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P.L. 2005, CHAPTER 285, *approved January 9, 2006*
Senate, No. 466 (*Second Reprint*)

1 **AN ACT** concerning the New Jersey Statewide Water Supply Plan, and
2 amending and supplementing P.L.1981, c.262, and making an
3 appropriation.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Section 13 of P.L.1981, c.262 (C.58:1A-13) is amended to read
9 as follows:

10 13. a. The department shall prepare and adopt the New Jersey
11 Statewide Water Supply Plan, which plan shall be revised and updated
12 at least once every five years.

13 b. The plan shall include, but need not be limited to, the following:

14 (1) An identification of existing Statewide and regional ground and
15 surface water supply sources, both interstate and intrastate, and the
16 current usage thereof;

17 (2) Projections of Statewide and regional water supply demands
18 for the duration of the plan;

19 (3) Recommendations for improvements to existing State water
20 supply facilities, the construction of additional State water supply
21 facilities, and for the interconnection or consolidation of existing water
22 supply systems, both interstate and intrastate;

23 (4) Recommendations for the diversion or use of fresh surface or
24 ground waters and saline surface or ground waters for aquaculture
25 purposes;

26 (5) Recommendations for legislative and administrative actions to
27 provide for the maintenance and protection of watershed areas;
28 ¹[and]¹

29 (6) Identification of lands purchased by the State for water supply
30 facilities that currently are not actively used for water supply purposes,
31 including, but not limited to, the Six Mile Run Reservoir Site, with
32 recommendations as to the future use of these lands for water supply
33 purposes within or outside of the planning horizon for the plan¹; and

34 (7)¹ Recommendations for administrative actions to ensure the
35 protection of ground and surface water quality and water supply
36 sources.

37 c. Prior to adopting the plan, including any revisions and updates
38 thereto, the department shall:

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SEN committee amendments adopted February 24, 2004.

² Assembly AAP committee amendments adopted January 5, 2006.

1 (1) Prepare and make available to all interested persons a copy of
2 the proposed plan or proposed revisions and updates to the current
3 plan;

4 (2) Conduct public meetings in the several geographic areas of the
5 State on the proposed plan or proposed revisions and updates to the
6 current plan; and

7 (3) Consider the comments made at these meetings, make any
8 revisions to the proposed plan or proposed revisions and updates to
9 the current plan as it deems necessary, and adopt the plan.

10 (cf: P.L.2003, c.251, s.2)

11
12 2. (New section) a. The department shall prepare and adopt
13 appropriate revisions and updates to the current New Jersey Statewide
14 Water Supply Plan ¹[within 180 days of the effective date of P.L. , c.
15 (pending in the Legislature as this bill)] no later than December 31,
16 ²[2005¹] 2006² pursuant to the provisions of section 13 of P.L.1981,
17 c.262 (C.58:1A-13).

18 b. In its preparation of proposed revisions and updates to the
19 current plan, the department shall consult with the New Jersey Water
20 Supply Authority established pursuant to section 4 of P.L.1981, c.293
21 (C.58:1B-4) and the New Jersey Environmental Infrastructure Trust
22 created pursuant to section 4 of P.L.1985, c.334 (C.58:11B-4), as
23 appropriate, as well as with the public and private water purveyors.
24

25 3. There is appropriated to the Department of Environmental
26 Protection from the "Water Supply Fund" created pursuant to the
27 "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by
28 P.L.1983, c.355 and P.L.1997, c.223, the sum of ¹[\$1,500,000]
29 \$2,500,000¹ to revise and update the New Jersey Statewide Water
30 Supply Plan as provided in section 2 of P.L. , c. (pending in the
31 Legislature as this bill).
32

33 4. The expenditure of the sum appropriated to the Department of
34 Environmental Protection pursuant to section 3 of P.L. , c.
35 (pending in the Legislature as this bill) is subject to the provisions and
36 conditions of P.L.1981, c.261, as amended by P.L.1983, c.355 and
37 P.L.1997, c.223, and any regulations adopted by the Commissioner of
38 Environmental Protection pursuant thereto.
39

40 5. This act shall take effect immediately.
41
42
43
44

45 Requires scheduled revisions to New Jersey Statewide Water Supply
46 Plan; appropriates \$2.5 million from "Water Supply Fund" therefor.

