

THIS IS A COURTESY COPY OF THIS NOTICE. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE JUNE 6, 2016, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE NOTICE, THE OFFICIAL VERSION WILL GOVERN.

**ENVIRONMENTAL PROTECTION
DELAWARE AND RARITAN CANAL COMMISSION**

Regulations for the Review Zone of the Delaware and Raritan Canal State Park

Readoption without Change: N.J.A.C. 7:45

Authority: N.J.S.A. 13:13A-1 et seq.

Authorized By: Bob Martin, Commissioner, Department of Environmental Protection
John Loos, Vice Chairman, Delaware and Raritan Canal Commission

Effective Date: April 29, 2016

New Expiration Date: April 29, 2023

Take notice that pursuant to N.J.S.A. 52:14B-5.1, the Regulations for the Review Zone of the Delaware and Raritan Canal State Park at N.J.A.C. 7:45 are readopted and shall continue in effect for a seven-year period. The rules had been scheduled to expire on June 1, 2016. The Department of Environmental Protection (Department) and the Delaware and Raritan Canal Commission (Commission) have reviewed these rules and have determined that the rules should be readopted because they are necessary, reasonable and proper for the purpose for which they were originally promulgated. The Delaware and Raritan Canal State Park Law of 1974, N.J.S.A. 13:13A-1 et seq. (the Act), gives the Commission authority to promulgate rules to identify the types of projects eligible for general and individual permits, establish the criteria for the approval or rejection of general and individual permits, and establish and charge fees. The Act authorizes the Department, with the approval of the Commission, to promulgate rules and regulations for the use and protection of the Park. Accordingly, both the Department and the Commission are readopting the rules.

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The Regulations for the Review Zone of the Delaware and Raritan Canal State Park, N.J.A.C. 7:45, implement the Act in order to protect the Canal State Park, including the historic canal, which is a drinking water source for approximately 1.5 million users. The rules require compliance with the Master Plan of the Delaware and Raritan Canal State Park, and delineate a review zone within which the Commission will review public and private projects that might adversely affect the park to determine their conformity with the master plan. Specifically, the review for individual permits addresses four specific types of impact: stormwater runoff and water quality impact; stream corridor impact; visual, historic, and natural quality impact; and traffic impact. The rules set forth the standards, procedures and scope of review applicable to projects within the review zone. An applicant may apply for an individual permit based upon the standards as applied to the specific project, or may apply for authorization to conduct activities in accordance with one of two general permits. The general permits apply to maintenance and repair of existing features, and single family residential additions. The rules also provide a procedure and standards pursuant to which the Commission may waive strict adherence to the review standards, and a schedule of fees applicable the components of an application.