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**ENVIRONMENTAL PROTECTION  
LAND USE MANAGEMENT  
DIVISION OF LAND USE REGULATION**

**Notice of Acceptance of new and changed CAFRA center and core boundaries pursuant to N.J.A.C. 7:7E-5B.3.**

**Notice of Administrative Changes**

N.J.A.C. 7:7E, Appendix 5

Take notice that, in accordance with N.J.A.C. 7:7E-5B.3, the New Jersey Department of Environmental Protection (Department) has determined to accept new and changed Community Development Boundaries in the CAFRA area that were established by the State Planning Commission and modified by operation of law as a result of the enactment of the Permit Extension Act of 2008, N.J.S.A. 40:55D-136.1 et seq., as described below.

The State Planning Commission had initially established community development boundaries within the municipalities identified in Tables A and B below pursuant to the State Planning Rules set forth at N.J.A.C. 5:85-7.1 et seq. The State Planning Rules, at N.J.A.C. 5:85-7.11, established expiration dates for these community development boundaries. These expiration dates were modified by operation of law by enactment of the Permit Extension Act of 2008, as explained below. The Department has evaluated the boundaries resulting from operation of the State Planning Rules and the Permit Extension Act of 2008 and determined that they are consistent with the purposes of the Coastal Area Facility Review Act (CAFRA), N.J.S.A. 13:19-1 et seq., and the Coastal Zone Management rules, N.J.A.C. 7:7E.

In accordance with N.J.A.C. 7:7E-5B.3(b), whenever the State Planning Commission formally approves a new or changed Planning Area boundary, community development boundary, or core or node boundary, the Department shall evaluate the changed boundary to determine whether it is consistent with the purposes of the CAFRA and the Coastal Zone Management rules. The Department shall only reject, or reject and revise a boundary if it finds that accepting the State Planning Commission approved boundary

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would result in unacceptable harm to the coastal ecosystem or the resources of the built or natural environment, or would otherwise be clearly inconsistent with the purposes of CAFRA or the Coastal Zone Management rules.

Since the State Planning rules were first adopted, the State Plan process has undergone changes that provide for a more comprehensive planning analysis, ultimately resulting in the current plan endorsement process. The plan endorsement process under which the State Planning Commission currently designates centers provides the mechanism for determining whether a particular center is capable of accommodating the long-term growth and development needs of a community while safeguarding natural resources.

In recognition that centers approved prior to institution of the plan endorsement process did not incorporate all the safeguards currently deemed appropriate to properly plan for future growth and environmental protection, in 2004, the State Planning Commission adopted rules that set expiration dates for certain designated centers and cores that were not approved through plan endorsement (See 36 N.J.R. 2490(c); May 17, 2004). Specifically, in accordance with N.J.A.C. 5:85-7.11(b) the expiration date for centers and cores approved prior to January 7, 2002 was January 7, 2008. Table A below lists all centers and cores in the CAFRA area that expired January 7, 2008 in accordance with N.J.A.C. 5:85-7.11(b). In addition to providing for expiration of centers and cores approved prior to January 7, 2002, the State Planning Commission rules also provide, at N.J.A.C. 5:85-7.11(d), that the expiration date for centers designated by the State Planning Commission between January 7, 2002 and July 1, 2004 is six years after designation, unless the centers were designated through the plan endorsement process. Table B below lists all centers in the CAFRA area that expire on the date listed, six years after their designation, in accordance with N.J.A.C. 5:85-7.11(d).

