

New Jersey NFIP Model Floodplain Development Permit

Borough of Point Pleasant Beach, Permit Version 1.0, May 12, 2021

The Floodplain Development Permit application assists communities in evaluating impacts of activities proposed within New Jersey regulated floodplains or FEMA's Special Flood Hazard Areas (SFHAs). All activities must be in compliance with the regulations and standards set forth by local, state, and federal entities. For residents and property owners to be eligible for national flood insurance rates under the National Flood Insurance Program (NFIP), For communities to receive certain kinds of federal monies, the community must agree to meet certain floodplain development standards. The Floodplain Development Permit application packet is a tool to ensure these standards are met. It should be noted that depending on the type of development, *you may be required to hire a surveyor or engineer to help complete the required forms.*

Prior to applying for a Floodplain Development Permit, the Applicant **MUST** obtain other required federal, state, and local permits, including the required New Jersey Land Resource Protection Permits set forth by the New Jersey Department of Environmental Protection (NJDEP). Refer to *Appendix B* of this application for a list of potential permit-by-rules, general permits-by certification, and general permits, or see your local Floodplain Administrator. All permits obtained for the project **MUST** be attached to this application.

If approved, a community official, or the Floodplain Administrator (FPA), will perform inspections throughout the project, as well as when the project is completed to ensure that the development is compliant with the requirements of the Local Flood Damage Prevention Ordinance, *thus helping you get a better premium rate on flood insurance.*

If you are proposing development of any kind (constructing a new building, adding on to an existing building, clearing land, placing fill, mining, drilling, etc.) in a floodplain as defined by NJDEP or FEMA, you **MUST** submit this application to your local FPA. Depending upon the type of development you are proposing, additional forms and/or permits may be required.

Per NFIP participation rules, if the property you propose to develop is located within a Special Flood Hazard Area on a FEMA FIRM, you **MUST** obtain a Floodplain Development Permit prior to beginning the project in accordance with the requirements of the local Flood Damage Prevention Ordinance of your community. Failure to do so may incur penalties, including high insurance rates.

For the purposes of this application, the "Applicant" is considered either the property owner, builder, or engineer. The "Applicant" cannot be the FPA. Typically, the Applicant completes Part I, II, & III of this application and submits the information to the local FPA. If any information is missing by the Applicant, the FPA will assist in filling in the missing information. The FPA reviews the submission, forms a determination, then notifies the Applicant of whether or not additional information is needed. Once all required materials have been submitted, the FPA will make a permitting decision and either issue a permit, which may include conditions of approval, or deny the requested permit.

An initial application fee of \$25 must be provided with this application. Once a review type has been determined there will be review fee of \$250 or \$50. The flood plain clerk will reach out for payment before review.

APPLICATION INSTRUCTIONS

PART I

The Applicant (i.e. Owner/Builder/Engineer) completes the General Provisions.

PART II

Complete the Owner/Builder/Engineer Information and Project Overview.

Project Overview

Provide a description of the project location and attach a recent survey. Check all the applicable box(es) under project type that are being proposed.

PART III

Complete and attach required information for the Flood Hazard Area Checklist Information and other permits.

Flood Hazard Area Checklist Information

Check all the applicable box(es) under "Flood Hazard Area Information Required for Review" and provide input when directed. Provide required documentation if applicable.

Other Permits

The Applicant must obtain other required federal, state, and local permits, including NJDEP Land Use Permits **PRIOR** to applying for a Floodplain Development Permit. Refer to *Appendix B* for a list of potential permits.

PART IV

The FPA will determine the position of the proposed development relative to community floodplains and floodways. Flooding data and site specifications determined through FEMA and NJDEP will be included when applicable.

PART V

The FPA will indicate if the proposed development is conformant with the requirements of the local Flood Damage Prevention Ordinance, and if the requested permit is issued. If the decision is to **NOT** issue the permit, the FPA will provide an explanation of the perceived deficiencies to the Applicant.

PART VI

The FPA will track inspection results and deficiencies. The elevation certificate representing final construction will also be reviewed for accuracy.

DEFINITIONS

ASCE 24: The standard for Flood Resistant Design and Construction referenced by the building code, and developed, and published by the American Society of Civil Engineers, Reston, VA. References to ASCE 24 shall mean ASCE 24-14 or the most recent version of ASCE 24 adopted in the UCC Code [N.J.A.C. 5:23].

Base Flood: A flood having a 1% chance (100-year) of being equaled or exceeded in any given year.

Base Flood Elevation (BFE): The water surface elevation resulting from a flood that has a 1% or greater chance of being equaled or exceeded in any given year, as shown in a published Flood Insurance Study (FIS), Flood Insurance Rate Map (FIRM) or preliminary flood elevation guidance from FEMA. May also be referred to as the “100-year flood elevation.”

Best Available Flood Hazard Data: The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

Conditional Letter of Map Revision (CLOMR): A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway or Special Flood Hazard Area (SFHA). The letter does not revise an effective FIRM map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review as described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the FIRM map.

Critical Facility: Structures with American Society of Civil Engineers (ASCE) Class III and IV flood design classifications (as described in ASCE 24-14 Table 1.1) that provide services and functions essential to a community, especially during and after a disaster, and require additional freeboard for protection. Critical facilities with Class IV designations must be elevated or protected to 2 feet above DFE or to the 500-year (0.2% chance) flood elevation, whichever is higher.

