

Governor Phil Murphy

Governor Murphy, DEP Commissioner LaTourette Announce First-in-Nation Suite of Reforms to Build Resilience to Coastal Flooding and Better Protect Communities from Climate Change Impacts

05/10/2024

Regulatory Reforms Will Help Communities Adapt to Sea-Level Rise and Extreme Weather, Reflecting Administration's Continued National Climate Leadership

TRENTON – Governor Phil Murphy and Commissioner of Environmental Protection Shawn M. LaTourette today announced the Administration's intent to modernize a suite of DEP regulations to better protect New Jersey communities from coastal flooding, sea-level rise, and other public health and safety risks that are increasing due to climate change.

The forthcoming rule proposal, known as REAL – Resilient Environments and Landscapes – reforms, will make New Jersey the first state in the nation to initiate a comprehensive update of land resource protection regulations to address the current and future impacts of a changing climate.

"The Resilient Environments and Landscapes reforms are a critical component of our Administration's comprehensive strategy to bolster New Jersey's resilience amid the worsening impacts of climate change," **Governor Murphy said**. "A product of scientific study and robust stakeholder engagement, the REAL reforms reflect the best available climate science specific to New Jersey and will better protect homes and businesses from current and future climate threats, including sea-level rise, extreme weather, and chronic flooding."

"The Murphy Administration continues to set a national example of leadership on climate change—the greatest long-term threat facing our communities, economy, and environment," **Commissioner LaTourette said**. "By engaging deeply with stakeholders over the last four years and utilizing reliable science to modernize our land use rules, the Murphy Administration has developed reforms that will help ensure that investments in New Jersey today will stand the test of time and a changing climate. The REAL reforms will provide property owners, investors, and the public with the tools necessary to build more resilient communities while improving environmental quality and flood protection, especially in neighborhoods most vulnerable to the impacts of climate change."

The REAL reforms would amend New Jersey's existing flood hazard, stormwater, coastal zone, and freshwater wetland regulations statewide to address these ongoing impacts, while improving water quality and flood protections and addressing issues that are of particular concern to overburdened communities.

A formal rule proposal is expected to be published in the New Jersey Register in July. Upon publication of the proposal, a 90-day public comment period will commence. Three public hearings will be announced upon publication. A courtesy copy of the REAL proposal is available at dep.nj.gov/njreal/ (<https://dep.nj.gov/njreal/>). Four webinars are scheduled for the public to hear about the proposed rule.

The REAL reforms were born out of the broader [New Jersey Protecting Against Climate Threats \(NJ PACT\) initiative](https://dep.nj.gov/njpact/). (<https://dep.nj.gov/njpact/>). Enhancing the State's resilience to the adverse impacts of climate change has been a key priority of the Murphy Administration. The REAL reforms integrate the best available and New Jersey-specific climate science into DEP land resource protection regulations to reduce the adverse impacts of climate events upon the environment and enhance community resilience for decades to come. REAL also represents an important step toward improving water quality and reducing flooding in communities on the front lines of climate change, which were developed before modern flood and water quality protections were established. These areas, which tend to be highly urbanized and have long suffered from degraded water quality and flooding, will begin to realize multiple quality-of-life benefits as stormwater becomes more effectively managed.

An extensive public engagement and stakeholder process is underway to ensure public input on the proposal, which was developed with a focus on investing in communities and their long-term economic viability while protecting current landscapes and developments for future generations.

[Four webinars are scheduled \(https://dep.nj.gov/njreal/webinars/\)](https://dep.nj.gov/njreal/webinars/) for the public to learn more about the proposed rulemaking:

Session 1: Sea Level Rise & Inundation Risk Zone

9:30 to 11 a.m. Monday, May 20

Microsoft Teams: [Click here to join the meeting \(https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F.%23%2F%2Fmeetup-join%2F19%3Ameeting_ZTMwYTcyNDEtNzFjYi00MjAwLTg0NzgtZDU1YTJkNDdkNWE2%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%25225076c3d1-3802-4b9f-b36a-e0a41bd642a7%2522%252c%2522Oid%2522%253a%25220773499f-a9de-4e7e-9b9f-447ec2c284bf%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkid=216d66e8-e5c5-4446-99da-2caafea2c16e&directDl=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true\)](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F.%23%2F%2Fmeetup-join%2F19%3Ameeting_ZTMwYTcyNDEtNzFjYi00MjAwLTg0NzgtZDU1YTJkNDdkNWE2%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%25225076c3d1-3802-4b9f-b36a-e0a41bd642a7%2522%252c%2522Oid%2522%253a%25220773499f-a9de-4e7e-9b9f-447ec2c284bf%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkid=216d66e8-e5c5-4446-99da-2caafea2c16e&directDl=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true)

