



Ocean County
NEW JERSEY

NJDEP PACT / REAL (Resilient Environments and Landscapes) Rule Proposal

Original Proposal August 5, 2024

Amended Rule Proposal July 21, 2025



NOTICE OF SUBSTANTIAL CHANGES

- NJDEP is proposing to change the **REAL (Resilient Environments and Landscapes)** rule to reflect 4 feet of sea level rise by the year 2100 as opposed to 5 feet in the original proposal.
- As a portion of the proposed rule amendment, NJDEP will review the sea level rise information every five years to assure that precipitation data is reflective of the most current estimates and will adjust the rule as necessary.



NOTICE OF SUBSTANTIAL CHANGES

- There will be a **legacy provision (grandfathering)** for projects that are already in development prior to the adoption of the new rule.
- **Dry Access considerations** will be required for single family home and duplexes within proximity to fluvial features. There will be requirements within fluvial areas to require roadways to be designed one foot above the 100-year flood elevation. There will be exceptions within Tidal areas.



NOTICE OF SUBSTANTIAL CHANGES

- **Low- and Moderate-income housing project may become eligible for hardship exceptions.**
- **NJDEP is removing the inundation risk zone (IRZ) from the list of critical environmental sites within the CAFRA designated areas and will not be subject to a 3% impervious limit.**
- **Definition of Major Development will be amended to include the reconstruction of 1/4 acre or more of regulated motor vehicle surface (pavement) or regulated impervious surface.**



Who will be Affected?

Graphic: Courtesy of Ocean County Sheriff's Office





- **Property owners / Business Owners**
 - near tidal waterways and stream (fluvial waterways)
 - not previously located within the flood hazard elevation

**Possibly requiring property / business owners to obtain flood insurance.*
- **Potentially homeowners that elevated their homes (less than four feet) after Superstorm Sandy (if in the event of another catastrophic storm).**
- **Municipalities / County Government(s)** that will be required to make certain public capital improvements as a result of the new rules.



In addition to waterfront property owners, who will be affected?

- Expanded state flood zones make banks and insurers more cautious, often leading to new or higher flood premiums and stricter mortgage terms—even for properties outside FEMA maps. **Extra costs tend to filter down to renters and consumers.**
- Depressed values in affected areas shrink municipal revenues. **Towns may compensate by raising tax rates elsewhere or cutting services, spreading the burden to all residents.**
- Stricter site standards increase building costs, slowing new housing and nudging sale and rental prices upward even outside mapped zones.
- Resilience upgrades (roads, sewers, coastal defenses) are funded through bonds, fees, or higher utility rates—**shared by all ratepayers and taxpayers.**

ILLUSTRATIVE IMPACT

APPROXIMATED FLOOD CONDITIONS
(BASED ON THE YEAR 2100 FOUR FOOT FLOOD)

Pre-Existing Conditions



After Superstorm Sandy



Proposed NJ REAL



ILLUSTRATIVE IMPACT

2025 REALITY VS NJ REAL PREDICTION



CRITICAL DATES

A DEP virtual public hearing was held on September 3, 2025 – 6:00 PM

Comments (submitted electronically) are due to DEP on September 19th unless they extend out another 30 days or by hard copy.

Once adopted, this proposal allows 180 days before General and Individual Permit Standards become effective (Anticipated July 2026)



CRITICAL IMPACTS

Tax Increases - Loss of Revenue

Construction Delays / Increased Costs

Regulatory Approval Delays

Flood Proofing Requirements

Financial Impact To Homeowners
and Business Owners

New Flood Insurance Requirements



CALL TO ACTION

NEXT STEPS

**Get the Word Out to Your Local
Constituents – Stop This Proposal!**

**Go to the County Website for the
Direct Link to the NJDEP Website**

Submit Your Comments online by 9/18

Let Your Voice Be Heard!



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**QUESTIONS
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