**TABLE A: State Planning Commission Designated Center Expiration as of 1/7/2008 pursuant to N.J.A.C. 5:85-7.11(b)**

<b>CENTER</b>	<b>MUNICIPALITY</b>	<b>COUNTY</b>	<b>TYPE</b>	<b>SPC APPROVAL</b>	<b>EXPIRATION</b>
Galloway Downtown	Galloway Township	Atlantic	Core	12/5/2001	1/7/2008

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Oceanville	Galloway Township	Atlantic	Village	12/5/2001	1/7/2008
Smithville	Galloway Township	Atlantic	Town	12/5/2001	1/7/2008
Smithville Core	Galloway Township	Atlantic	Core	12/5/2001	1/7/2008
Wrangleboro Estates	Galloway Township	Atlantic	Town	12/5/2001	1/7/2008
Avalon	Avalon Borough	Cape May	Town	10/27/1999	1/7/2008
Cape May	Cape May City	Cape May	Town	10/27/1999	1/7/2008
Cape May Point	Cape May Point Borough	Cape May	Village	4/23/1997	1/7/2008
Stone Harbor	Stone Harbor Borough	Cape May	Town	10/27/1999	1/7/2008
The Wildwoods	Wildwood City, North Wildwood City, Wildwood Crest Borough, West Wildwood Borough	Cape May	Regional Center	4/22/1998	1/7/2008
Bridgeton	Bridgeton City	Cumberland	Regional Center	12/5/2001	1/7/2008
Delmont	Maurice River Township	Cumberland	Village	2/2/2000	1/7/2008
Dorchester- Leesburg	Maurice River Township	Cumberland	Village	2/2/2000	1/7/2008
Heislerville	Maurice River Township	Cumberland	Village	2/2/2000	1/7/2008
Mauricetown Station	Maurice River Township	Cumberland	Hamlet	2/2/2000	1/7/2008
Millville- Vineland	Millville City, Vineland City	Cumberland	Regional Center	5/20/1994	1/7/2008
Port Elizabeth- Bricksboro	Maurice River Township	Cumberland	Village	2/2/2000	1/7/2008
Atlantic Highlands	Atlantic Highlands Borough	Monmouth	Town	3/29/2000	1/7/2008
Long Branch	Long Branch City	Monmouth	Regional Center	5/1/1996	1/7/2008
Manasquan	Manasquan Borough	Monmouth	Town	5/24/2000	1/7/2008
Red Bank	Red Bank Borough	Monmouth	Regional Center	5/29/1996	1/7/2008

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Mystic Island	Little Egg Harbor Township	Ocean	Town	6/28/2000	1/7/2008
Parkertown	Little Egg Harbor Township	Ocean	Village	6/28/2000	1/7/2008
Tuckerton	Little Egg Harbor Township, Tuckerton Borough	Ocean	Town	6/28/2000	1/7/2008
Salem	Salem City	Salem	Regional Center	12/1/1999	1/7/2008

**TABLE B: State Planning Commission Designated Center Expiration - Six Years  
After Designation pursuant to N.J.A.C. 5:85-7.11(d)**

CENTER	MUNICIPALITY	COUNTY	TYPE	SPC APPROVAL	EXPIRATION
Cedarville	Lawrence Township	Cumberland	Town	6/18/2002	6/18/2008
Laurel Lake	Commercial Township	Cumberland	Village	6/19/2002	6/19/2008
Mauricetown-Haleyville	Commercial Township	Cumberland	Village	6/19/2002	6/19/2008
Port Norris	Commercial Township	Cumberland	Village	6/19/2002	6/19/2008
Seaside Heights	Seaside Heights Borough	Ocean	Town	7/16/2003	7/16/2009

On September 6, 2008, Governor Corzine signed into law the Permit Extension Act of 2008, N.J.S.A. 40:55D-136.1 et seq. Under the Permit Extension Act of 2008, at N.J.S.A. 40:55D-136.4, the running of the period of approval for government approvals that were in existence during the “extension period”, defined as January 1, 2007 through July 1, 2010, is suspended for the duration of the extension period. Government approvals covered by the Permit Extension Act of 2008 include plan endorsement and center designations pursuant to the State Planning Act, N.J.S.A. 52:18A-196 et seq. While the center designations listed in Tables A and B above are government approvals, as that term is defined in the Permit Extension Act of 2008, the Permit Extension Act of 2008 does not extend any permit or approval within an environmentally sensitive area (see N.J.S.A. 40:55D-136.4(4)(b)3). Environmentally sensitive areas are defined to

