

CHAPTER 12
CCMP Implementation

Clam beds seen from Seven Bridges Road, spring 2001. PHOTO BY C. MINERS

Water and air, the two essential fluids
on which all life depends,
have become global garbage cans.

--Jacques Cousteau (1910-1997)

12.1 OVERSIGHT OF THE CCMP

The Management Conference (see Appendix D for Management Conference membership) considered several options for implementation of the CCMP. One of the key questions addressed was: “What form of CCMP oversight authority is appropriate and necessary to coordinate implementation, evaluate progress, and revise the CCMP as new information and priorities emerge?”

The functions that the Management Conference considered to be the most important for the BBNEP to undertake in the implementation phase are to:

- Prioritize and oversee progress toward implementation of each Action Plan.
- Facilitate integration of various portions of the CCMP into policies, plans, budgets, laws, regulations, and actions of each participating agency or organization.
- Coordinate ongoing evaluations of the effectiveness of the CCMP and corrective actions in improving the environmental quality of the Barnegat Bay watershed.
- Provide a forum for public participation and education on CCMP implementation and progress.
- Consider and address future estuary/watershed needs and emerging environmental issues.
- Develop annual work plans and budgets to support the post-CCMP organizational structure and to implement CCMP actions.

The following options for a post-CCMP implementation organization were:

- **The N.J. Department of Environmental Protection (NJDEP) as Lead Entity** – The NJDEP Division of Watershed Management would continue its current responsibility for staffing BBNEP, taking on the additional role of overseeing CCMP implementation.
- **Ocean County as Lead** – Ocean County would manage CCMP implementation. Due to the CCMP’s regional scope, Ocean County would be favorably inclined to coordinate the full range of implementa-

tion actions through agreements it would make with other agencies.

- **Retain the Current BBNEP Management Structure** which was in effect when the draft CCMP was released in May 1999. This structure consists of a Policy Committee, a Management Committee, and a Program Office housed in the Ocean County Planning Department. Program staff consisted of a Program Director, who was an NJDEP employee, and program staff, who were contractors.

After consideration of these options, and upon approval of the CCMP, Ocean County will become the lead agency for day-to-day CCMP implementation. The Management Conference structure selected is illustrated in Figure 12-1. The Policy Committee will continue in its present form to oversee implementation progress, the Management Committee will be renamed the Estuary and Watershed Advisory Committee, and the Program Office will be housed in Ocean County. A more detailed discussion follows.

Ocean County is well equipped to support CCMP implementation because it can provide:

- Contacts with the public, private, and non-profit agencies;
- Central office space for BBNEP staff;
- Financial and legal resources;
- Secretarial and printing services; and
- A central mailroom with mail services.

PRIMARY ACTIVITIES OF OCEAN COUNTY WOULD INCLUDE: “housing” the Barnegat Bay Program Office; supporting a full-time Program Director, a Public Outreach Coordinator, and Program Associate; and other essential activities. Ocean County has obligated \$250,000 as an initial commitment to the BBNEP CCMP implementation. It will be the responsibility of the Program Director to work with the Chairs of all committees and agency representatives to achieve the goals of the CCMP. The Director will regularly brief the Advisory and Policy Committees on Program progress and problems, and receive guidance from them. The subsequent sections in this chapter more fully discuss the implementation structure.

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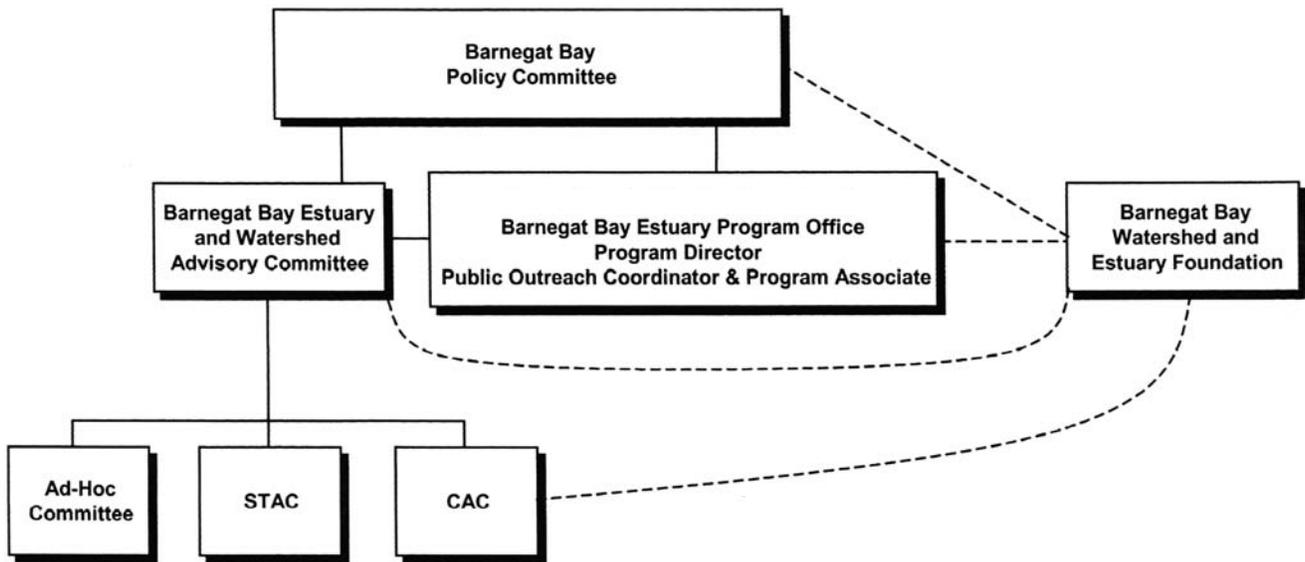


Figure 12–1. Barnegat Bay National Estuary Program Implementation Organizational Structure.

NOTE: The Barnegat Bay Watershed and Estuary Foundation, a 501(c)(3) non-profit, is an independent entity that can interact with any other part of the Implementation Structure. The CAC has not remained active beyond the completion of the CCMP. The Program will work with the Barnegat Bay Watershed and Estuary Foundation to ensure the necessary input from the general public on implementation activities.

12.2 IMPLEMENTATION MEETINGS

The Management Committee will be renamed the Barnegat Bay Estuary and Watershed Advisory Committee and will meet on a quarterly basis to review progress of Action Plans, identify issues requiring resolution, and introduce new initiatives. A chair will be selected by the committee membership, which will retain the same representation as during the planning phase.

A Policy Committee representing the U.S. Environmental Protection Agency (USEPA), NJDEP, Ocean County freeholders, local governments, and citizens will meet yearly, or more often as needed, to assist in resolving issues in contention, approve annual budgets and work plans, and to review progress. The same entities as these represented during CCMP development will be represented in the implementation phase. The Science and Technical Advisory Committee (STAC), Citizens Advisory Committee (CAC), and work groups will meet, as necessary, to fulfill their responsibilities to implement and oversee actions within their purview. The BBNEP will formally report to the USEPA and the

public on CCMP progress, and will update the CCMP on an annual basis. Every two years, an expanded report will be delivered to USEPA, as per National Estuary Program requirements.

12.3 AGENCY PARTICIPATION

The CCMP identifies a wide range of entities, both public and private, to implement specific actions. Some actions already have firm commitments for implementation; others are still at the recommendation stage. As the process moves from plan development to plan implementation, it is essential that those entities identified with significant implementation responsibilities be represented on the Advisory Committee. The Advisory Committee would review its membership to identify those entities with implementation responsibility that are not adequately represented on the Management Conference and solicit their active participation.

The best way to ensure efficient operation of government is to increase the coordination and cooperation of existing agencies. Each agency should fulfill its responsibilities without duplicating the efforts of other agencies. Rather than creating another layer of government, the BBNEP will take advantage of existing resources and staff and establish connections between public and private interests and all levels of government. It will guide the implementation process to ensure the highest level of cooperation and coordination among interested parties.

12.4 WATERSHED-BASED PLANNING AND IMPLEMENTATION

Since the geographic scope of the Barnegat Bay system is very large, the BBNEP would develop and implement programs at the lowest appropriate level, from municipal to regional.

- The BBNEP will review other state, regional, and local plans, and identify opportunities to work with sponsoring entities wherever collaboration could benefit the Barnegat Bay watershed.
- The BBNEP will identify the need for additional watershed-based plans and seek appropriate local sponsors.

