



Permit Applicability

April 30, 2025



Overview

Before the Permit Process Begins

How to Determine if a Permit is Required

OPPN Checklist

Steps to Schedule a Pre-Application Meeting

The Permit Process

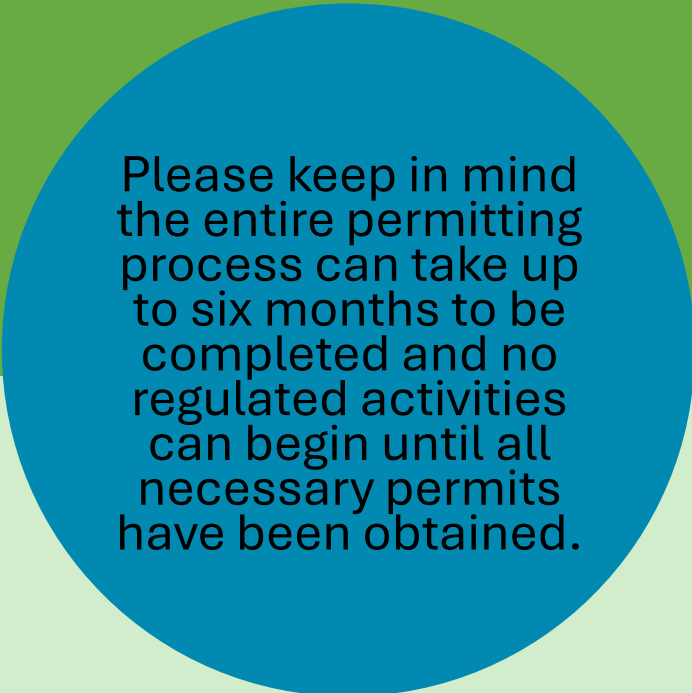
How to Waive the Permit Application Fee



Before the Permit Process Begins

Information required to start your investigation:

1. What activities your grant will accomplish.
2. Where these activities will be performed.



Please keep in mind the entire permitting process can take up to six months to be completed and no regulated activities can begin until all necessary permits have been obtained.



NEW JERSEY
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION

Water Quality Restoration Grant Unit

Guidance Document for Determining Permit Applicability

Purpose

This guidance document is intended to provide clarity for Grantee's on the process for determining whether your grant requires Land Resource Protection (LRP) permits. By following this guidance, you will facilitate a streamlined application process and ensure that the necessary permits are obtained in a timely manner.

Guidance Document for Determining Permit Applicability

THIS IS A COURTESY COPY OF THIS RULE. ALL OF THE DEPARTMENT'S RULES ARE COMPILED IN TITLE 7 OF THE NEW JERSEY ADMINISTRATIVE CODE.

N.J.A.C. 7:7A
FRESHWATER WETLANDS PROTECTION ACT RULES

Statutory authority:
N.J.S.A. 13:9B-1 et seq.

Date last amended:
November 7, 2022

For regulatory history and effective dates, see the New Jersey Administrative Code.

Table of Contents

UBCHAPTER 1. GENERAL PROVISIONS.....	
7:7A-1.1 Purpose and scope.....	2
7:7A-1.2 Effect of a permit	2
7:7A-1.3 Definitions.....	2
7:7A-1.4 Forms, checklists, and information; Department address and website.....	2
7:7A-1.5 Liberal construction	2
7:7A-1.6 Severability	2
UBCHAPTER 2. APPLICABILITY AND ACTIVITIES FOR WHICH A PERMIT IS REQUIRED.....	
7:7A-2.1 When a permit is required.....	2
7:7A-2.2 Regulated activities in freshwater wetlands and State open waters	2

How to Determine if a Permit is Required

- Create a list of all the activities that will be accomplished during the duration of the grant and compare that list to the:

- Flood Hazard Area Control Act Rules
- Freshwater Wetland Protection Act Rules

THIS IS A COURTESY COPY OF THIS RULE PROPOSAL. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE PROPOSAL, THE OFFICIAL VERSION WILL GOVERN.

