



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Office of Coastal and Land Use Planning

Mail Code 401-07C

P.O. Box 420, 401 East State Street

Trenton, New Jersey 08625-0420

Telephone: (609) 984-6888

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

December 20, 2013

Joelle Gore
Acting Chief, Coastal Programs Division
NOAA/SSMC4, RM 11110
1305 East-West Hwy
Silver Spring, MD 20910

RE: NJ Section 309 Strategy 2011-2015 -- New Strategy

Dear Ms. Gore:

Attached for your review and approval is a proposed new Section 309 Strategy – *Cumulative and Secondary Impacts* – for the New Jersey Coastal Management Program (NJCMP). This would amend the New Jersey 2011 – 2015 Section 309 Strategy.

In order to accommodate this new responsibility within existing NJCMP resources, the following 309 Strategy will be put on hold for the foreseeable future: *Special Area Management Plan Strategy: SAMP for the Barnegat Bay and Watershed*. While restoration of Barnegat Bay is still a Christie Administration priority, a SAMP, as described in the New Jersey 2011- 2015 Section 309 Strategy, is no longer a preferred action. In addition, small amounts of funding will be shifted from the *Ocean: Coastal and Marine Spatial Planning* strategy to support both the *Cumulative and Secondary Impacts* strategy and the recently approved *Coastal Hazards* strategy. A *Revised 5-Year Budget Summary by Strategy* is also attached.

The need for this new strategy was prompted by the reality that cumulative and secondary impacts from land use development are impacting New Jersey's coastal resources, such as water quality degradation and habitat loss. While these issues were targeted specifically for the Barnegat Bay in the previous 309 Strategy and Grant documents, New Jersey is expanding its scope post-Hurricane Sandy to address the entire Coastal Zone. Further, the reevaluation of, and possible change to, New Jersey's coastal boundary recognizes the impact from inland areas on the state's coastal resources.

Governor Chris Christie, as well as many of New Jersey's community planning, business and environmental organizations, is placing a high priority on sustaining and enhancing the quality of those coastal features and resources that drive the region's economic and environmental desirability. Approval of this strategy will better enable the New Jersey Coastal Management Program to apply its strengths and capacities to this important challenge.

Thank you for your attention to this request. Please let me know if you have any questions or comments.

Respectfully,

A handwritten signature in black ink, appearing to read "Marty Rosen", with a stylized flourish extending to the right.

Marty Rosen, Manager
New Jersey Coastal Management Program

Attachments

c: R. Randall Schneider, Regional Manager, Atlantic CZM Programs
Liz Semple, Office of Coastal and Land Use Planning, NJDEP
Nick Angarone, Office of Coastal and Land Use Planning, NJDEP

5-Year Budget Summary by Strategy
REVISED (December 19, 2013)

At the end of the Strategy section, please include the following budget table summarizing your anticipated Section 309 expenses by strategy for each year.

It is anticipated that as the NJ Coastal Management Program achieves a Section 309 strategy deliverable, funding will be directed to other strategies.

Strategy Title	Year 1 Funding (Yr 30)	Year 2 Funding (Yr 31)	Year 3 Funding (Yr 32)	Year 4 Funding (Yr 33)	Year 5 Funding (Yr 34)	Total Funding
SAMP for Barnegat Bay and Coastal Watershed	\$178,666					\$178,666
Ocean: Coastal and Marine Spatial Planning	\$178,666	\$181,643	\$181,643	\$248,000	≤\$193,352	\$983,304
Public Access: PA Rules Update	\$89,333					\$89,333
Wetlands: Living Shorelines Approach	\$89,335	\$172,714	\$122,714	\$20,000		\$404,763
Coastal Hazards		\$181,643	\$178,643	\$133,000	\$207,648	\$700,934
Cumulative & Secondary Impacts				\$50,000	\$50,000	\$100,000
Total Funding	\$536,000	\$536,000	\$483,000	\$451,000	≤\$451,000	\$2,457,000

Cumulative and Secondary Impacts

I. Issue Area(s)

The proposed strategy or implementation activities will support the following priority (high or medium) enhancement area(s) (*check all that apply*):

- | | |
|--|--|
| <input type="checkbox"/> Aquaculture | ★ Cumulative and Secondary Impacts |
| <input type="checkbox"/> Energy & Government Facility Siting | ★ Wetlands |
| ★ Coastal Hazards | <input type="checkbox"/> Marine Debris |
| <input type="checkbox"/> Ocean/Great Lakes Resources | <input type="checkbox"/> Public Access |
| <input type="checkbox"/> Special Area Management Planning | |

II. Program Change Description

A. The proposed strategy will result in, or implement, the following type(s) of program changes (*check all that apply*):

- ★ A change to coastal zone boundaries;
- ★ New or revised authorities, including statutes, regulations, enforceable policies, administrative decisions, executive orders, and memoranda of agreement/understanding;
- ★ New or revised local coastal programs and implementing ordinances;
- ★ New or revised coastal land acquisition, management, and restoration programs;
- New or revised Special Area Management Plans (SAMP) or plans for Areas of Particular Concern (APC) including enforceable policies and other necessary implementation mechanisms or criteria and procedures for designating and managing APCs; and,
- ★ New or revised guidelines, procedures and policy documents which are formally adopted by a state or territory and provide specific interpretations of enforceable CZM program policies to applicants, local government and other agencies that will result in meaningful improvements in coastal resource management.

