

# Instructions for Tidelands License Applications

A Tidelands license is a short term rental agreement from the State of New Jersey for the use of its tidelands. As defined by N.J.S.A. 12:3-10 and N.J.S.A. 13:1B-13, tidelands are all lands currently and formerly flowed by the mean high tide of a natural waterway. These lands are the property of the state.

The State of New Jersey will rent and/or sell formerly flowed tidelands. However, at this time, currently flowed tidelands that have not been previously sold by the state may only be rented. The only exception is man-made waterways such as lagoons.

Licenses must be procured for the following:

1. Fixed structures (i.e. docks, piers, mooring piles, floating docks, boat lifts, riprap, etc) that are constructed or will be constructed on state-owned tidelands – **see pages 2-3**
2. Bulkhead extensions that have exceeded or will exceed the mean high water line of state-owned tidelands (These bulkhead extensions, as formerly flowed tidelands, may be purchased from the state if desired; however, they must be rented via a valid license until a riparian grant is delivered.) – **see pages 2-3**
3. Yacht and Boat Clubs constructed on state-owned tidelands – **see pages 2-3**
4. Marinas (defined as five or more rented boat slips) that are constructed or will be constructed on state-owned tidelands – **see pages 3-4**
5. Dredging within state-owned tidal water – **see pages 4-5**
6. Utilities or Utility-related structures (i.e. pipes, cable lines) that cross over or under state-owned tidelands – **see page 6**
7. Bridge construction/maintenance over state-owned tidelands – **see page 7**

Licenses must be obtained for all proposed construction as well as any past construction regardless of whether or not the current property owner is responsible for that construction. The state does not grandfather fixed structures, marinas, utilities or bridges with respect to Tidelands conveyances. All structures that are currently occupying state-owned tidelands without the benefit of a Tidelands license are considered illegal, and the State of New Jersey would be within its rights to file a lien against the adjacent upland.

A license typically takes between three and six months to obtain.

The State of New Jersey is under no obligation to issue a Tidelands license. Licenses are not valid until delivered and may be revoked by the state at any time.

If any changes or additions are made to existing license areas, an application to modify the license must be submitted. The modification requirements are the same as the requirements for the original license.

**The state issues project-specific licenses. Each license type has particular qualifications and requirements as follows:**

# **1. Licenses for Fixed Structures**

## **2. Licenses for Bulkhead Extensions and**

### **3. Yacht and Boat Club Licenses**

Fixed structures and bulkhead extensions may be licensed under a single document. Fixed structures include docks, piers, mooring piles, floating docks, boat lifts, riprap and other structures that are permanently attached over tidelands. Removable rafts and boats need not be licensed. Bulkhead extensions include any new solid material, regardless of the amount of that material, that extends the length of the upland and precludes the tide from flowing beneath it.

Yacht and Boat Clubs are defined as private, non-commercial marinas with slips available only to club members.

The term of these licenses is ten years. Before a license document expires, the property owner has the responsibility of obtaining a License Renewal Application and submitting it to the Bureau of Tidelands Management.

#### **Requirements for Licenses for Fixed Structures, Bulkhead Extensions, and Yacht and Boat Clubs:**

**The materials listed in Section A are required for all applications of this project type. Some applications will have further requirements as described in Sections B and C. Please note that an application may have requirements from multiple sections.**

A. All applications must include the following:

1. **License Application Form** – completed and signed by all persons listed as the current owner on the most recent recorded deed
2. **Recorded Deed** – a copy of the current deed as recorded in the County Clerk's office
3. **Waterfront Development Permit** – a valid waterfront development permit for all proposed or existing structures/bulkhead extensions that are to be licensed; the State of New Jersey will not issue a license until a permit copy is received; please contact the Technical Support Center at (609) 777-0454 and press 2 for permit information
4. **Property Survey** – two (2) copies of the permit-approved survey; In addition two (2) Tidelands surveys meeting the following requirements must be submitted:

