

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

LAND USE MANAGEMENT

Office of Policy Implementation

Notice of Determination on Routine Program Change to New Jersey Coastal Management Program

Take notice that the National Oceanic and Atmospheric Administration's Office for Coastal Management (NOAA) has, by letter dated October 12, 2017, approved changes to New Jersey's Federally approved Coastal Management Program (see 49 N.J.R. 1736(b); June 19, 2017). The New Jersey Coastal Management Program has been changed to incorporate two Department rulemaking actions as a routine program change pursuant to Federal regulations 15 CFR 923.80 through 923.84. Particularly, the rulemaking actions incorporated are the regulatory amendments, repeals and new rules that were adopted by the Department in June 2010 that address development in Atlantic City and parking requirements for residential development in the coastal zone (41 N.J.R 356(a); January 20, 2009 and 42 N.J.R. 1039(a); June 7, 2010), and rules adopted in July 2015 that consolidate the Coastal Permit Program rules, N.J.A.C. 7:7 and Coastal Zone Management Rules, N.J.A.C. 7:7E into a single chapter, known as the Coastal Zone Management (CZM) Rules, N.J.A.C. 7:7, with other various regulatory changes (see 46 N.J.R. 1051(a), June 4, 2014; and 47 N.J.R. 1392(a), July 6, 2015). Consistency requirements of the Federal Coastal Zone Management Act apply to the approved provisions as of the date of publication of this notice.

Pursuant to the requirements of 15 CFR 923, changes to the Coastal Management Program must be approved by NOAA. On June 19, 2017, the Department submitted to NOAA a request for concurrence with the Department's determination that incorporation of the above actions into New Jersey's Coastal Management Program constitutes a routine program change. Under 15 C.F.R. 923.84(a), changes to an approved coastal management program constitute Routine Program Change when they do not result in the kind of amendments of the state's Coastal Management Program that can be described as "substantial changes to enforceable policies or authorities related to: (1) uses subject to management; (2) special management areas; (3) boundaries; (4) authorities and organization; and, (5) coordination, public involvement and national interest." NOAA requested comments on whether the change should be considered a routine program change. No comments on the routine program change submission were received by NOAA.

NOAA has concurred with the Department's determination that the following actions constitute a routine program change:

**TABLE OF APPROVED CHANGES TO THE NEW JERSEY COASTAL
MANAGEMENT PROGRAM**

Changes marked with an asterisk (*) are incorporated into the New Jersey Coastal Management Program but may not be used for CZMA Federal Consistency review purposes.			
NJ Administrative Code Citation (N.J.A.C.)	Previous Citation (N.J.A.C.)	Date adopted by State	Date Effective in State
SUBCHAPTER 1. GENERAL PROVISIONS			
7:7-1.1 Purpose	7:7E-1.1	July 6, 2015	July 6, 2015
7:7-1.2 Scope	7:7E-1.2 7:7-1.4(a) and 1.5(c)4 and 5	July 6, 2015	July 6, 2015
7:7-1.3 Review, revision, and expiration	7:7E-1.4	July 6, 2015	July 6, 2015
7:7-1.4 Standards for evaluating permit applications	7:7-1.4 7:7E-1.5	July 6, 2015	July 6, 2015
7:7-1.5 Definitions Note: The NJCMP is not seeking to incorporate the definitions of “Critical infrastructure,” “homeland security facility,” “parcel,” and “redevelopment” at this time. These definitions will be included in a separate program change relating to public access.	7:7-1.3 7:7E-1.5 and 5.2	July 6, 2015	July 6, 2015
7:7-1.6 Forms, checklists, information; Department address and website	7:7E-1.7	July 6, 2015	July 6, 2015
7:7-1.7 Liberal construction	7:7-1.10(a)	July 6, 2015	July 6, 2015

7:7-1.8 Severability	7:7-1.11 and 8.15 7:7E-1.3	July 6, 2015	July 6, 2015
N/A	7:7-1.9	July 6, 2015	July 6, 2015
SUBCHAPTER 2. APPLICABILITY AND ACTIVITIES FOR WHICH A PERMIT IS REQUIRED			
N.J.A.C. 7:7-2.1 When a permit is required	New	July 6, 2015	July 6, 2015
N.J.A.C. 7:7-2.2 CAFRA	N.J.A.C. 7:7-2.1	July 6, 2015	July 6, 2015
N.J.A.C. 7:7-2.3 Coastal wetlands	N.J.A.C. 7:7-2.2	July 6, 2015	July 6, 2015
N.J.A.C. 7:7-2.4 Waterfront development	N.J.A.C. 7:7-2.3	July 6, 2015	July 6, 2015
N.J.A.C. 7:7-2.5 Obtaining an applicability determination	N.J.A.C. 7:7-1.5(a)1 and 2	July 6, 2015	July 6, 2015
SUBCHAPTER 3. GENERAL PROVISIONS FOR PERMITS-BY-RULE, GENERAL PERMITS-BY-CERTIFICATION, AND GENERAL PERMITS			
7:7-3.1 Purpose and scope	New	July 6, 2015	July 6, 2015
7:7-3.2 Standards for issuance, by rulemaking, of permits-by-rule, general permits-by-certification, and general permits	7:7-7.1	July 6, 2015	July 6, 2015
7:7-3.3 Use of a permit-by-rule, or an authorization pursuant to a general permit-by-certification, or a general permit to conduct regulated activities	New	July 6, 2015	July 6, 2015
7:7-3.4 Use of more than one permit on a single site	New	July 6, 2015	July 6, 2015
7:7-3.5 Duration of an authorization under a general permit-by-certification	New	July 6, 2015	July 6, 2015