N.J.A.C. 7:13
FLOOD HAZARD AREA CONTROL ACT RULES

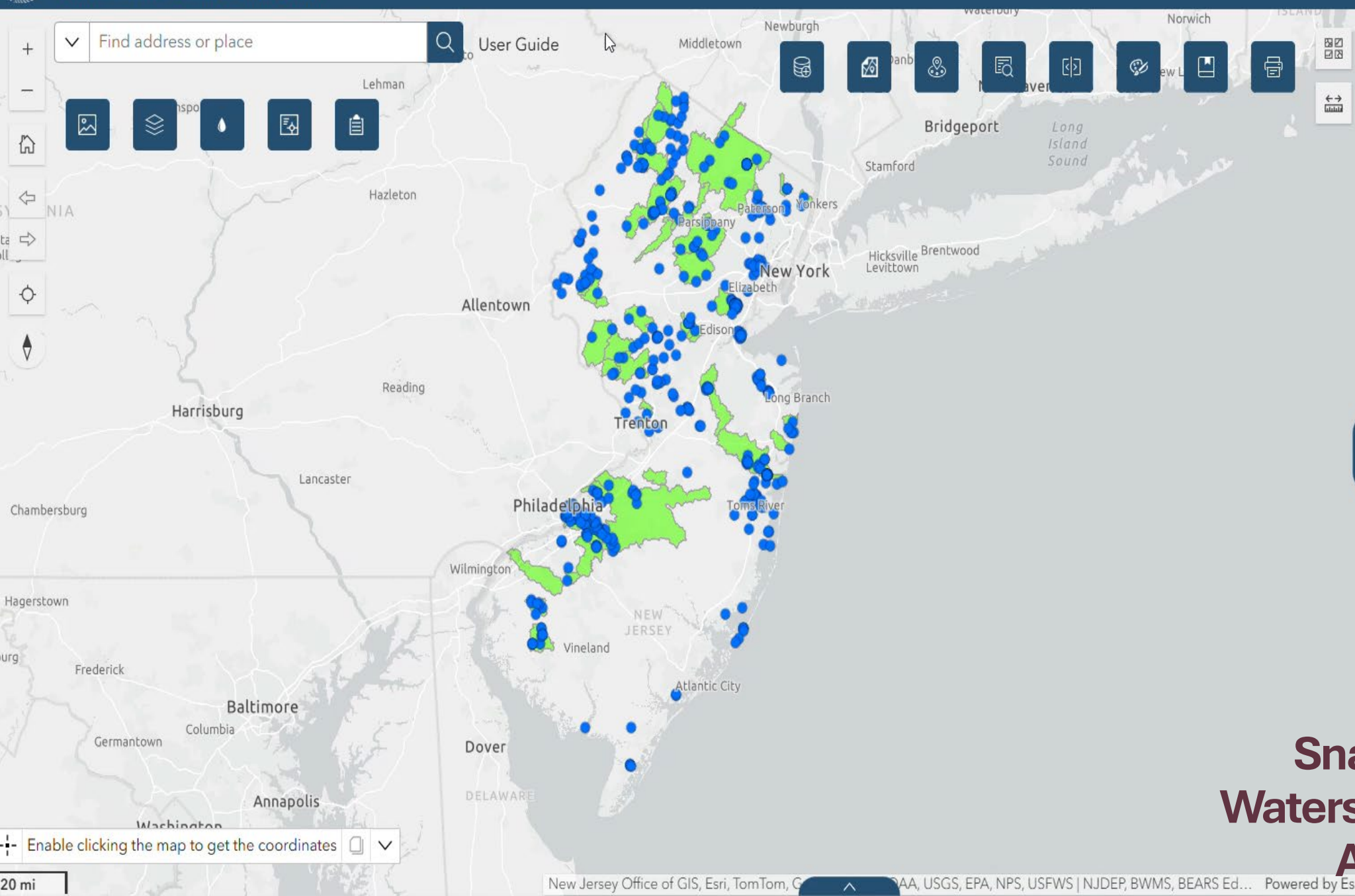
Statutory authority:
N.J.S.A. 12:5-3; 13:1D-1 et seq.; 13:1D-29 et seq., specifically 13:1D-33; 13:9A-1 et seq.; 13:19-1 et seq.; 13:20-1 et seq.; 58:10A-1 et seq.; 58:11A-1 et seq.; and 58:16A-50 et seq.