- Signed and sealed by a New Jersey Licensed Land Surveyor; photocopies of plans and/or plans that do not bear the signature and seal of a New Jersey Licensed Land Surveyor will not be accepted.
- Depicts the existing and proposed conditions of the property.
- Provides the date of the original drawing and of any revisions; the date of either the original drawing or of the most recent revision must be current.
- Provides the owner's name, tax lot and block, municipality and county for the subject property.
- Drawn to scale in either a 1"=10', 1"=20', 1"=30', 1"=40', 1"=50' or 1"=60' scale; other scales will not be accepted.
- Provides the standard engineering scale used.
- Includes a graphic scale.
- Includes a north arrow.
- Depicts the complete upland of the subject property and provides a point of beginning (POB) on the property line that is defined with an X-Y Coordinate using the NJ Plane Coordinate System (NJPCS), 1983 North American Datum (NAD) in feet; from this POB all appropriate bearings and distances around the entire parcel perimeter must be defined and record title must be clearly marked.
- Provides all bearings in degrees, minutes, seconds as whole numbers (no decimals: e.g. N 14 degrees, 56 minutes, 36.5 seconds E would not be accepted). All arcs must contain Radius, Arc Length, Chord Bearing & Length.
- Provides all distances to two decimals with positional tolerance of +/- .07 feet.
- Provides the total square footage of the parcel to include any fill beyond record title and a description of this area by proper bearings and distances.
- Clearly indicates the claim areas that area to be licensed from the State of New Jersey; if a portion of the claim area is currently flowed tidelands, this area must be defined and labeled.
- Provides the total square footage of the claim area; separate total square footages are required for formerly flowed and currently flowed areas. (all upland claim areas must be defined with proper bearings and distances, the square footage of the area, and a bearing-and-distance tie line to a property corner if not abutting the site's perimeter).

- Depicts the location of the current (or former) mean high water line as applicable. If the MHWL defines the outer perimeter of the parcel, then it must have proper bearings and distances defining it.
- Depicts the location of the Tidelands Claim Line and notes the source of the line.
- Depicts all abutting lots/blocks, streets, waterways, etc.
- Provides the location of any existing tidelands conveyances (grants, licenses, Statements of No Interest, etc.) on the subject property if applicable.
- DOES NOT SHOW extraneous survey details such as (but not limited to) soundings, elevations, and additional upland features (e.g. buildings, landscaping, walkways). A Tidelands Survey should be clear of all such items though they may be appropriate for a typical permit plan.
- Ensures all lines that run to an existing, retaining wall, rip-rap, or other such structure, are measured to the waterside face of the bulkhead or structure rather than to a point in the middle of the bulkhead or structure.

B. Applicants not applying as either private citizens or as Condominium Associations (i.e. companies, corporate entities, government agencies, counties, municipalities, etc.) must also submit the following:

1. **Organization Data Form** – only a person(s) listed on this form may sign the License Application Form and any other documentation that may be required for the application

C. When applicants are applying as a Condominium Association, the following additional requirements apply:

1. The application must include a copy of the **first two pages of the Master Deed** in addition to the recorded deeds of all individual unit owners.
2. All required forms must be completed in the name of the Condominium Association.

### 3. Marina Licenses

For Tidelands purposes, a marina is a collection of docks, piers, mooring piles or similar structures that together provide permanent or semi-permanent dockage for rent to five or more vessels. Less than five slips would require a license for fixed structures.

The term of a marina license is seven years. Marina structures cannot be combined under a single license document with other license projects. If other structures or projects exist at the site of a marina (i.e. a bulkhead extension, a long pier with no associated slips, etc), a separate license application must be submitted for those structures.

Before a marina license document expires, the property owner has the responsibility of obtaining a License Renewal Application and submitting it to the Bureau of Tidelands Management.

#### **Requirements for Marina Licenses:**

**The materials listed in Section A are required for all applications of this project type. Some applications will have further requirements as described in Sections B and C. Please note that an application may have requirements from multiple sections.**

A. All applications must include the following:

1. **License Application Form** – completed and signed by all persons listed as the current owner on the most recent recorded deed
2. **Recorded Deed** – a copy of the current deed as recorded in the County Clerk's office
3. **Waterfront Development Permit** – a valid waterfront development permit for all proposed or existing marina structures that are to be licensed; the State of New Jersey will not issue a license until a permit copy is received; please contact the Technical Support Center at (609) 777-0454 and press 2 for permit information
4. **Initial Income Report** – a list of the potential annual income of each individual slip within the license area; each slip must be given a number
5. **Dockage Plan** - a depiction of all slips within the license area; the slips must be numbered to correspond with the slip numbers on the Initial Income Report; this document may be hand drawn
6. **Property Survey** – two (2) copies of the permit-approved survey; survey revisions may be requested during the application review if additional information is needed

B. Applicants not applying as either private citizens or as Condominium Associations (i.e. companies, corporate entities, government agencies, counties, municipalities, etc.) must also submit the following:

1. **Organization Data Form** – only a person(s) listed on this form may sign the License Application Form and any other documentation that may be required for the application

C. When applicants are applying as a Condominium Association, the following additional requirements apply:

1. The application must include a copy of the **first two pages of the Master Deed** in addition to the recorded deeds of all individual unit owners.
2. All required forms must be completed in the name of the Condominium Association.

