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## FRESHWATER WETLANDS GENERAL PERMIT AUTHORIZATION

### APPLICATION CHECKLIST AND FEE TABLE

(Updated February 2015)

*This checklist is to be used for all freshwater wetland general permits except General Permit 25 (repair or alteration of malfunctioning individual subsurface sewage disposal systems).*

*See special application checklist for general permit 25.*

**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

**DLUR Form:** Application form

**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 DLUR application form as the applicant must be the owner of the site, or a person with legal authority over the site to carry out all requirements of any authorization issued. Others may assist the applicant in preparing the application, however only one person may be identified in the application as the applicant's agent. The agent may be a consultant, engineer, attorney, or other person who has assisted or prepared the application. The agent is the person to which all correspondence will be sent and the person that has authority to make decisions with regard to the application.

**NOTE:** Most general permits now include authorization for transition area disturbance. If a project qualifies for the general permit, no separate transition area waiver is necessary.

**APPLICATION REQUIREMENTS:**

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

- 1. A DLUR 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 except those in the Pinelands, the fee shall be made payable to **“Treasurer, State of New Jersey”**;
  - For projects in the Pinelands, the fee shall be made payable to "NJDEP-Pinelands Wetlands Program."
  - 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 5");
  - If more than one permit is requested a fee break down should be included on a separate page.
  
- 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 stamped white postal receipt you receive when you send the item by certified mail, or the signed 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 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; and
    - \_\_\_ v. 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 of landowners within 200 feet of the site, obtained from the municipality;

Option 2 All owners of land within 200 feet of the disturbance.

- If this option is chosen, the application must also include a tax map with the location of the proposed disturbance outlined, and with an area extending 200 feet on all sides of the proposed disturbance outlined; or

Option 3 If the project is a linear development, trail, or boardwalk; and the project 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 telephone poles, power lines or similar structures), such as an access road, treatment plant, power substation, or similar structure.
- 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.

4. A copy of a USGS quad map, with: the site clearly outlined (USGS quad maps can be obtained from the Department's Office of Maps and Publications – (609) 777-1038); and 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.

5. An up to date county road map or local street map, with the site clearly indicated;
6. At least four 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;

- 7. A compliance statement that includes all of the following:
  - A. A description of the project and all proposed regulated activities;
  - B. The total area, in acres, of wetlands and State open waters on the site before the regulated activity is performed, and the total area, in acres, of wetlands and State open waters, on the site that will remain after the regulated activity is performed;
  - C. 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 freshwater wetlands rules at N.J.A.C. 7:7A-5.1 through 5.27;
  - D. A list of all of the limits and requirements in the freshwater wetlands rules at N.J.A.C. 7:7A-4.3 (Conditions that apply to all general permits) that apply to the proposed activities; and
  - E. An explanation of how the proposed activities comply with each limit or requirement listed under items C and D above;
  - F. If a site is known or suspected to be contaminated with toxic substances, and if the Department requests it, a laboratory analysis of representative samples of the soil or sediment on the site;
  - G. Documentation regarding when the lot that is the subject of the general permit was created by subdivision;
  - H. A history of the ownership of the property beginning June 30, 1988 to present; and
  - I. A listing of contiguous lots that were in common ownership with the lot on which the activities are proposed and the ownership history of each lot beginning June 30, 1988 to present;
  - J. For General Permit 11 please submit stormwater calculations.
  
- 8. The following information on the location of wetlands on the site:
  - A. A letter of interpretation (LOI) if one has been issued for the site under N.J.A.C. 7:7A-3;
  - B. If no LOI has been issued, or if only a presence/absence LOI has been issued, include all information required for an application for a line delineation LOI or line verification LOI, covering the portion of the site that will be affected by the general permit activities;
    - This delineation shall be drawn onto the site plan required in item 9 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;
  
- 9. Five folded copies of a survey or site plan, signed and sealed by a licensed surveyor, showing the entire site and indicating the following:
  - A. All existing structures in the area that will be disturbed by the proposed activities;

B. All proposed structures, disturbances, and activities. A proposed project must be shown. In accordance with N.J.A.C. 7:7A-4.3(b)1, the Department shall not authorize activities under a general permit for the purpose of eliminating a natural resource in order to avoid regulation;

C. If a delineation of wetlands, transition areas, and State open waters is required under item 8 above, this delineation must be drawn on the survey or site plan;

- 10. Information regarding whether other approvals are required for the activities by Federal, interstate, State and local agencies for the activity; information regarding whether any such approvals or denials have been received; and information regarding whether the proposed activities are consistent with the rules, plans, or policies of other Federal, interstate, State and local agencies.
- 11. If the application is for authorization for regulated activities in a transition area, a copy of the deed and/or other relevant documents pertaining to the site, showing and/or describing property boundaries, ownership, easements, restrictions, previous approvals by any local, federal, interstate or state agency, and any other information relating to the site that will assist the Department in assessing compliance with the Freshwater Wetlands Protection Act rules, N.J.A.C. 7:7A;
- 12. Information and certifications regarding the presence or absence of endangered or threatened species habitat, historic or archaeological resources or other features on the site that are relevant to determining compliance with the requirements of this chapter;
- 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 application is for authorization under general permit 1 (N.J.A.C. 7:7A-5.1) to perform ongoing maintenance of an off-stream stormwater management facility created in uplands, the application must also include a copy of the permit, if any, authorizing the original construction of the stormwater management facility. (Note the special review procedures for this activity in the freshwater wetlands rules at N.J.A.C. 7:7A-5.1(d));

16. If the application is for a proposed project that has disturbances of ¼ acre impervious surface in freshwater wetlands and/or transition area **or** if the total pervious and impervious disturbance to wetlands and/or transition is greater than an acre **or** if more than ¼ acre of impervious surface drains to any outfall requiring a general permit 11 the applicant must submit a Stormwater Report that proves the proposed project meets the Water Quality Standards at N.J.A.C. 7:8 and a full set of construction site plans.

