



15. CAPABILITY ASSESSMENT

A capability assessment is an inventory of a community's missions, programs, and policies and an analysis of its capacity to carry them out (FEMA 2003). This assessment is an integral part of the planning process. It enables identification, review, and analysis of current local and state programs, policies, regulations, funding, and practices that could either facilitate or hinder mitigation. Through assessing its capabilities, a jurisdiction learns how or whether it can implement certain mitigation actions by determining the following:

- Limitations that may exist on undertaking actions
- The range of local and/or state administrative, programmatic, regulatory, financial, and technical resources available to assist in implementing their mitigation actions
- Actions that are infeasible because they are outside the scope of current capabilities
- Types of mitigation actions that may be technically, legally, administratively, politically, or fiscally challenging or infeasible
- Opportunities to enhance local capabilities to support long-term mitigation and risk reduction

This chapter presents a summary and description of the existing plans, programs, and regulatory mechanisms at all levels of government (federal, state, county, local) that reduce hazard risks and support hazard mitigation within the planning area. These capabilities are presented in three categories:

- Planning and regulatory capabilities
- Administrative and technical capabilities
- Fiscal capabilities

Each Planning Partner's annex in Volume II also includes a capability assessment specific to those jurisdictions. In addition to the above categories, the annexes review capabilities in the more localized categories of adaptive capacity and education and outreach.

15.1 CAPABILITY ASSESSMENT PROCESS

Jurisdiction specific capabilities are assessed in each jurisdictional annex in Volume II. All participating jurisdictions were tasked with developing or updating their capability assessment for this update, evaluating the effectiveness of their capabilities in supporting hazard mitigation and identifying opportunities to enhance local capabilities. Each jurisdiction identified how it has integrated hazard mitigation into its existing planning, regulatory, and operational/administrative framework and how it intends to promote ongoing integration.

The contracted consultant met with Cape May County and each jurisdiction virtually to review the capability assessment from the 2021 HMP and update accordingly. The consultant also reviewed plans, codes, and ordinances to enhance the information provided by the jurisdictions.

15.2 PLANNING AND REGULATORY CAPABILITIES

Planning and regulatory capabilities are based on ordinances, policies, local laws, state statutes, plans, and programs that relate to managing growth and development. Planning and regulatory capabilities refer not only to current plans and regulations, but also to the jurisdiction's ability to change and improve those plans and regulations as needed. This section summarizes planning and regulatory capabilities that apply to Cape May County.



15.2.1 Federal

Biggert Waters National Flood Insurance Reform Act of 2012

Under the Biggert-Waters National Flood Insurance Reform Act of 2012, long-term changes to the National Flood Insurance Program were adopted that increased rates overall to reflect the flood risk more accurately to buildings in flood hazard areas. This has significantly influenced construction and reconstruction within flood hazard areas. Property owners are encouraged to consider long-term insurance costs when undertaking reconstruction or elevation of damaged buildings. An investment to reconstruct the lowest floor of a building an additional foot or two higher today may translate into significant future flood insurance savings.

Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004

The Flood Insurance Reform Act of 2004 amended the 1994 National Flood Insurance Reform Act of 1968 to reduce losses to properties for which repetitive flood insurance claim payments have been made. This Act established a program for mitigation of severe repetitive loss properties and gave FEMA the authority to fund mitigation activities for individual repetitive loss claims properties. The Act provides additional coverage for compliance with land-use and control measures. It also helps residents with affordable flood insurance and gives additional tools to states and communities to mitigate severe repetitive loss properties.

Disaster Mitigation Act of 2000

The Disaster Mitigation Act (DMA; P.L. 106-390) is the current federal legislation addressing hazard mitigation planning. DMA 2000 provides an opportunity for states, tribes, and local governments to take a new and revitalized approach to mitigation planning. DMA 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act (the Act) by repealing the previous mitigation planning provisions (Section 409) and replacing them with a new set of mitigation plan requirements (Section 322). This new section emphasizes the need for state, tribal, and local entities to closely coordinate mitigation planning and implementation efforts. It emphasizes planning for disasters before they occur. It specifically addresses planning at the local level, requiring plans to be in place before Hazard Mitigation Assistance grant funds are available to communities. The rules provide detailed guidance on what applicants should include in a plan. HMPs that meet the requirements of DMA remain eligible for future FEMA Hazard Mitigation Assistance funds. Once approved, the applicant is eligible to apply for federal funds for mitigation of hazards.

Disaster Recovery Reform Act

This bill amends the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) to modify the Pre-disaster Hazard Mitigation Grant Program to permit the use of technical and financial assistance to establish and carry out enforcement activities to implement codes, specifications, and standards that incorporate the latest hazard-resistant designs; direct the President to establish a National Public Infrastructure Pre-disaster Mitigation Fund; authorize the President's contribution to the cost of hazard mitigation measures to be used to increase resilience in any area affected by a major disaster; and direct the Federal Emergency Management Agency (FEMA) to issue a final rulemaking that defines the terms "resilient" and "resiliency."

Emergency Support Function #14, Long-Term Recovery Planning

Long-Term Community Recovery provides a mechanism for coordinating federal support to state, tribal, regional, and local governments, nongovernmental organizations (NGOs), and the private sector to enable community recovery from the long-term consequences of extraordinary disasters. Emergency Support Function (ESF) #14 accomplishes this by identifying and facilitating availability and use of sources of recovery funding and providing technical assistance (such as impact analyses) for community recovery and recovery planning (FEMA 2008).



ESF #14 may be activated for incidents that require a coordinated Federal response to address significant long-term impacts (e.g., impacts on housing, government operations, agriculture, businesses, employment, community infrastructure, the environment, human health, and social services) to foster sustainable recovery (FEMA 2008).

Actions coordinated under ESF #14 include pre-incident planning and coordination, immediately prior to the incident, post-event planning, and operations (FEMA 2008).

Homeowner's Flood Insurance Affordability Act

This 2014 law repeals and modifies certain provisions of the Biggert-Waters Flood Insurance Reform Act, which was enacted in 2012, and makes additional program changes to other aspects of the program not covered by that Act. The new law lowers the recent rate increases on some policies, prevents some future rate increases, and implements a surcharge on all policyholders. The Act also repeals certain rate increases that have already gone into effect and provides for refunds to those policyholders. The Act also authorizes additional resources for the National Academy of Sciences to complete the affordability study.

National Flood Insurance Program

The U.S. Congress established the National Flood Insurance Program (NFIP) with the passage of the National Flood Insurance Act of 1968 (FEMA's 2002 NFIP: Program Description). The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. The flood hazard profile in Chapter 10 provides further information on the NFIP as implemented in Cape May County.

There are three components to the NFIP: flood insurance, floodplain management and flood hazard mapping. Communities participate in the NFIP by adopting and enforcing floodplain management ordinances to reduce future flood damage. In exchange, the NFIP makes federally backed flood insurance available to homeowners, renters, and business owners in these communities. Community participation in the NFIP is voluntary. Flood insurance is designed to provide an alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods. Flood damage in the U.S. is reduced by nearly \$1 billion each year through communities implementing sound floodplain management requirements and property owners purchasing flood insurance. Additionally, buildings constructed in compliance with NFIP building standards suffer approximately 80 percent less damage annually than those not built in compliance (FEMA, 2008).

The state and municipalities within it may adopt higher regulatory standards when implementing the provisions of the NFIP. Specifically identified are the following:

- **Base Flood Elevation (BFE):** The elevation of surface water due to flooding that has a 1 percent chance of being equaled or exceeded in any given year.
- **Freeboard:** When there is a BFE available, the lowest floor, including any basement, must be at or above the base flood elevation. Freeboard is the distance between the BFE and the floor elevation. Elevation may be by means of properly compacted fill, a solid slab foundation, or a "crawl space" foundation, which contains permanent openings to let flood waters in and out. Non-residential structures may be flood-proofed in lieu of elevation. Where a local floodplain administrator has information to estimate a BFE, such as historical flood records or a hydraulic study, that elevation must be used. Communities may go beyond this requirement, providing for additional freeboard. The State of New Jersey requires base flood elevation plus 3 feet (BFE+3) for all inland construction and BFE+5 for coastal construction.
- **Cumulative Substantial Improvements/Damages:** The NFIP allows improvements valued at up to 50 percent of the building's pre-improvement value to be permitted without meeting the flood protection requirements. Over the years, a community may issue a succession of permits for different repairs or



improvement to the same structures. This can greatly increase the overall flood damage potential for structures within a community. The community may wish to deem “substantial improvement” cumulatively so that once a threshold of improvement within a certain length of time is reached, the structure is considered to be substantially improved and must meet flood protection requirements.

NFIP Community Rating System

As an additional component of the NFIP, the Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. As a result, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions meeting the three goals of the CRS: reduce flood losses; facilitate accurate insurance rating; and promote the awareness of flood insurance. As of April 2024, there are 12 communities in Cape May County that participate in the CRS program:

- Borough of Avalon
- City of Cape May
- Borough of Cape May Point
- Township of Lower
- City of North Wildwood
- City of Ocean City
- City of Sea Isle City
- Borough of Stone Harbor
- Township of Upper
- Borough of West Wildwood
- City of Wildwood
- Borough of Wildwood Crest

Cape May County is exploring the program requirements of the CRS through technical expertise and assistance to guide interested municipalities through the application process, as well as help maintain and enhance their participation in the program.

Post-Hurricane Sandy Transportation Resilience Study of New York, New Jersey, and Connecticut

This study was part of a series of research projects funded by the Federal Highway Administration with a goal of mainstreaming the consideration of climate vulnerability and risk in transportation decision making. The Post-Sandy Study was intended to inform the collective understanding on how to integrate climate resilience at multiple levels: in planning, during the project development process, and as part of operations and maintenance strategies, including asset management and emergency management.

Presidential Policy Directive 8

Presidential Policy Directive 8 (PPD-8) requires that a threat hazard identification and risk assessment (THIRA) be developed for a state to remain eligible for Homeland Security Grant Program (HSGP) and Emergency Management Program Grant (EMPG) funding.

Regulations for Local Mitigation Plans

FEMA policies and procedures for its review and approval of local hazard mitigation plans are outlined in Title 44 of the Code of Federal Regulations (44 CFR 201.6). The regulations encourage counties to prepare plans. The local hazard mitigation plan is the representation of the jurisdiction's commitment to reduce risks from natural hazards, serving as a guide for decision makers as they commit resources to reducing the effects of natural hazards. Local plans also serve as the basis for the state to provide technical assistance and to prioritize project funding.



Risk Mapping, Assessment, and Planning

FEMA works with federal, state, tribal, and local partners across the nation to identify flood risk and promote informed planning and development practices to help reduce that risk through the Risk Mapping, Assessment, and Planning (Risk MAP) program. Risk MAP provides high-quality flood maps and information, tools to better assess the risk from flooding, and planning and outreach support to communities to help them take action to reduce (or mitigate) flood risk. Each Risk MAP flood risk project is tailored to the needs of each community and may involve different products and services.

According to the Risk MAP Progress interactive map available online at the time of this plan update, there are numerous active Risk MAP projects taking place throughout New Jersey (FEMA n.d.). FEMA coordinates and works directly with municipal floodplain managers during the Risk MAP project process. The State NFIP Coordinator is kept apprised of project activities and consults as needed.

Since 2006, the New Jersey Department of Environmental Protection (NJDEP) and FEMA have maintained a Cooperating Technical Partnership Agreement to perform map production together to build the next generation of FEMA and State flood mapping. New Jersey will continue to take the lead in prioritizing projects, coordinating available data sources, conducting outreach, and all essential components of data production and map adoption. Moving forward, NJDEP will be developing new floodplain data, producing digital Flood Insurance Rate Maps (FIRMs) and post-preliminary processing (NJDEP Bureau of Flood Engineering 2023).

New Jersey will integrate its mapping program with the FEMA program. This integration hinges on creating FEMA FIRMs for New Jersey, which delineate the New Jersey Flood Hazard Area Design Flood (NJFHADF) on the mapping and plots the NJFHADF water levels on the stream profiles, the State's regulatory standard. The NJFHADF is based on the 100-year flood discharge plus 25 percent. The State is obligated to compare the State flood elevations and floodway with the FEMA data for higher flood levels and wider floodways. By including the NJFHADF on the FIRM, the State would be able to use the FEMA FIRMs as the single source for both federal and state floodplain management, freeing up staff resources and reducing errors (NJDEP Bureau of Flood Engineering 2023).

Risk Rating 2.0: Equity in Action

FEMA introduced Risk Rating 2.0: Equity in Action to consider specific characteristics of a building to provide more modern, individualized, and equitable flood insurance rates. The new rating methodology considers frequency of flooding, multiple flood types, proximity to flood sources, and building characteristics such as first floor heights and costs to rebuilt. The update was rolled out in October 2021 through April 2022, and as of April 1, 2023 has been fully implemented (FEMA 2022). Homeowners that elect to drop NFIP insurance policies will no longer have access to Flood Mitigation Assistance (FMA) funding for future mitigation efforts.

Across the country, officials are finding it to be increasingly difficult to communicate the benefits of mitigation to some property owners where insurance rates are likely to stay high even after mitigation due to factors such as proximity to flood sources and frequency of flooding.

According to a July 10, 2023 article by NJ Spotlight News, 12,000 NFIP flood insurance policies in the State of New Jersey have been dropped since Risk Rating 2.0 became effective. The drop in flood insurance coverage has been attributed to rising flood insurance costs based on Risk Rating 2.0's new flood insurance calculations (NJ Spotlight News 2023). Continued shifts in flood insurance costs, coverage, impacts to mitigation of flood prone properties, and potential updates to Risk Rating 2.0 will be monitored by Cape May County throughout the period of performance of the 2026 HMP.



Robert T. Stafford Disaster Relief and Emergency Assistance Act

The Robert T. Stafford Disaster Relief and Emergency Assistance Act provides a means for the federal government to assist state and local governments in responding to disasters. It provides for the following:

- Revising and broadening the scope of existing disaster relief programs
- Encouraging the development of comprehensive disaster preparedness and assistance plans, programs, capabilities, and organizations by state and local governments
- Achieving greater coordination and responsiveness of disaster preparedness and relief programs
- Encouraging individuals and state and local governments to protect themselves by obtaining insurance coverage to supplement or replace governmental assistance
- Encouraging hazard mitigation measures to reduce losses from disasters, including development of land-use and construction regulations
- Providing federal assistance programs for public and private losses sustained in disasters

U.S. Army Corps of Engineers

Under Section 404(e) of the Clean Water Act, the U.S. Army Corps of Engineers (USACE) can issue general permits to authorize activities that have only minimal individual and cumulative adverse environmental effects. There are three types of USACE permits:

- A nationwide permit is a general permit that authorizes activities across the country unless a district or division commander revokes the nationwide permit in a state or other geographic region. There are 54 nationwide permits, and they authorize a wide variety of activities, including linear transportation projects, bank stabilization activities, residential development, commercial and industrial developments, aids to navigation and certain maintenance activities (USACE 2017).
- Standard permits are individual permits that involve full public interest review of an individual permit application and include the issuance of a public notice for any project that does not meet the terms and conditions of a nationwide permit or a letter of permission.
- Regional general permits are for small, specialized projects.

15.2.2 State

2020 New Jersey Scientific Report on Climate Change

NJDEP's first scientific report on climate change summarizes the effects of climate change on New Jersey's environment to inform State and local decision-makers as they seek to understand and respond to the impacts of climate change. This report identifies and presents the best available science and existing data regarding the current and anticipated environmental effects of climate change globally, nationally, and regionally (NJDEP 2023).

2021 New Jersey Climate Change Resilience Strategy

New Jersey's first Statewide Climate Change Resilience Strategy provides a suite of forward-looking policy options to promote the long-term resilience of New Jersey to climate change. As a framework for policy, regulatory, and operational changes, the Resilience Strategy presents actions that New Jersey's Executive Branch can take to support the resilience of the state's communities, economy, and infrastructure. The Resilience Strategy includes 125 recommended actions across six priority areas:

- Build resilient and healthy communities



- Strengthen the resilience of New Jersey's ecosystems
- Promote coordinated governance
- Invest in information and increase public understanding
- Promote climate informed investments and innovative financing
- Coastal resilience plan (NJDEP 2021).

2021 Cyanobacterial Harmful Algal Bloom Freshwater Recreational Response Strategy

The purpose of the New Jersey Cyanobacterial Harmful Algal Bloom (HAB) Response Strategy (Response Strategy) is to provide a unified statewide approach to respond to cyanobacterial HABs in freshwater recreational waters and sources of drinking water, and to protect the public from risks associated with exposure to cyanobacteria and related toxins. Although the primary focus of the Response Strategy is the protection of human health, it provides some information and recommendations regarding exposure and prevention of potential impacts to domestic animals (pets), livestock, and wildlife, as well. The Response Strategy is designed to identify:

- Entities responsible for response and actions
- Recreational risk thresholds and appropriate responses to protect public health and safety
- Acceptable parameters and methods for assessing risk
- Appropriate monitoring and analysis to identify cyanobacteria, enumerate cells and determine concentrations of cyanotoxins, and
- HAB Alert Levels, recommended advisory language, and other related communication mechanisms.

The scope of the Response Strategy is for freshwater lakes, ponds, rivers and streams with potential public access, recreational use, public recreational bathing facilities as defined in NJAC 8:26, and sources of drinking water. These waterbodies may be owned or operated by state, county, municipal, federal, or private entities.

Best Management Practices for Creating and Maintaining Wildfire Fuel breaks in New Jersey's Wildland Urban Interface, 2011

In New Jersey, residential communities and development continue to spread into new, previously undisturbed natural areas which create a wildland-urban interface where rural land and developed areas meet. This fragmented rural landscape has greater ignition sources and more frequent fires, which makes it difficult for the Forest Fire Service to manage land for wildfire protection and preparedness. This problem can be seen throughout the country and in New Jersey, especially with the State having such a rapidly growing population. In a study done by the American Planning Association, 46 percent of homes in New Jersey are located in the Wildland Urban Interface, which stresses the importance of the problem in New Jersey.