SENATE, No. 466

STATE OF NEW JERSEY
211th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2004 SESSION

Sponsored by:

Senator HENRY P. MCNAMARA

District 40 (Bergen, Essex and Passaic)

Co-Sponsored by:

Senators Allen and Ciesla

SYNOPSIS

Requires scheduled revisions to New Jersey Statewide Water Supply Plan; appropriates \$1.5 million from "Water Supply Fund" therefor.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



S466 MCNAMARA

2

1 AN ACT concerning the New Jersey Statewide Water Supply Plan, and
2 amending and supplementing P.L.1981, c.262, and making an
3 appropriation.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. Section 13 of P.L.1981, c.262 (C.58:1A-13) is amended to read
9 as follows:

10 13. a. The department shall prepare and adopt the New Jersey
11 Statewide Water Supply Plan, which plan shall be revised and updated
12 at least once every five years.

13 b. The plan shall include, but need not be limited to, the following:

14 (1) An identification of existing Statewide and regional ground and
15 surface water supply sources, both interstate and intrastate, and the
16 current usage thereof;

17 (2) Projections of Statewide and regional water supply demands
18 for the duration of the plan;

19 (3) Recommendations for improvements to existing State water
20 supply facilities, the construction of additional State water supply
21 facilities, and for the interconnection or consolidation of existing water
22 supply systems, both interstate and intrastate;

23 (4) Recommendations for the diversion or use of fresh surface or
24 ground waters and saline surface or ground ~~[water]~~ waters for
25 aquaculture purposes; ~~[and]~~

26 (5) Recommendations for legislative and administrative actions to
27 provide for the maintenance and protection of watershed areas; and

28 (6) Recommendations for administrative actions to ensure the
29 protection of ground and surface water quality and water supply
30 sources.

31 c. Prior to adopting the plan, including any revisions and updates
32 thereto, the department shall:

33 (1) Prepare and make available to all interested persons a copy of
34 the proposed plan or proposed revisions and updates to the current
35 plan;

36 (2) Conduct public meetings in the several geographic areas of the
37 State on the proposed plan or proposed revisions and updates to the
38 current plan; and

39 (3) Consider the comments made at these meetings, make any
40 revisions to the proposed plan or proposed revisions and updates to
41 the current plan as it deems necessary, and adopt the plan.

42 (cf: P.L.1997, c.236, s.32)

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

S466 MCNAMARA

4

1 The bill would appropriate the sum of \$1.5 million to the
2 department from the "Water Supply Fund" created pursuant to the
3 "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by
4 P.L.1983, c.355 and P.L.1997, c.223, to cover the costs of revising
5 and updating the New Jersey Statewide Water Supply Plan.

6 Under the provisions of P.L.1997, c.223, moneys in the "Water
7 Supply Fund" may be used by the department "for the purposes of
8 covering the costs of the department for planning and feasibility
9 studies for ground and surface water programs, water delivery and
10 treatment programs, the analysis and implementation of water
11 conservation practices, or the updating of the New Jersey Statewide
12 Water Supply Plan."

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 466

STATE OF NEW JERSEY

DATED: MAY 5, 2005

The Assembly Environment and Solid Waste Committee reports favorably Senate Bill No. 466 (1R).

This bill directs the Department of Environmental Protection (DEP) to prepare and adopt appropriate revisions and updates to the current New Jersey Statewide Water Supply Plan no later than December 31, 2005. The DEP is already required by law to prepare and adopt revisions and updates to the Plan at least once every five years. The current plan was last updated in June, 1996.

The bill requires the DEP, in preparing its revisions and updates to the current plan, to consult with the New Jersey Water Supply Authority and the New Jersey Environmental Infrastructure Trust, as appropriate, as well with public and private water purveyors. The two State agencies have the primary responsibility for the development and financing of needed public and private water supply projects.

The bill appropriates the sum of \$2.5 million to the DEP from the "Water Supply Fund" created pursuant to the "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by P.L.1983, c.355 and P.L.1997, c.223, to cover the costs of revising and updating the New Jersey Statewide Water Supply Plan. Under the provisions of P.L.1997, c.223, moneys in the "Water Supply Fund" may be used by the DEP "for the purposes of covering the costs of the department for planning and feasibility studies for ground and surface water programs, water delivery and treatment programs, the analysis and implementation of water conservation practices, or the updating of the New Jersey Statewide Water Supply Plan."

As reported by the committee, this bill is identical to Assembly Bill No. 4004 as also reported by the committee.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 466

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 5, 2006

The Assembly Appropriations Committee reports favorably Senate Bill No. 466 (1R), with committee amendments.

Senate Bill No. 466 (1R), as amended, directs the Department of Environmental Protection (DEP) to prepare and adopt appropriate revisions and updates to the current New Jersey Statewide Water Supply Plan no later than December 31, 2006. The DEP is already required by law to prepare and adopt revisions and updates to the Plan at least once every five years. The current plan was last updated in June, 1996.