Development: Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Elevation Certificate: An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to provide the support required for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on Fill (LOMR-F).

Federal Emergency Management Agency (FEMA): The Federal agency under which the NFIP is administered.

FEMA Publications: Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications include but are not limited to technical bulletins, desk references, and ASCE 24.

Flood Hazard Area Design Flood Elevation (FHDFE): Per the New Jersey Flood Hazard Area Control Act, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping published by FEMA (including effective flood mapping dated on or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A Zone to a V Zone or Coastal A Zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA's Base Flood Elevation (BFE). A water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.

Flood Insurance Rate Map (FIRM): The official map on which FEMA has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study (FIS): The official report of a community in which the FEMA has provided flood profiles, as well as Flood Insurance Rate Map(s) and the risk premium zones applicable to the community.

Floodplain or Flood Prone Area: Any land area susceptible to being inundated by floodwaters from any source.

Floodproofing: Any combination of structural and nonstructural additions, changes or adjustments to structures, which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitation facilities or structures with their contents.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

Freeboard: A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Letter of Determination Review (LODR): FEMA's ruling on the determination made by a lender or third party that a borrower's building is in a Special Flood Hazard Area (SFHA). A LODR deals only with the location of a building relative to the SFHA boundary shown on the Flood Insurance Rate Map (FIRM).

Letter of Map Amendment (LOMA): A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective Flood Insurance Rate Map (FIRM) map that is requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation.

Letter of Map Revision (LOMR): A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. A LOMR is issued only by FEMA.

Letter of Map Revision Based on Fill (LOMR-F): A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway. A LOMR-F may be initiated through the Letter of Map Change (LOMC) Process. A LOMR-F is issued only by FEMA.

Limit of Moderate Wave Action (LiMWA): Inland limit of the SFHA (AE Zone) affected by waves between 1.5 and 3 feet. Base Flood conditions between the V Zone and the LiMWA will be similar to, but less severe than, those in the V Zone. Also known as "Coastal A Zone" areas.

Local Design Flood Elevation (LDFE): The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's LDFE be lower than a permit-specified Flood Hazard Area Design Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

Lowest Floor: In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and Coastal A Zones, the bottom of the lowest horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

Lowest Horizontal Structural Member: In an elevated building in a Coastal A Zone or Coastal High Hazard Area (VE Zone), the lowest beam, joist, or other horizontal member that supports the building is the lowest horizontal structural member. Grade beams installed to support vertical foundation members where they enter the ground are not considered lowest horizontal members.

National Flood Insurance Program (NFIP): The program of flood insurance coverage and floodplain management administered under the Act and applicable federal regulations promulgated in Title 44 of the Code of Federal Regulations, Subchapter B. This community has voluntarily chosen to receive the benefits of participation in this program by adopting a Floodplain Development Permit.

Preliminary FIRM & FIS: Preliminary flood hazard data and map products provide the public with an early look at their home or community's projected risk to flood hazards. Preliminary data may include new or revised Flood Insurance Rate Maps (FIRM), Flood Insurance Study (FIS) reports, and FIRM Databases.

Special Flood Hazard Area (SFHA): The greater of the following: (1) Land in the floodplain within a community subject to a 1% or greater chance of flooding in any given year, shown on the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the AREA OF SPECIAL FLOOD HAZARD.

Structure: A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground

For Office Use Only:

Received Date: _____

Permit File Number: _____

Permit Application to be Filled out in Duplicate

PART I – GENERAL PROVISIONS - To Be Completed by the Applicant

GENERAL INFORMATION – To be read and signed by the Applicant

1. No work of any kind may start in the NJ Flood Hazard Area or FEMA SFHA until all permits, including, but not limited to a floodplain development permit, are issued.
2. This permit may be revoked if any false statements are made herein.
3. If revoked, all work must cease until a permit is re-issued.
4. Development shall not be used or occupied until a Certificate of Occupancy is issued.
5. Work must commence within six (6) months of issuance or this permit will expire.
6. The Applicant is hereby informed that other permits may be required to fulfill federal, state, or local regulatory requirements.
7. The Applicant hereby gives consent to the Administrator or his/her representative to make reasonable inspections that are required to verify compliance.
8. The Applicant certifies that **“All statements herein and in attachments to the application are true and accurate to the best of my knowledge.”**

Name of Applicant

Signature of Applicant

Date

PART II – PROJECT INFORMATION - To Be Completed by the Applicant

PROPERTY OWNER INFORMATION

Name:		Phone Number:	
Address:		Email:	
City:	State:	Zip Code:	

BUILDER INFORMATION

Name:		Phone Number:	
Address:		Email:	
City:	State:	Zip Code:	

ENGINEER INFORMATION			
Name:		Phone Number:	
Address:		Email:	
City:	State:	Zip Code:	

PROJECT OVERVIEW <i>(Attach survey and construction plan/documents if available)</i>	
Project Address:	
Project Description:	
Block:	Lot:

