



# State of New Jersey

## Department of Environmental Protection



Revised: October, 2015

Website: [www.nj.gov/dep/landuse](http://www.nj.gov/dep/landuse)

### APPLICATION FOR A MINOR OR MAJOR TECHNICAL MODIFICATION OF AN EXISTING COASTAL GENERAL PERMIT OR COASTAL INDIVIDUAL PERMIT

CALL NJDEP AT (609) 777-0454 IF YOU HAVE ANY QUESTIONS

A minor technical modification of an authorization under a general permit or an individual permit applies to a change in the design or layout of a project, including any associated change to an approved site plan or other document, which does not result in new or additional impacts to any special area other than a special urban area, the Hudson River waterfront area, or Atlantic City. A minor technical modification may include: a change in materials or construction techniques, a reduction in the intensity of development on the site, or for a dredging or dredged material management project may include a change in the method of dredging or a change in the processing facility or the disposal or beneficial use location for dredged material. (See N.J.A.C. 7:7-27.5(d))

A major technical modification of an authorization under a general permit or an individual permit applies to any change in a project authorized, including any associated change to an approved site plan or other document, which does not qualify for an administrative or minor technical modification and that does not require a new permit. (See N.J.A.C. 7:7-27.5(e))

To apply for a minor or a major technical modification of an existing general or individual permit, complete this checklist. Section I applies to all technical modifications. In addition to Section I, applications for a MAJOR technical modification must include the items listed in Section II (1a. thru 4a.) of this checklist. Please send the material required below to the following address.

**Postal Mailing Address**

NJ Department of Environmental Protection  
Division of Land Use Regulation  
P.O. Box 420, Code 501-02A  
Trenton, New Jersey 08625-0420  
**Attn: Application Support**

**Street Address (Courier, Overnight & Hand Carry Only)**

NJ Department of Environmental Protection  
Division of Land Use Regulation  
501 East State Street  
Station Plaza 5, 2<sup>nd</sup> Floor  
Trenton, New Jersey, 08609  
**Attn: Application Support**

**SECTION I: REQUIREMENTS APPLICABLE TO BOTH MINOR AND MAJOR TECHNICAL MODIFICATIONS.**

1. A completed application form;
2. The application fee in the form of a check (personal, bank, certified, or attorney), money order, or government purchase order made payable to "Treasurer State of New Jersey."
3. A description of the scope and purpose of the proposed change to the project authorized under the general permit authorization or individual permit;

4. The site plans approved as part of the general permit authorization or individual permit with revisions illustrating the proposed change in the project;
5. A copy of the general permit authorization or individual permit for which the modification is requested;
6. Other visual representations, such as photographs, graphs, and tables that illustrate the proposed change to the project, as applicable
7. A revised environmental impact statement if the proposed modification is of an individual permit or a revised compliance statement if the proposed modification is of a general permit authorization. The revised environmental impact statement or compliance statement must address the aspects of the project that are proposed to be changed and demonstrate that the project for which the modification is requested continues to comply with all requirements of the Coastal Zone Management rules; and
8. Any information necessary to ensure compliance with State and/or Federal law;

**SECTION II: ADDITIONAL REQUIREMENTS APPLICABLE TO MAJOR TECHNICAL MODIFICATIONS ONLY.**

1a. Calculations, analyses, data, and supporting materials necessary to demonstrate that the project as proposed to be changed meets the requirements of the Coastal Zone Management rules, and the requirements of the Department's Stormwater Management rules at N.J.A.C. 7:8, if applicable.

2a. Documentation that notice of the application has been provided to the entities listed at (A) through (G) below. Documentation shall consist of copies of the certified United States Postal Service white mailing receipts or other written receipts; a copy of the notice letter provided to the entities listed at (A) through (G) below, and a certified list of all owners of real property, including easements, located within 200 feet of the property boundary of the site (including name, mailing address, lot, and block) prepared by the municipality for each municipality in which the project is located. The date of certification of the list shall be no earlier than one year prior to the date the application is submitted to the Department.

Notice of the application shall be provided no more than 30 calendar days prior to submittal of the application and no later than the date the application is submitted to the Department. The notice shall consist of a brief description of the proposed project and a site plan showing the location and boundaries of the project site and depicting the proposed development in relationship to existing site conditions. The site plan may be shown on an 8 1/2 inch by 11 inch sheet of paper provided the scale is legible and the location of the project in relation to the property boundary is clearly shown.

- A. Construction official of each municipality in which the site is located;
- B. Environmental commission, or other government agency with similar responsibilities, of each municipality in which the site is located;
- C. Planning board of each municipality in which the site is located;
- D. Planning board of each county in which the site is located;
- E. Local Soil Conservation District if the project will disturb 5,000 square feet or more of land; and

- F. All owners of real property, including easements, located within 200 feet of the property boundary of the site. Public notice must be provided in the manner set forth in the Municipal Land Use Law at N.J.S.A. 40:55D-12b, unless the proposed development is: a linear project of one-half mile or longer; a shore protection development including beach nourishment, beach and dune maintenance, or dune creation of one-half mile or longer; a public development on a site of 50 acres or more; or an industrial or commercial development on a site of 100 acres or more. See item G below for the notice requirements for these types of developments.