The bill requires the DEP, in preparing its revisions and updates to the current plan, to consult with the New Jersey Water Supply Authority and the New Jersey Environmental Infrastructure Trust, as appropriate, as well with public and private water purveyors. The two State agencies have the primary responsibility for the development and financing of needed public and private water supply projects.

The bill appropriates the sum of \$2.5 million to the DEP from the "Water Supply Fund" created pursuant to the "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by P.L.1983, c.355 and P.L.1997, c.223, to cover the costs of revising and updating the New Jersey Statewide Water Supply Plan. Under the provisions of P.L.1997, c.223, moneys in the "Water Supply Fund" may be used by the DEP "for the purposes of covering the costs of the department for planning and feasibility studies for ground and surface water programs, water delivery and treatment programs, the analysis and implementation of water conservation practices, or the updating of the New Jersey Statewide Water Supply Plan."

As amended and reported by the committee, this bill is identical to Assembly Bill No. 4004, as also amended and reported by the committee.

FISCAL IMPACT:

This bill appropriates \$2.5 million from the "Water Supply Fund"

to cover costs revising and updating the New Jersey Statewide Water Supply Plan.

COMMITTEE AMENDMENTS:

The amendments make a technical change to the date by which the updating shall be completed from December 3, 2005 to December 31, 2006.

SENATE ENVIRONMENT COMMITTEE

STATEMENT TO

SENATE, No. 466

with committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 24, 2004

The Senate Environment Committee reports favorably Senate Bill No. 466 with committee amendments.

As amended, Senate Bill No. 466 requires the Department of Environmental Protection (DEP) to prepare and adopt revisions and updates to the New Jersey Statewide Water Supply Plan at least once every five years. The current Plan was last updated in June, 1996.

Specifically, the DEP must prepare and adopt appropriate revisions and updates to the current New Jersey Statewide Water Supply Plan within 180 days of the effective date of this bill.

In its preparation of proposed revisions and updates to the current plan, the DEP must consult with the New Jersey Water Supply Authority and the New Jersey Environmental Infrastructure Trust, as appropriate, as well with public and private water purveyors. These two State agencies have the primary responsibility for the development and financing of needed public and private water supply projects.

The bill would appropriate the sum of \$1.5 million to the department from the "Water Supply Fund" created pursuant to the "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by P.L.1983, c.355 and P.L.1997, c.223, to cover the costs of revising and updating the New Jersey Statewide Water Supply Plan.

Under the provisions of P.L.1997, c.223, moneys in the "Water Supply Fund" may be used by the DEP "for the purposes of covering the costs of the department for planning and feasibility studies for ground and surface water programs, water delivery and treatment programs, the analysis and implementation of water conservation practices, or the updating of the New Jersey Statewide Water Supply Plan."

Committee Amendments:

The committee amendments would:

(1) extend the date by which the DEP must complete and adopt appropriate revisions and updates to the current New Jersey Statewide Water Supply Plan to December 31, 2005; and

(2) increase the appropriation from the "Water Supply Fund" to cover the costs incurred by the DEP in revising and updating the Plan to \$2.5 million.

This bill was pre-filed for introduction in the 2004-2005 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

[First Reprint]

SENATE, No. 466

STATE OF NEW JERSEY

DATED: MAY 20, 2004

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 466 (1R).

This bill directs the Department of Environmental Protection (DEP) to prepare and adopt appropriate revisions and updates to the current New Jersey Statewide Water Supply Plan no later than December 31, 2005. The DEP is already required by law to prepare and adopt revisions and updates to the Plan at least once every five years; the current plan was last updated in June, 1996.

The bill requires the DEP, in preparing its revisions and updates to the current plan, to consult with the New Jersey Water Supply Authority and the New Jersey Environmental Infrastructure Trust, as appropriate, as well with public and private water purveyors. The two State agencies have the primary responsibility for the development and financing of needed public and private water supply projects.

The bill appropriates the sum of \$2.5 million to the department from the "Water Supply Fund" created pursuant to the "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by P.L.1983, c.355 and P.L.1997, c.223, to cover the costs of revising and updating the New Jersey Statewide Water Supply Plan. Under the provisions of P.L.1997, c.223, moneys in the "Water Supply Fund" may be used by the DEP "for the purposes of covering the costs of the department for planning and feasibility studies for ground and surface water programs, water delivery and treatment programs, the analysis and implementation of water conservation practices, or the updating of the New Jersey Statewide Water Supply Plan."

FISCAL IMPACT

This bill appropriates \$2.5 million to the DEP from the "Water Supply Fund," created to receive proceeds of bonds issued under the "Water Supply Bond Act of 1981," to cover the costs of revising and updating the New Jersey Statewide Water Supply Plan.

