State of New Jersey
Department of Environmental Protection

Revised: April 15, 2019 **Website: www.nj.gov/dep/landuse**

FRESHWATER WETLANDS APPLICATION CHECKLIST

General Permit 6—Non-tributary wetlands

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

To apply for an authorization under general permit 6, please submit the information below to:

Postal Mailing Address	**Street Address (Courier & Hand Carry Only)**	**Electronic Submission**
NJ Department of Environmental Protection Division of Land Use Regulation P.O. Box 420, Code 501-02A Trenton, New Jersey 08625-0420 **Attn: Application Support**	NJ Department of Environmental Protection Division of Land Use Regulation 501 East State Street Station Plaza 5, 2nd Floor Trenton, New Jersey 08609 **Attn: Application Support**	Access the submission system at https://njdeponline.com. Follow the registration process and create an account. To submit an application, select the service "Apply for a Land Use Permit or Authorization."

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

✔ 1. A completed application form (Paper submissions ONLY)

2. A completed Property Owner Certification form (Electronic submissions ONLY)
   - Acceptable file formats include pdf, jpg, and png.

✔ 3. Public notice:

- **Electronic Submissions:** A completed Public Notice form. Documentation that notice of the application has been provided in accordance with N.J.A.C. 7:7A-17 must be attached to the form (see below for details). Acceptable file formats include pdf, jpg, and png.
- **Paper Submissions:** Documentation that notice of the application has been provided in accordance with N.J.A.C. 7:7A-17 (see below for details).

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

i. Notice to municipal clerk (N.J.A.C. 7:7A-17.3(a))

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

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

ii. Notice to governmental entities and property owners (N.J.A.C. 7:7A-17.3(b) and (c))

A brief description of the proposed project, a legible copy of the site plan, and the form notice letter described at N.J.A.C. 7:7A-17.3(e)1iii must be sent to the following recipients:

A. The construction official of each municipality in which the site is located;
B. The environmental commission, or other government agency with similar responsibilities, of each municipality in which the site is located;
C. The planning board of each municipality in which the site is located;
D. The planning board of each county in which the site is located;
E. The local Soil Conservation District if the regulated activity or project will disturb 5,000 square feet or more of land; and
F. Adjacent property owners:
If the application is for one of the following projects (listed at N.J.A.C 7:7A-17.3(c)1-5), notice shall be sent to all owners of real property, including easements, located within 200 feet of any proposed above-ground structure, except for any conveyance lines suspended above the ground or small utility support structures (e.g. telephone poles):
- A linear project of one-half mile or longer
- A trail or boardwalk of one-half mile or longer
- A public project on a site of 50 acres or more
- An industrial or commercial project on a site of 100 acres or more
- A project to remove sediment or debris from a channel of one-half mile or longer

For any other project, notice shall be sent to all owners of real property, including easements, located within 200 feet of the site of the proposed regulated activity.

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

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

- The form notice letter required under N.J.A.C. 7:7A-17.3(e)1iii shall read as follows:

"This letter is to provide you with legal notification that an application for an authorization under freshwater wetlands general permit 6 <<has been/will be>> submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the development shown on the enclosed plan(s). A brief description of the proposed project follows: <<INSERT DESCRIPTION OF THE PROPOSED PROJECT>>

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

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

iii. Newspaper notice (N.J.A.C. 7:7A-17.4)

Newspaper notice, in the form of a legal notice or display advertisement in the official newspaper of the municipality(ies) in which the project site is located, or if no official newspaper exists, in a newspaper with general circulation in the municipality(ies), is required for the following projects:

A. A linear project of one-half mile or longer
B. A shore protection development, including beach nourishment, beach and dune maintenance, or dune creation of one-half mile or longer
C. A public project on a site of 50 acres or more
D. An industrial or commercial project on a site of 100 acres or more
E. Maintenance dredging of a State navigation channel of one-half mile or longer

If your project is not one listed above, newspaper notice is not required.

- Documentation of newspaper notice shall consist of:
  1. A copy of the published newspaper notice; and
  2. The date and name of the newspaper in which notice was published.

- The newspaper notice may be either a legal notice or display advertisement and must read as follows:

"Take notice that an application for an authorization under freshwater wetlands general permit 6 <<has been/ will be>> submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the development described below:

APPLICANT:

PROJECT NAME:

PROJECT DESCRIPTION:

PROJECT STREET ADDRESS:

BLOCK: LOT:

MUNICIPALITY: COUNTY:

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

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

✔ 4. Application fees:

- **Electronic Submissions:** The appropriate application fee, as specified in N.J.A.C. 7:7A-18.1, payable through the online service via credit card or e-check, or to receive a bill, select "Bill Me" on the payment screen. Bills will be sent to the Fee Billing Contact identified in the service and must be paid directly to the Department of Treasury.

