

# NEW JERSEY



PHOTOS TOP: Wildflowers at Garrett Family Preserve at Cape Island Creek © Damon Noe/TNC MIDDLE LEFT TO RIGHT: iStockphoto

## Permits for Riverfront Nature Parks in New Jersey: A Pocket Guide

### Who can use this pocket guide?

This guide is written for local and regional planners, municipal officials, environmental commissions, green teams, park managers, stewardship staff, conservation groups, or anyone leading the creation or improvement of a riverfront nature park.



## What is covered by this pocket guide?

This guide is to support the design of new riverfront nature parks or the improvement of existing riverfront parks in New Jersey. These are guidelines for the development and ecologic enhancement of passive recreation areas. The guide includes recommendations on incorporating public access as well as improvements to habitat.

For the sake of brevity, the guide does not cover tidally influenced areas as subject to the Coastal Zone Facilities Review Act (CAFRA permits), the Waterfront Development Law, waterfront development permits, or the Wetlands Act of 1970 (coastal wetlands permits) as regulated by the New Jersey Department of Environmental Protection (NJDEP) under the Coastal Zone Management Rules.

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TOP TO BOTTOM River recreation © iStockphoto;  
Picnic at Maurice River Bluffs Preserve ©  
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# Why a guide about Riverfront Nature Parks?

The land next to rivers – the floodplain – is an area of significance that links nature and people together in dynamic ways. Floodplains are naturally prone to flooding during storms, rain events, and periods of higher water levels. In many regions, past land use planning which resulted in development, pavement, and other hard surfaces in the floodplain has put that development at risk of flooding and has also led to severe degradation of habitat for wildlife and plants in the floodplain and stream.

At the same time, floodplains, especially those with healthy habitat, provide numerous benefits to people. They:

- buffer homes and roads from flooding;
- support nature-based tourism activities;
- improve water quality by filtering water;
- enhance aesthetic qualities in terms of an appealing view; and
- support health benefits to residents through recreation and improved air quality.

Yet floodplains only can provide these benefits to communities if they are in good condition. Consequently, opportunities to create nature parks in floodplains either through land acquisition and/or through restoration and enhancement of existing protected areas are important. **Healthy nature parks can lead to triple bottom line benefits to communities by bringing about social, economic and ecological improvements to those that live in and visit these areas.**



# Success stories from New Jersey



## The completed park will include:

- Hiking trails
- Two boat ramps
- Native pollinator meadows
- Reforestation
- Green infrastructure for stormwater management
- Connections to the county greenway

## Lost Valley Nature Park, Borough of Manville, Somerset County

### EXAMPLE OF A PROJECT IN THE PLANNING PHASE.

Planning began in 2016 for the Lost Valley Nature Park along Lincoln Avenue, the Millstone River and Royce Brook. Manville is an interesting case study because to date, 108 homes that experienced repetitive loss from flooding were bought out and removed through the state's Blue Acres buyout program. Many of the buyout properties in Manville are in the Lost Valley section of town, with a couple dozen parcels immediately adjacent to the Lost Valley Nature Park, thus allowing the Borough to expand the size of the park. The completed park will include a range of features such as hiking trails, two boat ramps, native pollinator meadows, reforestation, and green infrastructure for stormwater management. It will also connect to the county greenway.

Manville is also a good example of a nature park having a solid network of partners supporting the planning of the park; the major project partners are the Borough of Manville and Somerset County (who owns a large portion of the land). Other partners include Manville's Green Team, Rutgers University, Raritan Valley Community College, The Nature Conservancy, and The Watershed Institute. As of summer 2018, the project had a completed concept plan that incorporated feedback from 80 residents through focus group meetings. Next steps are to finalize site assessment and complete a recreation master plan.



