THE RIPARIAN ZONE

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New Jersey Department of Environmental Protection
There are two distinct and overlapping areas of jurisdiction:

- The flood hazard area
- The riparian zone
Purpose and Scope

• To minimize damage to life and property from flooding caused by development within the FHA, to preserve the quality of surface waters, and to protect the wildlife and **VEGETATION** that exist and depend upon such areas for sustenance and habitat.
Riparian Zone

All waters in New Jersey are regulated except for the following:

- Any manmade canal, i.e., Delaware Canal & Raritan Canal
- Any coastal wetland regulated under the Wetlands Act of 1970
- Any segment of water that drains less than 50 acres, which has no discernible channel, and/or is within a lawfully existing manmade conveyance structure, and/or is not connected to a regulated water by a channel or pipe

SEE N.J.A.C. 7:13-4.1
Riparian Zone

A RIPARIAN ZONE EXISTS ALONG ALL REGULATED WATERS EXCEPT:

- The Atlantic Ocean
- Manmade lagoons
- Stormwater management basins
- Any oceanfront barrier island, spit or peninsula
- Any lawfully-piped section of an otherwise regulated water (As noted previously, this is not listed in the rules)

SEE N.J.A.C. 7:13-4.1
Riparian Zone

- Measures 50, 150, or 300 ft along both sides of a regulated water
Riparian Zone

- To determine the limits of the riparian zone, you need to know where to measure it from.

- It is generally measured outward from the top of bank along a regulated water.
Riparian Zone
If a bank is present
If a discernible bank is NOT present: Along a linear fluvial or tidal water, such as a small stream, the riparian zone is measured **landward of the feature's centerline**
If a discernible bank is NOT present: Along a non-linear fluvial water, such as a lake or pond, the riparian zone is measured landward of the normal water surface limit.
If a discernible bank is NOT present: Along a non-linear tidal water, such as a bay or inlet, the riparian zone is measured **landward of the mean high water**.
If a discernible bank is NOT present: Along an amorphous feature, such as a wetland complex, through which a regulated water flows but which lacks a discernible channel, the riparian zone is measured landward of the feature’s centerline.
Drainage Area and Riparian Zone

- **DISCERNIBLE CHANNEL**
- **RIPARIAN ZONE**
- **50 ACRES**
- **NO CHANNEL**

**IF A FEATURE DRAINS LESS THAN 50 ACRES AND HAS NO DISCERNIBLE CHANNEL, THEN IT WILL HAVE NO RIPARIAN ZONE. HOWEVER, ONCE THE FEATURE DRAINS 50 ACRES, IT WILL HAVE A RIPARIAN ZONE WHETHER OR NOT THERE IS A CHANNEL.**
There is no riparian zone along a lawfully piped or culverted section of stream:
Does the riparian zone arc around the “end” of a regulated water?

- **Yes**: If the feature “ends” because of natural causes
- **No**: If the feature enters a pipe
The riparian zone will also end at road crossings as follows:
If a stormwater basin was constructed along a stream, the riparian zone is projected from the original top of bank:
300-ft Riparian Zone

- **300 ft along**: Category One waters and upstream tributaries within the same HUC-14 watershed.

- Category One waters are listed in the Department’s Surface Water Quality Standards at N.J.A.C. 7:9B
  http://www.nj.gov/dep/wms/bwqsa/swqs.htm Available on

- GeoWeb (NJDEP’s Interactive mapping tool)
  http://www.nj.gov/dep/gis/geowebsplash.htm

SEE N.J.A.C. 7:13-4.1
300-ft Riparian Zone

- Important: The 300-ft riparian zone is not exactly the same as the Special Water Resource Protection Area

SEE N.J.A.C. 7:13-4.1
300-ft Riparian Zone vs SWRPA

Difference #1: The SWRPA applies only to waters that are shown on a USGS quad or County Soil Survey

The riparian zone applies to regulated waters regardless of any mapping

SEE N.J.A.C. 7:13-4.1 & N.J.A.C. 7:8-5.5(h)
300-ft Riparian Zone vs SWRPA

- **Difference #2:** The SWRPA applies only to projects that are major developments (under N.J.A.C. 7:8)

- The riparian zone applies to regulated waters regardless of the size of the project

SEE N.J.A.C. 7:13-4.1 & N.J.A.C. 7:8-5.5(h)
300-ft Riparian Zone vs SWRPA

- **Difference #3**: Location Based vs Activity Based

- The inner half of the **SWRPA** may not be developed; the outer half may be developed if previously disturbed.

