



**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL
PROTECTION
GREEN ACRES**

**POLICY AND PROCEDURES
ADDENDUM TO
SCOPE OF SURVEY SERVICES**

September 2011

This document is intended to provide supplemental guidance to use of the July 2011 Scope of Survey Services issued by the Green Acres Program of the State of New Jersey Department of Environmental Protection.

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GREEN ACRES SURVEY REVIEW

The purpose of the Green Acres Survey review is to provide oversight in four specific areas:

- A) **RULE REQUIREMENTS:** Review of land survey documents for required statements critical to the utility of the documents for acquisition and participation purposes regarding laws, rules, and/or contract specifications.
- To define and establish the nature and extent of Green Acres participation and tangible interest in real property being acquired for open space and recreational purposes
 - By virtue of funding participation in the land and the potential for reimbursement of technical costs, additional emphasis is placed on Green Acres contractual requirements and format, as additional ultimate users of the Green Acres survey plan.
- B) **TITLE:** Review for title issues identified as a result of conducting the land survey, such as
- Record deed overlaps
 - Record gores
 - Adverse use by adjoining owners
 - Identification of conflicting or competing uses for ultimate or intended use of land
 - The guidance of the technical documents to effectuate the acquisition
- C) **POLICY AND STEWARDSHIP:** Review for Green Acres policy and stewardship issues, identified as a result of conducting the land survey, such as:
- The need to patrol, manage, and administer the land in perpetuity, including the establishment of limit lines or buffers
 - Exclusion of funding from problem areas
 - Designation of certain corner and line marking requirements
 - Guidance in the production of technical documents to effectuation the acquisition
- D) **COURTESY RECOMMENDATIONS:** Review of land survey documents for secondary land survey issues of a discretionary nature and not absolutely critical to utility of the documents regarding presentation of data, such as
- Clarity of data presentation in the selection of scale, line weights, or detail
 - Minor errors not affecting the validity of title transfer or ability to determine Green Acres participation
 - Minor omissions
 - Misspellings or typographical errors
 - Rounding errors associated with significant figures that do not lead to misappropriation of public funds
 - Other presentation issues in the common practice of land surveying in New Jersey
 - Common sense

Principles Guiding the Survey Review

- 1) The Green Acres Program is an ultimate user of the survey plan, no matter who awards the contract to the New Jersey licensed land surveyor preparing the survey documents for the acquisition.
- 2) Survey deliverables must be accepted by the Green Acres Program in order before being considered as Green Acres approved.
- 3) All deliverables must comply with rules and regulations issued by the New Jersey State Board of Professional Engineers and Land Surveyors. Therefore the Green Acres Program considers each initial survey drawing and description submitted for review as preliminary in nature if not in such compliance.
- 4) As a courtesy to the surveying licensee, any deficiencies related to rules and regulations of the State Board of Professional Engineers and Land Surveyors will be brought to the attention of the surveyor by Green Acres survey review staff for voluntary remedy.

- 5) Violations of the rules and regulations of the State Board of Professional Engineers and Land Surveyors not remedied voluntarily shall be brought to the attention of the surveyor's client prior to referral of the surveyor to the State Board.
- 6) As an option to facilitate the final review process, Green Acres may offer to review an actual advance or check print of survey documents with the goal of eliminating any potential issues prior to issuance and distribution of a full set of contract deliverables. Only one such courtesy advance review is offered for a project. This advance review is meant to assist inexperienced surveyors who have not previously submitted any work to Green Acres and are unfamiliar with Green Acres requirements, and to assist all surveyors involved in complex projects that include partial acquisitions, a mix of Green Acres, SADC, and/or EIFP areas, diversions, or other out-of-the-ordinary circumstances. For such advance reviews, Green Acres must receive one set of survey plans, one set of descriptions, a DXF file in the appropriate datum, and a completed Surveyor's Certification and Summary Form.
- 7) To facilitate approval of survey deliverables, Green Acres may elect to prepare or modify the metes and bounds description submitted by the surveyor for the area of Green Acres funding, participation or encumbrance, rather than directing the surveyor to rewrite the description. When a description submitted by a surveyor is modified by Green Acres, the letterhead and signature information is removed so that it becomes a document issued by Green Acres.
- 8) Reviews that reveal substantive deficiencies in meeting survey requirements, the existence of survey blunders, or violations of State Board rules allows Green Acres to make additional requests for refinements of the plan or description relative to any issue. These additional changes may address the presentation of data, plan clarity, minor errors or omissions, spelling or typographical errors, minor significant figure rounding errors, or issues in the common practice of land surveying in New Jersey.