TOP TO BOTTOM Maurice River Bluffs Preserve  
© Damon Noe/TNC; Future location of the  
Lost Valley Nature Park, along the Millstone  
River and Royce Brook; a blank slate of  
opportunities for trails, reforestation or other  
features © Elizabeth Schuster/The Nature  
Conservancy

## Atlantic County Pedestrian and Equestrian Bridge project, Estelle Manor City & Weymouth Township, Atlantic County



### The following permits were successfully obtained for the pedestrian bridge:

- NJDEP Freshwater Wetlands General Permit #17A for trail and pedestrian bridge construction in the wetland transition area
- Waterfront Development Permit and an Individual CAFRA Permit.

### EXAMPLE OF A PROJECT IN THE PERMITTING PHASE.

The Atlantic County Department of Public Works spearheaded this project to install a prefabricated pedestrian and equestrian bridge connecting the Great Egg Harbor Wildlife Management Area and Estelle Manor Park. In addition to the standard permits that would be needed in New Jersey, this project was located in the Coastal Area Facility Review Act (CAFRA) zone. A preapplication conference was held with NJDEP to identify permit and application requirements. An Endangered and Threatened species habitat assessment and impact analysis was conducted to comply with NJ Coastal Resource Policies. The following permits were successfully obtained for the pedestrian bridge: NJDEP Freshwater Wetlands General Permit #17A for trail and pedestrian bridge construction in the wetland transition area; a Waterfront Development Permit and an Individual CAFRA Permit. Now that permits are obtained, partners will move forward securing funding to begin construction on the project.



TOP TO BOTTOM Great blue heron © Warren Cooke/TNC; Estelle Manor Park and Great Egg Harbor, where the future pedestrian bridge will be installed © Damon Noe/TNC

## Sperry and Crane Parks, Town of Cranford, Union County, NJ

### EXAMPLE OF A COMPLETED PROJECT.

This project included activities related to ecologic and amenity improvements and infrastructure rehabilitation within Sperry and Crane Parks. The primary purposes of the project were to replace a pre-existing wall that had collapsed into the Rahway River along the northern stream bank (in Sperry Park), and to re-established the stream bank edge and provide stream bank stabilization along the southern side of the Rahway River in Crane Park; encourage park use through the addition of a gazebo and sitting area in Sperry Park; and improve the quality of park paths to better accommodate bicycle, pedestrian, and wheelchair use in Sperry Park. NJ Flood Hazard Area and NJ Freshwater Wetlands General Permits were obtained from the NJ Department of Environmental Protection to authorize the referenced activities.



### Improvements made:

- Replaced a pre-existing wall that had collapsed into the Rahway River
- Re-establish the stream bank edge to provide stabilization
- Added a gazebo and sitting area
- Improved park paths for bicycle, pedestrian, and wheelchair use



**TOP TO BOTTOM** Despite being in an urbanized location, Sperry Park includes ample native vegetation, which attracts birds and other wildlife species and provides shade to those walking the trails. © Jeff Burian/The Nature Conservancy; In some places, natural streambanks have been left intact. These provide habitat connectivity for animals to easily access the water, and provide access to the river for our human communities as well. © Jeff Burian/The Nature Conservancy



# Practical advice: Top 4 lessons learned from past riverfront park projects

## 1. Involve a diversity of partners from the beginning.

Bring in residents, town administrator, Parks Commission, Department of Public Works, engineer, planner, mayor, conservation groups...having the input and expertise from many different groups will pay out in spades later in the process.

## 2. Start by planting native trees and wildflowers.

Of all the features mentioned in this guide, these are among the fastest and lowest cost to install. They also appeal to the public and help show that progress is happening – it's important to see early successes, as some aspects of the park planning and improvement process will take longer.

## 3. Create trails, trails, and more trails.

People love trails, so create many of them. Ideally, create a mix of trails – some that wander and meander across the topography, and others that are longer and connect into regional trail networks. But avoid pavement and hardened surfaces when possible. Use pervious pavers, gravel, crushed stone, or woodchips if some ground cover is desired.

## 4. When possible, sticking to exempt or non-regulated activities that utilize Permits-by-Rule for activities in the flood hazard area and/or riparian zone will be faster.