Date last amended:
July 17, 2023

For regulatory history and effective dates, see the New Jersey Administrative Code.

Table of Contents


3	6
FLOOD HAZARD AREA CONTROL ACT RULES.....	6
CHAPTER 1. GENERAL PROVISIONS.....	6
Purpose and scope.....	6
Definitions.....	7
Forms, checklists, information, technical manual; Department address and website.....	18
Delegation of authority.....	19
Creation of a county water resources association.....	20
Liberal construction.....	21
Severability	21
CHAPTER 2. APPLICABILITY AND ACTIVITIES FOR WHICH A PERMIT OR AUTHORIZATION IS REQUIRED.....	



Legend


Watershed Restoration Projects

Projects



Watershed Based Plans

Plans



**Snapshot of the
Watershed Restoration
Application**



Please be advised there are additional permits available beyond those mentioned in this presentation; the ones discussed during this presentation are the most common.

You can reference the [NJDEP Watershed & Land Management Permit Types](#) and the [WLM Current Laws and Regulations](#) website pages for additional information.

OPPN Checklist

aka Permit Readiness Checklist

PERMIT READINESS CHECKLIST

New Jersey Department of Environmental Protection
Office of Permitting & Project Navigation

Completion of this form will help the New Jersey Department of Environmental Protection (NJDEP) staff review the proposed project, determine possible permitting requirements, and ensure that all applicable programs attend or provide comments for a pre-application meeting. Please respond to the questions as completely as possible, noting any areas you are not sure of, and including any information about the project and/or site that might aid the NJDEP's review.¹

Once you have completed the form, please submit electronically to David Pepe (David.Pepe@dep.nj.gov) and Katherine Nolan (Katherine.Nolan@dep.nj.gov). If desired, one hard copy may also be submitted via mail². Once this submitted form and attachments are deemed administratively complete by the Office of Permitting and Project Navigation (OPPN) staff, a pre-application meeting will be scheduled with the applicable permitting programs within NJDEP.

Please prepare to give a brief presentation of your proposal at the beginning of the pre-application meeting. If you have any questions, please contact OPPN at (609) 292-3600.

Please include the following attachments if available:

1. A 1–2 page narrative description of the proposed project, its function, and its benefits;
2. Any overarching regulatory or policy call(s), or guidance known prior to the receipt of the application to determine the project's feasibility, regulatory, or review process;
3. United States Geological Survey (USGS) map(s) with site boundaries of the proposed project clearly delineated, including the title of the USGS quadrangle sheet from which it was taken;³
4. Aerial photos and/or Geographic Information Systems (GIS) information and/or shape files regarding the site;
5. A site map including any known environmental features (e.g., wetlands, streams, buffers, etc.);⁴
6. Site plans to the extent available;
7. Street map indicating the location of the proposed project;
8. List of any local or regional governments or entities and their historical involvement with this project or site;
9. Identification of conflicts with DEP rules, with contact names and information whose attendance/input would be helpful in facilitating this project (e.g., Soil Conservation Districts, health departments, local zoning officials, etc.);
10. Any other information that you think may be helpful to the NJDEP in reviewing this project.