PROJECT TYPE (Check all that apply):		
Type of Structure:	Type of Structural Activity:	Other Development Activities:
☐ Residential 1 – 4 Family	☐ New Structure	☐ Excavation
☐ Residential 5+ Family	☐ Relocation	☐ Placement of Fill Material
☐ Non-Residential	☐ Replacement	☐ Clearing
☐ Manufactured Home	☐ Addition	☐ Mining
☐ Accessory Structure	☐ Alteration	☐ Dredging
☐ Recreational Vehicle	☐ Substantial Improvement	☐ Drilling
☐ Detached Garage	☐ Substantial Damage	☐ Grading
☐ Subdivision (New or Expansion)	☐ Swimming Pool/ Spa Installation	☐ Fill
☐ Agricultural Structure	☐ Tanks	☐ Watercourse Alterations (incl. dredging/channel modifications)
☐ Utility or Miscellaneous Group U Structure	☐ Sanitary Sewerage Facilities including Septic Systems	☐ Drainage Improvements (incl. culverts)
☐ Historic Structure on Federal or State Historic Preservation Registry (must provide documentation)	☐ Water Facilities	☐ Individual Water or Sewer System
	☐ Fence Installation	☐ Road, Street, or Bridge Construction
	☐ Elevation Changes	☐ Erosion-Control/Infrastructure Project
	☐ Retaining Wall	☐ Bulkhead, Sea Wall, Revetment
		☐ Dune Construction/Repair
		☐ Other (incl. FEMA LOMA, LOMR, CLOMR, LOMR-F forms) (Please specify):

PART III – REQUIRED DOCUMENTATION - To Be Completed by the Applicant

FLOOD HAZARD AREA CHECKLIST INFORMATION (See Appendix A)

Flood Hazard Area Information Required for Review	Included?
Provide an estimate of the current market value of the property: Land \$_____ Structure \$_____ Provide an estimate of the total cost of building improvements using qualified labor and materials obtained at market prices. (<i>Note: Unpaid or discounted labor and materials must be counted at their true market cost per the NFIP.</i>) \$_____ Estimates should either be signed and sealed by the Applicant's architect or engineer, an estimating firm's or contractor's estimate signed and sealed by an engineer, or a bona fide contractor's bid.	
Plans – all submitted development plans must include sufficient detail to complete the permit review. <i>See Appendix A for additional information.</i>	
All elevations on the submitted plans shall be in NAVD88.	
Plans showing the location, layout, and elevation of existing and proposed development including parking areas, driveways, drainage, sewer, and water facilities (including connections), plantings, seedlings, fences, signs, and any other information necessary for managing the floodplain.	
A Zone Construction – The dimensions, location, and elevation of the lowest floor (including basements) of existing and proposed structures. The elevations shall be in relation to NAVD88.	
V Zone and Coastal A Zone Construction seaward of the Limit of Moderate Wave Action (LiMWA) – Plans must show the lowest horizontal member of the structure (including any venting, insulation, etc.) and the dimensions, location, and elevation of the lowest floor (including storage areas and garages) of existing and proposed structures. The elevations shall be in relation to NAVD88. Basements, mechanical pits, underground parking garages, etc. are prohibited in these zones. Construction must have open foundations. Back-filled stem walls are permissible in Coastal A Zones only. Completed <i>V Zone Certifications and Breakaway Wall Certifications</i> shall be included in the permit application.	
Watercourses – The description of the extent of any watercourse, if any, which will be altered and/or relocated as the result of the proposed development must show exact location of the floodway and flood hazard area limits.	
Wet and Dry Floodproofing Certification (non-residential or approved historic structures only) – Certification by a Professional Engineer or Architect that the floodproofing methods meet the floodproofing criteria in ASCE 24 for nonresidential structures. The plans must also show the elevation in relation to NAVD88 that a floodproofed structure is protected to. A partially completed <i>Floodproofing Certification</i> (completed by the Architect certifying the construction design) shall be included in the permit application and a fully completed <i>Floodproofing Certification</i> must be provided prior to occupancy.	
For structures in more than one flood zone – If the structure is in more than one flood zone, the location and identification of all flood zones must be indicated on the survey and the most restrictive design flood elevation shall be used in all development plans.	
For Elevators – plans shall comply with FEMA Technical Bulletin 4 and ASCE 24. All required flood-resistant construction information shall be noted on the plans.	

For Below-Grade Parking Garages (not permitted for residential buildings and in Coastal A and V Zones) – plans shall comply with FEMA Technical Bulletins 3 and 6, note all required information on the plans, and include a partially completed <i>Floodproofing Certification</i> (completed by the Architect certifying the construction design), an <i>Emergency Operations Plan</i> , and an <i>Inspection and Maintenance Plan</i> in this application. A fully completed <i>Floodproofing Certification</i> must be provided prior to occupancy.	
For Historic Structures – Documentation confirming that the property is listed on an approved State or Federal Historic Register inventory.	
For Enclosures – Evidence of a <i>Deed Restriction</i> for the structure must be included in the permit application if enclosed space is greater than 6 feet in height as per N.J.A.C. 7:13-12.5(p)6. Local ordinances may also require a Non-Conversion Agreement.	
FEMA LOMA, CLOMR, LOMR, LOMR-F forms shall be fully completed with documentation of a recent Endangered Species Program Review if a Community Acknowledgement is requested prior to submission to FEMA.	
Elevation Certificates – Partially completed Elevation Certificates are required to be submitted at foundation completion and prior to inspection to ensure that the lowest floor or lowest horizontal structural member is properly elevated, and all required openings are properly constructed. A fully completed elevation certificate must be submitted prior to occupancy.	
Additional Required Information:	

OTHER PERMITS (See Appendix B)				
The applicant must obtain the required Federal, State, and Local permits prior to applying for a Floodplain Development Permit (See Appendix B for a detailed list of agencies and permits). <i>The proposed development MUST be in compliance with other Federal, State, and Local laws.</i>				
List Other Permits obtained for the project: (Attach obtained permits)				
Permit by Type (Federal, State, Local) *Attach additional sheet if necessary	Permit #	Date of Issuance	Expiration Date	Description