12.5 BARNEGAT BAY WATERSHED AND ESTUARY FOUNDATION

The BBNEP will support the Barnegat Bay Watershed and Estuary Foundation in its funding efforts to implement appropriate recommended CCMP actions. The Foundation, comprised of a broad representation of interests, will be responsible not only for raising and expending funds for specific activities during BBNEP implementation, but also for providing technically based assessments of CCMP implementation actions. In addition, the Foundation will be apolitical in the sense that it will not be subject to the changes in public sector support that could come about as the result of electoral and political appointment processes.

12.6 BBNEP POST-CCMP IMPLEMENTATION STRUCTURE

Ocean County will have the primary responsibility for coordinating CCMP implementation actions and facilitating a long-term effort to protect Barnegat Bay and its watershed. After final approval of the CCMP, Ocean County will initiate coordination of program activities. Ocean County will consult with the Policy Committee before hiring program staff.

The Citizen Advisory Committee will be convened on an ad hoc basis, and will work together with the Barnegat Bay Watershed and Estuary Foundation and the BBNEP Public Outreach Coordinator.

12.6.1 BBNEP PROGRAM OFFICE

In order to reinforce the autonomy and separate identity of the BBNEP Management Conference and ensure continuing staff support, the BBNEP Program Office will be “housed” at Ocean County College, but will not be directed by the College.

Staffing will consist of a full-time Director, a Public Outreach Coordinator, and Program Associate. The Director will provide the Policy and Advisory Committees with regular briefings on Program progress and problems. Other support staff may also be recommended by the Advisory Committee.

The following are the responsibilities of the BBNEP Program Office:

- Assure autonomy and visibility of the Program Office.
- Develop and update agreements among implementing parties to ensure political and funding support and implementation schedules, and to ensure federal agency consistency with the CCMP (see Appendix E for the Federal Consistency Review).
- Oversee progress toward implementation of the Action Plans.
- Work with other agencies and organizations to facilitate integration of appropriate portions of the CCMP into policies, plans, budgets, laws, regulations, and actions of each agency or organization.

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- Coordinate ongoing evaluations of the effectiveness of CCMP actions in improving the quality of the Barnegat Bay and its watershed, and recommend corrective actions as needed.
- Provide a public forum for public participation and education. The BBNEP will conduct public education, outreach, and involvement programs targeting the region's estuarine and watershed resources.
- Consider and address future needs and emerging issues with respect to the Barnegat Bay watershed's balanced use, protection, and where possible, restoration.
- Develop an annual workplan and budget to support implementation of the CCMP Action Plans.
- The BBNEP will develop a strategic financial long-term CCMP funding.
- Support the efforts of the Barnegat Bay Watershed and Estuary Foundation to implement various actions in the CCMP.
- Prepare the implementation review report to the USEPA.
- Develop indicators to monitor success and track implementation of CCMP actions.

12.6.2 PROGRAM DIRECTOR

The Program Director will take guidance and general direction from the BBNEP Management Conference and will supervise staff in the Program Office. Responsibilities will include:

- Evaluate and report progress toward CCMP implementation.
- Set up and coordinate agenda development for the Barnegat Bay Estuary and Watershed Advisory Committee meetings and Policy Committee meetings. Work with the Chairs of these committees to facilitate implementation of the CCMP and to resolve obstacles which would impede progress.
- Oversee administration.
- Assist the Barnegat Bay Watershed and Estuary Foundation to raise funds and develop grant proposals.

- Develop and implement public information and education programs, and coordinate public relations.
- Act as liaison to Ocean County, its municipalities, and others on environmental issues associated with Barnegat Bay and its watershed.
- Prepare triennial implementation reviews on behalf of the Program.
- Prepare an annual workplan and budget to ensure NEP and other funding is incorporated into the BBNEP budget.
- Serve as an advocate for the NEP and resource for the NEP approach to other neighboring watersheds.

12.6.3 POLICY COMMITTEE

Responsibilities for the Policy Committee include the following:

- Approve annual budget and workplan.
- Develop new action items or policy initiatives that develop during program implementation.
- Ensure commitment among implementing authorities for action implementation and scheduling.
- Assist in securing long-term funding commitments.
- Promote the BBNEP to a statewide and nationwide audience.
- Mediate issues of disagreement among BBNEP participants.

12.7 TRACKING INFORMATION

Reporting on the status of CCMP implementation, and redirecting effort as needed, is crucial to its successful implementation. CCMP progress or success will be measured two ways.

- Review of Action Items to determine whether CCMP commitments have been met.
- Measure effectiveness of actions in meeting program goals.

- Review of progress using appropriate environmental indicators to determine whether Barnegat Bay and its watershed are responding as expected to pollution controls, and whether unanticipated environmental problems are emerging.

12.7.1 FRAMEWORK

The CCMP provides a framework for tracking progress and success:

- Each Action Item in the CCMP identifies what is to be done, by when, and by whom. The BBNEP would review these commitments periodically and recommend mid-course corrections as needed.
- The Environmental Monitoring Plan (Chapter Nine) includes a process to periodically measure and report on a number of environmental indicators of the success of CCMP implementation. This activity will be the responsibility of the Program Director, with data provided by the partnership of participating agencies.

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12.7.2 IMPLEMENTATION REVIEW

On a regular schedule determined by the EPA, the BBNEP will augment the annual progress report to include a full account of the status and effectiveness of CCMP implementation, measured by the environmental outcomes tracked through implementation of the BBNEP's Environmental Monitoring Plan. As in the annual progress report, the implementation review submission would include commitments for redirection of efforts as needed; these will be subject to public review.

12.7.3 ANNUAL PROGRESS REVIEW

The most critical stage of the Barnegat Bay management program is implementation. Without carefully planned and monitored implementation, the goals of the management plan may not be achieved. A progress

review will allow Ocean County, or any interested party, to comment on the implementation process. It also allows corrections or changes to be made as necessary. The annual progress review will help Ocean County to assess the effectiveness of the CCMP. This review will determine if CCMP goals are being met in a manner that is proactive, cost effective, and equitable.

There are two critical steps in the progress review process:

- Each participating agency, institution, and organization will submit annual reports evaluating the progress made in implementing CCMP recommendations and the success of implementation strategies. The BBNEP members would report on progress made by their agencies, institutions, and organizations. They will then assess the success of the implementation strategies based on the recommendations of the implementing organizations.
- An annual progress report will be developed by the BBNEP and will include the success of the implementing organizations. The report will be distributed to the public and any adjustments to the strategy or structure necessary to improve success will be made.

12.7.4 ASSESSMENT OF ESTUARINE/WATERSHED HEALTH

Assessing the success of the implementation of the CCMP also requires monitoring of the environment and a thorough evaluation of the results. The CCMP must be flexible to adapt to changes in watershed conditions. Data gathered on the state of water quality, habitats, and fisheries may be used to adjust strategies as necessary.

The critical steps in the environmental health assessment are:

- The Scientific and Technical Advisory Committee will report on monitoring efforts such as water quality monitoring from the NJDEP and the U.S. Geological Survey, monitoring of fish stocks and habitats by the National Oceanic and Atmospheric Administration (NOAA), and other activities by other appropriate agencies. Information and

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environmental trends developed by these agencies will be presented to the BBNEP for review and integration into its annual assessments.

- Data obtained by monitoring reports will be used by the BBNEP to assess the effectiveness of management actions and identify target areas requiring further action.
- Ocean County will support and enhance public outreach and education efforts on the BBNEP implementation progress as outlined in the public outreach strategy (Chapter 8).

12.8 FINANCING THE BBNEP

The NEP provides funding of the development of CCMPs under Section 320 of the Clean Water Act. The EPA will provide \$300,000 (subject to long-term funding availability) per year to Ocean County to support BBNEP program staff, BBNEP office expenses, and other implementation needs. Ocean County has committed at least \$250,000 annually to support the BBNEP Program Office. When appropriate, the BBNEP will in turn encourage the Barnegat Bay Watershed and Estuary Foundation to carry out unfunded CCMP actions, as they are mutually supported. The ability of the BBNEP to achieve its goals and objectives, and the pace at which progress is made, will clearly be a function of the availability of additional funding from state and other sources, including a non-profit foundation.

In recognition of the substantial public and private interest in the protection and restoration of Barnegat Bay and its surrounding watershed, the BBNEP supports implementation through a combination of strategies involving existing programs that are already funded, as well as additional resources, including funding and in-kind donations for project implementation and program enhancement.