7:7-3.6 Duration of an authorization under a general permit for which an application was declared complex for review prior to July 6, 2015	7:7-7.3(k)	July 6, 2015	July 6, 2015
7:7-3.7 Duration of an authorization under a general permit for which an application is deemed complete for review on or after July 6, 2015	New	July 6, 2015	July 6, 2015
7:7-3.8 Conditions applicable to a permit-by-rule, or to an authorization pursuant to a general permit-by-certification or a general permit	7:7-7.1(e)1	July 6, 2015	July 6, 2015
SUBCHAPTER 4. PERMITS-BY-RULE			
7:7-4.1 through 20	7:7-7.2(a)1 and 3 through 21 7:7-7.2(b) and (c)	July 6, 2015	July 6, 2015
7:7-4.1 Permit-by-rule 1 – expansion of a single-family home or duplex	7:7-7.2(a)1	July 6, 2015	July 6, 2015
7:7-4.2 Permit-by-rule 2 – development of a single-family home or duplex and/or accessory development on a bulkheaded lagoon lot	7:7-7.2(a)2	July 6, 2015	July 6, 2015
7:7-4.3 Permit-by-rule 3 – placement of public safety or beach/dune ordinance signs on beaches or dunes and placement of signs on beaches or dunes at public parks	7:7-7.2(a)5	July 6, 2015	July 6, 2015
7:7-4.4 Permit-by-rule 4 – construction of nonresidential docks, piers, boat ramps, and decks located landward of mean high water line	7:7-7.2(a)5	July 6, 2015	July 6, 2015

7:7-4.5 Permit-by-rule 5 – construction of portion of a recreational dock or pier located landward of mean high water line	7:7-7.2(a)6	July 6, 2015	July 6, 2015
7:7-4.6 Permit-by-rule 6 – reconstruction of a residential or commercial development within the same footprint	7:7-7.2(a)7	July 6, 2015	July 6, 2015
7:7-4.7 Permit-by-rule 7 – expansion or relocation (with or without expansion) landward or parallel to the mean high water line of the footprint of a residential or commercial development	7:7-7.2(a)8	July 6, 2015	July 6, 2015
7:7-4.8 Permit-by-rue 8 – construction of a utility line attached to a bridge or culvert	7:7-7.2(a)9	July 6, 2015	July 6, 2015
7:7-4.9 Permit-by-rule 9 – previous filling of tidelands associated with an existing single family home or duplex	7:7-7.2(a)10	July 6, 2015	July 6, 2015
7:7-4.10 Permit-by-rule 10- construction of portion of a boat ramp located landward of the mean high water line at a residential development	7:7-7.2(a)11	July 6, 2015	July 6, 2015
7:7-4.11 Permit-by-rule 11 – construction and/or installation of a boat wash wastewater system at a marina, boatyard, or boat sales facility	7:7-7.2(a)12	July 6, 2015	July 6, 2015
7:7-4.12 Permit-by-rule 12 – construction of one to three wind turbines less than 200 feet in height having a cumulative rotor swept area no greater than 2,000 square feet	7:7-7.2(a)13	July 6, 2015	July 6, 2015
7:7-4.13 Permit-by-rule 13 – installation of solar panels on a maintained lawn or landscaped area at a single-family home or duplex	7:7-7.2(a)14	July 6, 2015	July 6, 2015

7:7-4.14 Permit-by-rule 14 – reconfiguration of any legally existing dock, wharf, or pier at a legally existing marina	7:7-7.2(a)15	July 6, 2015	July 6, 2015
7:7-4.15 Permit-by-rule 15 – placement of sand fencing to crate or sustain a dune	7:7-7.2(a)16	July 6, 2015	July 6, 2015
7:7-4.16 Permit-by-rule 16 – placement of land-based upwellers and raceways for aquaculture activities	7:7-7.2(a)17	July 6, 2015	July 6, 2015
7:7-4.17 Permit-by-rule 17 – placement of predator screens and oyster spat attraction devices within a shellfish lease area	7:7-7.2(a)18	July 6, 2015	July 6, 2015
7:7-4.18 Permit-by-rule 18 – placement of shellfish cages within a shellfish lease area	7:7-7.2(a)19	July 6, 2015	July 6, 2015
7:7-4.19 Permit-by-rule 19 – construction and/or installation of a pumpout facility and/or pumpout support facilities	7:7-7.2(a)20	July 6, 2015	July 6, 2015
7:7-4.20 Permit-by-rule 20 – implementation of a sediment sampling plan for sampling in a water areas as part of a dredging or dredged material management activity or as part of a remedial investigation of a contaminated site	7:7-7.2(a)21	July 6, 2015	July 6, 2015
7:7-7.21 Permit-by-rule 21 – application of pesticide within coastal wetlands to control invasive plant species	New	July 6, 2015	July 6, 2015
7:7-4.22 Permit-by-rule 22-reconstruction of a swimming pool, spa or hot tub and associated decking on a bulkheaded lot without wetlands	New	July 6, 2015	July 6, 2015

SUBCHAPTER 5. GENERAL PERMITS-BY-CERTIFICATION			
7:7-5.1 and 5.2	New	July 6, 2015	July 6, 2015
7:7-5.1 General permit-by-certification 10 – reconstruction of a legally existing functioning bulkhead in-place or upland of a legally existing functioning bulkhead	New	July 6, 2015	July 6, 2015
7:7-5.2 General permit-by-certification 15 – construction of piers, docks, including jet ski ramps, pilings, and boatlifts in man-made lagoons	New	July 6, 2015	July 6, 2015
SUBCHAPTER 6. GENERAL PERMITS			
7:7-6.1 through 6.31	7:7-7.5 through 7.36	July 6, 2015	July 6, 2015
7:7-6.1 General permit – amusement pier expansion	7:7-7.5	July 6, 2015	July 6, 2015
7:7-6.2 General permit – beach and dune management activities	7:7-7.6	July 6, 2015	July 6, 2015
7:7-6.3 General permit – Voluntary reconstruction of certain residential or commercial developments	7:7-7.7	July 6, 2015	July 6, 2015
7:7-6.4 General permit – development of one or two single family homes or duplex	7:7-7.8	July 6, 2015	July 6, 2015
7:7-6.5 General permit 5 – expansion, or reconstruction (with or without expansion) of a single-family home or duplex	7:7-7.9	July 6, 2015	July 6, 2015
7:7-6.6 General permit 6 – construction of a bulkhead and placement of associated fill on a man-made lagoon	7:7-7.10	July 6, 2015	July 6, 2015
7:7-6.7 General permit 7 – construction of a revetment at a single-family home or duplex	7:7-7.11	July 6, 2015	July 6, 2015

