	57,600	---	Water Monitoring and Planning	16	710	510	510
710					Total Federal Funds		55,410	47,458	47,458
9 ^S	5	---	724	449					
63,754	616	95	64,465	4,646					

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2006					Year Ending June 30, 2008				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recommended	
OTHER RELATED APPROPRIATIONS									
All Other Funds									
---	185 381 R	---	566	392	Radiation Protection	01	460	1,523	1,523
---	266 118 R	150	534	369	Air Pollution Control	02	3,620	4,983	4,983
---	2 R	---	2	---	Water Pollution Control	08	1,560	1,450	1,450
---	7	---	7	2	Public Wastewater Facilities	09	1,200	1,889	1,889
---	41 2,119 R	---	2,160	2,160	Clean Waters	70	1,431	1,432	1,432
---	<u>3,119</u>	<u>150</u>	<u>3,269</u>	<u>2,923</u>	Total All Other Funds		<u>8,271</u>	<u>11,277</u>	<u>11,277</u>
<u>99,974</u>	<u>7,768</u>	<u>16,225</u>	<u>123,967</u>	<u>45,383</u>	GRAND TOTAL ALL FUNDS		<u>122,431</u>	<u>116,186</u>	<u>116,186</u>

Notes -- Direct State Services - General Fund

- (a) The fiscal year 2007 appropriation has been adjusted for the allocation of salary program, which includes \$155,000 in appropriated receipts, and for the fiscal year 2007 base budget reduction in the department.
- (b) Program expenditures for the Clean Water State Revolving Fund are reflected off budget in the Wastewater Treatment Fund.

Language Recommendations -- Direct State Services - General Fund

The amount hereinabove for the Nuclear Emergency Response account is payable from receipts received pursuant to the assessments of electrical utility companies under P.L.1981, c.302 (C.26:2D-37 et seq.), and the unexpended balances at the end of the preceding fiscal year in the Nuclear Emergency Response account, together with receipts in excess of the amount anticipated, not to exceed \$1,069,000, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

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

The amount hereinabove for the Pollution Prevention account is appropriated from receipts received pursuant to the "Pollution Prevention Act," P.L.1991, c.235 (C.13:1D-35 et seq.), together with an amount not to exceed \$607,000, for administration of the Pollution Prevention 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.

Notwithstanding the provisions of the "Worker and Community Right to Know Act," P.L.1983, c.315 (C.34:5A-1 et seq.), the amount hereinabove for the Worker and Community Right to Know Act account is payable out of the Worker and Community Right to Know Fund, and the receipts in excess of the amount anticipated, not to exceed \$524,000, are appropriated. If receipts to that fund are less than anticipated, the appropriation shall be reduced proportionately.

The amount hereinabove for the Oil Spill Prevention account is payable out of the New Jersey Spill Compensation Fund, and the receipts in excess of those anticipated, not to exceed \$1,227,000, 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, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated, subject to the approval of the Director of the Division of Budget and Accounting.

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

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

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 law or regulation to the contrary, in addition to the amount anticipated to the General Fund from the Environmental Infrastructure Financing Program Administrative Fee, there is appropriated \$1,889,000 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, an amount not to exceed \$1,150,000 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.

ENVIRONMENTAL PROTECTION

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.

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

99. **Administration and Support Services.** 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

EVALUATION DATA

	Actual FY 2005	Actual FY 2006	Revised FY 2007	Budget Estimate FY 2008
PROGRAM DATA				
Administration and Support Services				
Male Minority	226	250	260	268
Male Minority %	6.8	7.3	7.5	7.8
Female Minority	279	299	308	310
Female Minority %	8.4	8.6	8.9	9.0
Total Minority	505	549	568	578
Total Minority %	15.2	15.9	16.4	16.8
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	311	335	321	336
All Other	6	5	5	5
Total Positions	317	340	326	341
Filled Positions by Program				
Regulatory and Governmental Affairs	40	37	31	34
Administration and Support Services	277	303	295	307
Total Positions	317	340	326	341

Notes:

Actual payroll counts are reported for fiscal years 2005 and 2006 as of December, and revised fiscal year 2007 as of January. The Budget Estimate for fiscal year 2008 reflects the number of positions funded.

ENVIRONMENTAL PROTECTION

APPROPRIATIONS DATA (thousands of dollars)

