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## **ENVIRONMENTAL PROTECTION**

### **DIVISION OF PARKS AND FORESTRY**

#### **State Park Service Code**

#### **Proposed Readoption with Amendments: N.J.A.C. 7:2**

#### **Proposed New Rules: N.J.A.C. 7:2-17.6 and 17.7.**

Authorized By: Lisa P. Jackson, Commissioner

Department of Environmental Protection

Authority: N.J.S.A. 13:1B, 13:1B-15.100 et seq., and 13:1L-1 et seq.

Calendar Reference: See Summary below for explanation of exception to calendar requirement.

DEP Docket Number: 21-06-10/537

Proposal Number: PRN

Submit Comments by (60 days after publication) to:

Alice A. Previte, Esq.

Attention: DEP Docket Number 21-06-10/537

Office of Legal Affairs

Department of Environmental Protection

P. O. Box 402

Trenton, New Jersey 08625-0402

The Department of Environmental Protection (Department) requests that commenters submit comments on disk or CD as well as on paper. Submittal of a disk or CD is not a requirement. The Department prefers Microsoft Word 6.0 or above. Macintosh formats

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citation, with the commenter's name and affiliation following the comment.

The agency proposal follows:

### **Summary**

Since the Department has provided a 60-day comment period on this proposal, the proposal is excepted from the rulemaking calendar requirement pursuant to N.J.A.C. 1:30-3.3(a)5.

The State Park Service Code, N.J.A.C. 7:2, was scheduled to expire on October 17, 2006, pursuant to the provisions of Executive Order No. 66 (1978). The expiration date was extended by 180 days to April 15, 2007, pursuant to N.J.S.A. 52:14B-5.1c, as a result of the timely filing of this proposal to readopt the rules with amendments. These rules govern the administration, operation, management and use of State parks, forests, recreation areas, historic sites, natural areas, marinas, a golf course, botanical gardens and other land, waters and facilities under the jurisdiction of the Department and assigned to the State Park Service in the Division of Parks and Forestry.

The Department has reviewed these rules and has determined them to be necessary, reasonable and proper for the purposes for which they were originally promulgated. In its review, the Department determined that amendments to the rules are necessary to update requirements and procedures for State Park Service administered areas.

The following is a summary of each subchapter contained in N.J.A.C. 7:2, including a description of the amendments that are being proposed.

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## **Subchapter 1, General Provisions**

Subchapter 1, General provisions, establishes the scope of the chapter, the rules of construction, and the definitions of terms used in the chapter. The Department proposes to amend N.J.A.C. 7:2-1.7 to reflect current terminology used by the State Park Service. Added to the “ATV” definition are the words “registered with the New Jersey Motor Vehicle Commission or not registered” in order that the definition encompasses all ATVs. Technical specifications regarding ATVs are being removed, since the Department does not intend the definition to be limited to vehicles with gasoline engines, or of a certain engine size.

The Department is proposing to amend the definition of bicycle to make it include all types of bicycles. Similarly, the proposed amended definition of “boat” more accurately reflects the types of boats that the public uses at the State’s parks. The existing rules limited “boat” to small open vessels. The proposed definition includes closed vessels or water craft, and does not limit the size to “small.”

A definition of “camper” is being proposed in order to distinguish between a park visitor and a camper who is in possession of a valid camping permit. The proposed amended rules distinguish between categories of people who visit and use the parks, such as in amendments to N.J.A.C. 7:2-6.6 where visitors must leave a park by a certain hour.

The Department is proposing a definition of “camping facility” to encompass all of the State Park Service designated campsites, including family campsites, wilderness campsites, group campsites, and primitive campsites. Wherever these various terms appear in the existing rules they are replaced with the new term.

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The Department proposes to amend “designated bathing area” to say “designated swimming area,” instead. Wherever “designated bathing area,” “bathing area” or “bathing beach” is used in the existing rules, the term is replaced with “designated swimming area,” “swimming area” or “swimming beach.”

The Department is proposing to amend the definition of “facilities” to make it clear that it applies to any individual resource, as well as a combination of resources. Additionally, because the Department not only utilizes its resources, but also preserves them, the amended definition includes the word “preserved.”

The definition of “family” is proposed to be amended to reflect a more accurate description of today’s households. Many households do not consist of a mother, father and children, but encompass different combinations of related individuals.

The Department is proposing a new definition of “law enforcement personnel” to reflect the title changes that were made in accordance with P.L.2005, c.216, which authorized the Commissioner of Personnel to establish and assign, and, where necessary, abolish, consolidate or reassign, the ranks and titles governing the position of State park ranger to ranks and titles appropriate to the position of State park police officer. The title of these employees is being changed from Chief Ranger, Ranger and Ranger Trainee to State Park Police Lieutenant, State Park Police Sergeant, State Park Police Officer.

The definition of “motorized bicycle” is being amended to more accurately describe the nature of this type of transportation. The previous discussion of “motor” and “horsepower” are outdated.

The terms “Officer-in-Charge” and “area Officer-in-Charge” are being deleted from the rules, as they are no longer in use by the State Park Service. Wherever one of

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these terms is used in the existing rules it is replaced with either “Superintendent or designee” or “Superintendent.” The Department is also proposing a definition for the term “Superintendent.”

The Department is proposing to amend the definition of “permit” to more accurately define what a permit entails. The existing definition described the process of obtaining the permit instead of the permit document.

A definition of “pet” is proposed. The undefined term is used in the existing rules, along with “furred animal.” The Department proposes to delete the term “furred animal,” and refer only to “pet.” The Department intends that the proposed term include any mammal, bird, reptile or amphibian kept for pleasure, rather than for utility, whether or not furred.

The definition of “sailboat” is proposed to be amended to more accurately define the type of watercraft.

The Department is proposing a definition of “service animal” to describe the many different types of animals trained for this purpose. This term is inserted in the code wherever “seeing eye, companion dogs” appears in the existing rules.

The proposed amended definition of “special event” would no longer include the words “motor vehicle,” because a special event held within a State park or forest does not necessarily involve a motor vehicle. The existing definition is too restrictive and is being changed to reflect the diverse special events that occur within State parks and forests.

The Department is proposing to amend the definition of “vessel” to accurately reflect the equipment that the public uses in the parks. The word “watercraft” is being deleted and the phrase “powerboat or personal watercraft” is being added. The phrase

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“as a means of transportation” is being deleted, because some watercraft that can be used in the parks are not necessarily appropriate for transportation.

The Department is proposing to define “visitor” in order to distinguish and identify park visitors from park employees, volunteers or campers. This distinction is discussed above, with regard to the proposed new definition of “camper.”

A proposed definition for yurt is being added, as this new facility has recently been constructed within several State parks and forests and is now available to the public as an overnight facility.

## **Subchapter 2, General Use**

Subchapter 2, General use, sets forth the purpose of the State Park Code and the powers of the State Park Service. It also delineates the various uses and activities permitted and those that are prohibited in State parks, forests, recreation areas, natural areas, historic sites, marinas, golf courses, botanical gardens and other lands, waters and facilities under the jurisdiction of the State Park Service. The Department proposes to readopt the subchapter with amendments to insert new terms and replace obsolete ones. The Department is also amending the subchapter to replace the word “permits” with “a permit,” as appropriate.

## **Subchapter 3, Motorized Vehicles**

Subchapter 3, Motorized vehicles, sets forth the restrictions on the use of motorized vehicles, snowmobiles and motorized bicycles on lands and waters under the

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jurisdiction of the State Park Service. The Department proposes to readopt the subchapter with amendments to insert new terms and replace obsolete ones.

### **Subchapter 5, Ocean Parks and Inland Parks Beach Restrictions**

Subchapter 5, Ocean parks and inland parks beach restrictions, sets forth the restrictions on specific uses and activities conducted in ocean parks and inland park beaches under the jurisdiction of the State Park Service. The Department proposes to readopt the subchapter with amendments to insert new terms and replace obsolete ones.

### **Subchapter 6, Camping**

Subchapter 6, Camping, sets forth the restrictions on camping on lands under the jurisdiction of the State Park Service and establishes the procedure for obtaining a camping permit. The Department proposes to readopt the subchapter with amendments to insert new terms and replace obsolete ones, and make grammatical corrections. The Department also proposes to amend N.J.A.C. 7:2-6.1(a) by deleting “or” and adding “and.” Any location that has been designated for camping is clearly marked as such. Accordingly, “and” is the appropriate term.

The Department proposes to amend N.J.A.C. 7:2-6.1(b) to make it clear that a camper must have both a permit and an assigned site, unless otherwise directed, in order to camp at a State Park Service property, and he or she must provide legal identification in order to obtain a permit.

At N.J.A.C. 7:2-6.1(c), the Department proposes to delete the word “responsible,” because State Park Service staff are not able to determine whether an adult accompanying

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someone under the age of 18 years of age is responsible for that person's care, or merely an adult accompanying the juvenile.

The Department proposes to delete N.J.A.C. 7:2-6.1(d) and recodify subsections N.J.A.C. 7:2-6.1(e) and (f) as (d) and (e), respectively. Existing subsection (d) is redundant, inasmuch as existing subsection (a) prohibits camping outside a designated camping area. At N.J.A.C. proposed 7:2-6.1(e), the Department proposes to delete "area" and replace it with "facilities," because campers are expected to keep all camping facilities clean and free from hazards, not just their designated camping site. Also, the Department proposes to delete the word "or," because campers are expected to keep the camping facilities safe from both safety and fire hazards, not one or the other.

The Department proposes to amend N.J.A.C. 7:2-6.2(a) to clarify that if conditions warrant, the Superintendent may allow more than six people to occupy a campsite not designated for groups. For example, proposed amended N.J.A.C. 7:2-6.10(c) allows groups to occupy some family campsites if group campsites are not available.

The Department is proposing to amend N.J.A.C. 7:2-6.2(b) to clarify that more than two vehicles are allowed at a group campsite, although not at other camping facilities. It is necessary, in accordance with proposed amended N.J.A.C. 7:2-6.12, that groups that include campers under 18 years old have on site sufficient transportation to transport the entire group. This could require more than two vehicles. This restriction is necessary because of the close proximity of each camping facility, and the lack of parking space within the designated camping areas.

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At N.J.A.C. 7:2-6.2(c), the Department proposes to replace the word “liability” with “responsibility.” The camper is responsible for the vehicles parked at designated parking areas, but the Department does not intend to impose legal liability, although it may exist.

The Department proposes to amend N.J.A.C. 7:2-6.4(a) to make it clear that it applies to the persons covered by the camping permit, not to the equipment that the people place at the camping facility. For example, the people cannot merely change camping equipment and remain on the site for more than the 14 consecutive day limit.

At N.J.A.C. 7:2-6.4(a)3, the Department proposes to add the word “calendar” to make the first and last portions of the paragraph consistent. It also proposes to delete the term “out-time.” The term is not necessary to convey the rule’s requirement that seven calendar nights must pass between camping intervals. Proposed amended paragraph 3 parallels paragraph 2 of the existing rule, which does not include the term “out-time.”

At N.J.A.C. 7:2-6.4(a)4, the Department proposes an amendment to make it clear that the maximum number of nights any group, family or person may reserve at a State Park Service camping facility shall not exceed 40 nights in a calendar year. This restriction is necessary to ensure that individuals do not utilize State Park Service camping facilities as their primary or secondary dwelling, or as a mailing address. The State Park Service camping system was designed and developed to provide a quality outdoor recreational experience to the maximum number of people possible. That purpose could be defeated if some people make excessive use of the camping facilities.

The Department proposes to amend N.J.A.C. 7:2-6.5(a) to change the deadline for a camper to remove his or her equipment and personal property from a camping facility

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from noon to the end of the permit period. It is necessary to use the term “end of the permit period,” because the hour that the permit period ends may differ among State parks or forest camping facilities.

The Department proposes to amend N.J.A.C. 7:2-6.5(b) by decreasing the number of days the Department must store any equipment that a camper leaves at a camping facility after the camping permit ends. Under the existing rule, the Department stores equipment for 90 days. Under the proposed rule, the storage time would be reduced to 30 days. The Department is also proposing to begin the 30 day period from the end of the permit period for the camping facility, rather than 24 hours after the owner of the equipment and personal property has not occupied the camping facility. The Department does not have space to store equipment or personal items that a camper may have left at a site. Presumably, a camper will become aware shortly after leaving the facility that he or she has left items. The Department believes that 30 days is sufficient time for a person or his or her representative to return to claim their property.

The Department proposes to amend N.J.A.C. 7:2-6.6(a) to limit the number of people at a campsite to six, including campers and visitors, except at the group campsites and primitive campsites. This limit is necessary to ensure that all campers using the camping facilities have a quality camping experience by avoiding excessive noise and overcrowding.

The Department proposes to amend N.J.A.C. 7:2-6.6(c) to allow the Superintendent or designee the ability to expand or limit the number of visitors, and the visiting hours at a camping facility as conditions warrant. This amendment will enable a

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Superintendent to address with greater flexibility situations that occur at the camping facilities.

