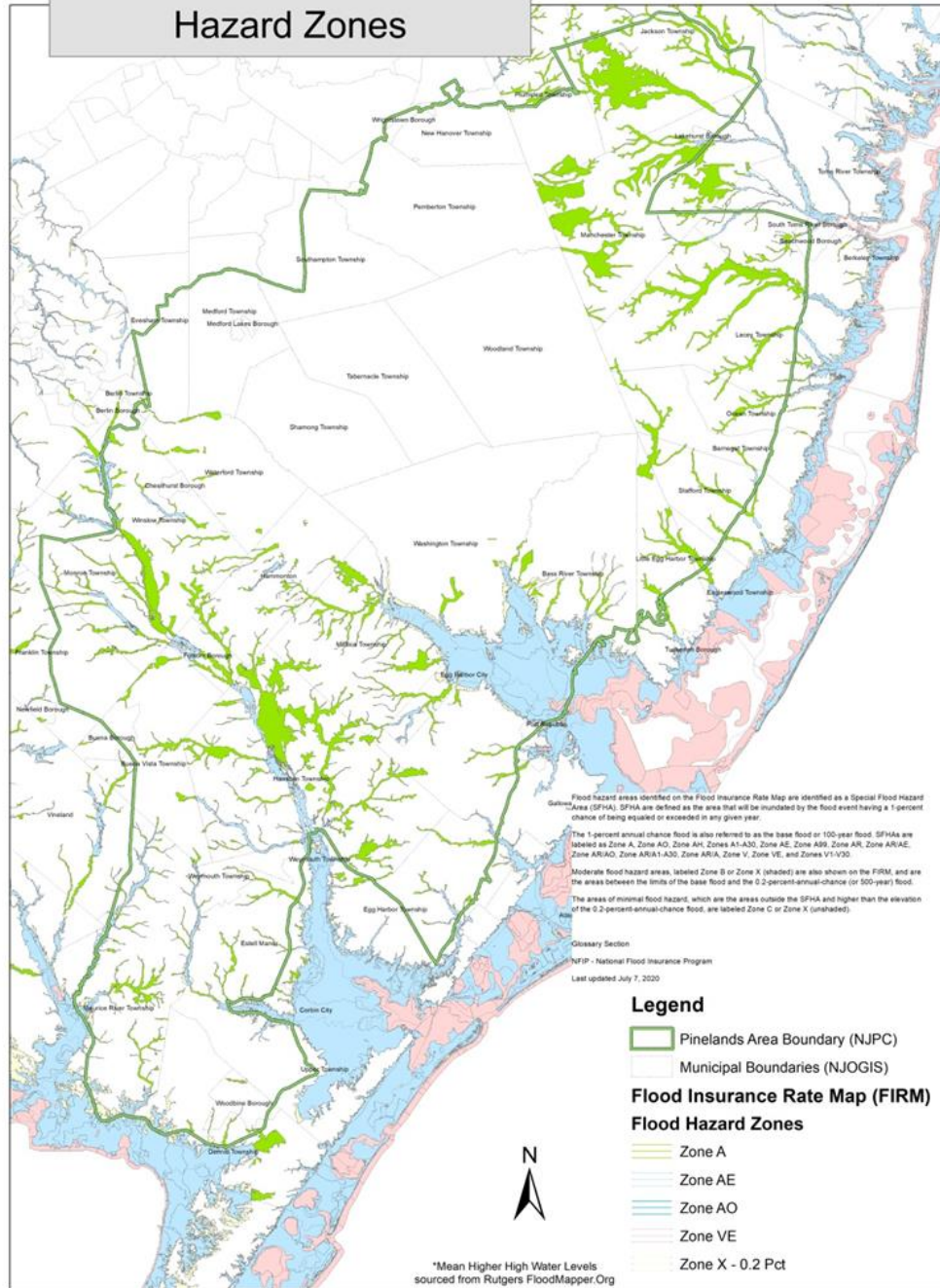


## Coastal and Riverine Flood Hazard Zones



# Resilient Environments and Landscapes

NJPACT Draft Rule Amendments

P&I Committee

7/26/2024

# Climate Change Response & Resilience

## Amending 11 chapters of DEP rules

- Coastal Zone Management
- Freshwater Wetlands Protection
- Stormwater Management
- Well Construction & Maintenance; Sealing Abandoned Wells
- Safe Drinking Water
- Flood Hazard Area Control
- New Jersey Pollutant Discharge Elimination System
- Solid Waste
- Recycling
- Hazardous Waste