Coastal Area Facility Review Act (NJSA 13:19)

The Coastal Area Facility Review Act (CAFRA) authorizes the Department to regulate a wide variety of residential, commercial, public, or industrial development such as construction, relocation, and enlargement of buildings and structures; and associated work such as excavation, grading, site preparation and the installation of shore protection structures within the CAFRA area. The CAFRA area begins where the Cheesequake Creek enters Raritan Bay in Old Bridge, Middlesex County. It extends south along the coast around Cape May, and then north along the Delaware Bay ending at Kilcohook National Wildlife Refuge in Salem County. The inland limit of the CAFRA area is an irregular line that follows public roads, railroad tracks, and other features. The width of the CAFRA area varies from a few thousand feet to 24 miles. The CAFRA area is divided into zones with different regulatory thresholds for each zone.



Coastal Zone Management Rules Program (NJAC7:7E) Coastal Zone Management Adopted Amendment (NJAC 7:7-16.9)

Coastal Zone Management (CZM) rules mandate the use and development of coastal resources, to be used primarily by the Land Use Regulation Program in the Department in reviewing permit applications under the Coastal Area Facility Review Act (CAFRA), NJSA 13:19-1 et seq. (as amended to July 19, 1993); Wetlands Act of 1970, NJSA 13:9A-1 et seq.; Waterfront Development Law, NJSA 12:5-3; Water Quality Certification (401 of the Federal Clean Water Act); and Federal Consistency Determinations (307 of the Federal Coastal Zone Management Act). The rules also provide a basis for recommendations by the Program to the Tidelands Resource Council on applications for riparian grants, leases, and licenses. The most recent amendment, effective as of September 18, 2017, creates rules that update several provisions in the Department's requirements to provide public access to tidal waterways and their shores.

Construction Permits (NJSA 13: 1D-29 to 34)

The Law mandates that NJDEP make timely decisions on construction permit applications to ensure adequate public notice of procedures and to continue effective administration of the substantive provisions of other laws.

This Law ensures NJDEP issues permits in a timely manner so as not to delay necessary construction projects. Historical records indicate NJDEP's conformance with this law. This does not apply to freshwater wetland rules, only coastal and flood hazard regulations. As part of the effort to recover from the impacts of Superstorm Sandy, this law was amended March 25, 2013, in conjunction with the amendment of R.2013d to the Flood Hazard Area Control Act.

Coordinate Efforts to Protect and Enhance Tidal Marshes

In 2023, NJDEP, New Jersey Sports and Exposition Authority (NJSEA), the Pinelands Commission, and the Highlands Council coordinated to develop the first fully integrated statewide Wetland Program Plan, which serves to direct current and future wetland protection, management and restoration efforts along a coordinated path to the benefit of New Jersey's wetland resources and the quality of life for future generations. Within this plan, efforts also were made to weave an environmental justice component into the program's core elements in an attempt to lessen environmental and public health stressors in historically overburdened communities.

Emergency Building Inspection Act (NJSA 52:27D-126.3)

Enacted on January 17, 2007, this Act addresses how building code officials would be compensated if called to support damage assessment outside of their jurisdiction.

The Commissioner of the Department of Community Affairs established a program to deploy State and local construction code officials to assist local construction code officials and inspectors. This program has provided flexibility and redundancy to the State and local governing bodies in the deployment of essential personnel to evaluate buildings and other structures affected by a natural or man-made disaster or emergency.

Environmental Justice Law

The Environmental Justice (EJ) Law, adopted in April 2023, implements first in the nation rules for reducing pollution in historically overburdened communities and communities of color that have been subjected to a disproportionately high number of environmental and public health stressors. The rules require enhanced upfront community engagement before such facilities are proposed in the State's overburdened communities. Using community-level environmental and public health data available through New Jersey Department of Environmental Protection's



(NJDEP) EJMAP tool, the EJ Law directs permit applicants to avoid and minimize environmental and public health stressors and enable the NJDEP to establish permit conditions that better protect vulnerable communities.

Flood Hazard Area Control Act (NJSA 58:16A-52) Flood Hazard Area Control Regulation (NJAC 7:13)

New Jersey enacted this law to delineate and mark flood hazard areas; authorize NJDEP to adopt land-use regulations for the flood hazard area; control stream encroachments; coordinate effectively the development, dissemination, and use of information on floods and flood damages that may be available; authorize the delegation of certain administrative and enforcement functions to county governing bodies; and integrate the flood control activities of the municipal, county, State, and federal governments. The intent of the regulations is to minimize potential on- and off-site damage to public or private property caused by development that, at times of flood, subject structures to flooding and increase flood heights and/or velocities both upstream and downstream. These rules are also intended to safeguard the public from the dangers and damages caused by materials being swept onto nearby or downstream lands, to protect and enhance the public's health and welfare by minimizing the degradation of water quality from point and non-point pollution sources, and to protect wildlife and fisheries by preserving and enhancing water quality and the environment associated with the floodplain and the watercourses that create them.

Freshwater Wetland Protection Act (NJSA 13: B:1) Freshwater Wetland Protection Rules (NJAC 7:7A)

New Jersey enacted this law to support development and enhancement of State and local wetland protection programs. Projects must clearly demonstrate a direct link to increasing the State's ability to protect wetland resources. Grants are federally funded and administered by the NJDEP. The associated implementing regulations support the New Jersey freshwater wetlands program. The Freshwater Wetlands Protection Act was last amended in 2016 and the Freshwater Wetland Protection Rules were last amended April 16, 2018.

Forest Fire Prevention and Control Act (NJSA 13:9-44 to 44.10)

The Forest Fire Service is responsible for determining wildfire hazards; removing or overseeing removal of brush, undergrowth, or other material that contributes to wildfire hazards; maintaining or overseeing maintenance of firebreaks; setting backfires; plowing lands; closing roads; and making regulations for burning brush. The Forest Fire Service has the authority to summon any male person between the ages of 18 and 50, who may be within the jurisdiction of the State, to assist in extinguishing fires. The Fire Service can require the use of property needed for extinguishing fires, issue permits, collect extinguishment costs and fines for violations, and direct all persons and apparatus engaged in extinguishing wildfires. The Service has the right of entry to inspect and ascertain compliance and extinguish wildfires, investigate fires to determine cause, close the woods to all unauthorized persons in an emergency, and arrest (without an official warrant) anyone violating the Forest Fire Laws.

The laws that apply are 13:9-2, 9-23, and 9-24. Also, Forest Fire mitigation efforts are not exempted in other environmental regulations. Certain mitigation efforts sometimes occur where there is threatened and endangered habitat, even when that habitat was caused by past prescribed burning operations.

Growth Management Policy

Land preservation and recreation comprise one of the cornerstones of New Jersey's smart growth policy. The New Jersey Statewide Comprehensive Outdoor Recreation Plan provides Statewide policy direction to the State, local governments, and conservation organizations in the preservation of open space and the provision of public recreation opportunities. The State Plan was prepared and adopted by the State Planning Commission according to the requirements of the State Planning Act of 1985 as amended (NJSA 52:18A-196 et seq.) to serve as an instrument of State policy to guide State agencies and local government in the exercise of governmental powers



regarding planning, infrastructure investment and other public actions and initiatives that affect and support economic growth and development in the State.

The State Planning Act has enhanced the traditionally limited role of county land-use planning and control. The Act also provides tools for municipalities when preparing their master land use plans and better opportunity for a comprehensive approach to planning so not to harm or be in conflict with neighboring Municipalities' plans.

New Jersey's smart growth is growth that serves the environment, the economy, and the community equally. It attempts to concentrate development into already-existing communities when possible, and it addresses the inherent interconnections between environmental protection, social equity, public health, and economic sustainability.

Inland Flood Protection Rule

As a result of increasing flooding from extreme rainfall events, NJDEP has developed the Inland Flood Protection Rule. The Inland Flood Protection Rule became effective July 2023 and aims to ensure that areas at most significant risk to inland flooding are better defined and that new and reconstructed assets in these areas are designed and constructed using the best available climate-informed precipitation data (NJDEP 2023). The Rule accomplishes the following:

- Establishes the new Design Flood Elevation (DFE), which raises fluvial (non-tidal) flood elevation mapped by NJDEP by 2 feet
- Requires use of future projected precipitation when calculating flood elevations
- Ensures that NJDEP's Flood Hazard Area permits conform to New Jersey Uniform Construction Code (UCC) standards and meet or exceed minimum FEMA NFIP requirements
- Requires stormwater Best Management Practices (BMPs) to be designed to manage runoff for both today's storms and future storms
- Removes use of Rational and Modified Rational methods for stormwater calculations (NJDEP 2023)

NJDEP anticipates similar rule changes will be established to address increasing flood risk in coastal areas due to sea-level rise and storm surge threats.

Municipal Land Use Law

The State of New Jersey Municipal Land Use Law, MLUL (L.1975, c. 291, s. 1, effective August 1, 1976) is the legislative foundation for the land use process in the State of New Jersey, including decisions by Planning Boards and Zoning Boards of Adjustment. It defines the powers and responsibilities of boards and is essential to their functions and decisions. It also provides the required components of a municipal master plan.

Every municipal agency must adopt and can amend reasonable rules and regulations consistent with this act or with any applicable ordinance for the administration of its functions, powers, and duties. These plans help jurisdictions review their land use plans and policies with public participation.

In 2017 the MLUL was amended to add a new subparagraph (f) to NJSA 40-55D-28.b.(2), which requires that any land use plan element adopted after the amendment include a statement of strategy concerning smart growth, storm resiliency, and environmental sustainability. This section of the MLUL was further amended on February 4, 2021, to require that any land use plan element of the master plan adopted or amended after that date must include a climate change-related hazard vulnerability assessment, which shall include an analysis of current and future threats to and vulnerabilities of the municipality associated with climate change-related hazards, including many of



those identified in this Hazard Mitigation Plan update. The Municipal Land Use Law requires that each municipality prepare a comprehensive plan and update that plan every 10 years.

NJSA 38A:17-1

The Governor is authorized to enter into agreements with the governors of any of the states bordering on New Jersey for the protection in the event of emergency of any or all interstate bridges, tunnels, ferries, and other communications facilities.

The State Office of Emergency Management (OEM) is responsible for the implementation of the Governor's directive to assist emergency response counterparts in bordering states. OEM manages inter-state assistance through delineated lines of communication and standard operating procedures.

NJSA 52:14E-11 (3-10-2003) The Fire Service Resource Emergency Deployment Act

This Act allows for the Fire Division within the Department of Community Affairs to deploy fire assets to a pre-designated location in advance of a disaster or emergency as well as move assets to a pre-designated location to avoid assets being damaged. This has been used successfully in every disaster since the Act was passed.

New Jersey Civilian Defense and Disaster Control Act

The purpose of this act is to provide for the health, safety, and welfare of the people of the State of New Jersey and to aid in the prevention of damage to and the destruction of property during any emergency as herein defined by prescribing a course of conduct for the civilian population of this State during such emergency and by centralizing control of all civilian activities having to do with such emergency under the Governor and for that purpose to give to the Governor control over such resources of the State Government and of each and every political subdivision thereof as may be necessary to cope with any condition that shall arise out of such emergency and to invest the Governor with all other power convenient or necessary to effectuate such purpose.

Implementation is overseen by the State Department of Defense, Office of Civilian defense director. The director is appointed by the Governor. The Act is implemented through coordination and established lines of communication through the State Office of Emergency Management and county emergency management coordinators.

New Jersey Green Acres Land Acquisition Act of 1961

The Legislature enacted the New Jersey Acres Land Acquisition Acts to achieve, in partnership with others, a system of interconnected open spaces, whose protection will preserve and enhance New Jersey's natural environment and its historic, scenic, and recreational resources for public use and enjoyment. On November 3, 1998, New Jersey voters approved a referendum that created a stable source of funding for open space, farmland, and historic preservation and recreation development, and on June 30, 1999, the Garden State Preservation Trust Act was signed into law. The law establishes, for the first time in history, a stable source of funding for preservation efforts. These rules implement the Green Acres laws, governing the award of loans or matching grants, or both, to local government units for the acquisition or development of land, and 50% matching grants to nonprofits for the acquisition or development of land, for outdoor recreation and conservation purposes. These rules establish project eligibility requirements, application requirements, funding award categories and criteria, matching grant and loan terms, and program administrative requirements. The rules also contain procedures for the disposal, or diversion to a use other than recreation and conservation, of those lands acquired or developed with Green Acres funding or otherwise encumbered with Green Acres restrictions.



New Jersey Pollutant Discharge Elimination System Stormwater Regulation Program Rules (NJAC7:14A).

The New Jersey Pollutant Discharge Elimination System (NJPDES) Stormwater Rules are intended to address and reduce pollutants associated with existing stormwater runoff. The NJPDES Rules govern the issuance of permits to entities that own or operate small, separate municipal storm sewer systems. The permit program establishes the Statewide Basic Requirements that must be implemented to reduce nonpoint source pollutant loads from these sources. The Statewide Basic Requirements include measures such as the adoption of ordinances (litter control, pet waste, wildlife feeding, proper waste disposal, etc.); the development of a municipal stormwater management plan and implementing ordinance(s); requiring certain maintenance activities (such as street sweeping and catch basin cleaning); implementing solids and floatables control; locating discharge points and stenciling catch basins; and a public education component.

Guidance for the development of Municipal Mitigation Plans was developed and made available in February 2004. This has been effective in guiding the community for stormwater runoff.

The program was developed in response to the EPA Phase II rules published in December 1999. The department issued final stormwater rules on February 2, 2004, and four NJPDES general permits authorizing stormwater discharges from Tier A and Tier B municipalities as well as public complexes and highway agencies that discharge stormwater from municipal separate storm sewers. There are 462 Tier A municipalities and 100 Tier B municipalities. The general permits address stormwater quality issues related to new development, redevelopment, and existing development by requiring municipalities to implement several Statewide Basic Requirements. All municipalities have a local stormwater coordinator, and the department has case managers assigned to each municipality for compliance assistance (see NJAC 7:22 below). Long-term water quality trends in rivers and streams indicate dramatic improvement over the past 30 years, likely the result of elimination or minimization of point sources, upgrades of wastewater treatment plants and natural attenuation of pollutants.

Municipal stormwater management renewal permits have changed for Tier A and Tier B municipalities, effective as of January 1, 2018. The Tier A and Tier B Municipal Stormwater General Permits authorize the discharge of stormwater from small municipal separate storm sewers. The Tier A permit addresses stormwater quality issues related to both new and existing development. The Tier B permit focuses on new development and redevelopment projects and public education.

New Jersey Soil Erosion and Sediment Control Act (NJSA 4:24)

New Jersey has 15 soil conservation districts, following county boundaries that implement the New Jersey Soil Erosion and Sediment Control Act (NJSA 4:24), which governs certain aspects of new development.

New Jersey Statewide Water Supply Plan

The Water Supply Management Act of 1981 requires that the New Jersey Department of Environmental Protection (NJDEP) develop and periodically update the New Jersey Statewide Water Supply Plan to guide future water supply management. The New Jersey Statewide Water Supply Plan addresses the following issues:

- Identify surface and ground water sources, and current demands on those resources
- Make demand projections for duration of the plan
- Identify intended uses of land purchased for water supply facilities but not yet used
- Recommend:
 - Improvements, new construction, and interconnections



- Diversions for aquaculture
- Legislative and administrative actions to protect watershed areas
- Identification and purchase of land for water supply facilities
- Administrative actions to protect surface and ground water supplies

The 2023-2028 plan addresses the following issues:

- Climate change implications for water availability and water supply demands,
- Extend the planning period from 2040 to 2050,
- Environmental justice and equity issues related to water supply management,
- Potential water supply implications of source water contamination, especially regarding emerging contaminants of concern; and
- More specific water management recommendations for stressed water resources (NJDEP n.d.).

New Jersey's Rising Seas and Changing Coastal Storms: Report of the 2019 Science and Technical Advisory Panel

A 2016 New Jersey Science and Technical Advisory Panel (STAP) was convened by Rutgers University, culminating in a report that identified planning options for practitioners to enhance the resilience of New Jersey's people, places, and assets to sea-level rise, coastal storms, and the resulting flood risk. The same team at Rutgers University was engaged by the NJDEP to update the 2016 report based on the most current scientific information. Similar to the inaugural work, the 2019 STAP was charged with identifying and evaluating the most current science on sea-level rise projections and changing coastal storms, considering the implications for the practices and policies of local and regional stakeholders, and providing practical options for stakeholders to incorporate science into risk-based decision processes. The 2019 STAP is used by multiple State agencies including NJDEP and New Jersey Office of Emergency Management (NJOEM) for sea level rise and coastal flooding planning and project design purposes.

Pinelands Protection Act (NJSA 13: 18A-30 to 49)

The Pinelands Protection Act affirmed the temporary limitations on development that the Governor had put into effect while a plan to protect the Pinelands was being created. It also established a requirement that county and municipal master plans and land use ordinances be brought into conformance with the Comprehensive Management Plan that the Commission was developing.

The state law makes another important distinction between the remote interior of the Pines and the surrounding portions. Development is to be highly regulated in the Preservation Area, which comprises approximately 39% of the Pinelands Area and encompasses the largest tracts of relatively unbroken forest and most of the economically vital berry industry. The larger surrounding area, known as the Protection Area, contains a mix of valuable environmental features, farmland, hamlets, subdivisions, and towns, making the Commission's task there more complex.

Pinelands Comprehensive Management Plan (NJAC7:50)

The Pinelands Comprehensive Management Plan (CMP) is a set of rules that guide land-use, development, and natural resource protection programs in the state Pinelands Area of New Jersey. The CMP was developed in response to the Pinelands Protection Act, which required the development of a CMP for the New Jersey Pine Barrens. The CMP establishes nine land use management areas with goals, objectives, development intensities,



and permitted uses for each. The CMP regulates where development can take place by creating conservation and growth zones and applying stringent environmental standards to all development.

Safe Dam Act of 1981 NJAC7:24A

No municipality, corporation, or person shall (without the consent of the Commissioner of Environmental Protection) build any reservoir or construct any dam; or repair, alter, or improve existing dams on any river or stream in this State or between this State and any other state that will raise the waters of the river or stream more than five feet above its usual mean low water height.

State Planning Act (NJSA § 52:18A-196 et seq)

The State Planning Act (1985) created the New Jersey State Planning Commission (SPC) and the Office of State Planning (OSP) as staff to the SPC.

New Jersey Department of State, Office for Planning Advocacy Duties of the SPC are to prepare and adopt a State Plan to provide a coordinated, integrated, and comprehensive plan for the growth, development, renewal, and conservation of the State and its regions; to prepare a long-term Infrastructure Needs Assessment, which shall provide information on present and prospective conditions, needs and costs with regard to State, county and municipal capital facilities, including water, sewerage, transportation, solid waste, drainage, flood protection, shore protection, and related capital facilities; to develop and promote procedures to facilitate cooperation and coordination among State agencies and local governments; to provide technical assistance to local governments; to periodically review State and local government planning procedures and relationships; and to review any bill introduced in either house of the Legislature which appropriates funds for a capital project.

