



State of New Jersey
Department of Environmental Protection
Division of Land Use Regulation
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HIGHLANDS PRESERVATION AREA GENERAL PERMIT AUTHORIZATION

APPLICATION CHECKLIST AND FEE TABLE

(updated 3/12/07)

This checklist is to be used for both general permits.

To complete this checklist, you will need the following attachments:

Attachment A: Form letter for providing certified mail notice of an application

Attachment B: Form for providing newspaper notice of an application

Attachment C: List of municipalities with swamp pink plants

Attachment D: List of municipalities with bog turtles

NOTE: Please provide only **one copy** of each item listed below, unless the item specifically states that more copies should be provided.

NOTE: The person who signs the LURP-2 form as the applicant must be the owner of the site, or a person with sufficient legal authority over the site to carry out all requirements of any authorization issued. Others may assist the applicant in preparing the application, and may be identified in the application as the applicant's agent. For example, the applicant may be a person who is under contract to buy the site. However, the applicant may not be a consultant, engineer, attorney, or other person who has assisted in preparing the application but who does not have legal authority to carry out the project applied for. This person should be identified in the application as the agent.

APPLICATION REQUIREMENTS:

To be deemed administratively complete, an application for a general permit authorization must include all of the following items:

- 1. A LURP-1 application form, completed in accordance with the directions on the form;
- 2. The appropriate fee, indicated in the fee table below, paid as follows:
 - The fee shall be paid by personal check, certified check, attorney check, government purchase order, or money order;
 - For all projects, the fee shall be made payable to “**Treasurer, State of New Jersey;**”
 - Each check, purchase order, or money order must be marked with the name of the applicant;
 - Each check, purchase order, or money order must indicate the general permit for which the application is submitted (for example, "general permit 1");
- 3. Proof that the public notice requirements at A and B below have been met. (Note: To prove that an item has been sent to a person, submit either the white postal receipt you receive when you send the item by certified mail, or the green certified mail return receipt card.) All of the following must be submitted:
 - ___ A. Proof that the municipal clerk has been sent a copy of the entire application that was submitted to NJDEP;
 - ___ B. Proof that the Highlands Council has been sent a copy of the entire application that was submitted to NJDEP;
 - ___ C. Proof that a completed copy of the notice letter found in Attachment A has been sent to each of the following:
 - ___ i. The municipal environmental commission (if one exists);
 - ___ ii. The municipal planning board;
 - ___ iii. The municipal construction official;
 - ___ iv. The county planning board;
 - ___ v. The county mosquito control agency (if proposing encroachment in a Highlands open water);
 - ___ vi. The county environmental commission (if one exists);
 - ___ vii. One of the following sets of neighboring landowners (applicant choose one option):
 - Option 1: All owners of land within 200 feet of the boundary of the site (see N.J.A.C. 7:7A-1.4 for a definition of "site").
 - If this option is selected, the application must also include a certified list, less than 90-days old of landowners within 200 feet of the site, obtained from the municipality;

Option 2: If the project is a linear development, as defined at N.J.A.C. 7:38-1.4, that is more than one half mile long, proof that both of the following have been done:

- A copy of the notice in Attachment A has been sent to all owners of land within 200 feet of any proposed above ground structure (not including conveyance lines suspended about the ground or small utility support structures such as telephone poles) such as an access road, power substation, grade separated interchange or similar structure; and
- A display advertisement has been published in the newspaper of record for the municipality in which the site is located and in a newspaper with regional circulation in the region in which the site is located. The advertisement shall be at least four column inches in size; and
 - To prove that this advertisement has been placed, the application must include a copy of the advertisement, or a copy of an affidavit from the newspaper, stating that the advertisement was published;

Note: If a project site is located in more than one municipality or county, the notice requirements in item 3 above must be met for each municipality and/or county in which the site is located.

D. For proposed activities in a Highlands open water that is also a **flood hazard area**, as defined at N.J.A.C. 7:38-3.7(a), notification shall also be provided to:

- _____ i. The Municipal engineer;
- _____ ii. The County engineer;
- _____ iii. The local County Soil Conservation District; and
- _____ iv. The municipal clerk, planning board, and construction official for the municipality on the other side of the watercourse from the site and within one mile downstream of both sides of the waterway.

E. For proposed activities in a Highlands open water that is also a **freshwater wetland**, as defined at N.J.A.C. 7:7A, the following additional notification shall be provided:

- A display advertisement has been published in the newspaper of record for the municipality in which the site is located and in a newspaper with regional circulation in the region in which the site is located. The advertisement shall be at least four column inches in size; and
 - To prove that this advertisement has been placed, the application must include a copy of the advertisement, or a copy of an affidavit from the newspaper, stating that the advertisement was published;

4. A copy of an Applicability Determination issued by the Department or the stipulation required at N.J.A.C. 7:38-2.4(a);

5. State Plane coordinates for a point at the approximate center of the site. The accuracy of the State plane coordinate shall be within 50 feet of the actual center point of the site. Please use nad 1983. For assistance in determining the State plane coordinates for a site, contact the Department's Geographic Information (GIS) Office at (609) 777-0672.