7:7-6.8 General permit 8 – construction of gabions at a single family/duplex lot	7:7-7.12	July 6, 2015	July 6, 2015
7:7-6.9 General permit 9 – construction of support facilities at legally existing and operating marinas	7:7-7.13	July 6, 2015	July 6, 2015
7:7-6.10 General permit 10 – reconstruction of a legally existing functioning bulkhead	7:7-7.14	July 6, 2015	July 6, 2015
7:7-6.11 General permit 11 – investigation, cleanup, removal, or remediation of hazardous substances	7:7-7.15	July 6, 2015	July 6, 2015
7:7-6.12 General permit 12 – landfall of utilities	7:7-7.16	July 6, 2015	July 6, 2015
7:7-6.13 General permit 13 – construction of recreational facilities at public parks	7:7-7.17	July 6, 2015	July 6, 2015
7:7-6.14 General permit 14 – bulkhead construction and placement of associated fill at a single-family home or duplex	7:7-7.18	July 6, 2015	July 6, 2015
7:7-6.15 General permit 15 – construction of piers, docks, including jet ski ramps, pilings, and boatlifts, in man-made lagoons	7:7-7.19	July 6, 2015	July 6, 2015
7:7-6.16 General permit 16 – minor maintenance dredging in man-made lagoons	7:7-7.20	July 6, 2015	July 6, 2015
7:7-6.17 General permit 17 – stabilization of eroded shorelines	7:7-7.21	July 6, 2015	July 6, 2015
7:7-6.18 General permit 18 – avian nesting structures	7:7-7.22	July 6, 2015	July 6, 2015
7:7-6.19 General permit 19 – modification of existing electrical substations	7:7-7.23	July 6, 2015	July 6, 2015
7:7-6.20 General permit 20 – legalization of the filling of tidelands	7:7-7.24	July 6, 2015	July 6, 2015

7:7-6.21 General permit 21 – construction of telecommunication towers	7:7-7.25	July 6, 2015	July 6, 2015
7:7-6.22 General permit 22 – construction of certain structures related to the tourism industry at hotels and motels commercial development, and multi-family residential developments over 75 units	7:7-7.26	July 6, 2015	July 6, 2015
7:7-6.23 General permit 23 – geotechnical survey borings	7:7-7.27	July 6, 2015	July 6, 2015
7:7-6.24 – General permit 24 – habitat creation, restoration, enhancement, and living shoreline activities	7:7-7.29	July 6, 2015	July 6, 2015
7:7-6.25 General permit 25 – construction of one to three wind turbines less than 200 feet in height and having a cumulative rotor swept area no greater than 4,000 square feet	7:7-7.30	July 6, 2015	July 6, 2015
7:7-6.26 General permit 26 – construction of wind turbines less than 250 feet in height and having a cumulative rotor swept area no greater than 20,000 square feet	7:7-7.31	July 6, 2015	July 6, 2015
7:7-6.27 General permit 27 – dredging sand from a man-made lagoon deposited as a result of event for which the Governor declared a State of Emergency	7:7-7.32	July 6, 2015	July 6, 2015
7:7-6.28 General permit 28 – dredging material from a waterway at a residential or commercial development deposited as a result of the failure of a bulkhead as a consequence of a storm event for which the Governor declared a State of Emergency	7:7-7.33	July 6, 2015	July 6, 2015
7:7-6.29 General permit 29 – dredging and management of material from a marina deposited as a result of a storm	7:7-7.34	July 6, 2015	July 6, 2015

event for which the Governor declared a State of Emergency			
7:7-6.30 General permit 30 – commercial shellfish aquaculture activities	7:7-7.35	July 6, 2015	July 6, 2015
7:7-6.31 General permit 31 – placement of shell within shellfish lease areas	7:7-7.36	July 6, 2015	July 6, 2015
7:7-6.32 General permit 32 – application of pesticides within coastal wetlands to control invasive plant species	New	July 6, 2015	July 6, 2015
SUBCHAPTER 7. Long Branch Redevelopment Zone Permit			
7:7-7.1 Applicability; permit conditions	7:7-7.4(a) through (g)	July 6, 2015	July 6, 2015
7:7-7.2 Notification to the Department regarding developments requiring planning board approval	7:7-7.4(h)	July 6, 2015	July 6, 2015
7:7-7.3 Notification to the Department regarding developments not requiring planning board approval	7:7-7.4(i)	July 6, 2015	July 6, 2015
7:7-7.4 Publication of notice of Department’s decision that Long Branch Redevelopment Zone Permit is or is not applicable to development	7:7-7.4(h), (i), and (j)	July 6, 2015	July 6, 2015
7:7-7.5 Requests for adjudicatory hearings	7:7-7.4(k) and (l)	July 6, 2015	July 6, 2015
7:7-7 Long Branch Redevelopment Zone Permit	7:7-7.4	Feb. 17, 1998	Feb. 17, 1998
SUBCHAPTER 8. INDIVIDUAL PERMIT			
7:7-8.1 Requirement to obtain an individual permit	New	July 6, 2015	July 6, 2015
7:7-8.2 Duration of an individual permit	7:7-1.5(c)	July 6, 2015	July 6, 2015
7:7-8.3 Conditions applicable to an individual permit	New	July 6, 2015	July 6, 2015