Survey Reviews for Local Unit and Nonprofit Projects

- 1) Green Acres strives to approve documents as presented by local units or nonprofits, provided that the plans and descriptions are generally suitable for the intended acquisitions relative to Green Acres' policy and practices and do not contain violations of the rules of the State Board of Professional Engineers and Land Surveyors. Minor inconsequential deficiencies such as presentation of data, plan clarity, minor errors or omissions, spelling or typographical errors, minor significant figure rounding errors, or issue in the common practice of land surveying in New Jersey or common sense may be overlooked, provided that the area of Green Acres participation is clearly and correctly delineated and described.
- 2) Communications regarding the review of surveys and descriptions submitted by local units or nonprofits for Green Acres Local Assistance shall be primarily between the Green Acres Project Manager and the local units or nonprofits, unless the applicant requests direct communication with the State Review Surveyor.
- 3) Outside land survey vendors may directly contact Green Acres Survey Review Staff for advice on how to address specific concerns or for advice on survey questions related to the specific project.

Survey Reviews for State Acquisition Projects

- 1) Communications regarding the review of surveys and descriptions submitted for areas where the State will acquire a tangible interest as purchaser or as acquisition partner shall be primarily between the State Review Surveyor and the surveyor preparing the acquisition survey documents.
- 2) State acquisition survey plans shall be examined for all aspects of the contract, including presentation of data, plan clarity, minor errors or omissions, spelling or typographical errors, minor significant figure rounding errors, or issues in the common practice of land surveying in New Jersey.

Survey Review Process

- 1) The Green Acres Project manager is responsible for the flow of work between the Local Unit and the Green Acres Survey Review Section for all county, municipal, and nonprofit surveys.
- 2) The Green Acres Project manager is responsible for the flow of work between the Survey Contract Section and the Survey Review Section for all State land acquisition surveys.

TOPOGRAPHIC SURVEYS

When topographic surveys are specifically requested as part of any site-specific engagement, the topographic surveys, as a minimum, will be performed using conventional or GPS leveling methods that shall provide similar positional accuracy that would meet or exceed the former Federal Standard for Third Order, Class I accuracy for published NGVD 1988. The contour interval shown on any plans shall be ten (10) feet unless the site-specific engagement specifies an alternate interval. Unstable spot elevations on ground positions must be stated in feet to one decimal place (0.1'), and stable positions such as on monuments or concrete must be stated in feet to two decimal places (0.01'), unless the specifications and guidelines being furnished with the detail sheet for a site-specific engagement request specifies an alternative increment.

Vertical relief will be shown with the source of information (e.g. ground survey or aerial map), contour interval, datum, and originating benchmark identified.

FRESHWATER WETLANDS SURVEY SERVICES

When work involving wetlands is specifically requested, it shall be one of two types identified at the time that price quotes are solicited for a site-specific engagement: SHOW WETLANDS or DELINEATE WETLANDS.

SHOW FRESHWATER WETLANDS

Site-specific engagements requesting that the wetlands be shown on the final plan of survey requires that the New Jersey licensed Professional Land Surveyor obtain copies of the appropriate New Jersey Freshwater Wetlands map for the area from the office of the county recorder or clerk. The upland limit line for those areas coded "01" on the Wetlands map must be reproduced, and an approximate estimate of wetlands area in acres on the plan must be derived to one decimal place (0.1 acre). The upland limit lines may be digitized or mechanically reproduced. The areas may be derived from the digitizing process or by planimeter, provided that the duplicated line is within 0.5 percent accuracy of the depiction of that upland limit line on the original source material. The mapped or digital source of upland limit line information must be provided (title of data or map, date, preparer, etc.).

FRESHWATER WETLANDS DELINEATION SURVEY

Site-specific engagements requesting that the wetlands be surveyed, delineated, or field investigated requires that the New Jersey licensed Professional Land Surveyor engage an environmentalist, acceptable to NJDEP, who is proficient in New Jersey freshwater wetlands investigations. The environmentalist shall delineate the wetland areas in the field in accordance with adopted wetlands criteria in New Jersey. The New Jersey licensed Professional Land Surveyor shall field-locate each marked position, add the wetlands areas to the survey plan, provide areas in acres to two decimal places (0.01 acre), and label the wetlands area on the survey. Additionally, the wetlands buffer areas of 50 feet, 100 feet, or 150 feet as indicated by the environmentalist must be shown on the survey, with buffer areas calculated to two decimal places (0.01 acre).