In addition to the above the following must be submitted

Stormwater management must be provided in certain cases as described below. See [www.njstormwater.org](http://www.njstormwater.org) for more information. (Note: if your freshwater wetlands application is being submitted jointly with a stream encroachment, waterfront development and/or CAFRA application, different means of determining whether the Stormwater Management rules may apply.)

A. Check (and explain) if the project:

- Is exempt from the stormwater rules at N.J.A.C. 7:8-5.2(d). (In such cases, you do not need to complete the rest of this section.)
- Meets the waiver requirements for public roadway improvements at N.J.A.C. 7:8-5.2(e).

B. Enter the total amount of land that will be disturbed (as described below):  
\_\_\_\_\_ ft<sup>2</sup> or acres (circle one).

“Disturbance” means the sum of the following:

- The total amount of proposed disturbance within freshwater wetlands, transition areas and open waters onsite.
- The total amount of proposed disturbance onsite, if runoff from the disturbed area will be collected and discharged into freshwater wetlands, transition areas or open waters.

If at least 1 acre (43,560 ft<sup>2</sup>) of land will be disturbed, as described above, submit the following (in the engineering report):

- One completed Low Impact Design checklist (see Appendix A of BMP manual at [www.njstormwater.org](http://www.njstormwater.org)).
- One copy of a USGS map, showing the site and its HUC-14 watershed and indicating any 300-ft buffers onsite.
- Proof that the groundwater recharge standards at N.J.A.C. 7:8-5.4(a)2 are met (unless exempted at N.J.A.C. 7:8-5.4(a)2ii).
- Proof that the runoff quantity standards at N.J.A.C. 7:8-5.4(a)3 are met (unless the project lies in a tidal floodplain and will cause no adverse impacts to flooding, as described at N.J.A.C. 7:8-5.4(a)3iv).
- Proof that the use of nonstructural stormwater strategies has been maximized onsite via one of the following:
- A completed Nonstructural Stormwater Strategies Point System spreadsheet (see [www.njstormwater.org](http://www.njstormwater.org)).

- A detailed narrative (including an alternative analysis where necessary), explaining how the project does (or does not) implement all nine nonstructural strategies required at N.J.A.C. 7:8-5.3.

C. Enter the net-increase in impervious area onsite (as described below):  
\_\_\_\_\_ ft<sup>2</sup> or acres (circle one).

“Impervious areas” means the sum of the following:

- The total amount of proposed impervious areas within freshwater wetlands, transition areas and open waters onsite.
- The total amount of proposed impervious areas onsite, if runoff from the impervious areas will be collected and discharged into freshwater wetlands, transition areas or open waters. Include all new impervious areas onsite, as well as existing impervious areas from which stormwater currently sheet-flows, but which will be collected into a basin or storm sewer system. Subtract any impervious areas being removed onsite, if runoff from the area to be removed is currently collected and discharged into within freshwater wetlands, transition areas and open waters.

If a net-increase of at least ¼ acre (10,890 ft<sup>2</sup>) of impervious area will occur, as described above, submit all material in Part B above and the following:

- Proof (in the engineering report) that the water quality standards at N.J.A.C. 7:8-5.5 are met.

D. Complete a Stormwater Review Fee worksheet to calculate the appropriate stormwater review fee

- 17. 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.
- 18. Applications reflecting any of the characteristics listed at N.J.A.C. 7:7A-12.2(l)1-5 shall be deemed to present a high probability of the presence of historic and archaeological resources, requiring assessment and shall require, with the wetlands permit application, the submittal of a Phase IA historical and archaeological survey, and an architectural survey, defined at N.J.A.C. 7:7A-1.4. Please see N.J.A.C. 7:7A-12.2(l), (m), (n), (o) and (p) for more details.

For more information on application requirements, see the Freshwater Wetlands Protection Act rules at N.J.A.C. 7:7A-10.

## APPLICATION FEES FOR A GENERAL PERMIT AUTHORIZATION

Type of general permit	Application Fee
All general permit authorizations, except: - General permit 16 (wildlife management); - General permit 25 (septic repair); or - General permit 17 when proposed on publicly owned land If proposed on private land the \$1,000.00 fee applies	\$1,000.00  (Plus, as applicable, the additional fees for major developments as defined at N.J.A.C. 7:8-1.2)
General permit 16 (wildlife management) General permit 25 (septic repair)	No Fee
General permit 17 when proposed on publicly owned land	No Fee - If proposed on private land the \$1,000.00 fee applies
General permit authorization extension	\$500.00
General Permit Authorization Modification	\$500.00

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