12.8.1 FINANCIAL STRATEGY

The cost of ongoing and proposed CCMP actions will be significant. This section presents an overview of the BBNEP plan for financing. Funding to cover the costs of restoration and protection efforts must be provided primarily by federal, state, and local governments, in

partnership with the private sector. The CCMP includes the costs of Plan implementation as follows:

- **ACTION PLANS** - The Action Plans (Chapters 5-8) describe detailed committed or recommended actions and associated costs and funding sources for each individual Action Item.
- **FINANCIAL PLANNING** - This section provides specific information on existing funding sources which are available to underwrite current and future Action Items (Chapter 12).
- **BASE PROGRAMS** - This section describes existing federal and state programs and their role in funding and implementing the CCMP.

The primary objective of this section of the CCMP is to recommend that:

- Federal, state, and local environmental programs continue to be funded at current levels (at a minimum). The NJDEP is involved in more actions, by far, than any other agency. Therefore, it is particularly important to continue base program funding for this agency at current levels (at a minimum).
- The BBNEP seeks additional funds for project implementation and program enhancements. The BBNEP will work with other partner agencies to seek implementation-funding commitments.

There are a number of continuing funding programs that can be tapped to fund individual actions in this CCMP. Since funding availability is often determined by annual appropriations, however, and the funding sources are not exclusively for the use of BBNEP implementation, or even necessarily for Ocean County, firm commitments for funding multi-year actions through these sources cannot be made immediately. The BBNEP will work with sponsoring implementing agencies to secure the necessary funds and track the progress through programmatic monitoring and periodic reports. Where possible, each Action Item contains associated implementation costs and identifies a committed or recommended funding source to support action implementation. The BBNEP, in cooperation with the USEPA and the NJDEP, will continue to develop and update this management plan based on updates of the CCMP and any changes in funding sources. The finan-

cial plan includes a specific focus on the opportunities for local governments to play a lead role in implementing improvements. The State of New Jersey is committed to providing technical and financial assistance to local governments in this effort.

To fund implementation and special projects, the BBNEP, in cooperation with the USEPA and the NJDEP, will recommend the funding of specific projects using special legislative authorizations and appropriations and statutes, such as:

- N.J. Corporate Business Tax
- N.J. Clean Vessel Program
- CIBA Fund
- Trust for Public Land
- Ocean County Natural Lands Trust
- Barnegat Bay Ecosystem Restoration Project
- 319(h) Nonpoint Source Management
- 604(b) Planning
- Other funding sources outlined later in this chapter.

12.8.2 COSTS SUMMARY

The CCMP includes commitments and recommendations for enhancements to base programs which entail additional funding. Firm commitments to fund some of these actions exist. Other actions are called recommendations because the responsible entities require additional resources to implement the action. The BBNEP will work to make these additional resources available.

While the proposed CCMP was undergoing public review, there was a concurrent review by the entities that have implementation responsibilities. This resulted in the confirmation or addition of many commitments. Through program implementation, the BBNEP will work with appropriate entities to confirm commitments to the actions specified in this document and, to the extent possible, to turn recommendations into commitments. In preparing the final CCMP, many estimated costs and target dates for the completion of commitments and recommendations were refined by the BBNEP Management Conference. The BBNEP will continue to refine this information.

Total CCMP Implementation costs are summarized below.

- Commitments for enhanced program funding total about \$9,000,000 over the next four to six years.
- Recommendations for enhanced program and new project funding are approximately an additional \$8,000,000 over ten years.

12.8.3 CURRENT FUNDING

Current funding opportunities for actions within the CCMP are presented below.

BASE PROGRAM FUNDING

Base programs are those program actions that can be funded within the existing programmatic support of the implementing entity. In many cases, these actions are ongoing elements of agency work plans; in other cases the actions can be accomplished by refocusing agency activities without identifying funding. The BBNEP has not estimated costs for individual base program actions since these actions are accomplished within existing programs and work plans. The CCMP includes numerous commitments on behalf of USEPA, NJDEP, Ocean County, other federal, state and county agencies, local governments, and other implementing entities to continue the implementation of ongoing programs. These commitments assume that base programs continue to be funded, at a minimum, at current levels. The BBNEP recommends that federal, state, county, and local governments continue to fund agency programs at current levels. USEPA and NJDEP are committed to many of the actions in this plan. It is therefore particularly important to continue base program funding for these agencies, at a minimum, at current levels.

- **Dedicated Federal Funding for Implementation Start-up.** USEPA's intent is generally to provide several years of post-CCMP funding to each NEP; this is contingent upon sufficient annual funding and adequate progress in implementing actions described in annual work plans. The BBNEP will receive at least \$300,000 per year in NEP funds each year, subject to availability of funds in USEPA appropriations during implementation, based on progress made in CCMP implementation. An annual workplan developed by the Management Conference (or its successor) must be submitted to the

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USEPA to support the annual funding allocation. These funds require a 50 percent non-federal match. Priorities for the use of these funds include support of the BBNEP office (or its successor), state and county staff support, and education/outreach actions.

- **Federal Statutes Other Than the Federal Clean Water Act.** Federal programs, other than the Clean Water Act, can provide sources for financial and technical support of CCMP actions. Funding specific Actions under non-Clean Water Act statutes, such as the Coastal Zone Management Act, the Clean Vessel Act, the TEA-21, and others.
- **Public Sector Funding for Program Enhancements and Projects.** Additional government agencies at all levels may be able to provide funding/resources to implement CCMP actions. The BBNEP will seek government agency funding for program enhancements and projects mentioned in this CCMP. The BBNEP will develop a list that matches CCMP recommendations with mission/authorities of various government agencies.
- **New and Existing Non-Profit Organizations to Fund Implementation Actions.** Funding for proposed CCMP actions need not always be provided by government agencies. There are individuals and corporations interested in making contributions to implement estuary and watershed protection, preservation and restoration efforts. Non-profit organizations under section 501(c)(3) of the Internal Revenue Code are ideally suited to receive such contributions and disburse funds for the purposes of furthering their missions as well as the BBNEP mission. The Barnegat Bay Watershed and Estuary Foundation has been incorporated specifically to help support implementation of the BBNEP CCMP. The Barnegat Bay Watershed and Estuary Foundation is an outgrowth of the Barnegat Bay Watershed Association, which represented the environmental interests of the public within the watershed. The Foundation has restructured the previous Watershed Association by diversifying its Steering Committee membership to include all stakeholder groups and by adopting 501(c)(3) status. The missions of some other existing non-profit organizations overlap that of the BBNEP, and these organizations are actively engaged in estuary

protection efforts. BBNEP will encourage all non-profit organizations to help fund appropriate CCMP actions.

To accomplish this, the BBNEP will:

- Identify CCMP actions that may be appropriate for funding by non-profit organizations. Examples include research studies, environmental monitoring, and educational programs.
- Identify existing non-profit organizations with missions that overlap with the BBNEP.
- Develop interest from non-profit organizations to work in partnership with the BBNEP to identify those actions they can implement.
- Work with interested non-profit organizations to develop a coordinated strategy to further mutual goals, including: soliciting private sector funds; funding appropriate CCMP actions; and including non-profit organization activities in CCMP updates.

501(c)(3) non-profit organizations can be important partners in implementing CCMP actions. The BBNEP will: (1) identify actions suited for funding by non-profit organizations, identify existing non-profit organizations with missions that overlap BBNEP's and seek expressions of support from them, and work with interested organizations to further mutual goals and solicit private sector funding; (2) support the Barnegat Bay Watershed and Estuary Foundation (BBWEF) as a means to administer funding of specific Barnegat Bay Estuary Program activities. The ultimate intent is to develop significant support for CCMP implementation through corporate and foundation funding.

IDENTIFY ADDITIONAL FUNDING SOURCES

Many actions in the CCMP are recommendations. Implementation of these actions is crucial to achieve the BBNEP's goals and will require resources beyond those currently identified by the USEPA. The BBNEP's strategy to identify potential funding sources and to seek additional funding is described on the next page.

Because of the important role local governments may have in implementing many of the actions in this CCMP, the BBNEP continues to consider the ability of

local governments to pay for projects prior to their implementation. The BBNEP and participating agencies will:

- Assure that local governments are effectively involved in the Management Conference and aware of CCMP actions that may impact them.
- Actively work with local governments to assure their understanding, and gain their support, of the environmental benefits of proposed projects.
- Continue to develop cost estimates for project implementation, and refine and update cost estimates as necessary.
- Actively work with local governments to identify and obtain funding.
- Foster the development of low-cost approaches to address environmental problems and implement such approaches whenever possible. (For example, encouraging non-structural, low-tech, and low-maintenance means to reduce runoff and pollutant inputs.)