Note: For a linear development, the State plane coordinates shall include the coordinates for the end point of the development and the coordinates for points located at 1,000 foot intervals along the entire length of the development.

6. Two copies of an up to date county road map or local street map, with the site clearly indicated;

7. One copy of the municipal tax map(s) delineating the project or activity site by lot(s) and block(s);

8. Two sets of original color photographs, mounted on 8½ by 11 inch paper, showing the portion of the site that will be disturbed by the proposed general permit activities. A minimum of 10 photographs is required;

9. Information regarding the location of Highlands Resource Areas on the site:
- An Highlands Resource Area Determination (HRAD), if one has been issued for the site; or
 - In no HRAD has been issues and the site is larger than one acre, all the information required for a boundary verification HRAD in accordance with the requirements at N.J.A.C. 7:38-9.5(a)5.

- ___ A. This delineation shall be drawn onto the site plan required in item 11 below. A formal delineation report is not required. However, the application must include the data sheets used by the delineator to record the information on soils and vegetation which formed the basis for the delineation;

10. Six folded copies of a survey or site plan, signed and sealed by a licensed surveyor, showing the entire site and indicating the following:

- ___ A. The purpose and intended use of the proposed project;

- ___ B. A description of the regulated activities necessary to complete and operate or occupy the proposed project;

- ___ C. A description of any structures to be erected, and how they will be used;

- ___ D. A schedule for the progress and completion of the proposed project;

- ___ E. The total area of Highlands open waters and Highlands open waters buffers proposed to be disturbed (if any);
- ___ F. The total area of upland forest area on the site and the total area of upland forest area that will be disturbed or destroyed as a result of the proposed activities;
- ___ G. The amount of pre-development impervious surface on the site and the total aggregate amount of impervious surface on the site following completion of the proposed activities;
- ___ H. A description of slopes between 10 and 20 percent and 20 percent or greater present on the site and all proposed activities that will disturb these slopes;
- ___ I. An evaluation of whether and how rare, threatened or endangered animal or plant species or ecological communities will be affected by the proposed activities;
- ___ J. An architectural or Phase I archaeological survey for applicants proposing work that will impact historic structures in accordance with N.J.A.C. 7:38-3.10(c) or archaeological resources in accordance with N.J.A.C. 7:38-3.10(d);
- ___ K. A Phase II archaeological survey for applicants that discover archaeological features resources as a result of the Phase I archaeological survey as described at N.J.A.C. 7:38-3.10(e); and
- ___ L. The name, address and professional qualifications of the used to prepare the detailed project description or any other portion of the application; and

11. A copy of all past Department approvals for activities on the site;

12. A compliance statement that includes all of the following:

- ___ A. A description of the project and all proposed activities;
- ___ B. A list of all of the limits and requirements in the general permit which apply to the proposed activities. The general permits are listed in the Highlands Water Protection and Planning Act rules at N.J.A.C. 7:38-14.1 through 14.2;
- ___ C. A list of all of the limits and requirements in the Highlands Water Protection and Planning Act rules at N.J.A.C. 7:38-3 (Preservation area standards) and N.J.A.C. 7:38-6 (Highlands preservation area approval) that apply to the proposed activities; and
- ___ D. An explanation of how the proposed activities comply with each limit or requirement listed under items B and C above;

13. If the site is located in a municipality with the endangered plant known as swamp pink (*Helonias Bullata*) (these municipalities are listed in Attachment C), the application must also include a signed statement from the applicant, certifying that the proposed activities

will not result in any direct or indirect adverse impacts to swamp pink or its documented habitat;

- 14. If the site is located in a municipality with the endangered bog turtle (these municipalities are listed in Attachment D), the application must also include a signed statement from the applicant, certifying that the proposed activities will not result in any direct or indirect adverse impacts to bog turtles or to their documented habitat;

- 15. If the site is located in an area designated a Wild and Scenic River, or under study for such designation, the application must also include a letter from the National Park Service approving the proposed activities.
 - As of August 1, 2001, the water bodies containing designated wild and scenic river areas in the Highlands are:
 - The Musconetcong River and tributaries; and
 - Portions of the Delaware River.
 - Contact the Department at the above address for more detailed information on wild and scenic rivers.

For more information on application requirements, see the Highlands Water Protection and Planning Act rules at N.J.A.C. 7:38.

APPLICATION FEES FOR A GENERAL PERMIT AUTHORIZATION

Type of general permit	Application Fee
Any general permit authorization, except: <ul style="list-style-type: none"> - General permit 16 (wildlife management); - General permit 25 (septic repair); or - General permit 17 on public land. 	\$500.00
Authorization under general permit 16 or 25, or general permit 17 on public land	No charge
Multiple general permit authorizations for one site	\$500.00 plus \$200.00 for each additional general permit
General permit authorization extension	\$200.00
Combined general permit 2 authorization and flood hazard area permit	\$975.00
General permit 10A, 11, or 20 authorization combined with a major flood hazard area permit (as defined at N.J.A.C. 7:13)	\$4,375.00
General permit 10A, 11 or 20 combined with a minor flood hazard area permit (as defined at N.J.A.C. 7:13)	\$975.00

For more information on application fees, see the Freshwater Wetlands Protection Act rules at N.J.A.C. 7:7A-11.