It's BIG: over 1,000 pages of draft rules to be proposed

# Draft Rule Goals

Harmonize rules to account for SLR and increased flood risks

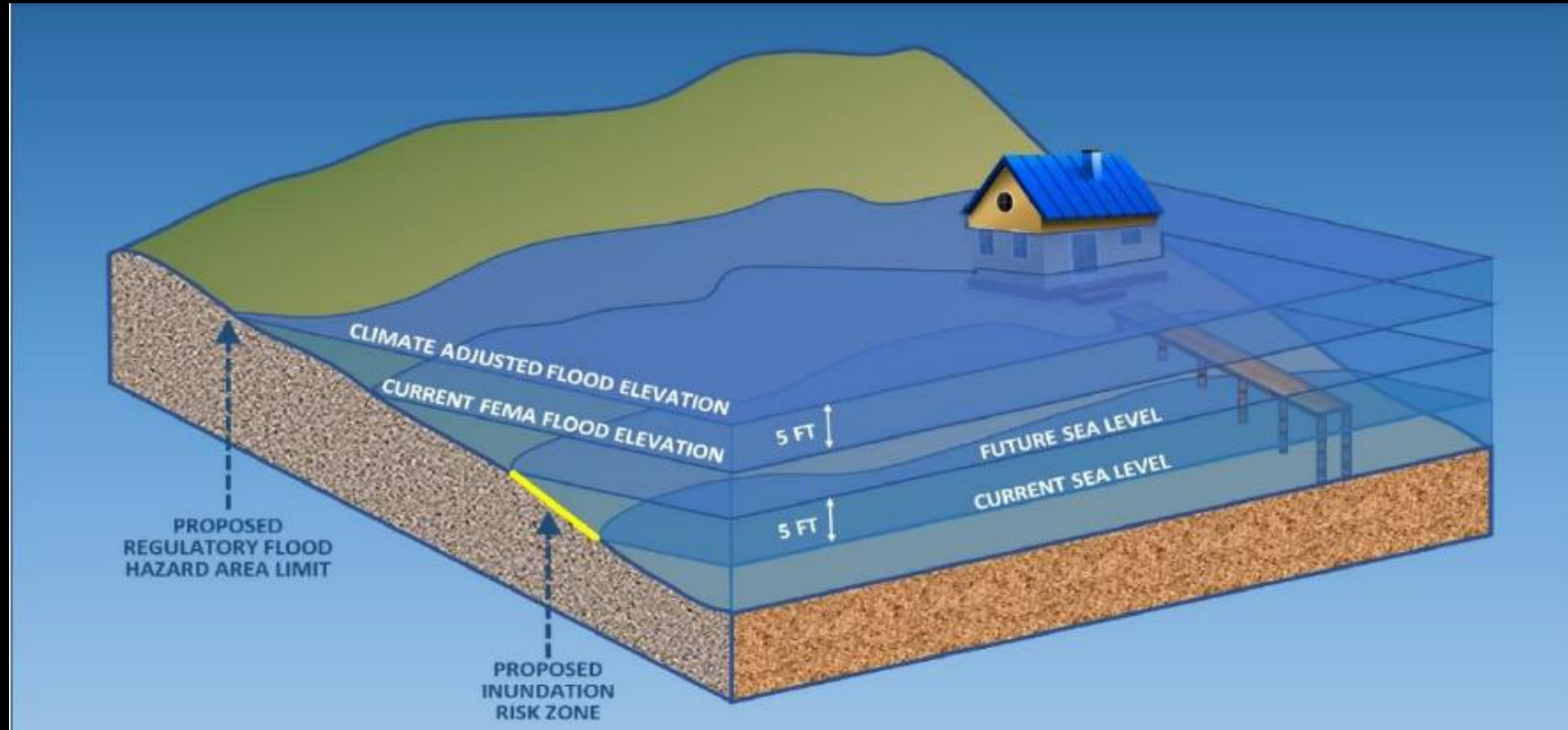
Reduce flooding due to stormwater runoff

