



A SAFER GARDEN STATE FOLLOWING THROUGH ON A RESILIENT VISION FOR NEW JERSEY

Background

Climate change is not abstract for our region. More than one million people across New York and New Jersey live at risk of flooding today. Yet, eight years after Hurricane Sandy, we are still unprepared. What is at stake? Your home, your business, your school, your park, your neighborhood, and your way of life. Delaying action is not an option. Now is the time to address the greatest threat to our region's future.

The Rise to Resilience campaign is today's roadmap for a more resilient tomorrow. Together we can build resilience, support our communities and economy and create a more equitable and just region.

Please join us at rise2resilience.org.

Issue overview

Since Hurricane Sandy struck, the state of New Jersey has made pivotal commitments to addressing climate change. Governor Murphy has passed two critical measures, including Executive Order 89, which charged the state with developing a statewide Climate Resilience Plan, and Executive Order 100, which launched New Jersey Protecting Against Climate Threats (NJ PACT), an initiative aimed at modernizing land use requirements to incorporate climate change. The Department of Environmental Protection also strengthened its climate governance by instituting a Chief Resilience Officer and Bureau of Climate and Flood Resilience.

Now we need to ensure that Governor Murphy's orders are translated into impactful policy that is effective in reducing risk in a manner that is equitable, just and green. We need to activate a plan that addresses future storm surges, stormwater/urban flooding and sea level rise across jurisdictions, provides the resources to match the challenge and that prioritizes frontline communities that will be hit hardest by the climate crisis.

ACTION 1:
Establish a clear system of governance to oversee the implementation of statewide resilience policy.

ACTION 2:
Ensure that the Climate Resilience Plan and New Jersey Protecting Against Climate Threats (NJ PACT) per Executive Orders 89 and 100 effectively incorporate climate resilience into statewide policy.

Through executive order or legislation, the Governor of New Jersey or state legislature include:

- › **Elevate the role of chief resilience officer** to a Governor's Office-level position.
- › **Expand and make permanent the Interagency Council on Climate Resilience** to ensure public and transparent reporting of its decisions and actions.
- › **Establish an oversight committee of experts from frontline communities** (compensating them for their expertise), as well as practitioners (engineers, contractors, architects), business leaders and climate scientists to ensure land use and building rules are considerate of practitioner/technical, social and environmental perspectives.

The Governor and the New Jersey Department of Environmental Protection should work to establish a strong Climate Resilience Plan that includes:

- › **Objective targets and metrics for the State Resilience Strategy**
- › **Statewide sea-level rise standards and future flood risk maps** to guide land use planning, practice, incentives and state capital investments.¹ to guide land use planning, practice, incentives and state capital investments²
- › **Vulnerability assessments and plans** to guide land use, including zoning overlays that restrict housing development and density in areas of highest risk and incentivize density in areas of low risk.
- › **Equitable planning and investment guidelines and tools** to build potential impacts and benefits to environmental justice and low-income communities of color into agency practice, building off of tools developed in other states such as CalEJScreen.
- › **Solutions for impacts from combined sewer overflows** identified in the [Climate Ready CSO Solutions](#)—including a requirement that climate projections and impacts to frontline communities be accounted for in toxics and stormwater programs.³

In addition, the state should ensure that NJ PACT is developed to require future flood projections in all state-funded capital projects and relevant permit applications. For major capital resilience projects, the state should ensure the development of community advisory committees and just process standards.⁴

¹ Clear guidance for hazard risk assessment, planning, and project development should accompany maps. At a minimum, moderate or high sea level rise projections should be used for regulatory purposes.

² As sea levels rise, pollution exposure risks are increased due to flooding. United States Government Accountability Office. 2019. [Superfund: EPA Should Take Additional Actions to Manage Risks from Climate Change](#).

³ National Association of Climate Resilience Planners. 2017. [Community-Driven Climate Resilience Planning: a Framework, Version 2.0](#).

⁴ See [WEDG \(Waterfront Edge Design Guidelines\)](#) or NYC Climate Resiliency Design Guidelines.

The following rules and regulations should be revised using a clear, enforceable and streamlined (not redundant) approach, such as climate design guidelines:

> New Jersey Department of Environmental Protection

- [7:1B](#) Waiver of Department Rules (Waiver Rule)
- [7:7](#) Coastal Zone Management Rules ([NJSA 12:5-3](#); [NJSA 13:9-1](#); [NJSA 13:9A-1](#))
- [7:7A](#) Freshwater Wetlands Protection Act Rules ([NJSA 13:9B](#))
- [7:8](#) Stormwater Management
- [7:13](#) Flood Hazard Area Control ([NJSA 58:16A-50](#))
- [7:14A](#) Pollutant Discharge Elimination System
- [7:19](#) Water Supply Management Act Rules
- [7:20](#) Dam Safety Standards

> New Jersey Department of Community Affairs

- [5:21](#) Residential Site Improvement Standards ([Act](#))
- [5:23](#) Uniform Construction Code ([NJSA 52:27D-119](#))

> New Jersey Sports and Exposition Authority

- [19:6](#) Meadowlands District Regulations

> Department of State

- [5:85](#) State Planning Rules

> Department of Transportation

- [27](#) Highways