Stormwater Management Rules (NJAC7:8)

These rules set forth the required components of regional and municipal stormwater management plans and establish the stormwater management design and performance standards for new (proposed) development. The design and performance standards for new development include groundwater recharge, runoff quantity controls, runoff quality controls, and buffers around Category 1 waters.

New Jersey's Stormwater Management rules are implemented by the New Jersey Department of Environmental Protection through the review of permits issued by the Division of Land Use Regulation (Flood Hazard, Freshwater Wetlands, CAFRA, Waterfront Development, and Coastal Wetlands). The Stormwater Management rules (Stormwater rules or rules) are also implemented by local authorities through the Municipal Land Use Law (MLUL) and the Residential Site Improvement Standards (RSIS). Per the New Jersey Department of Community Affairs, the RSIS are applicable to any residential application that goes before a local board. Through the RSIS, the Stormwater rules are activated whenever a municipality requires the control of runoff from a site that is the subject of a site or subdivision application.

Tidelands Act (N.J.S.A 12:3)

Tidelands, also known as "riparian lands," are lands now or formerly flowed by the tide of a natural waterway. This includes lands that were previously flowed by the tide but have been filled and are no longer flowed by the tide. These lands are owned by the people of the State of New Jersey. Individuals must first get permission from the State to use these lands, in the form of a tidelands license, lease, or grant, and must pay for this use.

The management of tidelands in New Jersey is overseen by the Tidelands Resource Council, a board of 12 Governor-appointed volunteers, along with NJDEP staff at the Bureau of Tidelands Management. Grants, licenses,



and leases are issued by the Tidelands Resource Council, which makes all ultimate decisions with regard to tidelands.

Uniform Construction Code

Building codes mandate best practices and technology, much of which is designed to reduce or prevent damage from occurring when structures are under stress.

The Uniform Construction Code (UCC) adopts up-to-date building codes as its Building Subcode and One- and Two-Family Subcode. These Subcodes contain requirements that address construction in both A and V flood zones. Also, all new construction is required to comply with the UCC for flood zone construction.

New Jersey has enacted legislation directing the Department of Community Affairs (NJDEA) to adopt a radon hazard code or revise the State building code to establish standards to ensure that schools and residential buildings in tier one areas, as defined by the State, are constructed in a manner that minimizes radon gas entry and facilitates any necessary subsequent remediation (see NJSA 52:27D-123).

The Department then adopted a radon hazard sub-code which does not reference existing model standards or guidance, but which sets forth the basic requirements for a passive sub-slab or sub-membrane depressurization system. See New Jersey Administrative Code (NJAC) 5:23-10.4. The radon control standards and procedures apply to new residential construction (and school construction) in “tier one” areas, as defined by the State, and Appendix 10-A of the sub-code lists the specific municipalities that are designated as tier one areas.

All incorporated municipalities in New Jersey have adopted standardized building codes (IBC 2021 New Jersey edition).

Wetlands Act of 1970 (NJSA 13:9A – 1 to 10)

In 1970, the New Jersey Legislature declared that one of the most vital and productive areas of our natural world is the area between the sea and the land known as the “estuarine zone.” This area protects the land from the force of the sea, moderates the weather, provides a home for waterfowl and for fish and shellfish, and assists in absorbing sewage discharge by the rivers of the land. It is necessary to preserve the ecological balance of this area and prevent its further deterioration and destruction by regulating the dredging, filling, removing, or otherwise altering or polluting.

Waterfront Development Statute (NJSA 12:5-1) Coastal Permit Program (NJAC 7:7)

This Law sets forth the requirements of filling or dredging of, or placement or construction of structures, pilings, or other obstructions in any tidal waterway or in certain upland areas adjacent to tidal waterways outside the area regulated under Coastal Area Facility Review Act. These requirements are fully explained in NJAC7:7-2.3. These implementing rules establish the procedures by which the NJDEP will review permit applications and appeals from permit decisions the Waterfront Development Law.

State Requirements for Local Laws and Regulations

New Jersey’s Home Rule Act grants municipal governments broad authorities to enact ordinances and regulations providing for public welfare and order. Municipalities can leverage these powers to address local conditions that affect their residents. To ensure a minimum set of standards, New Jersey has passed laws and regulations mandating that each municipality adopt local ordinances with the same basic criteria so that jurisdictions may add additional requirements but cannot have fewer requirements than the State. The sections below describe key state



requirements for local laws and regulations. For more information on the local plans and regulations adopted by each municipality in Cape May County that contribute to risk reduction, refer to Volume II.

Building Codes

Building codes mandate best practices and technology, much of which is designed to reduce or prevent damage from occurring when structures are under stress. As evidenced during recent storm events (e.g., Hurricane Irene and Superstorm Sandy), structures built to code and sufficiently elevated suffer far less damage during hazard events. In New Jersey, municipalities are required to adopt the New Jersey State Uniform Construction Code (UCC). The MLUL (NJSA 40:55D-1) permits every municipality in the State to adopt its own building regulations, in which all property owners must abide by these regulations at a local level. Building regulations can be amended to be more stringent than the requirements of the UCC but not to be more lax.

The UCC Act authorizes the Commissioner of the Department of Community Affairs to adopt and enforce rules pertaining to construction codes and provides for the administration and enforcement of those rules throughout the State. The UCC (NJAC 5:23) contains the UCC Act and all rules issued under the Act relating to the administration and enforcement of construction regulations. The UCC is composed of four basic technical subcodes for construction: building, electrical, fire protection, and plumbing. In addition, the UCC contains technical subcodes for fuel gas installations; mechanical installations; one- and two-family dwellings; accessible (barrier free) construction; the rehabilitation of existing buildings; the construction of manufactured homes; asbestos hazard abatement; radon hazard abatement; and playground safety. In New Jersey, State-licensed, municipally employed code enforcement professionals (construction officials, subcode officials, and inspectors) are responsible for the enforcement of the UCC (NJDCA n.d.).

Emergency Operations Plans

Local municipalities in the State of New Jersey are required to have an approved emergency operations plan. The plan specifies the vulnerabilities for major emergencies the municipality may have and outlines the resources the municipality has or can access to meet the emergency. The plan is reviewed at the County and State Offices of Emergency Management.

Master Plans

The Municipal Land Use Law (MLUL) of 1975 (N.J.S. 40:55D-1 et seq.) grants municipalities the power to enact a master plan which has a land use element. Master plans create the foundation for the local zoning and land ordinances that govern development. These plans help jurisdictions review their land use plans and policies with public participation. The MLUL provides the required components of a municipal master plan and requires all zoning ordinances to be consistent with the master plan. The local zoning administrator as well as the volunteer planning and zoning board members have the responsibility to interpret and enforce the municipality's master plan.

In recognition of the critical need for climate science to inform land use planning, on February 4, 2021, Governor Phil Murphy signed into law P.L. 2021, c6. This law requires municipalities to incorporate a climate change-related hazard vulnerability assessment into any Master Plan Land Use Element adopted after the signing.

According to the amended law, these vulnerability assessments must rely on the most recent natural hazard projections and best available science provided by the NJDEP. They must also consider environmental effects associated with climate change, including but not limited to temperature, drought, and sea-level rise, and contain measures to mitigate reasonably anticipated natural hazards, such as coastal storms, shoreline erosion, flooding, storm surge, and wind.



Shoreline Management

The Coastal Area Facility Review Act (CAFRA) (NJSA 13:19) regulates almost all development along the coast involved in residential, commercial, or industrial sectors for activities including construction, relocation, and enlargement of buildings or structures; and all related work, such as excavation, grading, shore protection structures, and site preparation. This law is implemented through New Jersey's Coastal Zone Management Rules (NJAC 7:27E-1.1 et seq). This law divides the CAFRA area into pieces or zones and regulates different types of development in each zone. Generally, the closer a structure is to the water, the more rigorous the development regulations.

Stormwater Management Ordinances

Title 7 of the New Jersey Administrative Code (NJAC 7:8) establishes design and performance standards for management of stormwater that address water quality, water quantity, and recharge. All municipal stormwater control ordinances must be designed to:

- Reduce flood damage, including damage to life and property.
- Minimize, to the extent practical, any increase in stormwater runoff from any new development.
- Reduce soil erosion from any development or construction project.
- Ensure the adequacy of existing and proposed culverts and bridges, and other instream structures.
- Maintain ground water recharge.
- Prevent, to the greatest extent feasible, an increase in nonpoint pollution.
- Maintain the integrity of stream channels for their biological functions, as well as for drainage.
- Minimize pollutants in stormwater runoff from new and existing development in order to restore, enhance and maintain the chemical, physical, and biological integrity of the waters of the State, to protect public health, to safeguard fish and aquatic life and scenic and ecological values, and to enhance the domestic, municipal, recreational, industrial and other uses of water.
- Protect public safety through the proper design and operation of stormwater management basins.

Municipal ordinances can be amended to be more stringent than the requirements of the Stormwater Management rules but not to be more lax. The Residential Site Improvement Standards (RSIS) allow municipalities to require stormwater runoff controls for development falling below major development to address groundwater recharge and stormwater runoff quantity, but not for water quality as provided in the RSIS at NJAC 5:21-7.1 (NJDEP 2023).

Amendments to New Jersey's stormwater management rules in 2021 include the required use of green infrastructure practices that use or mimic the natural water cycle to capture, filter, absorb, and/or re-use stormwater.

Stormwater Management Plan and Ordinances

In response to the U. S. Environmental Protection Agency's (USEPA) Phase II rules published in December 1999, the NJDEP Storm Water Management Rule (NJAC 7:8, et seq.) was developed. This rule includes establishment of the Municipal Stormwater Regulation Program and four NJPDES general permits authorizing stormwater discharges from Tier A and Tier B municipalities as well as public complexes and highway agencies that discharge stormwater from municipal separate storm sewers (MS4s). These rules set forth the required components of regional and municipal stormwater management plans.

A municipal stormwater management plan (MSWMP) documents the strategy of a specific municipality to address stormwater-related impacts. A plan may address an existing water quantity issue, such as localized flooding; an



existing water quality issue, such as excess pollutant loading; or issues of water quantity and quality that may be generated by future development. MSWMPs provide the structure and process for addressing stormwater management in the municipality. They are required by the Environmental Protection Agency's Phase II Stormwater Permitting Rules; the mandatory elements of the plan are described in the Stormwater Management Rule (NJDEP 2004).

Subdivisions

The MLUL also dictates subdivisions in New Jersey. The MLUL allows every municipality in the State to adopt its own building and land use laws within a municipal boundary, and all property owners must abide by these laws.

The board of commissioners provides for the review of all subdivisions of land within the county by the county planning board and for the approval of those subdivisions affecting county road or drainage facilities (New Jersey Statute 40:27-6.2).

Zoning Ordinances

The authority to regulate land use is encompassed within the powers granted to the legislative branch of government by Article III of the New Jersey Constitution of 1947. The legislature, however, is authorized by Article IV, Section VI, paragraph 2, to delegate some of its power to municipalities. This has been done by virtue of several land use laws, including the MLUL, which grants municipalities the power to enact a master plan which has a land use element and to adopt a zoning ordinance (N.J.S. 40:55D-28 and 40:55D-62). Under the MLUL, each municipality must adopt a zoning ordinance. A property owner can request a variance from the municipality, and if granted, the owner can use the land in a way that is ordinarily not permitted by the local zoning ordinance. Zoning ordinances have three major constraints:

- Municipalities may not exercise authority in ways that conflict with provisions of the federal or state constitutions.
- Municipal authority may not be exercised in conflict with authority exercised by the county, state, or federal governments.
- Municipal authority must be exercised in strict conformity with the provisions of the MLUL.

Each municipal clerk is required to file a copy of the planning and zoning ordinances of the municipality with the county planning board (New Jersey Statute 40:27-6.10). The local zoning administrator, as well as the volunteer planning and zoning board members, have the responsibility to interpret and enforce the municipality's zoning and other land development ordinances.

15.2.3 County

Cape May County Code Blue Emergency Policy

The Code Blue Emergency Policy is intended to provide notice of adverse winter weather conditions to local municipalities and social services agencies that provide services to homeless individuals living outdoors, on the streets in parks, or in poorly insulated settings and who are at risk for cold-related exposure. A Code Blue alert is declared whenever temperatures drop below the freezing point (32 °F) with precipitation or below 25 °F without precipitation, posing a danger to the homeless population.



Cape May County Comprehensive Plan

The Cape May County Comprehensive Plan provides information to guide the development plans of other entities and partners, such as key land use characteristics, demographic indicators, and the location of historic and cultural resources, environmental resources, and critical infrastructure facilities.

The Cape May County Comprehensive Plan provides a regional context and perspective for municipalities in preparing their local master plans. Under state law, municipal master plans and redevelopment plans must include an assessment of consistency with the master plan of the County. When evaluating consistency with the Cape May County Comprehensive Plan, focus should be on the vision and accompanying goals and objectives.

Cape May County Creative Placemaking Plan

Creative placemaking is an approach to community planning, urban design, and public engagement that has emerged in the last decade. The primary goal is to engage community members through art, culture, and design to support growth, vitality, and sustainability. This plan establishes a consistent and high-quality brand identity to be expressed in all programs and projects funded by Cape May County's Open Space and Farmland Preservation Program. The plan provides partners in the program with guidelines for use in designing projects for public spaces throughout Cape May County, using materials, patterns, colors, and other aesthetic elements derived from the County's natural and built environments.

Cape May County Community Health Improvement Plan

The community health improvement plan is a long-term, systematic effort to address Cape May County's most important public health problems. The plan is based on the results of a community health assessment process. It identifies local health issues, sets priorities and coordinates resources. All of this is toward the goal of creating healthy people in healthy communities.

Cape May County Comprehensive Farmland Preservation Plan

This plan is prepared in accordance with the State Agriculture Development Committee's (SADC) "Guidelines for Development County Comprehensive Farmland Preservation Plans." Through farmland preservation, Cape May County is afforded the opportunity to capitalize on the agriculture community's ability to maintain open spaces that provide aesthetic, historical and environmental benefits, such as wildlife habitat and groundwater recharge. This plan discusses the County's agricultural land base, agricultural history, current land use and land use planning regulations, an overview of the County's Open Space and Farmland Preservation Program, plans for the future of the program, agricultural economic development, and natural resource conservation.

Cape May County Emergency Operations Plan

The Emergency Operations Plan defines the scope of preparedness and emergency management activities necessary in Cape May County. This document assigns responsibility to organizations and individuals for carrying out specific actions that exceed routine responsibility at projected times and places during an emergency; sets lines of authority and organizational relationships and shows how all actions will be coordinated; identifies how people and property are protected; and identifies personnel, equipment, facilities, supplies, and other resources available within the jurisdiction or by agreement with other jurisdictions.



Cape May County Open Space and Recreation Plan

The Cape May County Open Space and Recreation Plan serves as a strategic plan describing the County's open space and recreation needs and provides a basic action plan to address those needs. The plan recognizes that the County is in need of additional public recreational land and open space. Accordingly, the plan recommends:

- The maintenance and expansion (wherever possible and practical) of the existing County Park System.
- The continuation of the County's Open Space and Farmland Preservation Program in conjunction and coordination with other public and private open space preservation programs.
- The active involvement of the County in providing planning and technical assistance to municipalities and other entities, both public and private, involved in the maintenance and preservation of open space.

Cape May County Strategic Recovery Planning Report

The New Jersey Department of Community Affairs (NJDCA) established a Post Sandy Planning Assistance Grant Program to support long range planning for community redevelopment in the municipalities and counties sustaining damage from Superstorm Sandy. The Program provides grants to municipalities and counties to retain American Institute of Certified Planners/New Jersey Board of Professional Planners (AICP/PP) licensed planners to address conditions created or exacerbated by the storm, identify approaches to rebuilding that will be more resistant to damage from future storm events, and encourage sustainable economic growth.

The purpose of the Strategic Recovery Planning Report (SRPR) is to evaluate the impacts of the disaster on relevant community features. The evaluation can be broad or narrow but should focus on planning goals, strategies, and priorities leading to actions that are most urgently needed for public safety and economic recovery. The SRPR should serve as a guide for actions to not only recover from the effects of Superstorm Sandy but also to reduce vulnerabilities to future disasters.

Cape May County Ten Year Plan to End Homelessness

This Plan represents a strategy for the community to work together to address homelessness in Cape May County. It aims to serve different populations including people of low incomes (below 60 percent of median and particularly those below 30 percent of median income); special populations, including those experiencing domestic violence, veterans, youth and the elderly population. In developing strategies, the community must remain mindful that service needs may differ among the target populations.

Through this Plan, a consortium of community entities and resources will work together to address homelessness in Cape May County among families and individuals, among young adults and elders, among victims of domestic violence and people with mental health issues, including both longtime residents and seasonal newcomers.

This Ten-Year Plan to Reduce Homelessness by 2027 sets forth a process to begin addressing the needs of the various forms of homeless; those that are chronically homeless as well as those that are at imminent risk of becoming homeless.

Cape May County Tourism Report

The Tourism Report is created annually to identify and discuss trends in the tourism sector. The report summarizes tourism direct spending, economic impacts tourism had in the County during the previous season, and how County departments and programs supported tourism.



Community Needs Assessment Survey

The Community Needs Assessment Survey offers comprehensive information about the health needs, critical issues, and resources of a specific community. Cape May County's Division of Aging and Disability Services is currently conducting the 2024 Community Needs Assessment to gather information to understand the needs of the community and to cater its programs to the population.

Comprehensive Bridge Replacement and Improvement Plan for Cape May County and Bridge Commission Bridges

The County of Cape May Engineering Department, in collaboration with the Cape May County Bridge Commission, identified the need to prepare and formalize a Bridge Replacement and Improvement Plan. This plan has and continues to address aging bridge infrastructure by providing operational safety serving residents and visitors.

This plan encompasses 23) County-owned and -operated bridges, as well as five bridges owned and operated by the Commission. The primary emphasis over the next 15 years is to address critical infrastructure needs by replacing the bridges that have surpassed their serviceable life while improving and maintaining the safety and integrity of the remaining bridges. This plan is updated on a regular interval based upon findings of the NBIS reports and as needed when field conditions arise the necessity.

