

**COASTAL ZONE
MANAGEMENT RULES:
A General Overview**

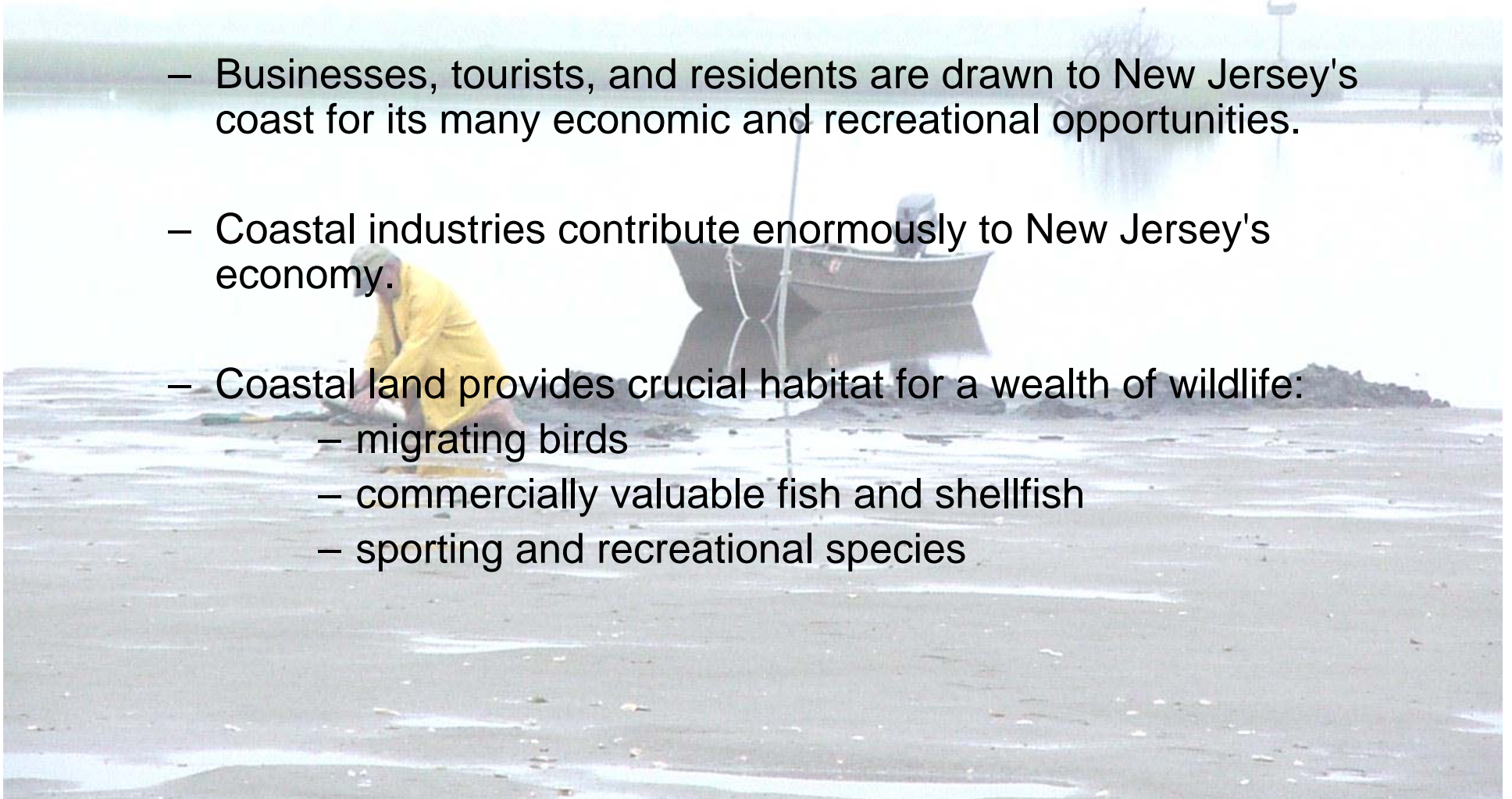
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**CAFRA
Section 2
(~45 minutes total)**

WHY?

- New Jersey's coastline is a rich and diverse fabric of natural wonders and economic resources

- Businesses, tourists, and residents are drawn to New Jersey's coast for its many economic and recreational opportunities.
- Coastal industries contribute enormously to New Jersey's economy.
- Coastal land provides crucial habitat for a wealth of wildlife:
 - migrating birds
 - commercially valuable fish and shellfish
 - sporting and recreational species



Our coastline is under threat from human activities. Development along the New Jersey shore has already had an impact on our ecosystem.

Regulation is necessary to prevent:

- destruction of vital wildlife habitat
- increases in rainwater runoff
- destruction of the natural resources
- Ensure health, safety and welfare of people and property





4 Simple Questions Approach to Land Use Regulations Permitting

- * Is the project located in a regulated area?
- * Is a permit automatically required, or does the project qualify for an exemption, or is it below the regulatory threshold requiring a permit?
- * Does the project qualify for a general permit or is an individual permit needed?
- * What are the development standards that the project must meet to be approved?