SUBCHAPTER 9. SPECIAL AREAS			
7:7-9 Special areas	7:7E-3	July 6, 2015	July 6, 2015
7:7-9.1 Purpose and scope	7:7E-3.1	July 6, 2015	July 6, 2015
7:7-9.2 Shellfish habitat	7:7E-3.2	July 6, 2015	July 6, 2015
7:7-9.3 Surf clam areas	7:7E-3.3	July 6, 2015	July 6, 2015
7:7-9.4 Prime fishing areas	7:7E-3.4	July 6, 2015	July 6, 2015
7:7-9.5 Finfish migratory pathways	7:7E-3.5	July 6, 2015	July 6, 2015
7:7-9.6 Submerged vegetation habitat	7:7E-3.6	July 6, 2015	July 6, 2015
7:7-9.7 Navigation channels	7:7E-3.7	July 6, 2015	July 6, 2015
7:7-9.8 Canals	7:7E-3.8	July 6, 2015	July 6, 2015
7:7-9.9 Inlets	7:7E-3.9	July 6, 2015	July 6, 2015
7:7-9.10 Marina moorings	7:7E-3.10	July 6, 2015	July 6, 2015
7:7-9.11 Ports	7:7E-3.11	July 6, 2015	July 6, 2015
7:7-9.12 Submerged infrastructure routes	7:7E-3.12	July 6, 2015	July 6, 2015
7:7-9.13 Shipwreck and artificial reef habitats	7:7E-3.13	July 6, 2015	July 6, 2015
7:7-9.14 Wet borrow pits	7:7E-3.14	July 6, 2015	July 6, 2015
7:7-9.15 Intertidal and subtidal shallows	7:7E-3.15	July 6, 2015	July 6, 2015
7:7-9.16 Dunes	7:7E-3.16	July 6, 2015	July 6, 2015
7:7-9.17 Overwash areas	7:7E-3.17	July 6, 2015	July 6, 2015
7:7-9.18 Coastal high hazard areas	7:7E-3.18	July 6, 2015	July 6, 2015
7:7-9.19 Erosion hazard areas	7:7E-3.19	July 6, 2015	July 6, 2015
7:7-9.20 Barrier island corridor	7:7E-3.20	July 6, 2015	July 6, 2015
7:7-9.21 Bay islands	7:7E-3.21	July 6, 2015	July 6, 2015
7:7-9.22 Beaches	7:7E-3.22	July 6, 2015	July 6, 2015
7:7-9.23 Filled water's edge	7:7E-3.23	July 6, 2015	July 6, 2015
7:7-9.24 Existing lagoon edges	7:7E-3.24	July 6, 2015	July 6, 2015

7:7-9.25 Flood hazard areas	7:7E-3.25	July 6, 2015	July 6, 2015
7:7-9.26 Riparian zones	7:7E-3.26	July 6, 2015	July 6, 2015
7:7-9.27 Wetlands	7:7E-3.27	July 6, 2015	July 6, 2015
7:7-9.28 Wetlands buffers	7:7E-3.28	July 6, 2015	July 6, 2015
7:7-9.29 Coastal bluffs	7:7E-3.31	July 6, 2015	July 6, 2015
7:7-9.30 Intermittent stream corridors	7:7E-3.32	July 6, 2015	July 6, 2015
7:7-9.31 Farmland conservation areas	7:7E-3.33	July 6, 2015	July 6, 2015
7:7-9.32 Steep slopes	7:7E-3.34	July 6, 2015	July 6, 2015
7:7-9.33 Dry borrow pits	7:7E-3.35	July 6, 2015	July 6, 2015
7:7-9.34 Historic and archaeological resources	7:7E-3.36	July 6, 2015	July 6, 2015
7:7-9.35 Specimen trees	7:7E-3.37	July 6, 2015	July 6, 2015
7:7-9.36 Endangered or threatened wildlife or plant species habitats	7:7E-3.38	July 6, 2015	July 6, 2015
7:7-9.37 Critical wildlife habitats	7:7E-3.39	July 6, 2015	July 6, 2015
7:7-9.38 Public open space	7:7E-3.40	July 6, 2015	July 6, 2015
7:7-9.39 Special hazard areas	7:7E-3.41	July 6, 2015	July 6, 2015
7:7-9.40 Excluded federal lands	7:7E-3.42	July 6, 2015	July 6, 2015
7:7-9.41 Special urban areas	7:7E-3.43	July 6, 2015	July 6, 2015
7:7-9.42 Pinelands National Reserve and Pinelands Protection Area	7:7E-3.44	July 6, 2015	July 6, 2015
7:7-9.43 Hackensack Meadowlands District	7:7E-3.45	July 6, 2015	July 6, 2015
7:7-9.44 Wild and scenic river corridors	7:7E-3.46	July 6, 2015	July 6, 2015
7:7-9.45 Geodetic reference control marks	7:7E-3.47	July 6, 2015	July 6, 2015
7:7-9.46 Hudson River waterfront area	7:7E-3.48	July 6, 2015	July 6, 2015
7:7-9.47 Atlantic City	7:7E-3.49	Jan. 13, 2010	June 7, 2010
7:7-9.48 Lands and waters subject to public trust rights	7:7E-3.50		

