

## Section I. Introduction

The New Jersey Coastal Management Program (NJCMP) is requesting approval by the Office of Ocean and Coastal Resource Management (OCRM) to incorporate the following into the NJCMP: the New Jersey Meadowlands Commission Master Plan (*NJMC Master Plan*) adopted in 2004; portions of subchapters 2, 3, 4, 5, 7, 8 and 9 of the District zoning regulations, N.J.A.C. 19:4 as amended through January 20, 2009; the November 9, 2005 MOA between the NJDEP and NJMC; and regulatory amendments to the Coastal Zone Management (CZM) rules regarding Wetlands and Hackensack Meadowlands District that were adopted on April 7, 2008. A summary of these actions follow:

- The NJMC adopted the *NJMC Master Plan*, which sets forth revisions to its original master plan for the Hackensack Meadowlands District (District), on January 8, 2004. The *NJMC Master Plan* presents a cohesive set of planning principles and standards adopted by the New Jersey Meadowlands Commission to guide future development while protecting the resources of the District. The revised master plan became effective on February 17, 2004. The original master plan for the District, the *Hackensack Meadowlands Comprehensive Land Use Plan*, was adopted in October 1970 and incorporated into the NJCMP in its entirety in 1980. While the Department is seeking to incorporate the entire *NJMC Master Plan* into its approved program, only those sections of Chapter 10, Systems Plans, addressing natural and historic resources, transportation, housing, and community development are being incorporated as enforceable policies as they are most relevant to management of New Jersey's coastal resources;
- In conjunction with the adoption of the *NJMC Master Plan*, the NJMC adopted revisions to the District Zoning Regulations, N.J.A.C. 19:4, on January 8, 2004. These revisions became effective on February 17, 2004, the same date as the *NJMC Master Plan*. The District Zoning Regulations were readopted with amendments on January 20, 2009, which were effective on that date. The policies and principles of the *NJMC Master Plan* are effectuated through the District Zoning Regulations. Although the 1972 regulations were incorporated into the NJCMP in their entirety, much of the regulations are not relevant to the NJCMP today. Therefore, the Department is deleting the regulations in their entirety and is seeking approval to incorporate the elements of the revised regulations that are most relevant to managing New Jersey's coastal resources into New Jersey's approved program as enforceable policies;
- On April 7, 2008, the Department adopted regulatory amendments to its CZM rules, N.J.A.C. 7:7E relating to the District. These amendments were effective on April 7, 2008. Amendments to the Wetlands rule, N.J.A.C. 7:7E-3.27, specify the standards used to review proposed coastal activities and development located in wetlands within the District. Amendments to the Hackensack Meadowlands rule, N.J.A.C. 7:7E-3.45, clarify the application of the CZM rules in the review of coastal activities or developments within the District. Because the regulatory

amendments change existing enforceable policies of the NJCMP, the Department is seeking to include the Wetlands and Hackensack Meadowlands District rules as amended April 7, 2008 into New Jersey's approved program as enforceable policies; and

- On November 9, 2005, the Department and the NJMC entered into a Memorandum of Agreement (MOA) that identifies the roles and responsibilities for each agency in reviewing proposed coastal activities and developments within the District. The MOA became effective as of November 9, 2005. The MOA is also incorporated into the CZM special area rule for the District at N.J.A.C. 7:7E-3.45. The original NJCMP program document described the relationship between the Department and NJMC. The Department is seeking approval to replace the existing description of the relationship between these agencies (see New Jersey Coastal Management Program, Final Environmental Impact Statement, August 1980, page 283) with the MOA. Upon approval, the MOA will become an enforceable policy under the NJCMP.

The Department considers the above actions to constitute a "Routine Program Change" of the New Jersey Coastal Management Program. 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."

This submission has been prepared in response to OCRM's review of the NJCMP pursuant to Section 312 of the Coastal Zone Management Act, as amended. The January 2008 final 312 evaluation findings for the NJCMP included the following necessary action:

The New Jersey Department of Environmental Protection (DEP) and the New Jersey Meadowlands Commission (NJMC) must work with Office of Ocean and Coastal Resource Management (OCRM) to develop a strategy to address the gap in approved enforceable policies in the Meadowlands District portion of the Coastal Program, and submit the strategy to OCRM within six months of receiving this findings document. Within a year of submitting the strategy, DEP must submit a draft of the proposed program changes to OCRM.

This submission was prepared in accordance with the requirements for Routine Program Changes as set forth in 15 C.F.R. §923.84 and the guidelines for Routine Program Changes contained in OCRM's Program Change Guidance (1997).