Under the NJ Flood Hazard Area Control Act (FHA) Rules, activities within flood hazard and riparian zones that meet the requirements of a permit-by-rule may be conducted without formal approval by the NJDEP. As currently promulgated, there are 63 permits-by-rule (PBRs) available for various activities within areas regulated under the FHA Rules; a number of these PBRs may be applicable to activities involving the creation or improvement of a riverfront nature parks.

Under the NJ Freshwater Wetlands Protection Act (FWPA) Rules, activities within wetlands and wetland transition areas (buffers) that meet the requirements of General Permits require formal approval by the NJDEP. As currently promulgated, there are 27 General Permits (GPs) available for various activities within areas regulated under the FWPA Rules; a number of these GPs may be applicable to activities involving the creation or improvement of a riverfront nature parks.

TOP TO BOTTOM Involve partners  
© iStockphoto; Plant native trees  
wildflowers © iStockphoto; Create  
trails © iStockphoto; Permits ©  
iStockphoto



## Get Started Tips:

- Having early buy-in will help the process
- Keep concept plan simple, using simple shapes for features of the park
- Concept plan helps with early feedback, grant applications and initial cost estimates
- We recommend creating a master plan as it streamlines the process and brings in important information that will be useful in the future
- Having a phased plan that is listed by low, medium and high cost categories and ranked in terms of importance helps you be ready for funding opportunities as they arise
- Contact an environmental consultant to walk you through the permitting process. They will help you identify all permits needed

Create a plan © iStockphoto

# Get started

While creating a riverfront nature park seems straightforward, it often ends up involving more steps than people expect. Proper planning—and following the process laid out in this pocket guide—will help you avoid common pitfalls and save you time in the future.

The following are steps to get started in creating a riverfront nature park. If you are improving an existing park, you may be able to skip some of the early steps.

## 1. Develop partnerships with local and regional groups.

Partner with community planners, residents, town administrator, Parks Commission, engineer, mayor, town or county Department of Public Works, conservation groups, community groups, economic development groups and health organizations. Having early buy-in and strong relationships with local partners will help the process move forward more efficiently.

## 2. Start with a Concept Plan for the park.

A concept plan is an early design of the park sketched out to show where amenities and features might be installed. Often these are done by landscape architects, though a concept plan could be completed by another individual involved in park planning if the appropriate experts are consulted. The concept plan can be as simple as a “blob” plan which very generally indicates where proposed features will be or can indicate representative shapes (e.g. a pie shape for a baseball field; a circle where a network of trails will be installed). Concept plans can include public access improvements, trails, boat ramps, and could include ecological improvements like reforestation or green infrastructure for stormwater management. The benefit of starting with a concept plan is three-fold:

- i. It serves as a visual output that can be circulated to get early feedback from the public and other projects partners.
- ii. The concept plan can be used to support grant applications. It shows potential funders that you have done your due diligence to plan for the future nature park.
- iii. The concept plan can also be used to get a very conservative initial cost-estimate, which could be used to inform budgets in grant applications or to support project planning.



## Tip:

Bullet 3 focuses largely on creating a master plan for a single park. However, when possible we also recommend coordinating with planning firms, county planners and/or municipal planners. This can help ensure that your local park fits into a County (or municipal) Parks and Recreation Master Plan that would also include county-wide planning around trails, facilities, and programming. Inclusion in a county master plan can help your team make a linkage to other regional plans and efforts that may open up additional funding opportunities and could receive higher funding priority.

© iStockphoto

## 3. Create a parks and recreation master plan.

A parks and recreation master plan is typically completed by an environmental consulting, landscape architecture, or engineering firm, or ideally a collaboration among these types of firms, since all skills sets are required. The full master plan process will include elements such as a site study, wetland delineation, the determination of the regulatory flood hazard area, a preliminary plan for the project site for the layout of the proposed facilities, features and ecological improvements, a final master plan, and project budget.

The preliminary plan lays out details of design elements; for example, parking lots are shown with rough locations of boundaries and the general shape and proposed vegetative improvements for environmental areas are represented. Often, though not always, finished grading is indicated. Environmental constraints and permitting issues may be identified at this stage.