Pacific Avenue Redevelopment Plan

The Pacific Avenue Redevelopment Plan, which establishes the Pacific Avenue Redevelopment Zone, provides new regulations to guide the transformation of a significant portion of the Pacific Avenue corridor, Wildwood's traditional downtown.

The Pacific Avenue Redevelopment Plan provides a framework of regulations to implement a vision for the renewal of Wildwood's traditional downtown through new development that will concentrate and strengthen the traditional commercial hub while reinvigorating the residential neighborhoods that envelop the center. The overall objective of the standards is to predictably modulate the form of new buildings, encourage architecture that is well-suited to contemporary and anticipated market, and provide for land uses that fit Wildwood's culture and future. This plan provides thoughtful community design guidance for new development to implement the overall objectives for the corridor in terms of character and scale. Furthermore, this plan seeks to accommodate adaptation to future anticipated increases in flooding due to sea level rise.

Stormwater Pollution Prevention Plan

The Stormwater Pollution Prevention Plan is used to identify all potential pollution sources that could come into contact with stormwater leaving a site. Cape May County currently has two stormwater pollution prevention plans: one for the Crest Haven Complex; and one for the Department of Public Works' primary activities. These plans typically include the following elements:

- Site map and description
- Descriptions of activities that could cause pollution
- Best Management Practices & control measures for preventing pollution
- Procedures for conducting inspections and monitoring
- Plans for keeping your SWPPP up to date



Water Quality Management Plan

A water quality management plan is a site-specific plan that includes practices, measures, technologies, or combinations thereof to control and/or prevent water quality problems. The County maintains map of compliant future wastewater service areas for each of its 16 jurisdictions.

15.2.4 Regional

New Jersey Back Bays Coastal Storm Risk Management Study

This study investigated coastal storm risk management strategies to reduce coastal flooding impacts on population, critical infrastructure, critical facilities, property, and ecosystems. The study considered the full array of structural, non-structural, and natural and nature-based measures. The study area is the area behind the New Jersey barrier islands of Monmouth, Ocean, Burlington, Atlantic and Cape May Counties and includes the interconnected water bodies and coastal lakes that are separated from the Atlantic Ocean.

The study considered past, current, and future coastal storm risk management and resilience planning initiatives and projects underway by the USACE and other federal, state, and local agencies. Four overarching efforts were performed:

- Assess the study area's problems, opportunities and future without project conditions.
- Assess the feasibility of implementing system-wide coastal storm risk management solutions such as policy/programmatic strategies, storm surge barriers at selected inlet entrances, or tidal gates at selected lagoon entrances.
- Assess the feasibility of implementing site-specific perimeter solutions such as a combination of structural, non-structural, and natural and nature-based features.
- Assess the impacts of back bay strategies and solutions on the Atlantic Coast Coastal Storm Risk Management Program towards developing recommendations within a systems context given likely future scenarios.

The report outlines a tentatively selected plan framework, which includes three storm surge barriers, two cross-bay barriers, and the elevation of more than 18,000 structures to reduce the risk of flood damages associated with storm surge. The plan has not yet been approved by higher authorities, including Congress, and has not been funded for implementation at the federal or state level.

Regional Transportation Plan 2050: Moving South Jersey Forward

Regional Transportation Plan (RTP) 2050 is South Jersey Transportation Planning Organization's (SJTPO) federally required long-range plan that guides investment decisions about the region's transportation network. The RTP is updated every 4 four years. RTP 2050's predecessor, Transportation Matters: A Plan for South Jersey (RTP 2040), was adopted in 2016.

RTP 2050 details how over \$5.0 billion in federal transportation funds will be spent in the region over the next 30 years. While not all this money is currently programmed into specific projects, much of this money will go towards projects that preserve the system and keep it operating smoothly. This is due to extensive system maintenance needs, tight fiscal constraints as well as strict environmental constraints that make system expansion very difficult. While municipalities and the state fund a good portion of the transportation improvement projects throughout the SJTPO region, federal funds constitute an even larger component of the overall funding package.



15.3 ADMINISTRATIVE AND TECHNICAL CAPABILITIES

15.3.1 Federal

Numerous federal agencies have specific capabilities that support pre- and post-disaster hazard management in Cape May County.

Federal Emergency Management Agency

The Federal Emergency Management Agency (FEMA) is responsible for providing assistance before, during, and after disasters. FEMA is the federal reviewer of hazard mitigation plans and sets federal standards for local and state hazard mitigation plans.

Community Assistance Visits and Community Assistance Contacts

FEMA evaluates NFIP minimum compliance through compliance audits known as Community Assistance Visits (CAVs) or Community Assistance Contacts (CACs). CAVs and CACs are performed to ascertain community compliance with the NFIP, at entry into the CRS, and to maintain participation in the CRS. FEMA may conduct these with Region 2 staff, with NJDEP staff under the Compliance Assistance Program – State Support Services Element (CAP-SSSE) grant, or with private contractors. While there is some flexibility in how a CAV or a CAC is conducted, CAVs are generally more rigorous than CACs (NJDEP 2023).

FEMA evaluates the following key areas in a compliance audit:

- The Community's Flood Damage Prevention Ordinance
- Mapping Products and other Ordinances used to regulate floodplain development
- Floodplain Development Permitting Procedures
- Floodplain Permit Applications and other Forms/Records, including Substantial Damage and Improvement Determinations
- Floodplain Development Review and Performance Standards
- Floodplain Development Permits Issued to Applicants (NJDEP 2023)

Federal Energy Regulatory Commission Dam Safety Program

The Federal Energy Regulatory Commission (FERC) has the largest dam safety program in the United States, cooperating with many federal and state agencies to ensure and promote dam safety and, more recently, homeland security, on dams associated with hydropower. Currently, there are approximately 7 dams in New Jersey regulated and inspected by FERC. Every five years, an independent consulting engineer, approved by the FERC, must inspect and evaluate projects with dams higher than 32.8 feet (10meters) or with a total storage capacity of more than 2,000 acre- feet.

HURREVAC

HURREVAC is the decision support tool of the National Hurricane Program, administered by FEMA, the United States Army Corps of Engineers (USACE), and the National Atmospheric and Oceanic Administration (NOAA) National Hurricane Center (HURREVAC n.d.). The NJOEM has established a strong working group with all 21 county Offices of Emergency Management (OEMs) to use HURREVAC software for tracking hurricanes. HURREVAC allows NJOEM and counties to work as a unified team, coordinating notification, communication,



activations, public warning, and evacuation and sheltering efforts. By operating together, the State and the counties serve the public better by providing the same advisories and actions.

National Weather Service

The National Weather Service (NWS) monitors weather and delivers weather forecasting for New Jersey. Most of the State is serviced by the Mount Holly weather forecast office. NJOEM uses conference calling with the NWS and county OEMs to share specific information and needs when severe weather is forecast. When an approaching storm warrants monitoring, NJOEM sends out e-mails with State Emergency Operations Center (EOC) status information and advice embedded in jpeg files to keep all emergency managers statewide up to date with NJOEM's direction. Resources are deployed as early as possible to prepare for storm impacts. The NWS also offers various education and training programs on weather-related hazards (NWS 2023).

StormReady Program

The NWS operates the StormReady program, which encourages communities to take a new, proactive approach to improving local hazardous weather operations by providing emergency managers with clear-cut guidelines on how to improve their hazardous weather operations. To be recognized by the program, a community must establish a 24-hour warning point and emergency operations center; have more than one way to receive severe weather warnings and forecasts and to alert the public; create a system that monitors weather conditions locally; promote the importance of public readiness through community seminars; and develop a formal hazardous weather plan, which includes training severe weather spotters and holding emergency exercises (NWS n.d.). Cape May County and Upper Township are StormReady communities.

U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers (USACE) works to strengthen the nation's security by building and maintaining America's infrastructure and providing military facilities where servicemembers train, work, and live. Projects include dredging, storm damage reduction, and ecosystem restoration in and near waterways (USACE n.d.). New Jersey is serviced by the Philadelphia and New York districts. USACE has numerous initiatives to support hazard mitigation measures, including the Silver Jackets, planning assistance, and inspections and repair of flood control structures. USACE also maintains the National Inventory of Dams and the National Levee Database.

Silver Jackets

Silver Jackets, developed by USACE, is the State-level implementation program for the National Flood Risk Management Program. The program's goals are to leverage information and resources from federal, state, and local agencies to improve flood risk management; improve public risk communication through a united effort; and create a mechanism to collaboratively solve issues and implement initiatives beneficial to local communities. The USACE Philadelphia District organizes this program in New Jersey.

Climate Preparedness and Resilience Community of Practice

The Practice develops and implements practical, nationally consistent, and cost-effective approaches and policies to reduce potential vulnerabilities to the nation's water infrastructure resulting from climate change and variability (USACE n.d.).

Planning Assistance to States Program

Section 22 of the 1974 Water Resources Development Act provides authority for the USACE to assist states, local governments, Native American Tribes, and other non-federal entities in the preparation of comprehensive plans for



the development and conservation of water and related land resources. Types of work that can be done include Water Quality Studies, Wetland Evaluation Studies, Flood Plain Management Studies, Coastal Zone Management/Protection Studies, Harbor/Port Studies, or other water resource planning investigations. The individual non-federal sponsors determine the needed planning assistance (USACE n.d.).

Flood Plain Management Services Program

Section 206 of the 1960 Flood Control Act (PL 86-645), as amended, provides the authority for the USACE to provide assistance and guidance on all aspects of floodplain management planning. The program develops or interprets site-specific data on obstructions to flood flows, flood formation, and timing and the extent, duration, and frequency of flooding. Upon request, program services are provided to the State, regional, and local governments, Native American Tribes, and other non-federal public agencies without charge (USACE n.d.).

Inspection of Completed Works Program

Civil works structures whose failure or partial failure could jeopardize the operational integrity of the project, endanger the lives and safety of the public, or cause substantial property damage, are periodically inspected, and evaluated to ensure their structural stability, safety, and operational adequacy. For those structures constructed by the USACE and turned over to others for operation and maintenance, the operating entity is responsible for periodic inspection and evaluation. The USACE may conduct the inspection on behalf of the project sponsor provided appropriate reimbursement to the USACE is made. However, the USACE may participate in the inspection with the operating entity at the government's expense.

Rehabilitation and Inspection Program

The Rehabilitation and Inspection Program is a USACE program that provides for inspection of flood control projects, the rehabilitation of damaged flood control projects, and the rehabilitation of federally authorized and constructed hurricane or shore protection projects.

Dam Safety Program

The USACE is responsible for safety inspections of some federal and non-federal dams in the United States that meet the size and storage limitations specified in the National Dam Safety Act. USACE has inventoried dams and has surveyed each state and federal agency's capabilities, practices, and regulations regarding design, construction, operation, and maintenance of the dams. USACE has also developed guidelines for inspection and evaluation of dam safety.

U.S. Geological Survey

U.S. Geological Survey (USGS) maintains a network of gauges across New Jersey that continuously measure lake, reservoir table, stream, and tidal levels. These data sets are transmitted to the USGS and made available over the Internet. As project needs and funding levels change, gauges may be added or deactivated, and deactivated gauges may be reactivated (USGS 2023). USGS provides data to the Department of Environmental Protection for drought determinations. USGS also recovers high water marks post-coastal flooding (USGS 2018). In the back bays and along tidal waters, the U.S. Geological Survey (USGS) manages the New Jersey Tide Telemetry System. All systems transmit telemetry continuously to the NWS, USGS, State Climatologist, NJDEP, NJOEM, and all affected counties and many municipalities. These systems were created and installed with federal assistance through NOAA and USACE.



15.3.2 State

Numerous state agencies have specific capabilities that support pre- and post-disaster hazard management in Cape May County.

New Jersey Association of Floodplain Managers

The New Jersey Association of Floodplain Managers (NJAFM) is a statewide organization of over 500 members and is a chapter of the National Association of State Floodplain Managers (ASFPM). NJAFM offers an annual conference, training, seminars, and certification in floodplain management, the National Flood Insurance Program, the Certified Floodplain Manager (CFM) Program for local officials, and NFIP's CRS.

New Jersey Board of Public Utilities

The New Jersey Board of Public Utilities (BPU) works with private utility companies to provide analysis of natural hazard information affecting the provision of electric power, telecommunications, public water, sewage collection and treatment, and other regulated public utilities. The data is used during response and recovery efforts in the event of emergency or disaster and is also used to analyze impact of mitigation plans and projects. BPU also provides technical assistance for the Energy Resiliency Program.

New Jersey Cultural Alliance for Response

The New Jersey Cultural Alliance for Response (NJCAR) is a network of organizations, associations, agencies, and persons dedicated to safeguarding the cultural heritage of New Jersey. Through communication and training, the Alliance empowers New Jersey's cultural community to preserve assets and sustain operations before, during, and after disasters.

New Jersey Department of Agriculture

The New Jersey Department of Agriculture (NJDA) promotes, protects, and serves the State's diverse agriculture and agribusiness industries. NJDA manages programs that conserve soil and water resources and protects farmland from development (NJDA 2016). NJDA coordinates with the U.S. Department of Agriculture (USDA), the National Association of State Departments of Agriculture, the Northeastern Association of State Departments of Agriculture, and the Communications Officers of State Department of Agriculture to participate in national and regional planning and crisis communications initiatives regarding agriculture and agricultural livestock. NJDA coordinates with both governmental agencies and industry groups and maintains emergency response procedures for agricultural emergencies, including serving as central communications point for those agencies and groups. Agricultural groups such as the New Jersey Agricultural Society and New Jersey Farm Bureau, as well as individual agricultural commodity groups, participate in routine communications with NJDA on severe weather warnings, potential agricultural diseases, and manmade agricultural emergencies. NJDA's County Animal Response Teams (CART) ensure potential disaster evacuees are aware not to leave pets behind but instead to seek out animal-friendly shelters and/or other temporary housing.

New Jersey Department of Banking and Insurance

The New Jersey Department of Banking and Insurance (DOBI) regulates the banking, insurance, and real estate industries. DOBI mandates (through A07-126) companies authorized to sell homeowner insurance to have a prepared Business Continuation Plan to ensure all insurance entities prepare and maintain a disaster response preparation measure playbook. Any updates to plans are due June 30 of each year.



Through Bulletin No. 19-09, DOBI mandates companies authorized to sell insurance to submit primary and secondary person information for those individuals designated to be contacted in the event of a disaster or catastrophic event. Bulletin No. 19-11 mandates that all state financial institutions (i.e., State Chartered Banks, Savings Banks, Savings and Loan Associations, Credit Unions, Check Cashers, and Money Transmitters) submit primary and secondary person information for those individuals designated to be contacted in the event of a disaster or catastrophic event. Any changes to contact information must be submitted to the Department within 30 days of the change.

Following catastrophic disasters and major property and casualty insurance losses, DOBI mandates companies who write business in the state of New Jersey to submit claim information on a continuous basis until 95-percent of their total claims (residential and commercial) have been closed, either with or without payment transfers.

New Jersey Department of Community Affairs

The New Jersey Department of Community Affairs (DCA) provides administrative guidance, financial support, and technical assistance to local governments, community development organizations, businesses, and individuals to improve the quality of life. DCA administers the U.S. Department of Housing and Urban Development (HUD) CDBG-DR funding (through Reconstruction, Rehabilitation, Elevation and Mitigation Program (RREM) and other State programs). DCA offers a wide range of programs and services that respond to issues of public concern, including fire and building safety, housing production, community planning and development, and local government management and finance. DCA's programs and services are provided through, among others, the following Divisions: Division of Codes and Standards, Division of Community Resources, Division of Fire Safety, and the Division of Local Government Services.

Division of Disaster Recovery and Mitigation

In the housing elevation programs, both those funded by CDBG-DR funds and those funded by FEMA, Division of Disaster Recovery and Mitigation (DRM) is now requiring the structure to be raised at least three feet above base flood elevation, or more if required by the local standard. DRM is focusing CDBG-DR funds to require elevation for substantially damaged properties. DRM will require all new construction and substantial rehabilitation to meet the ICC-700 design standard, which incorporates resiliency as well as energy efficiency and includes building techniques like impact-resistant doors, attachment of shingles, and flash and seal roof penetrations. This allows DRM to focus on resource efficiency, indoor environmental quality, and homeowner operation and maintenance. DRM has also designed housing recovery programs to allow for mitigation activities to make homes more resilient to future storm events. These activities include structural and utility retrofits, grading and slope stabilization, and other drainage practices. DRM is also financing infrastructure projects that will help impacted communities become more resilient to current and future natural hazards. DRM is incorporating climate resilience into the policies of all the CDBG-DR programs. This ensures that disaster response funding is not wasted on homes and infrastructure that will not be able to withstand the next natural weather event.

New Jersey Department of Corrections

The mission of the New Jersey Department of Corrections (NJDOC) is advancing public safety and promoting successful reintegration in a dignified, safe, secure, rehabilitative, and gender-informed environment, supported by a professional, trained, and diverse workforce, enhanced by community engagement. NJDOC's Office of Emergency Management (NJDOC OEM) continues to perform hazard assessments on its facilities and assist with mitigation strategies to strengthen the Department's resolve. Most recently NJDOC OEM drafted a water emergency plan that protects against adverse outcomes when a facility is disconnected from its main water source. NJDOC provides training on active shooter, drone intrusion, inclement weather considerations, and more.



Each of the 13 correctional facilities located in the State have an updated Continuity of Operations (COOP) Plan. A COOP Plan details all the activities, plans, and procedures an agency must have to ensure that essential services are provided to the State's citizens and businesses during emergencies. ESF-13 Public Safety and Security integrates federal public safety and security capabilities and resources to support the full range of incident management activities associated with potential or actual incidents requiring a coordinated federal response. Capabilities include:

- Special Operations Response Team
- Correctional Emergency Response Team
- Enhanced Security Transportation Unit
- Critical Incident Negotiation Unit
- Office of Emergency Management
- Hazmat Team (Chemical Ordnance -Biological Radiological Aid-Forward Area Strike Teams)

New Jersey Department of Environmental Protection

The New Jersey Department of Environmental Protection (NJDEP) is responsible for protecting environmental quality and public health. Priorities include to reduce and respond to climate change; protect New Jersey's water; revitalize communities and protecting public health; and manage and promote thriving natural and historic resources. NJDEP participates, as a member, in the Regional Catastrophic Planning Team. NJDEP coordinates with FEMA, the U.S. EPA, NJOEM, the New Jersey Department of Military and Veterans Affairs, and the New Jersey State Police to participate in state, county, and local planning initiatives. NJDEP has a wide array of bureaus, divisions, and offices that contribute to the State's pre- and post-disaster capabilities. The NJDEP Flood Control Division is the lead coordinator of New Jersey's NFIP efforts.

