



# GUIDANCE FOR THE CONSTRUCTION OF SOLAR PV ARRAYS

May 2025

*This Guidance document is a resource for solar PV developers seeking to install solar PV arrays in New Jersey. It explains the role of the Department of Environmental Protection (Department or DEP) in the process and outlines when developers need to collaborate with the Department's Office of Permitting and Project Navigation (OPPN).*

## DEP's Role in Siting and Permitting Solar PV Arrays

The Department's Office of Permitting and Project Navigation ([OPPN](#)) plays a supporting role to the Board of Public Utilities (BPU) in the construction of Solar PV arrays in the State.

(1) OPPN, through its "[Permit Readiness Checklist](#)" provides an early, informal review and comments on certain types of conceptual solar projects before applicants invest time and money into more detailed project design. See Table 1 for project applicability and the Permit Readiness Checklist Guidance section below for more details.

(2) OPPN also helps the Department identify and resolve questions on policy or rule interpretation and process, to determine the viability of a project, prior to entering the permit application process.

**Table 1: Solar PV | Permit Readiness Checklist Applicability**

Solar Array Type:	Ground Mount	Floating	Rooftop*	Canopy*
<b>Site Type:**</b>	Contaminated Sites Landfills Mining Sites	Water Bodies	Building	Parking Lot
<b>OPPN Checklist:</b>	Yes	Yes	No	No
<b>OPPN Meeting:</b>	Yes	Yes	No	No

\*Rooftop and parking lot canopy projects do not require a meeting with OPPN; however, there may be scenarios (i.e. Parking Lot canopy at a Contaminated Site, etc.) when a meeting is necessary.

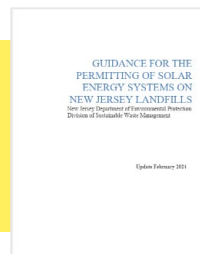
\*\* Agricultural Lands: Integrating solar arrays on agricultural lands for agrivoltaic projects, or Dual-Use, is under development as a pilot program at the BPU. As of the date of this guidance, there is no requirement to meet with OPPN or use the checklist. However, using both avenues of communication is encouraged. Note that there could be varying solar array types for agrivoltaics, or Dual-Use projects.

The Department's Bureau of Climate Change and Clean Energy ([BCCCE](#)) supports solar development in the state by identifying the most environmentally responsible locations for siting solar PV arrays. These locations are identified in the BCCCE's [Solar Siting Analysis version 3.0](#) (June 2024) and via an interactive web mapping application located [here](#). This website also provides state resources for [siting solar on Landfills](#), [solar facility pollinator -friendly standards](#) and various solar related [legislation and regulations](#).

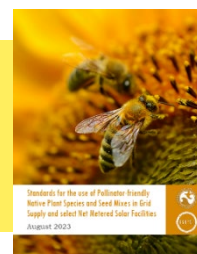
## DEP Solar PV Guidance Documents



*Solar Siting Analysis 3.0*



*Permitting Solar  
on Landfills*



*Standards for  
Pollinator-Friendly Solar*

## What is not DEP's Role

### *Project Viability Determination*

OPPN does not make any recommendations to the BPU on the viability of a particular project. OPPN's review of a permit readiness checklist is not considered approval for participation in BPU's solar incentive programs. A project being submitting in response to a BPU solicitation may require permits from DEP but issuance of such permits does not constitute eligibility for a BPU solicitation.

### *State Solar Incentive Eligibility Determination*

The DEP does not determine if a project will be eligible for State solar incentive programs; that is BPU's role. BPU will determine which program and market segment the project qualifies under, and which projects will be awarded a State incentive. BPU manages the review and decision of all Expression of Interests (EOI), solicitation applications, project registrations and incentive awards. BPU may consult with DEP on potential environmental concerns for a proposed solar project, but BPU remains the sole authority on awarding or denying solar incentives. Please note that once a project is submitted to BPU in response to an active solicitation, BPU staff will be unable to provide any additional guidance or information on the status of the project while the review period is underway.

### *Waiver Determination*

The DEP does not determine if a project is eligible for a waiver. Certain solar incentive programs allow applicants to petition BPU for a waiver from the program's siting requirements. Petitions for waivers are required to be submitted to BPU for their action. DEP may support BPU in their technical review, if requested, however DEP does not otherwise have a role in the waiver process. A project that applies for or receives a waiver may still require permits from DEP, but issuance of such permits is supplementary to the BPU waiver process.

## Permit Readiness Checklist Guidance

The [Permit Readiness Checklist](#) enables OPPN to review and summarize the potential areas of regulatory concern and preliminarily identify permits or authorizations the project may require. In addition to completing the Permit Readiness Checklist, OPPN asks applicants to include any relevant site plans, mapping, aerial photos, and a description of what is being proposed.

Once OPPN receives a completed checklist, a pre-application meeting will be scheduled with the relevant Department staff and any outside agencies, if necessary, to discuss the proposed projects. The purpose of the pre-application meeting is to identify any fatal flaws, problem solve and confirm permitting or authorization requirements. Should circumstances or conditions be or become other than what was set forth in the information that was provided to the DEP for the pre-application meeting, any comments and regulatory requirements provided could be subject to change and may no longer hold true. Statements made during the pre-application meeting are not indicative that the DEP has made any decisions on whether the proposed project will be permitted.

More information is available on OPPN website at <https://dep.nj.gov/oppn/>.

## Solar Incentive Program Resources

BPU has various solar incentive programs (e.g., Administratively Determined, Competitive Solar, Community Solar, Dual-Use & Remote Net Metering) so consult the applicable BPU solar incentive program website for specific guidance.

More information is available on the BPU Solar Incentive website at:

<https://www.njcleanenergy.com/renewable-energy/programs/solar-programs>.