



Resilient Environments and Landscapes - NJ PACT



Courtesy Copy of the Draft Rule 

This is a courtesy copy only of the proposed rule. The formal Resilient Environments and Landscapes (REAL) rule proposal is anticipated to be published in the New Jersey Register this summer.

A Reform to Support Resilient Environments and Landscapes (REAL)

NJDEP is modernizing land resource protection rules to better support New Jersey communities, residents, and businesses in building their resilience to sea-level rise, extreme weather, chronic flooding, and other impacts of our changing climate.

Almost two-thirds of New Jersey's coastline is already at high or very high risk to coastal erosion and 98% of the coastline is projected at medium or very high risk to sea level rise. Over half a million acres of New Jersey land are highly vulnerable to coastal hazards.

REAL is part of the New Jersey Protecting Against Climate Threats (NJPACT) initiative directed by Governor Phil Murphy's Executive Order 100 (Jan. 2020). Through amendments to existing land resource protection rules, REAL will bolster our resilience to the unavoidable impacts of climate change. The reform will address sea-level rise, coastal storm surge, flooding, and stormwater management concerns while improving water quality, protecting natural resources, and streamlining permitting processes that will expedite resilient investments in New Jersey's communities and economy.

Key Points

1. **Adjust Coastal Flood Hazard Areas** to account for rising sea levels and attendant storm surge, extending jurisdictional area further inland, requiring higher first-floor elevations or floodproofing for buildings and higher roadways.
2. **Create an Inundation Risk Zone** to address risk for residential building and critical structures proposed in areas of permanent or daily inundation due to sea level rise.
3. **Improve water quality and reduce flooding** by adding sound stormwater management practices in areas where stormwater is not adequately managed.
4. **Encourage nature-based solutions** by working with nature to protect our communities and our resources.
5. **Support renewable energy** by balancing habitat conservation with novel infrastructure demands.
6. **Improve State alignment with FEMA's** National Flood Insurance Program (NFIP) about through clarifying amendments to the FHA rules.
7. **Improve DEP permitting processes** to better track authorizations and permits from start of construction to project completion.

Rulemaking Principles:

1. Increased protection against future flood inundation and damage from sea level rise and extreme storm events
2. Protecting critical facilities and infrastructure from the effects of climate change
3. Restoring water quality and reducing flooding across the state but especially in urbanized areas
4. Increased resilience of land and water resources
5. Planning for climate change
6. Designing with nature using nature-based solutions
7. Encouraging renewable energy
8. Administrative process improvements



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*Email Address

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 Department of Environmental Protection
 P. O. Box 420
 Trenton, NJ 08625
 609-777-3373

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