APPENDIX A
Development Plan Requirements

- Two (2) sets of plans showing the existing and proposed work (all rooms in structures must be identified).
- Elevation view of any structure.
- Specify materials, if any, used for fire rating (must be flood-proof)
- Structural details including foundation, floor, wall, ceiling, and roof assemblies.
- Anchoring details of foundation, floor, walls, and roof assembly. Building must be designed to resist all loads, including flood, wind, and uplift, during flooding.
- Location of all mechanical systems (boilers, furnaces, air-conditioning, water heaters, pumps, duct work, etc.); all must be above the Design Flood Elevation (DFE). Sunken tubs are prohibited below the DFE.
- All outdoor air-conditioning units, oil, or propane tanks, unless subsurface, must be elevated and anchored above the DFE.
- The enclosed area below the DFE may only be used for storage, parking, access to the home, or non-livable space.
- The finished ground level of an under-floor space such as a crawl space must be equal to or higher than the outside finished ground level.
- All building material used below the DFE must be of flood resistant material.
- Indicate the type of material used for foundation, floor framing, insulation, walls, and floor finishes.
- Structures in VE Zone and Coastal A Zone must be designed and certified by a licensed Professional Engineer or Architect including breakaway walls.
- Decks in a VE Zone and Coastal A Zone may not be lower than the lowest horizontal member of the main structure (if attached to the structure)
- Flood vents shall be provided for enclosed areas below the DFE including for breakaway walls. Flood vents shall have an opening of 1 square inch per every 1 square feet of enclosed area. Each enclosed area shall have a minimum of 2 flood vents. Flood vents must be installed no more than 12 inches above grade.
- Electrical meter: provide a landing with stairs where required by the utility company for reading the meter.
- All proposed development must comply with the applicable FEMA publications and ASCE 24.

APPENDIX B

Other Applicable Permits

All applicable federal, state, and local permits listed below shall be obtained and plans shall reflect compliance with state requirements.

Agency	Permit/Authorization	Regulatory Authority	Description	Links
Delaware and Raritan Canal Commission	Delaware and Raritan Canal Commission Approval	Regulations for the Review Zone of the Delaware and Raritan Canal State Park (N.J.A.C. 7:45)	Review any action in the Canal Park and Review Zones A and B depending on the activity. In general, all projects located within Zone A are reviewed. Projects in Zone B that do not meet the Commission's definition are a major project are exempt from review.	https://www.nj.gov/dep/drcc/regulatory.html
NJDEP – Division of Land Use Regulation (DLUR)	Freshwater Wetlands Protection Act Permit	Freshwater Wetlands Protection Act (N.J.S.A. 13:9B) and Rules (N.J.A.C. 7:7A)	Regulates activities within jurisdictional wetlands, their transition areas, and State open waters	https://www.nj.gov/dep/landuse/fww/fww_main.html https://www.nj.gov/dep/landuse/download/13_9b.pdf https://www.nj.gov/dep/rules/rules/njac7_7a.pdf
	*Flood Hazard Area Protection Act Permit	Flood Hazard Area Control Act (N.J.S.A. 58:16A) and Rules (N.J.A.C. 7:13)	Regulates activities within regulated waters, flood hazard areas, and riparian zones.	https://www.nj.gov/dep/landuse/fha/fha_main.html https://www.nj.gov/dep/landuse/download/58_16a_50.pdf https://www.nj.gov/dep/rules/rules/njac7_13.pdf
	**Coastal Area Facilities Review Act (CAFRA) Permit	CAFRA (N.J.S.A. 13:19) Coastal Zone Management Rules (N.J.A.C. 7:7)	Regulates activities within the CAFRA zone. Project must demonstrate compliance with the Coastal Zone Management Rules which defines Special Areas of environmental interest and compliance criteria.	https://www.nj.gov/dep/landuse/coastal/cp_main.html https://www.nj.gov/dep/landuse/download/13_19.pdf https://www.nj.gov/dep/rules/rules/njac7_7.pdf
	**Waterfront Development Act Permit	Waterfront Development Act (N.J.S.A. 12:5-3) Coastal Zone Management Rules (N.J.A.C. 7:7)	Regulates activities in the Waterfront area. The Waterfront area is divided into three sections. Details of each section can be found in the Coastal Permit Program Rules at N.J.A.C. 7:7-2.3. As well as all tidal waterways, the waterfront area includes all man-made waterways and lagoons subject to tidal influence found within any three of the geographical areas.	https://www.nj.gov/dep/landuse/coastal/cp_main.html https://www.nj.gov/dep/landuse/download/12_5_3.pdf https://www.nj.gov/dep/rules/rules/njac7_7.pdf
	**Coastal Wetlands Act Permit	Wetlands Act of 1970 (N.J.S.A. 13:9A) Coastal Zone Management Rules (N.J.A.C. 7:7)	Regulated activities in delineated and mapped coastal wetlands pursuant to the Wetlands Act of 1970.	https://www.nj.gov/dep/landuse/coastal/cp_main.html https://www.nj.gov/dep/rules/rules/njac7_7.pdf https://www.nj.gov/dep/landuse/download/13_9a.pdf
	Highlands Preservation Area Approval	Highlands Water Protection and Planning Act (N.J.A.C. 13:20) and Rules (N.J.A.C. 7:38)	Regulates all "major Highlands Developments" as defined by the Highlands Act, in the Preservation Area unless otherwise exempt by the Act. The Highlands Area is located in the northwestern portion of the state.	https://www.nj.gov/dep/landuse/highlands.html https://www.nj.gov/dep/landuse/download/13_20.pdf https://www.nj.gov/dep/rules/rules/njac7_38.pdf
	Water Quality Certification	Section 401 of the Federal Clean Water Act Freshwater Wetlands Protection Act (N.J.S.A. 13:9B) and Rules (N.J.A.C. 7:7A) Coastal Zone Management Rules (N.J.A.C. 7:7) NJ Water Pollution Control Act (N.J.S.A. 58:10A)	All projects requiring a Federal permit for the discharge of dredged or fill material into State waters and/or their adjacent wetlands also require the State Water Quality Certification which ensures consistency with State water quality standards. This also applies to Waters of the U.S.	None
	Tidelands Instruments	Tidelands Act (N.J.S.A. 12:3)	Tidelands are those lands now or formerly flowed by the mean high tide of a natural waterway. These lands are Stated owned or claimed to be owned. Activates on State owned tidelands requires a tidelands grant, lease or license.	https://www.nj.gov/dep/landuse/tl_main.html https://www.nj.gov/dep/landuse/download/12_3.pdf
Agency	Permit/Authorization	Regulatory Authority	Description	Links

