



**Module 4:**  
**Stream Encroachment and  
Tidelands**

images courtesy of NJDEP

# Stream Encroachment

- What is stream encroachment?
  - Stream encroachment in the Land Use Program is a term that refers to development, construction and/or disturbance within the flood plain.
  - "Development" means any construction activity or other manmade land disturbance.



# Before you Buy, Before you Build

Anyone thinking of buying property by a river for a new office building, store or shopping center?

Or maybe building a little cottage by a pond, lake or stream?

Maybe expanding an existing building or home and a small stream is in the way, or crossing a stream with your new driveway.

In all these cases you are most likely in a flood plain and you probably need a Stream Encroachment Permit before you build. In New Jersey and throughout the country, building in areas subject to flooding is regulated to protect lives, property, and the environment.



# Flood Plain Regulations

- New Jersey regulates construction in the flood plain under the Flood Hazard Control Act ([N.J.S.A. 58:16A-50](#) et seq)....

## 58:16A-1. Short title; declaration of advisability

a. This act shall be known and may be cited as the "State Flood Control Facilities Act."

b. It is hereby declared that the State deems it advisable to participate in a program of flood control in the State of New Jersey in the manner hereinafter described.

## 58:16A-2. Receipt of moneys from Federal Government, counties and municipalities for reimbursement

The State Treasurer is hereby authorized to receive from the Federal Government any moneys which the Federal Government shall offer to the State of New Jersey for reimbursement for expenditures or otherwise in connection with any Federal flood control project in the State of New Jersey. The treasurer is also authorized to receive from any county or municipality of the State reimbursement for expenditures made by the State in the first instance for flood control projects, the cost of which expenditures is to be borne by the counties or municipalities of the State as hereinafter described. The treasurer is authorized, upon the receipt of any allotment of moneys from the Federal Government for reimbursement of expenditures or otherwise in connection with a flood control project and upon the receipt of any money from a county or municipality of the State in connection with a flood control project, to deposit such moneys to the credit of the general fund.

## 58:16A-3 to 58:16A-4. Repealed by L. 1979, c. 358.

## 58:16A-4.1. Flood control facilities; authorization to plan, acquire, construct and operate

The Commissioner of Environmental Protection is authorized to plan, acquire, construct and operate flood control facilities upon concluding that the public safety, health and welfare can best be assured by the acquisition or construction of such a facility and that the flood control facility will contribute to the overall management of the surface water of the river basin or subbasin to be affected by such a facility. The commissioner may construct any such facility either separately or in conjunction with the Federal Government or with any municipality, county or any agency or instrumentality of any of the above.

## 58:16A-5. Authority of commissioner of environmental protection

The Commissioner of Environmental Protection is hereby authorized and directed for and in behalf of the State to carry out the State's participation in a Federal program of flood control, if and when such program shall be authorized by law, to sign all necessary agreements, and to do and perform all necessary acts in connection therewith to consummate the intent and purpose running with the approval by the Federal Government of flood control projects in the State of New Jersey and the allotment of moneys for such projects, if, as and when made by the Federal Government. He is authorized and empowered, notwithstanding any other law of this State, to carry out the provisions of this act and to perform and do such other and further acts not hereby specifically provided in this act as may be necessary to carry out the projects herein authorized and so as to conform with the act and the rules, regulations and requirements of the Federal Government made to govern the expenditures. Work, except work which shall be done under and pursuant to section 7 of this act, may be carried out by contract or by department forces or by a combination of these two methods.



# Flood Plain Regulations

•and the implementing rules at [N.J.A.C. 7:13](#)

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# Flood Plain Regulations

**In legal terms...**

**It is in the interest of the safety, health, and general welfare of the people of the State that legislative action be taken to empower the Department of Environmental Protection to delineate and mark flood hazard areas, to authorize the Department of Environmental Protection to adopt land use regulations for the flood hazard area, to control stream encroachments, to coordinate effectively the development, dissemination, and use of information on floods and flood damages that may be available, to authorize the delegation of certain administrative and enforcement functions to county governing bodies and to integrate the flood control activities of the municipal, county, State and Federal Governments.**

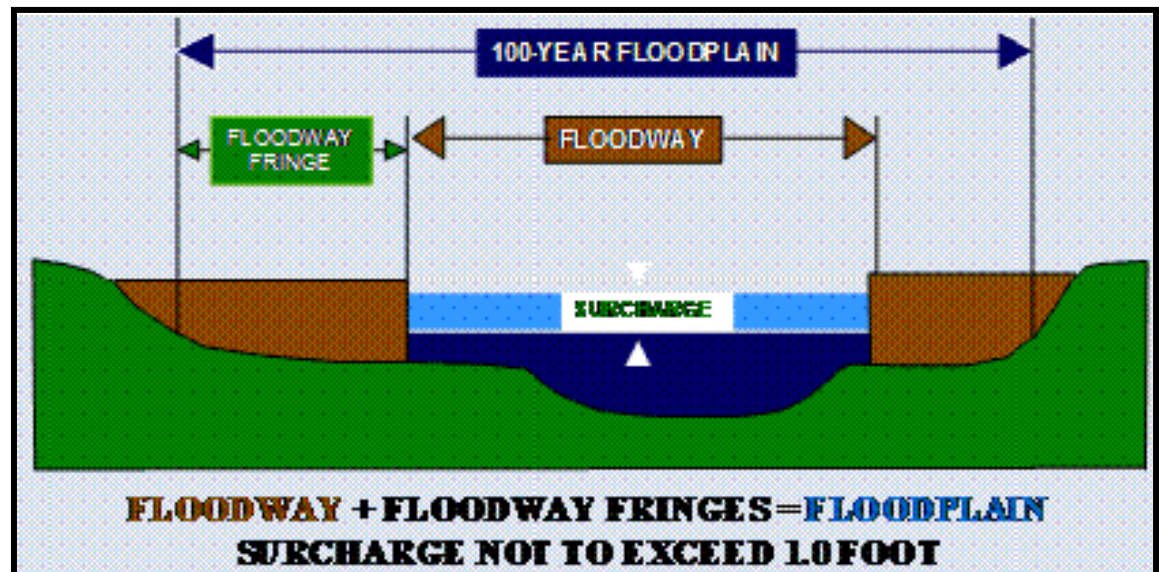


New Jersey Department of  
Environmental Protection

# So what is the Flood Plain?

"Flood plain" means the area inundated by the regulatory flood including the watercourse that creates it. The extent of the flood plain is determined by the area that would flood in a 100 year storm.

(A 100 year storm is a storm that has a 1 in 100 chance of occurring during any particular year)



# Why does the Floodplain matter?

There are two main reasons the state regulates work in the floodplain.

1. To minimize losses due to the estimated \$690 million in losses paid in NJ since 1978.
2. When you build on a flood plain and the waters begin to rise, the buildings on your property displace water thus increasing the height of the rising waters and making the flooding worse everywhere along the banks.

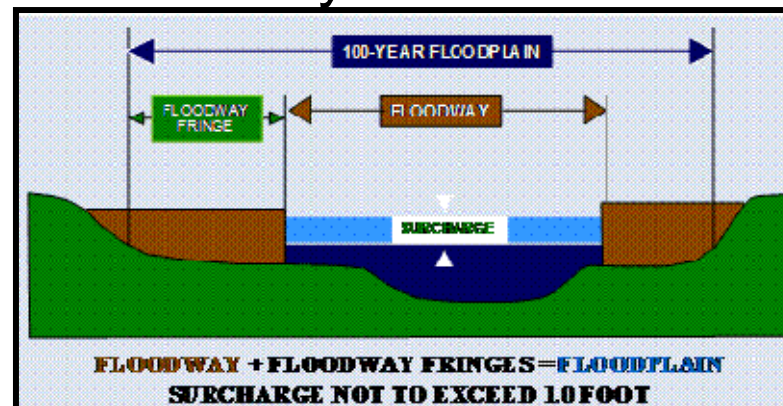


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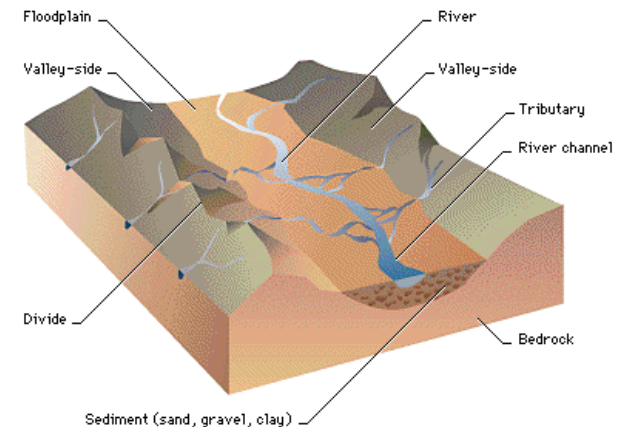
# Definitions

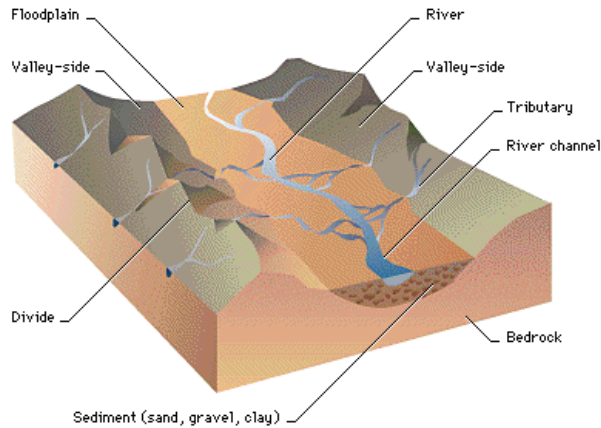
- The **floodway** - the channel and portions of the flood plain adjoining the channel which are reasonably required to carry and discharge the regulatory flood. For the purpose of this chapter the term floodway shall refer to both the delineated floodway on State Adopted Studies and the area between the encroachment lines located on both sides of a non-delineated watercourse.
- The **flood fringe** - means that portion of the flood plain outside of the floodway or encroachment lines.



# How to Determine if a Property is in the Floodplain

- Every body of water has a floodplain.
  - If there is a stream, lake, pond, or river on or near the property, it is likely in a flood plain.
  - If the land near the water body is flat it is more likely to be in the flood plain.
  - If there are steep slopes around the water bodies, the flood plain may be smaller and more restricted.





Since a flood plain's size depends on so many factors, it can be accurately determined only through a detailed engineering analysis, in which an engineer calculates and maps the flood plain based on water movement and topography.

# Streams, Lakes or Ponds

If your stream, lake, or pond is not already mapped, you can obtain a jurisdictional determination from the DEP. To determine who to call, click the link below and locate the appropriate number for your county.



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



# Obtaining FIRMs

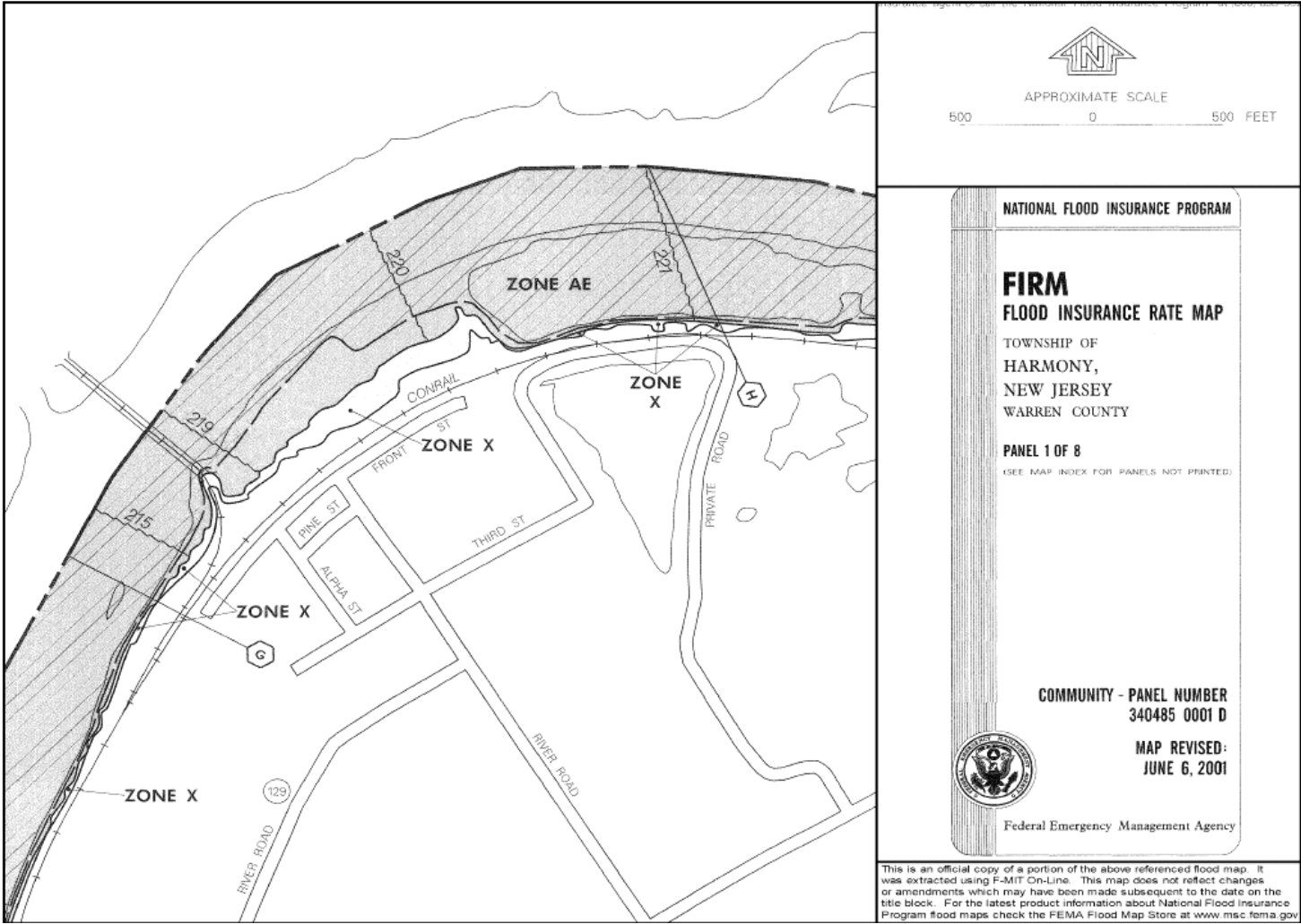
- These maps should always be available at municipal offices. They are also available at the the FEMA website:

[www.msc.fema.gov](http://www.msc.fema.gov)