B. Describe the proposed program change(s) or activities to implement a previously achieved program change. If the strategy will only involve implementation activities, briefly describe the program change that has already been adopted, and how the proposed activities will further that program change. (Note that implementation strategies are not to exceed two years.)

Cumulative and secondary impacts describe the changes in the coastal environment resulting from numerous human activities and small-scale alterations to the natural environment. The NJ CMP will attempt to identify and manage the cumulative and secondary impacts that land use change has on New Jersey's valuable coastal resources such as tidal marshes and wetlands, wildlife habitat, fish and shellfish, public lands, and overall water quality. The NJ CMP recognizes the environmental benefits of addressing cumulative and secondary impacts, not only through the permitting of individual projects, but also in the context of local and regional land use planning.

Sustainable Coastal Communities

Specifically, the NJ CMP will work with municipalities to examine current plans and ordinances to gauge their effectiveness in protecting coastal resources and promoting sustainable communities; identify the coastal resource protection needs and utilize sustainable local growth management approaches, or develop new tools as necessary, to address those needs; and, develop sustainable community plans, ordinances, and policies

New Jersey Section 309 Strategy

2011-2015

Update December 2013

protective of coastal resources. To the extent possible, strategies will be applied to contiguous municipalities in order to advance regional planning where it makes sense for resource protection. The NJ CMP, in cooperation with its coastal partners, will provide technical assistance to municipalities to enact these tasks. Through this process, the NJ CMP will evaluate the potential of translating such a general planning program into an enforceable program as part of the NJ Coastal Rule. Such a change to the Coastal Rule would include modification of the existing Coastal Center Designation process to include both sustainability and resiliency as issues to be addressed.

Coastal Boundary Change

The NJ CMP will also evaluate the benefits and costs of expanding New Jersey's current coastal boundary as a means to capture and begin to address secondary and cumulative impacts from areas outside the current coastal boundary but that currently impact coastal resources. A 2003 Focus Group on the topic produced several conclusions, including a recommendation to extend the coastal boundary to capture the impacts from watersheds that impacted coastal resources. The NJ CMP will reevaluate the conclusions of a 2003 Focus Group on this issue, and modify them as necessary and appropriate based on more recent information.

III. Need(s) and Gap(s) Addressed

Identify what priority need the strategy addresses, and explain why the proposed program change or implementation activities are the most appropriate means to address the priority need. This discussion should reference the key findings of the Assessment and explain how the strategy addresses those findings.

The cumulative and secondary impacts from land use development are impacting New Jersey's coastal resources, such as water quality degradation and habitat loss. While these issues were targeted specifically for the Barnegat Bay in the previous 309 Strategy and Grant documents, New Jersey is expanding its scope post-Hurricane Sandy to address the entire Coastal Zone. Further, the reevaluation of, and possible change to, New Jersey's coastal boundary recognizes the impact from inland areas on the state's coastal resources.

IV. Benefit(s) to Coastal Management

Discuss the anticipated effect of the program change or implementation activities including a clear articulation of the scope and value in improved coastal management and resource protection.

The benefits of a renewed focus on cumulative and secondary impacts by the NJ CMP will include:

1. NJ coastal communities will be provided with guidance and technical assistance on effective tools that lead to informed decisions that reduce the impacts of development on coastal resources;
2. A change to New Jersey's Coastal Zone will permit the NJ CMP to address impacts to coastal resources from inland land use changes.

V. Likelihood of Success

Discuss the likelihood of attaining the proposed program change and implementation activities. The state or territory should address: 1) the nature and degree of support for pursuing the strategy and the proposed change; and, 2) the specific actions the state or territory will undertake to maintain or build future support for achieving and implementing the program change, including education and outreach activities.

The NJ CMP remains actively involved in several efforts related to sustainable coastal communities, most notably the Sustainable Jersey Program, and through implementation of the NJ State Plan. NJ CMP staff lead multiple Sustainable Jersey Task Forces – including Natural Resources, Land Use and Transportation Planning, and Climate Adaptation – which develop detailed guidance for municipal actions that lead to sustainable

New Jersey Section 309 Strategy
2011-2015
Update December 2013

communities. NJ CMP staff also represents the Department of Environmental Protection in the NJ State Planning process, which includes the "Plan Endorsement" procedures. Plan Endorsement is a comprehensive planning process in cooperation with other state agencies that works with municipalities to develop municipal plans and implementation measures consistent with State goals and programs. Plan Endorsement is the basis for the current Coastal Center Designation process included in the NJ Coastal Rules.