NJDEP – Division of Water Quality Bureau of Nonpoint Pollution Control	New Jersey Pollution Discharge Elimination System Construction Activity Stormwater GP	Federal Clean Water Act NJ Pollution Discharge Elimination System Rules (7:14A)	This general permit authorizes point source discharges from certain construction activities resulting in 1 acre or more of ground disturbance. Regulated entities are required to develop a soil erosion and sediment control plan aimed at eliminating the flow of contaminated rainwater into streams and rivers. Soil Erosion and Sediment Control Certification is required to complete the application. Additional "good-housekeeping" requirements are included in the permit. Please note that this permit is in addition to compliance with the Stormwater Management Rules (N.J.A.C. 7:8) discussed above.	https://www.nj.gov/dep/dwq/5g3.htm
NJ Sports and Exposition Authority (NJSEA)	NJSEA Approval	Hackensack Meadowlands District Regulations (N.J.A.C. 19:3)	If a project disturbance results in the need for a USACOE permit, then a NJSEA approval will also be needed. There may be other circumstances that would require a NJSEA approval. This may need to be evaluated on a case by case basis.	None
NJ Pinelands Commission	NJ Pinelands Approval	Pinelands Protection Act (N.J.S.A. 13:18A) Pinelands Comprehensive Management Plan (N.J.A.C. 7:50)	Establishes regulations and standards designed to promote orderly development in the Pinelands. Proposed activities within the Pinelands requires review and approval. The Pinelands Capability Map establishes 9 land use management areas with goals, objectives, development intensities, and permitted uses for each.	https://nj.gov/pinelands/
Soil Conservation District	Soil Erosion and Sediment Control Certification	Soil Erosion and Sediment Control Act (Chapter 251, P.L. 1975)	Projects resulting in 5,000 sq ft of ground disturbance or greater must submit a soil erosion and sediment control plan to the appropriate soil conservation district for certification.	https://www.nj.gov/agriculture/divisions/anr/nrc/njerosion.html
United States Army Corps of Engineers (USACE)	Army Permit	Section 404 of the Federal Clean Water Act	Regulates the discharge of dredged or fill material into waters of the United States, including jurisdictional wetlands.	https://www.nap.usace.army.mil/Missions/Regulatory.aspx https://www.nan.usace.army.mil/Missions/Regulatory/
		Section 10 of the Rivers and Harbors Act of 1899	Prohibits creation of obstructions to navigable capacity of any of the waters of the United States without prior authorization of the USACE.	

*See FHACA Permits-by-Rule, General Permits-by-Certification, General Permits-by-Category below