NOTE: If the site lies within the 12-mile circle or within 200 feet of the 12-mile circle, notice shall also be provided to the State of Delaware at the following address: State of Delaware, Department of Natural Resources & Environmental Control, Delaware Coastal Management Program, 89 Kings Highway, Dover DE 19901. The 12-mile circle is a circle, the radius of which is 12 miles, and the center of which is the building used prior to 1881 as the courthouse at New Castle, Delaware, the arcs of which are as set forth in the decree of the United States Supreme Court in *New Jersey v. Delaware*, 295 U.S. 694 (1935).

The notice letter shall read as follows:

*“This letter is to provide you with legal notification that an application for a minor/major technical modification of an existing general permit authorization/individual permit (choose appropriate type of modification and permit to be modified) permit application will be submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the development shown on the enclosed plan. A brief description of the proposed development follows: <<INSERT DESCRIPTION OF THE PROPOSED PROJECT>>*

*The complete permit application package can be reviewed at either the municipal clerk’s office or by appointment at the Department’s Trenton Office. The Department of Environmental Protection welcomes comments and any information that you may provide concerning the proposed development and site. Please submit your written comments within 15 calendar days of the date of this letter to:*

*New Jersey Department of Environmental Protection  
Division of Land Use Regulation  
P.O. Box 420 , Code 501-02A  
Trenton, New Jersey 08625  
Attn: (Municipality in which the property is located) Bureau Chief”*

- G. For a linear project of one-half mile or longer; a shore protection development including beach nourishment, beach and dune maintenance, or dune creation of one-half mile or longer; a public development on a site of 50 acres or more; or an industrial or commercial development on a site of 100 acres or more, documentation that notice of the application was published in the newspaper and provided in the manner set forth in the Municipal Land Use Law at N.J.S.A. 40:55D-12.b, to owners of real property, including easements, within 200 feet of any proposed above ground structure that is part of the proposed development such as a pumping station, treatment plant, groin, bulkhead, revetment or gabion, or dune walkover structure.

Newspaper notice: The newspaper notice must be published in a newspaper of general circulation in the municipality in which the site is located or in a newspaper of general circulation - if there is no official newspaper. The notice may be either a legal notice or display advertisement; and read as follows:

*“Take Notice that an application for a minor/major technical modification of an existing general permit authorization/individual permit (choose appropriate type of modification and permit to be modified) has been submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the development described below:*

APPLICANT:

PROJECT NAME:

PROJECT DESCRIPTION:

PROJECT STREET ADDRESS:

BLOCK: LOT:

MUNICIPALITY: COUNTY:

*A complete copy of the application package is available to be reviewed at either the municipal clerk's office or by appointment at the Department's Trenton Office. The Department of Environmental Protection welcomes comments and any information that you may provide concerning the proposed development and site. Please submit your written comments within 15 calendar days of the date of this notice to:*

*New Jersey Department of Environmental Protection*

*Division of Land Use Regulation*

*P.O. Box 420, Code 501-02A*

*501 East State Street*

*Trenton, New Jersey 08625*

*Attn: (Municipality in which the property is located) Bureau Chief."*

Documentation of notice requirements:

- Documentation that this notice has been published shall consist of a copy of the notice published in the newspaper and the date and newspaper in which the notice was published.
- Documentation that this notice has been provided, to all individual notice to owners of real property including easements within 200 feet of any proposed above ground structure, shall consist of copies of the certified United States Postal Service white mailing receipts or other written receipts; a copy of the notice provided to owners of real property, including easements, within 200 feet of any proposed above ground structure that is part of the development, and a certified list of these property owners (including name, mailing address, lot, and block) prepared by the municipality for each municipality in which the project is located. The date of certification of the list shall be no earlier than one year prior to the date the application is submitted to the Department.

The notice to owners of real property, including easements, within 200 feet of any proposed above ground structure, listed under G, shall consist of a brief description of the proposed project and a site plan showing the location and boundaries of the project site and depicting the proposed development in relationship to existing site conditions. The site plan may be shown on an 8 1/2 inch by 11 inch sheet of paper provided the scale is legible and the location of the project in relation to the property boundary is clearly shown. The notice letter is the same as the letter set forth in F above.

- H. For a project in the Pinelands Preservation Area, the Pinelands Protection Area, or the Pinelands National Reserve, documentation shall be submitted showing that a copy of the entire application has been provided to the New Jersey Pinelands Commission.

3a. An application for a major modification of a permit for the installation of a submarine cable in the ocean or sand mining in the ocean must, in addition to the documentation required at 2a. above, include documentation that a completed copy of the application form and a copy of the NOAA nautical chart showing the proposed cable route or limits of the proposed sand mining area has been provided to the organizations listed at (a) through (f) below. Documentation shall consist of copies of the certified United States Postal Service white mailing receipts or other written receipts and a copy of the NOAA nautical chart.

- (a) Garden State Seafood Association;
- (b) National Fisheries Institute;
- (c) North Atlantic Clam Association;
- (d) Rutgers Cooperative Extension;
- (e) New Jersey Shellfisheries Council; and
- (f) New Jersey Marine Fisheries Council.

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4a. An application for development in an area under the jurisdiction of the Pinelands Commission shall also include a Certificate of Filing, a Notice of Filing, a Certificate of Completeness, or a resolution approving an application for public development, issued by the Pinelands Commission.