New Jersey Department of Health

The New Jersey Department of Health (NJDOH) works to protect the public's health, promote healthy communities, and continue to improve the quality of health care in New Jersey. The scope of work for the public health system is ever-expanding, and the Department is on the frontlines in leading the response to public health challenges. NJDOH has a wide variety of health-related data sources available to assist in various hazard mitigation and emergency response planning efforts, including population traits that increase social vulnerability. NJDOH maintains and updates these data sources and has data analytic capabilities to better understand trends in public health and public health needs.

New Jersey Department of the State

Office of Planning Advocacy

The New Jersey Office of Planning Advocacy (OPA) supports and coordinates planning throughout the state to protect the environment, mitigate development hazards and guide future growth into compact, mixed-use development and redevelopment while fostering a robust long-term economy. The OPA implements the goals of the State Development and Redevelopment Plan to achieve comprehensive, long-term planning; and integrates that planning with programmatic and regulatory land use decisions at all levels of government and the private sector.



New Jersey Department of Transportation

The New Jersey Department of Transportation (NJDOT) is the agency responsible for maintenance, construction, and operation of state and interstate highways in New Jersey. NJDOT is also responsible for planning and developing transportation policy and assisting with rail, freight, and intermodal transportation issues.

NJDOT works to make winter travel as safe as possible. NJDOT has 13,295 lane miles of interstate, U.S., and State routes under its jurisdiction that it strives to keep open and passable at all times during winter weather. The goal during a winter storm is to maintain the roads for safe travel, at safe speeds, by using anti-icing materials and, when appropriate, removal of snow with plows.

- The *511 Traffic Monitoring system (511NJ)* is a free service for the public that supplies traffic information about the New Jersey Interstates, State Highways, New Jersey Turnpike, Garden State Parkway, Atlantic City Expressway, and all bridge and tunnel crossings to motorists. The system combines traffic data into up-to-date condition reports that are always available and accessible via text, voice, or internet service to commuters.
- The department uses *GIS* to create maps that are used in several areas, including planning and highway construction. The maps that are created using this information aid other agencies, including law enforcement, in finding solutions to reduce traffic incidents. The GIS data can also be used to identify geographical changes after a natural disaster so that any anomalies or problems can be addressed.
- The *Office of Maritime Resources—Dredged Material Management* provides interagency support, program planning, and policy recommendations on maritime issues to the governor. NJDOT serves as the primary advisory body for the support of New Jersey's \$50 billion maritime industry, which includes ports and terminals, cargo movement, boat manufacturing and sales, ferry operations, marine trades, recreational and commercial boating, and maritime environmental resources. Management of dredging activities in New Jersey is generally divided into three main geographic areas – New Jersey/New York Harbor, Delaware River/Delaware River Ports, and the state's navigation channels. This program also promotes coordination and cooperation among federal, state, regional, and nongovernmental agencies.

New Jersey Department of Treasury

Division of Administration and the Emergency Response Unit

The Division of Administration and the Emergency Response Unit (ERU) is the State Treasurer's representative and coordinating agency for all the Department of Treasury's roles and responsibilities in and to Emergency Management. The ERU acts as the lead for the Department of the Treasury and deployment coordinator for the Department of Planning, Mitigation, Response, and Recovery. The division coordinates and delegates mitigation and corrective action policies, programs, and projects within the Division of Administration and to other divisions of the department.

New Jersey Economic Development Authority

The New Jersey Economic Development Authority (NJEDA) works in partnership with a diverse range of stakeholders to implement programs and initiatives that improve quality of life, enhance economic vitality, and strengthen New Jersey's long-term economic competitiveness. The NJEDA provides small and medium-sized businesses and non-profits with low-interest financing grant funding for short-term operating costs following disaster events.



New Jersey Governor's Disaster Recovery Office

The New Jersey Governor's Disaster Recovery Office's (GDRO) mission is to coordinate the multi-agency response to large-scale disaster events, such as COVID-19, Tropical Storm Ida, Superstorm Sandy, and other disasters, to ensure that every possible avenue of relief is pursued to assist in the recovery and rebuilding of the state. The GDRO also focuses on disaster resilience activities and sources of funding to mitigate damages from future events. The GDRO serves in a vital compliance role to ensure that federal disaster funds are expended in accordance with federal rules and are reported to the public in a transparent manner.

The GDRO officially assumed the role of the Governor's Office of Recovery and Rebuilding (GORR) in 2020 through the issuance of Governor Murphy's Executive Order (EO) No. 166. EO 166 formalized the GDRO's role for the Superstorm Sandy response and recovery, along with appointing the GDRO as the central point for oversight and coordination of COVID-19 federal funds and funding for all future disaster events. The GDRO works with other State agencies, including NJOEM (Federal Emergency Management Agency [FEMA] funding), New Jersey Department of Community Affairs (NJDEP) Disaster Recovery and Mitigation Division (HUD funding), and New Jersey Department of Environmental Protection (NJDEP) (United States Army Corps of Engineers (USACE and FEMA/HUD funding) to ensure that the funding received from Congress is put toward the most effective uses, including those related to hazard mitigation.

The GDRO works closely with NJOEM, NJDEP, NJDCA, and other areas of the Governor's Office in developing long-term hazard mitigation strategies. Important focus areas include updating the Flood Hazard Area Control Act, deploying pre-disaster programs, and weighing in on State legislation that might fund hazard mitigation activities or change flood hazard understanding.

New Jersey Institute of Technology

Technical Assistance for Resiliency Program

New Jersey Institute of Technology's (NJIT) Technical Assistance for Resiliency Program (TARP) program provides technical assistance to communities in the state that require support in the preparation of applications for FEMA mitigation funds as well as identifying projects that can help communities be more resilient. NJIT TARP can assist those communities with application development and capacity building to provide New Jersey's under-resourced communities with those needed resources (NJIT n.d.). NJOEM is working with the NJIT to expand this program.

New Jersey Office of Emergency Management

Emergency management functions at the state-level are coordinated by NJOEM of the New Jersey State Police. The Emergency Management Section organizes, directs, staffs, coordinates, and reports the activities of the Incident Support Bureau and Communications Bureau. The section is also responsible for planning, directing, and coordinating emergency operations within the state, which are beyond local control (New Jersey State Police 2023). The following bureaus make up Emergency Management Section:

- Communications Bureau
- Emergency Response Bureau
- Incident Support Bureau
- Recovery Bureau
- Preparedness Bureau

The NJOEM Mitigation Unit is the lead agency within New Jersey to promote mitigation planning. Hazard mitigation efforts in the state are largely coordinated through the Recovery Bureau and Preparedness Bureau. The Mitigation



Unit reviews, submits, and administers federal funding to programs that mitigate hazards. These programs help find projects that are cost beneficial to help reduce damages from hazards. NJOEM Mitigation Unit also is the agency working with New Jersey communities with severe repetitive loss properties.

Through ESF 14, Long-Term Recovery Planning, NJOEM works with the Office of Homeland Security and Preparedness to have a plan for long-term planning and recovery prior to a disaster or emergency. One of the areas of planning includes mitigation. This coordination allows for another statewide plan to incorporate mitigation principles and planning.

New Jersey Emergency Management Grants System

In an effort to provide better efficiency, transparency, and accountability, New Jersey joined a community of disaster-prone states by implementing the standard, national web-based disaster grant management tool, which can be accessed at NJEMGrants.org. The system tracks Emergency Management grants in New Jersey and manages the process from application through closeout. This site is for the online application and management of the Public Assistance (PA) and Hazard Mitigation Assistance (HMA) grants.

New Jersey Office of Homeland Security and Preparedness

In March 2006, Executive Order No. 5 created the Office of Homeland Security and Preparedness (OHSP) as a cabinet-level agency within State government. The Executive Order defined the office's mission as the agency responsible "to administer, New Jersey's counterterrorism and preparedness efforts."

Further, the Executive Order charged OHSP with coordinating "the emergency response efforts across all levels of government, law enforcement, emergency management, nonprofit organizations, other jurisdictions, and the private sector, to protect the people of New Jersey." OHSP is the lead agency in preparing the state's threat and hazard identification and risk assessment (THIRA). The fiscal year 2013 New Jersey State THIRA and Strategic Planning Report was submitted to FEMA Region 2 in December 2013.

New Jersey Sports and Exposition Authority

The New Jersey Sports and Exposition Authority (NJSEA) is an Authority operating under the Department of State and receives its appropriation through the state budget. The NJSEA also produces revenue from sources including lease payments, solid waste operations, fees, and property transactions. The NJSEA holds the land lease for the MetLife Sports Complex, the Monmouth Park Racetrack, the Atlantic Health Jets Training Center, and owns the Wildwood Convention Center. The NJSEA is also the regional planning and zoning agency for the 30.3-square-mile Hackensack Meadowlands District through its absorption of the former New Jersey Meadowlands Commission (NJMC) in 2015.

New Jersey State Hazard Mitigation Team

The New Jersey State Hazard Mitigation Team (SHMT) is an advisory committee that serves as a coordination point for all FEMA-funded natural hazard risk reduction and mitigation activities and projects that will be evaluated in conjunction with other federal- and State-funded recovery and resilience activities. The SHMT is responsible for periodically updating the state hazard mitigation plan and has the authority to call upon any other state, county, or local government agency, academic institutions, and nongovernmental entities to provide input to the state HMP. The SHMT meets following a Presidentially declared disaster event that results in FEMA funding for hazard mitigation or resilience being made available to the State of New Jersey to coordinate recovery activities. In lieu of a presidentially declared disaster, the SHMT meets annually.



Executive Order No. 344 was signed by Governor Murphy on October 6, 2023 to replace Executive Order No. 115 (1994). The updated Executive Order reorganized the SHMT and outlines the membership, roles, and responsibilities of the SHMT members.

The updated SHMT is comprised of seven members, which includes:

- The Executive Director of the GDRO;
- The SHMO;
- The Chief Resilience Officer, or designee;
- The State Director of Emergency Management, who is the Superintendent of State Police, or designee;
- The Commissioner of Community Affairs, or designee;
- The Commissioner of Transportation, or designee; and
- The Attorney General, or designee.

The Governor also can appoint additional members to the SHMT. The SHMT is co-chaired by the Executive Director of the GDRO and the SHMO.

New Jersey State League of Municipalities

New Jersey State League of Municipalities is a voluntary association created to help communities do a better job of self-government through pooling information resources and brain power. Authorized by state statute since 1915, it has been serving local officials throughout the Garden State. All 565 municipalities are members of the League. The League supports mitigation throughout New Jersey by hosting subject matter expert panel discussions and information sharing at the annual League conference.

New Jersey Turnpike Authority

The New Jersey Turnpike Authority operates the New Jersey Turnpike and the Garden State Parkway. In the Fall of 2020, the Turnpike Authority established a new \$24.8 billion capital program with a toll increase that included an annual indexing. The capital program includes flood zone remediation projects, drainage improvement projects, and numerous other projects that will incorporate resilient measures. The Authority reviews hardening of critical assets on an ongoing basis. The Authority conducts trainings and exercises in conjunction with the State Police and Department of Corrections for hurricane evacuations. The main element of the evacuation exercise is preparation to set up a contraflow on the Garden State Parkway and maximize the capacity of the roadway.

NJTransit

NJTransit is a State-owned public transportation system. NJTransit's comprehensive Resilience Program aims to make transit systems and infrastructure stronger and more reliable. In addition to the Resilience Program, Capital Programs uses its five-year Capital Plan prioritizes "resiliency" and "equity" in project criteria. NJTransit continues to implement and refine innovative tools such as the Storm Surge Warning Dashboard and operational protocols. To help inform mitigation solutions, NJTransit continues to work with the Rutgers Center for Advanced Infrastructure and Transportation (CAIT) to identify areas vulnerable to storm surge and sea-level rise. Additionally, NJTransit continues to look for ways to eliminate or reduce impacts from extreme heat events by incorporating mitigation measures into planning and operations.



Pinelands Commission

The Pinelands Commission is an independent state agency whose mission is to “preserve, protect, and enhance the natural and cultural resources of the Pinelands National Reserve, and to encourage compatible economic and other human activities consistent with that purpose.” Through its implementation of the Pinelands Comprehensive Management Plan, the New Jersey Pinelands Commission protects the Pinelands in a manner that maintains the region’s unique ecology while permitting compatible development. The Comprehensive Management Plan contains provisions for fire hazard mitigation, wetlands protection, and permanent land preservation programs that reduce risk and vulnerability to wildfires and flooding (Pinelands Commission 2023). The plan also has stricter stormwater management regulations. The Commission also has a climate committee.

Rutgers University

Office of the State Climatologist

The Office of the New Jersey’s State Climatologist (ONJSC) generates and archives climate data. Generated data are from the New Jersey Weather and Climate Network, which is an assemblage of 55 automated weather stations situated throughout the state. A decade or more of hourly observations are available from some of the stations, while others have shorter records. Since fall 2012 observations are available on a five-minute basis.

Along with these records, ONJSC archives or has ready access to National Weather Service Cooperative Weather Station data. These are daily observations from several dozen stations at any given time over the past century. Individual stations have as many as 120 years of data while other stations have started or ceased operating since the late 1800s. Another source of generated data is the Community Collaborative Rain, Hail and Snow Network (CoCoRaHS), which includes daily observations of rain and snow from as many as several hundred volunteers throughout the state.

New Jersey Climate Adaptation Alliance

New Jersey Climate Adaptation Alliance (NJADAPT) focuses on climate change preparedness for New Jersey in key impact sectors (public health; watersheds, rivers, and coastal communities; built infrastructure; agriculture; and natural resources).

NJADAPT is a collaborative effort of scientists and data managers in academia, government, the private sector and non-governmental organization community who have developed a strategic plan for a New Jersey platform to host and apply climate science impacts and data. The NJADAPT website (<http://www.njadapt.org/>) includes a flood exposure profile for community discussions about hazard impacts; NJ Flood Mapper (which is a tool for flooding hazards and sea level rise); and Getting to Resilience (a tool used to help communities reduce vulnerability and increase preparedness).

Rutgers Cooperative Extension of Cape May County

Rutgers Cooperative Extension is part of the Federal Land Grant University system serving as the educational outreach arm of the United States Department of Agriculture. The office provides research-based information to help Cape May County residents acquire knowledge to make informed decisions to maintain or improve their quality of life.

Educational programs are provided without regard to race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, or marital or family status. Program delivery methods include classes and conferences, telephone and in-person consultations, replies to emailed questions, newspaper columns, radio and television programs, bus trips, fairs and clubs, field meetings and demonstrations, computerized diet and financial



analyses, videos, newsletters, fact sheets, speaking engagements for organizations and work sites, exhibits and displays, and web sites.

Center for Advanced Infrastructure and Transportation

The Center for Advanced Infrastructure and Transportation (CAIT) research focuses on preserving, rehabilitating, and improving infrastructure; boosting network resilience; reducing lifecycle costs; and increasing mobility and safety. CAIT works with NJTransit to identify transportation infrastructure that is vulnerable to storm surge and sea-level rise.

Edward J. Bloustein School of Planning and Public Policy

The Edward J. Bloustein School of Planning and Public Policy conducts mitigation planning, data gathering, and technical studies in support of statewide hazard mitigation. The school develops geospatial and analytical tools to support community engagement, policy reform, and State and regional planning efforts.

Jacques Cousteau National Estuarine Research Reserve

The Jacques Cousteau National Estuarine Research Reserve (JCNERR) encompasses approximately 116,000 acres in southeastern New Jersey, including a great variety of terrestrial, wetland, and aquatic habitats within the Mullica River-Great Bay ecosystem. The Reserve is a concentrated patchwork of federal and state lands managed in partnership through a variety of agencies. The JCNERR Coastal Training Program provides up-to-date scientific information, access to technologies, and skill-building opportunities to professionals responsible for making decisions about coastal resources and floodplain management.

Rutgers Climate Institute

The Rutgers Climate Institute is a University-wide effort to climate change through research, education, and outreach. The Institute draws upon strengths in many departments at Rutgers facilitating collaboration across a broad range of disciplines in the natural and social sciences, the humanities, engineering, law, and medicine.

South Jersey Transportation Authority

The South Jersey Transportation Authority (SJTA) was established by the Legislature in June 1991 to assume operational responsibilities for the Atlantic City Expressway, Atlantic City International Airport terminal, and parking facilities in Atlantic City. As a successor to the New Jersey Expressway Authority and Atlantic County Transportation Authority (ACTA), the SJTA serves six counties: Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem (SJTA 2012). The SJTA hosts the SJTPO.

- The Engineering Department and Operations and Facilities Management coordinates with emergency evacuation exercises on the Atlantic City Expressway. SJTA has a dedicated staff of professionals that are responsible for the design and construction of capital projects and environmental mitigation on the Atlantic City Expressway and the Atlantic City International Airport.

South Jersey Transportation Planning Organization

The South Jersey Transportation Planning Organization (SJTPO) is the Metropolitan Planning Organization serving Atlantic, Cape May, Cumberland, and Salem Counties in southern New Jersey. Formed in 1993, SJTPO serves as a technical resource, provides access to funding, and works to provide a regional approach to address transportation planning and engineering issues.



Stevens Institute of Technology Coastal Engineering Research Laboratory

The Coastal Engineering Research Laboratory (CERL) is both a physical center for conducting innovative coastal research as well as an intellectual center for combining capabilities in observational, experimental, and analytical studies of the coast. The CERL conducts fundamental and applied research on the design, implementation, and monitoring of shore protection structures, systems, and beach fill projects.

- The Coastal Engineering Research Group conducts fundamental and applied research on the design, implementation, and monitoring of shore protection structures, systems, and beach fill projects.

Stockton University Coastal Research Center

The Stockton University Coastal Research Center (CRC) originated in 1981 to assist local municipalities with coastal environmental issues related to recurring storm damage and shoreline retreat. Since then, the CRC has been working on shoreline monitoring and assessment programs with the State of New Jersey and several municipalities in New Jersey. The CRC is also a resource for geotechnical data working on numerous projects with federal, state, and municipal governments (Stockton University 2023). NJOEM is working with the CRC to establish a technical assistance hub to support mitigation efforts in southern New Jersey.