The survey plan shall contain a Wetlands Delineation Information block that includes the environmental firm's name, street and mailing addresses, telephone and fax numbers, and company Email address. The Wetlands Delineation Information block shall be signed and signed by the individual environmentalist responsible for the delineation. The date of the delineation and for whom it was prepared must appear in the Wetlands Delineation block on the survey. The environmentalist shall provide an original signature in the Wetlands Delineation Information block on the original survey plan and on each paper copy or print made. Other specifications and guidelines, if any are needed, shall be furnished at the time a wetlands delineation is requested

as part of a site-specific engagement. Use **Sample Form 1 – Wetlands Delineation Information**, included here and in the general Scope of Survey Services.

The following **Sample Wetlands Delineation Information** block is for use in the event of an actual Wetlands delineation on the surveyed property made as part of a site-specific engagement for the using agency. When applicable, the following information shall be provided substantially in accordance with this format:

WETLANDS DELINEATION INFORMATION	
ENVIRONMENTALIST:	_____ (individual name) _____
ORGANIZATION:	_____ (organization name) _____
ADDRESS:	_____ (address) _____ _____
PHONE:	____ (area code & number) _____
FAX:	____ area code & number _____
EMAIL:	_____
DELINEATION PREPARED FOR:	_____
DATE OF DELINEATION:	_____
_____	_____
Signature of Environmentalist	Date Signed

ENVIRONMENTAL INFRASTRUCTURE FUNDING PROGRAM (EIFP) SURVEYS

Local/Nonprofit lands purchased with support from the Environment Infrastructure Funding Program (EIFP) are subject to Green Acres review to assure that there are no uses contradictory to passive open space. These properties are to be free of any encroachments, structures, or encumbrances, including easements of any kind, whether on, above, or below the earth’s surface. The area of a project that is funded through the EIFP is subject to Environmental Infrastructure Trust (EIT) restrictions, requiring the land to be maintained in its natural state in perpetuity to provide a water quality benefit.

EIT restrictions represent an additional condition placed on land, as an overlay to Green Acres interests, which may encumber a greater area than the EIT restricted area. Therefore, in preparing metes and bounds descriptions for projects that encompass EIT restricted areas, the surveyor must prepare a separate, stand-alone description for the land being acquired through the EIFP. Limits of EIT restricted areas must be marked in the ground by concrete monuments. Line markers are not required along the perimeter of EIT restricted areas, except if these happen to coincide with outer boundaries of the overall acquisition site that are subject to such requirements.

PUBLIC ROAD RIGHTS-OF-WAY AND RIVERS

The principles of dedication of land for road purposes shall be considered by the Contractor. The survey lines and corresponding metes and bounds description are to run with the lines of the deed description as written in the record unless the site-specific engagement request directs some other course of action. If the fee title extends to the center of a public road or river, the survey lines shall run to the center of the public road or river. If the public road involved is held in fee by the State and/or any of its political subdivisions, deed lines shall not run to the center of the road.

When a surveyed property is to be acquired in fee, it will be SUBJECT TO THE PARAMOUNT RIGHTS OF THE PUBLIC, with area(s) of those public rights stated. When the property is surveyed for the purpose of obtaining an easement, the area of easement shall not extend into public road rights-of-way, but shall extend into the river or watercourse. The survey must also provide the bearings and distances of the road right-of-way sidelines, as well as any area within the public right-of-way. If there has been no dedication information found, or the tax map (which is a document of last resort) does not define the width for the sidelines of the right-of-way, the area of the right-of-way is defined as the area of the paved or traveled portion of the road bed. The survey must indicate recording information for maps, deed book number and page number, or other pertinent information regarding the dedication of public ways. The area in a public road right-of-way or a navigable river is subject to the paramount rights of the public and also possible private rights. The area of each shall be stated on both the plan and in the description, and is deducted from any net area of Green Acres encumbrance stated for the lot.

PRIVATE RIGHTS-OF-WAY AND EASEMENTS

Private rights-of-way and easements for roads crossing the parcel being surveyed must also be shown with record or physical width provided. If record information exists regarding the creation and dimensions of private rights in the project area, that information is to be provided. Only if no record data as to location and width exists shall the physical location and width of the use by any individual or entity other than the record owner suffice. The survey must indicate recording information for maps, deed book and page number, or other pertinent information regarding the creation of the private easements. Calculation of the area of private easements is not required on the plan or in the description. The new metes and bound description may generally refer to the easement rights in a qualifying clause, i.e. SUBJECT TO, without actually describing the easement by metes and bounds.