

**NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**LAND USE MANAGEMENT**  
**Office of Policy Implementation**  
**Notice of Routine Program Change for Coastal Management Program**

**Take notice** that the Department of Environmental Protection (Department) is seeking approval from the National Oceanic and Atmospheric Administration’s Office for Coastal Management (NOAA) to modify the Federally approved New Jersey Coastal Management Program (NJCMP) to incorporate the Shore Tourism and Ocean Protection from Offshore Oil and Gas Act (Act) signed by Governor Murphy on April 20, 2018 as a routine program change pursuant to Federal Regulation 15 C.F.R. 923.80-923.84. Specifically, the Act prohibits offshore oil or natural gas exploration, development, and production in New Jersey waters and prohibits the leasing of tidal or submerged lands in State waters for such purposes. It prohibits the Department from issuing any permit or approval pursuant to the Coastal Area Facility Review Act (CAFRA), N.J.S.A. 13:19-1 et seq., the Waterfront Development Law, N.J.S.A. 12:5-3, the Federal Coastal Zone Management Act of 1972, 16 U.S.C. s.1451 et seq., or any other State or Federal law, rule, or regulation, for any development associated with offshore drilling for oil or natural gas, whether proposed in State waters or outside of State waters, and prohibits the Department from developing, adopting, or endorsing any plans for such activities.

The Act also directs the Department to submit the statute to NOAA for incorporation as an enforceable policy of the NJCMP. Finally, it directs the State to review any proposed oil or natural gas lease, license, permit, or plan for exploration, development, or production of oil and natural gas within the Atlantic region of the exclusive economic zone to determine if the proposal can be reasonably expected to affect State waters, particularly in terms of proposed activities’ proximity to State waters or the Gulf Stream south of State waters. If so, the Commissioner of the Department shall advise the Governor and take all actions necessary to initiate a consistency review under the Federal Coastal Zone Management Act of 1972.

The Department considers the above statute to constitute a “Routine Program Change” of the NJCMP. Under 15 C.F.R. 923.84(a), changes to an approved coastal management program constitute a Routine Program Change when they do not result in the kind of amendments of the state’s Coastal Management Program that can be described as “substantial changes to enforceable policies or authorities related to: (1) uses subject to management; (2) special management areas; (3) boundaries; (4) authorities and organization; and, (5) coordination, public involvement and national interest.” Federal regulations mandate that the State provide public notice of its Routine Program Change of the State’s Coastal Management Program to the general public, affected parties, local and State agencies, and regulatory offices, and relevant Federal agencies.

The Department has submitted a request for the concurrence of NOAA with the Department’s determination that incorporating the above actions into NJCMP

constitutes a Routine Program Change. This notice is required to accompany that submission pursuant 15 C.F.R. 923.84. The routine program change submittal to NOAA is available on the Department's Coastal Management Program website at [www.nj.gov/dep/cmp/czm\\_news.html](http://www.nj.gov/dep/cmp/czm_news.html). A hard copy may be obtained from the Office of Policy Implementation, P.O. Box 420, Mail Code: 401-07B, Trenton, New Jersey 08625-0420, (609) 633-2201.

Comments on whether or not these actions should be considered a Routine Program Change should be sent within three weeks of the date of this notice to:

Joelle Gore, Chief  
Stewardship Division  
Office of Coastal Management  
SSMC4, Room 10622  
1305 East West Highway  
Silver Spring, MD 20910