Coastal Zone Rules



There are three laws that govern the coastal zone:

- CAFRA
- WATERFRONT DEVELOPMENT
- COASTAL WETLAND ACT OF 1970

The Coastal Permit Program Rules

These are the rules on how and when to apply for permits

<http://www.state.nj.us/dep/landuse/7-7.pdf>

CHAPTER 7

COASTAL PERMIT PROGRAM RULES

as of January 20, 2004

SUBCHAPTER 1. GENERAL PROVISIONS

7:7-1.1 Purpose and scope

(a) This chapter establishes the procedures by which the Department of Environmental Protection will review permit applications and appeals from permit decisions under the Coastal Area Facility Review Act (CAFRA, N.J.S.A. 13:19-1 et seq.), the Wetlands Act of 1970 (N.J.S.A. 13:9A-1 et seq.) and the Waterfront Development Law (N.J.S.A. 12:5-3). These procedures also govern the reviews of Federal Consistency Determinations issued pursuant to the Federal Coastal Zone Management Act, 16 U.S.C. 1451 et seq., and Water Quality Certificates issued pursuant to Section 401 of the Federal Clean Water Act, 33 U.S.C. 1251 et seq., when the approvals are sought in conjunction with any of the foregoing permit applications.

Coastal Zone Management Rules

These are the environmental standards for the Regulations

<http://www.state.nj.us/dep/landuse/7-7e.pdf>

Chapter 7E
Coastal Zone Management rules
N.J.A.C. 7:7E
(effective February 2, 2004)

SUBCHAPTER 1. INTRODUCTION

7:7E-1.1 Purpose and scope

(a) This chapter presents the substantive rules of the Department of Environmental Protection regarding the use and development of coastal resources, to be used primarily by the Land Use Regulation Program in the Department in reviewing permit applications under the Coastal Area Facility Review Act (CAFRA), N.J.S.A. 13:19-1 et seq. (as amended to July 19, 1993), Wetlands Act of 1970, N.J.S.A. 13:9A-1 et seq., Waterfront Development Law, N.J.S.A. 12:5-3, Water Quality Certification (401 of the Federal Clean Water Act), and Federal Consistency Determinations (307 of the Federal Coastal Zone Management Act). Requests for Water Quality Certification shall also be reviewed in accordance with other applicable statutes and regulations administered by the Department including the Surface Water Quality Standards, N.J.A.C. 7:9B. The rules also provide a basis for recommendations by the Program to the Tidelands Resource Council on applications for riparian grants, leases and licenses.

(b) In 1977, the Commissioner of the Department of Environmental Protection submitted to the Governor and Legislature the Coastal Management Strategy for New Jersey-CAFRA Area (September 1977), prepared by the Department as required by CAFRA, N.J.S.A. 13:10-16, and submitted for public comment in late 1977. The

“Special Areas” – Coastal Zone Management Rules

- These are areas that deserve focused attention and special management rules.
- Some locations have one or more areas that are subject to the special areas rules.
- In cases where the general and special area rules differ, the more restrictive special area rule governs.



* Subchapter 3 – Special Areas*

- Shellfish Habitat (3.2)
- Submerged Aquatic Vegetation (3.6)
- Intertidal and Subtidal Shallows (3.15)
- Dunes (3.16)
- Coastal High Hazard Areas (3.18)
- Beaches (3.22)
- Filled Water's Edge (3.23)
- Wetlands (3.27)
- Wetland Buffers (3.28)

Subchapter 3 – Special Areas

- Coastal Bluffs (3.31)
- Historic and Archeological Resources (3.36)
- Endangered or Threatened Wildlife or Plant Species Habitat (3.38)
- Special Urban Areas (3.43)
- Pinelands National reserve and Pinelands Protection Area (3.44)
- Wild and Scenic River Corridors (3.46)
- Hudson River Waterfront Area (3.48)
- Atlantic City (3.49)

Subchapter 4 – Specific Types of Development within General Water Areas

- Recreational Docks and Piers (4.5)
- Maintenance Dredging (4.6)
- New Dredging (4.7)
- Dredged Material Disposal (4.8)
- Breakwaters (4.19)
- Submerged Cables (4.20)
- Artificial Reefs (4.21)

Subchapter 4 - “General Water Areas”

- Water or land areas that are not identified as special areas are considered General Areas
- The water’s edge has no *general water area* since all the water’s edge areas are one or more *special area* types.



Subchapter 5 – “General Land Areas”

There are limits for impervious coverage and requirements for vegetative cover for “General Land Areas” and certain “Special Areas”

Subchapter 5A = Impervious Cover Limits and Vegetative Cover Percentages in the Upland Waterfront Development Area (outside the CAFRA area)

Subchapter 5B = Impervious Cover Limits and Vegetative Cover percentages in the CAFRA Area

Subchapter 6 - “General Location Policies”

This section includes information on:

- The location of linear development (6.1) – *Is the Location acceptable?*
- Basic location rules (6.2)
- Secondary impacts (6.3) – *What is the impacts of allowing the location of the development?*

An example of a secondary impact would be putting in a sewer line...adding the line itself may cause an environmental impact, but there is also an impact of the new development that might come about by having the sewer line there.

Subchapter 7 – “Use Rules”

- Many types of developments seek locations in the coastal zone.
- The Use Rules are rules and conditions to determine if a use is appropriate to be located within the coastal zone.
- The Use rules do not preempt the location rules which restrict development, unless specifically stated.