7:7-9.49 Dredged material management areas	New	July 6, 2015	July 6, 2015
SUBCHAPTER 10. STANDARDS FOR BEACH AND DUNE ACTIVITIES			
7:7-10 Standards for beach and dune maintenance activities	7:7E-3A	July 6, 2015	July 6, 2015
7:7-10.1 Purpose and scope	7:7E-3A.1	July 6, 2015	July 6, 2015
7:7-10.2 Standards applicable to routine beach maintenance	7:7E-3A.2	July 6, 2015	July 6, 2015
7:7-10.3 Standards applicable to emergency post-storm beach restoration	7:7E-3A.3	July 6, 2015	July 6, 2015
7:7-10.4 Standards applicable to dune creation and maintenance	7:7E-3A.4	July 6, 2015	July 6, 2015
7:7-10.5 Standards applicable to dune creation and maintenance	7:7E-3A.5	July 6, 2015	July 6, 2015
SUBCHAPTER 11. STANDARDS FOR CONDUCTING AND REPORTING THE RESULTS OF AN ENDANGERED OR THREATENED WILDLIFE OR PLANT SPECIES HABITAT IMPACT ASSESSMENT AND/OR ENDANGERED OR THREATENED WILDLIFE SPECIES HABITAT EVALUATION			
7:7-11 Standards for conducting and reporting the results of an endangered or threatened wildlife or plant species habitat impact assessment and/or endangered or threatened wildlife species habitat	7:7E-3C	July 6, 2015	July 6, 2015
7:7-11.1 Purpose and scope	7:7E-3C.1	July 6, 2015	July 6, 2015
7:7-11.2 Standards for conducting endangered or threatened wildlife or plant species habitat assessment	7:7E-3C.2	July 6, 2015	July 6, 2015

7:7-11.3 Standards for conducting endangered or threatened wildlife or plant species habitat evaluation	7:7E-3C.3	July 6, 2015	July 6, 2015
7:7-11.4 Standards for reporting the results of impact assessment and habitat evaluations	7:7E-3A.4	July 6, 2015	July 6, 2015
SUBCHAPTER 12. GENERAL WATER AREAS			
7:7-12 General water areas	7:7E-3A	July 6, 2015	July 6, 2015
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7:7-12.2 Shellfish aquaculture	7:7E-4.2	July 6, 2015	July 6, 2015
7:7-12.3 Boat ramps	7:7E-4.3	July 6, 2015	July 6, 2015
7:7-12.4 Docks and piers for cargo and commercial fisheries	7:7E-4.4	July 6, 2015	July 6, 2015
7:7-12.5 Recreational docks and piers	7:7E-4.5	July 6, 2015	July 6, 2015
7:7-12.6 Maintenance dredging	7:7E-4.6	July 6, 2015	July 6, 2015
7:7-12.7 New dredging	7:7E-4.7	July 6, 2015	July 6, 2015
7:7-12.8 Environmental dredging	New	July 6, 2015	July 6, 2015
7:7-12.9 Dredged material disposal	7:7E-4.8	July 6, 2015	July 6, 2015
7:7-12.10 Solid waste or sludge dumping	7:7E-4.9	July 6, 2015	July 6, 2015
7:7-12.11 Filling	7:7E-4.10	July 6, 2015	July 6, 2015
7:7-12.12 Mooring	7:7E-4.11	July 6, 2015	July 6, 2015
7:7-12.13 Sand gravel mining	7:7E-4.12	July 6, 2015	July 6, 2015
7:7-12.14 Bridges	7:7E-4.13	July 6, 2015	July 6, 2015
7:7-12.15 Submerged pipelines	7:7E-4.14	July 6, 2015	July 6, 2015
7:7-12.16 Overhead transmission lines	7:7E-4.15	July 6, 2015	July 6, 2015
7:7-12.17 Dams and impoundments	7:7E-4.16	July 6, 2015	July 6, 2015
7:7-12.18 Outfalls and intakes	7:7E-4.17	July 6, 2015	July 6, 2015

7:7-12.19 Realignment of water areas	7:7-12.19	July 6, 2015	July 6, 2015
7:7-12.20 Vertical wake or wave attenuation structures	7:7E-4.19	July 6, 2015	July 6, 2015
7:7-12.21 Submerged cables	7:7E-4.20	July 6, 2015	July 6, 2015
7:7-12.22 Artificial reefs	7:7E-4.21	July 6, 2015	July 6, 2015
7:7-12.23 Living shorelines	7:7E-4.23	July 6, 2015	July 6, 2015
7:7-12.24 Miscellaneous uses	7:7E-4.22	July 6, 2015	July 6, 2015
SUBCHAPTER 13. REQUIREMENTS FOR IMPERVIOUS COVER AND VEGETATIVE COVER			
The NJCMP is not including Subchapter 13 in this program change submission.			
SUBCHAPTER 4. PERMITS-BY-RULE			
7:7-14	7:7E-6	July 6, 2015	July 6, 2015
7:7-14.1 Rule on location of linear development	7:7E-6.1	July 6, 2015	July 6, 2015
7:7-14.2 Basic location rule	7:7E-6.2	July 6, 2015	July 6, 2015
7:7-14.3 Secondary impacts	7:7E-6.3	July 6, 2015	July 6, 2015
SUBCHAPTER 15. USE RULES			
7:7-15	7:7E-7	July 6, 2015	July 6, 2015
7:7-15.1 Purpose and scope	7:7E-7.1	July 6, 2015	July 6, 2015
7:7-15.2 Housing	7:7E-7.2	July 6, 2015	July 6, 2015
7:7-15.3 Resort/ recreational	7:7E-7.3	July 6, 2015	July 6, 2015
7:7-15.4 Energy facility	7:7E-7.4	July 6, 2015	July 6, 2015
7:7-15.5 Transportation	7:7E-7.5	July 6, 2015	July 6, 2015
7:7-15.6 Public facility	7:7E-7.6	July 6, 2015	July 6, 2015
7:7-15.7 Industry	7:7E-7.7	July 6, 2015	July 6, 2015
7:7-15.8 Mining	7:7E-7.8	July 6, 2015	July 6, 2015