- The **riparian zone** does not have an inner or outer half; it may be disturbed for certain activities, if justified.

SEE N.J.A.C. 7:13-4.1 & N.J.A.C. 7:8-5.5(h)
WHAT IS A HUC-14 WATERSHED?

- Watershed area defined by USGS
- 14-digit Hydrologic Unit Code
- NJ’s watersheds boundaries are mapped and numbered
- Available on GeoWeb (NJDEP’s Interactive mapping tool) (Subwatersheds HUC14)
- Statewide map at: www.state.nj.us/dep/watershedmgt/hucmap.htm
**LEGEND**

HUC8 - Regional watersheds - various colors (and labeled in blue).

HUC11 - Watersheds - red boundaries

HUC14 - Subwatersheds - black boundaries

WMA - Boundaries and numbers in white

River

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**DISTRIBUTION**

HUC8 - There are 12 regional watersheds in New Jersey. Many of these extend beyond the State's border into New York or Pennsylvania.

HUC11 - There are 150 of these watersheds onshore. (A few large ones are offshore but not shown on this map.) As currently mapped these do not extend beyond the State's borders.

HUC14 - There are 921 of these subwatersheds onshore. (A few large ones are offshore but not shown on this map.) As currently mapped these do not extend beyond the State's borders.
150-ft Riparian Zone

1. **Trout production** waters and all tributaries
2. **Trout maintenance** waters and all tributaries within one mile
3. Waters that flow through an area that contains documented **T&E habitat** (if plant/animal is critically dependent on the regulated water for survival) and all tributaries within one mile
4. Waters that flow through an area that contains acid producing soils

SEE N.J.A.C. 7:13-4.1
TROUT MAINTENANCE - 150-ft RIPARIAN ZONE

50-Foot Riparian Zone

One Mile Upstream of Trout Maintenance Waters

Trout Maintenance Waters

150-Foot Riparian Zone
Threatened or Endangered Species

- The 150-foot riparian zone also applies to any segment of a regulated water flowing through an area that contains documented habitat for a threatened or endangered species of plant or animal, which is critically dependent on the regulated water for survival, and all upstream tributaries within one mile.
Threatened or Endangered Species

Landscape Maps

- Available from the Department’s Division of Fish and Wildlife, Endangered and Nongame Species Program at:
  http://www.nj.gov/dep/fgw/ensphome.htm

- Or can be viewed through GeoWeb at
  http://www.nj.gov/dep/gis/geowebsplash.htm
Threatened or Endangered Species

For further information on the occurrence and mapping of threatened or endangered plant species habitat contact:

Natural Heritage Data Request Form
The New Jersey Natural Heritage Program
DEP - Office of Natural Lands Management
Mail Code 501-04
P.O. Box 420
Trenton, NJ 08625-0404

NOTE - NHP Letter required for a FHA submission
ACID SOILS - 150-ft RIPARIAN ZONE

Acid producing soil deposits
Coastal Plain Formations of New Jersey Associated with Acid-Producing Soils

Location in New Jersey

- Counties
- Municipalities

- Kirkwood Formation
- Sandy Hook Member of Red Bank Formation
- Marshalltown Formation
- Englishtown Formation
- Navesink Formation
- Magothy Formation
- Merchantville Formation
- Woodbury Formation
- Raritan Formation
ACID SOILS - 150-ft RIPARIAN ZONE

HOW TO DETERMINE IF ACID-PRODUCING SOIL DEPOSITS ARE PRESENT ON A SITE

1. Log on to www.state.nj.us/dep
2. On the left hand side of the page, select NJ-Geoweb/I-Map NJ
3. Scroll down and click on I-Map NJ Geology
ACID SOILS - 150-ft RIPARIAN ZONE

HOW TO DETERMINE IF ACID-PRODUCING SOIL DEPOSITS ARE PRESENT ON A SITE

4. Select Launch I-Map NJ Geology
5. On the left hand side of the page, select Bedrock Geology to be Visible and Active. Click on Refresh Map at the top of the legend.
6. Zoom-in to the area of interest.