Sustainable Jersey

Sustainable Jersey is a nonprofit organization that provides tools, training, and financial incentives to support communities as they pursue sustainability programs. By supporting community efforts to reduce waste, cut greenhouse gas emissions, and improve environmental equity, Sustainable Jersey aims to empower communities to build a better world for future generations. The organization also offers a certification program. Sustainable Jersey certification is a designation for municipal governments in New Jersey. All actions taken by municipalities to score points toward certification must be accompanied by documentary evidence and is reviewed. The certification is free and completely voluntary (Sustainable Jersey 2023). All 16 municipalities in Cape May County participate in Sustainable Jersey but only the following municipalities are certified: City of Cape May (silver), Borough of Cape May Point (bronze), Township of Middle (bronze), City of North Wildwood City (bronze), City of Ocean City (silver), City of Sea Isle City (bronze), Borough of Stoner Harbor (bronze), Township of Upper (bronze), Borough of West Cape May (bronze), and the Borough of Wildwood Crest (bronze) (Sustainable Jersey 2024).

15.3.3 County

Cape May County Agriculture Development Board

The County Agriculture Development Board (CADB) is an entity authorized by the state Agriculture Retention and Development Act (1983), which established New Jersey's Farmland Preservation Program. The state Farmland Preservation Program aims to strengthen the agricultural industry and preserve important farmlands, thereby enhancing New Jersey's economy and quality of life. County Agriculture Development Boards are tasked to establish agriculture retention and development programs at the local level through such responsibilities as adopting agricultural development areas, creating minimum standards, and granting approval for the inclusion of land in farmland preservation programs, and determining any request for financial assistance of the State Agriculture Development Committee (SADC).

The CADB manages the Right to Farm Protection Program which, under the Right to Farm Act of 1983, provides qualified commercial farm owners in Cape May County with significant protections from nuisance lawsuits and agriculturally restrictive local regulations. The CADB also coordinates and recommends to the Board of County Commissioners the purchase of development easements within Cape May County municipalities, provides a share



of the value of the development easement, and generally holds the title to the development easement for any property receiving funds from the SADC.

Cape May County Bridge Commission

The Cape May County Bridge Commission was created by the Board of Commissioners of the County of Cape May pursuant to NJSA 27 19-26. The Bridge Commission is responsible for five toll bridges on Ocean Drive from Cape May to Ocean City within the County.

Cape May County Department of Emergency Management

The Cape May County Department of Emergency Management oversees the emergency management activities of all county agencies and Cape May County's 16 municipalities. Each municipality has an emergency management coordinator with whom this department interacts and the coordinators, in turn, interact at the local level with police, fire, EMS, public works, public health, schools, etc.

Cape May County Department of Facilities and Services

The department maintains 100 county buildings and over 250 acres of land. The buildings house the county government's administration, justice, educational, and resource facilities. The department oversees the construction projects and acts as the liaison between the architect and contractor to protect the best interest of the County. It includes the following divisions:

- The Administration Division manages and pays all of the utility bills for the County and manages purchases made by the department
- The Maintenance Division oversees the grounds keeping and building maintenance
- The Construction Division oversees both in-house and contracted construction projects
- The Mechanical, Engineering, and Plumbing Division maintains and installs all mechanical, electrical, and plumbing equipment

Cape May County Department of Health

The Cape May County Department of Health is made up of multiple departments that offer a wide variety of services to the residents of Cape May County.

Division of Administrative and Accounting Services

The division answers questions regarding the department's service, helps with general information the public may need, assists with meeting the needs of patients regarding their billing, and sets appointment times for services.

Division of Nursing

The Division of Nursing provides high quality, comprehensive, cost-effective health care to all residents of Cape May County, regardless of gender, race, ethnicity, or ability to pay. The Nursing Division practices preventive health care by providing health education, screening for early detection of illness and early immunizations.

Division of Environmental Health

The Division of Environmental Health functions to ensure the health of the residents of Cape May County. This division enforces compliance of the laws governing environmental and public health and acts as a liaison for many



state, county, and local boards of health regarding these regulations. The division's responsibilities include periodic inspections of a wide array of facilities and sites and responses to complaints received by the public pertaining to any environmental and/or public health safety problem. Investigations of the complaints cover numerous fields which include:

- Air pollution
- Hazardous Materials
- Noise pollution
- Public Health Nuisances
- Retail Food
- Septic Systems
- Solid Waste
- Surface and Water Pollution

Division of Community Health Planning

The Division of Community Health Planning is involved in all types of preparedness efforts, disease surveillance and communication with the community and public health partners. One of Community Health Planning's main objectives is to offer Cape May County residents the highest degree of readiness and public health protection. The division is responsible for the following essential public health services and tasks:

- Communicate with the community leaders, the healthcare community, and the public during emergency situations and inform them of daily events through New Jersey Local Information Network and Communication System.
- Conduct surveillance of disease trends and monitor the health status of the community to help prevent epidemics, the spread of disease, and to investigate outbreaks of disease and implement control measures.
- Coordinate the seasonal influenza vaccination program for the community.
- Develop emergency preparedness plans for bioterrorist events and/or public health disasters.
- Develop policies and plans that support individual and community health efforts in the event of an emergency.
- Establish and mobilize community partnerships to identify and solve health problems through Mobilizing for Action through Planning and Partnerships (MAPP).
- Promote and encourage healthy behaviors by attending community events and distributing educational materials to the public and professionals, thereby keeping the community informed, educated, and empowered about health issues.
- Recruit and train volunteers from the professional and nonprofessional community to become available for action in an emergency involving Cape County. These volunteers are then part of the Medical Reserve Corps.
- Research innovative solutions to health issues using the newest technology available.

Health Education

The Division of Health Education serves the health education needs of county residents and agencies. Health promotion and educational materials are available free of charge. Health Education staff are available to provide free community health education presentations and participate in health fairs and other community events. Topics include the following:



- Cancer
- Child safety
- Diabetes
- Drug/alcohol abuse
- Nutrition
- Osteoporosis
- Physical fitness
- Senior safety
- Sexually transmitted diseases

Cape May County Department of Human Resources

The Department of Human Resources and Training seeks to enrich the work life in the County of Cape May by meeting the needs of employees and the public in partnership with other departments. The Department attempts to create an environment which initiative, teamwork, and creativity are encouraged and valued.

Cape May County Department of Information and Technology

The Department of Information and Technology (IT) manages the County's technology and telecommunications infrastructure. In addition, the IT Department manages computer operations, maintains systems security and integrity, plans for network and technology standards, and provides all departments with technical assistance, application design and management, as well as overall data communication infrastructure. The IT Department interfaces with vendors to provide effective solutions for the county's technological advancement.

Cape May County Department of Mosquito Control

The Cape May County Department of Mosquito Control's objective is to manage mosquito populations using an integrated control approach according to the New Jersey Health Statutes, stressing environmental safety, economics, efficacy, research, and surveillance in order to protect the health and welfare of the citizens and visitors of Cape May County.

Cape May County Department of Planning

The Department of Planning is the professional arm of the Cape May County Planning Board. The department is responsible for the day-to-day operations that carry out the following functions of the Planning Board:

- Cape May County Department of Planning Links
- Comprehensive Plan
- Development Review
- Division of Open Space and Farmland Preservation
- Local Assistance Planning
- Public Information
- Transportation Planning
- Watershed Management Planning / Cox Hall Creek



Cape May County Department of Public Works

The Cape May County Public Works Department is dedicated to providing a safe, cost-effective roadway system, including all related structures and facilities, that improves the quality of life for the residents and visitors of the county. The Public Works Department consists of the following divisions:

- **Engineer's Office**—The County Engineer's Office provides design, engineering, construction management, and inspection of county road and bridge projects along with other capital improvement projects. This office interacts with various agencies such as New Jersey Department of Transportation, New Jersey Highway Authority (Garden State Parkway), Delaware River Bay Authority and the New Jersey Department of Environmental Protection on projects. In addition, the County Engineer's Office works in partnership with the 16 municipalities on a variety of projects.
- **Road Department**—The Road Department cleans, inspects, paves and repairs county roads and is responsible for snow and ice removal on county roadways. They also address stormwater runoff by repairing, cleaning and installing catch basins and drainpipes.
- **Fleet Maintenance**—The Fleet Maintenance Division inspects and services Fare Free Department of Transportation vehicles.
- **Bridge Maintenance Division**—This division repairs the various county bridges and also provides assistance for the inspections of the bridges and the various capital improvements. The Bridge Maintenance Division is also responsible for repairing damaged guide rail systems.
- **Traffic Signal and Bridge Electrical Division**—The Traffic Signal and Bridge Electrical Division is responsible for over 150 traffic signals under County jurisdiction and provides maintenance to a number of municipal traffic signals as well. The Electrical Division repairs, installs and upgrades the various electrical systems on the county bridges.
- **Traffic Maintenance Division**—The Traffic Maintenance Division places the pavement markings and install the various regulatory, warning, and guide signs on the County roads.
- **Bridge Operations Division**—The Bridge Operations Division is responsible for opening the movable bridges when necessary for marine traffic to pass through.

Cape May County Department of Tourism

The Department of Tourism is supported and funded by the Cape May County Board of County Commissioners. The function of the department is to promote the 16 municipalities within the County as tourism destinations. The Department is tasked with disseminating information about County government and marketing the beach resorts and attractions to visitors. Technology has enhanced marketing efforts and allows the department to expand the reach beyond the traditional 300 mile. New and innovative marketing programs have worked to grow tourism to Cape May County and have served as a model for marketing throughout the state.

Cape May County Division of Aging & Disability Services

The Cape May County Division of Aging and Disability Services seeks to promote the well-being and inclusion of older persons and those adults with disabilities in Cape May County, by providing information and education, and developing and advocating for services that assist these citizens to maintain independence and quality of life and make informed choices about their long-term care needs. The Division offers and assists with several activities and programs, including

- Information and assistance
- Congregate nutrition at all three of our senior centers
- Mobile meals (Meals on Wheels)



- JACC program (Jersey Assistance for Community Caregiving)
- Senior centers
- State Health Insurance and Assistance Program (SHIP)

Cape May County Division of Community and Behavioral Health Services

The Division of Community and Behavioral Health Services is committed to implementing, coordinating, and improving the system of human services through the use of federal, state and county funds. At the county level, the office serves as the grants management office through which many statewide initiatives are made operational.

Cape May County Division of Culture and Heritage

The mission of the Cape May County Division of Culture and Heritage is to work in partnership with Cape May County cultural and heritage organizations to educate, encourage and inspire public participation in the cultural heritage of Cape May County.

Cape May County Division of Veterans' Services

The Cape May County Division of Veterans' Services provides service to countywide veterans to eliminate the need to travel long distances to obtain veterans' benefits, program information and assistance. The Division performs the following tasks:

- Administers the CMC Veterans' Cemetery, to include pre-registrations.
- Disburses Veterans' and Family information from both the State of New Jersey and the Federal Government.
- Disburses information pertaining to local establishments which offer Military and Veteran Discounts.
- Facilitates the County Memorial Day Ceremony at the CMC Veterans' Cemetery.
- Facilitates the County Veterans' Day Ceremony at Naval Air Station Wildwood at the Cape May Airport.
- Facilitates the Wreaths Across America Ceremony in conjunction with CMC Board of Chosen Freeholders and the CMC Composite Squadron Civil Air Patrol.
- Participates in various community outreach programs and presentations as requested.
- Provides referral services to various governmental organizations which cater to Veterans and their Families.
- Provides information regarding various non-governmental agencies which assist Veterans and their families.

Cape May County Human Services Advisory Council

The Human Services Advisory Council (HSAC) is appointed by the Board of County Commissioners and advises the Board of County Commissioners regarding human service needs within the county. The Human Services Advisory Council is composed of providers, interested citizens, and consumers of all types of human services.

Membership is prescribed by State of New Jersey regulations for county HSACs. The Cape May County HSAC is comprised of 19 voting members with non-voting representation from county and state representatives as needed. Each county in New Jersey has a HSAC. The Cape May County HSAC was established in 1983 with the following goals:



- To provide a forum for public leaders to have input into New Jersey Departments of Children and Families and Human Services policy on statewide human service issues and to work with the Departments toward achieving statewide human service goals.
- To respond and react to information received from the New Jersey Departments of Children and Families and Human Services.
- To communicate and share such information with the County Human Services Advisory Council and the human services community at large.
- To identify county and statewide trends and/or priorities and share them with the New Jersey Departments of Children and Families and Human Services.

Cape May County Mental Health, Alcohol & Drug Abuse Board

In 1982, the Cape May County Freeholders expanded the role of the county's Mental Health Board to include services for county residents who are involved with substance use disorder issues. The Cape May County Mental Health Alcohol and Drug Abuse Board was formed to advise the state and the County Commissioners about the services that would best address behavioral health needs in the county.

The Board develops plans, allocates resources, monitor services and advocates for persons with lived experience and their families. The Board also oversees the Municipal Alliance Program.

The Board includes representatives from the recovering community, family members, law enforcement, education, and faith-based communities, as well as private, non-profit organizations and individuals interested in or experienced with behavioral health issues.

Cape May County Office of Public Information

The primary role of the office is to keep the public informed. The office is responsible for a number of county communication functions such as web services, social media, media relations, public information activities, emergency response communications, placing advertisements and special events planning. The Office of Public Information works with the media to disseminate important information to the public with the primary goal of keeping the residents and visitors of Cape May County informed.

Cape May County Park and Zoo Department

The Park and Zoo Department maintain Cape May's four parks (Cape May County Park Central, Cape May County Park East, Park North—Richard M. Cameron Wildlife Sanctuary, and Park South—Fishing Creek Wildlife Preserve) and the Cape May County Zoo, a free admission zoo which houses 550 animals.

Cape May County Planning Board

The Cape May County Planning Board was established October 20, 1953, as one of the first county Planning Boards in the state. The 11-member Board consists of 8 citizen members (6 members and 2 alternates) appointed by the Board of Chosen Commissioners, 2 Commissioners (the Commissioner Director and a 2nd Commissioner), and the County Engineer. Generally, the duties of the County Planning Board are to make and adopt a master plan for the development of the county and to encourage the cooperation of the local municipalities in matters concerning the county Master Plan. Incidentally, these duties involve the review of all development proposals in the county.



Cape May County Pollution Control Financing Authority

The Pollution Control Financing Authority of Cape May County was created pursuant to the New Jersey Industrial Pollution Control Financing Law, as amended by the Board of Chosen Freeholders of the County of Cape May. As such, the Authority is a political subdivision of the State of New Jersey and a public body, corporate and politic, with the power and authority to issue revenue bonds to finance the cost of pollution control facilities.

Cape May County Prosecutor's Office

The Cape May County Prosecutor's Office is committed to strengthening law enforcement relations with our citizens, enhancing the quality of life in the County, and protecting the rights of crime victims, and treating everyone with compassion, fairness, and respect. The mission statement of the Cape May County Prosecutor's Office is to provide professional leadership and guidance through the coordination of law enforcement resources; to safeguard and protect the citizens by detection, arrest, prosecution, and conviction of criminal offenders.

Cape May County Retired & Senior Volunteer Program Advisory Council

The Retired Senior Volunteer Program is to provide a variety of opportunities for retired persons or semi-retired persons, age 55 and older, to meet their community needs. RSVP Volunteers may serve from a few, to over 40 hours a week, providing their skills, talents, and experience to services in community organizations, education, hospitals, faith-based groups, and Homeland Security.

Cape May County Sheriff's Office

The primary mission of the Cape May County Sheriff's Office is to ensure the security of the Courts, the Correctional Center, and the welfare and safety of the community, the staff, and inmates. All efforts are taken to prevent any breach of security that could endanger the welfare of the public and staff. Sheriff's Office policies and procedures are professionally developed and rigorously adhered to prevent any breach of security.

Cape May County Social Services

The Cape May County Social Services provides services to achieve and maintain economic and social independence in the least restrictive environment.

Cape May County Transportation Advisory Council

Members of this Council come from a variety of backgrounds—consumers, seniors, representatives of people with disabilities, and concerned citizens—and represent virtually every geographical area of the County.

15.4 FISCAL CAPABILITIES

This section summarizes fiscal capabilities in Cape May County. Further information is provided in the jurisdictional annexes in Volume II. Appendix C of the 2024 New Jersey State Hazard Mitigation Plan features a section on mitigation-related funding administered by state agencies that eligible jurisdictions can use to fund mitigation actions.

15.4.1 Federal Hazard Mitigation Funding Opportunities

As noted on the FEMA hazard mitigation assistance website (FEMA n.d.), FEMA administers five programs that provide funding for eligible mitigation planning and projects that reduces disaster losses and protect life and property



from future disaster damages. The programs are the Hazard Mitigation Grant Program (HMGP), and the HMGP Post Fire Grant, the Flood Mitigation Assistance (FMA) Program, and the Pre-Disaster Mitigation (PDM) Program. Table 15-1 provides an overview of program funding eligibility and cost share.

Table 15-1. FEMA HMA Grant Cost Share Requirements

Programs	Cost Share (Percent of Federal / Non-Federal Share)
HMGP	75 / 25
HMGP Post Fire	75 / 25
FMA (community flood mitigation, project scoping, individual mitigation of insured properties, and planning grants)	75 / 25
FMA—repetitive loss property ⁽²⁾	90 / 10
FMA—severe repetitive loss property ⁽²⁾	100 / 0
PDM	75 / 25
PDM—small and impoverished community	Up to 90 / 10

Source: FEMA 2023; FEMA 2023

Sub-applicants should consult their State Hazard Mitigation Officer (SHMO) for the amount of percentage of HMGP subrecipient management cost funding their State has determined to be passed through subrecipients.

To be eligible for an increased federal cost share, a FEMA-approved state or tribal (standard or enhanced) mitigation plan that addressed repetitive loss properties must be in effect at the time of award, and the property is being submitted for consideration must be a repetitive loss property.

HMGP assists in implementing long-term hazard mitigation planning and projects following a Presidential major disaster declaration. PDM provides funds for hazard mitigation planning and projects on an annual basis. FMA provides funds for planning and projects to reduce or eliminate risk of flood damage to buildings that are insured under the National Flood Insurance Program (NFIP) on an annual basis (FEMA 2023).