- **Paper Submissions:** The appropriate application fee, as specified in N.J.A.C. 7:7A-18.1, in the form of a check (personal, bank, certified, or attorney), money order, or government purchase order made payable to "Treasurer State of New Jersey."

✔ 5. Site plans:

All site plans must include the scale of the site plans, a north arrow, the name of the person who prepared the plans, date the site plans were prepared, and the applicant's name and the block, lot, and municipality in which the site is located. In addition, the site plans shall include the following information, both on and adjacent to the site, in accordance with N.J.A.C. 7:7A-16.7(a)4:

i. Existing features:
   A. Lot lines and right of-way lines;
   B. Delineation of wetlands, transition areas, and State open waters;
   C. Land cover and vegetation.

ii. Proposed regulated activities:
   A. Changes in lot lines;
   B. Size, location, and detail of non-tributary wetlands disturbance (temporary and permanent);
   C. Size, location, and detail of any other proposed activities;
   D. Details of any planting to restore temporarily disturbed areas in accordance with N.J.A.C. 7:7A-11.8.

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

iv. Soil erosion and sediment control:
   A. Details of any proposed soil erosion and sediment control measures.

- **Electronic Submissions:** Acceptable file formats include pdf and zip. Site plans must be certified in accordance with N.J.A.C. 7:7A-16.2(j) and prepared according to the Department's site plan specifications for electronic site plans. All plans must be digitally signed and sealed by a New Jersey licensed professional engineer, surveyor, or architect, as appropriate, pursuant to N.J.A.C. 13:40-7.2 through 7.4, with signatures and seals that meet the requirements of N.J.A.C. 13:40-8.1A. Site plans with electronic signatures, such as scans of site plans with a handwritten signature, will not be accepted.

- **Paper Submissions:** Three sets of site plans, certified in accordance with N.J.A.C. 7:7A-16.2(j). Prior to issuance of any permit, the Department will require four to five sets of final site plans. The site plans must be signed and sealed by a New Jersey licensed professional engineer, surveyor, or architect, as appropriate, pursuant to N.J.A.C. 13:40-7.2 through 7.4.

6. Photographs:

i. Color photographs depicting:
   A. The existing site conditions; and

B. The location of the proposed disturbance.

ii. A photo location map showing the location and direction from which each photograph was taken.

- **Electronic Submissions:** Acceptable file formats include pdf, doc, docx, jpg, zip, ppt, and pptx.
- **Paper Submissions:** One set of photographs mounted on 8½-inch by 11-inch paper. Copies of photographs are acceptable provided they are color copies. Black and white copies of photographs are not acceptable.

✔ 7. A compliance statement that includes the following:

i. A description of the characteristics of the site and the location of all proposed regulated activities, potential impacts from the construction process, and, as applicable, any monitoring or reporting methods that will be used;

ii. The total area, in acres, of wetlands and State open waters on the site before the regulated activity is performed, and the total area, in acres, of wetlands and State open waters, on the site that will remain after the regulated activity is performed;

iii. A list of all limits and requirements of general permit 6 at N.J.A.C. 7:7A-7.6 that apply to the proposed activities and an explanation of how the activities comply with each requirement;

iv. A list of all limits and requirements at N.J.A.C. 7:7A-5.7, Conditions applicable to an authorization pursuant to a general permit-by-certification or a general permit, that apply to the proposed activities and an explanation of how the activities comply with each requirement;

v. If a site is known or suspected to be contaminated with toxic substances, and if the Department requests it, a laboratory analysis of representative samples of the soil or sediment on the site;

vi. Documentation regarding when the lot that is the subject of the general permit was created by subdivision;

vii. A history of the ownership of the property beginning June 30, 1988 to present;

viii. A listing of contiguous lots that were in common ownership with the lot on which the activities are proposed and the ownership history of each lot beginning June 30, 1988 to present;

ix. If the site is located in a municipality with the endangered plant known as swamp pink (*Helonias bullata*), which are listed in Known Locations of Swamp Pink in NJ, a signed statement from the applicant certifying that the proposed activities will not result in any direct or indirect adverse impacts to swamp pink or its documented habitat;

x. If the site is located in a municipality with the endangered bog turtle (these municipalities are listed in Known Locations of Bog Turtles in NJ), a signed statement from the applicant, certifying that the proposed activities will not result in any direct or indirect adverse impacts to bog turtles or to their documented habitat; and

xi. If the site is located in an area designated a Wild and Scenic River, or under study for such designation, a letter from the National Park Service approving the proposed activities.