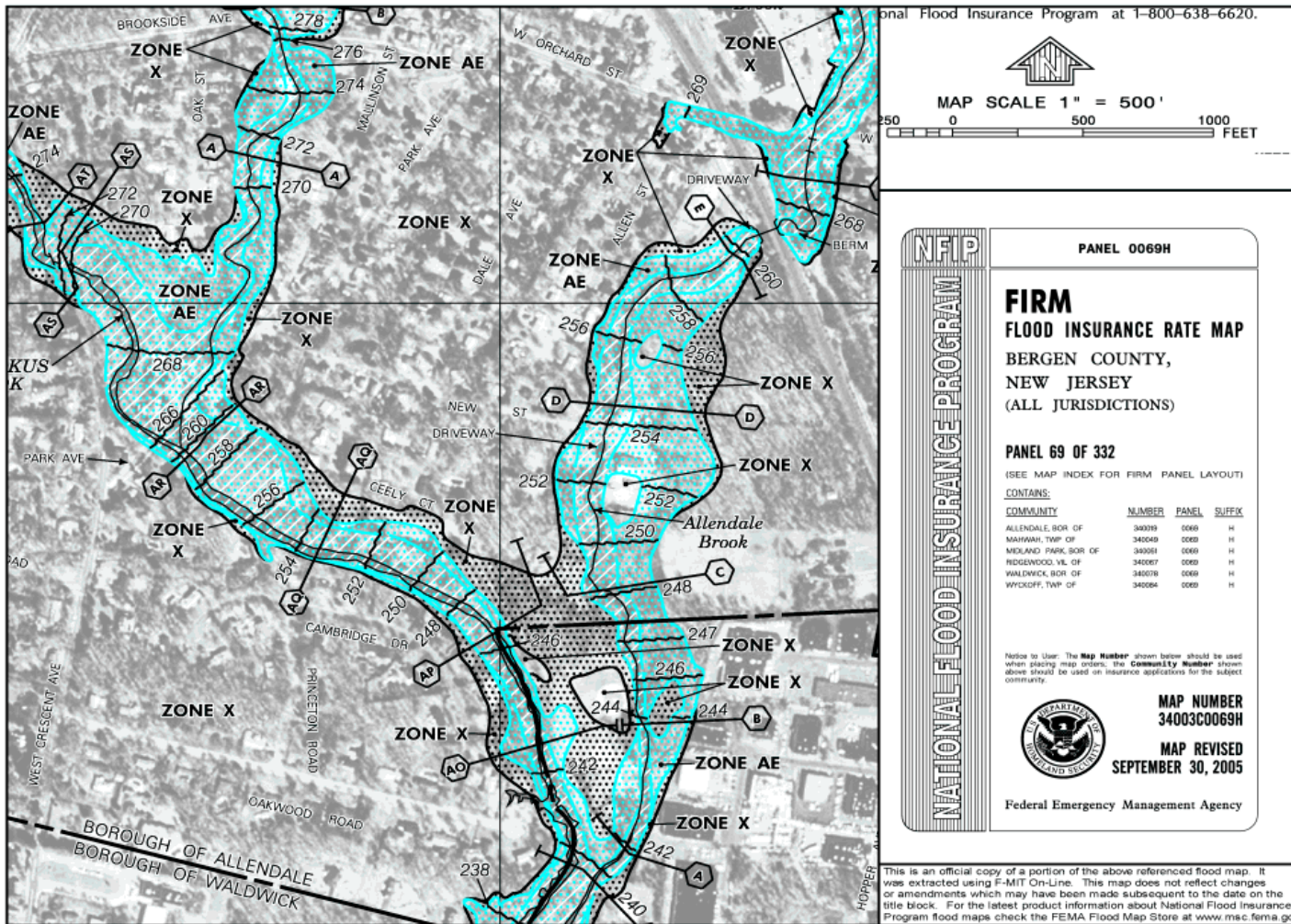
- You can search for maps by address on the site by clicking on the FEMA Flood Map Store icon.



# Sample Flood Insurance Rate Map



# Digital Flood Insurance Rate Map



# Does being in the Floodplain mean nothing can be built?

Building in the Flood Plain requires a permit.  
There are two types of permits:  
major and minor





# Regulatory Definitions

- A flood hazard area exists along every regulated water that has a drainage area of 50 acres or more. If a regulated water has a drainage area of less than 50 acres, the water does not have a flood hazard area that is regulated under this chapter. The flood hazard area is comprised of a flood fringe and a floodway, except for the Atlantic Ocean and other non-linear tidal waters such as bays and inlets, which do not have a floodway.
- Therefore, the entire flood hazard area along these tidal waters is considered to be a flood fringe.
- A riparian zone exists along every regulated water, except there is no riparian zone along the Atlantic Ocean nor along any manmade lagoon, stormwater management basin, or oceanfront barrier island, spit or peninsula. The regulated water itself is also part of the riparian zone.

# Determining the Presence of a Floodway

There are six methods for determining the flood hazard area and floodway: along a regulated water:

Method 1 (Department delineation method) 2

Method 2 (FEMA tidal method)

Method 3 (FEMA fluvial method)

Method 4 (FEMA hydraulic method)

Method 5 (approximation method)

Method 6 (calculation method)

# Building in a Floodplain requires permits:

- **Minor Permits** - a minor permit is required if the flooding impacts are easy to determine.

- **Examples:**

- Utility Lines
- Single Family Homes

- **Major Permits** - a major permit is required if the flooding impacts or the project are complex

- **Examples**

- Roads over streams
- Complex projects

# Applying for a permit

- A form can be obtained from the NJ DEP website at <http://www.state.nj.us/dep/landuse/forms/index.html#SE>
- An engineer would most likely prepare the permit application of the proposed work.



# Summary of Permit By Rule

Permit-by-Rule is a category of permits for developments, which the Department has determined have minimal potential for environmental impact.

Table A

## SUMMARY OF PERMITS-BY-RULE

This Table is for informational purposes only. See N.J.A.C. 7:13-7.2(a) through (f) for specific applicable limits and requirements for each permit-by-rule

<b>(a) Activities that require 14-day prior notice to the Department</b>
1. Reconstructing a lawfully existing structure outside a floodway
2. Constructing in a disturbed riparian zone or at or below grade in a flood hazard area
3. Elevating a building above the flood hazard area design flood elevation
4. Constructing an addition to a building of no more than 300 square feet outside a floodway
5. Removing a major obstruction from a regulated water with machinery
6. Constructing a boat launching ramp of no more than 1,000 square feet
7. Constructing an aquatic habitat enhancement device
8. Constructing a USGS-approved flow gauge or weir

# Summary of General Permits

**Table B**  
**SUMMARY OF GENERAL PERMITS**

**This Table is for informational purposes only. See N.J.A.C. 7:13-8.3 through 8.12 for specific applicable limits and requirements for each general permit**

<b>Permit</b>	<b>Description</b>	<b>Citation</b>
1	Channel cleaning by a public entity under the Stream Cleaning Act	8.3
2A	Agricultural: Soil erosion control, bank stabilization or bank restoration	8.4(c)1
2B	Agricultural: Channel cleaning	8.4(c)2
2C	Agricultural: Constructing a roadway across a water	8.4(c)3
2D	Agricultural: Filling a manmade water for freshwater wetlands restoration	8.4(c)4
2E	Agricultural: Creating a ford across a water to manage livestock	8.4(c)5
2F	Agricultural: Constructing a fence across or along a water to manage livestock	8.4(c)6
2G	Agricultural: Constructing a pump or water intake along a water for livestock	8.4(c)7
3	Bridge or culvert scour protection by a public entity	8.5
4	Stormwater maintenance by a public entity	8.6
5	Relocating a building to reduce flood damage	8.7
6	Reconstructing a damaged or destroyed residence	8.8
7	Residential construction in a tidal flood hazard area	8.9
8	Utility line across or along a water draining less than 50 acres	8.10
9	Roadway or footbridge across a water draining less than 50 acres	8.11
10	Stormwater outfall along a water draining less than 50 acres	8.12

# Summary Continued

<b>(b) General construction and maintenance activities</b>
1. Conducting normal property maintenance in a riparian zone
2. Removing a lawfully existing structure outside a floodway
3. Placing no more than 5 cubic yards of fill material outside a floodway
4. Repairing a lawfully existing structure
5. Constructing a fence
6. Construction in a tidal flood fringe that does not need a coastal permit
7. Constructing an addition above a building outside a floodway
8. Constructing a non-habitable building of no more than 150 square feet outside a floodway
9. Constructing an open structure with a roof outside a floodway (e.g., car port, patio, pole barn)
10. Constructing an aboveground recreational structure (e.g., bleacher, picnic table, backstop)
11. Constructing an aboveground swimming pool outside a floodway
12. Constructing an in-ground swimming pool
13. Constructing an open deck attached to a building
14. Constructing an open dock of no more than 1,000 square feet on an impounded water
15. Placing an aboveground fuel tank of no more than 2,000 gallons outside a floodway
16. Placing an underground fuel tank
17. Filling an abandoned raceway
18. Maintaining a manmade canal that passes through a regulated area
<b>(c) Activities associated with utilities</b>
1. Placing a utility pole
2. Placing an open-frame utility tower outside a floodway
3. Jacking an underground utility line beneath a water
4. Placing an underground utility line beneath existing pavement
5. Attaching a utility line to the downstream face of a roadway that crosses a water
6. Placing an underground utility line in a flood hazard area outside a riparian zone
<b>(d) Activities associated with roadways and parking areas</b>
1. Repaving a roadway or parking area outside a floodway
2. Placing an open guardrail along a public roadway
3. Removing sediment by hand adjacent to a bridge, culvert or outfall along a public roadway
4. Reconstructing a bridge superstructure above a flood hazard area
<b>(e) Activities associated with the storage of unsecured material</b>
1. Temporary storage of construction material outside a floodway
2. Incidental storage of material associated with a residence
3. Incidental storage of material associated with a non-residence
4. Operating an existing business that stores and distributes material
5. Operating an existing hazardous waste facility
6. Operating an existing solid waste facility
<b>(f) Agricultural activities</b>
1. Continuing ongoing agricultural activities that result in no fill
2. Commencing new agricultural activities that result in no fill
3. Undertaking soil conservation practices outside a floodway
4. Constructing an agricultural building of no more than 1,000 square feet outside a floodway

# What is a Riparian Zone?



The riparian area of a watershed consists of the vegetation immediately adjacent to, and directly influenced by a stream, river or lake. The riparian area is very important to the health of the aquatic area and in general, the more intact the riparian area, the healthier the aquatic area, such as a stream.



# Riparian Zone Protection

- 300 feet on both sides of Category One water and upstream tributaries within the same HUC-14 watershed; (Hydrologic Unit Codes for 970 sub-watersheds);
- 150 feet on both sides of an upstream tributary to a trout production water not in the HUC-14 watershed;
- A trout maintenance water body and all upstream tributaries within one mile;
- Any segment of water flowing through an area containing documented habitat for a threatened or endangered species of plant or animal;
- Any segment of water flowing through an area containing acid producing soils.
- 50 feet along both sides of all other waters.

# Allowed Riparian Disturbances

The allowed riparian zone disturbances range from 300 square feet for reconstruction of a driveway in a 50-foot riparian zone to 5,000 square feet for construction of a private residence in a 300-foot buffer that received preliminary or final subdivision approval before October 2, 2006 and that meets the Stormwater Management Regulations.



## Riparian Zone Disturbance Will Only be Allowed if:

- The basic purpose of the project cannot be accomplished on site without disturbing vegetation in the riparian zone;
- Disturbance to the riparian zone is eliminated where possible and minimized where not possible by relocating the project, reducing the size of the project, or situating the project in portions of the riparian zone where previous development or disturbance has occurred;
- Any temporarily cleared area of vegetation must be replanted with indigenous, non-invasive vegetation;
- An applicant must also meet the additional requirements for the specific proposed activity. The riparian zone regulations also set a limit on the amount of disturbance allowed for 69 specific activities.

# Requirements for a Regulated Activity in a Riparian Zone

Table C  
MAXIMUM ALLOWABLE DISTURBANCE TO RIPARIAN ZONE VEGETATION

Proposed Regulated Activity		See Paragraph Below for Further Detail	Maximum Area of Vegetation Disturbance Based on the Width of the Riparian Zone		
			50-foot Riparian Zone	150-foot Riparian Zone	300-foot Riparian Zone
<b>• Railroad or public roadway</b>					
New	Crossing a water	(e)	5,000 ft <sup>2</sup>	15,000 ft <sup>2</sup>	30,000 ft <sup>2</sup>
	Not crossing a water		2,000 ft <sup>2</sup>	6,000 ft <sup>2</sup>	12,000 ft <sup>2</sup>
Reconstructed	Crossing a water	(f)	2,500 ft <sup>2</sup>	7,500 ft <sup>2</sup>	15,000 ft <sup>2</sup>
	Not crossing a water		1,000 ft <sup>2</sup>	3,000 ft <sup>2</sup>	6,000 ft <sup>2</sup>
<b>• Private roadway that serves as a driveway to one private residence</b>					
New	Crossing a water	(g)	1,500 ft <sup>2</sup>	4,500 ft <sup>2</sup>	9,000 ft <sup>2</sup>
	Not crossing a water		600 ft <sup>2</sup>	1,800 ft <sup>2</sup>	3,600 ft <sup>2</sup>
Reconstructed	Crossing a water	(h)	750 ft <sup>2</sup>	2,250 ft <sup>2</sup>	4,500 ft <sup>2</sup>
	Not crossing a water		300 ft <sup>2</sup>	900 ft <sup>2</sup>	1,800 ft <sup>2</sup>
<b>• All other private roadways</b>					
New	Crossing a water	(g)	3,000 ft <sup>2</sup>	9,000 ft <sup>2</sup>	18,000 ft <sup>2</sup>
	Not crossing a water		1,200 ft <sup>2</sup>	3,600 ft <sup>2</sup>	7,200 ft <sup>2</sup>
Reconstructed	Crossing a water	(h)	1,500 ft <sup>2</sup>	4,500 ft <sup>2</sup>	9,000 ft <sup>2</sup>
	Not crossing a water		600 ft <sup>2</sup>	1,800 ft <sup>2</sup>	3,600 ft <sup>2</sup>
<b>• Bank stabilization or channel restoration</b>					
Accomplished with vegetation alone		(i)	No limit if disturbance is justified		
Other permanent disturbance			2,000 ft <sup>2</sup>	2,000 ft <sup>2</sup>	2,000 ft <sup>2</sup>
Other temporary disturbance			1,000 ft <sup>2</sup>	3,000 ft <sup>2</sup>	6,000 ft <sup>2</sup>
<b>• Stormwater discharge (including pipe and conduit outlet protection)</b>					
Permanent disturbance		(j)	1,000 ft <sup>2</sup>	1,000 ft <sup>2</sup>	1,000 ft <sup>2</sup>
Temporary disturbance			1,000 ft <sup>2</sup>	3,000 ft <sup>2</sup>	6,000 ft <sup>2</sup>
<b>• Utility line (temporary disturbance only)</b>					
Crossing a water		(k)	2,000 ft <sup>2</sup>	6,000 ft <sup>2</sup>	12,000 ft <sup>2</sup>
Not crossing a water		(l)	800 ft <sup>2</sup>	2,400 ft <sup>2</sup>	4,800 ft <sup>2</sup>
<b>• Other projects</b>					
Private residence		(m)	2,500 ft <sup>2</sup>	5,000 ft <sup>2</sup>	5,000 ft <sup>2</sup>
Addition, garage, barn or shed		(n)	1,000 ft <sup>2</sup>	2,000 ft <sup>2</sup>	2,000 ft <sup>2</sup>
Flood control project		(o)	3,000 ft <sup>2</sup>	9,000 ft <sup>2</sup>	18,000 ft <sup>2</sup>
Public accessway or public access area		(p)	No limit if disturbance is justified		
Water dependent development		(q)	No limit if disturbance is justified		
All other regulated activities		(r)	1,000 ft <sup>2</sup>	3,000 ft <sup>2</sup>	6,000 ft <sup>2</sup>

