



FLOOD HAZARD AREA APPLICATION CHECKLIST

General Permit 5—Reconstruction and/or elevation of a building in a floodway

CALL NJDEP AT (609) 777-0454 IF YOU HAVE ANY QUESTIONS

To apply for an authorization under general permit 5, please submit the information below to:

Postal Mailing Address

NJ Department of Environmental Protection
 Division of Land Use Regulation
 P.O. Box 420, Code 501-02A
 Trenton, New Jersey 08625-0420
Attn: Application Support

Street Address (Courier & Hand Carry Only)

NJ Department of Environmental Protection
 Division of Land Use Regulation
 501 East State Street
 Station Plaza 5, 2nd Floor
 Trenton, New Jersey 08609
Attn: Application Support

Electronic Submission

Access the submission system at <https://njdeponline.com>. Follow the registration process and create an account. To submit an application, select the service "Apply for a Land Use Permit or Authorization."

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1. A completed [application form](#) (Paper submissions ONLY)
2. A completed [Property Owner Certification form](#) (Electronic submissions ONLY)
 - Acceptable file formats include pdf, jpg, and png.
3. Public notice:
 - **Electronic Submissions:** A completed [Public Notice form](#). Documentation that notice of the application has been provided in accordance with N.J.A.C. 7:13-19 must be attached to the form (see below for details). Acceptable file formats include pdf, jpg, and png.
 - **Paper Submissions:** Documentation that notice of the application has been provided in accordance with N.J.A.C. 7:13-19 (see below for details).

Both electronic and paper submissions require documentation of public notice as follows:

i. Notice to municipal clerk (N.J.A.C. 7:13-19.3(a))

A copy of the entire application, as submitted to the Department, must be provided to the municipal clerk in each municipality in which the site is located. For electronic submissions, the application consists of a description of the project, the specific permit(s)/authorization(s) being sought, and all items that will be uploaded to the online service, including all required items on this checklist.

- Documentation of compliance with this requirement shall consist of a copy of the certified United States Postal Service white mailing receipt, or other written receipt, for each copy of the application sent.

ii. Notice to governmental entities and property owners (N.J.A.C. 7:13-19.3(b) and (c))

A brief description of the proposed project, a legible copy of the site plan, and the form notice letter described at N.J.A.C. 7:13-19.3(d)1iii must be sent to the following recipients:

- A. The construction official of each municipality in which the site is located;
- B. The environmental commission, or other government agency with similar responsibilities, of each municipality in which the site is located;
- C. The planning board of each municipality in which the site is located;
- D. The planning board of each county in which the site is located;
- E. The local Soil Conservation District if the regulated activity or project will disturb 5,000 square feet or more of land; and
- F. Adjacent property owners:

Unless the project is one listed at N.J.A.C 7:13-19.3(c)1-6 (which require different notice to property owners as described in the rules), notice shall be sent to all owners of real property, including easements, located within 200 feet of the site of the proposed regulated activity.

The owners of real property, including easements, shall be those on a list that was certified by the municipality, with a date of certification no more than one year prior to the date the application is submitted.

- Documentation of compliance with this requirement shall consist of:
 - 1. A copy of the certified United States Postal Service white mailing receipt for each public notice that was mailed, or other written receipt;
 - 2. A certified list of all owners of real property, including easements, located within 200 feet of the property boundary of the site (including name, mailing address, lot, and block) prepared by the municipality for each municipality in which the project is located. The date of certification of the list shall be no earlier than one year prior to the date the application is submitted to the Department; and
 - 3. A copy of the form notice letter.
- The form notice letter required under N.J.A.C. 7:13-19.3(d)1iii shall read as follows:

"This letter is to provide you with legal notification that an application for an authorization under flood hazard area general permit 5 <<has been/will be>> submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the development shown on the enclosed plan(s). A brief description of the proposed project follows: <<INSERT DESCRIPTION OF THE PROPOSED PROJECT>>