ASSEMBLY, No. 4004

STATE OF NEW JERSEY 211th LEGISLATURE

INTRODUCED MAY 5, 2005

Sponsored by:

Assemblyman JOHN F. MCKEON

District 27 (Essex)

Assemblyman UPENDRA J. CHIVUKULA

District 17 (Middlesex and Somerset)

Assemblyman JOHN E. ROONEY

District 39 (Bergen)

SYNOPSIS

Requires scheduled revisions to New Jersey Statewide Water Supply Plan; appropriates \$2.5 million from "Water Supply Fund" therefor.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/17/2005)

A4004 MCKEON, CHIVUKULA

2

1 AN ACT concerning the New Jersey Statewide Water Supply Plan, and
2 amending and supplementing P.L.1981, c.262, and making an
3 appropriation.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. Section 13 of P.L.1981, c.262 (C.58:1A-13) is amended to read
9 as follows:

10 13. a. The department shall prepare and adopt the New Jersey
11 Statewide Water Supply Plan, which plan shall be revised and updated
12 at least once every five years.

13 b. The plan shall include, but need not be limited to, the following:

14 (1) An identification of existing Statewide and regional ground and
15 surface water supply sources, both interstate and intrastate, and the
16 current usage thereof;

17 (2) Projections of Statewide and regional water supply demands
18 for the duration of the plan;

19 (3) Recommendations for improvements to existing State water
20 supply facilities, the construction of additional State water supply
21 facilities, and for the interconnection or consolidation of existing water
22 supply systems , both interstate and intrastate ;

23 (4) Recommendations for the diversion or use of fresh surface or
24 ground waters and saline surface or ground waters for aquaculture
25 purposes;

26 (5) Recommendations for legislative and administrative actions to
27 provide for the maintenance and protection of watershed areas; [and]

28 (6) Identification of lands purchased by the State for water supply
29 facilities that currently are not actively used for water supply purposes,
30 including, but not limited to, the Six Mile Run Reservoir Site, with
31 recommendations as to the future use of these lands for water supply
32 purposes within or outside of the planning horizon for the plan ; and

33 (7) Recommendations for administrative actions to ensure the
34 protection of ground and surface water quality and water supply
35 sources .

36 c. Prior to adopting the plan, including any revisions and updates
37 thereto, the department shall:

38 (1) Prepare and make available to all interested persons a copy of
39 the proposed plan or proposed revisions and updates to the current
40 plan;

41 (2) Conduct public meetings in the several geographic areas of the
42 State on the proposed plan or proposed revisions and updates to the
43 current plan; and

44 (3) Consider the comments made at these meetings, make any

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 revisions to the proposed plan or proposed revisions and updates to
2 the current plan as it deems necessary, and adopt the plan.

3 (cf: P.L.2003, c.251, s.2)

4
5 2. (New section) a. The department shall prepare and adopt
6 appropriate revisions and updates to the current New Jersey Statewide
7 Water Supply Plan no later than December 31, 2005 pursuant to the
8 provisions of section 13 of P.L.1981, c.262 (C.58:1A-13).

9 b. In its preparation of proposed revisions and updates to the
10 current plan, the department shall consult with the New Jersey Water
11 Supply Authority established pursuant to section 4 of P.L.1981, c.293
12 (C.58:1B-4) and the New Jersey Environmental Infrastructure Trust
13 created pursuant to section 4 of P.L.1985, c.334 (C.58:11B-4), as
14 appropriate, as well as with the public and private water purveyors.

15
16 3. There is appropriated to the Department of Environmental
17 Protection from the "Water Supply Fund" created pursuant to the
18 "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by
19 P.L.1983, c.355 and P.L.1997, c.223, the sum of \$2,500,000 to revise
20 and update the New Jersey Statewide Water Supply Plan as provided
21 in section 2 of P.L. , c. (pending in the Legislature as this bill).

22
23 4. The expenditure of the sum appropriated to the Department of
24 Environmental Protection pursuant to section 3 of P.L. , c.
25 (pending in the Legislature as this bill) is subject to the provisions and
26 conditions of P.L.1981, c.261, as amended by P.L.1983, c.355 and
27 P.L.1997, c.223, and any regulations adopted by the Commissioner of
28 Environmental Protection pursuant thereto.

29
30 5. This act shall take effect immediately.

31
32
33 STATEMENT

34
35 This bill directs the Department of Environmental Protection (DEP)
36 to prepare and adopt appropriate revisions and updates to the current
37 New Jersey Statewide Water Supply Plan no later than December 31,
38 2005. The DEP is already required by law to prepare and adopt
39 revisions and updates to the Plan at least once every five years. The
40 current plan was last updated in June, 1996.