#### 4. Dredging Licenses

Dredging projects cannot be combined with non-dredging projects under a single license document; they require separate applications. The term of a dredging license is generally one year. A dredging license cannot be renewed. If the term of the license expires prior to commencement of the project, a new application must be submitted.

##### **Requirements for Dredging Licenses:**

**The materials listed in Section A are required for all applications of this project type. Some applications will have further requirements as described in Sections B and C. Please note that an application may have requirements from multiple sections.**

A. All applications must include the following:

1. **License Application Form** – completed and signed by all persons listed as the current owner on the most recent recorded deed
2. **Waterfront Development Permit** – a valid waterfront development permit is required for every dredging license application; the State of New Jersey will not issue a license until a permit copy is received; please contact the Technical Support Center at (609) 777-0454 and press 2 for permit information
3. **Permission from the Adjacent Upland Owner** – if the applicant is not the owner of all of the upland adjacent to the dredging project, written

permission is required from all property owners whose property fronts the proposed dredging project; if the applicant is the sole adjacent upland owner, a copy of the recorded deed is required; if the applicant owns some of the adjacent upland but not all of it, written permission is required in addition to a copy of the recorded deed

4. **Property Survey** – two (2) copies of the permit-approved survey; survey revisions may be requested during the application review if additional information is needed

B. Applicants not applying as either private citizens or as Condominium Associations (i.e. companies, corporate entities, government agencies, counties, municipalities, etc.) must also submit the following:

1. **Organization Data Form** – only a person(s) listed on this form may sign the License Application Form and any other documentation that may be required for the application

C. When applicants are applying as a Condominium Association, the following additional requirements apply:

1. The application must include a copy of the **first two pages of the Master Deed** in addition to the recorded deeds of all individual unit owners.
2. All required forms must be completed in the name of the Condominium Association.

## 5. Utility and Utility-related Licenses

Utility and utility-related licenses are for such structures as pipes, cable lines, storm water outfalls, etc that cross over or under state-owned tidelands.

A utility license has a term of up to twenty-four years. Before a utility license document expires, the license holder has the responsibility of obtaining a License Renewal Application and submitting it to the Bureau of Tidelands Management.

### Requirements for Utility and Utility-related Licenses:

A. All applications must include the following:

1. **License Application Form** – completed and signed

2. **Waterfront Development Permit** – a valid waterfront development permit is required for every one fee license application; the State of New Jersey will not issue a license until a permit copy is received; please contact the Technical Support Center at (609) 777-0454 and press 2 for permit information
3. **Permission from the Adjacent Upland Owner** – if the applicant is not the owner of all of the upland adjacent to the project, written permission is required from all property owners whose property is affected by the proposed work; if the applicant is the sole adjacent upland owner, a copy of the recorded deed is required; if the applicant owns some of the adjacent upland but not all of it, written permission is required in addition to a copy of the recorded deed
4. **Written Description of the Project**
5. **Organization Data Form** – only a person(s) listed on this form may sign the License Application Form and any other documentation that may be required for the application
6. **Property Survey** – two (2) copies of the permit-approved survey; survey revisions may be requested during the application review if additional information is needed

## 6. Bridge Licenses

**Only certain bridge construction/maintenance projects occurring over State-owned tidelands require Tidelands licenses.** For information on the license applicability for a specific bridge project, please contact the Bureau of Tidelands Management.

The term of a bridge license is ten years.