Phone (audio only): 1-856-338-7074, use conference ID 152 933 236#

Session 2: Environmental Enhancements

11:30 a.m. to 1 p.m. Wednesday, May 22

Microsoft Teams: [Click here to join the meeting \(https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F.%23%2F%2Fmeetup-join%2F19%3Ameeting_ZDNI0Tc3ZDMtZjNjOS00MTQ5LWE4YzMtMGE4YjkyYmFIN2Q5%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%25225076c3d1-3802-4b9f-b36a-e0a41bd642a7%2522%252c%2522Oid%2522%253a%25220773499f-a9de-4e7e-9b9f-447ec2c284bf%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkid=bfd8ce6d-ee21-48e0-9ca2-876b21af99cb&directDl=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true\)](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F.%23%2F%2Fmeetup-join%2F19%3Ameeting_ZDNI0Tc3ZDMtZjNjOS00MTQ5LWE4YzMtMGE4YjkyYmFIN2Q5%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%25225076c3d1-3802-4b9f-b36a-e0a41bd642a7%2522%252c%2522Oid%2522%253a%25220773499f-a9de-4e7e-9b9f-447ec2c284bf%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkid=bfd8ce6d-ee21-48e0-9ca2-876b21af99cb&directDl=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true)

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Session 3: Coastal Climate Protection**2 to 3:30 p.m. Thursday, May 23**

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Session 4: Stormwater**10 to 11:30 a.m. Wednesday, May 29**

Microsoft Teams: [Click here to join the meeting \(https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F%23%2F%2Fmeetup-join%2F19%3Ameeting_ODM4MwQ3ODEtYzNiZS00NzJlWEZMTmMTVjOTUxNGI4YmY3%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%25225076c3d1-3802-4b9f-b36a-e0a41bd642a7%2522%252c%2522Oid%2522%253a%25220773499f-a9de-4e7e-9b9f-447ec2c284bf%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkid=23689207-2b49-4ce3-aea3-3052f8127408&directDI=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true\)](https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F%23%2F%2Fmeetup-join%2F19%3Ameeting_ODM4MwQ3ODEtYzNiZS00NzJlWEZMTmMTVjOTUxNGI4YmY3%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%25225076c3d1-3802-4b9f-b36a-e0a41bd642a7%2522%252c%2522Oid%2522%253a%25220773499f-a9de-4e7e-9b9f-447ec2c284bf%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkid=23689207-2b49-4ce3-aea3-3052f8127408&directDI=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true)

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Addressing Flood Impacts, Protection

The proposed rulemaking would protect local economies by mitigating flood risk. Specifically, the proposal incorporates actions to avoid, minimize, and reduce severe and repetitive flood damage, displacement of residents, loss or damage of critical infrastructure, interruption of essential public and private services, and prolonged economic disruption or loss due to periodic flooding or permanent inundation from climate change. The proposed updated standards would apply to certain new construction and redevelopment activities, with specific provisions for coastal areas that will be subject to periodic flooding in the future as coastal storms increase in intensity, as well as areas that will be subject to permanent inundation as sea levels rise.

The three primary flood protection components of the proposed rule would:

- Create an "Inundation Risk Zone." This new zone encompasses land currently above sea level likely to be inundated either permanently or twice daily during high tides over the life of proposed development. New or improved residential buildings, critical buildings, and critical infrastructure will be required to account for the increased flood risk.
- Adjust tidal flood hazard areas. Using the best available New Jersey-specific sea-level rise data, the rule establishes the "climate adjusted flood elevation" to reflect the likely increase to five feet above current sea level by the end of the century.
- Align with the National Flood Insurance Program's (NFIP) minimum standards. The proposed new rules ensure that department permit standards or authorizations for a site are as protective as federal standards, as established in each community's rule or floodplain ordinance.

The proposed rulemaking also includes changes to protect critical facilities and infrastructure from the effects of climate change; increases protection of land and water resources; facilitates the use of nature-based solutions; encourages renewable energy; and improves stormwater management, particularly in urbanized areas.

The proposed rules would apply only to new or reconstructed developments. Existing developments would not be impacted. Pending development projects would also not be affected if the developer submitted applications to the department that are complete for review prior to adoption of final rules.

For more about REAL and climate change in New Jersey, visit <https://dep.nj.gov/njreal/> (<https://dep.nj.gov/njreal/>).

For climate change related impacts, statistics and metrics, visit <https://storymaps.arcgis.com/collections/311582f534fd485faccda6fd7f3a0519?item=1> (<https://storymaps.arcgis.com/collections/311582f534fd485faccda6fd7f3a0519?item=1>).

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