12.8.4 ADDITIONAL FUNDING OPPORTUNITIES

THE NEW JERSEY CLEAN WATER STATE REVOLVING FUND

The New Jersey Clean Water State Revolving Fund (CWSRF) is a financing tool available to coastal managers and NEPs to implement water quality projects. Though traditionally used to offset the costs of wastewater treatment improvements, the CWSRF is intended to fund all types of water quality projects. Eligible loan recipients include communities, counties, sewage and utility authorities, individuals, citizen groups, and non-profit organizations. Nationally, the CWSRF program issues about \$3 billion per year. The New Jersey CWSRF programs are set up like a bank, using federal and state contributions to issue low-interest loans, allowing funds to be repaid over periods of up to 20 years, and recycling the money back to support other water quality improvement projects. The Clean Water State Revolving program's primary mission is to promote improvements in water quality. In addition to financial savings, loan recipients can realize significant environmental benefits, including protection of public health and conservation of

local watersheds. Loans for such infrastructure projects also tend to stimulate local economies by encouraging commercial development and construction.

Many county and local water quality officials are more familiar with grants and, consequently, may not be utilizing this valuable financial resource. The benefits of the low or no-interest loan are:

- *Little or no cash up front.* Most grant programs require significant cost shares of as much as 40 percent or more. A CWSRF loan can cover 100 percent of project costs with no cash up front. While a loan could be for as little as a few thousand dollars, program experience indicates that capital expenditures of \$200,000 or more are best suited for this loan program.
- *Significant Cost Savings.* CWSRF loans provide significant cost savings over the life of the loan. A CWSRF loan at 2.5 percent interest will cost approximately 25 percent to 30 percent less than the same project funded at the market rate of 5.5 percent to 6 percent. A major benefit for municipalities and other loan recipients is the substantial savings they can realize. When funded with a loan from this program, a project's financing costs are much lower than if funded through the bond market. Combined projects are possible.
- *Streamlined Federal Requirements.* Financing a project with a CWSRF loan means fewer federal requirements than most federal grant programs. Plus, the CWSRF program staff is experienced in helping applicants through the loan application process. Loan funds may be used to better the quality of watersheds through a wide range of water-quality related projects; loans may also be used for the protection of groundwater resources.

Projects or activities listed in the approved CCMP are eligible for funding under the CWSRF. Nonpoint source and other estuary protection projects/activities eligible for funding include:

- Structural erosion controls.
- Septic system upgrades or replacements.
- Stormwater and runoff management facilities.

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- Water body restoration.
- Runoff control (urban, rural, and agricultural).
- Stream stabilization.
- Storm sewer maintenance equipment.

Eligible nonpoint source projects include virtually any activity that a state has identified in its nonpoint source management plan. Estuary management projects may also include providing marine pumpout facilities.

SOURCES OF LOAN REPAYMENT: Many users of the CWSRF have demonstrated a high level of creativity in developing sources for their loan repayment. The source need not come from the project itself. Some possible sources include:

- Stormwater utility fees (fees charged per household for stormwater system use);
- Fees paid by developers on other lands;
- Dedicated portion of local, county, and state tax fees;
- Property owner's ability to pay;
- Donations or dues made to nonprofit groups and associations;
- Stormwater management fees;
- Wastewater user charges.

CONTACT:

New Jersey CWSRF Program at:
Municipal Finance and Construction Element
New Jersey Department of Environmental Protection
P.O. Box 425
East State Street
Trenton, New Jersey 08625
Att: Mr. Nicholas Binder, Assistant Director
(609) 292-8961
www.state.nj.us/dep/

THE TEA-21 TRANSPORTATION ENHANCEMENT PROGRAM

The Federal Highway Administration (FHWA) administers program grants pertaining to the new TEA-21 legislation and is responsible for evaluating applications for eligibility. To be considered eligible for funding, a project must

fall into one or more of the following categories:

- Scenic or historic highway programs and provision of tourist and welcome center facilities.
- Landscaping and other scenic beautification.
- Mitigation of water pollution due to highway runoff.
- Environmental mitigation to reduce vehicle-caused wildlife mortality while maintaining habitat connectivity.

Also, all improvements funded through this program must be available for public use.

Sponsors from one of the three categories must submit applications:

- County, municipality, city, town, or village in New Jersey;
- Another state agency (other than N.J. Department of Transportation);
- An Authority (this includes, by extension, other public and quasi-governmental agencies that have the authority to enter into a binding contract (agreement) with the State of New Jersey.).

Applications for funding may be developed by a non-profit incorporated group, for example, a historic preservation society. All applications, however, must be sponsored by one of the three groups mentioned above.

FUNDING PROCESS: The TEA-21 Transportation Enhancement Program is a federal reimbursement program, not a grant program. The program also requires the project teams to share in the cost of each project by providing a minimum-matching share of at least 20 percent of the total project cost. To lessen the financial burden of this requirement, FHWA is allowing alternative sources of funding to augment the matching share. These are:

- Sponsor/project team cash.
- Private donations of cash to the team.
- Public or private donations of right-of-ways that are an integral component of the project.
- Other federal funds (non-FHWA).
- Other state funds or other agency or legislative initiatives (member items).

SPECIAL PROJECT CATEGORY: Mitigation of Nonpoint Source Water Pollution Due to Highway Runoff

This category is limited to facilities and programs to minimize pollution from stormwater runoff from roadways that have a functional classification other than local roads, and that are in addition to current requirements and procedures for such mitigation. Eligible activities in this category include the development of programs to mitigate highway runoff pollution and the planning, design, and construction of the mitigation facilities themselves. The preferred type of facility uses natural systems for treatment, is self-maintaining, is aesthetically pleasing, and ecologically valuable.

Eligible activities in this category are:

- Environmental restoration and pollution abatement projects (including the retrofit or construction of stormwater treatment systems) to address water pollution or environmental degradation caused or contributed to by transportation;
- Creation of wetland(s), adding vegetated ditches, detention basins, or other permanent filtering systems to filter highway runoff in a sensitive area;
- Planning, design, and construction of mitigation facilities;
- Installation of drainage facilities to restore original drainage patterns to wetlands degraded by highway excavation and fill;
- Installation of a berm or closed drainage in close proximity of drinking water wells to prevent salt intrusion.

CONTACT:

New Jersey Department of Transportation
Bureau of Environmental Services
609-530-2824

NEW JERSEY CLEAN VESSEL ACT PROGRAM

The federal Clean Vessel Act of 1992 was passed to provide funds to states for the construction, renovation, operation, and maintenance of pumpout stations and dump

stations and for implementation of boater education programs. Funding for the Clean Vessel Act comes from the Sport Fish Restoration Account of the Aquatic Resources Trust Fund, commonly referred to as the Wallop-Breaux Fund. This fund results from an excise tax on fishing equipment, a tax on electric trolling motors and sonar fish finders, a portion of the federal motorboat fuel tax, and import duties on fishing tackle and pleasure boats.

Studies conducted in New Jersey in the mid-1980s documented the need for additional dockside disposal facilities for boat sewage. The Clean Vessel Act has allowed New Jersey to deal with this concern by providing funds to develop an updated assessment of the need for additional facilities. This includes implementation of a plan for the construction, renovation, operation, and maintenance of pumpout stations, waste reception facilities, and sewage pumpout boats, as well as the implementation of a boater education program related to vessel-generated wastes.

Funding for the New Jersey Clean Vessel Act Program is being provided by the U.S. Fish and Wildlife Service (USFWS) and the NJDEP. The program is administered as a partnership between the USFWS, the NJDEP Division of Fish, Game, and Wildlife, the New Jersey Marine Sciences Consortium, the New Jersey Sea Grant Marine Advisory Service of Rutgers Cooperative Extension, the Marine Trades Association of New Jersey, and other interested public and private entities.

In New Jersey, the Clean Vessel Program provides 100 percent of the costs to install sewage pumpout facilities. Seventy-five percent of this funding comes from the federal Clean Vessel Act, and twenty-five percent comes from the state's "Shore-to-Please" license plate fund.