7:7-15.9 Port	7:7E-7.9	July 6, 2015	July 6, 2015
7:7-15.10 Commercial facility	7:7E-7.10	July 6, 2015	July 6, 2015
7:7-15.11 Coastal engineering	7:7E-7.11	July 6, 2015	July 6, 2015
7:7-15.12 Dredged material placement on land	7:7E-7.12	July 6, 2015	July 6, 2015
7:7-15.13 National defense facilities	7:7E-7.13	July 6, 2015	July 6, 2015
7:7-15.14 High-rise structures	7:7E-7.14	July 6, 2015	July 6, 2015
SUBCHAPTER 16. RESOURCE RULES			
7:7-16	7:7E-8	July 6, 2015	July 6, 2015
7:7-16.1 Purpose and scope	7:7E-8.1	July 6, 2015	July 6, 2015
7:7-16.2 Marine fish and fisheries	7:7E-8.2	July 6, 2015	July 6, 2015
7:7-16.3 Water quality	7:7E-8.4	July 6, 2015	July 6, 2015
7:7-16.4 Surface water use	7:7E-8.5	July 6, 2015	July 6, 2015
7:7-16.5 Groundwater use	7:7E-8.6	July 6, 2015	July 6, 2015
7:7-16.6 Stormwater management	7:7E-8.7	July 6, 2015	July 6, 2015
7:7-16.7 Vegetation	7:7E-8.8	July 6, 2015	July 6, 2015
7:7-16.8 Air quality	7:7E-8.10	July 6, 2015	July 6, 2015
7:7-16.9 Public access	7:7E-8.11		
SUBCHAPTER 17. MITIGATION			
7:7-17	7:7E-3.2, 3.6, 3.15, 3.27, 3B, and 4.10	July 6, 2015	July 6, 2015
7:7-17.1 Definitions	New	July 6, 2015	July 6, 2015

7:7-17.2 General mitigation requirements	New; some content adapted from previous N.J.A.C 7:7-1.6(a), 4.2(e), 12.11(f), 17.2(f)	July 6, 2015	July 6, 2015
7:7-17.3 Timing of mitigation	New	July 6, 2015	July 6, 2015
7:7-17.4 Amount of mitigation required	New	July 6, 2015	July 6, 2015
7:7-17.5 Property suitable for mitigation	New	July 6, 2015	July 6, 2015
7:7-17.6 Conceptual review of a mitigation area	New	July 6, 2015	July 6, 2015
7:7-17.7 Basic requirements for mitigation proposals	New	July 6, 2015	July 6, 2015
7:7-17.8 Department review and approval of a mitigation proposal	New	July 6, 2015	July 6, 2015
7:7-17.9 Requirements for shellfish habitat mitigation	7:7E-3.2(d)3vi(2)	July 6, 2015	July 6, 2015
7:7-17.10 Requirements for submerged aquatic vegetation habitat mitigation	7:7E-3.6(b)1 and (d)	July 6, 2015	July 6, 2015
7:7-17.11 Requirements for intertidal and subtidal shallows and tidal water mitigation	New with prior content of 7:7E-3B, 3.15(h), 4.10(e)	July 6, 2015	July 6, 2015
7:7-17.12 Requirements for riparian zone mitigation	New	July 6, 2015	July 6, 2015
7:7-17.13 Requirements for wetlands mitigation	New, replaces prior N.J.A.C. 7:7E-3.27(h)	July 6, 2015	July 6, 2015
7:7-17.14 Wetlands mitigation hierarchy	New	July 6, 2015	July 6, 2015
7:7-17.15 Requirements for credit purchase from an approved mitigation bank	New	July 6, 2015	July 6, 2015
7:7-17.16 Requirements for in-lieu fee payment	New	July 6, 2015	July 6, 2015

7:7-17.17 Financial assurance for mitigation projects; general	New	July 6, 2015	July 6, 2015
7:7-17.18 Financial assurance; fully funded trust fund requirements	New	July 6, 2015	July 6, 2015
7:7-17.19 Financial assurance; line of credit requirements	New	July 6, 2015	July 6, 2015
7:7-17.20 Financial assurance; letter of credit requirements	New	July 6, 2015	July 6, 2015
7:7-17.21 Financial assurance; surety bond requirements	New	July 6, 2015	July 6, 2015
7:7-17.22 Mitigation banks	New	July 6, 2015	July 6, 2015
7:7-17.23 Application for a mitigation bank	New	July 6, 2015	July 6, 2015
SUBCHAPTER 18. CONSERVATION RESTRICTON			
7:7-18 Conservation restrictions	New; some content incorporated from prior 7:7E-8.11(z)	July 6, 2015	July 6, 2015
7:7-18.1 Conservation restriction form and recording requirements	New	July 6, 2015	July 6, 2015
7:7-18.2 Additional requirements applicable to a conservation restriction for mitigation areas	New	July 6, 2015	July 6, 2015
7:7-18.3 Reservation of rights	New	July 6, 2015	July 6, 2015
SUBCHAPTER 19. RELAXATION OF PROCEDURES; RECONSIDERATION OF APPLICATION OF RULES			
N.J.A.C. 7:7-19	N.J.A.C. 7:7-1.10	July 6, 2015	July 6, 2015
	N.J.A.C. 7:7-1.10 (a)	July 6, 2015	July 6, 2015
7:7-19.1 Relaxation of procedures in this chapter	7:7-1.10(b)	July 6, 2015	July 6, 2015