### **Requirements for Bridge Licenses:**

- A. All applications must include the following:
  1. **License Application Form** – completed and signed
  2. **Waterfront Development Permit** – a valid waterfront development permit is required for every bridge license application; the State of New Jersey will not issue a license until a permit copy is received; please contact the Technical Support Center at (609) 777-0454 and press 2 for permit information



3. **Organization Data Form** – only a person(s) listed on this form may sign the License Application Form and any other documentation that may be required for the application
4. **Property Survey** – two (2) copies of the permit-approved survey; survey revisions may be requested during the application review if additional information is needed

**Submit all applications to:**

State of New Jersey  
Department of Environmental Protection  
Bureau of Tidelands Management  
P.O. Box 420 Code 501-02B  
Trenton, NJ 08625-0420

**Do Not Send by Certified Mail**

If you have any questions regarding this application, please contact the Technical Support Center at (609) 777-0454 and press 5 for Tidelands.



State of New Jersey  
 Department of Environmental Protection  
 Bureau of Tidelands Management  
 P.O. Box 420 Code 501-02B  
 Trenton, NJ 08625-0420



## TIDELANDS LICENSE APPLICATION FORM

PLEASE INCLUDE SIGNATURES OF ALL PERSONS LISTED ON THE CURRENT RECORDED DEED  
 ATTACH A SIGNATURE ADDENDUM PAGE IF MORE THAN TWO SIGNATURES ARE REQUIRED

Title Holder(s)		
Name:		
Mailing Address:		City: State:
Zip Code:	Daytime Telephone Number:	Email Address:
Site Location		
Address:		Municipality: County:
Block:	Lot:	Waterway:
Purpose of Application		
Please select all that apply:		
<input type="checkbox"/> Fixed Structure License, Bulkhead Extension License and/or Yacht or Boat Club License		
<input type="checkbox"/> Marina License		
<input type="checkbox"/> Dredging License		
<input type="checkbox"/> Utility or Utility-related License		
<input type="checkbox"/> Bridge License		
<input type="checkbox"/> Modification of Existing License File# _____		
Agent Information (optional)		
Agent Name:		
Mailing Address:		City: State:
Zip Code:	Telephone Number:	Email Address:
Signatures		
<i>I, the undersigned, hereby request a Tidelands License from the State of New Jersey. I understand that construction may not be performed until said License is delivered. I also understand that the State has the right to revoke any License as set forth in N.J.S.A 12:3-10. Furthermore, I agree to abide by the terms and conditions contained in the License Document.</i>		
<input type="checkbox"/> <i>I agree to act as my own representative in all matters pertaining to my Tidelands License.</i>		
<input type="checkbox"/> <i>I authorize the person named above to act as my agent in all matters pertaining to my Tidelands License. I understand that the Bureau of Tidelands Management will correspond only with this agent. Furthermore, I understand that I should direct future questions or concerns regarding my conveyance to my agent. This agreement will remain in effect unless I submit written notification to the Bureau of Tidelands Management.</i>		
Signature of Title Holder:		Date:
Print Name:		
Signature of Title Holder:		Date:
Print Name:		



State of New Jersey  
 Department of Environmental Protection  
 Bureau of Tidelands Management  
 P.O. Box 420 Code 501-02B  
 Trenton, NJ 08625-0420



# ORGANIZATION DATA FORM\*\*\*

ATTACH AN ADDITIONAL PAGE IF SPACE FOR MORE THAN FOUR NAMES IS NEEDED

Organization Information	
Name of Organization:	
Address of Principal Office:	
Authorized Persons	
Please list the persons authorized to act on behalf of the above organization:	
Name:	Title:
Address:	
Name:	Title:
Address:	
Name:	Title:
Address:	
Name:	Title:
Address:	
Name:	Title:
Address:	
Organization Data	
Is this organization based in New Jersey? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If No, is this organization authorized to do business in New Jersey? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the organization currently in good standing? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If No, please explain.	
When was the First Annual Report filed with the Secretary of State in Trenton?	
Are there any Franchise Taxes currently due to the Corporation Tax Bureau? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, in what year were the last taxes paid?	

\*\*\*Complete this form only if the applicant is not a private citizen



State of New Jersey  
Department of Environmental Protection  
Bureau of Tidelands Management  
P.O. Box 420 Code 501-02B  
Trenton, NJ 08625-0420



## SIGNATURE ADDENDUM PAGE

Addendum to:	
Signatures	
Signature:	Date:
Print Name:	
Signature:	Date:
Print Name:	
Signature:	Date:
Print Name:	
Signature:	Date:
Print Name:	
Signature:	Date:
Print Name:	