CONTACT:

NJDEP
Division of Fish, Game, and Wildlife
New Jersey Clean Vessel Program
609-748-2020

New Jersey Marine Sciences Consortium
732-872-1300

New Jersey Marine Trades Association
732-206-1400

CCMP IMPLEMENTATION

OCEAN COUNTY NATURAL LANDS TRUST FUND PROGRAM

The voters of Ocean County approved a referendum in November of 1997 to preserve natural lands, open space, and farmland. The program would be funded through a 1.2 cent assessment per \$100 of equalized real property value. The referendum was approved in each of the county's 33 municipalities. The Ocean County Board of Chosen Freeholders subsequently established the Natural Lands Trust Fund (NLTF) Program and appointed a nine-member advisory committee to prepare an open space plan and advise on the acquisition of property. The Ocean County Planning Department (OCPD) administers the NLTF program. The program is used to acquire undeveloped lands for the purposes of preserving and protecting environmentally sensitive areas, natural areas, open spaces, and farmland. The benefits of the program include the protection of stream corridors, water supply areas, natural lands, agricultural uses, buffer areas, and aquifer recharge areas.

The NLTF Advisory Committee began work on an open space plan during the spring of 1998. The resulting Program Document was adopted by the Board of Chosen Freeholders on September 2, 1998. The document establishes the guidelines for the acquisition of natural parcels and farmland development easements.

Lands acquired through the program essentially remain in their natural states. They must be free of any significant disturbance or contamination. Proposals that include the restoration of certain disturbed natural areas are also considered.

Only passive, low-intensity activities are permitted on acquired parcels. Public access and limited development opportunities are allowed to support permitted activities consistent with the conservation value of the property. These activities include, but are not limited to, trail development and maintenance, installation of benches and trash receptacles, and the construction of limited parking areas. Approval from the local municipal governing body is required before any parcels are acquired under the Natural Lands Program. All parcels purchased exclusively with NLTF funds will be owned by Ocean County. However, the program can be used

to provide matching funds for the acquisition of parcels by other agencies or organizations. The future monitoring and management responsibilities for all parcels will be determined prior to acquisition.

Farmland will be preserved through the acquisition of development easements. Farmland will remain in private ownership and no public access will be afforded through this program. All nominations for the preservation of farmland must first be submitted to the Ocean County Agriculture Development Board for review and recommendation.

Nominations to the NLTF Program can be submitted at any time. A completed nomination form is required to formally start the process. However, the OCPD staff can provide an initial assessment of a parcel's eligibility prior to the submittal of a nomination form.

The NLTF Committee usually meets monthly. The meetings are advertised in advance and open to the public.

CONTACT:

Ocean County Planning Department
732-929-2054

FUNDING THROUGH THE WATERSHED PROTECTION AND MANAGEMENT ACT OF 1997

In 1998 Governor Christine Whitman signed the "Watershed Protection and Management Act of 1997." This Act dedicates the equivalent of 4 percent of the revenues annually generated by the New Jersey Corporation Business Tax for financing the costs of hazardous discharge site remediation, upgrading hazardous underground storage tanks, water quality point and nonpoint source pollution monitoring, watershed-based water resource planning and management, and non-point source pollution prevention projects. This Act stipulates that of the 4 percent dedicated for these purposes, a minimum of one-sixth, or a minimum of \$5,000,000, whichever is less, is annually dedicated for the purposes of water quality point and nonpoint source pollution monitoring, watershed-based water resource planning and management, and nonpoint source pollution prevention projects.

The NJDEP Division of Watershed Management currently administers the state's water quality planning, monitoring, permitting, and enforcement programs, as part of the department's watershed initiative, which links these programs to the watershed-based planning approach.

Watershed management activities can include funding for projects undertaken by the department, the New Jersey Pinelands Commission, or a "Watershed Management Group" to improve the condition or prevent further degradation of a watershed. This can include, but need not be limited to, the following:

- Public meetings to discuss and exchange information on watershed issues;
- Establishment and operation of a stakeholders advisory group or groups dedicated to preserving and protecting a watershed;
- Monitoring, water quality modeling, or assessment of the condition of a watershed;
- Development of projects designed to enhance or restore a watershed;
- Development, in consultation with the NJDEP, of a watershed management plan, or the reassessment of a management plan that has been completed and is being implemented.

The Barnegat Bay watershed is identified as Watershed Management Area Number 13 (WMA-13) by the NJDEP. A Watershed Management Area means a geographic area in the state, as designated by the NJDEP, within which may be found one or more watersheds.

A Watershed Management Group means a group recognized by the NJDEP as the entity representing the various interests within one or more watersheds located in a Watershed Management Area and whose purpose is to improve the condition or prevent further degradation of a watershed or watersheds. A Watershed Management Group is eligible to receive Corporate Business Tax funding (through the Watershed Management Fund) to carry out implementation of its management plan.

The Watershed Management Fund will be established as a non-lapsing, revolving fund in the NJDEP. The fund is

credited annually with all monies appropriated pursuant to the requirements of the law. Any interest that accrues on monies in the fund shall be credited to the fund. Monies in the fund can be used for activities associated with implementation of watershed management plans. Through this fund, the NJDEP has established a loan and grant program to assist Watershed Management Groups in the funding of watershed management activities. A Watershed Management Group may apply to the department for a loan or grant. The application shall state the objectives of the group, including the watershed activities proposed and which loan or grant monies are requested.

PURPOSE OF FUNDING: To provide grants to implement best management practices, innovative measures, and other nonpoint source controls to guide the development of nonpoint source water quality improvement efforts within the 20 watershed management areas in New Jersey.

SOURCE OF FUNDING: The Watershed Management Act of 1997 provides approximately \$100,000 per year. Section 319(h) of the Clean Water Act also provides funding. Available federal funds are approximately \$950,000 and are dependent upon the annual federal appropriations.

STATUTORY CITATION: 1987 federal Clean Water Act and the 1990 Coastal Zone Act Reauthorization and Amendments.

WHO IS ELIGIBLE: Regional comprehensive planning or health organizations and coalitions (formal or informal) of municipal and county governments and/or local and county environmental commissions, watershed and water resource associations and non-profit organizations 501(c)(3), including, but not limited to, the following: municipal planning departments or boards, health departments or Boards, county planning departments, designated water quality management planning agencies, state and regional entities entirely within New Jersey, state government agencies, universities and colleges, federal government, interstate agencies of which New Jersey is a member, and intrastate regional entities.

QUALIFICATIONS REQUIRED FOR CONSIDERATION: Applicant must submit a project that meets the objectives and project criteria as outlined in the "Request for Proposals."

CCMP IMPLEMENTATION

GRANT LIMITATIONS: Limited to eligible costs as defined in the Request for Proposals. Applicant must provide matching funds in an amount equivalent to at least 20 percent of the total project amount requested. This may be cash or in-kind services. A 25 percent cash match is required for projects on private lands. Grant money is paid out quarterly upon submittal of project update.

APPLICATION PROCEDURES: Announcement to receive the Request for Proposals published in the New Jersey Register and Watershed Focus Newsletter, and mailed to all municipalities.

APPLICATION DEADLINE: As published in the New Jersey Register with the notification of the application period.

NOTIFICATION DATE: No later than June 30.

CONTACT:

Kimberly Cenno
Division of Watershed Management
PO Box 418
Trenton, NJ 08625-0418
Telephone: (609) 292-2113
e-mail address: kcenno@dep.state.nj.us

COASTAL BLUE ACRES GRANTS AND LOANS

PURPOSE OF FUNDING: To acquire storm-prone land and storm-damaged property for storm protection and recreation and conservation purposes.

SOURCE OF FUNDING: 1995 Green Acres Bond Act Program is administered by the Green Acres Program.

STATUTORY CITATION: P.L. 1995, C. 204.

WHO IS ELIGIBLE: Municipalities and counties located in the state's coastal area as defined and delineated in P.L. 1973, C.185 (C.12:19-4). Projects limited to certain coastal areas.

QUALIFICATIONS REQUIRED FOR CONSIDERATION: Must submit a complete application. Applications are evaluated based on ranking criteria established by the bond act.

GRANT LIMITATIONS: 75 percent grant/25 percent loan for a pre-storm project. 50 percent grant/50 percent loan for a post-storm project.

APPLICATION PROCEDURES: There is an established application process. Technical assistance by program staff is available upon request.

APPLICATION DEADLINE: October 31, annually (depending on available funds for pre-storm projects). Post-storm projects based on coastal storm event.

NOTIFICATION DATE: Spring of following year for pre-storm projects.