41 The bill requires the DEP, in preparing its revisions and updates to
42 the current plan, to consult with the New Jersey Water Supply
43 Authority and the New Jersey Environmental Infrastructure Trust, as
44 appropriate, as well with public and private water purveyors. The two
45 State agencies have the primary responsibility for the development and
46 financing of needed public and private water supply projects.

A4004 MCKEON, CHIVUKULA

4

1 The bill appropriates the sum of \$2.5 million to the DEP from the
2 "Water Supply Fund" created pursuant to the "Water Supply Bond Act
3 of 1981," P.L.1981, c.261, as amended by P.L.1983, c.355 and
4 P.L.1997, c.223, to cover the costs of revising and updating the New
5 Jersey Statewide Water Supply Plan. Under the provisions of
6 P.L.1997, c.223, moneys in the "Water Supply Fund" may be used by
7 the DEP "for the purposes of covering the costs of the department for
8 planning and feasibility studies for ground and surface water programs,
9 water delivery and treatment programs, the analysis and
10 implementation of water conservation practices, or the updating of the
11 New Jersey Statewide Water Supply Plan."

ASSEMBLY ENVIRONMENT AND SOLID WASTE
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4004

STATE OF NEW JERSEY

DATED: MAY 5, 2005

The Assembly Environment and Solid Waste Committee reports favorably Assembly Bill No. 4004.

This bill directs the Department of Environmental Protection (DEP) to prepare and adopt appropriate revisions and updates to the current New Jersey Statewide Water Supply Plan no later than December 31, 2005. The DEP is already required by law to prepare and adopt revisions and updates to the Plan at least once every five years. The current plan was last updated in June, 1996.

The bill requires the DEP, in preparing its revisions and updates to the current plan, to consult with the New Jersey Water Supply Authority and the New Jersey Environmental Infrastructure Trust, as appropriate, as well with public and private water purveyors. The two State agencies have the primary responsibility for the development and financing of needed public and private water supply projects.

The bill appropriates the sum of \$2.5 million to the DEP from the "Water Supply Fund" created pursuant to the "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by P.L.1983, c.355 and P.L.1997, c.223, to cover the costs of revising and updating the New Jersey Statewide Water Supply Plan. Under the provisions of P.L.1997, c.223, moneys in the "Water Supply Fund" may be used by the DEP "for the purposes of covering the costs of the department for planning and feasibility studies for ground and surface water programs, water delivery and treatment programs, the analysis and implementation of water conservation practices, or the updating of the New Jersey Statewide Water Supply Plan."

As reported by the committee, this bill is identical to Senate Bill No. 466 (1R) as also reported by the committee.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4004

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 5, 2006

The Assembly Appropriations Committee reports favorably Assembly Bill No. 4004, with committee amendments.

Assembly Bill No. 4004, as amended, directs the Department of Environmental Protection (DEP) to prepare and adopt appropriate revisions and updates to the current New Jersey Statewide Water Supply Plan no later than December 31, 2006. The DEP is already required by law to prepare and adopt revisions and updates to the Plan at least once every five years. The current plan was last updated in June, 1996.

The bill requires the DEP, in preparing its revisions and updates to the current plan, to consult with the New Jersey Water Supply Authority and the New Jersey Environmental Infrastructure Trust, as appropriate, as well with public and private water purveyors. The two State agencies have the primary responsibility for the development and financing of needed public and private water supply projects.

The bill appropriates the sum of \$2.5 million to the DEP from the "Water Supply Fund" created pursuant to the "Water Supply Bond Act of 1981," P.L.1981, c.261, as amended by P.L.1983, c.355 and P.L.1997, c.223, to cover the costs of revising and updating the New Jersey Statewide Water Supply Plan. Under the provisions of P.L.1997, c.223, moneys in the "Water Supply Fund" may be used by the DEP "for the purposes of covering the costs of the department for planning and feasibility studies for ground and surface water programs, water delivery and treatment programs, the analysis and implementation of water conservation practices, or the updating of the New Jersey Statewide Water Supply Plan."

As amended and reported by the committee, this bill is identical to Senate 466 (1R), as also amended and reported by the committee.

FISCAL IMPACT:

This bill appropriates \$2.5 million from the "Water Supply Fund" to cover costs revising and updating the New Jersey Statewide Water Supply Plan.

COMMITTEE AMENDMENTS:

The amendments make a technical change to the date by which the updating shall be completed from December 3, 2005 to December 31, 2006.