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include areas designated in the State Development and Redevelopment Plan in effect on September 6, 2008 as Planning Area 4B (Rural/Environmentally Sensitive), Planning Area 5 (Environmentally Sensitive), or a critical environmental site (see N.J.S.A. 40:55D-136.3). Environmentally sensitive areas also include the Highlands Region as defined at N.J.S.A.13:20-3, excluding any area designated for growth in the Highlands regional master plan; and the Pinelands area designated in N.J.S.A. 13:18A-11, excluding any growth area designated in the Pinelands Comprehensive Management Plan prepared and adopted pursuant to N.J.S.A.13:18A-8.

In accordance with the Permit Extension Act of 2008, the boundaries of State Planning Commission designated centers and cores in the municipalities listed in Tables A and B above were extended except for those portions of the centers and cores located in environmentally sensitive areas.

#### **CAFRA centers and cores with no boundary changes**

Nine of the State Planning Commission designated centers and cores listed in Tables A and B contain no environmentally sensitive areas. These centers and cores are listed below. In accordance with the Permit Extension Act of 2008, the expiration of these centers and cores, in their entirety, has been tolled to July 1, 2010. Therefore, as these centers and cores remain the same as those previously approved by the Department as CAFRA centers and cores under N.J.A.C. 7:7E-5B.3, no action is required by the Department at this time.

#### I. Atlantic County CAFRA cores

##### A. Galloway Township

##### 1. Galloway Downtown CAFRA core

#### II. Cape May County CAFRA centers

##### A. Avalon Borough

##### 1. Avalon Borough CAFRA town

##### B. Stone Harbor Borough

##### 1. Stone Harbor Borough CAFRA town

#### III. Cumberland County CAFRA centers

##### A. Commercial Township

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1. Mauricetown-Haleyville CAFRA village

IV. Ocean County CAFRA centers

A. Little Egg Harbor Township

1. Mystic Island CAFRA town
2. Parkertown CAFRA village

B. Little Egg Harbor Township/Tuckerton Borough

1. Tuckerton CAFRA town

C. Seaside Heights Borough

1. Seaside Heights CAFRA town

V. Salem County CAFRA center

A. Salem City

1. Salem City CAFRA regional center

**CAFRA centers expiring in their entirety**

Six State Planning Commission designated centers listed below and in Tables A and B were wholly within environmentally sensitive areas identified by the Permit Extension Act of 2008 and therefore the Act did not toll their expiration.

Coastal areas contain many of the State's valuable ecosystems, natural areas, economic opportunities, and vulnerable resources, and, therefore, are protected by the Coastal Zone Management rules. The Coastal Zone Management rules address a wide range of land and water types (locations), present and potential land and water uses, and natural, cultural, social and economic resources in the coastal zone. The Department has determined that the expiration of the center designations of the six State Planning Commission designated centers that were located wholly within environmentally sensitive areas was consistent with the purposes of CAFRA and the Coastal Zone Management rules, and that accepting the expiration of such center designations will not result in unacceptable harm to the coastal ecosystem or resources of the built or natural environment. Consequently, the Department, for purposes of N.J.A.C. 7:7E-5B.3, is accepting the expiration of the centers listed below, and the reversion of these areas to the underlying State Plan Planning Area designation. Accordingly, the Department is repealing the CAFRA centers that correspond to these expired State Planning

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Commission centers. These areas will accordingly revert to the Coastal Planning Area that corresponds to the underlying State Plan Planning Area. The repeal of the CAFRA centers will become effective 30 days from the date of publication of this notice in the New Jersey Register. The resulting administrative changes to Appendix 5 are indicated below and shall be operative 30 days from <<DATE OF PUBLICATION IN NJR>>

I. Cumberland County

A. Commercial Township

1. Laurel Lake CAFRA village
2. Port Norris CAFRA village

B. Maurice River Township

1. Delmont CAFRA village
2. Dorchester-Leesburg CAFRA village
3. Heislerville CAFRA village
4. Port Elizabeth Bricksboro CAFRA village