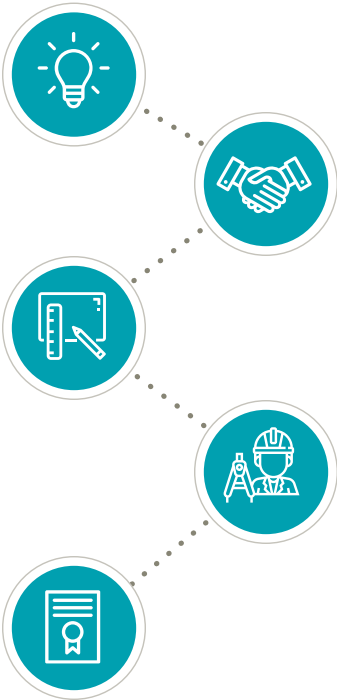
The final output is the master plan, where all of the design elements and finishes are represented in the most detail possible for the map scale. The master plan includes more detail on all features included in the preliminary plan, plus additional details, such as a utility design (e.g., drainage, storm water management, water service and distribution, etc.). If not addressed in the prior step, environmental constraints are revisited and incorporated as conservation, preservation or enhancement areas and/or the design is modified nominally as feasible and/or necessary to minimize impacts and permitting requirements.

While a parks and recreation master plan is not a requirement for obtaining a permit, we recommend creating such a plan as it streamlines the process and brings in important information that will be useful in the future. Of importance to highlight during this step are the following:

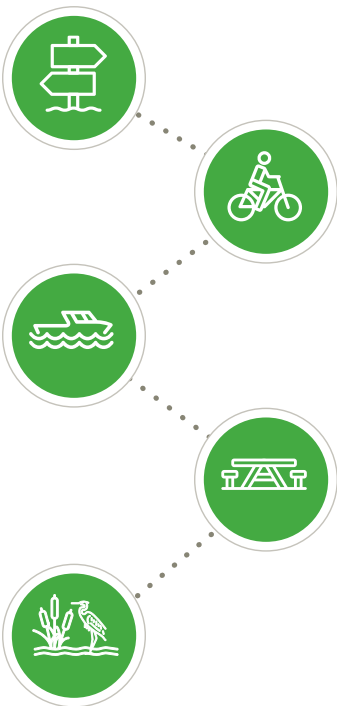
- i. Define your environmental possibilities. Identify fragile areas in need of protection via wetland delineation and full assessment of the site. This step also allows you to identify assets – potential beautiful views, unique features, or wildlife species that appeal to visitors.
- ii. Obtain a Letter of Interpretation (LOI) from the NJDEP. An LOI is a document that verifies the location of the wetlands on a site and assigns the freshwater wetland transition area (i.e. buffer) width. While not required at this stage, doing this during the creation of the conceptual design could save you time and money later, allowing you to get early feedback from permitting agencies.
- iii. Obtain a Flood Hazard Area Verification from the NJDEP. In New Jersey, flood hazard areas (which include the floodway and flood fringe) and riparian zones (adjacent stream buffer areas) are regulated under the NJ Flood Hazard Area Control Act (FHA) Rules. An FHA Verification is a document that confirms the location and extent of the regulatory floodplain and floodway limits on a site and assigns the width of any riparian zones. Doing this during the creation of the conceptual design can save you time and money later, allowing you to get early feedback from permitting agencies.



## The Process



## Park Features



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© Eucalyp; © Rockicon © Ema  
Dimitrova; © Karlina Bueno; ©  
Verve-s; © Ben Davis; Wetland grass  
© Nikita Kozin; Heron © Yu luck

## 4. Complete the engineering design for facilities, features and ecological improvements noted in the master plan.

An engineering design is required for certain required activities before the permit can be received and construction can begin. Final site development can be accomplished in one or many phases as funding will likely not be available immediately to complete engineering designs for all features. Having a phased plan that is listed by low, medium and high cost categories and ranked in terms of importance helps you be ready for funding opportunities as they arise. Make sure you have identified lower cost options, and then complete engineering designs for those lower cost options so that the public will see that something is changing on the ground. Visible progress helps you gain momentum and positive energy.