7. Once you find the area in question, click on Identify, located at the top of the page, and click the site to get the geologic formation name.
HOW TO DETERMINE IF ACID-PRODUCING SOIL DEPOSITS ARE PRESENT ON A SITE

If a stream flows through any of the following nine geologic formations, it will have a 150-ft riparian zone:

- Englishtown
- Kirkwood
- Magothy
- Marshalltown
- Merchantville
- Navesink
- Raritan
- Sandy Hook Member of Red Bank
- Woodbury
50-ft Riparian Zone

- Along all other waters

- Most common riparian zone width, especially in urbanized areas (except where acid producing soils exist)

SEE N.J.A.C. 7:13-4.1
Riparian Zone Disturbance

What if you want to conduct regulated activities in the riparian zone?
Riparian Zone Disturbance
N.J.A.C. 7:13-7.2

- Permits-By-Rule
  - For specific activities, where in general no vegetation will be disturbed
  - Some require notification
  - An Applicability Determination may be applied for to obtain a written determination that an activity meets a permit-by-rule.
Permits-By-Rule
N.J.A.C. 7:13-7.2(a)2 Any construction activity

Constructing in a disturbed riparian zone or at or below grade in a FHA provided.

- If in a FHA all work is at or below grade (ie. bike path, driveway, lawn, trail, garden, sidewalk)

- **No disturbance within 25 feet top of bank**

- Not a Major Development

- No vegetation is cleared, cut, or removed in a RZ, except where previously developed or disturbed (ie. maintained lawn, garden, or abandoned parking area)

- All vegetated area temporarily disturbed with the RZ are replanted with indigenous, non-native species
Riparian Zone Disturbance
N.J.A.C. 7:13-10.2

- The rules are designed to preserve all existing riparian zone vegetation

- All vegetation counts (trees, grass, shrubs, weeds, etc.)
Riparian Zone Disturbance
N.J.A.C. 7:13-10.2

Rules do not prohibit construction, but:

- All proposed disturbance must be avoided, justified, and fully minimized

  and

- Each activity has limits on disturbance
Riparian Zone Disturbance
N.J.A.C. 7:13-10.2

Disturbance within 25 feet of the top of bank is generally prohibited, except for unavoidable situations. For example:

- Road crossings are often justified
- Bank stabilization may be necessary
- Parking lots are unlikely justified
Riparian Zone Disturbance
N.J.A.C. 7:13-10.2(d)

- All work must meet 3 basic criteria:

1. The basic purpose of the project cannot be accomplished onsite without disturbing vegetation in the riparian zone.
Riparian Zone Disturbance
N.J.A.C. 7:13-10.2(d)

2. Disturbance to the riparian zone is eliminated where possible; where not possible to eliminate, disturbance is minimized through methods including relocating the project, reducing the size or scope of the project and/or situating the project in portions of the riparian zone where previous development or disturbance has occurred;
3. All temporarily cleared, cut or removed vegetation within a riparian zone is replanted with indigenous, non-invasive vegetation upon completion of the project.
Example: not minimized
Example: minimized
Riparian Zone Disturbance

In addition to the basic requirements at N.J.A.C. 7:13-10.2(d):

- Maximum riparian zone disturbance set at Table C
- Additional criteria must be met for each specific activity under 10.2(e) through (r)
Table C
N.J.A.C. 7:13-10.2(d)

- Shows maximum disturbance for various activities
- If activity is not listed, you need a hardship exception