Use soft solutions: nature-based protection

Support renewable energy

Align State management of risk with FEMA National Flood Insurance Program

# Coastal Flooding standards

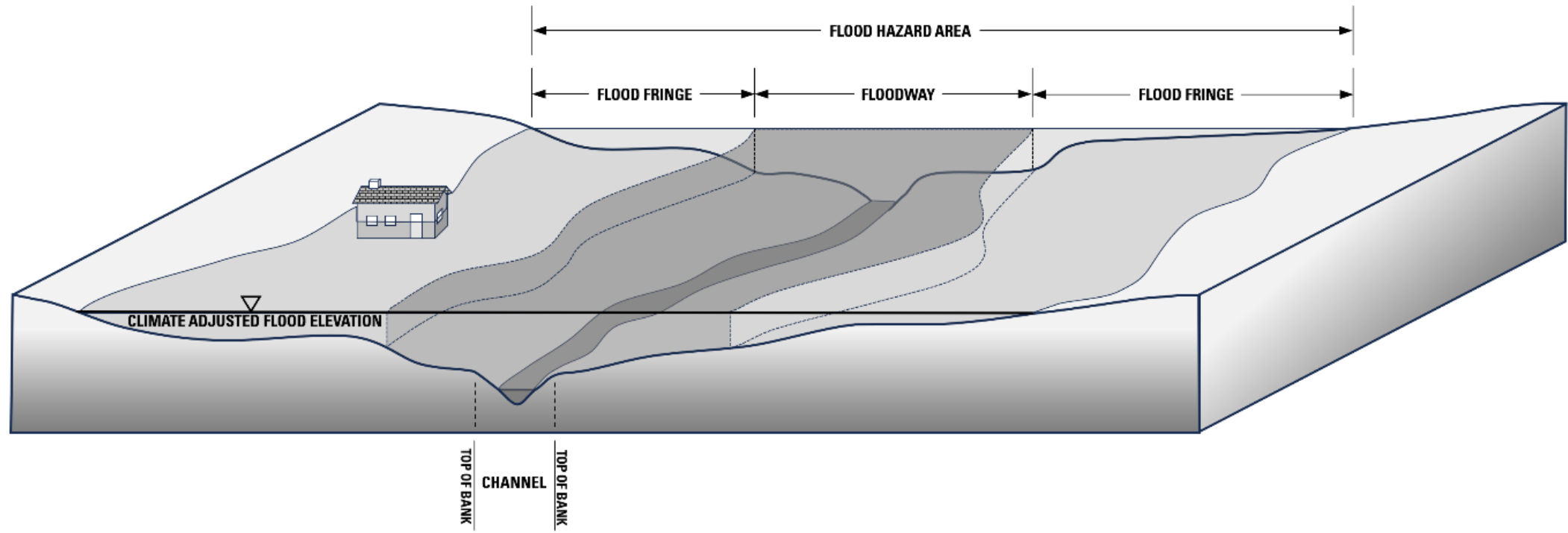


Change from FEMA BFE+1 to FEMA+5+1 or FEMA +6

# Fluvial flooding

**FIGURE 2.3A**  
**CROSS-SECTION OF A FLUVIAL FLOOD HAZARD AREA**

NOTE: DRAWING NOT TO SCALE



# Flood Hazard Area Control Act Rules

- Sets standards and goals used in reviewing other permits+
  - Amendments to CAFRA, wetlands, WQ planning & other permits that will implement FHA rules
- Purpose: minimize damage to life and property and to wildlife & vegetation caused by flooding
- Risks addressed
  - 7:13-1.1(c) added that sea level rise exacerbate flooding
  - ...(c)1 added that permanent inundation is also a significant risk
- Expanded protections to riparian corridors and isolated wetlands

# Process and applicability

- Repeal Permit by Rule
- Adopt three Permit levels
  - Permitted by Registration Online registration to track cumulative impacts of activities formerly not tracked
  - Certifications
  - General Permit
- Registrations and Certifications are valid for five years with one, five-year extension
- Activities authorized under registration, certification, or general permit shall NOT constitute major development as defined by stormwater management rules



# Other Rules Amended to Harmonize with Flood Hazard Area Control Act Rule Changes

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Numerous activities re-categorized from permit-by-rule to registration OR Certification OR General Permit OR exemption

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CZM: traffic standards, canopied shelters, & repair/replacement of existing shelters are revised

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FWPA: new standards for demonstrating compliance with stormwater management & need for projects impacting wetlands & requiring a DCR for wetlands transition areas

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Requiring climate resilience planning in municipal stormwater management plans & amending definition of major development

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Permittees must assess inundation risks

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No “centers” designated on barrier islands of CAFRA



# Impacts to Pinelands Activities

- Freshwater wetlands GPs
  - More GPs due to regulation of isolated wetlands
  - Mitigation standards
  - Redefining riparian corridor
- Stormwater amendments
- HDD
  - Repeal permit by rule
  - Create GP under FHACA and Wetlands rules



# Commission Next Steps

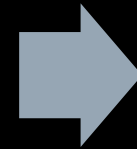
- Detailed review of rules
- Evaluate existing MOAs with DEP for necessary updates, enhancements, or discontinuation
  - Wetlands protection – general permits (1993)
  - Stream encroachment permits (1998)
  - CAFRA applications (1988)
- Outline need for CMP amendments
- Prepare comments and discuss with P&I

# DEP Next Steps

Anticipate rule  
proposal this  
summer



Three public  
hearings  
following  
publication in  
NJ Register



**Fall 2025  
anticipated  
adoption and  
effective date**