State of New Jersey
Department of Environmental Protection

Revised: October 2016 **Website: www.nj.gov/dep/landuse**

FLOOD HAZARD AREA APPLICATION CHECKLIST
General Permit-by-certification 6—Construction of one single-family home or duplex in a tidal flood hazard area

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

To apply for an authorization under general permit-by-certification 6, please visit the Department's online permitting system at www.nj.gov/dep/online.

Please prepare the following information prior to beginning the general permit-by-certification 6 online application (DO NOT submit paper copies of this information to the Department):

1. The number and subject matter of the general permit-by-certification under which the application will be made.

2. The name of or other identifier for the proposed project.

3. The location of the proposed activity or project, including address, city, state, zip code, municipality, State plane coordinates, lot, and block. The full length of the project and access should be depicted on a sketch or drawing.

4. Information specific to the proposed project (see section below and N.J.A.C. 7:13-8.6).

5. Contact information for both the applicant and the property owner, including: name, address, telephone number, e-mail address, municipality, county, organization, and organization type.

6. Documentation that notice of the application has been provided in accordance with N.J.A.C. 7:13-19, as follows:

Notice to governmental entities and property owners (N.J.A.C. 7:13-19.3(a) and (b))

i. Documentation of public notice shall consist of:

A. A copy of the certified United States Postal Service white mailing receipt for each public notice that was mailed, or other written receipt; and

B. 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.

ii. The notice letter required under N.J.A.C. 7:13-19.3(d)1iii shall read as follows:

"This letter is to provide you with legal notification that an application for an authorization under flood hazard area general permit-by-certification 6 will be submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the work shown on the enclosed plan(s). A brief description of the proposed work follows: <<INSERT DESCRIPTION OF THE PROPOSED PROJECT>>

The complete permit application package can be reviewed at the municipal clerk's office. 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) Supervisor"

Newspaper Notice (N.J.A.C. 7:13-19.3(c))

i. Documentation of newspaper notice shall consist of:

A. A copy of the published newspaper notice; and

B. The date and name of the newspaper in which notice was published.

ii. The newspaper notice may be either a legal notice or display advertisement and must read as follows:

"Take Notice that an application for an authorization under flood hazard general permit-by-certification 6 <<has been/ will be>> submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the work described below:

APPLICANT:
PROJECT NAME:
PROJECT DESCRIPTION:
PROJECT STREET ADDRESS:
BLOCK: LOT:
MUNICIPALITY: COUNTY:

The complete permit application package can be reviewed at the municipal clerk's office. 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) Supervisor"

Notice for projects located in the Pinelands Area

i. For a project in the Pinelands Area as designated by Section 10(a) of the Pinelands Protection Act, N.J.S.A. 13:18-1 et seq., documentation showing that a copy of the completed application form has been provided to the New Jersey Pinelands Commission.

7. Certification that the applicant has obtained written consent from the property owner that the application can be made on the property owner's behalf. This certification is required regardless of whether the applicant and property owner are the same person. The Land Use Application form can be used to obtain the necessary signatures. The form is available at http://www.nj.gov/dep/landuse/forms.html

8. The PIN that was issued to the applicant upon registering with the Department's online permitting system.

9. The application fee for a general permit-by-certification set forth at N.J.A.C. 7:13-20.1.

10. An engineering certification, prepared in accordance with N.J.A.C. 7:13-8.6(a)1, confirming that no fill or structures will be placed within a floodway, the contents of which are set forth in the definition of "engineering certification" at N.J.A.C. 7:13-1.2.

11. An engineering certification, prepared in accordance with N.J.A.C. 7:13-8.6(a)4, confirming that the lowest floor of the single-family home or duplex will be constructed at least one foot above the flood

hazard area design flood elevation, the contents of which are set forth in the definition of "engineering certification" at N.J.A.C. 7:13-1.2.

12. Where the project, in combination with all proposed activities, constitutes a major development, as defined at N.J.A.C. 7:8-1, an engineering certification, prepared in accordance with N.J.A.C. 7:13-8.6(a)8, confirming that all applicable requirements of the Stormwater Management rules, N.J.A.C. 7:8, are met, the contents of which are set forth in the definition of "engineering certification" at N.J.A.C. 7:13-1.2.

To obtain an authorization under general permit-by-certification 6 for the construction of one single-family home or duplex in a tidal flood hazard area, it will be necessary to certify to the following concerning the proposed activity:

1. The site identified in the application is the actual location of the project site;

2. Public notice of the application has been provided in accordance with N.J.A.C. 7:13-19;

3. Written consent from the property owner that the application can be made on the property owner's behalf has been obtained by the applicant. This certification is required regardless of whether the applicant and property owner are the same person;

4. The project consists of the construction of one single-family home or duplex in a tidal flood hazard area;

5. An engineering certification confirming that no fill or structures are being placed within a floodway has been obtained;

6. The single-family home or duplex is not being constructed as part of a residential subdivision or multi-unit development;

7. The lot on which the single-family home or duplex is being constructed was not created or subdivided after November 5, 2007;

8. An engineering certification confirming that the lowest floor of the building is being reconstructed or elevated to at least one foot above the flood hazard area design flood elevation has been obtained;

9. Any enclosure below the lowest floor will not be used for habitation, will remain open to floodwaters, and will be constructed in accordance with N.J.A.C. 7:13-12.5(p);

10. No disturbance will be located within 25 feet of any top of bank unless the project lies adjacent to a lawfully existing bulkhead, retaining wall, or revetment along a tidal water or impounded fluvial water;

11. No more than 7,000 square feet of riparian vegetation will be cleared, cut, and/or removed;

12. Where the project, in combination with all proposed activities, constitutes a major development, as defined at N.J.A.C. 7:8-1.2, an engineering certification confirming that all applicable requirements of the Stormwater Management rules, N.J.A.C. 7:8, are met has been obtained;

13. Any new, enlarged, or elevated structure within a flood hazard area will be secured to resist flotation, collapse, and displacement due to hydrostatic and hydrodynamic forces from floodwaters;

14. All riparian zone vegetation that is cleared, cut, and/or removed to conduct authorized activities, access an area where authorized activities will be conducted, or otherwise accommodate an authorized activity will be replanted immediately after completion of the project, unless prevented by seasonal weather, in which case the vegetation shall be replanted as soon as conditions permit. Portions of the riparian zone occupied by an authorized structure need not be replanted; and

15. All riparian zone vegetation to be replanted shall meet i and ii below, except as provided in iii:

i. Consist of vegetation of equal or greater ecological function and value as the vegetation that was cleared, cut, or removed. For example, herbaceous vegetation may be replaced with the same type of vegetation or with trees, but the trees in forested areas must be replaced with trees of equal or greater density and ecological function and value;
ii. Consist of native, non-invasive vegetation, except in an actively disturbed area. In an actively disturbed area, the vegetation may be replaced with the same type of vegetation that was cleared, cut, or removed, or with another kind of vegetation typical of an actively disturbed area. For example, lawn grass may be replaced with garden plants or agricultural crops; and
iii. Where replanting in accordance with 1 and 2 above would interfere with continued access to or maintenance of a structure that is required by Federal, State, or local law, the vegetation replanted shall meet the requirements of 1 and 2 above to the extent feasible.

Once the online application process is successfully completed, the authorization will be accessible through the Department's online permitting system at www.nj.gov.dep/online. Please DO NOT submit paper copies of the certification to the Department.