## 5. Apply for a permit.

Permit application can seem like a mysterious process. Here are a few tips:

- i. There are several areas protected by regulations that may require permits to allow certain activities to happen within them: freshwater wetlands, wetland transition areas (i.e. buffers), stream channels, flood hazard areas, riparian zones (the land adjacent to the stream).
- ii. After identifying which protected resources may be impacted, contact an environmental consultant to walk you through the permitting process. They will help you identify all permits needed.
- iii. Some municipalities in New Jersey also have local permitting processes. An engineering firm will walk you through the local permitting process, if any. Communicating with the town early is a good idea. County Soil Conservation District approval may be needed if you exceed 5,000 square feet of soil movement, in which case you will also need an erosion plan.
- iv. If your project is easily permissible, then submitting a permit application with no prior contact with NJDEP is considered acceptable. If you have questions or concerns about permitting your project, a pre-application conference with NJDEP Division of Land Use Regulation is recommended and can be requested either via email or written correspondence.
- v. Refer to the Best Practices Regulatory Guide Table in the following section of this pocket guide. The Table is a first look at which features are most likely to be permissible in riverfront nature parks in NJ and which types of permits would be needed.

# Best practices regulatory guide table

Proposed Activity	NJDEP Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A) www.nj.gov/dep/rules/rules/njac7_7a.pdf		NJDEP Flood Hazard Area Control Act Rules (N.J.A.C. 7:13) www.nj.gov/dep/rules/rules/njac7_13.pdf		Delaware River Canal Commission (DRCC) Rules (N.J.A.C. 7:45) (1) www.nj.gov/dep/rules/readopt/20160606a.pdf	
	Wetlands/State open waters	Transition Areas	Floodway/Floodplain	Riparian Zones	Zone A	Zone B
<b>Ecological Restoration (trees, shrubs, wildflowers, warm season grasses, etc.)</b>	Habitat enhancement activities may be authorized under Freshwater Wetlands General Permit #16 if permit conditions are met.	Planting of native species is not regulated within Transition Areas under the Freshwater Wetlands Protection Act Rules.  Habitat enhancement activities may be authorized under Freshwater Wetlands General Permit #16 if permit conditions are met.	Habitat restoration activities may be authorized under Flood Hazard Area Permit-by-Rule 1, 8, or 10, or General Permit 4 if permit conditions are met.	Habitat restoration activities may be authorized under Flood Hazard Area Permit-by-Rule 1 or 10, or General Permit 4 if permit conditions are met.	May require DRCC review	If defined as a major project may require DRCC review.
<b>Installation of Interpretive or Entrance Signage</b>	Installation of sign posts that do not require foundations are considered temporary and not regulated within wetlands under the Freshwater Wetlands Protection Act Rules	Installation of sign posts that do not require foundations are considered temporary and not regulated within Transition Areas under the Freshwater Wetlands Protection Act Rules	Installation of sign posts in a floodway/floodplain is similar to activities covered by Flood Hazard Area Permit-by-Rule 20 and 43 and would be authorized if permit conditions are met.	Installation of sign posts in a riparian zone is similar to activities covered by Flood Hazard Area Permit-by-Rule 20 and 43 and would be authorized if permit conditions are met; Flood Hazard Area Permit-by-Rule 10 may also be applicable if permit conditions are met.	May require DRCC review	If defined as a major project may require DRCC review.
<b>Boat Ramp/Kayak Launch</b>	Construction of a public boat ramp/kayak launch may be authorized under Freshwater Wetlands General Permit #19 if permit conditions are met.	Construction of a public boat ramp/kayak launch may be authorized under Freshwater Wetlands General Permit #19 if permit conditions are met.	Construction of a boat launch ramp is authorized under Flood Hazard Area Permit-by-Rule 18 if permit conditions are met.	Construction of a boat launch ramp is authorized under Flood Hazard Area Permit-by-Rule 18 if permit conditions are met; cutting of riparian zone vegetation is allowed within 10 feet of the proposed ramp.	May require DRCC review	If defined as a major project may require DRCC review.
<b>Road to a Boat Ramp</b>	Construction of a road to a boat ramp may be authorized under Freshwater Wetlands General Permit #10 if permit conditions are met.	Construction of a road to a boat ramp may be authorized under Freshwater Wetlands General Permit #10 if permit conditions are met.	Roads may be authorized under Flood Hazard Area Individual Permit if permit conditions are met.	Roads through riparian zones may be authorized under Flood Hazard Area Individual Permit if permit conditions are met.	May require DRCC review	If defined as a major project may require DRCC review.

