

State of New Jersey DEPARTMENT OF ENVIRONMENTAL PROTECTION

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SHAWN M. LATOURETTE Commissioner

April 09, 2024

NOTICE OF OPEN PUBLIC COMMENT PERIOD Clean Water State Revolving Fund Drinking Water State Revolving Fund Priority Systems, Intended Use Plans, and Project Priority Lists

Dear Interested Party:

The Department of Environmental Protection (Department) has prepared the following documents for the administration of the FFY2024/SFY2025 Clean Water State Revolving Fund ("CWSRF") and the Drinking Water State Revolving Fund ("DWSRF"):

Amended Proposed
Clean Water State Revolving Fund
Priority System, Intended Use Plan, and Project Priority List
Federal Fiscal Year 2024 (and State Fiscal Year 2025)
CWSRF Base
CWSRF General Supplemental
CWSRF Emerging Contaminants

Amended Proposed
Drinking Water State Revolving Fund
Priority System, Intended Use Plan, and Project Priority List
Federal Fiscal Year 2024 (and State Fiscal Year 2025)
DWSRF Base
DWSRF General Supplemental
DWSRF Emerging Contaminants
DWSRF Lead Service Line Replacement

These amended documents address the following revisions to the FFY 2024 programs:

- 1. Funds allocated for planning and design for Disadvantaged Communities (DACs) participating in the Technical Assistance (TA) Program for DWSRF and CWSRF will increase from \$40 million to \$60 million and will be available as 100% grant funding up to \$2 million, rather than principal forgiveness.
- 2. Funds available for capital improvement Principal Forgiveness (PF) reserve will also see an increase from \$40 million to \$60 million (\$2 million per project) for DACs in the TA Program.
- 3. The \$20 million funding package cap for CWSRF and DWSRF funding packages, including the DWSRF and CWSRF Base packages, has been removed. Loan financing for all enhanced packages will consist of the equivalent of 75% of the DEP's interest-free loan and 25% of the I-Bank AAA Market Rate loan

- or better, above all principal forgiveness caps. Applicant project category principal forgiveness caps, with the exception of DW High Rank Affordability remain as originally proposed.
- 4. Principal Forgiveness funds will be transferred from clean water packages with less demand to packages with more demand, as detailed in the summary below:
 - a. CSO Base \$30M to \$20M
 - b. CSO LTCP Projects (ARPA) \$20M to \$50M
 - c. CSO Affordability \$50M to \$30M
 - d. Stormwater (ARPA) \$10M to \$20M
 - e. Energy & Water Efficiency \$20M to \$18M
 - f. Affordability \$48M to \$40M
- 5. All DW funding and principal forgiveness will be awarded on a readiness to proceed basis. The High Rank DW Affordability package will offer up to \$10 million, 100% PF and only be available for projects with 450 or more priority ranking points, while a DW Affordability package is now available for all DACs regardless of rank.
- 6. The Sources and Uses table has been revised and a footnote is included to provide more clarity and transparency about the Program process and availability of funds.

The Intended Use Plans (IUPs) must be developed annually, undergo a public participation process, and be approved by the US Environmental Protection Agency (USEPA) for the Department to be awarded its capitalization grants to support the New Jersey Water Bank. IUPs provide information on how funds, available through the Water Bank, will be used to provide financial assistance for infrastructure projects and identifies State policies governing loan awards.

The Program is holding a 10-day comment period on these proposed amendments. The period for submitting written comments on the amended proposal will close on April 19, 2024 (all comments must be received by that date). All comments submitted prior to the close of the comment period will be considered in the preparation of the final CWSRF IUP and DWSRF IUP.

Written comments on the **Amended Proposed FFY 2024 CWSRF and DWSRF IUPs** should be sent to the following address:

Mail Code 401-03D
Paul Hauch, P.E., Bureau Chief
Municipal Finance and Construction Element
Division of Water Quality
PO Box 420
401 East State Street, 3rd Floor, West Wing
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or
waterbankinfo@dep.nj.gov

The Proposed Intended Use Plan documents are posted on the Department's web site at https://dep.nj.gov/wiip/intended-use-plan-and-project-priority-lists/.

If you have any questions regarding the CWSRF IUP proposal, please contact Paul Hauch, Bureau Chief, Bureau of Construction Payments and Administration, Municipal Finance and Construction Element, Division of Water Quality at 609-292-8961 or paul.Hauch@dep.nj.gov.

If you have any questions regarding the DWSRF IUP, please contact Kristin Tedesco, Bureau Chief, Bureau of Water System Engineering, Water System Operations Element, Division of Water Supply and Geoscience at 609-292-2957 or Kristin.Tedesco@dep.nj.gov.

Sincerely,

Patricia Mengelido
Patricia Ingelido, Director

Division of Water Supply & Geoscience

Charles Jenkins, Assistant Director

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Division of Water Quality