**See CZM Permits-by-Rule, General Permits-by-Certification, General Permits-by-Category below

Flood Hazard Area Control Act: Permits-by-Rule

Permits-by-Rule				
General Construction Activities	7:13-7.1	Permit-by-rule 1	-	Normal property maintenance
	7:13-7.2	Permit-by-rule 2	-	Repair of a lawfully existing structure
	7:13-7.3	Permit-by-rule 3	-	In-kind replacement of a lawfully existing structure
	7:13-7.4	Permit-by-rule 4	-	Removal of any lawfully existing fill or structures
	7:13-7.5	Permit-by-rule 5	-	Removal of accumulated sediment and debris from a regulated water by hand
	7:13-7.6	Permit-by-rule 6	-	Removal of major obstructions from a regulated water with machinery
	7:13-7.7	Permit-by-rule 7	-	Placement of no more than five cubic yards of landscaping material
	7:13-7.8	Permit-by-rule 8	-	Construction at or below grade in a fluvial flood hazard area
	7:13-7.9	Permit-by-rule 9	-	General construction activities in a tidal flood hazard area
Buildings	7:13-7.10	Permit-by-rule 10	-	General construction activities located outside a flood hazard area in a riparian zone
	7:13-7.11	Permit-by-rule 11	-	Reconstruction, relocation, and/or elevation of a lawfully existing building
	7:13-7.12	Permit-by-rule 12	-	Construction of an addition(s) to a lawfully existing building
	7:13-7.13	Permit-by-rule 13	-	Construction of non-habitable building(s)
	7:13-7.14	Permit-by-rule 14	-	Construction of a partially-open structure(s)
	7:13-7.15	Permit-by-rule 15	-	Construction of barrier-free access to a building
	7:13-7.16	Permit-by-rule 16	-	Construction of a deck
Water Dependent	7:13-7.17	Permit-by-rule 17	-	Construction of a dock, pier, or boathouse
	7:13-7.18	Permit-by-rule 18	-	Construction of a boat launching ramp
	7:13-7.19	Permit-by-rule 19	-	Replacement, renovation, or reconstruction of certain water dependent structures
Specific Construction	7:13-7.20	Permit-by-rule 20	-	Construction of a fence
	7:13-7.21	Permit-by-rule 21	-	Construction of a swimming pool associated with residential use
	7:13-7.22	Permit-by-rule 22	-	Construction of a trail and/or boardwalk
	7:13-7.23	Permit-by-rule 23	-	Construction of a footbridge
	7:13-7.24	Permit-by-rule 24	-	Construction of a tank
	7:13-7.25	Permit-by-rule 25	-	Construction of an aboveground athletic and/or recreational structure
	7:13-7.26	Permit-by-rule 26	-	Forest management activities
	7:13-7.27	Permit-by-rule 27	-	Repair, maintenance, and/or dredging of a manmade canal
	7:13-7.28	Permit-by-rule 28	-	Filling of an abandoned raceway
	7:13-7.29	Permit-by-rule 29	-	Placement of one to three wind turbines
	7:13-7.30	Permit-by-rule 30	-	Placement of solar panels and associated equipment
	7:13-7.31	Permit-by-rule 31	-	Placement of a floating aerator
	7:13-7.32	Permit-by-rule 32	-	Construction of an aquatic habitat enhancement device
Utilities	7:13-7.33	Permit-by-rule 33	-	Placement of one or more utility poles
	7:13-7.34	Permit-by-rule 34	-	Placement of one or more utility open-frame towers
	7:13-7.35	Permit-by-rule 35	-	Placement of one or more utility monopole towers
	7:13-7.36	Permit-by-rule 36	-	Placement of an underground utility line using directional drilling or jacking

Permits-by-Rule				
Utilities	7:13-7.37	Permit-by-rule 37	-	Placement of an underground utility line beneath existing pavement
	7:13-7.38	Permit-by-rule 38	-	Attachment of a utility line to a lawfully existing roadway or railroad that crosses a regulated water
	7:13-7.39	Permit-by-rule 39	-	Placement of an underground utility line that does not cross a regulated water
Roads	7:13-7.40	Permit-by-rule 40	-	Milling, repaving, and/or resurfacing of a lawfully existing pavement
	7:13-7.41	Permit-by-rule 41	-	Placement of a guiderail along a lawfully existing public roadway
	7:13-7.42	Permit-by-rule 42	-	Reconstruction of all or part of a lawfully existing bridge superstructure
	7:13-7.43	Permit-by-rule 43	-	Placement of traffic safety structures on poles
Surveying	7:13-7.44	Permit-by-rule 44	-	Surveying activities
	7:13-7.45	Permit-by-rule 45	-	Geotechnical and archeological investigation activities
	7:13-7.46	Permit-by-rule 46	-	Installation of one or more monitoring wells
	7:13-7.47	Permit-by-rule 47	-	Construction of a gauge, weir, or similar device
Storage	7:13-7.48	Permit-by-rule 48	-	Temporary storage of unsecured construction material outside a floodway
	7:13-7.49	Permit-by-rule 49	-	Storage of unsecured material associated with a single-family home or duplex
	7:13-7.50	Permit-by-rule 50	-	Storage of unsecured material associated with a habitable building or facility, other than a single family home or duplex
	7:13-7.51	Permit-by-rule 51	-	Storage of unsecured material associated with a facility that stores and distributes material
	7:13-7.52	Permit-by-rule 52	-	Placement, storage, or processing of hazardous substances
	7:13-7.53	Permit-by-rule 53	-	Placement, storage, or processing solid waste or recyclable materials at a lawfully existing facility
Agricultural Activities	7:13-7.54	Permit-by-rule 54	-	Continuation of lawfully existing agricultural activities
	7:13-7.55	Permit-by-rule 55	-	Commencement of new agricultural activities
	7:13-7.56	Permit-by-rule 56	-	Continuation or commencement of natural resource conservation practices associated with agricultural activities
	7:13-7.57	Permit-by-rule 57	-	Construction of a non-habitable building for agricultural purposes
	7:13-7.58	Permit-by-rule 58	-	Filling or modification of a manmade regulated water for freshwater wetlands restoration
	7:13-7.59	Permit-by-rule 59	-	Creation of a ford across a regulated water to manage livestock
	7:13-7.60	Permit-by-rule 60	-	Construction of a fence along and/or across a regulated water to manage livestock
	7:13-7.61	Permit-by-rule 61	-	Construction of a pump and/or water intake structure in or along a regulated water for livestock
	7:13-7.62	Permit-by-rule 62	-	Construction of a manure management structure for livestock or horses
Other Activities	7:13-7.63	Permit-by-rule 63	-	Application of herbicide within riparian zones to control invasive plant species

