The Department has a fiduciary obligation to all citizens to seek restoration of injured resources and to recover natural resource damages (NRDs) at contaminated sites.

Voluntary, collaborative process for assessing NRDs:
- Reduce uncertainties and costs associated with evaluating and calculating NRD
- Provide responsible parties a path toward resolving their NRD liability

This AO, and the mechanisms it creates, can help to reduce the backlog of contaminated sites where remediation is complete or nearly complete but where trailing NRD liability remains unresolved.

Natural Resource Restoration Advisory Council (NRRAC)
- Increase public engagement
- Help make process more transparent and more conducive to public input

Benefits from NRD settlements and restoration project planning, design, and implementation
- Environmental justice; increased public access and recreational opportunities; enhanced climate resilience and flood protection; preserved open space; direct and indirect economic impacts
PFAS

History of PFAS in New Jersey
• NJDEP conducted studies of the occurrence of PFAS in New Jersey public water systems in 2006 and 2009
  • These were the first statewide studies of the occurrence of PFAS in drinking water in the U.S.
  • Known PFAS exposure occurs primarily through drinking water
  • PFAS commonly occur in New Jersey public water systems and private wells
  • PFAS is a class of emerging contaminants
    • As more PFAS are determined to be harmful to public health, the Department will assess the best way to keep them out of the public’s drinking water.

EPA Updates to Regulations
• On March 29, EPA published in the Federal Register its proposed National Primary Drinking Water Regulations for certain PFAS compounds
  • If/when they become effective, the EPA MCLs for PFOA and PFAS will supersede NJ’s MCLs (14 ppt and 13 ppt, respectively), which were adopted in 2020.
  • NJDEP is planning the necessary regulatory response to bring its DWQ standards in line with the EPA MCLs.
Environmental Justice Rule

- The Environmental Justice rule was adopted and went into effect on April 17, 2023.

  - Shows relative stressor values
  - Updated biannually (January/July)

- Resources on the Office of Environmental Justice’s website:
  - Excel spreadsheet listing Overburdened Community (OBC) block groups with town names
  - PDF maps
  - OBC technical note
  - OBC frequently asked questions
  - ...and much more
Two fundamental updates to DEP Flood Hazard Area Rules and Coastal Zone Management Rules:

- **Standard Update**
  - Fixes sea-level rise (SLR) data gap, requiring higher first-floor elevations (residential) or flood proofing (commercial) in a larger area that is slightly more inland than the existing 100-year zone

- **Process Update**
  - Updated risk disclosure in all flood hazard areas
  - Adds climate impact assessment for residential and critical buildings in inundation risk zone

These changes do not:

- Restrict coastal development in any zone
- Affect existing structures
- Impede projects already in the pipeline (i.e., submitted to DEP by Q1 2024)
Flood Rules

• There are risk based procedural differences as described below

• Inundation Risk Zone
  • Inundation Risk Assessment: narrative response to risk of loss/damage questions
    • Added to existing compliance statement
    • Not decisional; for notice purposes
  • Alternatives Analysis: examines on-site design alternatives to avoid or minimize risks for residential and critical buildings
    • Not required for:
      • Commercial development
      • Recreation and entertainment
      • Hospitality and gaming
  • Risk Acknowledgement: adds narrative disclosure based on Inundation Risk Assessment, recorded with FHA notice (existing requirement) in title

• Coastal Flood Zone Hazard Area
  • Less process; shorter permit application
  • No Climate Impact Assessment
  • No Climate Risk Alternatives Analysis
  • Short form Risk Acknowledgement, recorded with FHA notice in title (existing requirement)
Brownfields Impact Fund (NJEDA)

- NJEDA will make low-interest loans available to:
  - For-profit organizations
  - Public sector and non-profit organizations
    - These two organizations are also eligible for grant funding through the Brownfields Impact Fund

- These loans/grants will assist with:
  - Cleanup and other pre-construction activities on brownfield sites throughout the state
  - Eligible uses of the loan and/or grant funding includes
    - Remediation activities necessary to clean up the release of hazardous materials
    - Mitigate the threatened release of hazardous materials and other activities

- Funds will be awarded on a first come, first serve basis upon receipt of a completed application.
  - Loans or grants cannot be provided to entities who caused or contributed to the contamination of the property (Responsible Party).
Brownfield Inventory GIS Layer

• The Brownfield Inventory GIS layer is a GIS representation of brownfield sites in Community Collaborative Initiative (CCI) municipalities which will continue to be expanded over time until the layer includes a statewide representation of brownfield sites.
  • The 12 municipalities that are part of CCI are: Bayonne, Bridgeton, Camden, Jersey City, Millville, Newark, Paterson, Paulsboro, Perth Amboy, Salem, Trenton, and Vineland.

• The Brownfield Inventory GIS layer is available for viewing on NJ GeoWeb and the DCA Community Asset Map

• Next update to GIS layer is expected by end of May for these cities:
  • Atlantic City
  • Elizabeth
  • Kearny
  • New Brunswick
  • Orange City
  • Passaic
  • East Orange
  • South Orange
  • West Orange