C1 designation "targets water bodies that provide drinking water, habitat for Endangered and Threatened species, and popular recreational and/or commercial species, such as trout or shellfish. Waterways can be designated Category One because of exceptional ecological significance, exceptional water supply significance, exceptional recreational significance, exceptional shellfish resource, or exceptional fisheries resource. "

# Category 1 Waters



**clean and plentiful**  
**water**

# Restricted Time Periods for Waters with Fisheries Resources

Water and classification	Time period (inclusive) during which activities are prohibited
<b>1. Trout Waters</b>	
• All trout production waters except rainbow trout	September 15 through March 15
• Rainbow trout production waters	February 1 through April 30
• Trout stocked waters • Trout maintenance waters • Any water located within 1 mile upstream of a trout stocked or a trout maintenance water	March 15 through June 15
<b>2. Non-Trout Waters</b>	
• Waters that support general game fish	May 1 through June 30
• Waters that support pickerel	Ice out through April 30
• Waters that support walleye	March 1 through May 30
<b>3. Anadromous Waters</b>	
• All unimpeded tidal waters open to the Atlantic Ocean or any coastal bay • All waters identified as anadromous migratory pathways	April 1 through June 30
• Delaware River upstream of U.S. Route 202	April 1 through June 30 and September 1 through November 30
• Delaware River between U.S. Route 202 and Interstate 276 (Pennsylvania Turnpike Bridge)	March 1 through June 30
• Delaware River between Interstate 276 (Pennsylvania Turnpike Bridge) and Interstate 295 (Delaware Memorial Bridge) • Tidal portions of Raccoon, Rancocas Creek, Crosswicks Creeks and Cooper River	March 1 through June 30 and September 1 through November 30
• All unimpeded tidal waters open to the Delaware River downstream of Interstate 295 (Delaware Memorial Bridge) • Tidal portions of the Maurice River, Cohansey River and Salem River	March 1 through June 30 and October 1 through November 30



A number of permits allow disturbance in the riparian zone only 25 feet from the top of bank, including:

- New private residences on a lot that received preliminary or final approval before October 2, 2006;
- An addition to an existing building or construction of a building appurtenant to an existing building;
- A public access way along a tidal water;
- Construction of a water dependent project that requires clearing, cutting, removing vegetation in the riparian zone.



# Waivers

The New Jersey Department of Environmental Protection (NJDEP) will issue hardship waivers for projects that go beyond the limits set for riparian zone projects. The applicants must

- Provide 2:1 compensation in the form of re-vegetation;
- Place a deed restriction on the compensation area.



- The Stream Encroachment Administrative Checklist, found at <http://www.state.nj.us/dep/landuse/forms/chkstream.doc> is required for permits and guides you through the requirements for obtaining one

 State of New Jersey Department of Environmental Protection 	
<b>STREAM ENCROACHMENT ADMINISTRATIVE CHECKLIST</b> Revised: April 5, 2006 Website: <a href="http://www.state.nj.us/dep/landuse">www.state.nj.us/dep/landuse</a>	
<small>A stream encroachment permit is required for most construction activities along streams and in floodplains. Examples of regulated activities include new buildings, roads, bridges, utility lines and stormwater discharges. Storing material, placing fill and clearing vegetation can also be regulated. Some minor activities are exempt.</small>	
<b>To apply for a permit complete this checklist and send the material required below to the following address:</b>	
<b>Postal Mailing Address:</b> NJDEP Division of Land Use Regulation P.O. Box 439 Trenton, NJ 08625	<b>Street Address (For courier service and hand deliveries only):</b> NJDEP Division of Land Use Regulation 501 East State Street, Station Plaza Five, 2nd Floor Trenton, NJ 08609
<b>CONTACT A STREAM ENCROACHMENT ENGINEER AT (609) 292-0060 IF YOU HAVE ANY QUESTIONS</b>	
<b>PART A: The following is required for all projects (please do not send more copies of items than required):</b>	
<input type="checkbox"/> One completed copy of this checklist. <input type="checkbox"/> One completed LURP-1 application form with original signatures (available from DEP website above). <input type="checkbox"/> Check or money order for the project review fee payable to: <i>Treasurer, State of New Jersey</i> (see Part F). <input type="checkbox"/> Two sets of location maps (USGS quad map is required; local tax, county soil and flood maps where available). <input type="checkbox"/> Two sets of color photographs showing the entire project area (mounted on 8 1/2" by 11" paper). <input type="checkbox"/> Three copies of an environmental report (see Part E) including State plane coordinates of the site. <input type="checkbox"/> Six sets of individually folded, signed and sealed construction plans referencing 1929 NGVD. Show all proposed work and provide soil erosion/sediment control plans, cross-sections, profiles and details as appropriate.	
<b>PART B: The following is required for certain projects depending on your answers in Part C below:</b>	
<input type="checkbox"/> One copy of proof of local notice to all parties listed at N.J.A.C. 7:13-4.2 (see Part C question 1). <input type="checkbox"/> One copy of a signed and sealed engineering report (see Part D). <input type="checkbox"/> One copy of a hardship waiver request, if the project does not meet all regulations (see N.J.A.C. 7:13-4.8).	
<b>PART C: Please answer the following questions:</b>	
1. Proof of local notice (under N.J.A.C. 7:13-4.2) is required if any of the following occur (check all that apply): <input type="checkbox"/> The project includes one or more major element under Part F. <input type="checkbox"/> The project will disturb the channel or buffer of a trout-associated water (see question 3 below for buffer widths). <input type="checkbox"/> The project will expose acid-producing soils. <input type="checkbox"/> The project involves a hardship waiver request (see N.J.A.C. 7:13-4.8).	
2. In most cases the extent of the floodplain must be known in order to issue a permit (check one of the following): <input type="checkbox"/> Floodplain was taken from a State flood hazard area delineation (get State maps at (609) 292-2296). <input type="checkbox"/> Floodplain was taken from a tidal FEMA map that shows flood elevations (get FEMA maps at (800) 358-9616). <input type="checkbox"/> Floodplain was taken from a non-tidal FEMA map that shows flood elevations in a fully developed watershed. <input type="checkbox"/> Floodplain is unknown and calculations have been submitted to delineate it (see question 5 below). <input type="checkbox"/> Floodplain is unknown and does not need to be delineated for the project (explain why).	
3. All streams have a buffer (measured from the top of the bank) within which vegetation is protected as follows: <input type="checkbox"/> 300 ft Along Category-One waters if stormwater management <b>does</b> apply under question 6 below. <input type="checkbox"/> 50 ft Along Category-One waters if stormwater management <b>does not</b> apply under question 6 below. <input type="checkbox"/> 50 ft Along waters that are trout-associated associated with threatened or endangered species <input type="checkbox"/> 50 ft Along waters associated with threatened or endangered species. <input type="checkbox"/> 50 ft Along waters where acid-producing soils will be exposed. <input type="checkbox"/> 25 ft Along all waters not listed above.	

# Other Regulations?

In addition, the following regulatory programs administered by other agencies may affect projects in New Jersey flood plains:











- NJ -IRC (International Residential Code) and NJ - IBC (International Building Code)
- Local flood damage prevention ordinances.
- The Federal Emergency Management Agency (FEMA) provides FIRMs Call (800) 358-9616. For flood insurance information call (888) 379-9531
- Federal Wetlands Program (404 Program). In some parts of New Jersey, in addition to a DEP freshwater wetlands permit, you may also need a federal wetlands permit, issued by the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act. An Army Corps permit is needed in the Hackensack Meadowlands area, Greenwood Lake, and in any tidally flowed waters or wetlands. Contact the U.S. Army Corps of Engineers in Philadelphia at (215) 656-6500, or New York City at (212) 264-4185



# Electronic Forms Available Online:

<http://www.state.nj.us/dep/landuse/forms/index.html#SE>

## FLOOD HAZARD AREA FORMS & DOCUMENTS

Description	Format	Size	Updated
<a href="#">Flood Hazard Area Applicability Determination Checklist</a>	Word Doc 	203KB	11/5/2007
<a href="#">Flood Hazard Area General Permit # 1 Checklist</a>	Word Doc 	210KB	5/15/2008
<a href="#">Flood Hazard Area General Permit #2-10 Checklist</a>	Word Doc 	211KB	5/15/2008
<a href="#">Flood Hazard Area Individual Permit Checklist</a>	Word Doc 	222KB	11/5/2007
<a href="#">Flood Hazard Area Verification Checklist</a>	Word Doc 	209KB	11/5/2007
Flood Hazard Area GP Certification Form - coming soon			
Flood Hazard Area Technical Manual - coming soon			
<a href="#">List Of Threatened and Endangered Species that are Critically Dependent on Regulated Waters for Survival</a>	Adobe Pdf 	88KB	5/15/2008
<a href="#">Completion Report</a>	Adobe Pdf 	3KB	N/A
<a href="#">Construction Report</a>	Adobe Pdf 	3KB	N/A
<a href="#">Acceptance of Revocable Construction Permit</a>	Adobe Pdf 	3KB	N/A
<a href="#">Stormwater Review Fee Worksheet</a>	Word Doc 	140KB	1/3/2006

# General Information about NJDEP Land Use Regulations

The screenshot shows the homepage of the NJDEP Division of Land Use Regulation. At the top, there is a navigation bar with links for 'njhome', 'citizen', 'business', 'government', 'services A to Z', and 'departments'. Below this is the NJDEP logo and the text 'new jersey department of environmental protection'. The main header features a large green banner with the text 'Division of Land Use Regulation' and a search box. Below the banner is a navigation menu with links for 'njdep home', 'home', 'faqs', 'forms', and 'contact dlur'. The main content area is divided into several sections. On the left, there is a vertical menu with buttons for 'DLUR Home', 'About DLUR', 'Freshwater Wetlands Program', 'Forms & Checklists', 'Frequently Asked Questions', 'Stream Encroachment Program', 'Notices & Announcements', 'Coastal Permitting', 'Laws & Regulations', and 'Contact DLUR'. The main content area starts with a section titled 'Important information for Agents/Consultants!' which states that the management of New Jersey's lands plays an important role in the DEP's overall environmental protection strategy. Below this, there is a section titled 'If you are buying land; or building a home, store, or marina; you may be impacted by one or more of the protective programs administered by the Division of Land Use Regulation. To learn more about these programs and how they protect our environment, access the links below:'. This section lists several programs: 'Freshwater Wetlands', 'Stream Encroachment/Flood Plain', 'Coastal Permitting', and 'Tidelands'. Each program is described with a brief overview of its purpose and the types of activities it regulates. To the right of the main content area, there is a 'Recent News' section with a list of recent updates, including 'Notice of Form Changes', 'Notice of Rule Amendment Adoption', 'Draft Flood Mitigation Rules Proposed', 'New Fee Schedule for Stream Encroachment Applications', 'Coastal Permit Program Rules', 'Freshwater Wetlands Protection Act Rules', 'Proposed Re-adoption of the Flood Hazard Area Control Rules', and 'Proposed Re-adoption of the 30-day Construction Permits Rules with Amendments'. Below the 'Recent News' section is an 'Application Information' section with a heading 'Has your permit application been accepted or approved?' and a paragraph of text providing information about the application process and contact information for the project review officer.

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new jersey department of environmental protection

## Division of Land Use Regulation

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**DLUR Home** | **Important information for Agents/Consultants!**

**About DLUR** | The management of New Jersey's lands plays an important role in the DEP's overall environmental protection strategy. What we do to our land is intimately tied to our drinking water quality, wildlife habitat, potential for flooding, our recreational open space and tourism, and many other important quality of life issues.

**Freshwater Wetlands Program** | If you are buying land; or building a home, store, or marina; you may be impacted by one or more of the protective programs administered by the Division of Land Use Regulation. To learn more about these programs and how they protect our environment, access the links below:

**Forms & Checklists** | **Frequently Asked Questions**

**Stream Encroachment Program** | **Notices & Announcements**

**Coastal Permitting** | **Laws & Regulations**

**Contact DLUR**

**Freshwater Wetlands** - Wetlands are commonly referred to as swamps, marshes, or bogs. Previously misunderstood as wastelands, wetlands are now being recognized for their vital ecological and socioeconomic contributions.

**Stream Encroachment/Flood Plain** - The state regulates work in flood plains to protect the loss of life and property during flood events. The program minimizes flood damage by ensuring that buildings are placed in safe areas, and are constructed to withstand high water.

**Coastal Permitting** (includes CAFRA, Waterfront Development and Coastal Wetlands) - New Jersey's coastline is a rich, diverse fabric of natural wonders that improve our quality of life and enrich our economy. Businesses, tourists, and residents are drawn to New Jersey's coast for its many economic and recreational opportunities. Hasty, uncoordinated development along the New Jersey shore has already had an impact on this fragile ecosystem.

**Tidelands** - Tidelands, also known as riparian lands, are all those lands now or formerly flowed by the mean high tide of a natural waterway. These lands are owned by the people of the State of New Jersey. As a result, you must get permission from the State to use these lands, in the form of a tidelands license, lease, or grant.

**LUR does NOT handle the following programs:**

- Septic system approvals: (609) 292-0407
- Land Use Enforcement: (609) 292-1240
- Dredging & marinas (tidal or inland): (609) 292-1250
- Threatened or endangered species: [Endangered & Nongame Species Program](#)

**Recent News**

- [2/1/2007: Notice of Form Changes](#)
- [10/4/2006: Notice of Rule Amendment Adoption](#)
- [10/2/2006: Draft Flood Mitigation Rules Proposed](#)
- [1/3/2006: New Fee Schedule for Stream Encroachment Applications](#)
- [9/6/2005: Coastal Permit Program Rules, N.J.A.C. 7:27](#)
- [9/6/2005: Freshwater Wetlands Protection Act Rules, N.J.A.C. 7:27A-11](#)
- [8/1/2005: Proposed Re-adoption of the Flood Hazard Area Control Rules \(without amendment\)](#)
- [7/18/2005: Proposed Re-adoption of the 30-day Construction Permits Rules with Amendments](#)

[\[All Notices & Announcements\]](#)

**Application Information**

**Has your permit application been accepted or approved?** Check the DEP Bulletin or call our Application Support Unit at (609) 777-0456.

