



**ZACK MULLOCK**

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*City Engineer*

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*City Clerk*

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*Councilmember*

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*Councilmember*

**SHAINÉ P. MEIER**

*Councilmember*

## MEMO

Date: April 1, 2026

To: FILE  
Construction Office  
Residents

From: Paul Dietrich

Subject: FAQs  
Floodplain Administration Procedures/Requirements  
Revisions of NJ Flood Hazard Control Act Rules  
Pursuant to the NJPACT REAL Rule adoption

The NJDEP adopted the REAL Rules (Rules) on January 20, 2026 and has an effective date of July 20, 2026. Projects submitted after July 20, 2026 will be subject to these rules. The memo will summarize how Cape May City will implement the Flood Hazard Control Act Rule N.J.A.C. 7:13.

**Who does it effect?** All properties that are currently in the Special Flood Hazard Area (SFHA) which is the 1% Annual Flood Occurrence (100-year flood). The Rules have expanded the area to include what is defined climate-adjusted flood elevation. This area includes the portion of the City that is described as the inundation risk zone and encompasses any land on the site in question that lies four feet above the elevation of the mean higher high water line based on NAVD 88. The City's website shows the properties impacted (<https://capemaynj.withforerunner.com/> - Click "Explore Map" need to make sure the NJDEP Tidal Climate Adjusted Flood Elevation is active on the Map Layers, located at bottom right of the screen).

### **How does it effect a project?**

Property Owners will have to submit to the NJDEP for one of four types of approvals before submitting an application to the City for construction. For a project there may be multiple approvals from the NJDEP that will be required. Projects that involve construction of new structures (new home, building, shed, garage, pool, etc.), addition to existing structures and/or increase impervious coverage will require approval from the NJDEP before getting a City Permit or UCC Permit.

**City of Cape May**

**National Historic Landmark**

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