Subchapter 7 – “Use Rules”

- New Single Family / Duplex (7.2e)
- Reconstructed Single Family / Duplex (7.2f)
- Roads (7.5a)
- Bicycle and Footpaths (7.5c)
- Parking (7.5d)
- Structural Shore Protection (7.11e)

Subchapter 8 – “Resource Rules”

- The 3rd step in the screening process of the Coastal Zone Management rules is the review of a proposed development in terms of its effect on various resources of the built and natural environment of the coastal zone

(@ the proposed site and
the surrounding region)

Subchapter 8 – Resource Rules

- Water Quality (8.4)
- Surface Water Use (8.5)
- Ground Water Use (8.6)
- Stormwater Management (8.7)
- Vegetation (8.8)
- Public Access to the Waterfront (8.11)
- Scenic Resources and Design (8.12)
- Buffers and Compatibility of Uses (8.13)
- Traffic (8.14)

In the remainder of this section we are
focusing on CAFRA



CAFRA = Coastal Area Facilities Review Act

*CAFRA applies to projects near coastal waters
in the southern part of the State.*

The CAFRA area begins where the Cheesequake Creek enters Raritan Bay in Old Bridge, Middlesex County. It extends south along the coast around Cape May, and then north along the Delaware Bay ending at the Kilcohook National Wildlife Refuge in Salem County. The inland limit of the CAFRA area follows an irregular line drawn along public roads, railroad tracks, and other features. The CAFRA area varies in width from a few thousand feet to 24 miles, measured straight inland from the shoreline.

**Click here to see a Map of the
CAFRA boundary line:**

<http://www.state.nj.us/dep/landuse/caframap.html>

The CAFRA law regulates almost all development activities involved in:

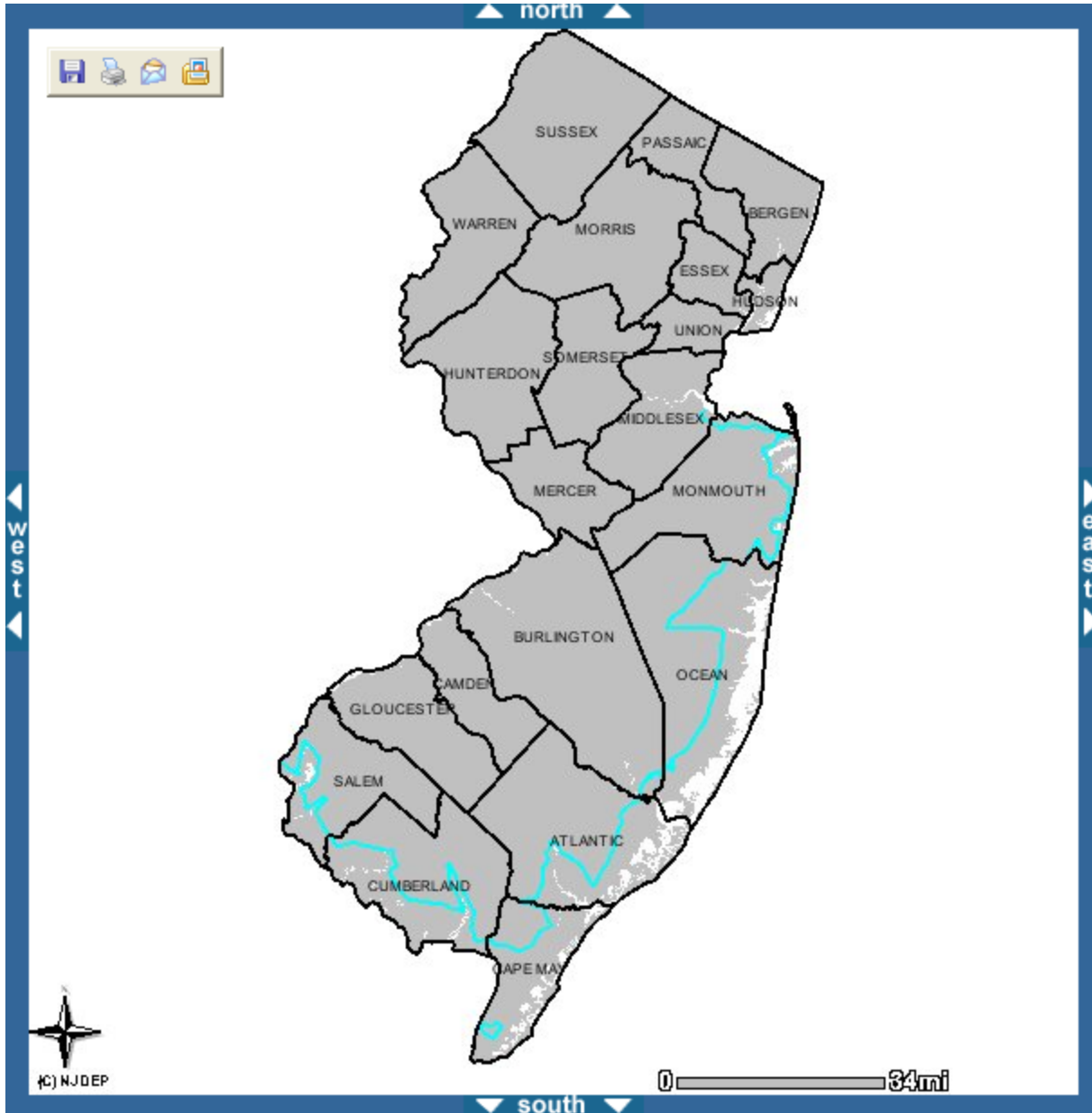
- Residential
- Commercial
- Public Development
- Industrial development



This includes: construction, relocation, and enlargement of buildings or structures

-AND-

Related work: excavation, grading, shore protection structures, and site preparation.



Legend

-  Counties
-  CAFR Boundary
-  New Jersey

Does your municipality fall within the aqua line?