**Do you have a question about an application that you have already submitted?** You should have received a letter from LUR (within 3 weeks of our receiving the application), including a file number and the name of a project review officer. Please contact the project review

[www.state.nj.us/dep/landuse/index.html](http://www.state.nj.us/dep/landuse/index.html)



- This is the end of the Stream Encroachment section of module 4. The rest of module 4 will focus on Tidelands.

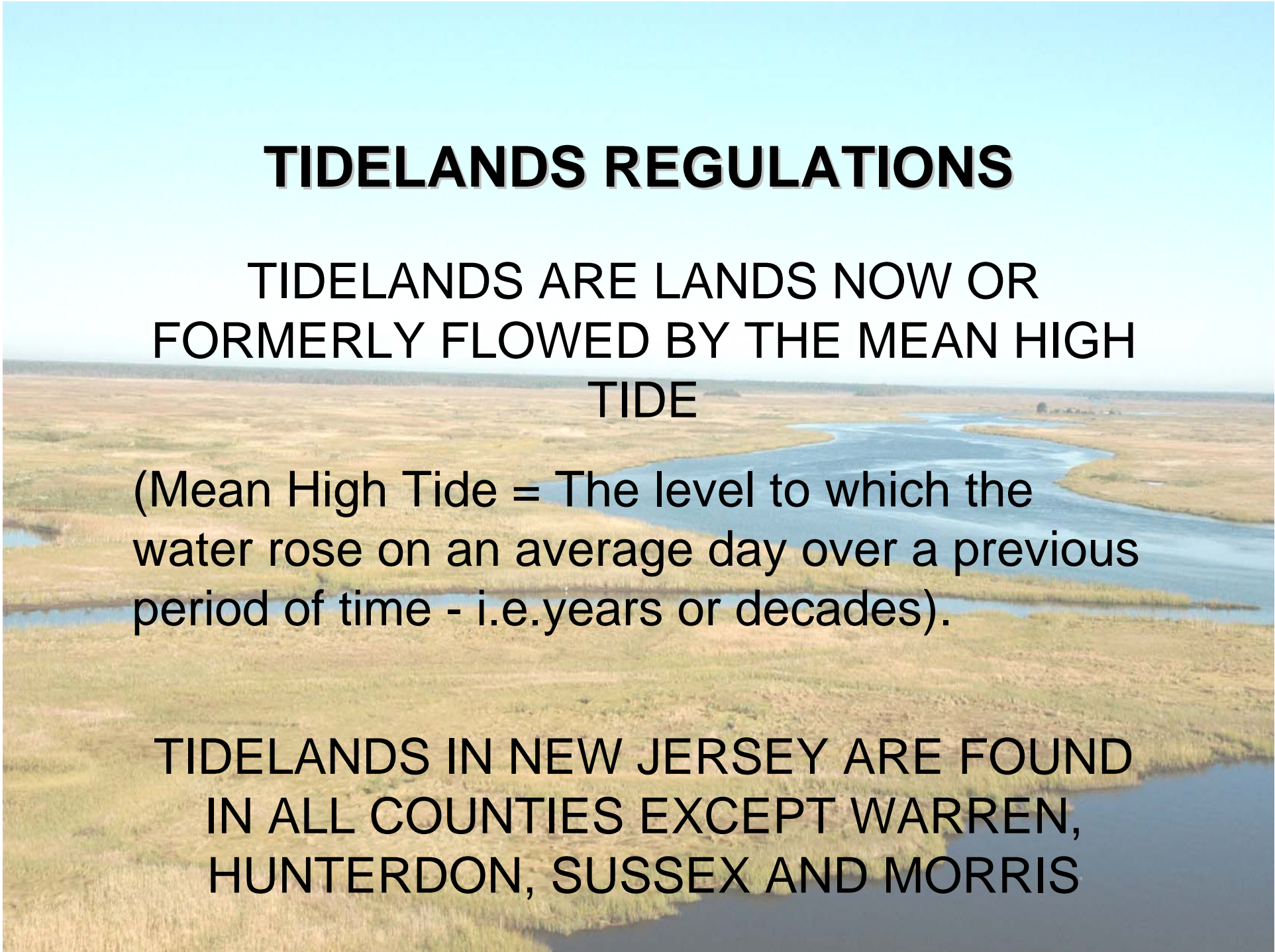


# **TIDELANDS REGULATIONS**

**TIDELANDS ARE LANDS NOW OR  
FORMERLY FLOWED BY THE MEAN HIGH  
TIDE**

(Mean High Tide = The level to which the water rose on an average day over a previous period of time - i.e. years or decades).

**TIDELANDS IN NEW JERSEY ARE FOUND  
IN ALL COUNTIES EXCEPT WARREN,  
HUNTERDON, SUSSEX AND MORRIS**





# Riparian

*Definition: Riparian means located by the banks of a river, stream, or other body of water.*



# Tideland Areas

- The state owns all Tide Flowed lands as Public Trusts Lands.
- Use of these areas is granted through a tidelands grant, license or lease
- These areas are not private property – i.e. A homeowner's dock may be private property, but the tideflowed land it sits on may be state owned.
- Property ownership in riparian areas may be regulated by the Bureau of Tidelands Management.



# Bureau of Tidelands Management

609 – 292-2573

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

Richard G. Castagna, Acting Manager

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Land Use Regulation Program

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**Forms & Checklists**

**Frequently Asked Questions**

**Stream Encroachment Program**

**Notices & Announcements**

**Coastal Programs**

**Laws & Regulations**

**Contact LURP**

**Tidelands Program**

The following eight basic questions and answers are a start to understanding tidelands. Much more detailed information is available from the [Tidelands Literature](#) that can be downloaded at the end of this page or by contacting:

Jo Ann Cubberley, C.P. (ASPRS), Manager  
Bureau of Tidelands Management  
(609) 292-2573

**BASIC QUESTIONS & ANSWERS**

1. [What are tidelands?](#)
2. [Who owns the tidelands?](#)
3. [What are riparian rights?](#)
4. [What is a tidelands grant?](#)
5. [What is a tidelands license?](#)
6. [What is a tidelands lease?](#)
7. [What is a Statement of No Interest?](#)
8. [What do I need to obtain a grant, lease, license or Statement of No Interest?](#)

**1. What are tidelands?**

Tidelands, also known as riparian lands, are all those lands now or formerly flowed by the mean high tide of a natural waterway. Generally, the State does not own artificial waterways, such as lagoons. However, the State does claim those lands within a lagoon that were flowed by the mean high tide of a natural waterway which existed prior to the alteration.

# The Riparian Laws

- New Jersey Statute 12:3 1 to 28
- New Jersey Statute 13:1B-13.1 to 13.14

The screenshot shows the homepage of the New Jersey Legislature website. The browser address bar displays <http://www.njleg.state.nj.us>. The page features a navigation menu with links for home, site map, what's new, faq, links, help, and contact us. A sidebar on the left contains sections for GENERAL INFO, MEMBERS, DISTRICTS, BILLS, COMMITTEES, LAWS and CONSTITUTION, RULES, and ETHICS. The main content area includes a date display for Monday, January 23, 2006, and a legislative schedule table. A 'Bill Search' section is also visible on the right side of the page.

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For changes in Legislative Schedule due to snow or other emergencies, call 800-792-8630 (toll-free in NJ) or 609-292-4840

Date	Time	Location
Monday, January 23, 2006		
<a href="#">Senate Judiciary</a>	10:00 AM	Committee Room 4, 1st Floor, State House Annex, Trenton, NJ

Select a date to view the schedule.

January 2006

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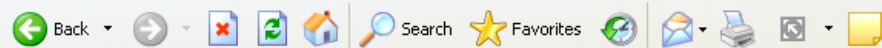
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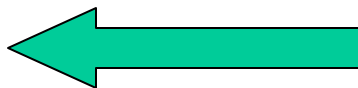
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  - TITLE 2B COURT ORGANIZATION AND CIVIL CODE
  - TITLE 2C THE NEW JERSEY CODE OF CRIMINAL JUSTICE
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  - TITLE 3B ADMINISTRATION OF ESTATES--DECEDENTS AND OTHERS
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  - TITLE 11 CIVIL SERVICE
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Click on  
Title 12

# Scroll to 12:3 - 1

(UPDATED THROUGH P.L. 2005, c.311, AND JR 8.)

TITLE 12 COMMERCE AND NAVIGATION

12:2-22. Preservation of Barnegat lighthouse

## 12:2-22. Preservation of Barnegat lighthouse

The board may acquire from the federal government, by gift, grant, purchase or in any other lawful manner, the Barnegat lighthouse and curtilage, situate near Barnegat City, and provide for the preservation of the same.

## 12:3-1. Commissioners to make survey and report as to riparian lands, etc.

P.L. 1864, c. 391, p. 681 (Rev. 1877, pp. 981, 982, s.s. 1 to 6; C.S. pp. 4383, 4384, s.s. 1 to 7), entitled "An Act to ascertain the rights of the state and of the riparian owners in the lands lying under the waters of the bay of New York, and elsewhere in the state," approved April eleventh, one thousand eight hundred and sixty-four, saved from repeal. [This act provides for the appointment of a board of commissioners to cause to be made surveys of the lands lying under the waters of the bay of New York, of the Hudson river and the lands adjacent thereto, the Kill von Kull, Newark bay, Arthur Kill, Raritan bay and the Delaware river opposite to the county of Philadelphia, not theretofore granted by the state; to ascertain the state's rights in the same and the value thereof; to fix the exterior line beyond which no permanent obstruction should be permitted and to report to the legislature and recommend a plan for the improvement, use, renting or leasing of said lands with maps of said lands showing the said exterior line, the lines of existing piers, etc., and any grants of such lands not then occupied, with other appropriate information.]

## 12:3-2. Establishment of exterior bulkhead and pier lines in tidewaters of Hudson river, New York bay and Kill von Kull

The bulkhead line or lines of solid filling and pier lines in the tidewaters of the Hudson river, New York bay and Kill von Kull, lying between Enyard's dock, on the Kill von Kull, and the New York state line, so far as they have been recommended and reported to the legislature by the commissioners appointed under the act entitled "An act to ascertain the rights of the state and of the riparian owners in the lands lying under the waters of the bay of New York, and elsewhere in the state," approved April eleventh, one thousand eight hundred and sixty-four (L. 1864, c. 391, p. 681), by report bearing date February first, one thousand eight hundred and sixty-five, are hereby adopted and declared to be fixed and established as the exterior bulkhead and pier lines between the points above named, as such exterior bulkhead and pier lines so fixed, established and adopted are shown upon the manuscript maps, accompanying said report, and filed in the office of the secretary of state, except as said lines have been or may hereafter be changed pursuant to section 12:3-13 of this title and except said lines drawn on said maps over or upon lands within the boundaries of the grant made to the Morris Canal and Banking Company by the act entitled "A further supplement to the act entitled "An act to incorporate a company to form an artificial navigation between the Passaic and Delaware rivers," passed December thirty-first, eighteen hundred and twenty-four," approved March fourteenth, one thousand eight hundred and sixty-seven (L. 1867, c. 133, p. 251).



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Records: 97695 Hits: 0



# Navigate also to 13:1B -13.1 to 13.14 for further riparian statute language

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(UPDATED THROUGH P.L. 2005, c.311, AND JR 8.)

TITLE 13 CONSERVATION AND DEVELOPMENT-PARKS AND RESERVATIONS

13:1B-8. Director of Division of Resource Development

**13:1B-8. Director of Division of Resource Development**

The Division of Resource Development shall be under the immediate supervision of a director, who shall be a person qualified by training and experience to perform the work of such division. The director of such division shall be appointed by the Governor, with the advice and consent of the Senate, and shall serve during the term of office of the Governor appointing him or her. The director's successor is appointed and has qualified. He shall receive such salary as shall be provided by law.

The director shall administer the work of such division under the direction and supervision of the commissioner, and shall perform such other functions as the department as the commissioner may prescribe.

L. 1948, c. 448, p. 1788, s. 8. Amended by L. 1961, c. 47, p. 498, s. 4, eff. July 1, 1961.

**13:1B-10 Tidelands Resource Council.**

10. There shall be within the Department of Environmental Protection a Tidelands Resource Council, which shall consist of 12 members. Each member of the council shall be appointed by the Governor, with the advice and consent of the Senate, for a term of four years and shall serve until a successor has been appointed and has qualified.

At least nine of the council members shall be residents of counties wherein riparian lands are located and have been mapped. A person who is a member of the council on the effective date of P.L. 1997, c.239 (C.12:3-12.1 et al.) shall not be removed from the council for failing to meet the aforementioned residency requirements, but may be reappointed by the Governor at the expiration of that term only if that reappointment would comply with the residency requirement for the council set forth in this section.

Each Governor shall designate one of the members of the council as chairperson and one of the members as vice-chairperson. Any member of the council so designated shall serve as chairperson or vice-chairperson at the pleasure of the Governor designating that member and until a successor has been designated. The chairperson of the council shall be its presiding officer and the vice-chairperson shall act as chairperson in the chairperson's absence.

Any vacancies in the membership of the council occurring other than by expiration of term shall be filled by the Governor, with the advice and consent of the Senate, for the unexpired term only. Any member of the council may be removed from office by the Governor for cause, upon notice and opportunity to be heard. A member of the council may be removed from office by a majority vote of the membership of the council upon failure of that member to attend three consecutive meetings of the council without good cause.

The members of the council shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

L. 1948, c.448, s.10, amended 1961, c.47, ss. 6,17; 1987, c.438; 1997, c.239, s.4.

**13:1B-13 Approval of riparian leases, grants.**

CAUTION: This statutory database is unannotated and as such may include laws that have not become operable due to unmet conditions, have expired, have been ruled inoperable by a court, or have otherwise become inoperable. Effective dates are not typically included. Users should diligently read applicable statute source law and case law.

