



State of New Jersey
Department of Environmental Protection
Division of Land Use Regulation
PO Box 439
Trenton, NJ 08625-0439
Fax# (609)-777-0456
www.nj.gov/dep/highlands



APPLICATION QUESTIONNAIRE (3/13/2007)

This questionnaire will assist you in determining which application to file for projects located within the Highlands Preservation Area. Completing this form is voluntary.

Please answer the following questions before applying for an application for a project located within the Highlands Preservation Area. To determine whether your project site is located within the Highlands Preservation Area, please use the Department's interactive mapping application (iMap) at www.nj.gov/dep/highlands.

1. Is the proposed project located within the Highlands Preservation Area?
 - a. If YES, go to 2 below.
 - b. If NO, visit the Department's webpage (www.nj.gov/dep) for program specific application information about other regulatory programs (not Highlands) that may affect your application.
2. Are you proposing that your site be designated as a Highlands Brownfield site in order to apply for a redevelopment waiver?
 - a. If YES, use the **Highlands Brownfield Designation Checklist and Application** forms found at www.nj.gov/dep/highlands
 - b. If NO, go to 3 below.
3. Do you have questions about whether or not your project is exempt from the Highlands Act?
 - a. If YES, apply to the Division of Watershed Management for a **Highlands Applicability and Water Quality Management Plan Consistency Determination** to determine whether you are regulated pursuant to the Highlands Water Protection and Planning Act rules (N.J.A.C. 7:38) by using the forms for this application which are found at www.nj.gov/dep/highlands
 - b. If NO, got to 4 below.
4. Do you only want to know about the environmental constraints (Highlands Resource Areas) on a property, because you are not proposing any development activities at this time?

- a. If YES, use the Highlands Resource Area Determination forms at www.nj.gov/dep/highlands
 - b. if NO, go to 4 below.
5. Have you already obtained a Highlands Applicability and Water Quality Management Plan Consistency Determination (Highlands Applicability determination)?
 - a. If YES, go to 6 below.
 - b. If NO, go to 5 below.
6. If you have not obtained a Highlands applicability determination, you have the following two choices. You may either:
 - a. Apply to the Division of Watershed Management for a **Highlands Applicability and Water Quality Management Plan Consistency Determination** to determine whether you are regulated pursuant to the Highlands Water Protection and Planning Act rules (N.J.A.C. 7:38) by using the forms for this application which are found at www.nj.gov/dep/highlands; or
 - b. Sign the statement in the Highlands Preservation approval application checklist that stipulates that you know your project is regulated pursuant to the Highlands Water Protection and Planning Act rules (N.J.A.C. 7:38) The application checklist is available at www.nj.gov/dep/highlands.
7. What was the Department's finding in the Highlands Applicability Determination:
 - a. If the project was found to be **exempt** from or **not regulated** by the Highlands regulations and **consistent** with the Water Quality Management Plan (WQMP), then visit the Department's webpage (www.nj.gov/dep) for program specific application information about other regulatory programs (not Highlands) that may affect your application.
 - b. If the project was found to be **exempt** from or **not regulated** by the Highlands regulations and **inconsistent** with the Water Quality Management Plan (WQMP), then complete the WQMP Amendment and Revision Pre-Application Form at www.nj.gov/dep/watershedmgt.
 - c. If the project was found to be **not exempt** from or **regulated** by the Highlands regulations and **consistent** with the Water Quality Management Plan (WQMP), then go to 7 below.
 - d. If the project was found to be **not exempt** from or **regulated** by the Highlands regulations and **inconsistent** with the Water Quality Management Plan (WQMP), then use the **Highlands Pre-Application Checklist** at www.nj.gov/dep/highlands.

8. Please check all that apply. The proposed project involves the following components:

- Freshwater wetlands and state open waters as defined in N.J.A.C. 7:7A (e Freshwater Wetlands Protection Act regulations);
- The Endangered and Nongame Species Conservation Act, (N.J.S.A.23:2A-1 et seq.);
- A flood hazard area as described at N.J.A.C. 7:13, (The Flood Hazard Area Control Act regulations)

Division of Water Supply

- The Water Supply Management Act, (N.J.S.A. 58:1A-1 et seq.);
- The Safe Drinking Water Act, (N.J.S.A. 58:12A-1 et seq.);

Water Quality Program

- The Water Pollution Control Act, (N.J.S.A. 58:10A-1 et seq.);
- The Realty Improvement Sewerage and Facilities Act (1954), (N.J.S.A. 58:11-23 et seq.); and

Division of Watershed Management

- The Water Quality Planning Act, (N.J.S.A. 58:11A-1 et seq.).
- a. If only ONE of the regulatory programs listed above is checked, then go to 8 below.
- b. If MORE THAN ONE of the regulatory programs listed above is checked, then use the **Highlands Pre-Application Checklist** at www.nj.gov/dep/highlands.

9. According to the list of programs I checked above, the project involves only :

- a. The Water Quality Program, NJPDES, then use the **Highlands Pre-Application Checklist** at www.nj.gov/dep/highlands.
- b. The Division of Water Supply, then use the **Highlands Pre-Application Checklist** at www.nj.gov/dep/highlands.
- c. The Division of Watershed Management, then use the **Highlands Pre-Application Checklist** at www.nj.gov/dep/highlands.
- d. The Land Use Regulation Program, then use **Highlands Preservation Area Approval Checklist** at www.nj.gov/dep/highlands.