**CAFRA centers with expiration of environmentally sensitive areas only**

Fifteen State Planning Commission designated centers and cores listed in Tables A and B are partially located within environmentally sensitive areas identified by the Permit Extension Act of 2008. Therefore, the Act did not toll the expiration of these portions of the centers and cores. However, expiration of the center and core designation for the portions of these centers and cores not located within environmentally sensitive areas has been tolled by the Permit Extension Act of 2008 until July 1, 2010. These centers and cores are listed below along with a description of the environmentally sensitive areas that have been removed from the centers as a result of the expiration of these portions of the centers and cores. The Department has evaluated these changes and has determined that, for the reasons stated above, the deletion of those portions of these centers and cores that contain environmentally sensitive areas is consistent with the purposes of CAFRA and the Coastal Zone Management rules, and that the alteration of the community development boundaries of these centers and cores will not result in unacceptable harm to the coastal ecosystem or resources of the built or natural environment. Consequently, the Department, for purposes of N.J.A.C. 7:7E-5B.3, is accepting the expiration of the

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environmentally sensitive area portions of these centers and cores and the resulting reversion of these areas to the underlying State Plan Planning Areas. Accordingly, the Department is removing the environmentally sensitive area portions of corresponding CAFRA centers and cores and replacing them with the corresponding Coastal Planning Areas. The removal of the environmentally sensitive area portions of the CAFRA centers and cores will become effective 30 days from <<DATE OF PUBLICATION IN NJR>>.

#### I. Atlantic County CAFRA centers

##### A. Galloway Township

1. Oceanville CAFRA village: The Oceanville CAFRA village is entirely within the Rural Planning Area (Planning Area 4) under the State Plan. However, a Critical Environmental Site (CES) is located in the southwestern corner of the center associated with the Oceanville Bog Natural Heritage Program priority site. The area within the CES under the State Plan reverts to the underlying Coastal Rural Planning Area.
2. Smithville CAFRA town: The Smithville CAFRA town is generally in the Suburban Planning Area (Planning Area 2) under the State Plan. However, portions of the center are designated as Environmentally Sensitive Planning Areas (Planning Area 5) under the State Plan. These areas include the stream corridor and associated wetlands of Nacote Creek along the northern center boundary, and vacant forested lands adjacent to the Edwin Forsythe National Wildlife Refuge along the western border of the center south of Glory Road. The area within the Environmental Sensitive Planning Area (Planning Area 5) under the State Plan reverts to the Coastal Environmentally Sensitive Planning Area.
3. Smithville CAFRA core: The Smithville CAFRA core is generally in the Suburban Planning Area (Planning Area 2) under the State Plan. However, a small portion of the core, located in its most northerly extent, is designated as Environmentally Sensitive Planning Areas (Planning Area 5) under the State Plan. The area within the Environmental Sensitive Planning Area (Planning Area 5) under the State Plan reverts to the Coastal Environmentally Sensitive Planning Area.

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4. Wrangleboro CAFRA town: In general, the developed portion of the Wrangleboro CAFRA town is in the Suburban Planning Area (Planning Area 2) under the State Plan. However, portions of the center are designated as Environmentally Sensitive Planning Areas (Planning Area 5) under the State Plan. The Environmentally Sensitive Planning Areas (Planning Area 5) are located along the eastern center boundary and are stream corridors and wetlands associated with Nacote Creek and Mattix Run. The area along the northern center boundary is also designated as an Environmentally Sensitive Planning Area (Planning Area 5) under the State Plan due to the presence of wetlands and the stream corridor associated with the Morses Mill Branch of Nacote Creek. These areas revert to the Coastal Environmentally Sensitive Planning Area. In addition, a CES that delineates the Port Republic Natural Heritage Program priority site is located in the northern portion of the center. The area within the CES under the State Plan reverts to the Coastal Rural and Environmentally Sensitive Planning Areas.