If the answer is YES, you are regulated under CARFA

CAFRA Jurisdiction

Almost any activity on a beach or dune



Mean High Water



Mean high water" (MHW) a tidal datum that is the arithmetic mean of the high water heights observed over a specific 19-year Metonic cycle (the National Tidal Datum Epoch). For the New Jersey coast, the two high waters of each tidal day are included in the mean.

Mean High Water Line



"Mean high water line" (MHWL) is the intersection of the land with the water surface at the elevation of MHW.

For the purpose of establishing regulatory jurisdiction the surveyed mean high water elevation is used

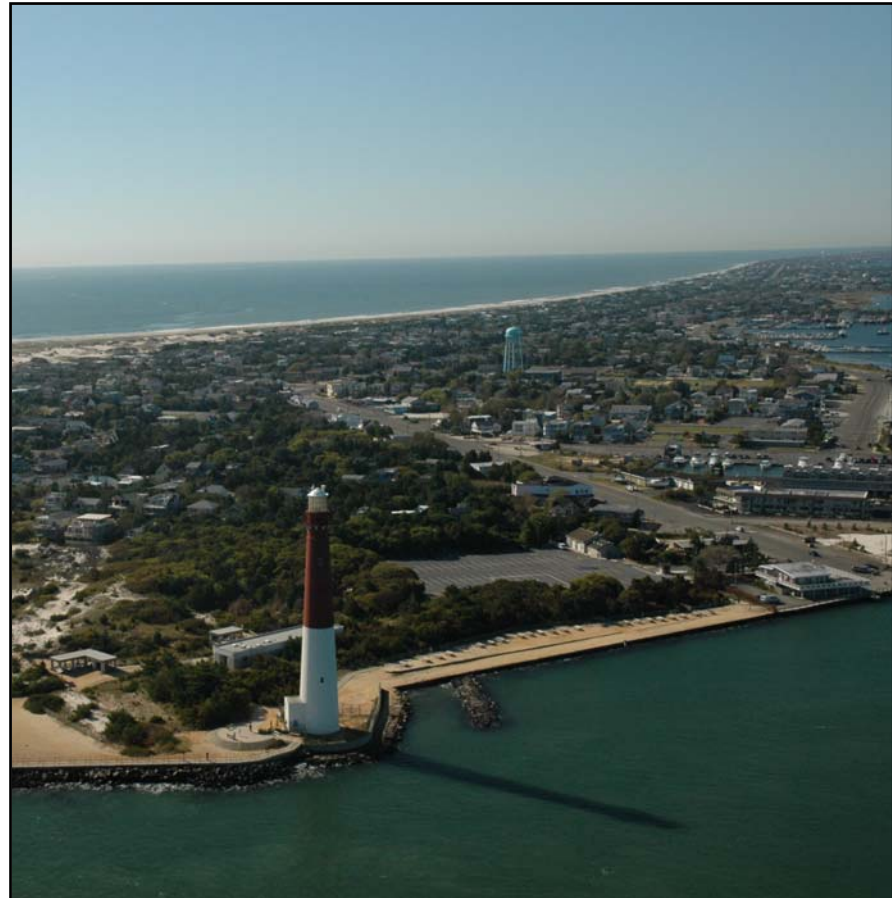
Residential Regulatory Thresholds

- From 0' – 150' (from MHWL) – Any 1st development is regulated or any development without intervening development
- From 0' – 150' (from MHWL) – Projects of 3 or more units are regulated
- > 150' – Projects of 25 or more units are regulated



Commercial Regulatory Thresholds

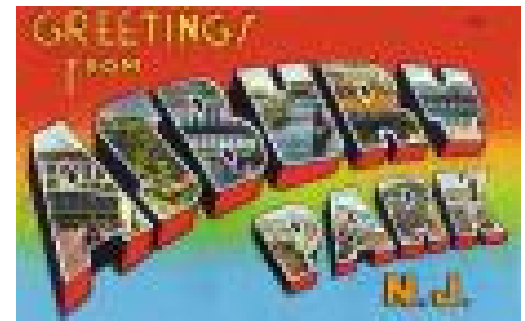
- From 0' – 150' (from MHWL) – Any 1st development is regulated
- From 0' – 150' (from MHWL) – Projects with 5 or more parking spaces or equivalent parking spaces
- > 150' – Projects with 50 or more parking spaces



Urban Aid Municipalities

The regulations are relaxed in urban aid municipalities:

- 150-500' (from the MHWL) same as other municipalities
- >500'(from MHWL) residential developments of 75 or more units are regulated
- > 500' (from MHWL) Commercial areas are regulated only if they have 150 or more parking spaces



Public and Industrial Regulatory Thresholds

1,200 or more linear feet of new road,
sanitary sewer pipeline, storm sewer
system, natural gas pipeline, etc.



Municipal Development, Churches and Synagogues

7:7 – 2.1B – 6&7

- Municipal or other government administrative, public works or emergency services buildings that are not specifically included in the definition of public development at N.J.A.C.7-1.3 or parks which are publicly owned or controlled are considered commercial developments.
- Churches, synagogues or other houses of worship are considered commercial developments.

Industrial Developments – Regulatory Thresholds



A project would be regulated if you had manufacturing or industrial processes including: electric power production, food and food by-product processing, paper production, chemical processes, storage facilities, metallurgical processes mining and excavation, etc.

Non-CAFRA Regulated!