CONTACT:

Gary Rice, Chief
NJDEP-Green Acres Program
Bureau of Green Trust Management
PO Box 412
Trenton, NJ 08625-0412
Telephone: (609) 984-0570

COUNTY ENVIRONMENTAL HEALTH ACT GRANTS

PURPOSE OF FUNDING: To support environmental health services undertaken by certified local health agencies on behalf of the NJDEP pursuant to the County Environmental Health Act, *N.J.S.A. 26:3A2-21*, et seq.

SOURCE OF FUNDING: Dependent upon state appropriation funds made available to the program.

STATUTORY CITATION: P.L. 1977, c.443, as amended by P.L. 1991, c.99. *N.J.S.A. 26:3A2-21*, et seq.; *N.J.A.C. 7:1H-1*, et seq.

WHO IS ELIGIBLE: Certified local health agencies only.

QUALIFICATIONS REQUIRED FOR CONSIDERATION: Applicant must have the NJDEP certification pursuant to P.L. 1977, c.443 (*N.J.S.A. 26:3A2-21*, et seq.) and have approved workplan pursuant to *N.J.A.C. 7:1H-1*, et seq.

GRANT LIMITATIONS: Calendar year grants are awarded annually; 50 percent match required. Grants awarded for pilot projects do not have a match requirement.

APPLICATION PROCEDURES: Certified local health agencies must attend the annual fall grant conference and submit a grant application.

APPLICATION DEADLINE: December 1, annually.

NOTIFICATION DATE: April 1 of the following year.

CONTACT:

Deborah M. Pinto, Chief
NJDEP-Enforcement Coordination
Office of Local Environmental Management
PO Box 422
Trenton, NJ 08625-0422
Telephone: (609) 292-1305

SHORE PROTECTION GRANTS AND LOANS

PURPOSE OF FUNDING: To protect existing development from sea-level rise and shoreline migration through dune creation and maintenance, beach fill projects and repair of existing shore protection structures.

SOURCE OF FUNDING: Beaches and Harbor Fund and Shore Protection Fund. Funds have been provided by Shore Protection Bonds issued in 1977 and 1983 and by state appropriation in 1988. Recent funds have been appropriated through the Shore Protection Fund of 1992. Contact program administrator for details.

STATUTORY CITATION: *N.J.S.A.* 13:1D-1, et seq. Shore Protection Bond Act. Appropriations under specific chapters 356, P.L. 1983; c. 103, P.L. 1984; c. 103, P.L. 1985; and c. 94 P.L. 1986; *N.J.S.A.* 13:19-16.l Shore Protection Fund.

WHO IS ELIGIBLE: Municipalities and counties; local cost share 25 percent. Loans available for the 25 percent local share.

QUALIFICATIONS REQUIRED FOR CONSIDERATION: A ranking list has been prepared based on need; the N.J. Shore Protection Master Plan, 1981; damage from the December 10, 1992 storm, and U.S. Army Corps of Engineer (USACE) studies and projects.

GRANT/LOAN LIMITATIONS: Amount varies upon need. Grantee must match 25 percent/75 percent.

APPLICATION PROCEDURES: Contact program administrator.

APPLICATION DEADLINE: None.

CONTACT:

George Caporale, Manager
NJDEP-Engineering and Construction
Bureau of Coastal Engineering
1510 Hooper Avenue
Toms River, NJ 08753
Telephone: (908) 255-0767

1992 DAM RESTORATION AND INLAND WATER PROJECTS LOAN PROGRAM

PURPOSE OF FUNDING: Low-interest loans to assist in the funding of dam restorations, flood control projects, water pollution control projects, and water-related recreation and conservation projects.

SOURCE OF FUNDING: 1992 Dam Restoration and Clean Water Trust Fund.

STATUTORY CITATION: Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992, P.L. 1992, c. 88. Program Rules, *N.J.A.C.* 7:24A-1.1, et seq.

WHO IS ELIGIBLE: Local government units, private lake associations or similar organizations, and owners of private dams as co-applicants with a local government unit.

QUALIFICATIONS REQUIRED FOR CONSIDERATION: Applicant must have a project that meets the objectives of the program as defined in the program rules.

LOAN LIMITATIONS: Limited to eligible costs as defined in the program rules.

APPLICATION PROCEDURES: Application periods will be established from time to time. Notification will be published in the *New Jersey Register*. Contact the Dam Safety Section for more information and application forms.

CCMP IMPLEMENTATION

APPLICATION DEADLINE: As published in the *New Jersey Register* with the notification of the application period.

CONTACT:

NJDEP-Engineering and Construction
Dam Safety Section
PO Box 419
Trenton, NJ 08625-0419
Telephone: (609) 984-0859

GREEN ACRES GRANTS AND LOANS

PURPOSE OF FUNDING: To acquire and/or develop municipal or county land for public recreation and conservation purposes.

SOURCE OF FUNDING: 1983, 1987, 1989, 1992, and 1995 Green Acres/Green Trust bond issues (revolving fund). Available funding varies each year based on loan repayments and interest payments.

STATUTORY CITATION: *N.J.S.A.* 13:8A, et seq.

WHO IS ELIGIBLE: Any municipality or county.

QUALIFICATIONS REQUIRED FOR CONSIDERATION: Must submit a completed application. There must be no outstanding compliance problems. Applicant must meet technical eligibility requirements (program specific).

GRANT/LOAN LIMITATIONS: Differ from year to year depending on funds available and total applications received.

APPLICATION PROCEDURES: There is an established application process. Technical assistance by program staff is available upon request.

APPLICATION DEADLINE: October 31, annually.

NOTIFICATION DATE: Spring of the following year.

CONTACT:

Gary Rice, Chief
NJDEP-Green Acres Program
Bureau of Green Trust Management
PO Box 412
Trenton, NJ 08625-0412
Telephone: (609) 984-0570

1996 BOND ACT/ LAKES RESTORATION PROGRAM

PURPOSE OF FUNDING: To improve the water quality of New Jersey lakes.

SOURCE OF FUNDING: "Port of New Jersey Revitalization, Dredging, Environmental Cleanup, Lake Restoration and Delaware Bay Economic Development Bond Act of 1996." A total of \$5 million is available.

STATUTORY CITATION: P.L. 1996, C. 70.

WHO IS ELIGIBLE: Municipal, county, regional, and state government agencies, or private lake owners with a local government unit as a co-applicant.

QUALIFICATIONS REQUIRED FOR CONSIDERATION: Public lakes must be owned, leased or managed by a local government agency. Private lakes need a local government agency as a co-applicant. State-owned lakes are also eligible.

GRANT LIMITATIONS: Up to 50 percent funding available for Phase I Diagnostic-Feasibility Project and up to 75 percent funding available for Phase II Implementation Projects.

APPLICATION PROCEDURES: Application consists of a Project Workplan for either a Phase I Diagnostic-Feasibility Project, or a Phase II Implementation Project.

APPLICATION DEADLINE: Two rounds of funding are anticipated. The deadline for the first round of funding is 30 days after final adoption of *N.J.A.C.* 7:9-2. The deadline for the second round of funding is December 31.

NOTIFICATION DATE: Thirty days after completed application is submitted.

CONTACT:

Bud Cann, Supervising Environmental Specialist
Division of Science and Research
PO Box 427
Trenton, NJ 08625-0427
Telephone: (609) 292-0427

PINELANDS INFRASTRUCTURE TRUST FINANCING PROGRAM

PURPOSE OF FUNDING: To provide funding for wastewater treatment facilities needed to accommodate existing and future needs in the 23 designated Pinelands Regional Growth Areas. Funding is available for the construction of new collection systems, interceptors, and the expansion and/or upgrading of wastewater treatment facilities.

SOURCE OF FUNDING: The Pinelands Infrastructure Bond Act of 1985 provided \$30 million as a source of funding for such projects. Projects certified generally receive a grant for 40 percent of the allowable project cost and a loan of 20 percent of the allowable project cost in accordance with project cost estimates contained in the Pinelands Infrastructure Master Plan. Planning and design costs are also eligible for funding under this program.

STATUTORY CITATION: P.L. 1985, c. 302.

WHO IS ELIGIBLE: Local government units, including municipalities and regional sewerage or utility authorities, may be eligible for assistance.

QUALIFICATIONS REQUIRED FOR CONSIDERATION: Eligibility to receive funding is determined according to the ranking criteria presented in the Pinelands Infrastructure Master Plan.