## II. Cape May County CAFRA centers

### A. Cape May City

1. Cape May City CAFRA town: The Cape May City CAFRA town is located almost entirely within the Environmentally Sensitive Planning Area (Planning Area 5) under the State Plan. However, a small portion of the center located along in the southwest, comprised of wetlands and beach is designated “Park” on the State Plan. The area within the Environmentally Sensitive Planning Area (Planning Area 5) under the State Plan reverts to the Coastal Environmentally Sensitive Planning Area.

### B. Cape May Point Borough

1. Cape May Point CAFRA village: The Cape May Point CAFRA village is located almost entirely within the Environmentally Sensitive Planning Area (Planning Area 5) under the State Plan. However, a small portion of the center located along the eastern boundary is located within Cape May Point State Park and is designated “Park” on the State Plan. The area within the

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Environmentally Sensitive Planning Area (Planning Area 5) under the State Plan reverts to the Coastal Environmentally Sensitive Planning Area.

C. Wildwood City/North Wildwood City/Wildwood Crest Borough/West Wildwood Borough

1. The Wildwoods CAFRA regional center: The Wildwoods CAFRA regional center is nearly entirely Environmentally Sensitive Barrier Island Planning Area (Planning Area 5B) under the State Plan. However a bay island in Wildwood Crest that is comprised of wetlands is designated as an Environmentally Sensitive Planning Area (Planning Area 5). This area reverts to the Coastal Environmentally Sensitive Planning Area.

III. Cumberland County CAFRA centers

A. Bridgeton City

1. Bridgeton CAFRA Regional Center: The Bridgeton CAFRA regional center is largely within the Metropolitan Planning Area (Planning Area 1) under the State Plan. However, a corridor along the Cohansey River, located in the extreme southern end of the center is delineated as Environmentally Sensitive Planning Area (Planning Area 5) under the State Plan. This area reverts to the Coastal Environmentally Sensitive Planning Area.

B. Lawrence Township

1. Cedarville CAFRA village: The Cedarville CAFRA village is generally within the Rural Planning Area (Planning Area 4) under the State Plan. A narrow corridor of Environmentally Sensitive Planning Area (Planning Area 5) under the State Plan is located along Cedar Creek. This area, known as Cedar Creek bisects the CAFRA village and is also delineated as a CES under the State Plan. This area reverts to the Coastal Environmentally Sensitive Planning Area.

C. Maurice River Township

1. Mauricetown Station CAFRA hamlet: The Mauricetown Station CAFRA hamlet is located almost entirely within the Environmentally Sensitive Planning Area (Planning Area 5) under the State Plan. The center contains

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extensive wetlands associated with the Maurice River. However, a small portion of the center located along the Pinelands boundary and Maurice River corridor is located within a State Wildlife Management Area. The area within the Environmentally Sensitive Planning Area (Planning Area 5) under the State Plan reverts to the Coastal Environmentally Sensitive Planning Area.

#### D. Millville City/Vineland City

1. Millville-Vineland CAFRA regional center: The Millville-Vineland CAFRA regional center is located within the Metropolitan Planning Area (Planning Area 1) under the State Plan. An Environmentally Sensitive Planning Area (Planning Area 5) under the State Plan is delineated along the a small section of the Maurice River that is located within the center. This area reverts to the Coastal Environmentally Sensitive Planning Area.

### IV. Monmouth County CAFRA centers

#### A. Atlantic Highlands

1. Atlantic Highlands Borough CAFRA town: The Atlantic Highlands CAFRA town is located within the Metropolitan Planning Area (Planning Area 1) under the State Plan. Critical Environmental Sites under the State Plan are delineated along the Raritan Bay shore. This area reverts to the Coastal Metropolitan Planning Area.