The Department proposes to amend the reservation procedures at N.J.A.C. 7:2-6.7. The proposed amended rules allow reservations by telephone, and paid with a credit card, up to 11 months in advance of the reservation start date. These amendments make it more convenient for the public to make a camping facility reservation with the State Park Service. The Department proposes to delete existing N.J.A.C. 7:2-6.7(b) and (c), and replace them with proposed new N.J.A.C. 7:2-6.7(b) and (c), which set forth the new reservation procedures. Proposed amended subsection (b) allows someone to make a telephone reservation on the same day that he or she camps, provided payment is made in full at the time the reservation is made. No written confirmation is necessary, unlike for advance reservations. This will allow the Department to make available those camping facilities that have not been reserved in advance in accordance with N.J.A.C. 7:2-6.7(a) or (c).

Proposed new N.J.A.C. 7:2-6.7(d) allows that each camping facility, except for group campsites, to be reserved for a minimum of two consecutive nights to a maximum of 14 nights, whenever camping facilities are available for public rental.

The Department proposes to recodify N.J.A.C. 7:2-6.7(d), (e) and (f) to (e), (f) and (g), respectively. The proposed amendment to (e) corresponds to the language of proposed new (d), which provides a maximum of 14 nights' stay at a camping facility. The proposed amendment to (e) also incorporates the new term "camping facility," in lieu of the separately identified types of facilities. The proposed amendment to (f) likewise replaces the separately identified facilities with the newly-defined term. Amendments to

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proposed (g) state that no more than two non-consecutive reservations for camping and overnight facilities can be in effect for any group, family or person. As with the limitation in proposed amended N.J.A.C. 7:2-6.4(a)4, this restriction is intended to ensure that park resources are available to as many people as possible. "Family" is added to this subsection to ensure all combinations of potential campers are mentioned.

The Department proposes to amend N.J.A.C. 7:2-6.8(a), by requiring a 24 hour notice for the cancellation of a reservation in order to receive a refund. The proposed rule does not require a specific means of notification, because a person may cancel in writing, by telephone, or in person, provided the notice is timely. The 24 hour notification will enable the State Park Service to offer these no-longer-reserved camping facilities to other members of the public. This is especially important during the busy summer and fall camping seasons when demand for camping facilities is very high. The Department also proposes to delete reference to the non-refundable reservation fee, as it is no longer charged. The Department also proposes to correct the reference to N.J.A.C. 7:2-17.2(e), incorrectly cited in the existing rule.

The Department proposes to amend N.J.A.C. 7:2-6.9(b) by replacing "authorized garbage containers" with "refuse containers." Containers that the Department may provide are for all types of refuse, not just garbage or food waste.

The Department proposes to amend N.J.A.C. 7:2-6.10(a) to clarify that group camping is restricted to areas specifically designated for this purpose. The Department proposes to amend N.J.A.C. 7:2-6.10(b) to change the word "designated" to "defined." This is a clarifying amendment, not intended to change the meaning of the subsection.

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In accordance with proposed amended N.J.A.C. 7:2-6.10(c), up to 50 percent of family campsites may be used for groups during the period of November 1 to March 31, if group campsites are not available. The family campsite rate will be charged. This amendment is necessary to maintain consistency with N.J.A.C. 7:2-17.2(a). Under the existing rules, groups can use 50 percent of any of the available campsites, if group campsites are not available. The Department proposes to amend the rule to allow overflow groups to occupy only family campsites. Wilderness and primitive campsites are not appropriate for use by groups, so the Department will not make them available for overflow groups.

Proposed amended N.J.A.C. 7:2-6.11 continues the existing requirement that the adult accompanying a group of campers under 18 years of age must provide information identifying the young campers on the request of the park official. The Department proposes to amend the designation of the adult from the adult “supervising” the campers, to the adult “accompanying” the campers. The State Park Service does not assume that each adult accompanying a camping group is necessarily responsible for supervising the group.

The Department is proposing a similar change at N.J.A.C. 7:2-6.12. Additionally, the Department is amending the rule to remove the reference to an automobile as a means of group transportation in case of emergency. The term “sufficient transportation” includes whatever means are appropriate. The Department also proposes to make it clear that the entire group, not just those under 18, must be able to be removed at one time, in transportation that is available on site. The Department intends that groups remain together in case of an emergency, including during exit from the park. The existing rule

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could be interpreted as allowing adults in the group to remain behind, while those under 18 are transported out. Further, the Department does not consider “sufficient” any transportation that must be brought into the park in order to remove the group (such as an outside bus or truck). In case of emergency, the potential delay in bringing the transportation into the park could be material. Accordingly, the transportation must be available to the group on site.

The Department proposes to amend N.J.A.C. 7:2-6.13 by allowing the Superintendent or designee the flexibility of providing overnight emergency camping anywhere in a park or forest, should extreme conditions warrant. The existing rules permit the Superintendent to utilize only a day use area, which restricted the areas of the park that could be used during an emergency situation.

The Department proposes to amend N.J.A.C. 7:2-6.14(a) to remove preamble language. The language is not necessary to convey the prohibition in the existing rule, which prohibits the public from using State Park Service camping facilities as a primary or secondary dwelling or mailing address.

### **Subchapter 7, Overnight Facilities Use**

Subchapter 7, Overnight facilities use, sets forth the restrictions on and reservation procedures for the use of any cabin, shelter, lean-to, lodge or other State Park Service building or structure designated by the State Park Service for overnight use by the public. The Department proposes to readopt this subchapter with amendments to insert new terms and replace obsolete ones, and make grammatical corrections.

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At N.J.A.C. 7:2-7.1(b), the Department proposes to amend N.J.A.C. 7:2-7.1(b) for the same reason it proposes to amend N.J.A.C. 7:2-6.2(c).

The Department proposes to delete N.J.A.C. 7:2-7.1(c). The deletion will enable a registered camper who has reserved and paid for a specific overnight facility to utilize the facility even if the camper arrives 24 hours after the starting time listed on the overnight facility camping permit. A Superintendent would not be able to reassign this overnight facility until the end of the camping permit or until the camper cancelled the reservation. The existing rules allow the Superintendent to reassign an overnight facility if a camper does not arrive within 24 hours of the prescribed starting time listed on the permit. The proposed rule change will benefit campers who are delayed due to unforeseen circumstances. The overnight facility will continue to be reserved for the camper's use for the duration of their overnight facility camping permit, unless he or she formally cancels the reservation. The proposed amendment is related to the proposed amendment to N.J.A.C. 7:2-7.3(a), which institutes a 24 hour cancellation period for camping facilities.

The Department proposes to recodify N.J.A.C. 7:2-7.1(d) to (c) and amend it by decreasing the number of days the Department must store any equipment left in an overnight facility by the camper after the permit expires. The amendment is similar to, and for the same reasons as, the proposed amendment to N.J.A.C. 7:2-6.5(b), above.

The Department proposes to amend N.J.A.C. 7:2-7.2 to allow reservations by telephone with a credit card up to 11 months in advance of the reservation start date. These amendments make it more convenient for the public to make an overnight facility

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reservation with the State Park Service. Proposed new N.J.A.C. 7:2-7.2(a) and (b) set forth the new reservation procedures.

The Department proposes to amend N.J.A.C. 7:2-7.2(c). This proposed amendment will require that reservations for the cabin facilities be granted for either seven or 14 consecutive days for the use period from the Saturday of Memorial Day weekend through and including Labor Day. The existing rules do not begin this consecutive day requirement until June 15<sup>th</sup>. This amendment ensures the maximum occupancy for the limited number of cabin facilities within the State Park Service. The demand by the public for use of these cabins is very high, especially on weekends. The minimum consecutive day reservation requirement will ensure the facilities are utilized during the slower weekdays and not just weekends.

The Department proposes to amend N.J.A.C. 7:2-7.2(d), to ensure the reservation dates for cabin facilities are consistent with the proposed changes at N.J.A.C. 7:2-7.2(c).

The Department proposes new N.J.A.C. 7:2-7.2(e), which applies to shelters, lean-tos, yurts and other State Park Service buildings or structures designated by the State Park Service for overnight use by the general public. It does not apply to cabins, which are regulated by proposed N.J.A.C. 7:2-7.2(c) and (d). The proposed amendment allows reservations for a minimum of two consecutive nights, and up to 14 consecutive nights. Unlike cabins, the proposed minimum and maximum apply year round, subject to the availability of the facilities at the various parks.

The Department proposes to amend N.J.A.C. 7:2-7.2(g) by adding the word “overnight” to this subsection to clearly identify the facility for which separate applications must be submitted.

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The Department proposes to amend N.J.A.C. 7:2-7.2(h) to allow no more than two non-consecutive reservations for overnight and camping facilities for any group, family or person. Limiting the number of reservations in effect at any one time gives more people an opportunity to use the facilities. "Family" is added to this subsection to ensure all categories of campers are mentioned.

The Department proposes to delete N.J.A.C. 7:2-7.2(i) because the State Park Service no longer charges a reservation fee. Similarly, the Department proposes to delete the reference to such a fee in N.J.A.C. 7: 2-7.2(j)

The Department proposes to add a new N.J.A.C. 7:2-7.2(i), which is similar to, and proposed for the same reason as proposed amended N.J.A.C. 7:2-6.4(a)4. The Department proposes to delete N.J.A.C. 7:2-7.2(k) which references the East Creek Lodge at Belleplain State Forest, as this facility now falls under the general heading of overnight facilities.

The Department proposes to amend N.J.A.C. 7:2-7.3(a) by requiring a 24 hour notice for the cancellation of a reservation in order to receive a refund. The 24 hour notification will also enable the State Park Service to offer these no-longer-reserved overnight facilities to other members of the public. This is especially important during the busy summer and fall camping seasons when demand for overnight facilities is very high. The Department also proposes to delete reference to the non-refundable reservation fee as it is no longer charged. The cancellation may be made in writing, by phone, or in person, provided it is at least 24 hours in advance.

The Department proposes to amend N.J.A.C. 7:2-7.4(a) to limit the number of people at an overnight facility, including campers and visitors, to the designated

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occupancy of the overnight facility. This limit is necessary to ensure all campers utilizing the overnight facilities have a quality experience by avoiding excessive noise and overcrowding.

At 7:2-7.4(b), the Department proposes to amend N.J.A.C. 7:2-7.4(b) by deleting the provision allowing the Officer-in-Charge to temporarily extend or limit the visitation hours as conditions warrant. Proposed new N.J.A.C. 7:2-7.4(c), allows the Superintendent or designee the ability to expand or limit the number of visitors, and the visiting hours at an overnight facility as conditions warrant. This amendment will enable a Superintendent to address with greater flexibility situations that occur at an overnight facility.

### **Subchapter 8, Boating/Watercraft**

Subchapter 8, Boating/watercraft, establishes the restrictions on the use of ramps, docks, boats, canoes, power boats, motorized jet skis, sailboats and ice boating on waters under the jurisdiction of the State Park Service. The subchapter also sets forth restrictions on scuba and skin diving and establishes procedures for boat storage at the Spruce Run Recreation Area. The Department proposes to readopt the subchapter with amendments to insert new terms and replace obsolete ones.

### **Subchapter 9, Day Use Group**

Subchapter 9, day use group, sets forth the restrictions on the use or visitation of any lands or waters under the jurisdiction of the State Park Service by groups of 20 or more persons. It establishes the group reservation procedures for such groups. The

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Department proposes to readopt the subchapter with amendments to insert new terms and replace obsolete ones.

### **Subchapter 10, Golf Courses**

Subchapter 10, Golf Courses, sets forth the rules on the use by the public of the golf courses under the jurisdiction of the State Park Service. The Department proposes to readopt the subchapter with amendments to insert new terms and replace obsolete ones. The Department also proposes to delete N.J.A.C. 7:2-10.1(c), which required everyone on the course to be playing golf, because the State Park Service does allow spectators on the course for certain scheduled golf tournaments, as provided at existing (d), proposed to be recodified at (c). The Department proposes to recodify N.J.A.C. 7:2-10.1(f) to (d).

The Department proposes to amend N.J.A.C. 7:2-10.1(e) to remove the reference to specific clubs. Advanced technology and newer materials allow a golfer to use fewer golf clubs on the golf course. Accordingly, it is not necessary for a golfer to carry each of the golf clubs identified in the existing rule. Nevertheless, a golfer must have sufficient clubs to play the game. These include a driver or woods, irons, and a putter.

Proposed amended N.J.A.C. 7:2-10.1(g) will authorize the Superintendent or designee to allow golfers to bring beverage or food coolers onto the golf course if conditions warrant, such as extreme temperatures or humidity, or if the golf course restaurant concession is not open.

Proposed amended subsection (i) will lower the minimum age for a golfer at a State operated golf course from 10 to eight years old, inasmuch as younger children are learning how to golf. Younger golfers do need an adult with them, however. Proposed

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amended (j) will require an adult to accompany a player aged eight to 12 years old. The Department proposes to allow a 13 year olds to golf without being accompanied by an adult, because many 13 year olds are members of junior golf teams sponsored by local schools. The amendment will allow them to golf with their older teammates and coaches.

The Department proposes to delete N.J.A.C. 7:2-10.1(k) and (l), relating to proper attire and noise-producing equipment. The Superintendent or designee is authorized to establish golf course policy and procedures, which will cover these items. See proposed N.J.A.C. 7:2-10.1(l). For example, if few people are playing on a course, such that a radio or other noisemaking equipment would not cause a disturbance, the use of such equipment may not be inappropriate.