<table>
<thead>
<tr>
<th>Proposed Regulated Activity</th>
<th>See Paragraph Below for Further Detail</th>
<th>Maximum Area of Vegetation Disturbance Based on the Width of the Riparian Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>50-foot Riparian Zone</td>
</tr>
<tr>
<td>Railroad or public roadway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Crossing a water</td>
<td>(e)</td>
<td>5,000 ft²</td>
</tr>
<tr>
<td>Not crossing a water</td>
<td></td>
<td>2,000 ft²</td>
</tr>
<tr>
<td>Reconstructed Crossing a water</td>
<td>(f)</td>
<td>2,500 ft²</td>
</tr>
<tr>
<td>Not crossing a water</td>
<td></td>
<td>1,000 ft²</td>
</tr>
<tr>
<td>Private roadway that serves as a driveway to one private residence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Crossing a water</td>
<td>(g)</td>
<td>1,500 ft²</td>
</tr>
<tr>
<td>Not crossing a water</td>
<td></td>
<td>600 ft²</td>
</tr>
<tr>
<td>Reconstructed Crossing a water</td>
<td>(h)</td>
<td>750 ft²</td>
</tr>
<tr>
<td>Not crossing a water</td>
<td></td>
<td>300 ft²</td>
</tr>
<tr>
<td>All other private roadways</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Crossing a water</td>
<td>(g)</td>
<td>3,000 ft²</td>
</tr>
<tr>
<td>Not crossing a water</td>
<td></td>
<td>1,200 ft²</td>
</tr>
<tr>
<td>Reconstructed Crossing a water</td>
<td>(h)</td>
<td>1,500 ft²</td>
</tr>
<tr>
<td>Not crossing a water</td>
<td></td>
<td>600 ft²</td>
</tr>
<tr>
<td>Bank stabilization or channel restoration</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accomplished with vegetation alone</td>
<td>(i)</td>
<td>No limit if disturbance is justified</td>
</tr>
<tr>
<td>Other permanent disturbance</td>
<td></td>
<td>2,000 ft²</td>
</tr>
<tr>
<td>Other temporary disturbance</td>
<td></td>
<td>1,000 ft²</td>
</tr>
<tr>
<td>Stormwater discharge (including pipe and conduit outlet protection)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Permanent disturbance</td>
<td>(j)</td>
<td>1,000 ft²</td>
</tr>
<tr>
<td>Temporary disturbance</td>
<td></td>
<td>1,000 ft²</td>
</tr>
<tr>
<td>Utility line (temporary disturbance only)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crossing a water</td>
<td>(k)</td>
<td>2,000 ft²</td>
</tr>
<tr>
<td>Not crossing a water</td>
<td>(l)</td>
<td>800 ft²</td>
</tr>
<tr>
<td>Other projects</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private residence</td>
<td>(m)</td>
<td>2,500 ft²</td>
</tr>
<tr>
<td>Addition, garage, barn or shed</td>
<td>(n)</td>
<td>1,000 ft²</td>
</tr>
<tr>
<td>Flood control project</td>
<td>(o)</td>
<td>3,000 ft²</td>
</tr>
<tr>
<td>Public accessway or public access area</td>
<td>(p)</td>
<td>No limit if disturbance is justified</td>
</tr>
<tr>
<td>Water dependent development</td>
<td>(q)</td>
<td>No limit if disturbance is justified</td>
</tr>
<tr>
<td>All other regulated activities</td>
<td>(r)</td>
<td>1,000 ft²</td>
</tr>
</tbody>
</table>
### Table C

**Includes disturbance for:**

- Roadways (e) - (h)
- Bank Stabilization (i)
- Stormwater discharges (j)
- Utility lines (k) - (l)
- A private residence or appurtenant structure (m) - (n)
- Flood control projects (o)
- Tidal developments (p) - (q)
- “Other” minor activities (r)
<table>
<thead>
<tr>
<th>Private roadway that serves as a driveway to one private residence</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>New</strong></td>
</tr>
<tr>
<td>Not crossing a water</td>
</tr>
<tr>
<td><strong>Reconstructed</strong></td>
</tr>
<tr>
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<tr>
<td>Other projects</td>
</tr>
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<td><strong>Private residence</strong></td>
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<td><strong>Addition, garage, barn or shed</strong></td>
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<td><strong>Flood control project</strong></td>
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<td><strong>Public accessway or public access area</strong></td>
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<tr>
<td><strong>Water dependent development</strong></td>
</tr>
<tr>
<td><strong>All other regulated activities</strong></td>
</tr>
</tbody>
</table>
Example: Private roadway (driveway)
N.J.A.C. 7:13-10.2(g)