HMGP funding is generally 15 percent of the total amount of Federal assistance provided to a State, Territory, or federally recognized tribe following a major disaster declaration. PDM and FMA funding depends on the amount congress appropriates each year for those programs.

Individual homeowners and business owners may not apply directly to FEMA. Eligible local governments may apply on their behalf (FEMA 2023).

Federal mitigation grant funding is available to all communities with a current hazard mitigation plan (this plan); however, most of these grants require a “local share” in the range of 10-25 percent of the total grant amount. The FEMA mitigation grant programs are described below.

FEMA

Hazard Mitigation Grant Program

The Hazard Mitigation Grant Program (HMGP) is a post-disaster mitigation program. It is made available to states by FEMA after each Federal disaster declaration. The HMGP can provide up to 75 percent funding for hazard mitigation measures. The HMGP can be used to fund cost-effective projects that will protect public or private property in an area covered by a federal disaster declaration or that will reduce the likely damage from future disasters. Examples of projects include acquisition and demolition of structures in hazard-prone areas, flood-proofing or elevation to reduce future damage, minor structural improvements, and development of state or local



standards. Projects must fit into an overall mitigation strategy for the area identified as part of a local planning effort. All applicants must have a FEMA-approved hazard mitigation plan (this plan).

Applicants who are eligible for the HMGP are state and local governments, certain nonprofit organizations or institutions that perform essential government services, and Indian tribes and authorized tribal organizations. Individuals or homeowners cannot apply directly for the HMGP; a local government must apply on their behalf. Applications are submitted to NJOEM and placed in rank order for available funding and submitted to FEMA for final approval. Eligible projects not selected for funding are placed in an inactive status and may be considered as additional HMGP funding becomes available.

Flood Mitigation Assistance Program

The Flood Mitigation Assistance (FMA) program combines the previous Repetitive Flood Claims and Severe Repetitive Loss Grants into one grant program. The FMA provides funding to assist states and communities in implementing measures to reduce or eliminate the long-term risk of flood damage to buildings, manufactured homes, and other structures insurable under the NFIP. The FMA is funded annually; no federal disaster declaration is required. Only NFIP insured homes and businesses are eligible for mitigation in this program. Funding for FMA is very limited and, as with the HMGP, individuals cannot apply directly for the program. Applications must come from local governments or other eligible organizations. The federal cost share for an FMA project is at least 75 percent. At most, 25 percent of the total eligible costs must be provided by a non-federal source. Of this 25 percent, no more than half can be provided as in-kind contributions from third parties. At minimum, a FEMA-approved local flood mitigation plan is required before a project can be approved. The FMA funds are distributed from FEMA to the state. The NJOEM serves as the grantee and program administrator for the FMA program.

Rehabilitation of High Hazard Potential Dams Program

The Rehabilitation of High Hazard Potential Dams (HHPD) grant program provides technical, planning, design, and construction assistance for eligible rehabilitation activities that reduce dam risk and increase community preparedness.

The HHPD Grant Program will provide assistance for technical, planning, design, and construction activities toward:

- Repair
- Removal
- Structural/nonstructural rehabilitation of eligible high hazard potential dams

Extraordinary Circumstances

For FMA project subawards, the FEMA Region may apply extraordinary circumstances when justification is provided and with concurrence from FEMA Headquarters (Risk Reduction and Risk Analysis Divisions) prior to granting an exception. If this exception is granted, a local mitigation plan must be approved by FEMA within 12 months of the award of the project subaward to that community.

For HMGP and FMA, extraordinary circumstances exist when a determination is made by the applicant and FEMA that the proposed project is consistent with the priorities and strategies identified in the state (standard or enhanced) mitigation plan and that the jurisdiction meets at least one of the criteria below. If the jurisdiction does not meet at least one of these criteria, the Region must coordinate with FEMA Headquarters (Risk Reduction and Risk Analysis Divisions) for HMGP; however, for FMA the Region must coordinate and seek concurrence prior to granting an exception:

- The jurisdiction meets the small, impoverished community criteria (see Part VIII, B.2).



- The jurisdiction has been determined to have had insufficient capacity due to lack of available funding, staffing, or other necessary expertise to satisfy the mitigation planning requirement prior to the current disaster or application deadline.
- The jurisdiction has been determined to have been at low risk from hazards because of low frequency of occurrence or minimal damage from previous occurrences as a result of sparse development.
- The jurisdiction experienced significant disruption from a declared disaster or another event that impacts its ability to complete the mitigation planning process prior to award or final approval of a project award.
- The jurisdiction does not have a mitigation plan for reasons beyond the control of the state, federally recognized tribe, or local community, such as Disaster Relief Fund restrictions that delay FEMA from granting a subaward prior to the expiration of the local or Tribal Mitigation Plan.

For HMGP and FMA, the Applicant must provide written justification that identifies the specific criteria or circumstance listed above, explains why there is no longer an impediment to satisfying the mitigation planning requirement and identifies the specific actions or circumstances that eliminated the deficiency.

When an HMGP project funding is awarded under extraordinary circumstances, the Recipient shall acknowledge in writing to the Regional Administrator that a plan will be completed within 12 months of the subaward. The Recipient must provide a work plan for completing the local or Tribal Mitigation Plan, including milestones and a timetable, to ensure that the jurisdiction will complete the plan in the required time. This requirement shall be incorporated into the award (both the planning and project subaward agreements if a planning subaward is also awarded).

Assistance to Firefighters Grant Program

The goal of the Assistance to Firefighters Grants is to enhance the safety of the public and firefighters with respect to fire-related hazards by providing direct financial assistance to eligible fire departments, nonaffiliated emergency medical services organizations, and state fire training academies. This funding is for critically needed resources to equip and train emergency personnel to recognized standards, enhance operations efficiencies, foster interoperability, and support community resilience.

Emergency Management Performance Grants Program

The Emergency Management Performance Grant (EMPG) provides state, local, tribal, and territorial emergency management agencies with the resources required for implementation of the National Preparedness System and works toward the national preparedness goal of a secure and resilient nation. The EMPG's allowable costs support efforts to build and sustain core capabilities across the prevention, protection, mitigation, response, and recovery mission areas.

Homeland Security Grant Program

The Homeland Security Grant Program (HSGP) plays an important role in the implementation of the National Preparedness System by supporting the building, sustainment, and delivery of core capabilities essential to achieving the National Preparedness Goal of a secure and resilient nation. The program supports efforts to build and sustain core capabilities across the Prevention, Protection, Mitigation, Response, and Recovery mission areas. This includes two priorities: building and sustaining law enforcement terrorism prevention capabilities and maturation and enhancement of state and major urban area fusion centers. HSGP is composed of three interconnected grant programs including the State Homeland Security Program, Urban Areas Security Initiative, and the Operation Stonegarden. Together, these grant programs fund a range of preparedness activities, including planning, organization, equipment purchase, training, exercises, and management and administration.



Disaster and Recovery Assistance Programs

Following a disaster, various types of assistance may be made available, depending on the severity of the damage and the declarations that result from the disaster event. The following sections describe some of the general types of assistance that may be provided should the President of the United States declare an event to be major disaster.

Individual Assistance

Individual Assistance (IA) provides help for homeowners, renters, businesses, and some nonprofit entities after disasters occur. This program is largely funded by the U.S. Small Business Administration. For homeowners and renters, those who suffered uninsured or underinsured losses may be eligible for a Home Disaster Loan to repair or replace damaged real estate or personal property. Renters are eligible for loans to cover personal property losses. Individuals may borrow up to \$200,000 to repair or replace real estate, \$40,000 to cover losses to personal property, and an additional 20 percent for mitigation. For businesses, loans may be made to repair or replace disaster damages to property owned by the business, including real estate, machinery and equipment, inventory, and supplies. Businesses of any size are eligible. Nonprofit organizations such as charities, churches, private universities, etc. are also eligible. An Economic Injury Disaster Loan provides necessary working capital until normal operations resume after a physical disaster. These loans are restricted, by law, to small businesses only.

Public Assistance

Public Assistance (PA) provides cost reimbursement aid to local governments (state, county, local, municipal authorities, and school districts) and certain nonprofit agencies that were involved in disaster response and recovery programs or that suffered loss or damage to facilities or property used to deliver government-like services. This program is largely funded by FEMA with both local and state matching contributions required.

Small Business Administration Loans

The Small Business Administration (SBA) provides low-interest disaster loans to homeowners, renters, business of all sizes, and most private nonprofit organizations. SBA disaster loans can be used to repair or replace the following items damaged or destroyed in a declared disaster: real estate, personal property, machinery and equipment, and inventory and business assets.

Homeowners may apply for up to \$200,000 to replace or repair their primary residence. Renters and homeowners may borrow up to \$40,000 to replace or repair personal property (such as clothing, furniture, cars, and appliances) damaged or destroyed in a disaster. Physical disaster loans of up to \$2 million are available to qualified businesses or most private nonprofit organizations.

National Park Service

Land and Water Conservation Fund

The Land and Water Conservation Fund (LWCF) was established by Congress in 1964 to fulfill a bipartisan commitment to safeguard natural areas, water resources, and cultural heritage, and to provide recreation opportunities. Using no taxpayer dollars, the LWCF invests earnings from offshore oil and gas leasing to help strengthen communities, preserve history, and protect the national endowment of lands and waters. The LWCF program is divided into the “State Side,” which provides grants to State and local governments, and the “Federal Side,” which is used to acquire lands, waters, and interests therein necessary to achieve the natural, cultural, wildlife, and recreation management objectives of federal land management agencies. The LWCF was permanently reauthorized in 2019 and permanently funded in August 2020.



Restore America's Estuaries

Coastal Watersheds Grant Program

Restore America's Estuaries, in coordination with and financial support from EPA, administers the National Estuary Program (NEP) Coastal Watersheds Grant Program. This grant program funds projects to address the following Congressionally identified issues:

- Loss of key habitats resulting in significant impacts on fisheries and water quality such as seagrass, mangroves, tidal and freshwater wetlands, forested wetlands, kelp beds, shellfish beds, and coral reefs.
- Recurring harmful algae blooms.
- Unusual or unexplained marine mammal mortalities.
- Proliferation or invasion of species that limit recreational uses, threaten wastewater systems, or cause other ecosystem damage.
- Flooding and coastal erosion that may be related to sea-level rise, changing precipitation, or salt marsh, seagrass, or wetland degradation or loss.
- Impacts of nutrients and warmer water temperatures on aquatic life and coastal ecosystems, including low dissolved oxygen conditions in estuarine waters.
- Contaminants of emerging concern found in coastal and estuarine waters such as pharmaceuticals, personal care products, and microplastics.

U.S. Department of Agriculture

Community Facilities Direct Loan and Grant Program

This program provides affordable funding to develop essential community facilities in rural areas. An essential community facility is defined as a facility that provides an essential service to the local community for the orderly development of the community in a primarily rural area and does not include private, commercial, or business undertakings. Funds can be used to purchase, construct, and/or improve essential community facilities, purchase equipment, and pay related project expenses. Rural areas including cities, villages, townships, towns, and federally recognized tribal lands, with no more than 20,000 residents according to the latest U.S. Census, are eligible for this program.

Emergency Loan Program

The Emergency loan program is triggered when a natural disaster is designated by the Secretary of Agriculture, or a natural disaster or emergency is declared by the President under the Stafford Act. These loans help producers who suffer qualifying farm-related losses directly caused by the disaster in a county declared or designated as a primary disaster or quarantine area. Also, farmers located in counties that are contiguous to the declared, designated, or quarantined area may qualify for emergency loans.

For production losses, a 30 percent reduction in a primary crop in a designated or contiguous county is required. Losses to quality, such as receiving a 30 percent reduced price for flood-damaged crops, may be eligible for assistance, too.

Emergency Watershed Protection Program

The Emergency Watershed Protection (EWP) Program, a federal emergency recovery program, helps local communities recover after a natural disaster. The EWP program offers technical and financial assistance to help



local communities relieve imminent threats to life and property caused by floods, fires, windstorms, and other natural disasters that impair a watershed. EWP does not require a disaster declaration by federal or state government officials for program assistance to begin. The Natural Resources Conservation Service (NRCS) state conservationist can declare a local watershed emergency and initiate EWP program assistance in cooperation with an eligible sponsor. The sponsor must sign a cooperative agreement with NRCS. The EWP program offers financial and technical assistance for various activities, including the following:

- Remove debris from stream channels, road culverts, and bridges
- Reshape and protect eroded streambanks
- Correct damaged or destroyed drainage facilities
- Establish vegetative cover on critically eroding lands
- Repair levees and structures
- Repair certain conservation practices
- Buyouts

Additional information regarding the EWP is detailed below and available on the website: <https://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/landscape/ewpp/>.

EWP – Recovery

The EWP – Recovery program is aimed at relieving imminent hazards to life and property caused by floods, fires, windstorms, and other natural occurrences. Public and private landowners are eligible for assistance but must be represented by a project sponsor that must be a legal subdivision of the state, such as a city, county, township, or conservation district, and Native American Tribes or Tribal governments. NRCS will pay up to 75 percent of the construction cost of emergency measures. The remaining 25 percent must come from local sources and can be in the form of cash or in-kind services.

EWP – Recovery work is not limited to any one set of measures. The program is designed for the installation of recovery measures to safeguard lives and property as a result of a natural disaster. NRCS completes a Damage Survey Report, which provides a case-by-case investigation of the work necessary to repair or protect a site. Watershed impairments that the EWP Program addresses are debris-clogged stream channels, undermined and unstable streambanks, jeopardized water control structures and public infrastructures, wind-borne debris removal, and damaged upland sites stripped of protective vegetation by fire or drought.

EWP – Floodplain Easement

Privately owned lands or lands owned by local and state governments might be eligible for participation in the EWP – Floodplain Easement program. To be eligible, lands must meet one of the following criteria:

- Lands that have been damaged by flooding at least once within the previous calendar year or have been subject to flood damage at least twice within the previous 10 years
- Other lands within the floodplain that would contribute to the restoration of flood storage and flow, provide for control of erosion, or improve the practical management of the floodplain easement
- Lands that would be inundated or adversely impacted as a result of a dam breach

Through this program, easements are restored to the natural environment to the extent practicable. Work can include both structural and nonstructural practices to restore flood storage and flow, control erosion, and improve the practical management of the easement.

Structures, including buildings, within the floodplain easement must be demolished and removed or relocated outside the 100-year floodplain or dam breach inundation area.



Regional Conservation Partnership Program

The Regional Conservation Partnership Program promotes coordination of NRCS conservation activities with partners that offer value-added contributions to expand the collective ability to address on-farm, watershed, and regional natural resource concerns. Through this program, NRCS seeks to co-invest with partners to implement projects that demonstrate innovative solutions to conservation challenges and provide measurable improvements and outcomes tied to the resource concerns they seek to address.

U.S. Department of Health and Human Services

Social Services Block Grant Program

The Social Services Block Grant (SSBG) is a flexible funding source that allows states and territories to tailor social service programming to their population's needs. Through the SSBG, states provide essential social services that help achieve a myriad of goals to reduce dependency and promote self-sufficiency; protect children and adults from neglect, abuse, and exploitation; and help individuals who are unable to take care of themselves to stay in their homes or to find the best institutional arrangements.

U.S. Department of Housing and Urban Development

Community Development Block Grants

Community Development Block Grants (CDBG) are federal funds intended to provide low and moderate-income households with viable communities, including decent housing, as suitable living environment, and expanded economic opportunities. Eligible activities include community facilities and improvements, roads and infrastructure, housing rehabilitation and preservation, development activities, public services, economic development, planning, and administration. Public improvements may include flood and drainage improvements. In limited instances, and during the times of "urgent need" (e.g., post-disaster) as defined by the CDBG National Objectives, CDBG funding may be used to acquire a property located in a floodplain that was severely damaged by a recent flood, demolish a structure severely damaged by an earthquake, or repair a public facility severely damaged by a hazard event. Additional information regarding CDBG is available on the website: <https://www.hudexchange.info/programs/cdbg-entitlement/>.

Community Development Block Grant Disaster Recovery (CDBG-DR) grant funds are appropriated by Congress and allocated by HUD to rebuild disaster-impacted areas and provide crucial seed money to start the long-term recovery process. These flexible grants help cities, counties, Indian tribes, and States recover from presidentially declared disasters, especially in low-income areas, subject to the availability of supplemental appropriations. Since CDBG-DR assistance may fund a broad range of recovery activities, HUD can help communities and neighborhoods that otherwise might not recover due to limited resources.

Disaster Housing Assistance Program

The Disaster Housing Assistance Program provides emergency assistance for housing, including minor repairs of the home to establish livable conditions, mortgage, and rental assistance.

HOME Investment Partnerships Program

The HOME Investment Partnerships Program (HOME) provides grants to states and localities that communities use—often in partnership with local nonprofit groups—to fund a wide range of activities, including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people. HOME is the largest federal block grant to state and local governments designed exclusively to



create affordable housing for low-income households. HOME funds are awarded annually as grants to participating jurisdictions. The program's flexibility allows states and local governments to use HOME funds for grants, direct loans, loan guarantees or other forms of credit enhancements, or rental assistance or security deposits.

The program's requirement that participating jurisdictions match 25 cents of every dollar in program funds mobilizes community resources in support of affordable housing.

Section 108 Loan Guarantee Program

The Section 108 Loan Guarantee Program (Section 108) provides communities with a source of low-cost, long-term financing for economic and community development projects. Section 108 financing provides an avenue for communities to undertake larger, more costly projects, where they may have limited resources to invest upfront.

Section 108 can fund economic development, housing, public facilities, infrastructure, and other physical development projects, including improvements to increase resilience against natural disasters. This flexibility of use makes it one of the most potent and important public investment tools that HUD offers to states and local governments.

Section 108 assistance can be deployed in two ways:

- Directly by the community or its governmental or non-profit partner to carry out an eligible project
- Indirectly with a community or its partner re-lending (or, in limited circumstances, granting) the funds to a developer or business to undertake an eligible project

U.S. Department of Transportation

Federal Highway Administration Emergency Relief

Federal Highway Administration (FHWA) Emergency Relief is a grant program that can be used for the repair or reconstruction of federal-aid highways and roads on federal lands that have suffered serious damage as a result of a disaster. New Jersey serves as the liaison between local municipalities and FHWA, making the municipalities sub-applicants of the state. The program is appropriated \$100 million annually. For information regarding the FHWA Emergency Relief Program, refer to: <https://www.fhwa.dot.gov/programadmin/erelief.cfm>

Federal Transit Administration Emergency Relief

Federal Transit Authority (FTA) Emergency Relief is a grant program that funds capital projects to protect, repair, reconstruct, or replace equipment and facilities of public transportation systems. Administered by the FTA and directly allocated to mass transit and port authorities, this transportation-specific fund was created as an alternative to FEMA's PA. Additional information regarding the FTA Emergency Relief Program is available on the website: <https://www.transit.dot.gov/funding/grant-programs/emergency-relief-program/emergency-relief-program>.

