

**ASSEMBLY BILL NO. 1726
(First Reprint)**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 1726 (First Reprint) with my recommendations for reconsideration.

This bill would make certain changes to the "Flood Hazard Area Control Act" used by the Department of Environmental Protection ("DEP") to delineate areas prone to flooding, in order to ensure that appropriate steps are taken to protect the public's health and safety. In part, this bill directs DEP to update its delineations and to prioritize its work based on flood risks. These changes are a sensible update to flood management strategies.

The bill goes further, however, and attempts to change other standards that would not benefit the State. Following Superstorm Sandy, the DEP took emergency action to protect New Jersey residents by promulgating rules requiring those seeking to build in flood prone areas to look to the best available data in determining how to approach development, rather than necessarily relying on FEMA's or DEP's adopted mapping. In DEP's judgment, this approach would help our residents avoid an unacceptable risk of flooding.

I do not believe that the Legislature, through this bill, intended to roll back DEP's efforts following Superstorm Sandy to protect our State's residents. However, certain language in this bill could be construed in such a way as to interfere with some of DEP's actions. Therefore, I propose certain modest, technical amendments that will help ensure the safety of our residents for years to come.

Accordingly, I herewith return Assembly Bill No. 1726

(First Reprint) and recommend that it be amended as follows:

Page 2, Section 1, Line 31: Delete "identical to" and
insert "at least as
protective as"

Page 2, Section 1, Line 38: Delete "into" and insert "as"

Page 2, Section 1, Line 38: After "department's" insert
"minimum"

Page 3, Section 1, Line 7: After "delineation" insert
"at least as protective as
one"

Respectfully,

[seal]

/s/ Chris Christie

Governor

Attest:

/s/ Thomas P. Scrivo

Chief Counsel to the Governor