Records: 97695 Hits: 0

# The Tidelands Act: Online

[http://www.state.nj.us/dep/landuse/12\\_3.pdf](http://www.state.nj.us/dep/landuse/12_3.pdf)

**TITLE 12. COMMERCE AND NAVIGATION**  
**CHAPTER 3. RIPARIAN LANDS**  
**ARTICLE 1. LEASES, GRANTS AND CONVEYANCES**  
**A. IN GENERAL**

*Current through L.1998 c. 153*

12:3-1. Commissioners to make survey and report as to riparian lands, etc. . . . .	1
12:3-2. Establishment of exterior bulkhead and pier lines in tidewaters of Hudson river, New York bay and Kill von Kull . . . . .	2
12:3-3. Filling in beyond bulkhead lines; erection of piers . . . . .	2
12:3-4. Repeal of Wharf Act of 1851; reclaiming or building upon lands under tidewaters; consent of department; prior grants and licenses . . . . .	3
12:3-5. Conveyances or leases to grantee or licensee under legislative act: amount of rental or purchase price; conversion of lease into conveyance; rights of grantee or licensee . . . . .	4
12:3-6. Payment of or security for purchase money or rentals for lands below high-water mark . . . . .	5
12:3-7. Grant of riparian land not improved; notice to riparian owner . . . . .	6
12:3-7.1. Inability to give required notice; notice by publication; effect . . . . .	6
12:3-8. Trespass on lands of state under water; proceedings by attorney general; expenses . . . . .	7
12:3-9. Grant to person other than riparian owner; procedure . . . . .	7
12:3-10. Lease or conveyance to riparian owner on application to board . . . . .	8
12:3-11. Waters excluded . . . . .	8
12:3-12. Covenants, clauses and conditions in grants or leases whether land under water or not . . . . .	8
12:3-12.1. Tidelands management; policy availability; legislative findings and declarations . . . . .	9
12:3-12.2. Tidelands Resource Council informational guide . . . . .	9
12:3-12.3. Tidelands Resource Council: adoption of rules and regulations . . . . .	10



# Tideland Instruments

(All must be approved by the Tidelands Resource Council)

- **GRANTS:** Sale of the state title interest of generally formerly tide-flowed areas
- **LICENSES:** Rental agreement for presently tide-flowed areas
- **LEASES:** Long term rental agreement – i.e. homes over the water



# Tideland Agreements

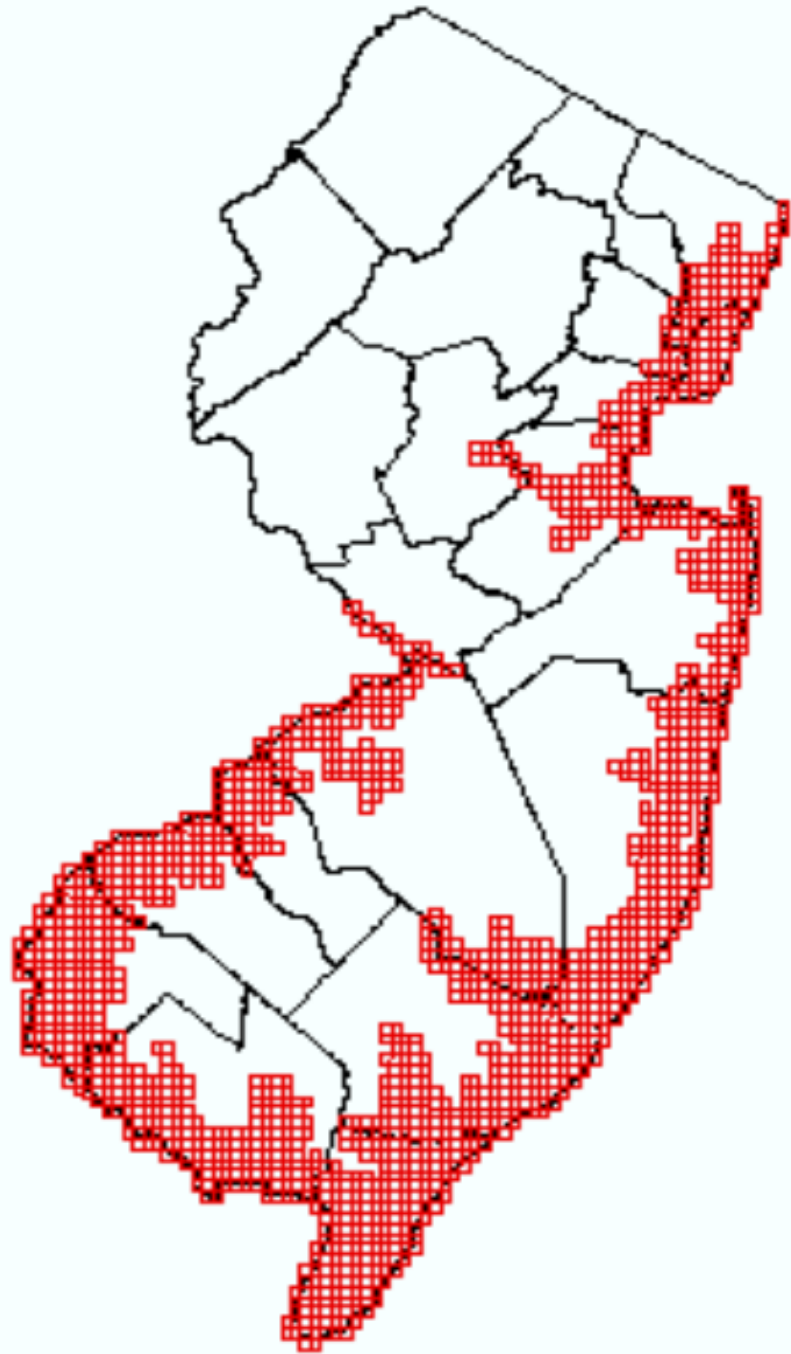
(All must be approved by the Tidelands Resource Council)

- **STATEMENTS OF NO INTEREST :** A document stating that the State of New Jersey agrees that it has no tidelands ownership interest in your property

- **NOTICES OF TITLE ACTION (LIENS):** Serves as notice in any search there is a problem. A notice will be filed if payments are delinquent or if there is no response to a violation.

This GIS image shows the Tidelands grid along the coast of the state.

Note: The continuation of the grid up into the river systems of the state.





# Download GIS Coverage

<http://www.state.nj.us/dep/gis/tidelandsshp.html>

The screenshot shows the NJDEP GIS website interface. At the top, there is a navigation bar with links for 'njhome', 'citizen', 'business', 'government', 'services A to Z', and 'departments'. Below this is the NJDEP logo and the text 'new jersey department of environmental protection'. The main header features the text 'GIS geographic information systems' and 'bureau of' with a map of New Jersey. A search bar is located in the top right corner.

On the left side, there is a vertical menu with links for 'Interactive Mapping', 'Downloads', 'Standards', 'GPS Resources', 'Training', and 'FAQs'.

The main content area is titled 'NJDEP Digital Data Downloads in ArcView Shape file format:'. Below this, there is a section for 'Tidelands:'. The text in this section explains that the Tidelands claims line depicts areas now or formerly flowed at or below mean high tide. It notes that the line does not represent the current mean high water line but rather the mean high water line at the time of mapping and the historic mean high water line predating artificial alterations. The text states that the Tidelands claim line was originally mapped and promulgated on 1628 individual maps produced at a scale of 1:2400. These individual maps were subsequently merged together to produce the tidelands region shapefiles presented here. It emphasizes that these region files were created to be used only as resource data sets to more easily identify those areas claimed under the tidelands program and that they are not to be considered the official tidelands claim lines. Only the actual promulgated tidelands maps, at the production scale of 1:2400, can be used to locate the legally valid tidelands riparian claim line. For questions concerning possible tidelands claims, contact the Bureau of Tidelands as indicated in the accompanying metadata.

Below the text, there is a link: [View a map of the Tidelands Regions.](#)

To the right of the text is a dropdown menu titled 'SELECT A REGION'. The menu is currently open, showing the following options: 'SELECT A REGION', 'Atlantic Central Region', 'Atlantic North Region', 'Atlantic South Region', 'Delaware Central Region', 'Delaware North Region', 'Delaware South Region', and 'Raritan-Hudson Region'.

Below the dropdown menu, there is a section for 'Atlantic Central Region - [atl\\_central.zip](#) (25,497 KB, 96,104 KB unzipped)'. Below this link are three buttons: 'IMAGE', 'METADATA', and 'DOWNLOAD'.

At the bottom right of this section is a link: [back to top](#).

Below this section is a section for 'Atlantic North Region - [atl\\_north.zip](#) (23,713 KB, 80,038 KB unzipped)'. Below this link are three buttons: 'IMAGE', 'METADATA', and 'DOWNLOAD'.

At the bottom right of this section is a link: [back to top](#).

# FAQ's about Tidelands:

## **What are riparian rights?**

- Riparian rights are the rights of owners adjacent to tidelands to be the first person to request to use those areas. These lands are owned by the people of the State of New Jersey. You must first get permission from the State to use these lands, in the form of a tidelands license, lease or grant, and you must pay for this use.

## **What is a tidelands grant?**

- A tidelands grant is a deed from the State of New Jersey selling its tidelands. Tidelands grants are generally only issued for lands already filled in and no longer flowed by the tide.

## **What is a tidelands license?**

- A tidelands license is a short term revocable rental document to use tidelands, generally for structures such as docks, mooring piles and other temporary structures, as well as dredging projects. Licenses have a specific term, presently seven years.

## **What is a tidelands lease?**

- A tidelands lease is a long term rental document to use tidelands, generally issued to marinas or homes over water. The term of a tidelands lease is generally 20 years.

## **What is a Statement of No Interest?**

- A recordable document in which the State of New Jersey agrees that it has no tidelands ownership interest in your property. The reason may be that the State sold its tidelands, or that there is no ownership claim on your property.

# FAQ's Online

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



## New Jersey's Tidelands

### Frequently Asked Questions and Answers

State of New Jersey  
Department of Environmental Protection  
Bureau of Tidelands Management  
P. O. Box 439  
Trenton, NJ 08625-0439  
Phone #609-292-2573  
FAX #609-633-6493

Let's protect our earth



\* This is a very  
valuable  
document to  
download!



Here is a typical Tidelands map showing Newark-Liberty Airport and Port Newark area...formerly flowed tidelands are indicated as red lines



U.S. DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS

TIDELANDS MAP 672-01 JG



FEDERAL GOVERNMENT PRINTING OFFICE: 1967 O 300-000



1:50,000



Note again  
Tidelines map  
showing areas  
that are currently  
developed, but  
were once  
previously flowed  
by the tide. This  
is a very good  
example why  
many property  
owners do not  
know they are  
regulated under  
Tidelands.



# Determining a Tidelands Claim

- Ask yourself, does the State have a Tidelands Title or have Tidelands interest on a property?
- To assist you in determining the status of Tidelands ownership – Send a fax or mail a request to the BUREAU OF TIDELANDS MANAGEMENT and ask for a “DETERMINATION OF TIDELANDS OWNERSHIP INTEREST”

*(Must include tax lot and block numbers, municipality, county, nearest waterway, and a locator map (tax map, topo, survey, etc.) with the site clearly marked.)*

**FAX 609-633-6493**

# TO INVESTIGATE TIDELANDS CLAIMS

COPIES OF THE OF TIDELANDS MAPS ARE  
AVAILABLE IN COUNTY AND MUNICIPAL OFFICES,  
THE SECRETARY OF STATE, BUREAU OF  
TIDELANDS MANAGEMENT AND COASTAL  
ENFORCEMENT OFFICE IN TOMS RIVER

Tidelands: (609) 292-2573  
Coastal Enforcement (Toms River): (732- 255-0787)

Or – Consult  
this  
document



Available  
through the  
Bureau of  
Tidelands  
Management

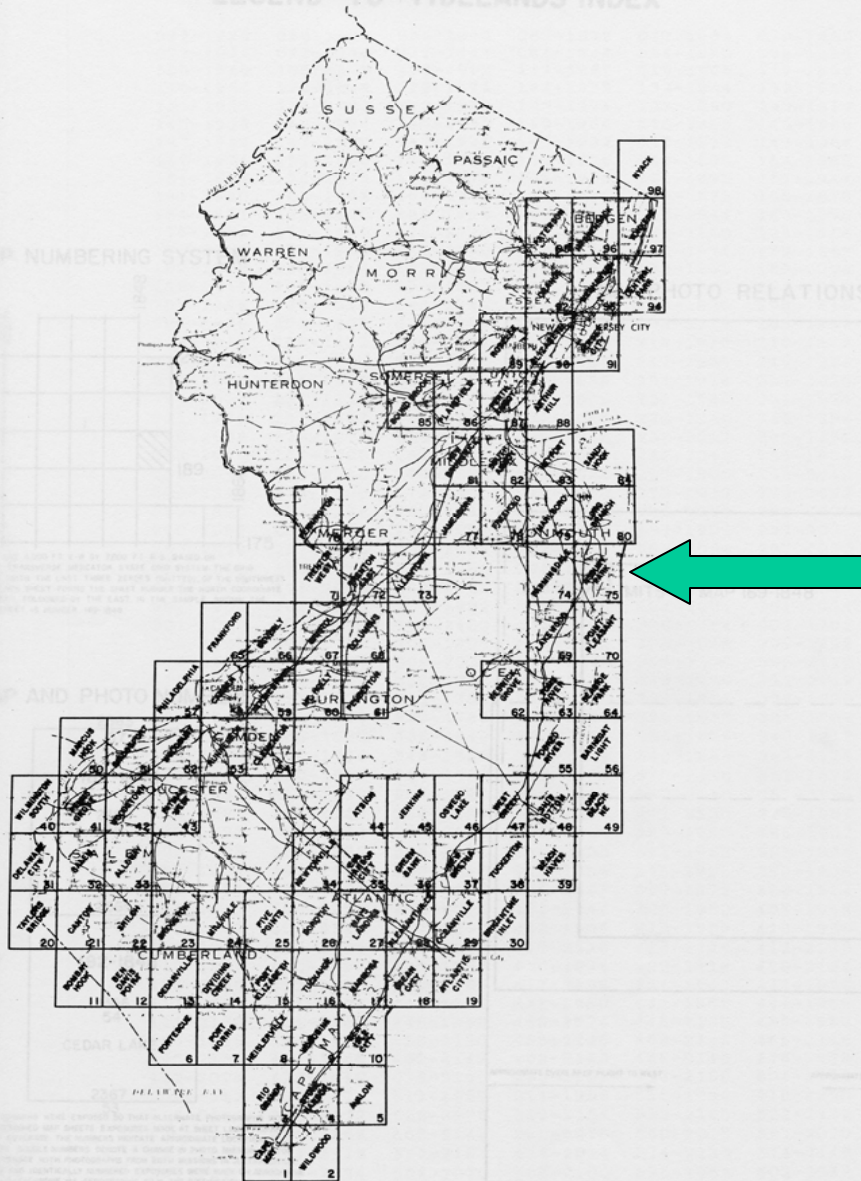
**INDEX  
LANDS SUBJECT TO INVESTIGATION  
FOR  
AREAS NOW OR FORMERLY  
BELOW MEAN HIGH WATER**