#### B. Long Branch City

1. Long Branch CAFRA regional center: The Long Branch CAFRA regional center is located within the Metropolitan Planning Area (Planning Area 1) under the State Plan. Critical Environmental Sites under the State Plan are delineated along the Atlantic Ocean beach, the Shrewsbury River, Manhasset Creek, Whalepond Brook and Lake Takanassee. These areas revert to the Coastal Metropolitan Planning Area.

#### C. Manasquan Borough

1. Manasquan Borough CAFRA town: The Manasquan CAFRA town is located within the Metropolitan Area (Planning Area 1) under the State Plan. Critical Environmental Sites are delineated on the Atlantic Ocean beach, Judas Creek,

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Stockton Lake and Robert Swamp Brook. These areas revert to the Coastal Metropolitan Planning Area.

D. Red Bank Borough

1. Red Bank CAFRA regional center: The Red Bank CAFRA regional center is located within the Metropolitan Area (Planning Area 1) under the State Plan. An Environmentally Sensitive Planning Area (Planning Area 5) under the State Plan is delineated along the Navesink River shoreline. This area reverts to the Coastal Environmentally Sensitive Planning Area.

Interested parties may consult the Department's website for more information regarding the Permit Extension Act of 2008 and its effects on Department approvals. The Department's website <http://www.state.nj.us/dep/opppc> provides links to mapping tools, frequently asked questions, and instructions on how to determine if an activity is in an "environmentally sensitive area" pursuant to the Permit Extension Act of 2008.

As indicated above, the Permit Extension Act of 2008 provides that permits and approvals covered by the Act remain in effect during the "extension period." At the conclusion of the tolling period provided by N.J.S.A 40:55D-136.4, the expiration, pursuant to N.J.A.C. 5:85-7.11, of the State Planning centers not designated through the Plan Endorsement process in municipalities listed in Table A and Table B will become effective. Accordingly, the boundaries for those centers and cores will expire by operation of the State Planning rules. At that time, the Department will analyze the resulting boundary changes in accordance with N.J.A.C. 7:7E-5B.3 and publish a notice summarizing its findings.

Maps indicating the operative boundaries of the CAFRA centers and cores and Coastal Planning Areas are available on the Department's Geographic Information System (GIS) and may be reviewed at the Department, 401 East State Street, Trenton, New Jersey 08625. An appointment for review can be scheduled by calling (609) 292-1143.

The resulting administrative changes to Appendix 5 are indicated below and shall be operative {30 days from date of publication}:

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**Full text** of the changed rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

## APPENDX 5 CAFRA CENTERS

This non-regulatory appendix contains the list of CAFRA centers, CAFRA cores and CAFRA nodes the boundaries of which have been accepted by the Department under N.J.A.C. 7:7E-5B.3(b), and which are incorporated into and shown on the CAFRA Planning Map. As required under N.J.A.C. 7:7E-5B.4(b), an applicant shall refer to the CAFRA Planning Map in order to determine the location of a site for the purposes of determining the applicable impervious cover limits under this chapter.

The Department will update the list of CAFRA centers, CAFRA cores and CAFRA nodes in this Appendix by notice of administrative change as part of the New Jersey Register notice required in N.J.A.C. 7:7E-5B.3(b). The appendix is organized as follows: Counties are listed alphabetically. Within each county, the municipalities are listed alphabetically. Within each municipality, the CAFRA centers, CAFRA cores and CAFRA nodes are listed alphabetically.

I. - II. (No change)

III. Cumberland County CAFRA centers

A. (No change.)

B. Commercial Township CAFRA centers

1. [Laurel Lake CAFRA village

2.] Mauricetown-Haleyville CAFRA village

[3. Port Norris CAFRA village]

C. (No change.)

D. Maurice River Township

1. [Delmont CAFRA village

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2. Dorchester-Leesburg CAFRA village
  3. Heislerville CAFRA village
  4. Port Elizabeth Bricksboro CAFRA village
  - 5.] Mauricetown Station CAFRA hamlet
- E. (No change.)
- IV. – VI. (No change.)

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Date

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MARK N. MAURIELLO, ACTING COMMISSIONER  
Department of Environmental Protection