The Department proposes to amend N.J.A.C. 7:2-10.1(m), and recodify it as (k), to allow only golf on a State operated golf course. The existing rules permit other activities to occur with the permission of the Superintendent; however, experience has shown that damage can occur to the golf course when activities other than golf are allowed. Moreover, not only could the person engaged in another recreational activity on the golf course could be injured by an errant golf ball, but the golfer could be injured as a result of another activity in the vicinity. For the safety of both groups, the Department is proposing the amendment.

The Department proposes new N.J.A.C. 7:2-10.1(l) to allow the Superintendent or designee to establish, with the approval of the Director of the Division of Parks and Forestry or designee, policies and procedures to govern the play on the golf course. Due to daily changes in the weather conditions, number of golfers on the course, condition of the golf course or other daily factors, the Superintendent needs the flexibility to make

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immediate decisions that affect play on the golf course. For example, during extremely hot weather, players might be allowed to bring beverages onto the course, although they are prohibited from doing so on normal days. Conditions of the course may preclude the use of golf carts in certain areas, or warrant the elimination of certain holes of play, in order to avoid damage to the course. Actual or anticipated weather conditions might require an adjustment of golfing hours. If there are a large number of golfers using the course, no solo golfers or twosomes might be allowed that day, but instead only foursomes to keep golfers from backing up at the starting hole.

The Department proposes to amend N.J.A.C. 7:2-10.2(a) to reflect a new reservation policy that is more user-friendly and similar to the reservation procedures used by many county-owned golf courses in New Jersey. It changes the policy from first-come, first-served, to allowing reservations up to seven days in advance, by telephone or in person. The amendment also allows the Superintendent to increase the advance reservation period from 7 days to 14 days maximum with the approval of the Director of the Division of Parks and Forestry or designee.

The Department proposes to amend N.J.A.C. 7:2-10.2(b) to modify the policy for reserving the course for a golf tournament. The Department is removing the 30 day in advance requirement for reserving the golf course for a tournament. The proposed amendment is intended to make it easier for the public to schedule tournaments. The Department is also amending the rule to delete the specifics regarding the days tournaments can be played at the golf course, the starting times and player limits. The Superintendent or designee may address these issues through golf course policy and procedures, in accordance with proposed amended N.J.A.C. 7:10.1(*l*). Demand for use of

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the course, and changing course conditions require such requirements to be flexible, which flexibility is more available through course-specific policy and procedures.

The Department proposes to amend N.J.A.C. 7:2-10.4 so that the State Park Service no longer has to print the local rules on the score cards. The local rules and policies and procedures will be posted in the Pro Shop. This amendment will save the Department the cost of disposing of obsolete score cards, and printing new ones to reflect changes in local rules, policies or procedures.

The Department proposes to amend N.J.A.C. 7:2-10.5 to rename the section “golf tournaments,” and to require tournaments to be conducted in accordance with the accepted standards of golf, local rules, course policy and procedures, and the tournament-specific rules that will be established in the Golf Tournament Permit issued to the tournament organizer under proposed amended N.J.A.C. 7:2-10.2(b). Because the local rules, course policy and procedures, and Golf Tournament Permit will set forth the manner in which the tournament will be played, the restrictions of subsection (a) are no longer necessary.

The Department proposes to amend N.J.A.C. 7:2-10.6 to enable a school golf team to conduct matches at a State operated golf course, which the existing rules do not allow. This proposed amendment removes the existing weekday requirement for team practices, and allows the Superintendent or designee to be flexible when scheduling school practices or matches. The school teams will have more practice times available, without displacing the regular play of the golfers.

The Department proposes to amend N.J.A.C. 7:2-10.8 to require all golfers to follow the rules established by the United States Golf Association, policies and

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procedures of the golf course, and the local rules established at N.J.A.C. 7:2-10.1. This amendment enables the Superintendent or designee to implement changes to golf etiquette immediately as they are accepted within the sport of golfing. The proposed amendment deletes the requirement that the player with the honor be allowed to play through. The provision is included in the United States Golf Association rules.

### **Subchapter 12, Hiking Trails**

Subchapter 12, Hiking trails, establishes the restrictions on the use of hiking trails and sets forth specific restrictions on open fires and camping on hiking trails under the jurisdiction of the State Park Service. The Department proposes to readopt the subchapter with amendments to insert new terms and replace obsolete ones.

### **Subchapter 13, State Marinas**

Subchapter 13, State Marinas, sets forth the general provisions and restrictions governing the use of marinas under the jurisdiction of the State Park Service, and establishes specific procedures addressing the application for berth permits, issuance of permits, and the assignment and reassignment of berths. The Department proposes to readopt the subchapter with amendments to insert new terms and replace obsolete ones.

The Department proposes to amend N.J.A.C. 7:2-13.2(b)2 to more clearly state that applications from individuals, only, are accepted for berth assignments. The existing rule expressly precludes corporations from submitting applications, and the Department is expressly amending the rule to exclude partnerships, as well.

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The Department proposes to amend N.J.A.C. 7:2-13.2(d) regarding the waiting list application procedure at State marinas. The proposed amendment will extend the time a person can advise the marina staff of his or her intent to remain on the waiting list from the second Saturday in January, as in the existing rule, to the entire month of January. The proposed amendment requires a person to confirm his or her intent in writing, in person or by mail. The Department will no longer accept telephone calls as confirmation, because it found that the process was not reliable. Because there was no written, signed confirmation, on occasion an applicant would say that he or she had called, but the Department would have no record of the confirmation. The proposed amendment provides a more accurate and efficient process for the public and for the marina staff.

The Department proposes to amend N.J.A.C. 7:2-13.3(b)1, 2 and 3 by changing the dates for berth holders to submit a renewal. The Department proposes to send out the renewal request forms to the berth holders in the first week of November, rather than the first week in December, as in the existing rules. The Department also proposes to require the public to submit renewal forms on or before December 31 prior to the permit year (for example, December 31, 2006, for a permit for summer 2007), rather than on or before February of the permit year. This change will enable the Department to know earlier if a berth is not being renewed by a current berth holder, which allows the Department to contact the individuals on the waiting list earlier in the season.

The Department proposes to amend N.J.A.C. 7:2-13.3(g) to add personal watercraft to the list of purposes for which it will not issue a berthing permit. The use of berths is strictly for docking boats. The State Park Service does not have the specialized

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equipment or raised platform necessary to dock a personal watercraft within a berth at a State operated marina; accordingly, it is not appropriate for such watercraft to be berthed at the marinas.

The Department proposes to amend N.J.A.C. 7:2-13.5 by replacing “assignment” and “reassignment” with “subletting” and “sublease” respectively. The terms have specific legal meanings, and the amendments more accurately describe what is legally occurring when a berth permittee no longer wishes to rent his or her berth during the summer season. The berth permittee is not released from his or her obligation, but a sublessee is identified from the waiting list. The Department also proposes to amend N.J.A.C. 7:2-13.5(a)3 by limiting to one the number of times that a permittee of record may sublet his or her berth during the term of his or her permit. The sublessee may not further sublet the berth. These proposed amendments ensure that when a berth is no longer rented by the current berth holder, it is made available to the public in a fair and equitable manner.

The Department proposes to amend N.J.A.C. 7:2-13.7(b) to prohibit the use or storage of portable gas cans for fueling within the marina boundaries. This prohibition is consistent with the Clean Marina Initiative, which is a voluntary, incentive-based program promoted within New Jersey by the Department’s Coastal Management Program. It encourages marina operators and recreational boaters to protect coastal water quality by engaging in environmentally sound operating and maintenance procedures. This program helps to prevent harmful environmental practices through education and outreach to boaters and marina owners. It provides assistance and guidance to enable marinas and other recreational boating facilities to reduce the sources and impacts of

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nonpoint source pollution. Examples include, but are not limited to, sewage facility management, fueling operations, fish and solid waste management and boat cleaning.

The Department proposes to amend N.J.A.C. 7:2-13.7(q) to clarify that during specified hours berth permittees and their guests may access not only the pier on which the permittee has a berth, but also the marina. The existing rule could be interpreted as allowing access only to the individual pier, which is not the Department's intent.

### **Subchapter 16, Island Beach State Park Rules**

Subchapter 16, Island Beach State Park rules, establishes restrictions on surf fishing and the use of mobile sport fishing vehicles at Island Beach State Park, and sets forth the requirements and procedures for obtaining a surf fishing permit and mobile sport fishing vehicle permit. The Department proposes to readopt the subchapter with amendments to insert new terms and replace obsolete ones.

### **Subchapter 17, Fees for Services and Facilities provided by the State Park Service**

Subchapter 17, Fees for services and facilities provided by the State Park Service, establishes the fees charged for services such as parking, boat launching, campsites and cabins. The State Park Service is authorized to charge fees for these services under N.J.S.A. 13:1L-19. The Department proposes to readopt this subchapter with amendments and to insert new terms and replace obsolete ones.

The Department proposes to amend N.J.A.C. 7:2-17.1(b) to add a daily day use parking fee of \$5.00 for motorcycles, and \$105.00 and \$55.00 for out-of-State and in-State bus groups, respectively, at Island Beach State Park from the day after Labor Day

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through the day before Memorial Day. The existing rules for Island Beach State Park designate a fee for automobiles year round, but there has not been a fee for motorcycles or bus groups after Labor Day. The bus group parking fees are at the same rate as is currently charged from Memorial Day weekend through Labor Day. Due to its location on the coast of New Jersey, and the unique natural resources available to the public, Island Beach has a large volume of bus groups, including school, scouting and community groups, that visit the park year round. Accordingly, it is necessary to charge the fee year round in order that there are funds to cover the costs associated with the year round use of the facility.

The Department proposes to amend N.J.A.C. 7:2-17.1(f) by changing the name of this fee from a “boat launching fee” to a “launch ramp fee.” This more general term reflects that the public launch ramps are used not only for boats, but also for personal water craft, canoes, kayaks and other vessels. The Department is also proposing to amend N.J.A.C. 7:2-17.12(f)<sup>4</sup> to limit the launch ramp fee at the Mullica River location. The Department will charge a fee only from Memorial Day weekend through Labor Day, rather than the year round fee in the existing rules. The Department has found that the public makes only minimal use of the Mullica River launch ramp during other times of the year, thereby not justifying the year round fee.

The Department is proposing to amend N.J.A.C. 7:2-17.1(f)<sup>5</sup> to charge a launch fee for the ramp at Hopatcong State Park from April 1 through the Friday before Memorial Day weekend, and from the first Tuesday after Labor Day through October 31. The existing rules impose the fee only on Saturdays and Sundays from April 1 through the Sunday before Memorial Day and from the first Saturday after Labor Day through

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October 31. The public has increased its use of the Hopatcong State Park ramp on weekends and weekdays during what was traditionally off season.

The Department is proposing to amend N.J.A.C. 7:2-17.1(j)1 by increasing the weekday senior citizen fee at Spring Meadow Golf Course from \$14.00 to \$18.00. The Department is also proposing to eliminate the 10:00 a.m. restriction when this senior fee is charged. The adoption of these amendments will allow senior citizens to golf at Spring Meadow Golf Course at the rate of \$18.00 at any time during each weekday, not just before 10:00 a.m. The proposed increased fee is still below the senior citizen rate charged at other similar golf courses open to the public in the general vicinity of Spring Meadow Golf Course.

As discussed below, the Department proposes new N.J.A.C. 7:2-17.6, Sales tax. At present, the only fees in the State Park Service Code that are subject to the State sales tax are those in N.J.A.C. 7:2-17.1(j)3. However, in the event that the sales tax were expanded to include additional categories of fees, the proposed amendment gives the Department the flexibility to collect the tax without undertaking rulemaking to increase its fees. If the Department were unable to adjust its fees to collect any future sales tax, it could suffer a budget shortfall, inasmuch as it would be required to pay the tax out of the base fee, as it has previously done for those fees in N.J.A.C. 7:2-17.1(j)3. As a result of the proposed new rule, the Department will no longer pay the tax out of the base fee, but will charge the applicable tax in addition to the stated base fee.

The Department proposes new N.J.A.C. 7:2-17.1(m), which will reinstate the fee for the Batsto Historic Tour. The fee of \$1.00 per person for children ages 6 to 11 and \$2.00 per person for anyone 12 years of age and above had been repealed, due to the

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Batsto Historic Mansion's being closed to the public for several years. However, the Mansion is once again open to the public for tours, making the proposed fee appropriate.

The Department is proposing to amend N.J.A.C. 7:2-17.2(a) by adding a \$2.00 per person per night fee for primitive campsites. The existing rule does not include a fee for this type of campsite, which has no picnic tables, fire rings or grills. Some of these areas have restricted access, and all have pit privies, which are very primitive bathrooms. In addition, at some areas campers must carry in their own water. Although the amenities at the campsites are limited, there is still a cost to the Department associated with making the sites available.

The Department is proposing to amend N.J.A.C. 7:2-17.2(d)1 to increase the amount of the cancellation fee to \$40.00 or two times the per night fee, whichever is less.

The Department proposes to add new N.J.A.C. 7:2-17.3(e) to implement a \$150.00 per day (plus staff costs) fee for use of the newly constructed Batsto Auditorium within Wharton State Forest. The Department uses the new auditorium for educational and interpretive programs; however, it is also available for use by the public for various presentations or meetings.