GRANT/LOAN LIMITATIONS: Local unit must provide for ineligible cost and may be required to provide that portion (typically 40 percent) of the allowable cost, which the grant/loan does not cover.

APPLICATION PROCEDURES: Eligible entities should contact the N.J. Pinelands Commission in order to have a potential project included in the Master Plan. Provided the project is of high priority and funds are available, the applicant will then be required to satisfy the NJDEP-established requirements.

APPLICATION DEADLINE: Varies from funding cycle to funding cycle.

NOTIFICATION DATE: Varies.

CONTACT:

Nicholas G. Binder, Assistant Director
NJDEP-Municipal Finance and
Construction Element
PO Box 425
Trenton, NJ 08625-0425
Telephone: (609) 292-8961

RECYCLING EDUCATION GRANTS

PURPOSE OF FUNDING: To provide community education and promotional programs on recycling.

SOURCE OF FUNDING: This is a revolving fund. The Recycling Tax expired December 31, 1996. The amount available will be based on the distribution of the fund balance.

STATUTORY CITATION: *N.J.S.A.* 13:1E-96, et seq. (P.L. 1987, c. 102).

WHO IS ELIGIBLE: County governments, nonprofit organizations, and state colleges and universities.

QUALIFICATIONS REQUIRED FOR CONSIDERATION: All counties are eligible.

GRANT LIMITATIONS: Awards are based on county census.

APPLICATION PROCEDURES: Program announcement and procedures are sent to the counties and to previously funded non-profit organizations.

CCMP IMPLEMENTATION

APPLICATION DEADLINE: Grant deadlines are published in program announcements and are sent directly to applicants.

NOTIFICATION DATE: Varies.

CONTACT:

Guy J. Watson, Chief
NJDEP-Division of Solid and Hazardous Waste
Bureau of Recycling and Planning
PO Box 414
Trenton, NJ 08625-0414
Telephone: (609) 984-3438

MATCHING GRANTS FOR LOCAL ENVIRONMENTAL AGENCIES

PURPOSE OF FUNDING: Assist local environmental commissions and soil conservation districts with funding for a variety of community education projects as well as environmental resource inventories; beach monitoring and management projects; environmental trail designs; lake rehabilitation studies; stream and water quality testing; wellhead delineation; GIS mapping projects; NEPPS indicator projects; and surveys of threatened and endangered species.

SOURCE OF FUNDING: State appropriation for FY99: \$165,000.

STATUTORY CITATION: Environmental Aid Act, *N.J.S.A. 13:1H-1*, et seq. Program rules: *N.J.A.C. 7:5-1.1*, et seq.

WHO IS ELIGIBLE: Municipal environmental commissions and joint environmental commissions established pursuant to *N.J.S.A. 40:56A-1* et seq., soil conservation districts, and county environmental commissions.

QUALIFICATIONS REQUIRED FOR CONSIDERATION: Applicant must be an eligible entity as described above and must use funds for a project having the purpose described above. Eligible projects and costs may be found in the ESP Matching Grants Program Guide and Application Package.

GRANT LIMITATIONS: The maximum annual grant is \$2,500. Applicant must agree to match at least 50 per-

cent of the total cost of the project. ESP grant money is paid upon completion of project.

APPLICATION PROCEDURES: Contact the Environmental Services Program for an application package. Applications are mailed annually to local government officials, environmental commission chairs, and soil conservation districts in early September.

APPLICATION DEADLINE: December 1, annually.

NOTIFICATION DATE: On or about April 1 of the following year.

CONTACT:

Joseph C. Rogers, Program Manager
NJDEP-Office of Business & External Affairs
Environmental Services Program
PO Box 402
Trenton, NJ 08625-0402
Telephone: (609) 984-0828

THE TRUST FOR PUBLIC LAND:

BARNEGAT BAY ENVIRONMENTAL GRANT FUND

The Trust for Public Land's Barnegat Bay Environmental Grant Fund ("The Bay Fund") Advisory Board approves grants of up to \$25,000 per year from a \$500,000 fund made available to the Trust through a donation from Ciba-Geigy Corporation to the NJDEP. The Trust for Public Land was designated as the administrator of The Bay Fund. Grants are to be made with approval of the Barnegat Bay Environmental Grant Fund Advisory Board to nonprofit organizations having an Internal Revenue Service 501(c)(3) exemption status and conducting local or regional projects that will have a direct benefit to the Barnegat Bay and its watershed area.

The Trust accepts proposals for grants to support local or regional environmental projects that will have direct benefit to Barnegat Bay and its watershed area. Eligible projects may include, but will not be limited to, environmental education, planning, monitoring, research, or land stewardship.

The Bay Fund is one component of the Trust for Public Land's Barnegat Bay Initiative – a long-term protection strategy for the bay, including public education, scientific research, land planning, and acquisition of critical properties. Since 1988, the Trust has assisted the USFWS in protecting more than 2,300 acres of critical habitat lands as part of the Edwin B. Forsythe National Wildlife Refuge. It has also worked with the State of New Jersey to protect more than 5,800 acres of critical wildlife habitat and recreational land in the bay region. The NJDEP recognized the Trust's work in this area with a \$500,000 grant, which is available to fund awards under the Barnegat Bay Environmental Grant Fund. The Bay Fund encourages support of groups working to protect the bay. The William Penn Foundation also provides supplemental funding to the Trust for Barnegat Bay project.

APPLICATION PROCESS: Interested organizations should submit nine copies of a brief (no more than three pages) description of the proposed project by the spring of each year. Applications should include a time line for the project's completion, project budget, brief background on the organization, and the description must be accompanied by proof of the organization's federal tax exempt status under Section 501(c)(3) of the Internal Revenue Code and a copy of the organization's Articles of Incorporation, Constitution, or Bylaws. All applications will be reviewed by the Advisory Board, and awards will be announced Memorial Day weekend.

APPLICATION GUIDELINES:

- Grants will be awarded for activities that promote environmental education, planning, monitoring, research, or land stewardship in Barnegat Bay and its watershed.
- The Bay Fund will accept proposals solely from non-profit organizations that have an Internal Revenue Service 501(c)(3) exemption. Grants are likely to range from \$500 to \$5,000.
- Proposals must demonstrate that the activity will benefit Barnegat Bay.
- Proposals that include matching funds or in-kind services from other sources are strongly encouraged.
- Consideration will be given to project cost, geographical setting, technical feasibility, and need in terms of the overall protection and enhancement of Barnegat Bay.
- Proposals will be evaluated on the basis of appropriateness, clarity of objectives, a plan for achieving the objectives, and the qualifications of the organization to carry out the project activities.
- Grants will not ordinarily be awarded for: (a) land acquisition; (b) endowments; (c) individuals; (d) building campaigns; (e) capital construction activities, such as structural erosion control measures; (f) annual giving; (g) an organization's general operating budget, including direct salary, benefits, or overhead. Staff costs for project-related work will be considered eligible expenses and should be included in the budget.
- The Bay Fund will not entertain proposals from government entities (i.e., municipalities, planning boards, environmental commissions, or schools). Non-eligible entities may "partner" with a non-profit organization that: (a) meets with requirements under this program; and (b) serves as applicant to The Bay Fund.
- Grants will not be made for fund-raising purposes.
- No part of any grant may be used for entertainment expenses.
- Grants will cover a 12-month period except in special circumstances.
- The Bay Fund should not be relied upon as a long-term source of funds; applicants may be requested to demonstrate how ongoing programs would be sustained.
- Grant recipients will be required to certify program expenses to the Trust by filing a summary report within 30 days of project completion.
- The Bay Fund will not support lobbying or activities that advocate political solution.

CCMP IMPLEMENTATION

12.9 WATER QUALITY MANAGEMENT PLANNING

The Water Quality Management (WQM) planning program, sometimes referred to as the “208 Program,” was developed to ensure that states provide for the future planning and management of their water resources. It is a nationwide program, with its requirements specified in the Water Pollution Control Act (P.L. 92-500), which was later amended by the Clean Water Act of 1977 and the Water Quality Act of 1987. The state’s requirements are contained in the N.J. Water Quality Planning Act (*N.J.S.A. 58:11A-1, et seq.*). The federal laws required that WQM plans be prepared by agencies designated for that purpose by the Governor of each state. For areas that did not have a designated agency, the state would serve as the WQM planning agency.

All of New Jersey is divided into 12 WQM planning areas. Of the 12 initial WQM plans that were prepared approximately 20 years ago, 7 were prepared by designated agencies and 5 were prepared by the NJDEP.