**PREPARED FOR THE  
TIDELANDS RESOURCE COUNCIL  
BY  
STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**



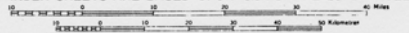


STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
KEY TO TIDELANDS INDEX



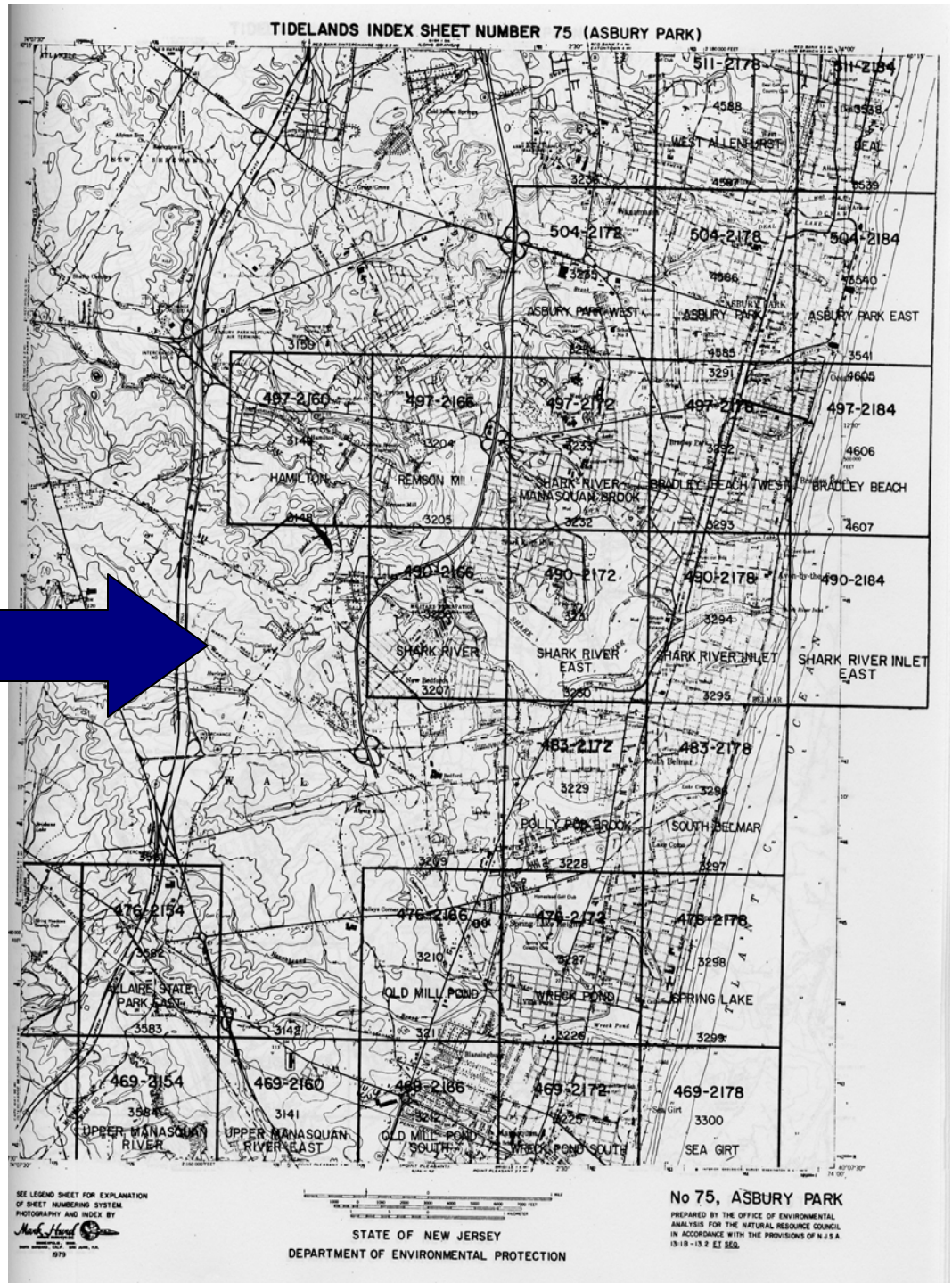
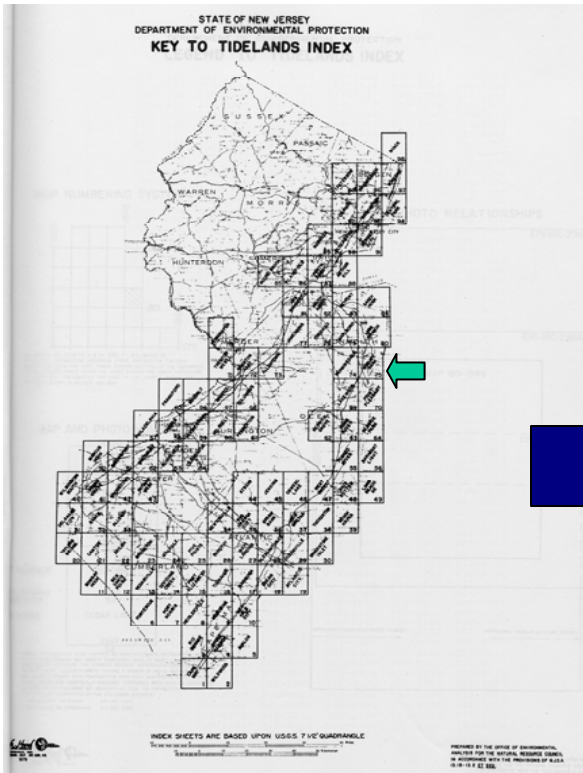
Use the key within the Index to locate your specific area (i.e. Area 75 – Asbury Park)

INDEX SHEETS ARE BASED UPON U.S.G.S. 7 1/2' QUADRANGLE



PREPARED BY THE OFFICE OF ENVIRONMENTAL ANALYSIS FOR THE NATURAL RESOURCE COUNCIL IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 13-18-13.2 ET SEQ.





From the Key you can go to a larger image of the area you are interested in



To Request copies of Tidelands Maps or the  
Tidelands Map Index:

Write to:

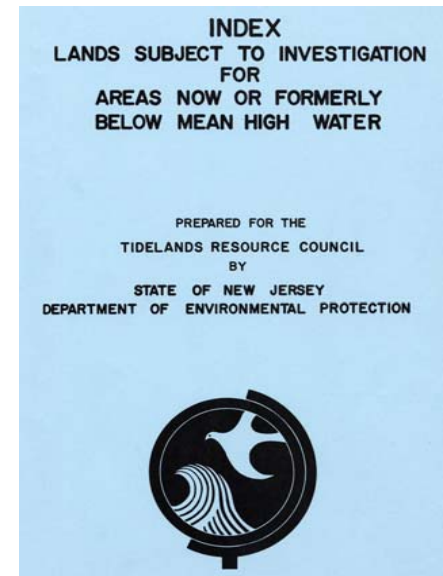
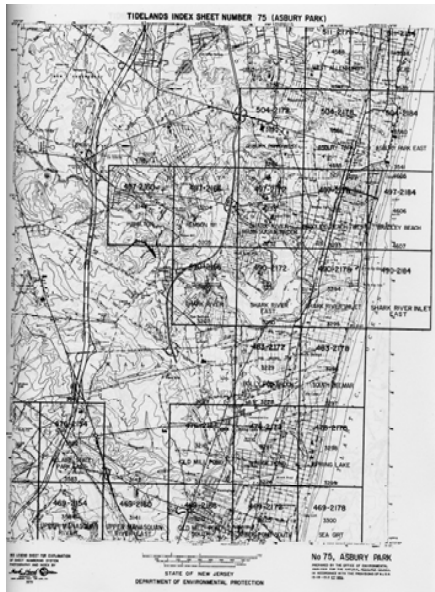
The Division of Land Use Regulation  
Bureau of Tidelands Management

PO Box 439

Trenton, NJ 0862

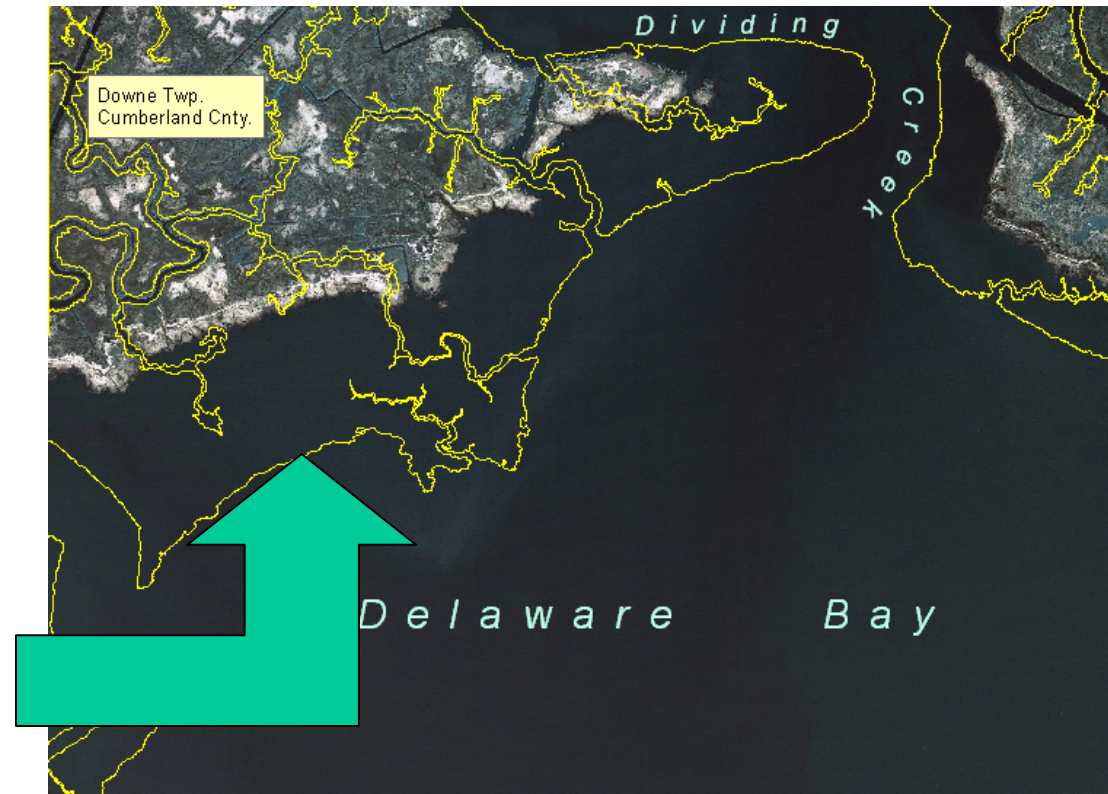
- Or -

Call: 609- 292-2573



# NATURAL EVENTS

In the case of erosion, the title to lands that slowly erode, shifts to the state.



# NATURAL EVENTS

In the case of accretion, the title to lands that slowly builds up, shifts to the upland owner.