The Department proposes to add a new N.J.A.C. 7:2-17.4(c), which will establish fees at the newly purchased State marina located in South Seaside Park, within the Township of Berkeley, Ocean County, New Jersey. The Green Acres Program purchased the marina, currently named the Wheelhouse Marina, and assigned it to the State Park Service for management. The marina will be for public use; accordingly, the Department proposes to charge a pleasure seasonal berthholder summer fee (April 1 to October 31) of \$75.00 per foot length overall of each boat slip. See proposed N.J.A.C. 7:2-17.4(c)1i.

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Any boat with an overall length that exceeds the designated size of the boat slip would pay a boat slip fee based on the overall boat length at the rate outlined above. Overall boat length includes any swim and/or bow platforms. The Department proposes to charge a transient berthholder fee of \$2.00 per foot per day, based on the overall length of the boat. Transient berthing would be limited to when vacant berths are available. These fees are consistent with berth fees at nearby marinas open to the public. The Department proposes to recodify existing N.J.A.C. 7:2-17.4(c) as (d).

The Department proposes to amend N.J.A.C. 7:2-17.4(b) to include the calculation of fees for pleasure seasonal berthholders based on the length of the boat slip. This is the same as the rules proposed for the Wheelhouse Marina. The fees at the Forked River State Marina are based upon overall boat length, rather than the length of the slip. See N.J.A.C. 7:2-17.4(a).

The Department proposes new N.J.A.C. 7:2-17.6 to enable it to charge a fee for facilities or properties that the State acquires or constructs and places under the administration of the State Park Service, or for services that it offers that are not otherwise included in the State Park Service Code. The proposed rule would require the Department to publish a notice in the New Jersey Register announcing the fee. The Department would also post notice of the fee at the particular park to which the fee applies. The fee would be based upon the fee that the State Park Service charges for a similar service or facility at the closest State Park at which the facility or service is provided. Because the Department incurs costs associated with making State properties and facilities available to the public, it is necessary that the Department be able to charge fees for the use or service.

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The Department proposes new N.J.A.C. 7:2-17.7, Sales tax. At present, the only fees in the State Park Service Code that are subject to the State sales tax are those in N.J.A.C. 7:2-17.1(j)3. However, in the event that the sales tax were expanded to include additional categories of fees, the proposed amendment gives the Department the flexibility to collect the tax without undertaking rulemaking to increase its fees. If the Department were unable to adjust its fees to collect any future sales tax, it could suffer a budget shortfall, inasmuch as it would be required to pay the tax out of the base fee, as it has previously done for those fees in N.J.A.C. 7:2-17.1(j)3. If sales tax applies to any of the fees set forth in N.J.A.C. 7:2-17, the Department will charge the tax in addition to the fee identified in the subchapter.

### **Social Impact**

The rules proposed for readoption with amendments will have a positive social impact by enabling the Department to continue to supervise, manage and administer the natural and historic resources under its jurisdiction and the public's use of areas and facilities administered by the State Park Service. These rules help protect the natural and historic resources and improvements on lands and waters administered by the State Park Service, while also protecting the safety and general welfare of the public using these resources. The rules proposed for readoption with amendments will ensure the areas managed by the State Park Service for recreational purposes continue to be used appropriately by the public under conditions intended to protect both the resources and the public.

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### **Economic Impact**

The rules proposed for readoption with amendments, with the exception of subchapter 17, affect only the administration and management of the resources under the jurisdiction of the State Park Service. Subchapter 17 proposed for readoption with amendments would impact those members of the public who make use of services and facilities that the State Park Service provides. The revenues generated from these fees are deposited into the State General Fund. Monies from the State General Fund are annually budgeted to the State Park Service for use in operating and maintaining State parks, forests, recreation areas, natural areas, historic sites, marinas, golf course, botanical gardens and other lands, waters and facilities under its jurisdiction and additionally for use in protecting and preserving New Jersey's natural and historic resources.

The existing fee provisions in the rules proposed for readoption result in approximately \$8 million in revenue per year. The Department anticipates that the proposed amendments to the rules will generate approximately \$175,000 in additional revenue.

### **Environmental Impact**

The rules proposed for readoption with amendments provide a positive environmental impact by ensuring proper administration, management and regulation of State parks, forests, recreation areas, natural areas, historic sites, marinas, golf courses, botanical gardens and other lands, waters and facilities under the jurisdiction of the State

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Park Service. The rules help to ensure that the public uses of New Jersey's natural and historic resources occur in areas managed for such purposes, under conditions that are protective of the public and New Jersey's natural resources.

### **Federal Standards Statement**

Executive Order No. 27(1994) and N.J.S.A. 52:14B-1 et seq. (P.L. 1995, c.65) require State agencies that adopt, readopt or amend any State rule or regulation that exceeds any Federal standards or requirements to include in the rulemaking document a Federal standards analysis.

The proposed readoption with amendments is not promulgated under the authority of or in order to implement, comply with or participate in any program established under Federal law, or under a State statute that incorporates or refers to Federal law, Federal standards or Federal requirements. Accordingly, no further analysis is required.

### **Jobs Impact**

The State Park Service Code, N.J.A.C. 7:2, has had little impact on private sector employment in New Jersey because these rules govern the administration, management and use of State parks, forests, recreation areas, historic sites, natural areas, marinas, golf courses, botanical gardens and other lands, waters and facilities under the jurisdiction of the Department and assigned to the State Park Service in the Division of Parks and Forestry. The proposed readoption with amendments will allow the Department to continue employing personnel to maintain and operate its facilities throughout the State. Accordingly, it will continue to have an impact on public sector employment.

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### **Agriculture Industry Impact**

The rules proposed for readoption with amendments will not have an impact on the agriculture industry in New Jersey.

### **Regulatory Flexibility Analysis**

The rules proposed for readoption with amendments regulate the general public use of all State parks, forests, recreation areas, natural areas, historic sites, marinas, golf course, botanical gardens and other lands, waters and facilities under the jurisdiction of the Department and assigned to the State Park Service in the Division of Parks and forestry. The rules proposed for readoption with amendments will not impose additional reporting or recordkeeping requirements on small businesses; however, the fees contained in the rules will be charged to all persons who wish to use the facilities and services that the State Park Service provides, and the conditions contained in the rules will apply to all members of the public who use the parks, whether or not the users are small businesses. The rules proposed for readoption with amendments will not require small businesses to employ professional services in order to comply.

The fee provisions proposed for readoption with amendments are necessary in order for the Department to meet the cost of providing services and maintaining facilities at State parks, which costs are incurred as a result of the parks' use by individuals and businesses, both small and large. Therefore, the Department does not propose a differentiation in or lessening of these requirements for small businesses.

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### **Smart Growth Impact**

Executive Order No. 4 (2002) requires State agencies that adopt, amend or repeal rule to include in the rulemaking document a Smart Growth Impact statement that describes the impact of the proposed rule on the achievement of smart growth and implementation of the State Development and Redevelopment Plan (State Plan). The Department has evaluated this rulemaking to determine the nature and extent of the impacts that the proposed amendments will have on smart growth and the implementation of the State Plan.

The rules proposed for readoption with amendments governs the administration, operation, management and use of State parks, forests, recreation areas, historic sites, natural areas, marinas, golf courses, botanical gardens and other land, waters and facilities under the jurisdiction of the Department and assigned to the State Park Service in the Division of Parks and Forestry. The rules support the recreation, conservation and preservation programs that ensure that open space remains in New Jersey. Therefore, the rules proposed for readoption with amendments comport with the goals of smart growth and implementation of the State Plan, as described in Executive Order No. 4 (2002).

**Full text** of the rules proposed for readoption may be found in the New Jersey Administrative Code at N.J.A.C. 7:2.

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

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## **SUBCHAPTER 1. GENERAL PROVISIONS**

### **7:2-1.7 Definitions**

The following words and terms, when used in this chapter, shall have the following meaning unless the context clearly indicates otherwise.

"ATV" means a motor vehicle, **registered with the New Jersey Motor Vehicle Commission or not registered**, designed to travel over any terrain, which is of a type possessing between three to six rubber tires, [and powered by a gasoline with a piston displacement engine not exceeding 400 cubic centimeters,] but shall not include golf carts.

"Bicycle" means a device upon which any person may ride propelled by human power through a belt, chain or gears[, and having either two or three wheels in a tandem or tricycle arrangement].

"Boat" means an **an** [small] open **or closed** vessel or water craft propelled by human power by oars, rowing, paddling or pedaling.

**"Camper" means any person in possession of a valid camping permit making use of any State Park Service camping or overnight facility.**

...

**"Camping facility" means any facility designated by the State Park Service as a camping facility, including family campsites, wilderness campsites, group campsites, and primitive campsites.**

...

"Designated [bathing] **swimming** area" means any swimming pool, wading pool or the area of a natural or artificially constructed pond, lake, stream, river, bay, tidal

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waters, ocean or other body of fresh or salt water, which is designated, developed, maintained and operated by the State Park Service for [bathing and] swimming purposes together with buildings, equipment, and appurtenances, if any, and the land area used in connection therewith.

...

"Facilities" means [the] **any one or the** combination of all State Park Service resources designed or utilized **or preserved** for conservation, recreation, and environmental purposes.

"Family" [means a husband, wife and their children] **means a group of related persons living in one household.**

...

**“Law enforcement personnel” means a State Park Police Officer, State Park Police Sergeant, State Park Police Lieutenant or other State Park Service personnel whom the Director of the Division of Parks and Forestry has vested with law enforcement authority and empowered to warn, cite and/or arrest.**

...

"Motorized bicycles" means a pedal bicycle having a helper motor [characterized in that either the maximum piston displacement is less than 50 cubic centimeters or said motor is rated at no more than 1.5 brake horsepower and said bicycle is capable of no more than 25 miles per hour on a flat surface].

["Officer-in-Charge" means the area Park Superintendent, designated Chief Ranger or other designee of the Director of the Division of Parks and Forestry or the Assistant Director of the Division for the State Park Service.]

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...

"Permit" [means a formal request on forms supplied by the State Park Service, supported by all necessary data requested by reference on the form, for approval of a use, properly executed and signed by personnel of the State Park Service lawfully designated by the Director of the Division of Parks and Forestry or the Assistant Director of the Division for the State Park Service to approve such a use] **means a properly executed document approved by the State Park Service authorizing a specific activity including, but not limited to, a special use permit and camping permit.**

...

**"Pet" means any mammal, bird, reptile or amphibian, kept for pleasure, not for utility. "Pet" does not include a service animal.**

...

"Sailboat" means any boat whose [sole] **main** source of propulsion is the natural elements (wind).

**"Service animal" means a guide dog, signal dog or other animal individually trained to provide assistance to an individual with a disability.**

...

"Special event [(motor vehicle)]" means an organized race, exhibition, [or] demonstration **or activity** of limited duration, which is conducted according to an approved prearranged schedule, **and which may be subject to a permit.**

...

**"Superintendent" means the supervisory official who directs the administration, operation, safety, maintenance and development of a State park,**

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**forest, recreation area, historic site, natural area, marina, golf course, botanical garden, and other land, water and facility under the jurisdiction of the Department of Environmental Protection and assigned to the State Park Service.**

"Vessel" means a boat or [watercraft] **powerboat or personal watercraft**, other than a seaplane, used or capable of being used [as a means of transportation] on the water.

**“Visitor” means any person entering with permission upon State-owned property or a facility administered by the State Park Service. This definition shall not include an employee or volunteer in the course of his or her duties, or a camper.**

...

**“Yurt” means a circular tent built on a wood frame, with wood floors, a deck and a skylight.**

## SUBCHAPTER 2 GENERAL USE

### 7:2-2.8 [Furred animals and pets] Pets

(a) Except as provided in N.J.A.C. 7:2-2.9, all [furred animals or other] pets are prohibited from buildings, [bathing] **swimming** beaches, [bathing] **swimming** waters, all camping and overnight facilities, golf courses, and botanical gardens.

(b) Where allowed in areas not listed in (a) above, except as provided in (c) below and N.J.A.C. 7:2-2.9, the owner of any [furred animal or] pet shall keep the [furred animal or] pet caged or held on a leash (maximum length--six feet) and under the immediate control of the owner at all times.

(c) Where allowed in areas not listed in (a) above, [any furred animal or] **the**

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pet does not have to be caged or held on a leash while on a vessel on waters under the jurisdiction of the State Park Service but shall be under the immediate control of the owner at all times.

(d) The owner shall be responsible for the [animal's or] pet's behavior. The owner shall be strictly liable for any nuisance, noise, damage or injury caused by [furred animals or] **the** pet[s].

(e) The owner shall be responsible for the prompt and sanitary disposal of the [animal's or] pet's waste.

(f) The term "owner" as used in this section refers to the person that is responsible for the care of the [animal or] pet or that physically has control of the [animal or] pet on or within the State Park Service jurisdiction.

#### **7:2-2.9 [Seeing eye, companion] Service animals and hunting dogs**

(a) [Seeing eye dogs and companion dogs for the hearing impaired] **Service animals** are permitted in any location where their presence is necessary to perform the duty for which they are trained.

(b) Dogs used while hunting during open season, or while used in field trials in accordance with New Jersey fish, game and wildlife regulations, are exempt from the leashing requirement in N.J.A.C. 7:2-2.8(b).