Table C
MAXIMUM ALLOWABLE DISTURBANCE TO RIPARIAN ZONE VEGETATION

<table>
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<td></td>
<td>Not crossing a water</td>
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</tr>
<tr>
<td>Reconstructed</td>
<td>Crossing a water</td>
<td>(f)</td>
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<td>Reconstructed</td>
<td>Crossing a water</td>
<td>(h)</td>
</tr>
<tr>
<td></td>
<td>Not crossing a water</td>
<td></td>
</tr>
</tbody>
</table>

Note: (e), (f), (g), (h) refer to specific paragraphs for further detail.
Example (continued):
N.J.A.C. 7:13-10.2(g)

(g) The Department shall issue an individual permit for the construction of a new private roadway, which results in clearing, cutting and/or removing vegetation in a riparian zone, only if the following requirements are satisfied:
Example (continued):
N.J.A.C. 7:13-10.2(g)

1. The total area of vegetation cleared, cut and/or removed within the riparian zone does not exceed the limits set forth in Table C above;

2. The width of the roadway is minimized;
Example (continued):
N.J.A.C. 7:13-10.2(g)

3. Any crossing of a regulated water is designed and constructed as nearly perpendicular to the channel as possible;

4. The roadway accesses a lot that did not receive preliminary or final subdivision approval after October 6, 2006;
5. If the roadway does not cross a regulated water, but impacts a 150-foot or 300-foot riparian zone, the applicant demonstrates that there is no other means of constructing a roadway to access the developable area on site, which would reduce or eliminate the impact to the riparian zone.
Areas Devoid of Vegetation
N.J.A.C. 7:13-10.2

- All disturbed vegetation counts (trees, grass, shrubs, weeds, etc.) under Table C
- But, if you disturb an area within the riparian zone, which has no vegetation due to previous lawful development, do not count it under Table C
  - For example, work within paved roads and parking areas does not count toward Table C
But: In this example, there may be another entrance to the site that would not disturb the riparian zone.
## Riparian Zone Disturbance

- Table C disturbances cannot be swapped!

### Table C
MAXIMUM ALLOWABLE DISTURBANCE TO RIPARIAN ZONE VEGETATION

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<tr>
<td>• Railroad or public roadway</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New</td>
<td>Crossing a water</td>
<td>5,000 ft²</td>
</tr>
<tr>
<td></td>
<td>Not crossing a water</td>
<td>2,000 ft²</td>
</tr>
<tr>
<td>Reconstructed</td>
<td>Crossing a water</td>
<td>2,500 ft²</td>
</tr>
<tr>
<td></td>
<td>Not crossing a water</td>
<td>1,000 ft²</td>
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<tr>
<td>• Private roadway that serves as a driveway to one private residence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New</td>
<td>Crossing a water</td>
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</tr>
<tr>
<td></td>
<td>Not crossing a water</td>
<td>800 ft²</td>
</tr>
<tr>
<td>• Other projects</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Private residence</td>
<td>(m)</td>
<td>2,500 ft²</td>
</tr>
</tbody>
</table>
Riparian Zone Disturbance

- If the driveway only disturbs 1000 SF, you cannot “credit” the unused 500 SF towards the house.

- The house would still be allowed a maximum of 2500 SF, if justified.
Remember:

- Just because an activity meets the limits of Table C, it does not automatically mean that you’ll get a permit for it: you must prove that the disturbance is minimized, justified, and unavoidable (N.J.A.C. 7:13-10.2(d))
Temporary Disturbance
N.J.A.C. 7:13-10.2

- Temporary disturbance to lawn and garden areas does not count toward thresholds in Table C, provided all vegetation is restored.

- For example:
  - Reconstructing a septic system in a lawn
  - Relocating structures (trails, sheds, footbridges) in a park or golf course
  - Placing new pavement in grass, then ripping up an equal area of pavement and replanting the area with grass
Exceeding Table C
N.J.A.C. 7:13-10.2(d)

- A *hardship exception* is needed if you want to exceed the riparian zone limits of Table C, except for the following projects (in certain cases):
  - Improvements to an existing public roadway or railroad – 10.2(f)
  - Bank stabilization and channel restoration projects – 10.2(i)
  - Flood control projects – 10.2(o)
2:1 Compensation
N.J.A.C. 7:13-10.2(t)