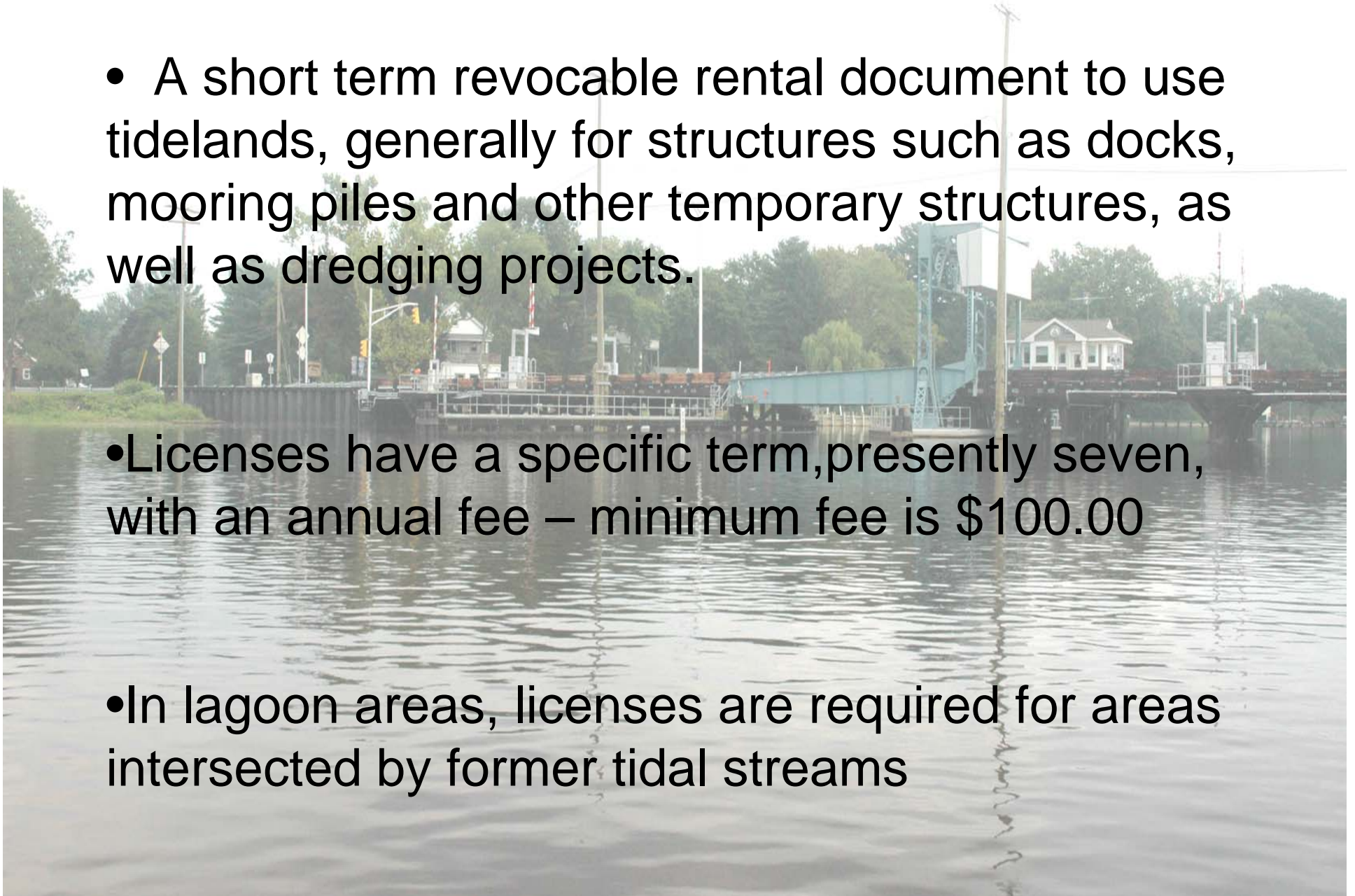


# Tidelands License

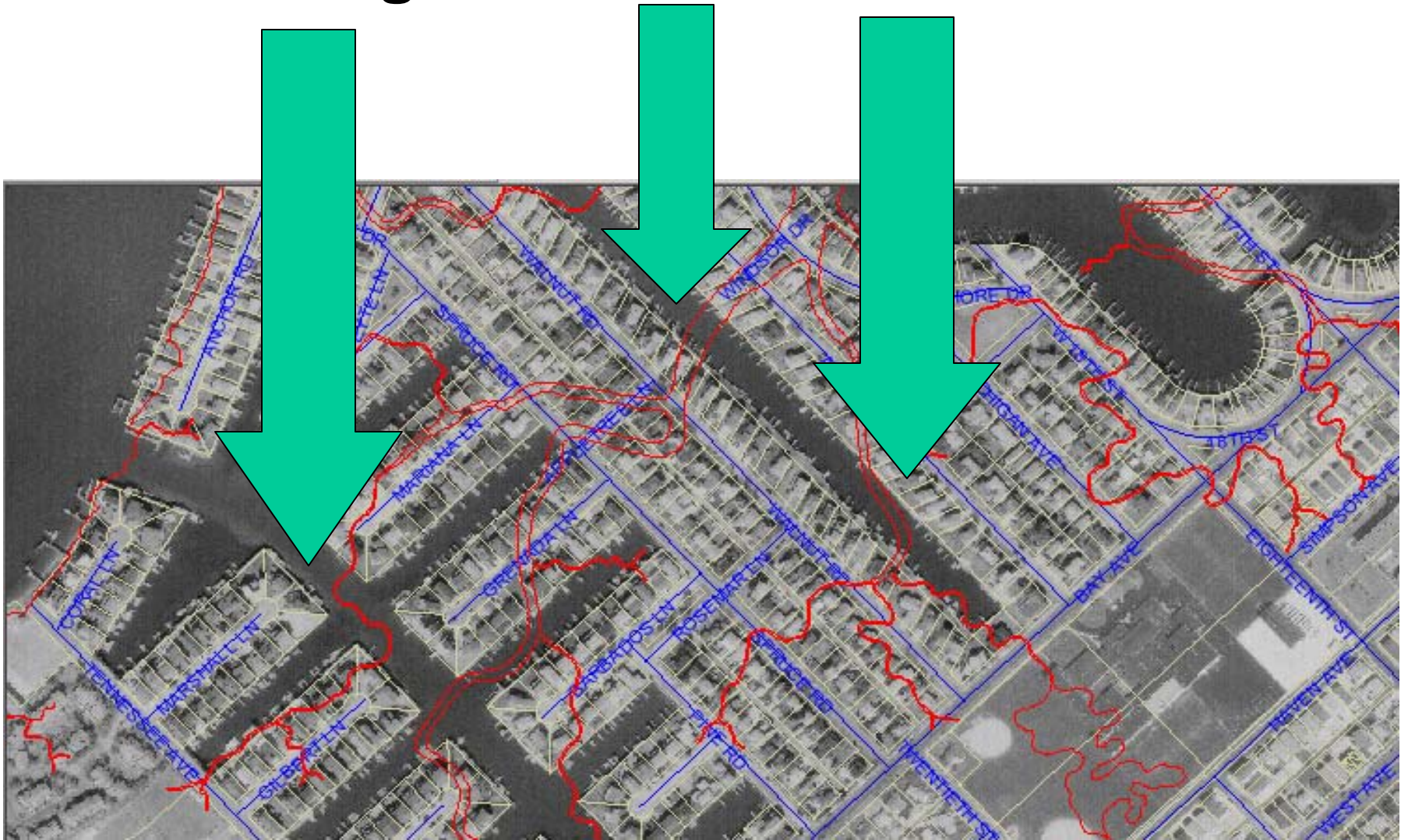
- A short term revocable rental document to use tidelands, generally for structures such as docks, mooring piles and other temporary structures, as well as dredging projects.

- Licenses have a specific term, presently seven, with an annual fee – minimum fee is \$100.00

- In lagoon areas, licenses are required for areas intersected by former tidal streams



**These are lagoons with former tidal streams**





# APPLICATION Instructions for all Tidelands Conveyances

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

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND USE REGULATION PROGRAM  
BUREAU OF TIDELANDS MANAGEMENT  
P. O. BOX 439  
TRENTON, NEW JERSEY 08625-0439

## INSTRUCTIONS FOR ALL APPLICATIONS FOR TIDELANDS CONVEYANCES

### GENERAL INFORMATION:

1. Notice is hereby given to all applicants that the State is under NO obligation to make a grant, lease or license or any type of conveyance.
2. No work of any kind may be performed on the State's lands unless and until a grant, lease or license is delivered.
3. A waterfront development or other type of Land Use permit may be required to perform said work. If a permit is required, permits must also be obtained before commencing work.
4. Current practice is to issue grants only where there is a historical tidelands claim on the subject property. The Tidelands Resource Council may decide to grant presently flowed tidelands when the area is now part of an artificial waterway and within the record title of the applicant. Long term leases may be issued in cases where there is a house over tidal water or a marina or other commercial structure occupies presently flowed lands. For structures extending into tidal water (piers, floating docks, pilings etc.) a riparian (tidelands) license is the appropriate instrument. Marina license applications have additional filing requirements. For pipelines, outfalls, electrical transmission lines (submerged and aerial) and communication cables (submerged and aerial) a one-fee license or easement may be obtained. Applicants for marina licenses or one-fee licenses should contact the Bureau for specific application packages.
5. The Tidelands Resource Council requires that applicants provide a Certified Shorthand Reporter (CSR) for the Council meeting if the application is contested. A contested application is one where objectors indicate an intention of attending the Council meeting. A transcript of only that portion of the meeting for the individual application will be required to complete the file. Staff will inform applicants when a CSR is required.
6. If you have any questions regarding these application instructions or completing the forms, please call this office at (609) 292-2573.



# Tidelands License Application

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

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND USE REGULATION PROGRAM  
BUREAU OF TIDELANDS MANAGEMENT  
P. O. Box 439  
TRENTON, NEW JERSEY 08625-0439

## APPLICATION FOR LICENSE OR EASEMENT

DATE \_\_\_\_\_

FILE # \_\_\_\_\_

Application is hereby made, in accordance with N.J.S.A. 13:1B-13 and N.J.S.A. 12:3-10 for a revocable license to use and occupy State's lands under water, subject to such terms and conditions contained therein or as may be imposed by law.

### APPLICANT

1. NAME (Mr./Mrs./Ms.) \_\_\_\_\_
2. ADDRESS \_\_\_\_\_
3. BUSINESS \_\_\_\_\_
4. PHONE # \_\_\_\_\_

### WHERE LICENSE IS LOCATED

5. CITY OR MUNICIPALITY \_\_\_\_\_
6. COUNTY \_\_\_\_\_
7. NAME OF WATERWAY \_\_\_\_\_
8. LOT & BLOCK \_\_\_\_\_

### INTENDED USE

9. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### NAME AND ADDRESS OF THE UPLAND AND ADJOINING OWNERS

10. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# License Application Requirements

1. Application Form
2. Recorded Deed
3. Affidavit of Title
4. Agent's Authorization Form
5. Survey copies
6. LURP #1 form or issued permit and approved plan

*(The LURP #1 is proof of a permit application, but license application will not go to the Tidelands Resource Council until an actual permit is issued or a signed statement a permit is not required is received.)*

# Tidelands License Assignments

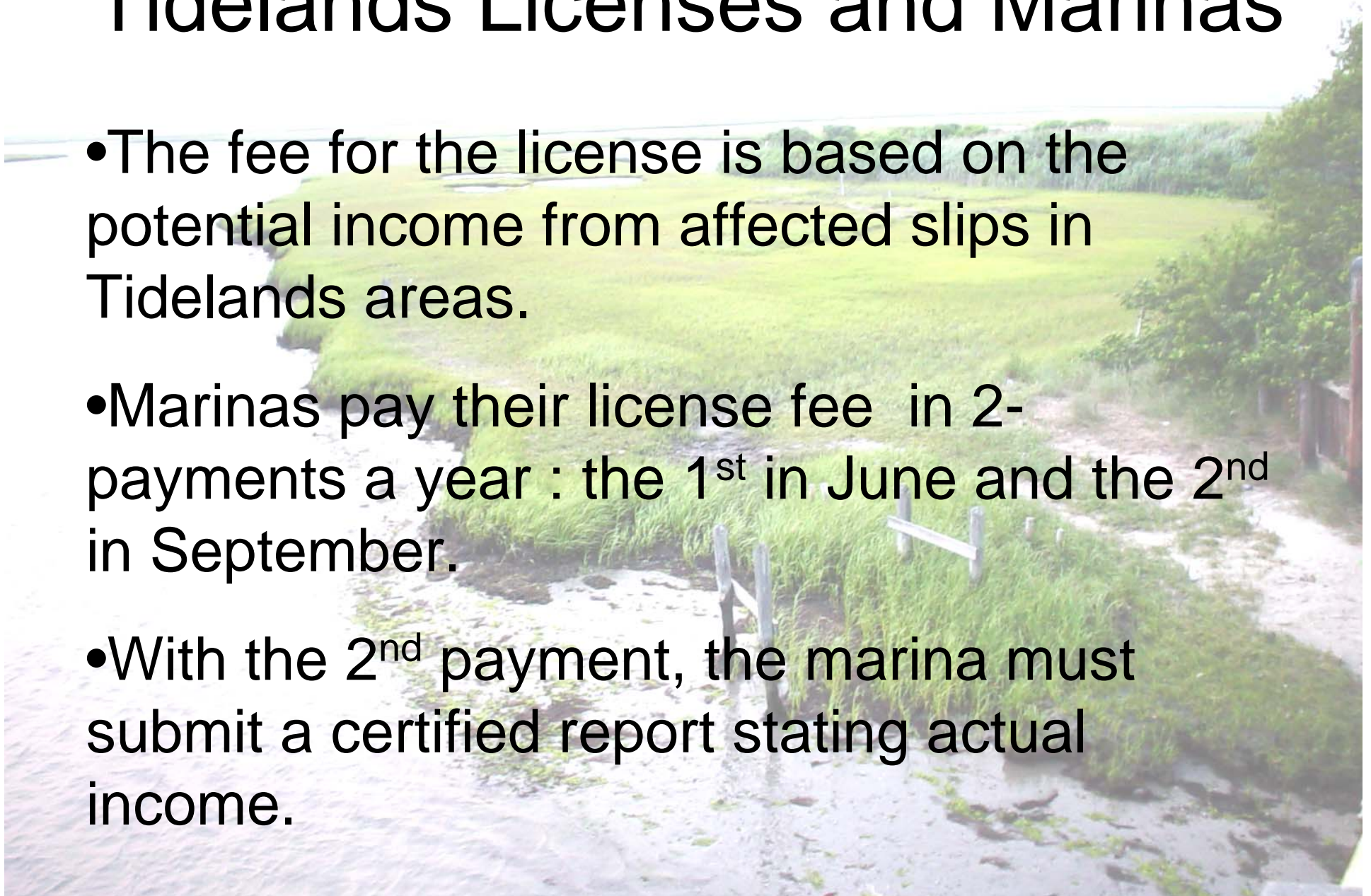
**When property ownership changes, the current license can be re-assigned.....**

## **Unless:**

1. A license is delinquent
2. If a license is about to expire or renew

# Tidelands Licenses and Marinas

- The fee for the license is based on the potential income from affected slips in Tidelands areas.
- Marinas pay their license fee in 2-payments a year : the 1<sup>st</sup> in June and the 2<sup>nd</sup> in September.
- With the 2<sup>nd</sup> payment, the marina must submit a certified report stating actual income.



# MARINA OWNERS'/RENTAL SLIP PROPERTY OWNERS' CERTIFICATION

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

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND USE REGULATION PROGRAM  
BUREAU OF TIDELANDS MANAGEMENT  
P. O. Box 439  
TRENTON, NEW JERSEY 08625-0439

## MARINA OWNERS'/RENTAL SLIP PROPERTY OWNERS' CERTIFICATION

This form is to be signed, notarized and attached as the last page of each income report submitted to the Bureau of Tidelands Management. This form must be signed by the marina owner/rental slip property owner personally.

Tidelands File Number: \_\_\_\_\_

I certify that the foregoing statements and information provided by me are true. I am aware that if any of the foregoing statements and information provided by me are willfully false, I am subject to punishment. I am further aware that the State will rely on such statements and information in making its decision concerning whether to license or lease. If the decision is made to license or to lease tidelands to me, this information will also be used to determine the yearly fee. If any of the statements or information which I have provided are false, I understand that the State of New Jersey may revoke any license or lease it has delivered and may begin enforcement actions to compel removal of any structures occupying State owned lands. I recognize that as an applicant/licensee or lessee, I have a continuing obligation to provide complete and accurate information to the State concerning the licensed/leased lands under water owned by the State of New Jersey.

DATE: \_\_\_\_\_

Signed: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

[Please print name underneath  
signature]

Subscribed and sworn  
to before me this  
day of \_\_\_\_\_ 20 .



# Tidelands Grants

- Grants are issued by the State of NJ to sell the formerly tidally flowed lands.
- It is required that the state must receive the current fair market value for the property.
- In the case of Tidelands Grants, there is no grandfathering.





# Tidelands Grant Application

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

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND USE REGULATION PROGRAM  
BUREAU OF TIDELANDS MANAGEMENT  
P. O. Box 439  
TRENTON, NEW JERSEY 08625-0439

## APPLICATION OF UPLAND OWNER ON TIDAL WATER FOR A LEASE OR GRANT OF RIPARIAN LAND

To the Bureau of Tidelands Management in the Land Use Regulation Program of the Department of Environmental Protection:

THE APPLICATION OF (Mr./Mrs./Ms.) \_\_\_\_\_ (1)

Address: \_\_\_\_\_ (2)

in the State of \_\_\_\_\_ (3) respectfully shows the said applicant is the owner in fee simple and in possession of lands adjoining, but above the high water line of the tidal waters of \_\_\_\_\_ (4) as shown on the accompanying survey map dated \_\_\_\_\_ (5).

The applicant is/is not (6) the upland owner of the lands adjoining the lands now or formerly under tidewater (tidelands) herein applied for and further shows that said applicant is desirous of obtaining a grant lease of such lands now or formerly under the tidewater of \_\_\_\_\_ (7) lying adjacent to and in front of the premises shown on the survey map above described.

Applicant recognizes that the State is under no obligation to make the grant or lease desired and the issuance of same is within the sole and absolute discretion of the State.

Applicant recognizes that the action of the Tidelands Resource Council is subject to the approval of the Commissioner of the Department of Environmental Protection, the Attorney General and Governor, and that no grant is valid unless and until actually delivered.

A photograph of a tidal wetland. A narrow waterway, possibly a tidal creek or inlet, flows through a dense field of tall, green and yellowish-brown grasses. The water is dark and reflects the sky. The background shows a flat, open landscape under a clear sky.

# Tidelands Grant Application Requirements

The Grant recipient must be the upland property owner

There must be an accompanying narrative appraisal, survey, recorded deed and agent's authorization form.