¹ Please be advised that this form is NOT an application for a permit from the NJDEP. To receive authorization, approval, or a permit to conduct regulated activities, a formal application must be filed, and a formal permit or authorization must be issued by the appropriate Bureau within the NJDEP prior to commencement of the regulated activity. This form is used solely for the NJDEP's



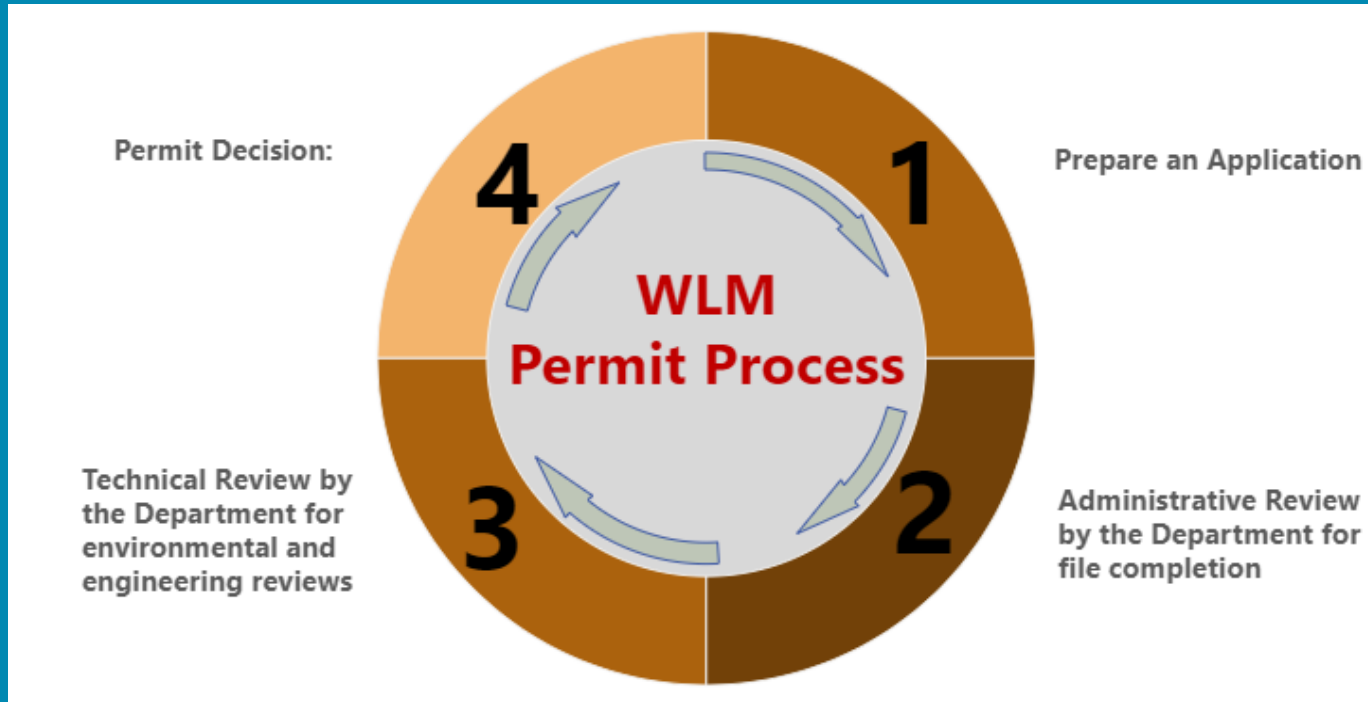
Steps to Scheduling a Pre-application Meeting

If you are not certain if your grant requires a permit after your investigation:

1. Reach out to the [Office of Permitting and Project Navigation](#) or your Grant Manager, if applicable.
2. Provide all information required on the [Permit Readiness Checklist](#).
3. Coordinate a pre-application meeting with your Grant Manager or OPPN.

If you have identified which permits are required without a pre-application meeting:

1. Reach out to your Grant Manager and provide them with a list of permits you think are applicable.
2. Provide them all information required by the [Permit Readiness Checklist](#).
3. Your Grant Manager will contact LRP or the appropriate DEP permit program who will confirm or deny that those are the proper permits.