The above cited laws required that the WQM plans address a variety of subject areas. These included:

- Identification of treatment works necessary to meet anticipated municipal and industrial waste treatment needs;
- Establishment of construction priorities for such treatment works;
- Establishment of a regulatory program addressing waste treatment management;
- Identification of those agencies necessary to construct, operate, and maintain facilities required by the plan;
- Identification of measures necessary to carry out the plan;
- The economic, social, and environmental impact of carrying out the plan;
- A process to identify, if appropriate, agriculturally and silviculturally related nonpoint sources of pollution;

- A process to identify, if appropriate, mine-related sources of pollution;
- A process to identify construction activity-related sources of pollution;
- A process to identify, if appropriate, saltwater intrusion into rivers, lakes, and estuaries;
- A process to control the disposition of residual waste which could affect water quality;
- A process to control the disposal of pollutants on land or in subsurface excavations to protect ground and surface water quality.

For a fuller discussion of the specific requirements, see Section 208 of the Clean Water Act.

Due to the differing needs and priorities of New Jersey’s 12 WQM planning areas, the resultant initial plans differed somewhat in the extent to which some of these subjects were addressed.

12.9.1 WQM PLANNING IN OCEAN COUNTY

The Ocean County Board of Chosen Freeholders was designated in May of 1975 as the agency responsible for conducting WQM planning in all of Ocean County, as well as that portion of southern Monmouth County that is within the drainage basins of the Toms River and the Metedeconk River. The area of Monmouth County that is in the Ocean County WQM Planning Area includes portions of Freehold, Howell, and Wall Townships.

The stated goal of the Ocean County WQM Planning Program is the protection of the area’s water resources from potential growth-related sources of pollution. Both groundwater and surface water are of great importance to Ocean County, as groundwater is the primary source of potable water for area residents. The protection of surface water was also deemed essential, as the Atlantic Ocean, Barnegat Bay, and the area’s inland waterways provide a primary source of recreation for the area’s residents and visitors.

The Ocean County WQM Plan was prepared by technical staff hired for that purpose. A few consultants were hired for technical water quality analysis and for legal and institutional aspects of the plan. Also actively involved in the preparation and review of the plan were committees. These included a Policy Advisory Committee (PAC), a Citizens Advisory Committee (CAC), as well as a Technical Review Committee. The committees were most active during the preparation and review of the initial WQM Plan; however, they still occasionally meet on an as-needed basis.

12.9.2 UPDATE OF THE INITIAL OCEAN COUNTY WQM PLAN

The initial Ocean County WQM Plan was certified by the Governor on August 11, 1980, and approved by the USEPA on September 15, 1980. The Ocean County WQM Plan included nine reports. These reports are:

- Surface Water Quality Assessment;
- Groundwater Management Planning;
- Wastewater Flows and Sewerage Facilities for the 208 Study Area;
- Stormwater Management;
- Population, Land Use, and Environmental Resources;
- Implementation of an Areawide Water Quality Management Program in Ocean County;
- Regulatory Program Associated with Areawide Water Quality Management in Ocean County;
- Executive Summary, Ocean County “208” Water Quality Management Planning Project; and
- Public Participation in “208” Water Quality Management Planning, Ocean County, New Jersey.

In the years since the plan was approved, the Ocean County WQM Plan has been modified and updated through formal amendments and revisions. Those modifications were primarily to provide for new or expanded wastewater treatment plants or to modify sewer service areas.

The WQM Plan amendment and revision requirements and procedures are specified in New Jersey’s Water Quality Management Planning regulations (*N.J.A.C. 7:15-3.4 and 3.5*). The amendment procedures include the need to publish a public notice and to provide the opportunity for the interested public to comment on the proposed actions. Potentially affected entities, such as municipal governments and sewer authorities, are requested to provide resolutions of consent for the proposal. Designated agencies, such as the Ocean County Board of Chosen Freeholders, have a vital role, as their approval of amendment proposals is generally required before the state may approve an amendment. Revision procedures vary somewhat based on the nature of the revision. Mere correction of a WQM plan is handled by the NJDEP; however, a revision of a more significant nature, such as the transfer of sewer service area from one wastewater treatment agency to another, requires that potentially affected entities be invited to comment on the proposal.

12.9.3 WASTEWATER MANAGEMENT PLANS

As a general rule, the most significant and far-reaching WQM Plan amendments are Wastewater Management Plans (WMPs). WMPs are subject to the same amendment review and processing requirements as other amendments; however, they differ from individual amendments in the geographic scope and variety of subjects addressed. Generally, individual amendments are prepared for a single wastewater treatment facility or housing development; WMPs are prepared for one or more municipalities. Sometimes, a WMP may be prepared for a sewer authority’s district or for an entire county.

Among the items that are addressed within a WMP are discussions and maps of the locations of wastewater treatment facilities (domestic as well as industrial), current and 20-year projected populations to be served by each wastewater treatment facility, current and 20-year projected wastewater flows to each wastewater treatment facility, maps of current and future wastewater service areas, maps of environmental features, and other subjects.

The WMPs that have been approved for the Ocean County WQM Planning Area include: Barnegat Township WMP, Jackson Township WMP, Little Egg Harbor WMP, Manchester Township WMP, Northern Planning Area WMP, Ocean County Utilities Authority’s Central Service

CCMP IMPLEMENTATION

Following are the amendments and revisions that have been adopted since the initial Ocean County WQM Plan was approved.

OCEAN COUNTY WATER QUALITY MANAGEMENT PLAN AMENDMENTS/REVISIONS AND DATES OF ADOPTION

Ocean County Utilities Authority Central Service Area

July 3, 1989

Ocean County Utilities Authority Northern Service Area

January 6, 1983

August 27, 1998

April 10, 1999

Barnegat Township

October 28, 1987

Jackson Township

December 28, 1987

June 28, 1990

May 18, 1992

August 19, 1992

October 28, 1994

January 31, 1996

April 10, 1999

Little Egg Harbor Township

March 23, 1990

Manchester Townshihp

December 28, 1987

February 10, 1992

Plumsted Township

February 28, 1990

July 30, 1993

Stafford Township

January 25, 1990

March 31, 1989

August 4, 1992

April 4, 1993

Area WMP, Plumsted Township WMP, and Stafford Township WMP.

12.10 COMPLIANCE WITH NATIONAL AND STATE HISTORIC PRESERVATION LAWS AND THE ENDANGERED SPECIES ACT WHEN IMPLEMENTING THE CCMP

While this Comprehensive Conservation and Management Plan in and of itself will not have any

effect on historic and prehistoric resources, there is the potential that individual actions of this plan that are subsequently implemented might. In compliance with Section 106 of the National Historic Preservation Act, if any Federal undertaking performed as part of the CCMP has the potential to have an effect on prehistoric or historic resources as a result of ground-disturbing activities, the EPA will evaluate the need for the performance of an initial Stage IA cultural resources survey (CRS) and any necessary additional stages of survey, prior to project implementation, to identify areas sensitive for the discovery of prehistoric

and historic resources. Coordination of any further cultural resources investigations will be carried out by the appropriate federal agency. To the extent that such actions are state undertakings, the NJDEP (State Historic Preservation Office) will be the lead in addressing historic preservation requirements.

Informal consultation pursuant to Section 7 of the Endangered Species Act has been initiated with the U.S. Fish and Wildlife Service (FWS) and the National

Marine Fisheries Service (NMFS). While the EPA believes that the CCMP, as a programmatic plan, will not have a negative impact on federally listed or proposed threatened and endangered species or their habitats, it is possible that some action items of the CCMP may. Consequently, informal consultation will be carried out by the appropriate federal agency with the FWS and the NMFS at that time when the nature of such action items and their source(s) of funding become more defined.



Today our continuing progress is restricted not by the number of fishing boats
but by the decreasing numbers of fish;
not by the power of pumps but the depletion of aquifers;
not by the number of chainsaws but by the disappearance of primary forests.

While living systems are the source of such desired materials as wood, fish, or food,
of utmost importance are the services that they offer,
services that are far more critical to human prosperity than are nonrenewable resources.

A forest provides not only the resource of wood,
but also the services of water storage and flood management.

Humankind has inherited a 3.8 billion year store of natural capital.
At present rates of use and degradation, there will be little left by the end of this century.
This is not only a matter of aesthetics, it is of utmost practical concern to society and all people.

—Paul Hawkin, Amory Lovins, L. Hunter Lovins, *Natural Capitalism*