## (1) Delaware River Canal Commission Notes:

**“Major project” means a project that results in one or more of the following:**

1. In Zone A and Zone B, the cumulative coverage since January 11, 1980, of one quarter acre of land with impervious surface; or
2. In Zone A and Zone B, the disturbance of one acre or more of land; or
3. In Zone A and Zone B, the disturbance of one half acre or more of existing impervious surface or significantly disturbed areas, for the purposes of construction, if the project site either:
  - i. Drains into the Canal; or
  - ii. is located within a drainage area of a water course that discharges into the Canal from the point where the water course enters into the Canal up to the point at which the water course drains less than 50 acres, including drainage areas of any tributary to those water courses up to the point at which the tributary drains less than 50 acres; or
4. In Zone A, any structure with a height greater than 40 feet above existing grade.

**“Minor project” means:**

1. Regarding Zone A, a project that is not a major project.
2. Regarding Zone B, only major projects are reviewed in Zone B.

### Projects Subject to DRCC Review:

#### In Zone A:

- i. Each major project is reviewed for visual, historic and natural quality impact, for stormwater runoff and water quality impact, for stream corridor impact, and for traffic impact;
- ii. Each minor project is reviewed for visual, historic and natural quality impact, and for stream corridor impact;
- iii. Any minor project that will result in 800 square feet or more of impervious surface, cumulatively since January 11, 1980, is reviewed for stormwater runoff and water quality.

#### In Zone B:

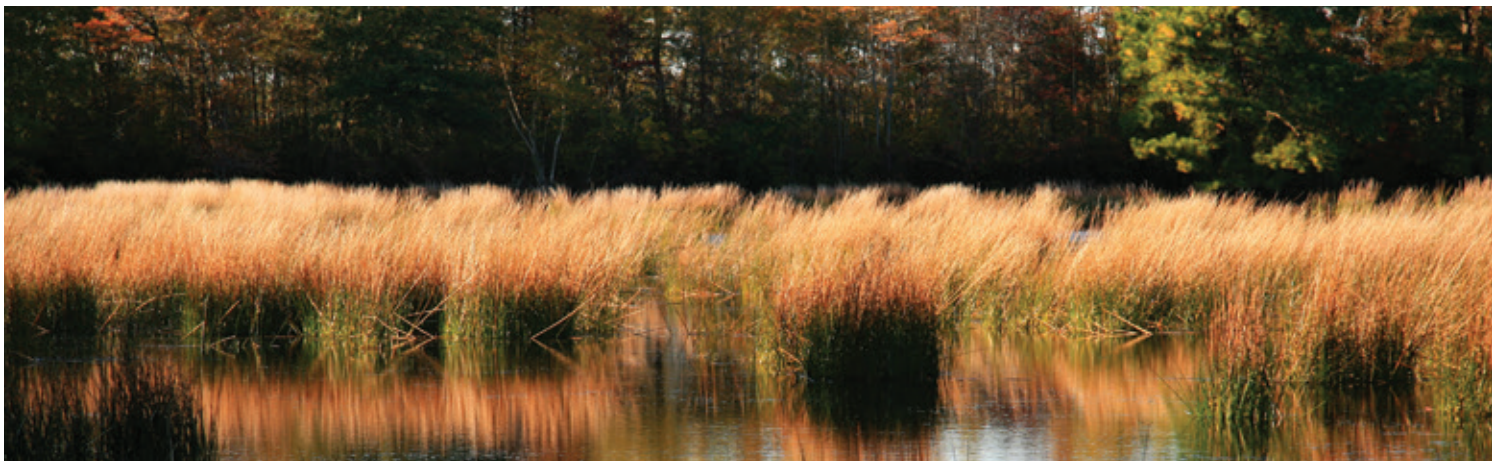
- i. Each major project is reviewed for stormwater runoff and water quality impact, and for stream corridor impact; and
- ii. Any major project within one mile of any portion of the Park and having direct access to a road that enters Zone A is reviewed for traffic impact.