#### **7:2-2.10 Damage to property/tampering**

(a) A person shall not abuse, mutilate, injure, destroy, move or remove any plant or animal or natural resource on lands and water under the jurisdiction or control of

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the State Park Service without having first obtained the permission of the [area Officer-in-Charge] **Superintendent or designee**. Authorized fish, game and wildlife activities **are** excepted.

(b) A person shall not deface, damage, move or remove any furniture, equipment, structure, or physical feature of any kind on lands and waters under the jurisdiction or control of the State Park Service without the permission of the [Officer-in-Charge] **Superintendent or designee**.

(c) – (d) (No change.)

(e) An unauthorized person shall not open or enter any manhole or confined space without the specific approval of the [area Officer-in-Charge] **Superintendent or designee**.

#### **7:2-2.11 Conduct**

(a) – (b) (No change.)

(c) A person shall not use or operate any noise producing machine, vehicle, device, or instrument in a manner that in the judgment of the [Officer-in-Charge] **Superintendent or designee**, or designated law enforcement personnel, is disturbing to other park visitors, **campers** or employees. In **camping and** overnight facilities [and campsites], the hours of 10:00 P.M. to 6:00 A.M. are designated "quiet hours."

(d) – (e) (No change.)

(f) A person shall not use a public address system on State Park Service property without the permission of the [Officer-in-Charge] **Superintendent or designee**.

(g) - (o) (No change.)

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#### **7:2-2.12 Fires, stoves and lanterns**

(a) A person shall not start or maintain any open fire except for small handwarming fires in areas designated for ice fishing under N.J.A.C. 7:2-2.18(e), on any lands or frozen waters under the jurisdiction of the State Park Service unless specific approval is given by the [Officer-in-Charge or his or her] **Superintendent or** designee. Such approval may include conditions limiting the hours, location, and types of fuel to be used. Small handwarming fires shall be allowed in designated ice fishing areas subject to conditions posted by the State Park Service.

(b) - (c) (No change.)

(d) [On campsites, in] **In camping and** overnight facilities and in picnic areas, wood fires shall be lighted only in an established place constructed for the convenience of the visitor[s] **or camper**, except when otherwise authorized by the [area Officer-in-Charge] **Superintendent or designee** or posted sign

(e) Campers and visitors may use dead fallen timber for fuel when authorized by the [Officer-in-Charge] **Superintendent or designee**.

(f) For cooking purposes, portable charcoal grills, gasoline, kerosene, or propane gas stoves may be used in camping overnight facilities and picnic areas, unless otherwise posted or directed by the [Officer-in-Charge] **Superintendent or designee**.

(g) (No change.)

(h) A person shall not burn litter, trash, refuse, garbage, pollutants or, except as provided at (d), (e) and (f) above, any other substance or liquids on the lands and waters of the State Park Service without specific approval of the [area Officer-in-Charge]

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**Superintendent or designee.**

**7:2-2.16 Metal detectors**

A person shall not use metal detectors or similar devices without a permit issued by the [Officer-in-Charge] **Superintendent or designee.** The permit may limit the location, hours, and days of use. [Permits] **A permit** will not be issued for use in areas of significant historical or other value, or where such use would be incompatible with protection of the resource and/or interfere with public use of the facility.

**7:2-2.17 Target practice; firearms; fireworks**

(a) (No change.)

(b) A person shall not possess or discharge any firearm, pellet gun, bow and arrow, slingshot or other weapon capable of injuring persons or wildlife while on State Park Service property without the specific approval of the [area Officer-in-Charge] **Superintendent or designee.** Hunters in compliance with the rules of the Division of Fish, Game and Wildlife and this chapter are excepted.

(c) (No change.)

**7:2-2.18 Restrictions on hunting, fishing, and trapping**

(a) (No change.)

(b) A person shall not hunt with a rifle. Hunting with a muzzle loading rifle shall be limited to the prescribed firearm deer season only or any additional special firearm deer season. [Area Officers-in-Charge] **Superintendents or designees** are authorized to allow squirrel and woodchuck hunting with muzzle loaders as conditions of

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safety warrant in accordance with the Game Code, N.J.A.C. 7:25-5, now in effect or as may subsequently be amended or changed.

(c) - (d) (No change).

(e) A person shall not ice fish except in areas specifically approved by the [area Officer-in-Charge] **Superintendent or designee**.

(f) - (g) (No change.)

### **7:2-2.20 Swimming[/~~bathing~~] areas**

(a) A person shall not swim or bathe in waters under the jurisdiction of the State Park Service from land comprising part of a State Park and administered for public recreation and/or conservation purposes except in designated [bathing] **swimming** areas open and staffed to allow this activity.

(b) Designated [bathing] **swimming** areas shall have posted hours of operation and a person shall not use a designated [bathing] **swimming** area contrary to posted regulations.

(c) - (e) (No change.)

(f) No motorized vehicles except emergency, maintenance, or law enforcement vehicles, shall be permitted in designated [bathing] **swimming** areas during the hours of operation posted under (b) above.

(g) A person shall not use, operate or bring into a designated [bathing] **swimming** area any inflatables or floating devices such as rubber innertubes, rubber crafts, surfboards, surfmats, buoys, kites, experimental crafts or any other floating device without the approval of the [area Officer-in-Charge] **Superintendent** or his or her

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lifeguard designees. United States Coast Guard approved Personal Floatation Devices (PFDs) are excepted.

(h) The [area Officer-in-Charge] **Superintendent or designee** may authorize the temporary use of certain floatation devices on occasion where the use is deemed safe, or during special events, games, tests, experiments or to accommodate the handicapped.

(i) (No change.)

#### **7:2-2.23 Lost articles**

All articles found shall be turned over to the [area Officer-in-Charge or his or her] **Superintendent or** designee. Receipts shall be issued and the article shall be returned to the finder at the end of 90 days if the owner has not claimed the article. Articles not claimed shall be disposed of in accordance with established State Park Service policy. The State Park Service policy for the disposal of unclaimed articles shall be posted at each State Park.

#### **7:2-2.24 Winter activities restrictions**

(a) (No change)

(b) Activities listed in (a) above may be approved in areas specifically designated by the [Officer-in-Charge] **Superintendent or designee**.

(c) (No change.)

#### **7:2-2.25 Bicycles, roller skates, and skateboards**

(a) - (j) (No change.)

(k) Roller skates and skateboards are restricted to areas specifically

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(l) (No change.)

### **SUBCHAPTER 3. MOTORIZED VEHICLES**

#### **7:2-3.4 Restriction on operation of motor vehicles**

(a) - (b) (No change.)

(c) A person shall not operate a motor vehicle on or over any cultivated or planted area, transmission line, survey line or in the woods, swamps, bogs, wetlands or fields unless a permit for said specific activity and location is issued by the [area Officer-in-Charge] **Superintendent or designee**.

(d) (No change.)

(e) A person or organization shall not conduct a motor vehicle race, rally, exhibition or demonstration of any type on State Park Service lands and waters without a permit issued by the [Officer-in-Charge] **Superintendent or designee**.

#### **7:2-3.5 Snowmobiles**

(a) - (d) (No change.)

(e) All accidents involving personal injury or damage to property shall be reported to the [Officer-in-Charge] **Superintendent or designee** of the State park [on] **at** which the accident occurred as soon as possible after the occurrence.

(f) Any race, rally or organized snowmobile activity shall require application for a use permit and/or scheduling at least five days in advance with the [area Officer-in-

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Charge] **Superintendent or designee** having jurisdiction over the property to be utilized.

The application or request may be denied for reasonable cause.

(g) - (h) (No change.)

### **7:2-3.7 Parking**

(a) - (b) (No change.)

(c) Parking shall be strictly confined to areas designated for that purpose.

Temporary parking areas designated by the [area Officer-in-Charge] **Superintendent or designee** may be used to accommodate special functions.

### **7:2-3.9 Motorized bicycle restrictions**

(a) (No change.)

(b) In the interest of safety, the [Officer-in-Charge] **Superintendent or designee** is authorized to temporarily prohibit or limit the operation of motorized bicycles.

(c) - (h) (No change.)

## **SUBCHAPTER 5. OCEAN PARKS AND INLAND PARKS BEACH RESTRICTIONS**

### **7:2-5.1 Trespassing**

(a) A person shall not be in, walk on, or travel over any ocean park sand dune, vegetation, or restricted or protected area without specific authorization of the [Officer-

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in-Charge] **Superintendent or designee.**

(b) - (c) (No change.)

### **7:2-5.3 Fires (open)**

(a) A person shall not build or start an open fire on a beach without the approval of the [Officer-in-Charge] **Superintendent or designee.**

(b) - (c) (No change.)

### **7:2-5.5 Restricted activities**

(a) Jet skiing shall be allowed on Lake Hopatcong, Lake Musconetcong, Cranberry Lake, and Greenwood Lake without the prior approval of the [Officer-in-Charge] **Superintendent or designee.** Jet skiing on Lake Hopatcong, Lake Musconetcong, Cranberry Lake, and Greenwood Lake shall be conducted in accordance with the rules of the New Jersey Boat Regulation Commission at N.J.A.C. [7:6] **13:82** or as subsequently amended.

(b) A person shall not jet ski, surfboard, wind sail, windsurf, scuba dive, skin dive, or spear goggles dive in ocean parks or, except as proved in (a) above, inland waters under the jurisdiction of the State Park Service without the approval of the [Officer-in-Charge] **Superintendent or designee.**

(c) (No change.)

## **SUBCHAPTER 6. CAMPING**

### **7:2-6.1 Camping**

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(a) A person shall not camp on any State Park Service property, except in areas designated [or] **and** marked for that purpose by the State Park Service.

(b) A person shall not camp without first having obtained a camping permit and [/or] site [number] assignment unless otherwise posted or directed by the [Officer-in-Charge] **Superintendent or designee**. The camping permit fee pursuant to N.J.A.C. 7:2-17.2(a) shall be paid in full and [positive] **legal** identification of the permittee shall be provided prior to issuance of the permit.

(c) A person under the age of 18 years shall not camp on State Park Service property except when accompanied by a parent, guardian or other [responsible] adult.

[(d) A person shall not set up camping outside the designated campsite area.]

[(e)] **(d)** Digging or leveling the ground at [campsites] **camping facilities** is prohibited unless specifically authorized by the [Officer-in-Charge] **Superintendent or designee**.

[(f)] **(e)** Campers shall keep their camping [area] **facilities** clean and free of safety [or] **and** fire hazards.

7:2-6.2[Campsite] **Camping facility** occupancy limits

(a) Not more than six people shall occupy a [campsite] **camping facility, excluding group campsites and primitive campsites**, unless they are all members of one family. The [area Officer-in-Charge] **Superintendent or designee** may [temporarily] authorize a greater [or lesser] number **of people for occupancy** as conditions may warrant.

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(b) No[t] more than two vehicles of any type shall be parked at a [campsite] **camping facility, excluding a group campsite or a primitive campsite**. The [area Officer-in-Charge] **Superintendent or designee** may [temporarily] authorize a greater [or lesser] number as conditions may warrant.

(c) Vehicles in excess of the number permitted in (b) above shall be parked at parking areas designated by the [Officer-in-Charge] **Superintendent or designee**. The camper assumes [liability] **responsibility** for [all such parking] **each vehicle parked**.

#### 7:2-6.3 Occupancy of [campsites] **camping facilities**

(a) A [campsite] **camping facility** is considered occupied when it is being used or has been reserved for purposes of camping by a person or persons who have paid the camping permit fee pursuant to N.J.A.C. 7:2-17.2(a) within the applicable time limits. A person shall not take possession or maintain possession of a [campsite] **camping facility** when informed by a State Park Service sign or employee that such site is occupied or reserved for occupancy.

(b) All camping facilities shall be occupied by the permittee as of the starting time and date indicated on the permit and shall remain occupied by the permittee during the entire period of stay specified on the permit. Occupancy constitutes the payment of the camping permit fee pursuant to N.J.A.C. 7:2-17.2(a), assignment of a site and the posting at the site of the issued [campsite] **camping facility** identification card. Wilderness campsites are exempt from the [campsite] **camping facility** identification card requirement (see N.J.A.C. 7:2-6.9).

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7:2-6.4 Time limits; [overnight camping] **Camping Facility**

(a) In order to afford the public the greatest possible use of the State Park Service camping [system] **facilities**, continuous occupancy by the same persons [or equipment] **who have paid the camping permit fee** of any camping **facility** [site] is limited as follows:

1. A person or persons shall not occupy a [campsite] **camping facility** for more than 14 consecutive nights.

2. A person or persons who have occupied a [campsite] **camping facility** for an initial 14 night limit shall not re-register until seven calendar nights have elapsed.

3. Additional camping shall be permitted to intervals up to, but no more than, seven **calendar** nights at a time with a minimum of seven calendar nights [out-time] required between each occupancy.

4. [The total maximum camping nights in any calendar year shall not exceed 40 nights] **A group, family, or person shall not occupy any State Park Service camping facility for more than 40 nights in a calendar year.**

7:2-6.5 Removal of equipment and personal property

(a) Occupants shall vacate the [campsite] **camping facility** by removing all their equipment and personal property prior to [noon] **the end of the permit period** on the last day of assigned occupancy.