- Is also required for any project under 10.2(r):
  - N.J.A.C. 7:13-10.2(r) allows riparian zone disturbance for any regulated activity not listed in Table C

**BUT:**

- 2:1 compensation is required for all proposed riparian zone disturbance
- And, you cannot exceed the limits for 10.2(r) without a hardship exception
2:1 Compensation
N.J.A.C. 7:13-10.2(t)

- Can be accomplished in two ways:
  - **Removing** lawfully existing structures and/or impervious surfaces in the riparian zone, and replanting the area with vegetation, or
  - **Planting** new trees in the riparian zone in an area that is substantially devoid of trees at the time of application because the trees were removed due to previous, lawful development
Redevelopment
N.J.A.C. 7:13-10.2(v)

- Redevelopment of lawfully non-vegetated areas is not hindered, except that it should be pulled back at least 25 feet from bank where possible.
Fisheries Resources
N.J.A.C. 7:13-10.5

- Requirements in or along a water with a fishery resource. Includes tributaries that drain to a fisheries resource and includes both work in the channel and the Riparian Zone.
  - Timing restrictions are met
  - Unset or raw concrete does not contact the water
  - No logs or boulders providing habitat are removed
  - Low-flow conditions are maintained.
<table>
<thead>
<tr>
<th>Water and classification</th>
<th>Time period (inclusive) during which activities are prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Trout Waters</strong></td>
<td></td>
</tr>
<tr>
<td>• All trout production waters except rainbow trout</td>
<td>September 15 through March 15</td>
</tr>
<tr>
<td>• Rainbow trout production waters</td>
<td>February 1 through April 30</td>
</tr>
<tr>
<td>• Trout stocked waters</td>
<td></td>
</tr>
<tr>
<td>• Trout maintenance waters</td>
<td></td>
</tr>
<tr>
<td>• Any water located within 1 mile upstream of a trout stocked or a trout maintenance water</td>
<td>March 15 through June 15</td>
</tr>
<tr>
<td><strong>2. Non-Trout Waters</strong></td>
<td></td>
</tr>
<tr>
<td>• Waters that support general game fish</td>
<td>May 1 through June 30</td>
</tr>
<tr>
<td>• Waters that support pickerel</td>
<td>Ice out through April 30</td>
</tr>
<tr>
<td>• Waters that support walleye</td>
<td>March 1 through May 30</td>
</tr>
<tr>
<td><strong>3. Anadromous Waters</strong></td>
<td></td>
</tr>
<tr>
<td>• All unimpeded tidal waters open to the Atlantic Ocean or any coastal bay</td>
<td>April 1 through June 30</td>
</tr>
<tr>
<td>• All waters identified as anadromous migratory pathways</td>
<td></td>
</tr>
<tr>
<td>• Delaware River upstream of U.S. Route 202</td>
<td>April 1 through June 30 and September 1 through November 30</td>
</tr>
<tr>
<td>• Delaware River between U.S. Route 202 and Interstate 276 (Pennsylvania Turnpike Bridge)</td>
<td>March 1 through June 30</td>
</tr>
<tr>
<td>• Delaware River between Interstate 276 (Pennsylvania Turnpike Bridge) and Interstate 295 (Delaware Memorial Bridge)</td>
<td></td>
</tr>
<tr>
<td>• Tidal portions of Raccoon, Rancocas Creek, Crosswicks Creeks and Cooper River</td>
<td></td>
</tr>
<tr>
<td>• All unimpeded tidal waters open to the Delaware River downstream of Interstate 295 (Delaware Memorial Bridge)</td>
<td>March 1 through June 30 and October 1 through November 30</td>
</tr>
<tr>
<td>• Tidal portions of the Maurice River, Cohancey River and Salem River</td>
<td></td>
</tr>
</tbody>
</table>
Threatened and Endangered Species
N.J.A.C. 7:13-10.6

- GeoWeb rank 3, 4, or 5 and Natural Heritage Priority Database provided in the NHP letter

- NJDEP will only issue an FHA-IP if the activity will not adversely affect T & E or documented habitat.

- A T & E survey for plants or habitat assessment for animals may be required per NJAC 7:13-15.5(c)

- Timing restrictions depending on species
Questions?

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