# Best practices regulatory guide table

Proposed Activity	NJDEP Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A) <a href="http://www.nj.gov/dep/rules/rules/njac7_7a.pdf">www.nj.gov/dep/rules/rules/njac7_7a.pdf</a>		NJDEP Flood Hazard Area Control Act Rules (N.J.A.C. 7:13) <a href="http://www.nj.gov/dep/rules/rules/njac7_13.pdf">www.nj.gov/dep/rules/rules/njac7_13.pdf</a>		Delaware River Canal Commission (DRCC) Rules (N.J.A.C. 7:45) (1) <a href="http://www.nj.gov/dep/rules/readopt/20160606a.pdf">www.nj.gov/dep/rules/readopt/20160606a.pdf</a>	
	Wetlands/State open waters	Transition Areas	Floodway/Floodplain	Riparian Zones	Zone A	Zone B
<b>Fishing Pier or Floating Dock - within impounded waters (i.e. lake, pond, etc.)</b>	Construction of a fishing pier or dock may be authorized under Freshwater Wetlands General Permit #19 if permit conditions are met.	Construction of a fishing pier or dock may be authorized under Freshwater Wetlands General Permit #19 if permit conditions are met.	Construction of a fishing pier or floating dock is authorized under Flood Hazard Area Permit-by-Rule 17 if permit conditions are met.	Construction of a fishing pier or floating dock is authorized under Flood Hazard Area Permit-by-Rule 17 if permit conditions are met; cutting of riparian zone vegetation is allowed within 10 feet of the proposed dock or pier.	May require DRCC review	If defined as a major project may require DRCC review.
<b>Green Infrastructure for Stormwater Management (e.g. Rain Gardens)</b>	There is no Freshwater Wetlands General Permit that would authorize this activity. A Freshwater Wetlands Individual Permit would be required for this activity; however, Individual Permits are extremely difficult to obtain.	Construction of green infrastructure elements may be authorized under a Transition Area Waiver if conditions for the waiver are met.	Construction of green infrastructure elements may be authorized under Flood Hazard Area Permit-by-Rule 8 if permit conditions are met. Flood Hazard Area Individual Permit would be required if conditions of Permit-by-Rule cannot be met.	Construction of green infrastructure elements may be authorized under Flood Hazard Area Permit-by-Rule 10 if permit conditions are met. Flood Hazard Area Individual Permit would be required if conditions of Permit-by-Rule cannot be met.	May require DRCC review	If defined as a major project may require DRCC review.
<b>Parking Lot</b>	There is no Freshwater Wetlands General Permit that would authorize this activity. A Freshwater Wetlands Individual Permit would be required for this activity; however, Individual Permits are extremely difficult to obtain.	Construction of a parking lot may be authorized under a Transition Area Waiver if conditions for the waiver are met.	Construction of a parking lot may be authorized under Flood Hazard Area Permit-by-Rule 8 if permit conditions are met Flood Hazard Area Individual Permit would be required if conditions of Permit-by-Rule cannot be met.	Construction of a parking lot may be authorized under Flood Hazard Area Permit-by-Rule 10 if permit conditions are met. Flood Hazard Area Individual Permit would be required if conditions of Permit-by-Rule cannot be met.	May require DRCC review	If defined as a major project may require DRCC review.
<b>Pavilion or similar Structure</b>	There is no Freshwater Wetlands General Permit that would authorize this activity. A Freshwater Wetlands Individual Permit would be required for this activity; however, Individual Permits are extremely difficult to obtain.	Construction of a pavilion or similar structure may be authorized under a Transition Area Waiver if conditions for the waiver are met.	Placement of a partially-open structure within a floodplain may be authorized under Flood Hazard Area Permit-by-Rule 14 if permit conditions are met. Placement of a partially-open structure within a floodway may be authorization under a Flood Hazard Area Individual Permit if permit conditions are met.	Placement of a partially-open structure within a floodplain may be authorized under Flood Hazard Area Permit-by-Rule 14 if permit conditions are met. Flood Hazard Area Individual Permit would be required if conditions of Permit-by-Rule cannot be met.	May require DRCC review	If defined as a major project may require DRCC review.
<b>Trails, Boardwalks</b>	Construction of trails or boardwalks may be authorized under Freshwater Wetlands General Permit #17 if permit conditions are met.	Construction of trails or boardwalks may be authorized under Freshwater Wetlands General Permit #17 if permit conditions are met.	Construction of trails or boardwalks may be authorized under Flood Hazard Area Permit-by-Rule 22 if permit conditions are met, including no vegetation removal. General Permit 13 may also be utilized, which allows some vegetation removal.	Construction of trails or boardwalks may be authorized under Flood Hazard Area Permit-by-Rule 22 if permit conditions are met, including no vegetation removal. General Permit 13 may also be utilized, which allows some vegetation removal.	May require DRCC review	If defined as a major project may require DRCC review.