(b) The [Officer-in-Charge] **Superintendent or designee** is authorized to inventory, remove and store for a period of [90] **30** days or until the owner is found, whichever is shorter, any and all equipment and personal property [on a campsite] **at a**

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**camping facility**, which [has not been occupied by the owner of the equipment and personal property for any consecutive 24 hour period] **remains at the camping facility at the end of the permit period**, or which is being used in violation of this chapter or other State law. Payment of a removal fee and storage fee pursuant to N.J.A.C. 7:2-17.2(d) shall be required from the owner before the equipment and personal property is returned. Items not claimed within [90] **30** days after they are removed from the [campsite] **camping facility** shall be disposed of in accordance with established State Park Service policy. The State Park Service policy for the disposal of unclaimed articles shall be posted at each State Park.

7:2-6.6 Visitors in [campsite] **camping facilities**

(a) Visitors are allowed in the [campsites] **camping facilities** between the hours of 8:00 A.M. and 8:00 P.M. All visitors shall pay the day user parking fee when applicable pursuant to N.J.A.C. 7:2-17.1. **The total number of people at a camping facility, including campers and visitors, shall not exceed six, except at group campsites and primitive campsites.**

(b) A visitor shall not be allowed in a [campsite] **camping facility** between the hours of 8:00 P.M. and 8:00 A.M.

(c) The [area Officer-in-Charge] **Superintendent or designee** may [temporarily] extend or limit the visitation hours **and number of visitors** as conditions warrant.

7:2-6.7 [Campsite, lean-to's, group campsite] **Camping facilities** reservation procedures

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(a) Applications for reservations of [designated reserved campsites, lean-to's and group campsites] **camping facilities** shall be submitted on forms available from the State Park Service, **or by telephone and paid in full by credit card.** [Applications shall not be accepted if received or postmarked prior to November 1 of the year immediately preceding that in which the facility will be used. All applications for designated reserved campsites, lean-to's, and group campsites shall be acted upon on or about November 15 or the first working weekday thereafter.]

**(b) A reservation may be made between the hours of 8:00 a.m. and 4:00 p.m., by telephone and paid in full by credit card, for a campsite on the same night.**

**(c) Applications shall be accepted up to 11 months in advance of the reservation start date. Except as set forth in (b) above,** [Reservations] **reservations** are not effective until confirmed in writing by the State Park Service. Reservations shall be confirmed on a first come first served basis subject to the availability of [designated reserved campsites, lean-to's and group campsites] **camping facilities** on the dates for which reservations are requested.

[(b) Reservations for a reserved campsite or a lean-to for the period of June 15 through and including Labor Day shall be for exactly a one week (seven nights) or a two week (14 nights) period commencing on any weekday including Saturday and Sunday.]

[(c) For the period from the day after Labor Day to June 14, reserved campsites or lean-to's may be reserved for a minimum of two consecutive nights to a maximum of 14 nights commencing on any weekday including Saturday and Sunday.]

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**(d) Each camping facility, except group campsites, as noted at (e) below, may be reserved for a minimum of two consecutive nights to a maximum of 14 nights, whenever camping facilities are available for public rental.**

[(d)] **(e)** Group campsites may be reserved for a maximum period of 14 nights. [commencing on any weekday including Saturday and Sunday with no minimum.]

[(e)] **(f)** All applications for [reserved campsites, lean-to's and group campsites,] **the reservation of camping facilities** shall include full payment for the reserved period [plus the required non-returnable reservation fee]. The fees are set forth in N.J.A.C. 7:2-17.2

[(f)] **(g)** [More] **No more** than two non-consecutive reservations for camping **facilities and overnight facilities** shall [not] be in effect for any group, **family** or person.

#### 7:2-6.8 Cancellations and refunds

(a)[Reserved campsites, lean-to's and group campsites] **Reservations for camping facilities** may be cancelled. **A minimum 24-hour notice for the cancellation of a reservation is required in order to receive a refund.** A cancellation fee [and the non-refundable reservation fee] as set forth in N.J.A.C. 7:[1] **2**-17.2(d) shall be deducted from any refund due.

(b) (No change.)

#### 7:2-6.9 Wilderness campsites

(a) (No change.)

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(b) Everything carried into the wilderness campsite shall be carried out or placed in [authorized garbage] **refuse** containers, if provided.

7:2-6.10 Group campsites

(a) Group camping is restricted to areas specifically [provided] **designated** for this purpose.

(b) A camping group is [designated] **defined** as a minimum of seven persons with the maximum limit determined by the [area Officer-in-Charge] **Superintendent or designee**.

(c) If group campsites are not available during the period November 1 to March 31, groups may use up to 50 percent of the available **family** campsites at a State Park, provided there is at least one adult per site, [individual] **family** campsite rates are paid and the limitation of six persons per site is not exceeded.

7:2-6.11 Group camper [supervisor] requirements

(a) All groups of campers under 18 years of age shall have a minimum of one adult [supervisor] 18 years of age or older for each nine campers under 18 years of age in the group.

(b) **The** adult(s) [supervisors of] **accompanying** group campers under 18 years of age shall be required to supply a roster of campers under 18 years of age [under their supervision] to the [Officer-in-Charge] **Superintendent or designee** upon request. The roster shall include each camper's name, address, age and the home phone number of the camper's parent or legal guardian.

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7:2-6.12 Emergency transportation **for group camping**

**The** adult(s) [supervisors of] **accompanying** group campers under 18 years of age shall have [an automobile or other] **sufficient** transportation [readily available] **on site** to transport [children] **the entire group in one trip** in the event of an emergency.

7:2-6.13 Emergency camping

The [area Officer-in-Charge] **Superintendent or designee** may permit emergency camping overnight for one night only in a [day use area or a portion thereof] **designated area** when extreme conditions warrant. Persons permitted emergency camping shall leave by 8:00 A.M. the following morning and shall be charged the campsite fee pursuant to N.J.A.C. 7:2-17.2(a).

7:2-6.14 Abuse of [the] **State Park Service** camping [system] **facilities**

(a) [The State Park Service camping system was designed and developed to provide the maximum number of people possible a quality outdoor recreational experience for their appreciation of our natural resources and for their personal relaxation.] **State Park Service camping facilities** [It is] **are** not for the use of persons or groups as a primary or secondary dwelling or as a mailing address.

(b) (No change.)

(c) [Area Officers-in-Charge] **Superintendents or designees** are authorized to limit or prohibit all camping or any other overnight use which, in their judgment, is contrary to the intended use stated in (a) above.

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## SUBCHAPTER 7. OVERNIGHT FACILITIES USE

### 7:2-7.1 Overnight facilities

(a) A person shall not occupy any overnight facility without a permit or the approval of the [area Officer-in-Charge] **Superintendent or designee**.

(b) A person under the age of 18 years shall not occupy any overnight facility except when accompanied by a parent, guardian or other [responsible] adult.

[(c) All overnight facilities shall be occupied on the starting time and date indicated on the permit. The area Officer-in-Charge may reassign any overnight facility not occupied for 24 hours after the prescribed starting time.]

[(d)] **(c)** The [Officer-in-Charge] **Superintendent or designee** is authorized to inventory, remove and store for a period of [90] **30** days or until the owner is found, whichever is shorter, any and all equipment and personal property in an overnight facility which [has not been occupied by the owner of the equipment and personal property] **remains at the overnight facility** [for any consecutive 24 hours period] **at the end of the permit period** or which is being used in violation of this chapter or any other State law. Payment of a removal fee and a storage fee pursuant to N.J.A.C. 7:2-17.2(d) shall be required from the owner before the equipment and personal property is returned. Items not claimed within [90] **30** days after they are removed from the overnight facility shall be disposed of in accordance with established State Park Service policy. The State Park Service policy for the disposal of unclaimed articles shall be posted at each State Park.

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7:2-7.2 Overnight facilities reservation procedures

(a) [All applications for] Reservations of [cabins] **overnight facilities** [and camp shelters] shall be submitted on forms available from the State Park Service, **or by telephone and paid in full by credit card.**

[Applications shall be accepted if postmarked or received after January 2<sup>nd</sup> of the year in which the facilities are to be used. Reservations shall not be made by telephone.]

**(b) Applications shall be accepted up to 11 months in advance of the reservation start date. Reservations are not effective until confirmed in writing by the State Park Service. Reservations shall be confirmed on a first come first served basis subject to the availability of overnight facilities on the dates for which reservations are requested.**

[(b) Applications shall be acted upon on a first-come first-serve basis or a lottery system of selection, if the demand dictates. All applications received after this process is completed shall be acted upon as received.]

(c) Reservations for cabin[s] **facilities** [and camp shelters] for the use period from [June 15] **the Saturday of Memorial Day weekend** through and including Labor Day shall be **accepted** only [granted ]for seven consecutive nights or 14 consecutive nights.

(d) **Reservations for cabin facilities for the use periods from the day after Labor Day to October 31st and from April 1st to the Friday prior to Memorial Day Weekend** [From April 1st to June 14th and from the day after Labor Day to October 31st, reservations for cabins and camp shelters] shall be accepted for a minimum of two consecutive nights to a maximum of 14 consecutive nights.

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**(e) Reservations for overnight facilities other than cabins shall be accepted for a minimum of two consecutive nights to a maximum of 14 consecutive nights, subject to the seasonal availability of the facilities at individual parks.**

[(e) When overnight facilities become available for any reason, they may be made available to the general public up to a maximum of 14 nights as directed by the Officer-in-Charge.]

(f) Reservations are not in effect until confirmed.

(g) A separate application shall be filed for each **overnight** facility and period desired.

(h) [More] **No more** than two non-consecutive reservations for overnight facilities **and camping facilities** shall [not] be in effect for any [person or] group, **family or person**.

**(i) A group, family, or person shall not occupy any State Park Service overnight facility for more than 40 nights in a calendar year.**

[(i) A non-refundable reservation fee as provided in N.J.A.C. 7:2-17.2(d) shall be charged for each reservation.]

(j) Full payment for the reserved period requested[, in addition to the reservation fee,] shall accompany the reservation application.

[(k) Reservations for East Creek Lodge at Belleplain State Forest shall be made for a minimum of two nights to a maximum of 14 nights year round.]

7:2-7.3 Cancellation and refunds

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(a) Reservations for [cabins, shelters, lodges, and other] designated State Park Service overnight facilities may be cancelled. **A minimum 24-hour notice for the cancellation of a reservation is required in order to receive a refund. A person may cancel a reservation by telephone, in writing or in person.** A cancellation fee [and the non-refundable reservation fee] as set forth in N.J.A.C. 7:2-17.2(d) shall be deducted from any refund due.

(b) Refunds shall not be made to persons evicted [for] **as a result of a** violation[s] of this chapter or other State law.

#### 7:2-7.4 Visitors **in overnight facilities**

(a) Visitors are allowed in overnight facilities between the hours of 8:00 A.M. and 8:00 P.M. All visitors shall pay the normal day user parking fee when applicable pursuant to N.J.A.C. 7:2-17.1. **The total number of people at an overnight facility, including campers and visitors, shall not exceed the designated occupancy of the overnight facility.**

(b) A visitor shall not be allowed in overnight facilities between the hours of 8:00 P.M. and 8:00 A.M. [The area Officer-in-Charge may temporarily extend or limit the visitation hours as conditions warrant.]

**(c) The Superintendent or designee may extend or limit the visitation hours and number of visitors as conditions warrant.**

## SUBCHAPTER 8. BOATING/WATERCRAFT

### 7:2-8.1 Launching of boats

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(a) (No change.)

(b) A person shall not launch or beach a boat, canoe or other vessel or weigh anchor or cast off when the [area Officer-in-Charge] **Superintendent or designee** has, by posting or verbal direction, prohibited the same.

### **7:2-8.3 Powerboat size restrictions**

(a) Powerboats, where permitted on non-tidal waters, may temporarily be further restricted as to maximum horsepower and minimum and maximum boat length, such restrictions being determined by the [Officer-in-Charge] **Superintendent or designee** based on use and safety factors.

(b) (No change.)

### **7:2-8.6 Boating near [bathing] swimming areas**

(a) A person shall not operate a power boat, sailboat or sail board within 200 feet of a designated [bathing] **swimming** area.

(b) A person shall not operate human powered slow moving watercraft such as rowboats, pedal boats, canoes, surfboards, or any other water borne mechanisms meeting this definition within 50 feet of a designated [bathing] **swimming** area.

### **7:2-8.7 Swimming and diving from objects, scuba diving, and skin diving**

(a) A person shall not swim or dive from a pier, catwalk, bridge or tower on lands comprising part of a State Park and administered by the State Park Service for public recreation and/or conservation purposes or from any vessel on waters under the

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jurisdiction of the State Park Service without written approval by the [area Officer-in-Charge] **Superintendent or designee**.

(b) (No change.)

#### **7:2-8.8 Round Valley and Spruce Run wind speed notification systems**

(a) - (b) (No change.)

(c) A person shall not continue boating activities on the Round Valley or Spruce Run Reservoirs when verbally directed to discontinue boating activities by the [Officer-in-Charge] **Superintendent or designee** or any employee authorized by the [Officer-in-Charge] **Superintendent or designee** to issue such warnings.

#### **7:2-8.9 Boat storage at the Spruce Run Recreation Area**

(a) A limited number of boat storage spaces are available at Spruce Run Recreation Area during the season from April 1 through October 31. Fees shall be charged pursuant to N.J.A.C. 7:2-17.1(g) and non-transferable decals shall be assigned for this use. Decals shall be permanently affixed to the boat registered for storage as directed by the [area Officer-in-Charge] **Superintendent or designee**.