# Agent's Authorization Form

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

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND USE REGULATION PROGRAM  
BUREAU OF TIDELANDS MANAGEMENT  
P. O. BOX 439  
TRENTON, NEW JERSEY 08625-0439

## AGENT'S AUTHORIZATION TO ACT FOR APPLICANT

I hereby authorize:

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_

to act as my agent or representative in all matters pertaining to my application for a grant, lease, license or other conveyance of State lands, now or formerly below mean high water. I further understand that the Bureau of Tidelands Management will correspond directly with the above named agent and not myself.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Applicant's Signature

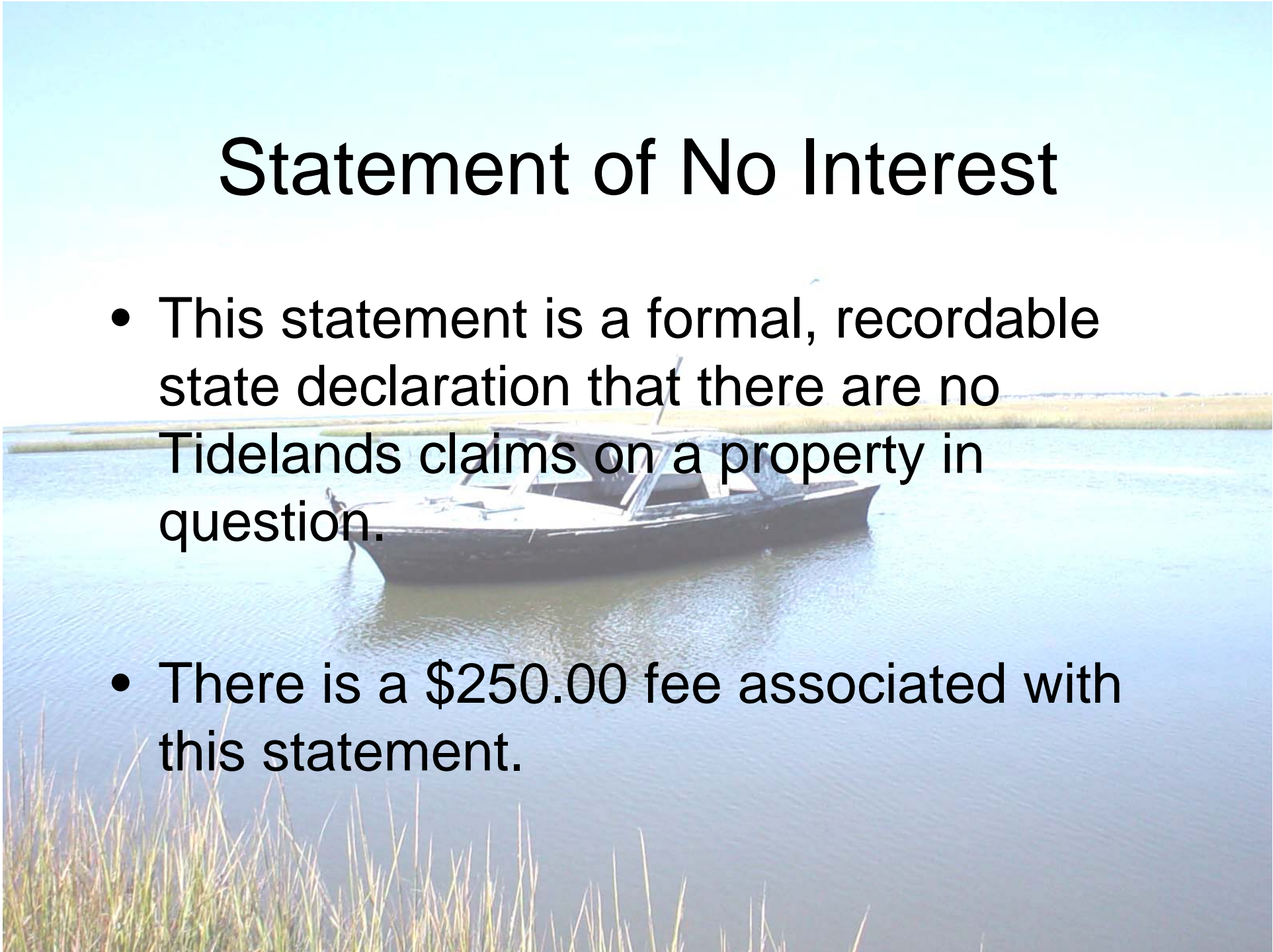
\_\_\_\_\_  
Address

\_\_\_\_\_  
DATE: \_\_\_\_\_



# Statement of No Interest

- This statement is a formal, recordable state declaration that there are no Tidelands claims on a property in question.
- There is a \$250.00 fee associated with this statement.



# Statement of No Interest Application

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

Land Use Regulation Program  
Bureau of Tidelands Management  
P. O. Box 439  
Trenton, New Jersey 08625-0439  
Tel. # 609-292-2573  
Fax. # 609-633-6483

## STATEMENT OF NO INTEREST

### Explanation:

In 1983, the Tidelands Resource Council adopted a policy and procedure for considering all requests for a formal, recordable Statement of No Interest. The Tidelands Resource Council is an independent agency which reviews applications for Statements of No Interest under the inherent authority of the General Riparian Act, as amended, found at N.J.S.A. 12:3-2 et seq. The Council shall approve and issue such a Statement when it is convinced by the submission of evidence by the applicant that the State has no tidelands ownership claim within a particular parcel of property. The processing fee for the issuance of a Statement of No Interest, if approved, is \$250.00.

Each application requires careful research in order to insure that the public interest is protected. All applications will be reviewed by the Tidelands staff as promptly as possible; will be forward to the Council for determination and, if approved, then to the Commissioner of the Department of Environmental Protection for concurrence. The ninety-day rule applicable to permit applications, under the cognizance of the New Jersey Department of Environmental Protection, does not apply to these applications. If there are extenuating circumstances which require an expedited review of your application, please advise Jo Ann Cubberley, Manager, at the above address and we will attempt to accommodate you.

### Qualification:

Statements of No Interest are applicable to certain categories of properties, the most significant of which are:

- (a) Record owners whose property is not affected by a State tidelands claim, based on an adopted tidelands map, may obtain a Statement of No Interest which will foreclose the State from ever asserting a claim, such as by modifying the adopted map at a later date.
- (b) Owners whose property is affected by a State tidelands claim based on an adopted map, but that claim has been extinguished by a prior valid riparian grant. The applicant must demonstrate that the grant conveyed or intended to convey the area that is claimed on the tidelands map.
- (c) Owners whose property is affected by a State tidelands claim based on an adopted map, but can demonstrate that the State's claim is based upon invalid information or sources.

# Additional Forms: Affidavit of Title

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

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND USE REGULATION PROGRAM  
BUREAU OF TIDELANDS MANAGEMENT  
P. O. BOX 439  
TRENTON, NEW JERSEY 08625-0439

## AFFIDAVIT OF TITLE

I/We, \_\_\_\_\_, of full age, being duly sworn upon his/her/their oath, depose and say:

1. I/We are now the record fee simple owner(s) of the real property commonly known as \_\_\_\_\_, and also known as Lot(s) \_\_\_\_\_, Block \_\_\_\_\_ on the current tax map of \_\_\_\_\_ in the County of \_\_\_\_\_, New Jersey.
2. I/We further say that we have been the said record owner(s) of the above defined real property by virtue of deed dated \_\_\_\_\_ and recorded in Deed Book \_\_\_\_\_, at page \_\_\_\_\_ etc. in the Clerk's office of \_\_\_\_\_ County; and that as of the date indicated below, I/we have not sold, assigned or in any way disposed of my/our above state real property interest.
3. I/We further state that the matters and facts aforesaid are within my/our personal knowledge and are true and accurate to the best of my/our ability to substantiate same as of the date indicated below, and that the Bureau of Tidelands Management, Department of Environmental Protection, is entitled to rely on the truth of all foregoing statements and facts herein contained.

In witness whereof, I/we have set our hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Applicant's Signature

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
(Notary Public)

\_\_\_\_\_  
Address

\_\_\_\_\_



# Certificate of Title

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

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND USE REGULATION PROGRAM  
BUREAU OF TIDELANDS MANAGEMENT  
P. O. BOX 439  
TRENTON, NEW JERSEY 08625-0439

## CERTIFICATE OF TITLE

I hereby certify that according to the records in the County Clerk's Office of \_\_\_\_\_ County, New Jersey, \_\_\_\_\_ is/are the owner(s) of record in fee simple of Lot \_\_\_\_\_, Block \_\_\_\_\_, \_\_\_\_\_, as evidenced by deed dated \_\_\_\_\_ and recorded in Deed Book \_\_\_\_\_ at Page \_\_\_\_\_. I further certify that \_\_\_\_\_ have/has not sold, assigned, or in any way disposed of \_\_\_\_\_ rights in said lands so far as the records of said County reveal:

In witness whereof, I have hereunto placed my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
**(THIS FORM MUST BE SIGNED BY EITHER A NEW JERSEY  
ATTORNEY AT LAW OR A REPRESENTATIVE OF A TITLE  
GUARANTEE COMPANY.)**

# Tidelands Resource Council Questionnaire

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

Revised 4/18/00  
For Bureau Use Only  
FILE NUMBER: \_\_\_\_\_

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND USE REGULATION PROGRAM  
BUREAU OF TIDELANDS MANAGEMENT  
P. O. BOX 439  
TRENTON, NEW JERSEY 08625-0439

## Tidelands Resource Council Questionnaire

This form must be completed by the seller or the person(s) who will be paying for the grant. In the space below, indicate if a title insurance company is paying for the grant, and name the company. If a title company is paying, this form should be completed by its insured. Please type or print legibly. Attach a clear copy of any documents which support your answers. For information concerning this form, contact the Bureau of Tidelands Management, P. O. Box 401, Trenton, NJ, (609) 292-2573.

TITLE COMPANY: \_\_\_\_\_

YOUR NAME: \_\_\_\_\_

TAX LOT AND BLOCK NUMBER(S) IDENTIFYING THE PROPERTY AND NAME  
OF MUNICIPALITY: \_\_\_\_\_

1. Why are you applying for a tidelands grant?

2. Do you know of any changes in the location of the mean high water line on the property? If so, what happened, when and why?

# Corporate Data Form

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

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND USE REGULATORY PROGRAM  
BUREAU OF TIDELANDS MANAGEMENT  
P. O. BOX 439  
TRENTON, NEW JERSEY 08625-0439

## CORPORATE DATA SHEET

To be completed when filing riparian (tidelands) applications for lands now or formerly flowed by mean high water, if the applicant is a corporation.

NAME OF CORPORATION: \_\_\_\_\_

ADDRESS OF PRINCIPAL OFFICE: \_\_\_\_\_  
\_\_\_\_\_

REGISTERED AGENT AND ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

STATE OF INCORPORATION: \_\_\_\_\_

If other than a New Jersey corporation, is corporation authorized to do business in New Jersey, and if so, when was authorization obtained?

\_\_\_\_\_

Is corporation now in good standing? If no, please explain.

\_\_\_\_\_

NAME AND HOME ADDRESS OF PRESIDENT: \_\_\_\_\_  
\_\_\_\_\_

NAME AND HOME ADDRESS OF SECRETARY: \_\_\_\_\_  
\_\_\_\_\_

NAME AND HOME ADDRESS OF PRINCIPAL STOCKHOLDERS: \_\_\_\_\_  
\_\_\_\_\_

Date First Annual Report was filed with the Secretary of State in Trenton: \_\_\_\_\_

Are there any Franchise Taxes due the Corporation Tax Bureau? \_\_\_\_\_

If delinquencies exist, please state the last year tax was paid. \_\_\_\_\_

It is required that the applicant establish that it is in good standing, has filed the requisite annual reports and paid all taxes to date. The above information is required before the application shall be deemed complete. However, the State may require additional information in considering any application.

# For Existing Applications

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

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND USE REGULATION PROGRAM  
BUREAU OF TIDELANDS MANAGEMENT  
P. O. BOX 430  
TRENTON, NEW JERSEY 08625-0430

## ACCEPTANCE OF REVOCABLE LICENSE

FILE #: \_\_\_\_\_

DATE: \_\_\_\_\_

TO THE BUREAU OF TIDELANDS MANAGEMENT:

The undersigned hereby accepts the revocable license issued by the Department of Environmental Protection, Bureau of Tidelands Management, to \_\_\_\_\_, dated \_\_\_\_\_, subject to all the terms thereof and applicable laws, rules and regulations, with the understanding that the obtaining of a revocable permit is a condition precedent to performing any work within the licensed area, the issuance of such permit being within the sole and absolute discretion of the State. I further understand that it is my responsibility to pay the annual fees on time and if these fees are not paid, the State may commence action to compel payment. The license has been recorded in the County Clerk's Office in Deed Book \_\_\_\_\_ at page \_\_\_\_\_ and a copy of page one of that recorded license is attached.

\_\_\_\_\_  
Applicant's Signature

Notary: \_\_\_\_\_  
Applicant's Signature

DATE: \_\_\_\_\_  
(This form shall be properly notarized.)

# Existing Applications Continued

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

FILE NO. \_\_\_\_\_

STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
LAND USE REGULATION PROGRAM  
BUREAU OF TIDELANDS MANAGEMENT  
ASSIGNMENT OF RIPARIAN LICENSE

*(Please print or type and complete 3 copies of this form. Each copy must have original signatures.)*

WHEREAS, the State of New Jersey owns the tidelands hereinafter described; and

WHEREAS, the Bureau of Tidelands Management in the Department of Environmental Protection having succeeded to the powers of the Division of Navigation in the Department of Conservation; and

WHEREAS, the State of New Jersey, acting by and through the Tidelands Resource Council in said Department, issued a 7 year license for use of certain tidelands in outshore of Lot 1.01, Block 864 situated in the Township of Brick, County of Ocean, New Jersey, to Romadi Enterprises, by license dated \_\_\_\_\_ for the period \_\_\_\_\_ to \_\_\_\_\_. Said license is recorded in file number \_\_\_\_\_ in the office of the Bureau of Tidelands Management; and

WHEREAS, said license stipulates or requires that it may not be assigned or otherwise transferred to any other person or persons except upon the written consent of said Division or its successors in office; and

WHEREAS, said licensee(s) desire(s) to assign said license to \_\_\_\_\_, the present record title holder of the adjoining lands shoreward of the license, as evidenced by deed dated \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_, and recorded in the office of the clerk (or recorder of deeds) of the County of \_\_\_\_\_ in deed book \_\_\_\_\_ at pages \_\_\_\_\_ etc. (A copy of which is attached.)

NOW THEREFORE, the undersigned, being said licensee(s) in consideration of the sum of one dollar (\$1.00) and other good and valuable consideration do(es) hereby sell, assign, transfer and set over said license unto \_\_\_\_\_ to have and to hold same unto \_\_\_\_\_ for the balance of the period specified in said license.

This assignment is made with the understanding that the assignee(s) will assume the diligent payment of the rental, which is \$ \_\_\_\_\_ per year and will diligently keep and/or perform all of the other terms, covenants, conditions and limitations specified in said license. The assignee(s) by the acceptance of this assignment agree(s) thereto.

This assignment is made specifically subject to the assignee(s) obtaining written consent to this



# Tidelands and other Division of Land Use Regulation Permits

**NOTE:** WHEN APPLYING FOR ANY CAFRA OR WATERFRONT DEVELOPMENT RELATED PERMIT, MAKE SURE TO INCLUDE EVIDENCE OF STATE TIDELANDS OWNERSHIP INTEREST.