VI. Strategy Work Plan

Using the template below, provide a general work plan that includes the major steps necessary for achieving the program change and/or implementing a previously achieved program change. The plan should identify significant projected milestones/outcomes, a schedule for completing the strategy, and budget estimates. If an activity will span two or more years, it can be combined into one entry (i.e., Years 2-3 rather than Year 2 and then Year 3). While the annual outcomes are a useful guide to ensure the strategy remains on track, OCRM recognizes that these benchmarks may change some over the course of the five-year strategy due to unforeseen circumstances. The same holds true for the annual budget estimates. If the state intends to fund implementation activities for the proposed program change, describe those in the plan as well. Further detailing of annual tasks, budgets, benchmarks, and work products will be determined through the annual award negotiation process.

Total Years: 2 (only 2 years remain in the original 5-year period)

Total Budget: \$100,000

Final Outcome(s) and Products:

Sustainable Coastal Communities

- Continue working with municipalities to identify needs and information gaps, and identification and development of sustainability measures for municipal implementation;
- Evaluate the potential to translate a Sustainable Coastal Communities planning program into an enforceable policy.

Coastal Boundary Change

- Reassessment of the 2003 Focus Group conclusions;
- Recommendations report to Department management;
- Identification of next steps.

Year(s): 4-5 (only 2 years remain in the original 5-year period)

Description of activities:

Sustainable Coastal Communities

The NJ CMP will continue working with coastal communities to examine current plans and ordinances to gauge their effectiveness in protecting coastal resources and promoting sustainable communities; identify the coastal resource protection needs and utilize sustainable local growth management and green development approaches, or develop new tools as necessary, to address those needs; and, develop sustainable community plans, ordinances, and policies protective of coastal resources. The NJ CMP will also continue working with its coastal partners to provide technical assistance to municipalities to enact these tasks.

Coastal Boundary Change

The NJ CMP will evaluate the potential of translating such a general planning program into an enforceable program as part of the NJ Coastal Rule. The NJ CMP will work with its coastal partners to evaluate and define such a change to the Coastal Rule.

New Jersey Section 309 Strategy
2011-2015
Update December 2013

Outcome(s):

- Tools and guidance for municipalities to address secondary and cumulative impacts.
- Revisions to enforceable policies including a New Jersey Sustainable Coastal Communities Initiative in the NJ CMP;
- Revisions to enforceable policies including the extension of New Jersey's coastal boundary.

Budget: \$100,000

VII. Fiscal and Technical Needs

A. Fiscal Needs: If 309 funding is not sufficient to carry out the proposed strategy, identify additional funding needs. Provide a brief description of what efforts the applying agency has made, if any, to secure additional state funds from the legislature and/or other sources to support this strategy.

Although it is anticipated that the 309 funding (if funded at current levels) will be sufficient for staffing to carry-out this proposed strategy, those funds significantly limit the scope of potential actions (i.e., the extent to which tools can be improved, the number of communities for which the NJ CMP can provide assistance and technical support, etc.). The NJ CMP intends to pursue additional federal and other funding opportunities that can further a New Jersey Sustainable Coastal Communities Initiative as they become available.

B. Technical Needs: If the state does not possess the technical knowledge, skills, or equipment to carry out the proposed strategy, identify these needs. Provide a brief description of what efforts the applying agency has made, if any, to obtain the trained personnel or equipment needed (for example, through agreements with other state agencies).

The NJ CMP intends to develop the New Jersey Sustainable Coastal Communities Initiative in cooperation with its coastal partners including public involvement of stakeholders. It is anticipated that the NJ CMP already possesses the technical knowledge, skills and equipment to carry out the proposed strategy, working with academic institutions, non-governmental organizations, and other state and federal partners to supplement the technical skill set required to complete this strategy.

VIII. Projects of Special Merit (Optional)

If desired, briefly indicate what PSMs the CMP may wish to pursue to augment this strategy. Any activities that are necessary to achieve the program change or that the state intends to support with baseline funding should be included in the strategy above. The information in this section will not be used to evaluate or rank PSMs and is simply meant to provide the CMPs the option to provide additional information if they choose. PSM descriptions should be kept very brief (e.g., undertake benthic mapping to provide additional data for ocean management planning). Do not do provide detailed project descriptions that would be needed for the PSM competition.

The NJ CMP has also proposed a New Jersey Resilient Coastal Communities Initiative as part of its Section 309 Strategy that includes the development and implementation of effective best management practices and policies that reduce risk and vulnerability to coastal hazards; provides coastal communities with the necessary tools, guidance and technical assistance to appropriately plan for resilience to coastal hazards; and, advances state and community level policy and practice that support community-based recovery and resiliency efforts through identification of necessary incentives, policy and regulatory actions that foster resilient communities.

It is the vision of the NJ CMP to merge the Sustainable Coastal Communities and Resilient Coastal Communities Initiatives into a single comprehensive program addressing cumulative and secondary impacts and

New Jersey Section 309 Strategy
2011-2015
Update December 2013

coastal hazards at the municipal-level. As municipalities in New Jersey have significant planning and implementation authority, these issues are most appropriately addressed by municipalities through a single program that links these issues.