



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF ENGINEERING & CONSTRUCTION
BUREAU OF DAM SAFETY & FLOOD CONTROL
Mail Code 501-01A

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Commissioner

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Lt. Governor

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February 4, 2013

Re: Local Flood Damage Prevention Ordinance
Adoption of Advisory Base Flood Elevation Maps

Dear Mayors and Local Floodplain Administrator:

This is in reference to the Federal Emergency Management Agency (FEMA) Advisory Base Flood Elevations (ABFE) for Atlantic, Bergen, Burlington, Cape May, Essex, Hudson, Middlesex, Monmouth, Ocean and Union Counties and the Department of Environmental Protection (DEP) Statement of Imminent Peril Mandating Flood Hazard Amendments (<http://www.nj.gov/dep/docs/20130124statement-of-imminent-peril-mandating-flood-hazard-amendments.pdf>). The State of NJ has adopted emergency amendments to the Flood Hazard Area Control Act Rules, N.J.A.C. 7:13, which incorporate the use of ABFE's in determining flood elevations. Under these amendments, flood elevations are now determined either using: (1) the higher of the ABFE, the effective BFE, or the design flood elevation shown on DEP flood maps; or (2) site-specific calculations that demonstrate a different flood elevation.

In order to ensure your residents are eligible for Increased Cost of Compliance (ICC) and other federal hazard mitigation grant funds, it is recommended that your community readopt its current Local Flood Damage Prevention Ordinance to meet or exceed the requirements of the amended Flood Hazard Area Control Act Rules (<http://www.nj.gov/dep/docs/20130124flood-hazard-emergency-rule.pdf>). In addition, your community could receive credits through the Community Rating System (CRS) program for adopting the ABFE maps.

To assist your municipality and FEMA, the DEP recommends amending your local ordinance in accordance with the Generic ABFE Model Ordinance language that can be found at the DEP flood control website: <http://www.nj.gov/dep/floodcontrol/modelords/modelde-abfe.doc>. Your amended ordinance should reference the appropriate ABFE map panels and dates (which can be accessed at the DEP flood control website for your specific community) in section 3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD to comply with federal flood insurance requirements. The model ordinance contains only the minimum requirements accepted by FEMA and the State of New Jersey.

Please forward to our office within ten (10) days a designated contact person and their contact information. Also, please forward a draft copy of any proposed ordinance to my office prior to introduction, for our review. After adoption, please forward **two (2) certified, signed and sealed** copies of the ordinance to this office so I can report to FEMA that your municipality has adopted an ordinance that implements the ABFE regulations.

Should you have any questions or need the model ordinance document in Microsoft Word® format, please contact A. Chris Gould at (609) 292-2296 or alan.gould@dep.state.nj.us.

Sincerely,

John H. Moyle, P.E., Manager
Bureau of Dam Safety & Flood Control