- Elementary and Secondary Educational Facilities
- Reconstruction...As long as the reconstruction follows these parameters:
 - The structure was damaged after 7/19/1994
 - The structure was damaged by a fire, storm, natural hazard or Act of God
 - There is no enlargement or relocation of the footprint (from the original structure)
 - There is no increase in the number of units or parking spaces.
 - There is no increase in the area covered by building and/or asphalt or concrete



Non-Regulated Activities at Residential Development

- Construction of a patio or deck or similar structures does not result in grading, excavation or filling of a beach or dune
- Enlargement of a development as long as:
 - no enlargement of the footprint (i.e. A 2nd floor addition would be acceptable as long as there is no extension of the exterior walls)
 - no increase in the number of units or parking spaces



Non-Regulated Activities on Highways by Government Agencies

- Routine Re-Construction
- Functional replacement, repair or maintenance
- Re-striping
- Lane widening, intersection and roadway improvements (as long as there is no increase in the # of travel lanes)
- Signs, lighting, guard rails and traffic control devices



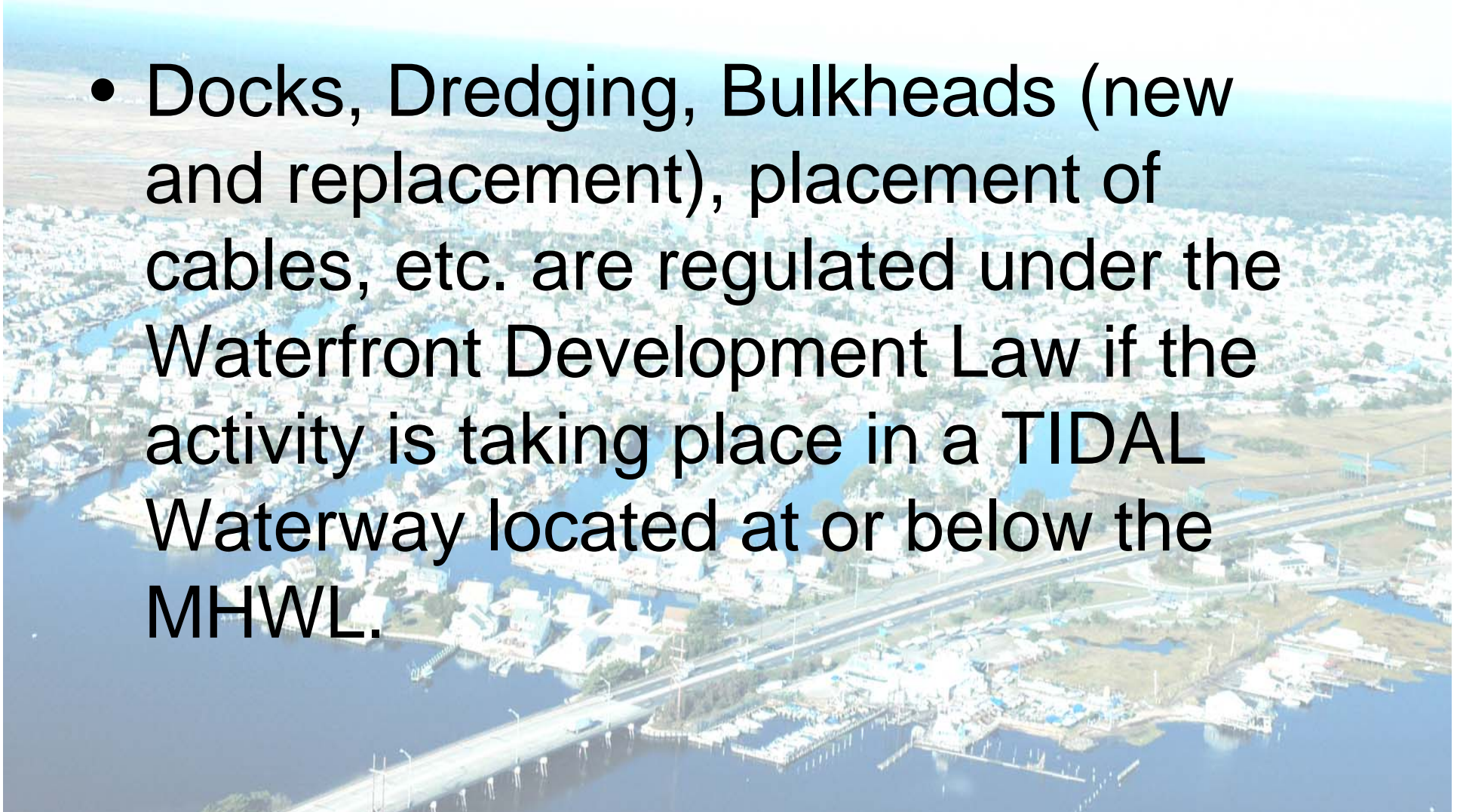
Other Non-Regulated Activities

- Expansion of an existing functional amusement pier as long as the pier:
 - Does not exceed the original footprint by more than 25%
 - Is located more than 150' landward of the MHWL, beach or dune, which ever is most landward



Waterfront Development within the CAFRA zone

- Docks, Dredging, Bulkheads (new and replacement), placement of cables, etc. are regulated under the Waterfront Development Law if the activity is taking place in a TIDAL Waterway located at or below the MHWL.