# Best practices regulatory guide table

Proposed Activity	NJDEP Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A) www.nj.gov/dep/rules/rules/njac7_7a.pdf		NJDEP Flood Hazard Area Control Act Rules (N.J.A.C. 7:13) www.nj.gov/dep/rules/rules/njac7_13.pdf		Delaware River Canal Commission (DRCC) Rules (N.J.A.C. 7:45) (1) www.nj.gov/dep/rules/readopt/20160606a.pdf	
	Wetlands/State open waters	Transition Areas	Floodway/Floodplain	Riparian Zones	Zone A	Zone B
<b>Pedestrian Bridges</b>	Construction of a pedestrian may be authorized under Freshwater Wetlands General Permit #17 if permit conditions are met.	Construction of a pedestrian may be authorized under Freshwater Wetlands General Permit #17 if permit conditions are met.	Construction of a pedestrian footbridge may be authorized under Flood Hazard Area Permit-by-Rule 23 or General Permit-by-Certification 16 if permit conditions are met, including no vegetation removal. General Permit 12 may also be utilized, which allows some vegetation removal.	Construction of a pedestrian footbridge may be authorized under Flood Hazard Area Permit-by-Rule 23 or General Permit-by-Certification 16 if permit conditions are met, including no vegetation removal. General Permit 12 may also be utilized, which allows some vegetation removal.	May require DRCC review	If defined as a major project may require DRCC review.
<b>Removal of Concrete and other Infrastructure</b>	Removal of concrete and other infrastructure should not require approval under Freshwater Wetlands Protection Act Rules; however, consultation with the NJDEP prior to undertaking these activities is recommended.	Removal of concrete and other infrastructure should not require approval under the Freshwater Wetlands Protection Act Rules; however, consultation with the NJDEP prior to undertaking these activities is recommended.	Removal of existing fill or structures from a floodplain may be authorized under Flood Hazard Area Permit-by-Rule 4 if permit conditions are met. Removal of existing fill or structures from a floodway may be authorized under a Flood Hazard Area Individual Permit if permit conditions are met.	Removal of existing fill or structures may be authorized under Flood Hazard Area Permit-by-Rule 4 if permit conditions are met.	May require DRCC review	If defined as a major project may require DRCC review.



Makepeace Lake © Damon Noe/TNC



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