Federal Highway Administration Recreational Trails

The Recreational Trails Program is an assistance program of the FHWA that provides funds to states to develop and maintain recreational trails and trail-related facilities for both nonmotorized and motorized recreational trail uses. The program requires that states use 30 percent of funds for non-motorized recreation, 30 percent for motorized recreation, and 40 percent for diverse recreational trail use.



Rebuilding American Infrastructure with Sustainability and Equity Grant Program

The Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant program provides an opportunity for the U.S. Department of Transportation (USDOT) to invest in road, rail, transit, and port projects that promise to achieve national objectives. The RAISE program enables USDOT to examine these projects on their merits to help ensure that taxpayers are getting the highest value for every dollar invested.

The eligibility requirements of RAISE allow project sponsors at the state and local levels to obtain funding for multi-modal, multi-jurisdictional projects that are more difficult to support through traditional USDOT programs. RAISE can provide funding directly to any public entity, including municipalities, counties, port authorities, tribal governments, or others, in contrast to traditional federal programs that provide funding to very specific groups of applicants (mostly state departments of transportation and transit agencies). This flexibility allows RAISE and USDOT partners at the state and local levels to work directly with a host of entities that own, operate, and maintain much of that nation's transportation infrastructure but otherwise cannot turn to the federal government for support.

U.S. Economic Development Administration

The U.S. Economic Development Administration (USEDA) is an agency of the U.S. Department of Commerce that supports regional economic development in communities around the country. It provides funding to support comprehensive planning and makes strategic investments that foster employment creation and attract private investment in economically distressed areas of the United States. Through its Public Works Program, USED A invests in key public infrastructure, such as in traditional public works projects, including water and sewer systems improvements, expansion of port and harbor facilities, brownfields, multitenant manufacturing and other facilities, business and industrial parks, business incubator facilities, redevelopment technology-based facilities, telecommunications, and development facilities. Through its Economic Adjustment Program, USED A administers its Revolving Loan Fund Program, which supplies small businesses and entrepreneurs with the gap financing needed to start or expand their business, in areas that have experienced or are under threat of serious structural damage to the underlying economic base.

Public Works Program

Through its Public Works Program, USED A invests in key public infrastructure, such as traditional public works projects, including water and sewer system improvements, expansion of port and harbor facilities, brownfields, multitenant manufacturing and other facilities, business and industrial parks, business incubator facilities, redevelopment technology-based facilities, telecommunications facilities, and development facilities.

Economic Adjustment Program

Through its Economic Adjustment Program, USED A administers its Revolving Loan Fund Program, which supplies small businesses and entrepreneurs with the gap financing needed to start or expand their business in areas that have experienced or are under threat of serious structural damage to the underlying economic base.

U.S. Environmental Protection Agency

Smart Growth Implementation Assistance Program

The Smart Growth Implementation Assistance program focuses on complex issues such as stormwater management, code revision, transit-oriented development, affordable housing, infill development, corridor planning, green building, and climate change. Applicants can submit proposals under four categories: community resilience to disasters, job creation, the role of manufactured homes in sustainable neighborhood design, or medical and social service facilities siting.



Clean Water Act Section 604(b) Water Quality Planning Grants

Water Quality Planning Grants provide funding to implement regional comprehensive water quality management planning activities as described in Section 604(b) of the federal Clean Water Act. Funds are to be used for water quality management planning activities, including tasks to determine the nature, extent, and causes of point and nonpoint source water pollution problems, and to develop plans to resolve these problems.

U.S. Fish and Wildlife Service

Partners for Fish and Wildlife

The Partners for Fish and Wildlife Program provides free technical and financial assistance to landowners, managers, tribes, corporations, schools, and nonprofits interested in improving wildlife habitat on their land. These projects range in size from a wetland of a few acres to a grassland restoration covering several hundred thousand acres.

Many Partners for Fish and Wildlife projects take place on working landscapes such as forests, farms, and ranches. Efforts are focused on areas of conservation concern, such as upland forests, wetlands, native prairies, marshes, rivers, and streams. Projects are designed to benefit federal trust species including migratory birds and endangered, threatened, or at-risk species.

15.4.2 State Hazard Mitigation Funding Opportunities

New Jersey Board of Public Utilities New Jersey Clean Energy Program

The New Jersey Clean Energy Program (NJCEP) promotes increased energy efficiency and the use of clean, renewable sources of energy, including solar, wind, geothermal, and sustainable biomass. The results for New Jersey are a stronger economy, less pollution, lower costs, and reduced demand for electricity. NJCEP offers financial incentives, programs, and services for residential, commercial, and municipal customers.

The program also offers a Community Energy Plan Grant for government entities (e.g., municipality, county, Green Team or environmental commission, or other Sustainable Jersey organization within a community or county). The grant will provide funding for an entity to create a Community Energy Master Plan to align local communities with the State Energy Master Plan.

New Jersey Conservation Foundation

The New Jersey Conservation Foundation (NJCF) is a private, not-for-profit organization. Through acquisition and stewardship, NJCF protects strategic lands, promotes strong land use policies, and forges partnerships to achieve conservation goals. Grants are used to help fund preservation activities.

New Jersey Department of Community Affairs Small Cities Communities Development Block Grants

The New Jersey Department of Community Affairs (NJDCA) is a state agency created to provide administrative guidance, financial support, and technical assistance to local governments, community development organizations, businesses, and individuals to improve the quality of life in New Jersey. NJDCA offers a wide range of programs, funding, and services that respond to issues of public concern, including fire and building safety, housing production, community planning and development, and local government management and finance. Among other funding



sources, NJDCA administers CDBG funding and is typically the CDBG-Disaster Relief funding recipient for the State of New Jersey.

The New Jersey Small Cities Communities Development Block Grants provide funds for economic development, housing rehabilitation, community revitalization, and public facilities designated to benefit people with low and moderate incomes or to address recent local needs for which no other source of funding is available to non-entitlement counties and municipalities.

New Jersey Department of Environmental Protection

Sewage Infrastructure Improvement Act Grants

New Jersey Sewage Infrastructure Improvement Act (NJAC7:22) establishes comprehensive requirements for NJDEP and municipalities/authorities to address combined sewer overflows and stormwater management.

NJDEP issues permits and provides below-market interest rate loans through the Environmental Infrastructure Financing Program to municipalities for capital improvements that improve water quality. To prioritize wastewater projects under the Environmental Infrastructure Financing Program, projects are ranked to address higher State priorities or high-water quality problems or improvements.

Environmental Aid Act (NJSA 13:1H – 1 to 7) Office of Environmental Services Matching Grants Program for Local Environmental Agencies (NJAC7:5)

State aid may be granted by the department to a local environmental agency for any activity that the agency is authorized to perform by law and for the preparation of an environmental index. An environmental index shall be a report on environmental conditions within the locality and community objectives concerning open areas, parks, water supply, solid waste, wildlife protection, soil resources, air pollution, water pollution, and other related issues. The department may provide technical assistance in addition to (or in lieu of) State aid to any local environmental agency for the purpose indicated in this act. The purpose of the funding dedicated under this act is to assist local environmental commissions and soil conservation districts with funding for a variety of local environmental projects, including community education projects; environmental resource inventories; beach monitoring and management projects; environmental trail designs; lake rehabilitation studies; stream and water quality testing; wellhead delineation; GIS mapping projects; National Environmental Performance Partnership System indicator projects; and surveys of threatened and endangered species. The maximum annual grant is \$2,500. Applicants must match at least 50 percent of the total cost of the project (NJDEP n.d.).

Projects funded by this grant are reported online. Examples of mitigation projects that have been funded in the past include Waterways Beach Monitoring and Management Strategy, Dune Project, Beach Protection and Storm Drainage Plan, Beach Storm Water Drainage Analysis, Stream Corridor/Greenway Protection Plan, Shoreline Bioengineering Demonstration and Outreach Project, Stream, and the Pamphlet/Education Project.

Drinking Water State Revolving Fund

The Drinking Water State Revolving Fund program assists water systems in financing the cost of infrastructure through the use of federal and New Jersey Infrastructure Trust funds. Additionally, the Water Supply program provides operator licensing and training support as well as financial assistance through the program.

New Jersey Infrastructure Bank

The New Jersey Infrastructure Bank is an independent State Financing Authority responsible for providing and administering low interest rate loans to qualified municipalities, counties, regional authorities, and water purveyors



in New Jersey. Two programs provide and administer low interest rate loans to qualified municipalities, counties, regional authorities, and water purveyors in New Jersey. Approximately \$350 million is awarded annually.

- The New Jersey Environmental Infrastructure Trust (NJEIT) for the purpose of financing water quality infrastructure projects that enhance ground and surface water resources, ensure the safety of drinking water supplies, protect the public health, and make possible responsible and sustainable economic development.
- The New Jersey Transportation Infrastructure Bank (NJTIB) is an independent State Financing Authority responsible for providing and administering low interest rate loans to qualified municipalities, counties, and regional authorities in New Jersey for the purpose of financing transportation quality infrastructure projects.

The New Jersey Infrastructure Bank provides principal forgiveness opportunities and better financing packages for those projects that implement climate change resilience measures.

Environmental Infrastructure Financing Program

Qualified borrowers receive loans in two equal parts: Approximately one half to three quarters comes from a 0-percent interest State Revolving Fund maintained by the NJDEP. The other portion comes from proceeds of highly rated tax-exempt revenue bonds sold by the Trust. Combining these two funds result in a loan that is 50 to 75 percent lower than traditional loan rates.

Dam Restoration Loan Program

The New Jersey Dam Restoration Loan Program was established by the “Dam, Lake, Stream, Flood Control, Water Resources and Wastewater Treatment Project Bond Act of 2003”, P.L. 2003, c. 162. The purpose is to provide loans to dam owners for dam restoration projects.

Dam Restoration and Inland Water Projects Loan Program

The New Jersey Dam Restoration and Inland Water Projects Loan Program was established by the “Green Acres, Clean Water, Farmland and Historic Preservation Bond Act of 1992”, P.L. 1992, c. 88. The purpose is to provide loans to dam owners for dam restoration or inland waters projects.

New Jersey Water Bank

The New Jersey Water Bank (NJWB) is a partnership between the NJDEP and the New Jersey Environmental Infrastructure Trust (NJEIT) to provide low-cost financing for the design, construction, and implementation of projects that help protect and improve water quality and help ensure safe and adequate drinking water.

The NJWB finances projects by utilizing two funding sources. The Trust issues revenue bonds which are used in combination with zero percent interest funds to provide very low-interest loans for water infrastructure improvements. The NJDEP administers a combination of Federal State Revolving Fund capitalization grants, as well as the state's matching funds, loan repayments, State appropriations, and interest earned on such funds.

Blue Acres Program

The Blue Acres Program purchases flood-prone properties. This land preservation program assists local government units and nonprofits in their efforts to increase and preserve permanent outdoor recreation areas for public use and enjoyment, and conservation areas for the protection of natural resources such as waterways, wildlife habitat, wetlands, forests, and view sheds. A secondary benefit of these laws and rules is that flood-prone properties are often purchased and not available for future development. Funding for Blue Acres is a combination of dedicated



state funding from the cooperative business tax and federal grants. To date, the program has received five state funding appropriations from 2009-2019, ranging from \$3 million to \$12 million to effectuate buyouts in flood-prone areas. Most recently, the 3 Garden State Preservation Trust appropriation recommendation proposed Blue Acres receive an infusion of \$10.5 million (\$10 million for buyouts and \$500,000 for administrative costs).

Grant and Loan Programs

NJDEP offers a wide variety of funding opportunities for local governments and other types of organizations to fund numerous environmentally based projects involving mitigation of hazards such as flooding and wildfires. This includes funding for: air quality, energy, and sustainability; compliance and enforcement; engineering and construction; land use management; local government assistance; natural and historic resources; site remediation and waste management programs; and water resource management.

Green Acres Program

Together with public and private partners, Green Acres has protected well over a million and a half acres of open space and provided hundreds of outdoor recreational facilities in communities around the state. Green Acres provides low interest (2 percent) loans and grants to municipal and county governments to acquire open space and develop outdoor recreation facilities. Green Acres also provides matching grants to nonprofit organizations to acquire land for public recreation and conservation purposes. Over the years, voters have authorized \$3.3 billion in Green Acres funding, approving every bond referendum put before them.

New Jersey Clean Energy Program

NJCEP promotes increased energy efficiency and the use of clean, renewable sources of energy, including solar, wind, geothermal, and sustainable biomass. The results for New Jersey are a stronger economy, less pollution, lower costs, and reduced demand for electricity. NJCEP offers financial incentives, programs, and services for residential, commercial, and municipal customers.

The program also offers a Community Energy Plan Grant for government entities (e.g., municipality, county, Green Team or environmental commission, or other Sustainable Jersey organization within a community or county). The grant will provide funding for an entity to create a Community Energy Master Plan to align local communities with the State Energy Master Plan.

Water Pollution Control Quality Act and Water Quality Management Planning Rules

This Act (NJSA 58:10A-1 to 60) phased out the Construction Grants Program and required states to establish a State Revolving Fund Loan Program. The last year in which construction grants were made available for new projects in New Jersey was 1989. Grant awards are available currently to cover increased allowable costs for projects that previously received a construction grant. The rules serve two basic functions: (1) to establish the Department's general regulatory framework for water quality planning and (2) to supplement other Department rules pertaining to wastewater management.

This Act is implemented through a number of regulations and programs throughout NJDEP, including Freshwater Wetlands Protection Act (NJAC 7:7A), Stormwater Management (NJAC 7:8), Water Pollution Control (NJAC 7:9), Surface Water Quality Standards (NJAC 7:9B), Safe Drinking Water Act (NJAC 7:10), Flood Hazard Control Act (NJAC 7:13), Pollutant Discharge Elimination System (NJAC 7:14A), and Water Quality Management (NJAC 7:15). Through these rules, NJDEP regulates development location and intensity of uses, protects floodplain capacity and riparian buffers, funds restoration of lakes and streams, and funds infrastructure improvements that primarily provide environmental health.



The rules allow NJDEP to provide mitigation in the form of reduced losses due to infrastructure failure. Wastewater Management Plans (WMP) are integral components of area-wide Water Quality Management Plans. WMPs are the vehicle through which the continuing planning process integrates local and regional planning into the area-wide Water Quality Management Plans.

New Jersey Department of Transportation *Local Aid and Economic Development*

The New Jersey Department of Transportation (NJDOT) is committed to advancing projects that enhance safety, renew the aging infrastructure and the state's economy and support new transportation opportunities. The Transportation Trust Fund (TTF) provides the opportunity for State assistance to local governments for the funding of road, bridge, and other transportation projects. Annually, the TTF provides \$400 million in State Aid to municipalities and counties for local transportation improvements. In addition, several programs which provide funding to counties and municipalities are funded with federal monies available through the Transportation Equity Act for the 21st Century (TEA 21) legislation.

The Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFE-TEA) legislation provides the opportunity for funding assistance to local governments for road, bridge, and other transportation projects. NJDOT has established several local aid programs that provide financial support to counties and municipalities for capital improvements to transportation infrastructure.

New Jersey Redevelopment Authority

The New Jersey Redevelopment Authority (NJRA) is an independent state financing authority committed exclusively to the redevelopment of New Jersey's urban areas. NJRA offers several financing resources, including site acquisition funding, predevelopment assistance, several development assistance resources, and technical assistance.

New Jersey State Agriculture Development Committee Open Space and Farmland Preservation Programs

Farmland and open space preservation programs are often funded partially through grants administered by the New Jersey State Agriculture Development Committee and the New Jersey Green Acres Program. The objective of these programs is to expand the existing county and municipal park systems. Many counties in New Jersey also support land preservation acquisition through open space funding.

New Jersey Turnpike Authority Capital Program

The New Jersey Turnpike Authority (Authority) is dedicated to the safe and efficient movement of people and goods over two of the busiest toll roads in the United States – the New Jersey Turnpike and the Garden State Parkway. The Authority's highways are a critical link in the transportation network of the Northeast Corridor. Under the current 10-year, \$7 billion capital program adopted in 2008, the Authority has expanded capacity, repaired deteriorating bridges, reconfigured entrance and exit ramps, improved maintenance yards and toll plazas, and expanded the use of technology for collecting and communicating information about roadway conditions. Under this capital program, the following projects have been advanced addressing hazard mitigation: Bridge Security Program, Forest Fire Prevention, Roadside Weather Information System (RWIS), Coastal Evacuation.

Through the Asset Management Program, the Turnpike Authority invests approximately \$50 million annually on drainage-related projects to better equip the Authority's roadways in response to major rainfall events.



15.4.3 County

Cape May County Arts & History Re-Grant Program

Through funding provided by the New Jersey State Council on the Arts and New Jersey State Historical Commission, the Division of Culture and Heritage provides Cape May County organizations an opportunity to apply for funding for operations and projects that have an art and/or history component.

Annual Capital Project Requests

County entities submit desired capital projects to County Finance with project titles, descriptions, and anticipated costs. The submitted projects may include those with relevance to hazard mitigation, including stormwater management or making facilities more sustainable.

Open Space Trust Fund

The Open Space Trust Fund currently has an open space tax set at \$0.01 per \$100 assessment, which brings in approximately \$5.7 million annually. The County does not allocate funding towards each sub-program from the Trust Fund. Applications for Farmland Preservation, Land Acquisitions, and the County PIG program are accepted on a year-round basis. Applications for Park/Recreation Development and Historic Preservation are accepted two times per year.

15.4.4 Local

Cape May County and individual jurisdictions are legally able to fund mitigation projects through existing local budgets, local appropriations (including referendums and bonding), and a variety of federal and state loan and grant programs. Many jurisdictions noted throughout the planning process that they are faced with increasing fiscal constraints, including decreasing revenues, budget constraints, and tax caps. In an effort to overcome these fiscal challenges, jurisdictions have continued to leverage the sharing of resources and combining available funding with grants and other sources and note that plans and interjurisdictional cooperation are beneficial in obtaining grants.