

THIS IS A COURTESY COPY OF THIS NOTICE. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE AUGUST 2, 2021 NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE NOTICE, THE OFFICIAL VERSION WILL GOVERN.

ENVIRONMENTAL PROTECTION

WATERSHED AND LAND MANAGEMENT

DIVISION OF LAND RESOURCE PROTECTION

Notice of Readoption

Coastal Zone Management Rules

Readoption: N.J.A.C. 7:7

Authority: N.J.S.A. 12:3-1 et seq., 12:5-3, 13:1D-1 et seq., 13:1D-9 et seq., 13:1D-29 et seq., and 13:9A-1 et seq.

Authorized By: Shawn M. LaTourette, Commissioner, Department of Environmental Protection.

Effective Date: July 8, 2021.

New Expiration Date: July 8, 2028.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1, the Coastal Zone Management Rules at N.J.A.C. 7:7 are readopted and shall continue in effect for a seven-year period. The rules were scheduled to expire on November 14, 2021. The Department of Environmental Protection (Department) has reviewed these rules and has determined that the rules should be readopted without change because they are necessary, reasonable, and proper for the purpose for which they were originally promulgated. In accordance with N.J.S.A. 52:14B-5.1.c(1), timely filing of this notice extended the expiration date of the chapter seven years from the date of filing.

The Coastal Zone Management Rules govern the use and development of coastal resources and are the standards for reviewing the Coastal Area Facility Review Act (CAFRA), waterfront development, and coastal wetlands permit applications. The Coastal Zone Management Rules are also used for the review of water quality certificates subject to Section 401 of the Federal Water

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Pollution Control Act (commonly known as the Clean Water Act), 33 U.S.C. §§ 1251 et seq., and Federal consistency determinations under Section 307 of the Federal Coastal Zone Management Act, 16 U.S.C. §§ 1456 et seq.

On January 27, 2020, Governor Murphy issued Executive Order No. 100 (2020) (EO No. 100). This order directed the Department to develop rules consistent with applicable law to address climate change, with those regulatory changes to be known as New Jersey's Protecting Against Climate Threats (NJPACT) rules. On the same day, then Department Commissioner Catherine McCabe issued Administrative Order No. 2020-01 (AO No. 2020-01) requiring the incorporation of climate change considerations including, but not limited to, sea level rise and chronic flooding into the Department's rules, as part of an effort entitled Resilient Environments and Landscapes (REAL), which includes the Coastal Zone Management Rules, N.J.A.C. 7:7, among other land use rules. In accordance with EO No. 100 and AO No. 2020-01, the Department is finalizing a notice of proposal of amendments to the Coastal Zone Management Rules. The readoption of the rules without change continues the chapter in effect while the proposed amendments are finalized. The proposal of amendments to the Coastal Zone Management Rules will be the subject of a separate notice in the New Jersey Register.