(b) - (d) (No change.)

#### **7:2-8.10 Ice boating**

(a) - (b) (No change.)

(c) Ice boating and ice yachting shall be allowed on the waters described in (a) above and designated and posted under (b) above provided individual use complies

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with the following:

1. A minimum of two craft shall be in use at all times;
2. Protective helmets shall be worn;
3. Life jackets or life belt shall be worn; and
4. Masts or riggings and any attachments thereto, may be restricted

by the [Officer-in-Charge] **Superintendent or designee** or by any employee authorized by the [Officer-in-Charge] **Superintendent or designee** to issue such restrictions as determined by use or public safety.

#### **7:2-8.11 Towing behind boats**

A person shall not water ski, aquaplane or tow surf boards in non-tidal waters under the jurisdiction of the State Park Service except on Lake Hopatcong, Lake Musconetcong, Greenwood Lake and Cranberry Lake without the written approval of the [area Officer-in-Charge] **Superintendent or designee**.

#### **7:2-8.17 Obeying orders**

A vessel shall not fail to stop when ordered to do so by any State Park Service law enforcement officer or other State Park Service employee authorized by the [area Officer-in-Charge] **Superintendent or designee**.

#### **7:2-8.19 Vessel use restrictions**

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The use of boats, canoes and vessels of all types on the waters under the jurisdiction or control of the State Park Service shall be prohibited by the [Officer-in-Charge] **Superintendent or designee** whenever the safety, health or welfare of the public so dictates.

#### **7:2-8.24 Lake Hopatcong Dock Restrictions**

(a) - (b) (No change.)

(c) Prior to the construction of any new dock or the replacement, expansion or extension of any dock in the waters of Lake Hopatcong, the owner of the dock shall submit to the [Officer-in-Charge] **Superintendent or designee** at Lake Hopatcong State Park a written notification of intent to construct. The notification of intent to construct shall include the following:

1. - 3. (No change.)

(d) Upon receipt by the [Officer-in-Charge] **Superintendent or designee** of a complete notification of intent to construct under (c) above, the [Officer-in-Charge] **Superintendent or designee** shall have a period of 45 days to review the notification and approve the construction of any new dock or the replacement, expansion or extension of any dock in the waters of Lake Hopatcong based upon a determination that:

1. - 2. (No change.)

#### **SUBCHAPTER 9. DAY USE GROUP**

##### **7:2-9.2 Failure to make a reservation**

(a) (No change.)

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(b) The [area Officer-in-Charge] **Superintendent or designee** may temporarily waive day use group reservation requirements when field conditions dictate.

(c) (No change.)

#### **7:2-9.4 Group leader**

Each day use group making reservations for visitation shall designate one responsible adult, 18 years of age or older, as group leader and his or her name and address shall be furnished to the [Officer-in-Charge] **Superintendent or designee** upon arrival.

#### **7:2-9.5 Day use group roster**

(a) All day groups shall have available during the use or visit, and may, prior to the commencement of the use or visit, be required to supply a roster to the [Officer-in-Charge] **Superintendent or designee**. The roster shall contain the following information:

1. – 3. (No change.)

(b) Failure to supply the roster required in (a) above upon request by the [Officer-in-Charge] **Superintendent or designee** may be cause for refusing the group's admittance to, or removal of the group from, the park, forest, recreation area, historic site, marina, or natural area.

#### **7:2-9.6 Buses transporting day use groups**

(a) All buses transporting day use groups shall remain at a parking location

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(b) Drivers of buses transporting day use groups shall remain in the immediate day use area at all times and are not to leave the area without specific approval of the [Officer-in-Charge] **Superintendent or designee**.

#### **7:2-9.7 Group picnicking and reservation procedures**

(a) (No change.)

(b) The number of people in any group using a group picnicking facility shall not exceed the capacity of the facility without first obtaining the approval of the [area Officer-in-Charge] **Superintendent or designee** and upon such conditions that the [Officer-in-Charge] **Superintendent or designee** may reasonably require to assure public safety and protection of State-owned property.

(c) (No change.)

(d) The [Officer-in-Charge] **Superintendent or designee** shall post a sign at each group picnicking facility indicating that the facility has been reserved and the name of the group.

(e) (No change.)

#### **7:2-9.8 Group use of facilities on weekends and holidays**

(a) (No change.)

(b) The [Officer-in-Charge] **Superintendent or designee** may temporarily authorize weekend or holiday day group use only when facility and staffing requirements

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allow.

## **SUBCHAPTER 10. GOLF COURSES**

### **7:2-10.1 Local rules**

(a) The use of caddies is not permitted except by specific approval of the [golf course manager] **Superintendent or designee.**

(b) Privately owned golf carts are prohibited.

[(c) Everyone on the course shall play golf and have a paid receipt in his or her possession.]

[(d)] **(c)** Spectators are not permitted on the golf course. The [golf course manager] **Superintendent or designee** may temporarily waive this rule for tournament play or for unusual circumstances.

(e) All players shall have and use a golf bag with sufficient clubs to play the game including at least a driver [or 3wood, a 3, 5 and 7 iron] **or wood, irons,** and a putter.

(f) (No change.)

(g) Beverage or food coolers of any type are prohibited on the course. [Upon request by tournament organizers, the golf course manager may waive this prohibition.] **If conditions warrant, the Superintendent or designee may suspend this prohibition.**

(h) (No change.)

(i) Players shall be no less than [10] **eight** years old to play on the golf course.

(j) [Players age 10 to 13 shall be accompanied by an adult.] **An adult shall**

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**accompany a player aged eight to 12.**

[(k) Proper attire shall be worn at all times while on the golf course. This includes a minimum of pants, shorts, skirts, or tops, tee-shirts and sneakers or golf shoes.

(l) The playing or use of radios, tape recorders, electronic or any other noise producing device is prohibited on the golf course without specific approval of the golf course manager.]

[(m)]**(k)** [The following recreational activities are prohibited on the tees, fairways and greens of the golf course and adjacent State Park Service property without the written permission of the golf course manager.] **Golf and golf-related activities are the only activities permitted on the golf course. All other recreational activities are prohibited.**

1. Ice skating;
2. Skiing;
3. Sledding;
4. Snowmobiling;
5. Fishing;
6. Picnicking;
7. Horseback riding;
8. ATVs/bicycles;
9. Operating model or remote control planes, boats, cars, or other mechanical devices; and

10. Stopping of canoes for any reason except an emergency.]

**(l) The Superintendent or designee may propose and, with the approval**

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**of the Director of the Division of Parks and Forestry or designee, establish policies and procedures to govern play on the golf course.**

#### **7:2-10.2 Reservations-golf course**

(a) Golf course [play] **reservations are** [is] on a first-come, first-serve basis [only, except as provided in (b) below]. **Reservations may be made seven days in advance by telephone or in person. With the approval of the Director of the Division of Parks and Forestry or designee, the Superintendent or designee may increase the advance reservation period from seven days to a maximum of 14 days.**

(b) **Golf** Tournament reservations [shall] **can** be made [30 days] in advance [and are not effective until confirmed in writing by] **with the** issuance of a [special use permit by the State Park Service] **Golf Tournament Permit to the tournament organizer.**

1. Approved tournaments are restricted to Tuesday or Thursday play only unless specifically approved by the golf course manager.

2. Tournament starting times shall be 11:00 A.M. unless specifically waived by the golf course manager.

3. Tournaments shall reserve for a minimum of 40 players up to a maximum of 80 players unless specifically waived by the golf course manager.]

#### **7:2-10.4 United States Golf Association and local rules**

Local rules at N.J.A.C. 7:2-10.1 [and United States Golf Association rules shall govern all play. Local rules are printed on the score card and posted in the office.] **, and**

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**United States Golf Association rules shall govern all play. The local rules in accordance with N.J.A.C. 7:2-10.1 (including policies and procedures established by the Superintendent or designee in accordance with N.J.A.C. 7:2-10.1(l)) shall be posted in the Pro Shop at the golf course.**

**7:2-10.5 [Tournament restrictions] Golf tournaments**

(a) **Golf** Tournaments shall be conducted **in accordance with the accepted standards of golf, the local rules for the golf course under N.J.A.C. 7:10.1 (including policies and procedures established by the Superintendent or designee in accordance with N.J.A.C. 7:2-10.1(l)) and** in accordance with the [accepted standards of golf] **Tournament Rules and Regulations printed on the Golf Tournament Permit issued under N.J.A.C. 7:2-10.2(b) to the organizer of the tournament.** [Local restrictions are as follows:)

1. No shot gun starts shall be allowed. Shot gun starts require that the golf course be shut down to allow one team of golfers on each tee to be started by a loud noise.

2. All tournaments shall start at the first tee.]

**7:2-10.6 School team practice and matches**

[A golf team or member of a school team shall be allowed to practice on the golf course on weekdays only.] **A school golf team or members of a school golf team may use the golf course in accordance with the local rules for the golf course under N.J.A.C. 7:10.1 (including policies and procedures established by the Superintendent or**

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**designee in accordance with N.J.A.C. 7:2-10.1(l).**

### **7:2-10.8 Golf etiquette**

[(a) The player who has the honor shall be allowed to play before his or her opponent or fellow competitor tees his or her ball.] **Each golfer shall follow the rules established by the United States Golf Association, and local rules for the golf course under N.J.A.C. 7:10.1 (including policies and procedures established by the Superintendent or designee in accordance with N.J.A.C. 7:2-10.1(l)).**

[(b) A person shall not move, talk or stand close to or directly behind the ball or the hole when a player is addressing the ball or making a stroke.

(c) Players searching for a ball shall signal the players behind them to pass as soon as it becomes apparent that the ball will not easily be found. They shall not continue play until the players following them have passed and are out of range.

(d) When the play of a hole has been completed, players shall immediately leave the putting green.]

## **SUBCHAPTER 12. HIKING TRAILS**

### **7:2-12.3 Hiking trail restrictions**

(a) - (f) (No change.)

(g) All [furred animals or] pets shall be caged or held on a leash and under the immediate control of the owner at all times.

(h) - (i) (No change.)

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**7:2-12.5 Hiker camping**

(a) - (d) (No change.)

(e) Maximum occupancy for each hiker campsite may be limited or expanded by the [area Officer-in-Charge] **Superintendent or designee** as conditions warrant.

**SUBCHAPTER 13. STATE MARINAS**

**7:2-13.2 Application for vessel berth permits at State marinas**

(a) (No change.)

(b) Applications for a berth permit shall be submitted on forms available from the State Park Service and shall be accepted year-round at the marina office at the specific State marina in which a berth permit is requested. All berth permit applications shall be:

1. (No change.)

2. Accepted in the name of an individual(s) only. No application shall be accepted in the name of a corporation **or partnership**;

3. (No change.)

4. Except for the Senator Frank S. Farley State Marina, accompanied by a New Jersey drivers license as proof of residency when the applicant claims to be a New Jersey resident.

i. If an applicant claiming to be a New Jersey resident demonstrates to the satisfaction of the [Officer-in-Charge] **Superintendent or designee** that the applicant does not have a New Jersey drivers license for good and sufficient reason, the State Park Service reserves the right to require other proofs that the applicant is a resident of New

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Jersey.

(c) (No change.)

(d) Each applicant must annually confirm that the applicant wants to remain on the applicant waiting list. Confirmation shall be made at the marina office [no later than the second Saturday of January either by telephone from 8:00 A.M. to 4:00 P.M. Monday through Friday or by letter post marked not later than the second Saturday of January].

**The applicant must provide the State Park Service with a signed confirmation that he or she wants to remain on the waiting list. The applicant shall deliver the signed confirmation in person to the marina office, or mail the signed confirmation by United States Postal Service, post marked no later than January 31, to the marina office. If the signed confirmation is mailed, it must include a self addressed envelope, postage prepaid. A telephone call will not be accepted.** Failure to notify the marina office as above provided shall result in cancellation of the application and removal of the applicant from the waiting list.

(e) - (f) (No change.)

### **7:2-13.3 Berth permits**

(a) (No change.)

(b) Berth permits for the summer season from April 1 to October 31 shall be issued in accordance with the following procedure.

1. All summer berth permittees of record on October 31 shall be given an opportunity to renew their berth permit for the same size berth for the next summer season. A summer berth permit renewal form shall be forwarded to each

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permittee of record during the first week of [December] **November** of the year preceding the permit period year or as soon thereafter as possible.

2. On or before [February] **December 31** of the **year preceding the** permit year, the permittee of record shall return the following to the marina office:

i.-iv. (No change.)

3. If the permittee of record does not return the documents and payment in full on or before [February] **December 31** as required in (b)2 above, the State Park Service shall on the first business day after the due date or as soon as possible thereafter give the permittee of record written notice by certified mail return receipt requested, to return the documents and payment to the marina office within 10 working days after the date of the notice.

4. (No change.)

(c)-(e) (No change.)

(f) At the Leonardo and the Forked River State Marinas, berth permits for the winter season from November 1 to March 31 shall, in addition to the applicable provisions of N.J.A.C. 7:2, be issued subject to the following conditions:

1. Vessels occupying a winter berth shall have electricity available each weekend during the winter season from 4:00 P.M. Friday to 8:00 A.M. Monday. The use of electricity during any other period during the winter season shall be by the prior approval of the [Officer-in-Charge] **Superintendent or designee**.