Year Ending June 30, 2006					Year Ending June 30, 2008			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recommended
DIRECT STATE SERVICES								
Distribution by Fund and Program								
2,275	8	55	2,338	2,335				
14,100	57	4,913	19,070	19,009	26	2,121	2,005	2,005
<u>16,375</u>	<u>65</u>	<u>4,968</u>	<u>21,408</u>	<u>21,344</u>		<u>20,221</u> ^(a)	<u>20,892</u>	<u>20,892</u>
Distribution by Fund and Object								
Personal Services:								
13,367	---	5,077	18,444	18,444		17,468	17,973	17,973
<u>13,367</u>	<u>---</u>	<u>5,077</u>	<u>18,444</u>	<u>18,444</u>		<u>17,468</u>	<u>17,973</u>	<u>17,973</u>
100	---	-6	94	94		116	96	96
1,003	---	70	1,073	1,073		880	1,055	1,055
255	---	-80	175	175		159	170	170
Special Purpose:								
1,500	---	---	1,500	1,500	99	1,500	1,500	1,500
98	---	-98	---	---	99	98	98	98
52	65	5	122	58		---	---	---
STATE AID								
Distribution by Fund and Program								
15,619	151	1,000	16,770	16,223	99	17,263	16,963	16,963
6,619	151	1,000	7,770	7,562		7,763	7,463	7,463
9,000	---	---	9,000	8,661		9,500	9,500	9,500
<u>15,619</u>	<u>151</u>	<u>1,000</u>	<u>16,770</u>	<u>16,223</u>		<u>17,263</u>	<u>16,963</u>	<u>16,963</u>
6,619	151	1,000	7,770	7,562		7,763	7,463	7,463
9,000	---	---	9,000	8,661		9,500	9,500	9,500
Distribution by Fund and Object								
State Aid:								
1,515	151	---	1,666	1,547	99	1,515	1,215	1,215
9,000	---	---	9,000	8,661	99	9,500	9,500	9,500
2,000	---	1,000	3,000	2,911	99	3,000	3,000	3,000
<u>3,104</u>	<u>---</u>	<u>---</u>	<u>3,104</u>	<u>3,104</u>	99	<u>3,248</u>	<u>3,248</u>	<u>3,248</u>
<u>31,994</u>	<u>216</u>	<u>5,968</u>	<u>38,178</u>	<u>37,567</u>		<u>37,484</u>	<u>37,855</u>	<u>37,855</u>
OTHER RELATED APPROPRIATIONS								
24,675	---	---	24,675	24,673		64,664	56,790	56,790
Federal Funds								
150	---	---	150	---	26	150	150	150
2,500								
312 ^S	561	---	3,373	1,218	99	2,400	2,300	2,300
<u>2,962</u>	<u>561</u>	<u>---</u>	<u>3,523</u>	<u>1,218</u>		<u>2,550</u>	<u>2,450</u>	<u>2,450</u>

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2006					Year Ending June 30, 2008			
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recommended
OTHER RELATED APPROPRIATIONS								
All Other Funds								
---	85	---	85	9	Regulatory and Governmental Affairs	26	---	---
---	2,596				Administration and Support Services	99	158	149
---	214 ^R	1,621	4,431	3,507			149	149
---	<u>2,895</u>	<u>1,621</u>	<u>4,516</u>	<u>3,516</u>	Total All Other Funds	<u>158</u>	<u>149</u>	<u>149</u>
<u>59,631</u>	<u>3,672</u>	<u>7,589</u>	<u>70,892</u>	<u>66,974</u>	GRAND TOTAL ALL FUNDS	<u>104,856</u>	<u>97,244</u>	<u>97,244</u>

Notes -- Direct State Services - General Fund

(a) The fiscal year 2007 appropriation has been adjusted for the allocation of salary program and for the fiscal year 2007 base budget reduction in the department, as well as the reallocation of State appropriations supporting information technology services to the Office of Information Technology within the Department of Treasury.

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.

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 law or regulation 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. 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 and 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.

EVALUATION DATA

	Actual FY 2005	Actual FY 2006	Revised FY 2007	Budget Estimate FY 2008
PROGRAM DATA				
Air Pollution Control				
Investigations and inspections	6,679	5,009	6,275	6,200
Pesticide Control				
Investigations and inspections	683	722	650	650
Pesticide products regulated	12,133	12,337	12,100	12,100
Pesticide licenses and permits	17,407	17,078	17,000	17,000
Water Pollution Control				
Inspections	4,507	5,280	5,000	5,000
Clean Shores:				
Miles of beaches cleaned	122	138	135	135
Tons of debris removed	2,245	2,702	2,550	2,600
Land Use Regulation				
Investigations and inspections	2,084	2,300	2,000	2,000
Solid and Hazardous Waste Management				
Hazardous waste annual inspections	2,631	2,311	2,750	2,750
PERSONNEL DATA				
Position Data				
Filled Positions by Funding Source				
State Supported	294	297	319	323
Federal	14	14	20	19
All Other	23	22	22	23
Total Positions	331	333	361	365

ENVIRONMENTAL PROTECTION

	Actual FY 2005	Actual FY 2006	Revised FY 2007	Budget Estimate FY 2008
Filled Positions by Program				
Air Pollution Control	77	77	73	76
Pesticide Control	39	39	37	37
Water Pollution Control	105	99	99	97
Land Use Regulation	34	33	32	33
Solid and Hazardous Waste Management	74	75	104	102
Environmental Management - CBT Dedication	2	10	16	20
Total Positions	331	333	361	365

Notes:

Actual payroll counts are reported for fiscal years 2005 and 2006 as of December and revised fiscal year 2007 as of January. The Budget Estimate for fiscal year 2008 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, 2006					Year Ending June 30, 2008				
Orig. & (S)Supplemental	Reapp. & (R)Recpts.	Transfers & (E)Emergencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recom- mended	
DIRECT STATE SERVICES									
Distribution by Fund and Program									
5,514	1	57	5,572	4,776	Air Pollution Control	02	4,586	4,586	4,586
2,357	1	26	2,384	2,383	Pesticide Control	04	2,468	2,468	2,468
5,824	1	336	6,161	6,160	Water Pollution Control	08	6,161	6,161	6,161
1,972	609	-135	2,446	2,436	Land Use Regulation	15	1,998	1,998	1,998
4,043	---	186	4,229	4,229	Solid and Hazardous Waste Management (a)	23	5,623	6,347	6,347
---	873	2,000	2,873	1,448	Environmental Management - CBT Dedication	29	---	---	---
19,710	1,485	2,470	23,665	21,432	Total Direct State Services		20,836 (b)	21,560	21,560
Distribution by Fund and Object									
15,724	---	534	16,258	16,258	Personal Services:				
					Salaries and Wages		17,598	17,184	17,184
15,724	---	534	16,258	16,258	Total Personal Services		17,598	17,184	17,184
131	---	-45	86	86	Materials and Supplies		149	182	182
1,417	---	-60	2,432	1,636	Services Other Than Personal		1,627	2,722	2,722
1,075 S	---	120	527	527	Maintenance and Fixed Charges		502	512	512
407	---	120	527	527	Special Purpose:				
856	609 R	-18	1,447	1,445	Tidelands Peak Demands	15	960	960	960
---	873	2,000	2,873	1,448	Underground Storage Tank Inspection Program - Constitutional Dedication	29	---	---	---
100	3	-61	42	32	Additions, Improvements and Equipment		---	---	---
STATE AID									
Distribution by Fund and Program									
3,453	---	---	3,453	3,451	Water Pollution Control	08	3,453	3,453	3,453
3,453	---	---	3,453	3,451	Total State Aid		3,453	3,453	3,453
Distribution by Fund and Object									
3,453	---	---	3,453	3,451	State Aid:				
					County Environmental Health Act	08	3,453	3,453	3,453
23,163	1,485	2,470	27,118	24,883	Grand Total State Appropriation		24,289	25,013	25,013

ENVIRONMENTAL PROTECTION

Year Ending June 30, 2006							Year Ending June 30, 2008	
Orig. & (S)Supple- mental	Reapp. & (R)Recpts.	Transfers & (E)Emer- gencies	Total Available	Expended	Prog. Class.	2007 Adjusted Approp.	Requested	Recom- mended
OTHER RELATED APPROPRIATIONS								
Federal Funds								
1,802	99	-95	1,806	1,487	Air Pollution Control	02	1,802	1,802
740	10	---	750	449	Pesticide Control	04	740	570
1,000	66	---	1,066	67	Water Pollution Control	08	---	---
600	508	---	1,108	813	Land Use Regulation	15	600	600
<u>1,886</u>	<u>---</u>	<u>---</u>	<u>1,886</u>	<u>1,534</u>	Solid and Hazardous Waste Management	23	<u>2,500</u>	<u>2,500</u>
6,028	683	-95	6,616	4,350	Total Federal Funds		5,642	5,472
All Other Funds								
---	15 670 R	---	685	215	Air Pollution Control	02	3,000	---
---	8 R	---	8	8	Pesticide Control	04	---	---
---	2,255 739 R	-171	2,823	765	Water Pollution Control	08	900	900
---	---	---	---	---	Land Use Regulation	15	929	668
<u>---</u>	<u>3,687</u>	<u>-171</u>	<u>3,516</u>	<u>988</u>	Total All Other Funds		4,829	1,568
29,191	5,855	2,204	37,250	30,221	GRAND TOTAL ALL FUNDS		34,760	32,053

Notes -- Direct State Services - General Fund

- (a) Fiscal year 2008 appropriation data reflects a transfer of non-salary operating funds from Statewide Program 44, Solid and Hazardous Waste Management.
- (b) The fiscal year 2007 appropriation has been adjusted for the allocation of salary program, which includes \$79,000 in appropriated receipts, and for the fiscal year 2007 base budget reduction in the department.

Language Recommendations -- Direct State Services - General Fund

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

The amounts hereinabove for the Tidelands Peak Demands account are appropriated from receipts derived from the sales, grants, leases, licensing, and rentals of State riparian lands, together with an amount not to exceed \$2,595,000, 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 the provisions of any law or regulation to the contrary, 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 the provisions of any law or regulation to the contrary, 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 law or regulation 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.

Receipts in excess of the amount anticipated for Air Pollution, Clean Water Enforcement, Land Use, Solid Waste, and Hazardous Waste fines 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.

ENVIRONMENTAL PROTECTION

Receipts in excess of those anticipated from New Jersey Pollutant Discharge Elimination System/Stormwater Permits, and the unexpended balance at the end of the preceding fiscal year of such receipts, are appropriated to the Department of Environmental Protection to offset the costs 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 or regulation 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.