The complete permit application package can be reviewed at either the municipal clerk's office in the municipality in which the site subject to the application is located, or by appointment at the Department's Trenton Office. The Department of Environmental Protection welcomes comments and any information that you may provide concerning the proposed development and site. Please submit your written comments within 15 calendar days of receiving this letter to:

*New Jersey Department of Environmental Protection
Division of Land Use Regulation
P.O. Box 420, Code 501-02A
Trenton, New Jersey 08625
Attn: (Municipality in which the property is located) Supervisor"*

iii. Newspaper notice (N.J.A.C. 7:13-19.4)

Please refer to this portion of the rules for guidance on providing newspaper notice for certain large scale linear, public, or commercial projects.

iv. Notice for projects located in the Pinelands Area

For a project in the Pinelands Area as designated under the Pinelands Protection Act at N.J.S.A. 13:18A-11.a, documentation showing that a copy of the application form has been provided to the New Jersey Pinelands Commission. For electronic submissions, the "application form" will consist of a description of the project, including the lot, block, municipality, and county, and the specific permit(s)/authorization(s) being sought.

4. Site plans:

All site plans must include the scale of the site plans, a north arrow, the name of the person who prepared the plans, date the site plans were prepared, and the applicant's name and the block, lot, and municipality in which the site is located. In addition, the site plans shall include the following information, both on and adjacent to the site, in accordance with N.J.A.C. 7:13-18.4(a)4:

i. Existing features:

- A. Lot Lines and right of-way lines;
- B. Buildings and structures; and
- C. Land cover and vegetation.

ii. Proposed regulated activities:

- A. Changes in lot lines;
- B. Size, location, and detail of proposed buildings and/or structures;
- C. Location and area of any riparian zone vegetation that will be disturbed;
- D. Clear indication of the lowest floor elevation (must be at least one foot above the flood hazard area design flood elevation, in accordance with N.J.A.C. 7:13-9.5(a)1);
- E. Details of any new enclosures below the lowest floor of the building sufficient to determine if the enclosure will be constructed in accordance with N.J.A.C. 7:13-9.5(a)3;
- F. The location and footprint of the building after the reconstruction;
- G. Locations of tops of banks/ edge of water and size and location of any lawfully existing bulkhead, retaining wall, or revetment along a tidal water or impounded fluvial water;
- H. The proposed footprint of disturbance associated with access to the building; and
- I. Details of any planting to restore disturbed areas in accordance with N.J.A.C. 7:13-6.7(b)5.

iii. Topography:

- A. Existing and proposed topography. All topography must reference NGVD or include the appropriate conversion factor to NGVD.

iv. Soil erosion and sediment control:

- A. Details of any proposed soil erosion and sediment control measures.

v. Riparian zone:

- A. The location of any riparian zone onsite (see N.J.A.C. 7:13-4.1).

vi. Metes and bounds description:

- A. A metes and bounds description of any existing and proposed flood hazard area and floodway limits onsite; and
- B. Identification of the method in N.J.A.C.7:13-3 that was used to determine these limits.

vii. Flood hazard area/floodway information:

- A. If the entire site lies within a flood hazard area and/or floodway, the site plans shall indicate this; and
- B. The elevation(s) of the flood hazard area design flood throughout the site.

viii. Details of construction proposed in a regulated water:

- A. Construction in a regulated water is not permitted under this general permit.

- **Electronic Submissions:** Acceptable file formats include pdf and zip. Site plans must be certified in accordance with N.J.A.C. 7:13-18.2(j) and prepared according to the Department's [site plan specifications](#) for electronic site plans. All plans must be digitally signed and sealed by a New Jersey licensed professional engineer, surveyor, or architect, as appropriate, pursuant to N.J.A.C. 13:40-7.2 through 7.4, with signatures and seals that meet the requirements of N.J.A.C. 13:40-8.1A. Site plans with electronic signatures, such as scans of site plans with a handwritten signature, will not be accepted.
- **Paper Submissions:** Three sets of site plans, certified in accordance with N.J.A.C. 7:13-18.2(j). Prior to issuance of any permit, the Department will require four to five sets of final site plans. The site plans must be signed and sealed by a New Jersey licensed professional engineer, surveyor, or architect, as appropriate, pursuant to N.J.A.C. 13:40-7.2 through 7.4.