JURISDICTIONAL DETERMINATIONS

- Otherwise known as JDs
- Are available for all regulations implemented by the Land Use Regulation Program
- JD's are available for CAFRA, Waterfront Development, Coastal Wetlands & Stream Encroachment
- Letter's of Interpretation are the JD for Freshwater Wetlands and Transition Area

Jurisdictional Determinations

OFFICIAL USE ONLY
NJEMS Pre-Review Form

Program Interest #: _____ Class code: _____ Activity #: _____
Type: _____ Component Type: _____
Proposed activity: _____
Date Received: ___/___/___ 20th Due Date: ___/___/___ 90th Due Date: ___/___/___
PRO _____ Points _____
Alternate PI # (xref #'s) _____ ASU: _____ ASU Date: ___/___/___

Information Required for Jurisdictional Determination

Applicant name: _____

Address: _____

Agent: _____

Address: _____

Daytime Telephone Number: _____

PROJECT LOCATION:

Block(s): _____ Lot(s): _____

Municipality: _____ County: _____

Site Address (or nearest crossroads): _____

PROJECT DESCRIPTION:

PLEASE ATTACH A COPY OF THE SITE PLAN OR SURVEY FOR THE PROPOSED PROJECT ALONG WITH A LOCATION MAP AND, IF AVAILABLE, PHOTOGRAPHS OF THE EXISTING PROPERTY. SEND TO:

New Jersey Department of Environmental Protection
Land Use Regulation Program
Jurisdictional Determination Unit
PO Box 439
501 East State Street
Trenton, NJ 08625-0439

If you are unsure whether or not your activity is regulated, you can request a jurisdictional determination. These are available from the Land Use program at NO COST.

There is a special unit assigned to these requests. This unit is supervised by Andrew Gale:

Bureau of Coastal Regulation
(609) 633-2289

And the Jurisdictional Determination Request form is available online at:

<http://www.state.nj.us/dep/landuse/forms/jurisdet.pdf>

Help is Available Online!

Single Family Homes and
Duplexes:
A Guide to CAFRA



New Jersey Department of Environmental Protection
Land Use Regulation Program
May 2002

<http://www.state.nj.us/dep/landuse/forms/sfh2002.pdf>

Guide to
New Jersey's
Coastal
Permitting Program



New Jersey Department of
Environmental Protection

<http://www.state.nj.us/dep/landuse/forms/GUIDETOC.pdf>

Before You Buy- Before You Build

Are you considering buying property near tidal water? Building an oceanfront home, a retail center, or marina? Do you want to put in a bulkhead or a dock? Or maybe an addition to an existing house in a coastal town? In each of these cases, New Jersey's coastal permit program may affect where and whether you buy, build, or add on. In New Jersey and throughout the United States, coastal property is regulated to protect public safety and the environment.

Types of CAFRA Permits Available

- Individual Permits
- General Permits
- Permits – By Rule

(With this type of permit there is nothing submitted to the Land Use Regulation Program and no paper “authorization” issued)

Coastal General Permits are available for:

- Amusement Pier Expansion
- Beach and Dune Maintenance Activities
- Voluntary Reconstruction (both residential and commercial)
- Hazardous Waste Cleanup
- Landfall of Utilities
- Single Family Homes or Duplexes with expansion/reconstruction, new construction
- Marina Support Facilities
- Public Park Facilities
- Telecommunication Towers
- Avian Nesting Structures
- The placement of revetments or gabions



Coastal General Permits are available for:

- Reconstruction of bulkheads or new bulkheads in lagoons
- Docks, pilings, boatlifts etc. in a man made lagoon
- Maintenance dredging in a lagoon
- Legalization of filling of tidelands
- Structures related to tourism
- Modification of electrical substations
- Eroded shoreline bioengineering



Coastal General Permit - Single Families or Duplex Properties

<http://www.state.nj.us/dep/landuse/forms/cafragpsng.pdf>

COASTAL GENERAL PERMIT APPLICATION FOR DEVELOPMENT AT SINGLE FAMILY/DUPLEX PROPERTIES

CHECKLIST FOR ADMINISTRATIVE COMPLETENESS

(revised 8/16/05)

These are the submission requirements for an administratively complete application package for a coastal general permit. Please read each section and check each area after you have fully completed or compiled the information for each applicable requirement. NOTE: Items 1 through 6 shall be submitted for all coastal general permit applications. Visit our website at www.nj.gov/dep/landuse for additional help and information.

- 1. A completed LURP application form;
- 2. Permit review fee in the form of a check or money order for \$500 (Payable to: Treasurer - State of New Jersey, Environmental Services Fund);
- 3. Photographs showing the specific location of the proposed development taken from a minimum of four different locations and labeled as to orientation. Submit originals mounted with description and location of each view;
- 4. White certified mailing receipts or other written receipts as evidence that three complete copies of the application package have been submitted to the clerk of the municipality in which the development is proposed, including a letter requesting that the clerk distribute one copy to the planning board and one to the environmental commission. The third copy shall be maintained by the clerk's office.
- 5. White certified mailing receipts or other written receipts as evidence that a copy of (1) the completed LURP application form, (2) the site plan (this plan maybe on an 8.5 by 11" sheet of paper provided it generally depicts the proposed development and the site location) and (3) the notice below, have been forwarded to the following parties:
 - a) County Planning Board;
 - b) Municipal Construction Official;
 - c) County Environmental Commission;
 - d) All property owners, including easements, surrounding and sharing a property boundary at any point on the perimeter of the proposed development; and
 - e) Verification in the form of a list certified by the municipality of all owners of real property, as described in (d) above.

