NJ PACT: OVERVIEW

Executive Order 89

Executive Order 100

Administrative Order 2020-01

Land Use Rules FHA, CZM, FWW- Stakeholdering and Revision
OBJECTIVE

DEVELOPING A REGULATORY FRAMEWORK THAT HELPS TO ENSURE THAT THE STATE’S UTILITY INFRASTRUCTURE IS PROTECTED AGAINST CLIMATE THREATS BOTH TODAY AND TOMORROW
GUIDING PRINCIPLES

1. **Develop** regulatory standards that are commensurate with the anticipated level of risk

2. **Provide** tools to help homeowners, developers, and public entities make informed decisions about their investments
   - Property owners and public agencies should inventory their investments to determine vulnerability and risk (a.k.a. “don’t wait for the State”)
   - Local communities can adopt resiliency standards

3. **Evaluate**
   - The intended use of a proposed structure (public, private, recreational, etc.)
   - The criticality of the proposed structure (schools, hospitals, evacuation routes)
   - The likelihood the structure is proposed in an area that will be inundated during its anticipated lifetime – either by daily tides or in flood conditions
FUTURE INUNDATION & FLOOD DAMAGE

1. Establish a new regulatory area known as the **inundation risk zone** to account for land inundated by SLR.

2. Redefine the **tidal** flood hazard area to account for future expansion due to SLR.

3. Redefine the **fluvial** flood hazard area to account for future expansion due to increased precipitation and runoff.
INUNDATION AND FLOOD IMPACTS

RUTGERS UNIVERSITY’S SCIENCE AND TECHNICAL ADVISORY PANEL (STAP) REPORT INDICATES A 50% PROBABILITY THAT SEA LEVEL RISE WILL EXCEED 3.3 FEET AND A 17% PROBABILITY THAT SEA LEVEL RISE WILL EXCEED 5.1 FEET BY 2100 ASSUMING MODERATE EMISSIONS.
INUNDATION AND FLOOD IMPACTS

THE IMPACT OF SEA LEVEL RISE ON DRY LAND WILL CHANGE OVER TIME.
INUNDATION RISK ZONE

• CONSISTS OF LAND THAT IS NOW MOSTLY DRY BUT IS EXPECTED TO BE INUNDATED BY TIDAL WATERS AT LEAST TWICE PER DAY, OR PERMANENTLY, BY THE YEAR 2100.

• ENCOMPASSES ALL LAND THAT LIES BELOW THE IRZ ELEVATION, WHICH IS CALCULATED BY ADDING FIVE FEET TO THE ELEVATION OF THE MEAN HIGHER HIGH WATER (MHHW).

• DEVELOPMENT WITHIN THE IRZ WILL HAVE MORE PROTECTIVE STANDARDS THAN THE REMAINDER OF THE FLOODPLAIN BEYOND IT.
TIDAL FLOOD HAZARD AREAS

- EXISTING TIDAL FLOODPLAIN IS BASED ON THE HIGHER OF FEMA’S EFFECTIVE OR PRELIMINARY 100-YEAR FLOOD ELEVATION WITH NO FREEBOARD OR FACTOR OF SAFETY.

- PROPOSAL WOULD ADD A 5-FOOT FACTOR OF SAFETY TO EXISTING TIDAL FLOOD ELEVATIONS
FLUVIAL FLOOD HAZARD AREAS

• EXISTING FLUVIAL FLOODPLAIN IS BASED ON THE HIGHER OF FEMA’S EFFECTIVE OR PRELIMINARY 100-YEAR FLOOD ELEVATION WITH A 1-FOOT FACTOR OF SAFETY (UNLESS NJDEP FLOOD STUDY INDICATES AN EVEN HIGHER DESIGN FLOOD ELEVATION).

• A RECENT NEW YORK STUDY CONCLUDES THAT PRECIPITATION INTENSITIES IN NORTHERN NEW JERSEY ARE LIKELY TO INCREASE BETWEEN 30% AND 35% BY 2100.
FLUVIAL FLOOD HAZARD AREAS

• NOAA’S CURRENT 500-YEAR 24-HOUR PRECIPITATION INTENSITY IS ROUGHLY 38% HIGHER THAN TODAY’S 100-YEAR 24-HOUR STORM, THE 500-YEAR FLOOD IS A SUITABLE SURROGATE TO DESCRIBE THE FUTURE FLOOD HAZARD AREA.

• ALONG WATERS FOR WHICH FEMA MAPPING IS NOT AVAILABLE, OR WHERE A PARTY DISPUTES THE ACCURACY OF FEMA MAPPING, THE FUTURE 100-YEAR RAINFALL PLUS 25% WOULD BE USED TO CALCULATE THE FUTURE REGULATORY FLOOD HAZARD LIMIT.
PROTECTING CRITICAL FACILITIES AND INFRASTRUCTURE

• CREATE A NEW DEFINITION FOR CRITICAL FACILITIES AND CRITICAL INFRASTRUCTURE AS INFORMED BY THE NFIP AND OFFICE OF EMERGENCY MANAGEMENT DEFINITIONS.

• AMEND THE DEFINITION OF CRITICAL BUILDING TO MATCH THE FLOOD DESIGN CLASSES PUBLISHED BY THE AMERICAN SOCIETY OF CIVIL ENGINEERS.

• ADOPT MORE PROTECTIVE DESIGN AND CONSTRUCTION STANDARDS FOR CRITICAL FACILITIES AND INFRASTRUCTURE, WHICH ARE COMMENSURATE WITH THE LEVEL OF ANTICIPATED RISK, SUCH AS REQUIRING A HIGHER ELEVATION AND/OR FLOODPROOFING.
DISCUSSION

Question 1

What tools do you currently use to assess the vulnerability of your investments?
DISCUSSION

Question 2

What challenges do you face when making necessary resiliency improvements?
DISCUSSION

Question 3

What steps have you taken to increase resiliency of your infrastructure considering the threats of climate change?
DISCUSSION

Question 4

When expanding existing operations or siting new facilities, how do you assess the potential vulnerability of the site to climate threats?
DISCUSSION

Question 5

Are there any regulatory hurdles that hinder your ability to make resiliency improvements?
DISCUSSION

Question 6

If regulatory hurdles exist, are there specific regulatory changes that NJDEP can make to facilitate resiliency improvements?
OPEN FORUM

DISCUSSION OF NEW TOPICS AND IDEAS
THANK YOU

PLEASE CONTACT US TO SHARE ADDITIONAL COMMENTS OR CONCERNS AT:

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