2. The use of a thermostatically controlled de-icing system is subject to the prior approval of the [Officer-in-Charge] **Superintendent or designee**. Permittees shall place the de-icing unit in a location on the vessel that is in full view by marina

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personnel. The period of operation of de-icing units shall be determined by the [Officer-in-Charge] **Superintendent or designee** based on weather conditions.

(g) Berth permits shall not be issued for the following purposes:

1.-2. (No change.)

3. Use as a watersport activity center such as water skiing, parasailing **or use of personal watercraft;**

4. -5. (No change.)

(h) (No change.)

#### **7:2-13.4 Berth assignment**

(a)-(b) (No change.)

(c) Berth assignments are made by the [Officer-in-Charge] **Superintendent or designee.**

(d) Transient berth assignments shall be available on a first come first served basis and shall be available on a monthly or daily basis at the discretion of the [Officer-in-Charge] **Superintendent or designee** subject to the following conditions:

1.-3. (No change.)

(e) (No change.)

#### **7:2-13.5 Berth reassignment**

(a) The reassignment of berths within a State marina shall be made in accordance with the following procedures:

1. Reassignment shall be made only by the [Officer-in-Charge]

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**Superintendent or designee.**

2. In the event of the death of the permittee of record, the berth which is the subject of the permit, may be assigned by the [Officer-in-Charge] **Superintendent or designee** to the spouse of the deceased permittee of record.

3. A permittee of record shall be allowed to assign the rights granted under the permit subject to the following conditions:

i. The permittee of record shall submit a written request for [assignment] **subletting** to the [Officer-in-Charge] **Superintendent or designee**;

ii. The [assignment] **sublease** shall be limited to a period not to exceed the annual **or** summer [or winter] berthing season for which the assigned permit was issued;

iii. The [assignment] **sublease** shall be administered solely by the [Officer-in-Charge] **Superintendent or designee** of the marina containing the affected berth;

iv. [Assignments] **A sublessee** shall be obtained by the [Officer-in-Charge] **Superintendent or designee** from the application list for the berth category involved, beginning at the top of the list and continuing numerically, until the berth is reassigned;

v. The permittee of record shall be liable for all fees to the end of the month in which berth [reassignment] **sublease** is finalized;

vi. (No change.)

vii. No berth [reassignment] **sublease** shall be considered

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unless payment, for the affected period, in full has been provided by the permittee of record;

viii. A berth shall not be [reassigned] **sublet** if the permittee of record is in his first year of occupancy;

ix. Berth [reassignment] **sublease** requests for an annual or summer berth permit shall not be honored if received after June 30th; and

x. Berth [reassignment] **sublease** requests for a winter berth permit shall not be honored.

xi. **A permittee of record may sublet a berth only one time during the term of his or her permit.**

xii. **A sublessee may not further sublet his or her berth.**

#### **7:2-13.7 Marina regulations**

(a) (No change.)

(b) Fuel tanks shall be filled only at the marina fuel station. Draining, cleaning and/or removal of fuel tanks and/or the use of gasoline or other flammable solvent as a cleaning agent is prohibited within the marina boundaries. **The use or storage of a portable gas can for fueling within the marina boundaries is prohibited.**

(c)-(d) (No change.)

(e) Boat alterations or repairs shall not be undertaken while a boat is on marina property without specific permission from the [Officer-in-Charge] **Superintendent or designee.**

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(f) Additions or alterations shall not be made to piers, walkways or other marina property without the written consent of the [Officer-in-Charge] **Superintendent or designee**.

(g) - (k) (No change.)

(l) All personal property, lines and gear shall be removed from marina piers and property at the expiration of the permit period. The [Officer-in-Charge] **Superintendent or designee** is authorized to inventory, remove and store for a period of 90 days or until the owner is found, whichever is shorter, any and all equipment and personal property from marina piers and property at the expiration of the permit period or which is being used in violation of this Chapter or any other applicable law. Payment of a removal fee and storage fee pursuant to N.J.A.C. 7:2-17.2(d) shall be required from the owner before the equipment and personal property is returned. Items not claimed within 90 days after they are removed from the pier shall be disposed of in accordance with established State Park Service policy.

(m)-(o) (No change.)

(p) Any condition on a vessel or any premises used by the permittee and comprising part of the marina declared to be a fire or safety hazard by the [Officer-in-Charge] **Superintendent or designee** shall be corrected immediately by the permittee.

(q) Only berth permittees and their guests are permitted [pier] **marina** access between the hours of 10:00 P.M. and 8:00 A.M.

(r) (No change.)

(s) A berth permittee shall advise the [Officer-in-Charge] **Superintendent or designee** whenever a vessel will be out of the marina for a period of 48 hours or more.

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When a berth will be vacant for 48 hours or more, the State Park Service may utilize the berth for any purpose it deems appropriate without reimbursement to the permittee of record.

(t) - (v) (No change.)

(w) Unattended property that interferes with public safety, orderly management of the marina or presents a threat to the resources may be impounded and stored by the [Officer-in-Charge] **Superintendent or designee**. After 90 days unclaimed articles may be disposed of in accordance with established State Park Service policy.

(x) Dock boxes shall be installed only with the prior approval of the [Officer-in-Charge] **Superintendent or designee**.

## **SUBCHAPTER 16. ISLAND BEACH STATE PARK RULES**

### **7:2-16.2 Mobile sport fishing vehicles/permits/restrictions**

(a) Four-wheel drive mobile sport fishing vehicles (MSFV) are permitted on specifically designated areas of Island Beach State Park for the purpose of surf fishing from the open beach provided:

1. An application for a MSFV permit is completed and approved through the Island Beach State Park office; and

2. An approved permit, decal or placard for which the proper fee has been fully paid as provided in N.J.A.C. 7:2-17.3(d) is displayed on or from the MSFV as directed by the [Officer-in-Charge] **Superintendent or designee** when on Island Beach State Park.

(b) - (e) (No change.)

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(f) The [area Officer-in-Charge] **Superintendent or designee** may limit the number of three-day MSFV permits which may be in effect at any one time. Three-day permits expire at midnight on the third full day after the day of issue. Three-day permits may be renewed only after a 24-hour waiting period.

(g) The number of MSFVs on the open beach at any one time, whether three-day or annual, may be limited by the [area Officer-in-Charge] **Superintendent or designee** in the interest of safety or responsible management of the resource.

### **7:2-16.3 Surf fishing**

(a) Surf fishing is permitted only on the ocean side of Island Beach State Park in specifically designated areas approved by the [area Officer-in-Charge] **Superintendent or designee**. An annual surf fishing permit shall be issued upon:

1.- 2. (No change.)

(b) - (d) (No change.)

### **7:2-16.5 Island Beach State Park**

(a) - (b) (No change.)

(c) During the hours from 12:00 midnight to 4:00 A.M., all persons on the beach shall be actively engaged in surf fishing. MSFV permit holders not fishing may park and remain in designated MSFV parking locations posted or directed by the [Officer-in-Charge] **Superintendent or designee**. All others shall leave the park as soon as they stop surf fishing.

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**7:2-16.6 MSFV suspension**

(a) The [area Officer-in-Charge] **Superintendent or designee** may suspend for up to 90 days the MSFV permit of any person found in violation of any law including this chapter.

(b) (No change.)

**SUBCHAPTER 17. FEES FOR SERVICES AND FACILITIES PROVIDED BY THE STATE PARK SERVICE**

**7:2-17.1 Day use fees for services and facilities provided by the State Park Service**

(a) (No change.)

(b) [A daily day use parking fee of \$5.00 for automobiles shall be in effect at Island Beach State Park for the period commencing on the day after Labor Day and ending on the day before Memorial Day.] **At Island Beach State Park, for the period commencing on the day after Labor Day and ending on the day before Memorial Day Weekend, the daily day use parking fees are as follows:**

**Vehicle**

**Fee**

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- |                  |   |                            |
|------------------|---|----------------------------|
| <b><u>1.</u></b> | <b><u>Automobile</u></b>                | <b><u>\$5.00</u></b>       |
| <b><u>2.</u></b> | <b><u>Motorcycle</u></b>                | <b><u>\$5.00</u></b>       |
| <b><u>3.</u></b> | <b><u>Bus (out-of-State groups)</u></b> | <b><u>\$105.00/bus</u></b> |
| <b><u>4.</u></b> | <b><u>Bus (in-State groups)</u></b>     | <b><u>\$55.00/bus</u></b>  |

(c) - (e) (No change.)

(f) The daily or annual **launch ramp** fee [for boat launching] at designated State parks and marinas are as follows:

Area	Daily Fee	Annual Fee
1. Leonardo State Marina	\$15.00/launch	\$150.00
2. Liberty State Park	\$15.00/launch	\$150.00
3. Corson's Inlet	\$10.00/launch	\$55.00

([Between] **Beginning on**  
Memorial Day weekend and  
ending on Labor Day  
inclusive)

4. Mullica River [Boat Launch]	\$10.00/launch	\$55.00
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**(Beginning on Memorial Day**  
**Weekend and ending on**  
**Labor Day inclusive)**



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iii. Senior Citizens (New Jersey                      \$[14.00] **18.00**

Residents--Age 62 and

over) (weekdays only) [before 10:00

A.M.)]

iv. Twilight, weekdays (three hours                      \$20.50

before closing)

v. Twilight, weekends and State                      \$25.00

designated holidays

(three hours before closing)

2. – 3. (No change.)

(k) and (l) (No change.)

**(m) Fees for the Batsto Historic Tour are as follows:**

	<u>Age</u>	<u>Fee</u>
<b><u>1.</u></b>	<b><u>6-11</u></b>	<b><u>\$1.00/person</u></b>
<b><u>2.</u></b>	<b><u>12 and above</u></b>	<b><u>\$2.00/person.</u></b>

**7:2-17.2 Overnight use fees for services and facilities provided by the State Park**

**Service**

(a) [Campsite] **Camping and overnight facilities** permit fees shall be as follows:

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Type	Fee
1. Group campsites	\$1.00/person/night based on the capacity of the campsite
2. Family campsites	\$20.00/night
3. Wilderness campsites	\$17.00/night
4. Lean-tos	\$30.00/night
5. Shelters	\$10.00/bunk per night based on number of bunks
6. Yurts	\$30.00/night
<b><u>7. Primitive campsites</u></b>	<b><u>\$2.00/person per night</u></b>

(b) [Campsite] **Camping facility** permits issued to any New Jersey resident who is 62 or more years of age or is totally disabled shall receive a \$2.00 per night reduction from the family campsite rates in (a)2 above.

(c) (No change.)

(d) Miscellaneous [campsite and cabin] **camping and overnight facilities** fees:

Type	Fee
1. Cancellation fee	[\$35.00] <b><u>\$40.00</u></b> or two nights stay, whichever is less
2. Group cabin cancellation fee	\$155.00
3. Equipment removal fee	\$30.00

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- 4. Equipment storage fee                      \$15.00/night

**7:2-17.3 Miscellaneous fees for services and facilities when and where provided by the State Park Service**

(a) -(d) (No change.)

(e) Miscellaneous fees for services and facilities provided by the State Park Service at Wharton State Forest are as follows:

- 1. Batsto Auditorium Fee                      \$150.00/day, plus staff costs

**7:2-17.4 Fees for services and facilities provided by the State Park Service at State marinas**

(a) (No change.)

(b) Fees for services and facilities provided by the State Park Service at the

Leonardo State Marina shall be as follows:

- 1. Pleasure seasonal berthholder permit fee:

Season	Fee
i. Summer (April 1 to October 31)	\$65.00/ft <b>length overall</b> **
	[**](Minimum Fee Based on Applicable Berth Length)



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**as follows:**

**1. Pleasure seasonal berthholder permit fee:**

<u>Season</u>	<u>Fee</u>
<u>i. Summer (April 1 to</u>	<u>\$75.00/ft. *</u>
<u>October 31)</u>	

**\*This fee shall be based on the designated size of each boat slip. Any boat with an overall length that exceeds the designated size of the boat slip shall pay a boat slip fee based on the overall boat length at the rate outlined above. Overall boat length shall include any swim and/or bow platform(s).**

**2. Transient berthholder fee:**

- i. \$2.00/ft. length overall, per day based on the availability of berths**

[(c)]**(d)** Miscellaneous fees for services and facilities provided by the State Park

Service at State operated marinas shall be as follows:

1-4 (No change.)

**7:2-17.6 Fees for facilities or services not otherwise identified**

**(a) The fee for facilities or services for newly constructed or acquired facilities or facilities newly placed under the administration of the State Parks Service, or newly provided services at existing facilities, shall be the fees for similar facilities or services charged at the nearest State park at which similar facilities or services are provided, as determined by the Department. Such fees shall continue to be charged, subject to adjustment as provided in N.J.A.C. 7:2-17.5 until such time as the**

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**Department adopts a specific fee schedule for such facilities or services.**

**(b) The Department shall publish notice of the fee in the New Jersey Register, and at the facility at issue.**

**7:2-17.7 Sales tax**

**The fees set forth in this subchapter do not include applicable sales tax.**

**Applicable sales tax, if any, shall be posted with the fee schedule at the point of sale.**