The public notice required in item 6 above shall read as follows:

"This letter is to provide you with legal notification that an application will be submitted to the New Jersey Department of Environmental Protection, Land Use Regulation Program for authorization under a coastal general permit for (DESCRIBE THE PROPOSED DEVELOPMENT).

Coastal General Permit - OTHER THAN Single Families or Duplex Properties

<http://www.state.nj.us/dep/landuse/forms/cafragp.pdf>

COASTAL GENERAL PERMIT APPLICATION FOR DEVELOPMENT OTHER THAN AT SINGLE FAMILY/DUPLEX PROPERTIES

CHECKLIST FOR ADMINISTRATIVE COMPLETENESS

(11/15/04)

These are the submission requirements for an administratively complete application package for a coastal general permit. Please read each section and check each area after you have fully completed or compiled the information for each applicable requirement. NOTE: Items 1 through 6 shall be submitted for all coastal general permit applications. Visit our website at www.nj.gov/dep/landuse for additional help and information.

- 1. A completed LURP application form;
- 2. Permit review fee in the form of a check or money order, or governmental voucher in the amount of \$500 for each type of Coastal General Permit - Payable to the Treasurer - State of New Jersey, Environmental Services Fund)
- 3. Photographs showing the specific location of the proposed development taken from a minimum of four different locations and labeled as to orientation. Submit originals mounted with description and location of each view;
- 4. County or local road map or an insert from a U.S. Geological Survey topographic quadrangle map showing the general site location of the development;
- 5. State Plane coordinates for a point at the approximate center of the site. The accuracy of the State plane coordinate shall be within 50 feet of the actual center point of the site. For a shore protection development including beach and dune maintenance or dune creation of one-half mile or less in length, the State plane coordinates shall include the coordinates for the end points of the development. For these projects one-half mile or more in length, the State plane coordinates shall include the coordinates for the end point of the development and the coordinates for points located at 1,000 foot intervals along the entire length of the development. Please use nad 1983. For assistance in determining the State plane coordinates for a site, contact the Department's Geographic Information (GIS) Office at (609) 777-0672.
- 6. White certified mailing receipts or other written receipts as evidence that three complete copies of the application package have been submitted to the clerk of the municipality in which the development is proposed, including a letter requesting that the clerk distribute one copy to the planning board and one to the environmental commission. The third copy shall be maintained by the clerk's office.
NOTE: Applications within the Pinelands Preservation or Protection Area must also contain verification that a complete copy of the application package has been submitted to the Pinelands Commission;
- 7. White certified mailing receipts or other written receipts as evidence that a copy of (1) the completed LURP application form, (2) the site plan (this plan may be on an 8.5 by 11" sheet of paper provided it generally depicts the proposed development and the site location) and (3) the notice below, have been forwarded to the following parties:
 - a) County Planning Board

CAFRA PERMIT-BY-RULE

Can be Used in the Case of:

- A single family or duplex home expansion on the non-waterward side, the expansion is no more than 400ft² and the project is not in a dune, wetland or beach (cumulative since July 19th, 1994)
- The placement of safety or beach/dunes signs, etc if no footing is used at public parks
- Construction at a single family home or duplex
 - on a bulkheaded, manmade lagoon lot,
 - there are no wetlands landward of the bulkhead,
 - there is an existing municipal sewer system and all structures and decks, there is a setback of 15 feet from the bulkhead (unless there is an engineering certificate).

CARFA PERMIT BY RULE

Permits-By-Rule for “minimal impact activities”.
If project qualifies for PBR, the project requires
only Municipal Construction Official review



CAFRA PERMIT-BY-RULE

May be Used in the Case of:

- The residential and non-residential construction of docks, piers and boat ramps landward of the mean high water (if the waterfront development permit was obtained)
- Voluntary reconstruction if the structure is non-damaged, legally constructed and currently habitable, is within the existing footprint, there is no increase in the size of the footprint and does not increase the number of units.
- Authorization of previously placed fill is allowable at a single family home or duplex if it appears on the Department's 1977/78 Tidelands map and a Tidelands instrument must be obtained.

Permit by Rule Online

<http://www.state.nj.us/dep/landuse/forms/pbr.pdf>

Permit-By-Rule:
A Guide for Single Family/Duplex
Homeowners & Construction Code
Officials



New Jersey Department of Environmental Protection
December 2000

Doing Modifications?

“When do I need a new individual permit?”

- Under CAFRA you would need a new permit if the project results in greater than a 50% increase in impervious coverage
 - Or -
- Results in development on lot(s) which were not included in the original permit

Individual Permit Modifications Online

<http://www.state.nj.us/dep/landuse/forms/cafmod.pdf>

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
REQUEST FOR MODIFICATION TO COASTAL PERMIT
CHECKLIST FOR ADMINISTRATIVE COMPLETENESS
(07/03)

These are the submission requirements for an administratively complete application package to modify an existing coastal permit. NOTE: Coastal general permits can not be modified. Please read each section and check each area after you have fully completed or compiled the information for each applicable requirement. Visit our website at www.state.nj.us/dep/landuse for additional help and information.

