

RESOLUTION

July 2, 2025

WHEREAS, Senate Concurrent Resolution No. 122, introduced in the New Jersey Legislature by Senators Michael L. Testa, Jr. and Latham Tiver, and co-sponsored by Senators Carmen Amato, James Holzapfel, Parker Space and Douglas Steinhardt, as well as Assembly Concurrent Resolution No. 150 introduced by Assemblyman Antwan L. McClellan, and cosponsored by Assemblymen Brian E. Rumpf, Paul Kanitra, Gregory P. McGuckin, Donald A. Guardian, Gregory E. Myhre, and Assemblywomen Claire S. Swift, and Dawn Fantasia determines that the Department of Environmental Protection's (DEP) proposed rules and regulations known as "New Jersey Protecting Against Climate Change Resilient Environment and Landscapes" (NJPACT-REAL), published in the August 5, 2024 edition of the New Jersey Register, 56 N.J.R. 1282(a), are inconsistent with legislative intent; and

WHEREAS, the NJPACT - REAL regulations would significantly expand the boundaries of Flood Hazard Areas and impose sweeping regulatory changes affecting development, housing, and infrastructure across the State, particularly in coastal communities like those in Ocean County; and

WHEREAS, these proposed rules would increase the cost of living, property taxes, and construction expenses for Ocean County residents and businesses, placing an undue burden on working families, senior citizens, and local governments; and

WHEREAS, Ocean County is already proactively engaged in climate resilience and flood mitigation efforts, and the proposed rules undermine the ability of local governments to plan responsibly and economically for growth and adaptation; and

WHEREAS, the New Jersey Constitution vests lawmaking authority in the Legislature, not administrative agencies, and the Legislature has not enacted any law granting DEP the authority to impose such extensive regulations without legislative direction; and

WHEREAS, the Ocean County Board of Commissioners supports SCR No. 122 in declaring that the NJPACT - REAL rules exceed DEP's statutory authority and contradict the principles of democratic governance and accountability; and

WHEREAS, the Board of Commissioners affirms that major policy shifts affecting land use, the economy, and property rights must go through the legislative process, with full transparency and opportunity for public input.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF COMMISSIONERS OF THE COUNTY OF OCEAN, STATE OF NEW JERSEY, hereby expresses its strong support for Senate Concurrent Resolution No. 122 and urges the New Jersey Legislature to take all necessary actions to prevent the implementation of the NJPACT - REAL rules as proposed.

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be forwarded to the Governor of the State of New Jersey, the President of the New Jersey Senate, the Speaker of the General Assembly, the Commissioner of the Department of Environmental Protection, and the legislative delegation representing Ocean County