



State Planning Commission Rule Proposal
to Extend Center Designations
Proposed Amendment: N.J.A.C. 5:85-7.21

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Thank you for the opportunity to comment on the proposed Amendment to the State Planning Rules N.J.A.C. 5:85-7.21 Period of Endorsement, [Proposal Number: PRN 2014-179](#).

The current proposal would extend the period of approvals for plan endorsements and center designations granted by the State Planning Commission prior to Sept. 6, 2008, by an additional three years beyond their otherwise applicable expiration dates.

New Jersey Future recommends that the State Planning Commission revise its proposed amendment to grant one-year extensions to centers in coastal areas. During this period, the commission should assist municipalities with updating their center designations using robust risk assessments that identify areas that are safe from future flooding and appropriate for State Plan Center designation.

The State Planning Commission's purpose is to guide development and provide resources to areas that are best suited to grow. According to 52:18A-196 section C of the State Planning Act, "It is of urgent importance that the State Development Guide Plan be replaced by a State Development and Redevelopment Plan *designed for use as a tool for assessing suitable locations for infrastructure, housing, economic growth and conservation*" (emphasis added). Since centers were envisioned to be the location for much of New Jersey's growth, it is critical that they are located in areas that can accommodate that growth and not be inundated by rising tides and storms.

Since the original center designations were granted, our understanding of coastal vulnerability has changed. Hurricane Sandy reminded us that many coastal areas experience repeated flooding. As climate change accelerates sea level rise and the severity of storms, flood risks are increasing.¹ Consequently, many coastal centers contain areas at high risk for flooding and substantial damage to land, homes and businesses.

As one example, New Jersey Future performed a risk-assessment analysis for Little Egg Harbor Township, which contains Mystic Island, a State Plan-designated center. The assessment included two future scenarios, both of which are based on sea-level-rise projections developed by the Department of Earth and Planetary Sciences at Rutgers University.² The first scenario is based on sea-level rise projections for 2050 and describes the extent to which the municipality will be subject to flooding

¹ Sweet, W., C. Zervas, S. Gilland, J. Park, 2013: Hurricane Sandy inundation probabilities today and tomorrow [in "Explaining Extreme Events of 2012 from a Climate Perspective"]. Bull. Amer. Meteor. Soc., 94, S17-S20.

² "A Geological Perspective On Sea-Level Rise and Its Impacts Along the U.S. Mid-Atlantic Coast", K. G. Miller, R.E. Kopp, B.P. Horton, J.V. Browning, A. C. Kemp, AGU Publications, Department of Earth and Planetary Sciences, Rutgers University, 5 Dec. 2013. According to the Miller and Kopp [ec note: First mention here; maybe more detail?] report, the predicted sea level elevation for 2030 is .82;' for 2050 it is 1.48' and for 2100 it is 3.48.' For the purpose of this analysis the central value, 1.48,' was added to the current-day MHHW (see footnote #4).

during high-tide conditions.³ The second scenario evaluates the impact of sea-level rise by 2050 combined with a 1-percent storm; *i.e.*, a storm that has a 1-percent probability of occurrence in any given year (roughly equivalent in severity to the inundation from Hurricane Sandy in Ocean County and northern New Jersey⁴). The assessment concluded that 31 percent of the township's total land area will likely be inundated under 2050 sea-level-rise projections and 36 percent of the municipal land area is likely to be inundated in 2050 in the event of a 1-percent storm.

For the Mystic Island designated center, under a 2050 1-percent-storm scenario, our analysis shows that 52 percent of the total acreage within the center will likely be inundated by water. A map of the Mystic Island Center, showing areas projected to be flooded under the 2050 1-percent storm scenario, is attached. Extending the period of endorsement for these and other coastal centers will place state government support and resources in hazardous locations that are likely to be flooded.

Given these results, which are similar to those in other coastal communities, it is inadvisable to allow the boundaries of these centers to remain as they are currently delineated and to continue to steer future development into flood-prone locations. Instead, the State Planning Commission should seize the opportunity to apply lessons from Hurricane Sandy and help New Jersey communities become better prepared for future storms.

As an alternative to the current proposed amendment, New Jersey Future recommends that the State Planning Commission extend center designations in coastal areas for a one-year period. During this time, the commission should assist municipalities in performing risk assessments, including mapping areas likely to be flooded today and in 2050. These assessments should identify areas and populations that will be at risk. The corresponding maps should guide revisions to center boundaries.

Understanding that not all areas are affected by flooding associated with sea-level rise and being cognizant of the economic circumstances resulting from the recession of 2010, we recommend that centers outside of the CAFRA region be granted the three-year extension as proposed.

To offset the costs of updating center boundaries in coastal areas, Post-Sandy Planning Assistance Grants should be provided to coastal municipalities seeking to update their center boundaries, to allow them to conduct risk assessments and identify locations where future development should be promoted. Under the current Department of Community Affairs grant program, municipalities are eligible for grants up to \$30,000 to engage professional planners to evaluate the impacts of Hurricane Sandy on relevant community features. Additional grants are also available to allow towns to prepare, modify or replace plans for local neighborhoods or specific areas within the municipality (*i.e.* Redevelopment or Rehabilitation Plans, Economic Development Plans and Strategies, Historic District Plans and Open Space/Recreation Plans).

³ Since it's roughly equivalent to a conventional mortgage term, the 2050 scenario was determined to be a reasonable planning horizon for the purpose of the detailed assessment of exposure value.

⁴ The risk assessment seeks to provide the best practical estimate of future risks. A more complete description of the methodology and assumptions can be found in the full reports, which are available upon request from New Jersey Future. It's important to note that as a consequence of sea-level rise, a storm with a 1-percent-probability of occurring today will, by 2050, have a 10 percent likelihood of occurring in any year.

Following the risk assessment, conversations with the community should take place to refine center boundaries. Whereas current boundaries would allow expedited growth in areas at risk for flooding and during storm conditions, new boundaries would ensure development and infrastructure investments (including those designed to last for many decades) are focused in locations that can safely sustain greater levels of growth and are compatible with the changing environment.

Adjusting center boundaries and endorsed plans to reflect vulnerability to flooding today and in the future ensures that the State Planning Commission is appropriately assisting municipalities, directing future growth and resources in areas most appropriate for development.

Mystic Island Endorsed Center Flooding Vulnerability

