

**Guidance for Environmental Review for Coastal Zone, Floodplains and Wetlands for
Categorically Excluded Projects**

The following guidance can be utilized for rehabilitation of individual units within a multi-unit building where elevation is not proposed:

CAFRA Zone- Pursuant to N.J.A.C. 7:7-2.1(c)3, rehabilitation/reconstruction of a development damaged or destroyed in a natural event is not regulated provided:

- The rehabilitation/reconstruction is in compliance with existing municipal, State and Federal law;
- The rehabilitation/reconstruction does not enlarge or relocate the footprint of the development;
- The rehabilitation/reconstruction does not increase the number of dwelling units; and
- The rehabilitation/reconstruction does not increase impervious coverage on the site.

Upland Waterfront Development Zone- Waterfront Area (adjacent to tidal waterways outside of the CAFRA zone) – Pursuant to N.J.A.C. 7:7-2.3(d)2, a permit is not required for rehabilitation/reconstruction of an existing structure located more than 100 feet landward of the mean high water line. In addition, N.J.A.C. 7:7-2.3(d)3 exempts minor additions/changes to existing structures that do not result in adverse environmental impacts to Special Areas. Rehabilitation of individual units within a multi-unit building would qualify for this exemption.

Coastal Wetlands- If coastal wetlands exist within (below) the building footprint, then a consult with the Division of Land Use Regulation is required. If coastal wetlands are not within the building footprint, then it can be assumed that permits are not required from the Department.

Freshwater Wetlands- Rehabilitation projects most likely do not require freshwater wetland permits. If the project is adjacent to wetlands but wetlands do not exist within (below) the building footprint, then it can be assumed that permits are not required from the Department. This would be categorized as “normal property maintenance” within a transition area (wetland buffer) and is an exempt activity pursuant to N.J.A.C. 7:7A-2.6(b)1i(9). If wetlands exist within (below) the building footprint, then a consult with the Division of Land Use Regulation is required.

Floodplains- Rehabilitation projects do not require Flood Hazard Area permits from the Department. Pursuant to N.J.A.C. 7:13-7.2(b)4, repair of a lawfully existing structure qualifies for a Permit-by-Rule.