The Permit Process

You can utilize the [Permit Applicability Information](#) and the [Permit Process](#) on the WLM website for additional guidance.

A Look Into SAGE

The screenshot shows the NJDEP SAGE system interface. At the top, there is a logo for NJDEP SAGE and the text "New Jersey Department of Environmental Protection System for Administering Grants Electronically". Below this is a navigation bar with tabs: "My Home", "My Applications", "My Financial Reporting", and "My Progress Reporting". Under "My Applications", there are links for "My Training Materials", "My Organization(s)", "My Profile", and "Logout". A secondary bar contains buttons: "SAVE", "SAVE/NEXT", "NEXT", and "PRINT VERSION". A "Menu" dropdown is open, showing a "Forms Menu" with a list of application forms: "Initial Application Forms", "Applicant Information", "Project Details" (highlighted with a red circle), "Project Location", "Legislative/Congressional Districts", "Waterbody Information", "Best Management Practices Information", "Implementation Details", and "Impervious Surface Removal Details". To the right of the menu, a table shows the "Current Status" and "Period Date / Date Due" for various forms.

Current Status	Period Date / Date Due
Application In Process	03/01/2021 - N/A

PROJECT DETAILS

Instructions:

- Fields with an * next to them must be completed.
- After entering all information click the **SAVE** button.
- To proceed to the next page you may click the **NEXT** button.
- For detailed instructions, please refer to the Request For Proposal (RFP) document.

PROJECT DETAILS

Instructions:

- Fields with an * next to them must be completed.
- After entering all information click the **SAVE** button.
- To proceed to the next page you may click the **NEXT** button.
- For detailed instructions, please refer to the Request For Proposal (RFP) document.

Project (RFP) Category *

Project Title *

0 of 50

Estimated Project Duration in Months *

PERMIT REQUIREMENTS

To Ensure that the project gets all the necessary permits, please fill out the Permit Readiness Checklist Form.

(please [click here](#) to download checklist).

Permit Readiness Checklist Form *

Choose File No file chosen

Does the project require or anticipate needing permits? *

☒ Yes ☐ No

What type of Permits are needed? *

0 of 200

Have any Permits been approved? *

☐ Yes ☐ No




How to Waive the Permit Application Fee

The NJDEP can be listed as a co-applicant on the permit application and by doing so, the application fee can be waived.

- The permit must be an NJDEP permit. If it is an outside permit, the application fee cannot be waived.
- County permits are considered external and do not qualify.

****319(h) and 604(b) grant funding cannot be used to pay for permitting fees****



Helpful Resources



[Guidance Document for Determining Permit Applicability](#)

[WLM Permit Process](#)

[Permit Applicability Information](#)

[Office of Permitting and Project Navigation](#)

[Permit Readiness Checklist](#)

[NJDEP Watershed & Land Management Permit Types](#)

[Flood Hazard Area Control Act Rules](#)

[Freshwater Wetland Protection Act Rules](#)

[WLM Current Laws and Regulations](#)

[Watershed Restoration Application](#)

Contact

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Bureau of Watershed
Management

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npsgrants@dep.nj.gov



Thank you!

FREQUENTLY ASKED QUESTIONS



PERMIT APPLICABILITY – FAQs FOR GRANTEES

- > 1. DO I NEED A PERMIT FOR MY PROJECT?
- > 2. HOW DO I FIND OUT IF MY PROJECT IS IN A REGULATED AREA LIKE A FLOOD HAZARD AREA OR FRESHWATER WETLANDS?
- > 3. WHAT ARE THE MOST COMMON NJDEP PERMITS I SHOULD BE AWARE OF?
- > 4. IF I'M UNSURE ABOUT PERMIT REQUIREMENTS, WHAT SHOULD I DO NEXT?
- > 5. WHAT IS THE OPPN PERMIT READINESS CHECKLIST, AND IS IT REQUIRED?