Flood Hazard Area Control Act: General Permits-by-Certification

General Permits-by-Certification			
Agricultural Activities	7:13-8.1	General permit-by-certification 1	- Removal of accumulated sediment and debris from a regulated water for agricultural purposes
	7:13-8.2	General permit-by-certification 2	- Construction of an agricultural roadway crossing
	7:13-8.3	General permit-by-certification 3	- Agricultural bank stabilization and/or bank restoration activities
Environmental Enhancement	7:13-8.4	General permit-by-certification 4	- Enhancement of a riparian zone through the planting of native, non-invasive plant species
Buildings	7:13-8.5	General permit-by-certification 5	- Reconstruction, relocation, expansion, and/or elevation of a building outside a floodway
	7:13-8.6	General permit-by-certification 6	- Construction of one single-family home or duplex in a tidal flood hazard area
	7:13-8.8	General permit-by-certification 8	- Construction of an addition to a lawfully existing building
Sediment Removal	7:13-8.7	General permit-by-certification 7	- Removal of accumulated sediment and debris from an engineered channel
	7:13-8.9	General permit-by-certification 9	- Sediment and debris removal within and/or adjacent to a bridge, culvert, or outfall by a public entity
Maintenance and Replacement Activities	7:13-8.10	General permit-by-certification 10	- In-kind replacement of a culvert
	7:13-8.11	General permit-by-certification 11	- Maintenance of existing manmade stormwater management structures and conveyances
	7:13-8.15	General permit-by-certification 15	- In-kind replacement of public infrastructure
Surveying or Water Monitoring	7:13-8.12	General permit-by-certification 12	- Surveying and geotechnical and archeological investigation activities
	7:13-8.14	General permit-by-certification 14	- Placement of water monitoring devices
Alternative Energy	7:13-8.13	General permit-by-certification 13	- Placement of solar panels
Trails and Footbridges	7:13-8.16	General permit-by-certification 16	- Construction of a footbridge

Flood Hazard Area Control Act: General Permits by Category

General Permits			
In-Stream Activities	7:13-9.1	General permit 1	- Channel cleaning under the Stream Cleaning Act
	7:13-9.2	General permit 2	- Mosquito control water management activities
Bridges and Roads	7:13-9.3	General permit 3	- Scour protection activities at bridges and culverts
	7:13-9.7	General permit 7	- Relocation of manmade roadside ditches to facilitate public roadway improvements
	7:13-9.9	General permit 9	- Construction or reconstruction of a bridge or culvert across a regulated water with a drainage area of less than 50 acres
	7:13-9.10	General permit 10	- Reconstruction of a bridge or culvert across a regulated water with a drainage area of 50 acres or more
Buildings	7:13-9.5	General permit 5	- Reconstruction and/or elevation of a building in a floodway
	7:13-9.6	General permit 6	- Construction of one single-family home or duplex, and one associated driveway that does not cross a regulated water
Trails and Footbridges	7:13-9.12	General permit 12	- Construction of footbridges
	7:13-9.13	General permit 13	- Construction of trails and boardwalks
Other Activities	7:13-9.4	General permit 4	- Creation, restoration, and enhancement of habitat and water quality values and functions
	7:13-9.8	General permit 8	- Placement of storage tanks
	7:13-9.11	General permit 11	- For a stormwater outfall along a regulated water with a drainage area of less than 50 acres
	7:13-9.14	General permit 14	- Application of herbicide within riparian zones to control invasive plant species

Note: Development under the jurisdiction of the Coastal Zone Management (CZM) Rules do not require a separate NJDEP Flood Hazard Area Control Act (FHACA) Permit. However, per Section 7:7-9.25 of the CZM Rules, the development must still meet the NJDEP FHACA Rules. Furthermore, any development listed under a CZM Permit-by-Rule, General Permit-by-Certification, or General Permit that is regulated under the NFIP, must still be reviewed by the FPA and issued a Floodplain Development Permit. Examples include but are not limited to single-family home construction or expansion, as well as filling tidelands.