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

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8. Color copies of the following maps:

i. The tax map for the property;

ii. A copy of the portion of the county road map showing the property location; and

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

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

✔ 9. Location of wetlands:

The location of wetlands must be provided through one of the following:

i. Documentation that a line delineation or line verification Letter of Interpretation (LOI) has been issued for the site; or

ii. All information necessary for a line delineation or line verification LOI as required by the appropriate LOI checklist, covering the portion of the site that will be affected by the general permit activity.

- **Electronic Submissions:** Acceptable file formats for an LOI include pdf, jpg, and png. If an appropriate LOI has not been issued for the site, the information required for a line delineation or line verification LOI should be included with the compliance statement under the attachment type "Environmental Report with Site Location Maps."

✔ 10. Calculations and analyses:

i. If the project is a major development as defined by N.J.A.C. 7:8-1.2, a demonstration of compliance with the requirements of the Stormwater Management Rules, N.J.A.C. 7:8.

All calculations or analyses submitted as part of an application must include the certification set forth at N.J.A.C. 7:7-23.2(j). Any necessary stormwater calculations must be signed and sealed by a New Jersey licensed professional engineer.

- **Electronic Submissions:** Acceptable file formats include pdf, doc, docx, rtf, and zip unless stormwater calculations are necessary. Stormwater calculations must be digitally signed and sealed in accordance with N.J.A.C. 13:40-8.1A. Stormwater calculations with electronic signatures, such as scans of calculations with a handwritten signature, will not be accepted. Therefore, when calculations are necessary, the acceptable file formats are limited to pdf and zip.

✔ 11. Natural Heritage Program Letter:

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

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

✔ 12. Mitigation:

i. For permanent disturbance of freshwater wetlands and of State open waters, which are also waters of the United States, of less than 0.1 acres, a demonstration that all activities have been designed to avoid and minimize impacts to wetlands. If this demonstration is not provided, a mitigation plan that meets the requirements of N.J.A.C. 7:7A-11 must be submitted at least 90 calendar days before commencing any approved activities.

ii. For permanent disturbance of freshwater wetlands and of State open waters, which are also waters of the United States, of 0.1 acres or greater, a mitigation plan that meets the requirements of N.J.A.C. 7:7A-11 must be submitted at least 90 calendar days before commencing any approved activities.

- **Electronic Submissions:** If a mitigation plan is necessary and is available at the time of submission, the service will provide an attachment type for "Mitigation Proposal." Alternatively, it may be uploaded

separately at a later time through the service "Submit Additional Information for a Land Use Permit or Authorization." Acceptable file formats include pdf, doc, docx, rtf, and zip. If the demonstration that all activities have been designed to avoid and minimize impacts to wetlands is applicable, it should be included with the compliance statement and uploaded under the attachment type "Environmental Report with Site Location Maps."

✔ 13. Additional requirements:

i. Correspondence from the United States Army Corps of Engineers (USEPA) designating the freshwater wetland or State open water as a water of the United States, if available – applies only if the proposed project will disturb freshwater wetlands and/or State open waters that are classified as a water of the United States

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

ii. Proof of ownership, such as a deed, if available – applies only if the current owner purchased the property before June 30, 1988

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

iii. A Phase IA historical and archaeological survey, and an architectural survey, defined at N.J.A.C. 7:7A-1.3 – applies only if the application reflects any of the characteristics at N.J.A.C. 7:7A-19.5(l)

- **Electronic Submissions:** Acceptable file formats include pdf, doc, docx, rtf, and zip.

iv. Highlands applicability determination (highlands exemption) – applies only if the project is located within the Highlands Preservation Area

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

v. Conservation restriction – applies only if the proposed project is subject to an existing conservation restriction

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

vi. Written consent from municipality – applies only if the project includes a gas pipeline and any section of that pipeline is located within a municipally-owned right-of-way. Written consent shall consist of one of the following:

A. Written consent from the municipality in the form of a resolution of the governing body or an ordinance

B. A municipal designation of the route pursuant to N.J.S.A. 48:9-25.4

C. A Board of Public Utilities designation of route pursuant to N.J.S.A. 48:9-25.4

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

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