- 1. A completed LURP application form;
- 2. Permit review fee in the form of a check, money order or government voucher (see fee schedule) - Payable to the Treasurer - State of New Jersey, Environmental Services Fund;
- 3. Evidence that public notice has been provided in accordance with the following:
 - (a) For major modification of a CAFRA permit or Waterfront Development permit located landward of the mean high water line, except linear or shore protection developments of ½ mile or more in length:
 - i. White mailing receipt or other written receipt as evidence that three complete copies of the request for a modification have been submitted to the clerk of the municipality in which the development is proposed, including a letter requesting that the clerk distribute one copy to the planning board and one to the environmental commission. The third copy shall be maintained by the clerk's office;
 - ii. White mailing receipt or other written receipt as evidence that an amended site plan, completed LURP application, and the notice found below have been submitted to the persons listed below. The amended site plan need not include a full set of plans, but shall depict the proposed development in relationship to existing site conditions. This plan may be on an 8 1/2 inch by 11 inch sheet of paper provided it generally depicts the proposed development and general and site specific location.

General Permit Modifications Online

<http://www.state.nj.us/dep/landuse/forms/cafragpmod.pdf>

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
REQUEST FOR MODIFICATION TO COASTAL GENERAL PERMIT
CHECKLIST FOR ADMINISTRATIVE COMPLETENESS

7/03

These are the submission requirements for an administratively complete application package to modify an existing coastal **general permit**. Please read each section and check each area after you have fully completed or compiled the information for each applicable requirement. Additional information available at our website: www.state.nj.us/dep/landuse.

- 1. A completed LURP application form;
- 2. A check or money order for \$200 (Payable to: Treasurer - State of New Jersey, Environmental Services Fund);
- 3. Photographs showing the specific location of the proposed development taken from a minimum of four different locations and labeled as to orientation. Submit originals mounted with description and location of each view;
- 4. Three copies of an amended site plan showing:
 - i. All site plan information required under the specific coastal general permit;
 - ii. The originally approved development; and
 - iii. All proposed changes to the existing development.
- 5. White certified mailing receipts or other written receipt as evidence that a complete copy of the application has been forwarded to the clerk of the municipality;
- 6. White certified mailing receipts or other written receipts as evidence that a copy of (i) the completed LURP

CAFRA Exemptions

<http://www.state.nj.us/dep/landuse/forms/cafexmpt.pdf>

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
APPLICATION FOR AN EXEMPTION TO A CAFRA PERMIT
CHECKLIST FOR ADMINISTRATIVE COMPLETENESS

(07/03)

Development that is exempt from CAFRA requires **NO** certification or approval from the Department, except as may be required by other programs administered by the Department. These are the submission requirements for an administratively complete application package for an exemption letter. Please read each section and check each area after you have fully completed or compiled the information for each applicable requirement. Visit our website at www.state.nj.us/dep/landuse for additional help and information.

- 1. For an exemption for a development which has received: (i) preliminary site plan approval, (ii) final municipal building or construction permit, or (iii) residential preliminary or minor subdivision approval on or before July 19, 1994, the following shall be submitted:
 - A. A completed LURP application form;
 - B. A folded copy of the approved site plan or subdivision plan and a copy of the resolution approving the site plan or subdivision; or a copy of the building permit and approved plan and soil conservation district approval where required;
 - C. Permit review fee of \$250 (Payable to: Treasurer State of New Jersey, Environmental Services Fund)
 - D. In the event that the final municipal building or construction permit expired and the permit was renewed or a new permit was obtained for the same project, the development will remain exempt provided construction began by July 18, 1997. To make a determination, the applicant must submit documentation that the new or renewed permit authorized the same construction as the original permit, such as a copy of the original building permit with approved plan and soil conservation district approval where required and a copy of the new building permit with approved plan depicting the exact development as the original.
- 2. For an exemption for a development for: (i) reconstruction of a development legally existing and damaged subsequent to July 19, 1994, (ii) or enlargement which does not

Emergencies

In the case of emergencies, there are emergency permits available.



There has to be an imminent threat to lives and/or property

- There needs to be a site inspection by the Bureau of Coastal and Land Use Compliance and Enforcement (732- 255 – 0787)

- And-

- A letter requesting emergency authorization must be sent to the Division of Land Use Regulation



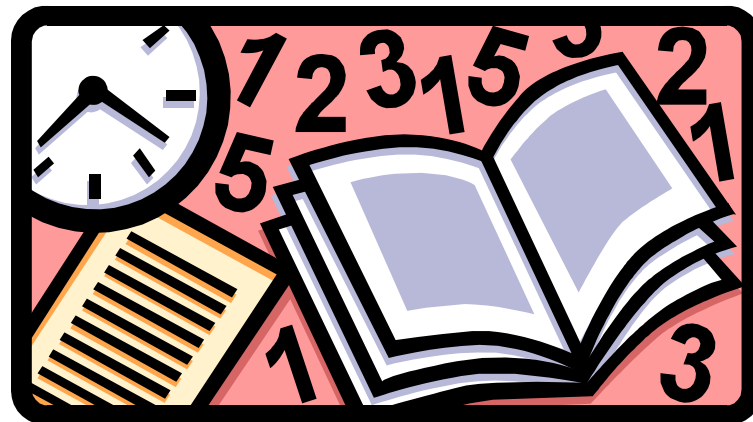
Applications requirements:

Application online at: <http://www.state.nj.us/dep/landuse/forms/cafraip.pdf>

- Land Use Regulation Program (LURP) -1 Form
- Appropriate fee (payable “Treasurer – State of New Jersey”)
- Site Plans
- Photographs
- Notification letter and certified mail receipts
- Compliance Statement or Environmental Impact Statement (EIS)

Timetable for Review

“The Department shall act within 60 days of the public hearing or the close of public comment unless additional information is required in which case the review period is 90 days from when the application was declared (complete for review)”



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