5. Photographs:

- i. Color photographs depicting the existing and proposed location of the building; and
 - ii. A photo location map showing the location and direction from which each photograph was taken.
- **Electronic Submissions:** Acceptable file formats include pdf, doc, docx, jpg, zip, ppt, and pptx.
 - **Paper Submissions:** One set of photographs mounted on 8½-inch by 11-inch paper. Copies of photographs are acceptable provided they are color copies. Black and white copies of photographs are not acceptable.

6. A compliance statement that includes the following:

- i. A written narrative explaining how each requirement of general permit 5 at N.J.A.C. 7:13-9.5 will be met by the proposed project;
 - ii. A list of all limits and requirements at N.J.A.C. 7:13-6.7, Conditions applicable to a permit-by-rule or to an authorization pursuant to a general permit-by-certification or a general permit, that apply to the proposed project and an explanation of how the project complies with each requirement, including:
 - A. A written narrative of avoidance and/or minimization of impacts to threatened or endangered wildlife or plant species habitat in and near the project area, as applicable; and
 - iii. A description of the site characteristics and the location of the proposed project, potential impacts from the construction process, and, as applicable, any monitoring or reporting methods that will be used.
- **Electronic Submissions:** The required compliance statement should be uploaded under the attachment type "Environmental Report with Site Location Maps." Acceptable file formats include pdf, doc, docx, rtf, and zip.

7. Color copies of the following maps:

- i. The tax map for the property;
- ii. A copy of the portion of the county road map showing the property location; and

iii. A copy of the USGS quad map(s) that includes the site, with the site clearly outlined to scale.

- **Electronic Submissions:** The required maps should be uploaded with the compliance statement under the attachment type “Environmental Report with Site Location Maps.” Acceptable file formats include pdf, doc, docx, rtf, and zip.

8. Calculations and analyses:

- i. An engineering certification confirming the requirements at N.J.A.C 7:13-9.5(a)5i-iii are met, the contents of which are set forth in the definition of “engineering certification” at N.J.A.C. 7:13-1.2.

Any calculations or analyses submitted as part of an application must include the certification set forth at N.J.A.C. 7:13-18.2(j).

- **Electronic Submissions:** Engineering certifications must be in pdf format and must be digitally signed and sealed in accordance with N.J.A.C. 13:40-8.1A. Engineering certifications with electronic signatures, such as scans of certifications with a handwritten signature, will not be accepted.

9. A verification:

- **Electronic Submissions:** If a verification has not yet been obtained, an application for a verification may be submitted with this general permit application through the online service. If a verification has been obtained, include documentation with the compliance statement under the attachment type “Environmental Report with Site Location Maps.”
- **Paper Submissions:** Documentation that the applicant has obtained a verification or has applied for a verification.

10. Natural Heritage Program Letter:

A copy of an NJDEP, Office of Natural Lands Management Natural Heritage Database data request response for endangered or threatened species of flora or fauna, including a Landscape Map report, if available

- **Electronic Submissions:** Acceptable file formats include pdf, jpg, and png.

11. Additional requirements:

- i. Highlands applicability determination (highlands exemption) – applies only if the project is located within the Highlands Preservation Area
- **Electronic Submissions:** Acceptable file formats include pdf, jpg, and png.
- ii. Conservation restriction – applies only if the proposed project is subject to an existing conservation restriction
- **Electronic Submissions:** Acceptable file formats include pdf, jpg, and png.

12. A computer disk containing a copy of the entire application (Paper submissions ONLY)