7:7-19.2 Reconsideration of the application of a rule(s) in this chapter	7:7-1.10(c)-(n)	July 6, 2015	July 6, 2015
SUBCHAPTER 20. PROVISIONAL PERMITS			
7:7-20 Provisional permits	7:7-1.6	July 6, 2015	July 6, 2015
SUBCHAPTER 21. EMERGENCY AUTHORIZATIONS			
7:7-21 Emergency authorizations	New, replaced prior 7:7-1.7	July 6, 2015	July 6, 2015
7:7-21.1 Standard for issuance of an emergency authorization	New, replaced prior 7:7-1.7(a)	July 6, 2015	July 6, 2015
7:7-21.2 Procedure to request an emergency authorization	New, replaced prior 7:7-1.7(a)	July 6, 2015	July 6, 2015
7:7-21.3 Issuance of emergency authorization, conditions	New	July 6, 2015	July 6, 2015
*SUBCHAPTER 22. RELAXATION OF PROCEDURES; RECONSIDERATION OF APPLICATION OF RULES			
7:7-22 Pre-application conferences	New; replaced N.J.A.C. 7:7-3	July 6, 2015	July 6, 2015
7:7-22.1 Purpose and scope NOTE: The NJCMP is not submitting N.J.A.C. 7:7-22.1(b) as part of this program change	New	July 6, 2015	July 6, 2015
7:7-22.2 Request for a pre-application conference; scheduling; information required NOTE: The NJCMP did not submit N.J.A.C. 7:7-22.2(d) as part of this program change.	New, with content taken from prior 7:7-3.2	July 6, 2015	July 6, 2015

SUBCHAPTER 23. APPLICATION REQUIREMENTS			
7:7-23 Application Requirements	New	July 6, 2015	July 6, 2015
7:7-23.1 Purpose and scope	New	July 6, 2015	July 6, 2015
7:7-23.2 General application requirements	New	July 6, 2015	July 6, 2015
7:7-23.3 Additional application requirements for an authorization under a general permit-by-certification	New	July 6, 2015	July 6, 2015
7:7-23.4 Additional application requirements for an authorization under a general permit or for an individual permit	New; replaced prior 7:7-4.2(a)1-7 and 7.3(a)1-8	July 6, 2015	July 6, 2015
7:7-23.5 Compliance statement requirement for an application for authorization under a general permit	New; replaced prior 7:7-6	July 6, 2015	July 6, 2015
7:7-23.6 Additional requirement specific to an application for an individual permit	New; replaced prior 7:7-4.2	July 6, 2015	July 6, 2015
SUBCHAPTER 24. REQUIREMENTS FOR AN APPLICANT TO PROVIDE PUBLIC NOTICE OF AN APPLICATION			
7:7-24 Requirements for an applicant to provide public notice of an application	New	July 6, 2015	July 6, 2015
7:7-24.1 Purpose and scope	New	July 6, 2015	July 6, 2015
7:7-24.2 Timing of public notice of an application	New	July 6, 2015	July 6, 2015
7:7-24.3 Contents and recipients of public notice of an application	New	July 6, 2015	July 6, 2015
7:7-24.4 Additional requirements for public notice of an application for a CAFRA individual permit	New	July 6, 2015	July 6, 2015
7:7-24.5 Content and format of newspaper notice	New	July 6, 2015	July 6, 2015

7:7-24.6 Documenting public notice of an application; documenting public notice of a public comment period or public hearing on CAFRA individual permit application	New	July 6, 2015	July 6, 2015
*SUBCHAPTER 25. APPLICATION FEES			
The NJCMP did not include Subchapter 25 in this program change submission			
*SUBCHAPTER 26. APPLICATION REVIEW			
7:7-26 Application review	New; incorporates concepts from prior 7:7-4 and 7:7-7.4	July 6, 2015	July 6, 2015
7:7-26.1 General application review provisions	New; incorporates concepts from prior 7:7-4	July 6, 2015	July 6, 2015
7:7-26.2 Applications for all coastal general permit authorizations and applications for waterfront development and coastal wetlands individual permits—completeness review	New	July 6, 2015	July 6, 2015
7:7-26.3 CAFRA individual permit application—initial completeness review	New	July 6, 2015	July 6, 2015
7:7-26.4 CAFRA individual permit—public comment period	New	July 6, 2015	July 6, 2015
7:7-26.5 CAFRA individual permit—public hearing	New	July 6, 2015	July 6, 2015
7:7-26.6 Department decision on an application that is complete for review	New	July 6, 2015	July 6, 2015

7:7-26.7 Cancellation of an application	New	July 6, 2015	July 6, 2015
7:7-26.8 Withdrawal of an application	New	July 6, 2015	July 6, 2015
7:7-26.9 Re-submittal of an application after denial, cancellation, or withdrawal	New	July 6, 2015	July 6, 2015
7:7-26.10 Fee refund or credit when an application is returned, withdrawn, or cancelled	New	July 6, 2015	July 6, 2015
SUBCHAPTER 27. PERMIT CONDITIONS; MODIFICATION, TRANSFER, SUSPENSION, AND TERMINATION OF AUTHORIZATIONS AND PERMITS			
7:7-27 Permit conditions; modification, transfer, suspension, and termination of authorizations and permits	New; replaced 7:7-1.5	July 6, 2015	July 6, 2015
*7:7-27.1 Purpose and scope	New	July 6, 2015	July 6, 2015
7:7-27.2 Conditions that apply to all permits	New; refines and amends content from prior N.J.A.C. 7:7-1.5(b)	July 6, 2015	July 6, 2015
*7:7-27.3 Extension of an authorization under a general permit or waterfront development individual permit for activities waterward of the mean high water line	New	July 6, 2015	July 6, 2015
*7:7-27.4 Transfer of an emergency authorization, an authorization under a general permit, or an individual permit	New	July 6, 2015	July 6, 2015
*7:7-27.5 Modification of an authorization under a general permit or an individual permit	New	July 6, 2015	July 6, 2015
*7:7-27.6 Application for a modification	New; replaces prior 7:7-4.10(i)-(j) and 7.3A(d)-(e)	July 6, 2015	July 6, 2015

