

CHAPTER 6A

**AID FOR URBAN ENVIRONMENTAL CONCERNS
MATCHING GRANTS PROGRAM FOR
ENVIRONMENTAL AGENCIES**

Authority

N.J.S.A. 13:1H-1 et seq. and 13:1H-8 et seq.

Source and Effective Date

R.2000 d.498, effective December 18, 2000.
See: 32 N.J.R. 3520(a), 32 N.J.R. 4446(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1c, Chapter 6A, Matching Grants Program for Urban Environmental Concerns, expires on June 16, 2006. See: 37 N.J.R. 4717(a).

Chapter Historical Note

Chapter 6A, Aid for Urban Environmental Concerns Matching Grants Program for Environmental Agencies, was adopted as R.2000 d.498, effective December 18, 2000. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL INFORMATION

7:6A-1.1 Scope and authority

This chapter constitutes the rules of the Environmental Services Program (ESP) in the Department of Environmental Protection for the Aid for Urban Environmental Concerns (AUEC) Matching Grants Program for Environmental Agencies, providing for the award of grants to such agencies

in accordance with the Aid for Urban Environmental Concerns Act (Act), N.J.S.A. 13:1H-8 et seq.

7:6A-1.2 Construction

This chapter shall be liberally construed to allow the Department to fully effectuate the purposes of the Act.

7:6A-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

“Act” means the Aid for Urban Environmental Concerns Act (AUECA), P.L. 1972, c.49 as amended by P.L. 1975, c.334, N.J.S.A. 13:1H-8 et seq.

“Applicant” means the environmental agency that submits an application for a matching grant in accordance with this chapter.

“AUEC Matching Grants” means grants awarded by the Department to environmental agencies in accordance with the Act.

“Department” means the Department of Environmental Protection.

“Eligible municipality” means a municipality eligible for aid pursuant to P.L. 1978, c.14 (N.J.S.A. 52:27D-178 et seq.) or pursuant to the “Depressed Rural Centers Aid Act,” P.L. 1977, c.260 (N.J.S.A. 52:27D-162 et seq.)

“Environmental agency” means either a municipal parks or recreation department or commission; a municipal planning department or board; a municipal environmental commission; a county parks department or commission; or a county environmental commission.

“ESP” means the Environmental Services Program within the Department.

“Governing body” means the elected board, council, or committee of a county or municipality to which an environmental agency is accountable and by which any appropriation is given to the environmental agency.

“Grant recipient” means the environmental agency applicant named in a project agreement whose application has been approved for funding under the AUEC.

“In-kind services” means goods or services rendered at the cost of the grant recipient that will be used as part of the recipient’s match. Examples of such may include, but are not limited to, materials purchased, or time spent to complete the project.

“Local government unit” means a county or a municipality.

"Matching Grant" means a grant awarded for an approved project for which the Department shall agree to pay 80 percent, and the grant recipient shall pay the remaining 20 percent. The maximum grant award will be \$10,000.

"Program" means the AUEC Matching Grants Program.

"Project agreement" means a document executed by the Department and the grant recipient which provides grant assistance for a project approved by the Department.

"Project" may include, but is not limited to, artwork in public places, street scaping, flower gardens, flowering trees, neighborhood sitting places, recreation areas, urban environmental planning for redevelopment, urban environmental inventories (UEIs), urban environmental indicators, resource protection strategies, and pollution prevention projects.

"Statewide Development and Redevelopment Plan" means the Plan adopted pursuant to the State Planning Act, N.J.S.A. 52:18A-196, et seq. The plan in effect as of January 5, 1998 was adopted on June 12, 1992.

7:6A-1.4 Severability

If any subchapter, section, subsection, clause or portion of this chapter, or the application thereof to any person, is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall be confined in its operation to the subchapter section, subsection, provision, clause portion or application directly involved in the controversy in which such judgment shall have been rendered and it shall not affect or impair the remainder of this chapter or the application thereof to other persons.

SUBCHAPTER 2. APPLICANT AND PROJECT ELIGIBILITY

7:6A-2.1 Eligible applicants

Environmental agencies are eligible to submit applications for AUEC Matching Grants.

7:6A-2.2 Eligible projects and costs

(a) The following projects qualify for AUEC Matching Grants through the Program:

1. Urban environmental inventories (UEIs) or portions thereof to develop a baseline of data with which to make informed decisions about environmental aspects of planning and redevelopment, and to measure environmental quality on the local level;

2. New and updated planning and redevelopment studies and reports that include strategies for the sustainable use of the community's natural, environmental

and economic resources, initiate the redevelopment of distressed or under-utilized areas, or establish sustainable economic partnerships with business and the community;

3. Projects designed to disseminate information to the public concerning environmental resources including, but not limited to, education and outreach, stewardship programs, natural history tours and partnerships in environmental leadership;

4. Beautification and enhancement projects such as street scaping, artwork in public places, neighborhood sitting places and recreation areas that promote safe and healthy communities;

5. Determining urban environmental indicators that would assist the Department in tracking the quality of life in urban areas;

6. Resource protection and pollution prevention strategies; and

7. Projects that implement the use of safe, efficient and/or renewable energy alternatives, including strategies that enable the conservation of existing energy resources.

(b) The following items are eligible for funding by the Program, when incurred in implementing qualifying projects listed in (a) above:

1. Costs of materials and supplies, and production costs for developing baseline data publications, reports, studies, policy recommendations, draft ordinances, maps, diagrams and other similar documents;

2. Fees and direct expenses for the following, including, but not limited to, architects, attorneys, cartographers, computer data base managers, engineers, environmental resource consultants, historic preservationists, landscape architects and planners. Such fees may not exceed 25 percent of the total project costs unless otherwise determined to be eligible expenses by the Department; and

3. Materials and supplies which are determined by the Department to be eligible expenses that support the goals of the project.

(c) None of the following items and costs are eligible for funding by the Program, nor shall they be considered matching funding on the part of an environmental agency:

1. Charges for time spent by volunteers;
2. Fringe benefits and stipends;
3. Costs of acquisition of real property;
4. Real estate appraisals;
5. Bonus payments of any kind;