



Association of Environmental Authorities of New Jersey

Monday, June 7, 2021

Local News Site Posts AEA Executive Director's OpEd Questioning Sewer Deal

Check out the oped by Peggy Gallos regarding Bernhard Capital's efforts to strike a privatization deal with Cumberland County. The deal would involve the towns currently part of the Cumberland County Utilities Authority. AEA questioned the rush to close the deal, in light of its complexity and the risk that ratepayers will be hit with unnecessarily high rates.

<https://www.thedailyjournal.com/story/opinion/2021/06/05/gallos-ccuas-sewer-deal-doesnt-fix-problem-problem/7522873002/>

Please share this link widely on FB, Twitter, and other social media.

HHS to Release a Portion of LIHWAP Funds

The U.S. Department of Health and Human Services has posted an announcement to say they are “releasing emergency funding for the Low Income Household Water Assistance Program (LIHWAP) for federal Fiscal Year (FFY) 2021.”

The Administration for Children and Families is making \$166.6 million, or 15 percent of allocated LIHWAP funding, immediately available to LIHWAP grantees to support the establishment of the program. In total, \$1.1 billion will be available through LIHWAP grants, including \$500

million in American Rescue Plan funding.

New Jersey's total allocation is \$23,945,785 and it will be administered through the Department of Community Affairs. [Here is a link to more details.](#)

Will Special Districts Like Authorities Be Left Out When it Comes to ARP Funds?

This article by the Brookings Institute refers to a challenge AEA members and other authorities across the country may face with regard to American Rescue Plan funding. The article notes that “now, since many utilities are regional authorities (not part of a county or city), they may not be eligible to receive direct ARP funding; they are likely depending on other state and local leaders to give them money, who may not view water as a priority.”

AEA has reached out to the State and to the National Association of Clean Water Agencies, to which AEA belongs, for more information about this.

Background:

According to the federal government, Coronavirus State and Local Fiscal Recovery Funds, established by the American Rescue Plan Act of 2021, to provide \$350 billion in emergency funding for eligible state, local, territorial, and Tribal governments to help them face “unprecedented strains” related to the pandemic. Among eligible uses of ARP funds:

- Replacing lost public sector revenue to strengthen support for vital public services and help retain jobs;
- Delivering resources that recipients can invest in building, maintaining, or upgrading their water, sewer, and broadband infrastructure.

Treasury says it will send the funds directly to larger metropolitan city, county, and tribal governments. Local governments that are classified as “non-entitlement units” will receive this funding through their applicable state government. Local governments should expect to receive funds in two tranches, with 50% provided beginning in May 2021 and the balance delivered 12 months later.

Recipients may use funds for replacing lost revenue and may also use this funding to invest in wastewater infrastructure projects, including constructing publicly-owned treatment infrastructure, managing and treating stormwater or subsurface drainage water, facilitating water reuse, and securing publicly-owned treatment works.

To help jurisdictions expedite their execution of these essential investments, Treasury's Interim Final Rule aligns types of eligible projects with the wide range of projects that can be supported by the Environmental Protection Agency's Clean Water State Revolving Fund and Drinking Water State Revolving Fund. Recipients retain substantial flexibility to identify those water and sewer infrastructure investments that are of the highest priority for their own communities.

Treasury's Interim Final Rule also encourages recipients to ensure that water, sewer, and broadband projects use strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions.

Audit Deadline Extension for Authorities Et Al

We are passing this on from the Division of Local Government Services:

"N.J.S.A. 52:27D-18.4 authorizes the Director to extend deadlines established in the Local Budget Law, Local Fiscal Affairs Law, and the Local Authorities Fiscal Control Law, along with various property tax-related deadlines under Title 54 of the New Jersey Statutes, when a Gubernatorially-declared state of emergency or public health emergency is in effect. The Director's May 26, 2021 Order extends to September 30, 2021 the deadline for all local units with a calendar year budget cycle to complete and file their 2020 audits. This extension applies to counties, calendar year municipalities, and all calendar year authorities, including fire districts."

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