*7:7-27.7 Suspension of an authorization under a general permit, an individual permit, or an emergency authorization	New; replaces and incorporates content from prior 7:7-4.11(a)	July 6, 2015	July 6, 2015
*7:7-27.8 Termination of an authorization under a general permit, an individual permit, or an emergency authorization	New; replaces prior N.J.A.C. 7:7-4.11(b)	July 6, 2015	July 6, 2015
SUBCHAPTER 28. REQUESTS FOR ADJUDICATORY HEARINGS			
7:7-28 Requests for adjudicatory hearings	New; replaces prior N.J.A.C. 7:7-5	July 6, 2015	July 6, 2015
7:7-28.1 Procedure to request an adjudicatory hearing; decision on the request	New	July 6, 2015	July 6, 2015
7:7-28.2 Procedure to request dispute resolution	New	July 6, 2015	July 6, 2015
7:7-28.3 Effect of request for hearing on operation of permit or authorization	New	July 6, 2015	July 6, 2015
7:7-28.4 Notice of certain settlement discussions on a coastal permit decision; notice of settlement agreement	New	July 6, 2015	July 6, 2015
SUBCHAPTER 29. ENFORCEMENT			
7:7-29 Enforcement	7:7-8	July 6, 2015	July 6, 2015
7:7-29.1 General provisions	7:7-8.1	July 6, 2015	July 6, 2015
7:7-29.2 Issuance of an administrative order	7:7-8.2	July 6, 2015	July 6, 2015
7:7-29.3 Assessment, settlement, and payment of a civil administrative penalty	7:7-8.3	July 6, 2015	July 6, 2015
7:7-29.4 Procedures to request and conduct an adjudicatory hearing to contest an administrative order	7:7-8.4	July 6, 2015	July 6, 2015

and/or a notice of civil administrative penalty assessment			
7:7-29.5 Civil administrative penalties for failure to obtain a permit prior to conducting regulated activities	7:7-8.5	July 6, 2015	July 6, 2015
7:7-29.6 Civil administrative penalties for violations other than failure to obtain a permit prior to conducting regulated activities	7:7-8.6	July 6, 2015	July 6, 2015
7:7-29.7 Civil penalties	7:7-8.7	July 6, 2015	July 6, 2015
7:7-29.8 Civil actions	7:7-8.13	July 6, 2015	July 6, 2015
7:7-29.9 Criminal action	New	July 6, 2015	July 6, 2015
7:7-29.10 Grace period applicability; procedures	7:7-8.14	July 6, 2015	July 6, 2015
APPENDICES			
7:7-Appendix A. Illustration of the waterward side of development	7:7-Appendix A	July 6, 2015	July 6, 2015
7:7-Appendix B. Illustration of intervening development for proposed development other than a single-family home or duplex	7:7-Appendix B	July 6, 2015	July 6, 2015
7:7-Appendix C. Illustration of intervening development for proposed single-family home or duplex	7:7-Appendix C	July 6, 2015	July 6, 2015
7:7-Appendix D. Coastal wetlands maps	7:7-2.2(c) (New Appendix)	July 6, 2015	July 6, 2015
7:7-Appendix E. Illustration regarding the construction of a single noncommercial dock, pier, or boat mooring in shellfish habitat pursuant to N.J.A.C. 7:7-9.2(d)3ii	New	July 6, 2015	July 6, 2015
7:7, Appendix F. Illustration of Construction of a New Commercial Marina Pursuant to N.J.A.C. 7:7-9.2(d)5	New	July 6, 2015	July 6, 2015

7:7, Appendix G. The Management and Regulation of Dredging Activities and Dredged Material Disposal in New Jersey's Tidal Waters	New appendix that incorporates the contents of the dredging technical manual (same title)	July 6, 2015	July 6, 2015
7:7, Appendix H Boundaries of Non-Mainland Coastal Centers in the CAFRA Area	7:7E-Appendix 3	July 6, 2015	July 6, 2015
7:7, Appendix I CAFRA Centers	7:7E-Appendix 5	July 6, 2015	July 6, 2015
Repealed	7:7E-Appendix 1	July 6, 2015	July 6, 2015

Rules Repealed

Rule citation	Rule content
N.J.A.C. 7:7-1.1	Purpose and scope of Coastal Permit Program Rules
N.J.A.C. 7:7-1.2	Reserved (no content)
N.J.A.C. 7:7-1.7	Emergency permit authorization
N.J.A.C. 7:7-1.8	Procedure where more than one permit is required
N.J.A.C. 7:7-1.9	Permit fees
N.J.A.C. 7:7-3	Pre-application review
N.J.A.C. 7:7-4	Permit review procedures
N.J.A.C. 7:7-5	Requests for adjudicatory hearings
N.J.A.C. 7:7-6	Environmental impact statements and compliance statements
N.J.A.C. 7:7-7.3A	Requests for modification of a general permit
N.J.A.C. 7:7-8	Enforcement
N.J.A.C. 7:7-9	Reserved (no content)
N.J.A.C. 7:7E-1.3	Severability

N.J.A.C. 7:7E-1.7	Correspondence with Department
N.J.A.C. 7:7E-1.8	Definitions
N.J.A.C. 7:7E-3.29	Reserved (no content)
N.J.A.C. 7:7E-3.30	Reserved (no content)
N.J.A.C. 7:7E-3B	Information required in wetland and intertidal and subtidal shallows mitigation proposals
N.J.A.C. 7:7E-5A.1	Purpose and scope of section on impervious cover and vegetative cover percentages in the upland waterfront development area
N.J.A.C. 7:7E-7.3A	Marina Development
N.J.A.C. 7:7E-8.3	Reserved (no content)
N.J.A.C. 7:7E-8.9	Reserved (no content)
N.J.A.C. 7:7E-8.15 through 8.21	Reserved (no content)
N.J.A.C. 7:7E Appendix 1	Design standards and specifications- Appendix consisting of 15 figures depicting various special areas, waterbody types, and OCS oil and gas leasing areas
N.J.A.C. 7:7E Appendix 2	Reserved (no content)
N.J.A.C. 7:7E Appendix 4	Reserved (no content)