Coastal Zone Management Rules: Permits-by-Rule

Permits-by-Rule			
7:7-4.1	Permit-by-rule 1	–	Expansion of a single-family home or duplex
7:7-4.2	Permit-by-rule 2	–	Development of a single-family home or duplex and/or accessory development on a bulkheaded lagoon lot
7:7-4.3	Permit-by-rule 3	–	Placement of public safety or beach/dune ordinance signs on beaches or dunes and placement of signs on beaches or dunes at public parks
7:7-4.4	Permit-by-rule 4	–	Construction of nonresidential docks, piers, boat ramps, and decks located landward of mean high water line
7:7-4.5	Permit-by-rule 5	–	Construction of portion of a recreational dock or pier located landward of mean high water line
7:7-4.6	Permit-by-rule 6	–	Reconstruction of a residential or commercial development within the same footprint
7:7-4.7	Permit-by-rule 7	–	Expansion or relocation (with or without expansion) landward or parallel to the mean high water line of the footprint of a residential or commercial development
7:7-4.8	Permit-by-rule 8	–	Construction of a utility line attached to a bridge or culvert
7:7-4.9	Permit-by-rule 9	–	Previous filling of tidelands associated with an existing single family home or duplex
7:7-4.10	Permit-by-rule 10	–	Construction of portion of boat ramp located landward of the mean high water line at a residential development
7:7-4.11	Permit-by-rule 11	–	Construction and/or installation of a boat wash wastewater system at a marina, boatyard, or boat sales facility
7:7-4.12	Permit-by-rule 12	–	Construction of one to three wind turbines less than 200 feet in height having a cumulative rotor swept area no greater than 2,000 square feet
7:7-4.13	Permit-by-rule 13	–	Installation of solar panels on a maintained lawn or landscaped area at a single-family home or duplex lot
7:7-4.14	Permit-by-rule 14	–	Reconfiguration of any legally existing dock, wharf, or pier at a legally existing marina
7:7-4.15	Permit-by-rule 15	–	Placement of sand fencing to create or sustain a dune
7:7-4.16	Permit-by-rule 16	–	Placement of land-based upwellers and raceways for aquaculture activities
7:7-4.17	Permit-by-rule 17	–	Placement of predator screens and oyster spat attraction devices within a shellfish lease area
7:7-4.18	Permit-by-rule 18	–	Placement of shellfish cages within a shellfish lease area
7:7-4.19	Permit-by-rule 19	–	Construction and/or installation of a pumpout facility and/or pumpout support facilities
7:7-4.20	Permit-by-rule 20	–	Implementation of a sediment sampling plan for sampling in a water area as part of a dredging or dredged material management activity or as part of a remedial investigation of a contaminated site
7:7-4.21	Permit-by-rule 21	–	Application of herbicide within coastal wetlands to control invasive plant species
7:7-4.22	Permit-by-rule 22	–	Construction of a swimming pool, spa, or hot tub and associated decking on a bulkheaded lot without wetlands
7:7-4.23	Permit-by-rule 23	–	Installation of an at-grade dune walkover at a residential, commercial, or public development other than a single-family home or duplex

Coastal Zone Management Rules: General Permits-by-Certification

General Permits-by-Certification			
7:7-5.1	General permit-by-certification 10	-	Reconstruction of a legally existing functioning bulkhead in-place or upland of a legally existing functioning bulkhead
7:7-5.2	General permit-by-certification 15	-	Construction of piers, docks, including jet ski ramps, pilings, and boatlifts in man-made lagoons
7:7-5.3	General permit-by-certification 1A	-	Installation of an elevated timber dune walkover at a residential, commercial, or public development other than a single-family home or duplex

Coastal Zone Management Rules: General Permits

General Permits			
7:7-6.1	General permit 1	–	Amusement pier expansion
7:7-6.2	General permit 2	–	Activities on a beach and dune
7:7-6.3	General permit 3	–	Voluntary reconstruction of certain residential or commercial development
7:7-6.4	General permit 4	–	Development of one or two single-family homes or duplexes
7:7-6.5	General permit 5	–	Expansion, or reconstruction (with or without expansion), of a single-family home or duplex
7:7-6.6	General permit 6	–	Construction of a bulkhead and placement of associated fill on a man-made lagoon
7:7-6.7	General permit 7	–	Construction of a revetment at a single-family home or duplex lot
7:7-6.8	General permit 8	–	Construction of gabions at a single family/duplex lot
7:7-6.9	General permit 9	–	Construction of support facilities at legally existing and operating marinas
7:7-6.10	General permit 10	–	Reconstruction of a legally existing functioning bulkhead
7:7-6.11	General permit 11	–	Investigation, cleanup, removal, or remediation of hazardous substances
7:7-6.12	General permit 12	–	Landfall of utilities
7:7-6.13	General permit 13	–	Construction of recreational facilities at public parks
7:7-6.14	General permit 14	–	Bulkhead construction and placement of associated fill at a single-family home or duplex lot
7:7-6.15	General permit 15	–	Construction of piers, docks, including jet ski ramps, pilings, and boatlifts in man-made lagoons
7:7-6.16	General permit 16	–	Minor maintenance dredging in man-made lagoons
7:7-6.17	General permit 17	–	Stabilization of eroded shorelines
7:7-6.18	General permit 18	–	Avian nesting structures
7:7-6.19	General permit 19	–	Modification of existing electrical substations
7:7-6.20	General permit 20	–	Legalization of the filling of tidelands
7:7-6.21	General permit 21	–	Construction of telecommunication towers
7:7-6.22	General permit 22	–	Construction of certain structures related to the tourism industry at hotels and motels, commercial developments, and multi-family residential developments over 75 units
7:7-6.23	General permit 23	–	Geotechnical survey borings
7:7-6.24	General permit 24	–	Habitat creation, restoration, enhancement, and living shoreline activities
7:7-6.25	General permit 25	–	Construction of one to three wind turbines less than 200 feet in height and having a cumulative rotor swept area no greater than 4,000 square feet
7:7-6.26	General permit 26	–	Construction of wind turbines less than 250 feet in height and having a cumulative rotor swept area no greater than 20,000 square feet
7:7-6.27	General permit 27	–	Dredging of sand from a man-made lagoon deposited as a result of a storm event for which the Governor declared a State of Emergency
7:7-6.28	General permit 28	–	Dredging of material from a waterway at a residential or commercial development deposited as a result of the failure of a bulkhead as a consequence of a storm event for which the Governor declared a State of Emergency
7:7-6.29	General permit 29	–	Dredging and management of material from a marina deposited as a result of a storm event for which the Governor declared a State of Emergency
7:7-6.30	General permit 30	–	Commercial shellfish aquaculture activities
7:7-6.31	General permit 31	–	Placement of shell within shellfish lease areas
7:7-6.32	General permit 32	–	Application of herbicide within coastal wetlands to control invasive plant species