



**State of New Jersey  
Department of Environmental Protection**

Revised: July 2018

Website: [www.nj.gov/dep/landuse](http://www.nj.gov/dep/landuse)



**FRESHWATER WETLANDS PROTECTION ACT RULES**

**APPLICATION CHECKLIST**

**Letter of Interpretation: Extension**

CALL NJDEP AT (609) 777-0454 IF YOU HAVE ANY QUESTIONS

To apply for an extension of a letter of interpretation, please submit the information below to:

**Postal Mailing Address**

NJ Department of Environmental Protection  
Division of Land Use Regulation  
P.O. Box 420, Code 501-02A  
Trenton, New Jersey 08625-0420  
**Attn: Application Support**

**Street Address (Courier & Hand Carry Only)**

NJ Department of Environmental Protection  
Division of Land Use Regulation  
501 East State Street  
Station Plaza 5, 2<sup>nd</sup> Floor  
Trenton, New Jersey, 08609  
**Attn: Application Support**

1. Completed application form;
2. Documentation that notice of the application has been provided in accordance with N.J.A.C. 7:7A-17, as follows:

**Notice to municipal clerk (N.J.A.C. 7:7A-17.3(a))**

A copy of the entire application, as submitted to the Department, must be provided to the municipal clerk in each municipality in which the site is located.

- i. Documentation of compliance with this requirement shall consist of a copy of the certified United States Postal Service white mailing receipt, or other written receipt, for each copy of the application sent.

**Notice to governmental entities and property owners (N.J.A.C. 7:7A-17.3(b) and (c))**

A brief description of the proposed project, a legible copy of the site plan, and the form notice letter described at N.J.A.C. 7:7A-17.3(e)1iii must be sent to the following recipients:

- A. The construction official of each municipality in which the site is located;
- B. The environmental commission, or other government agency with similar responsibilities, of each municipality in which the site is located;
- C. The planning board of each municipality in which the site is located;
- D. The planning board of each county in which the site is located;
- E. The local Soil Conservation District if the regulated activity or project will disturb 5,000 square feet or more of land; and
- F. **Adjacent property owners:**  
Unless the LOI extension application is submitted with an application for a project listed at N.J.A.C. 7:7A-17.3(c)1-5 (which require different notice to property owners as described in the rules), notice

shall be sent to all owners of real property, including easements, located within 200 feet of the site of the proposed regulated activity.

The owners of real property, including easements, shall be those on a list that was certified by the municipality, with a date of certification no more than one year prior to the date the application is submitted.

ii. Documentation of compliance with this requirement shall consist of:

- A. A copy of the certified United States Postal Service white mailing receipt for each public notice that was mailed, or other written receipt; and
- B. A certified list of all owners of real property, including easements, located within 200 feet of the property boundary of the site (including name, mailing address, lot, and block) prepared by the municipality for each municipality in which the project is located. The date of certification of the list shall be no earlier than one year prior to the date the application is submitted to the Department.

iii. The form notice letter required under N.J.A.C. 7:7A-17.3(e)1iii shall read as follows:

*“This letter is to provide you with legal notification that an application for an extension of a previously issued letter of interpretation <<has been/will be>> submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the site shown on the enclosed plan(s). A brief description of the proposed project follows: <<INSERT DESCRIPTION OF THE SITE AND ANY PROPOSED PROJECT>>*

*The complete permit application package can be reviewed at either the municipal clerk’s office in the municipality in which the site subject to the application is located, or by appointment at the Department’s Trenton Office. The Department of Environmental Protection welcomes comments and any information that you may provide concerning the proposed development and site. Please submit your written comments within 15 calendar days of receiving this letter to:*

*New Jersey Department of Environmental Protection  
Division of Land Use Regulation  
P.O. Box 420, Code 501-02A  
Trenton, New Jersey 08625  
Attn: (Municipality in which the property is located) Supervisor”*

Newspaper Notice (N.J.A.C. 7:7A-17.4)

Please refer to this portion of the rules for guidance on providing newspaper notice for certain large scale linear, public, or commercial projects.

- 3. The appropriate application fee, as specified in N.J.A.C. 7:7A-18.1, in the form of a check (personal, bank, certified, or attorney), money order, or government purchase order:
  - i. If not located in the Pinelands Area, made payable to “Treasurer State of New Jersey”
  - ii. If located in the Pinelands Area, made payable to "NJDEP-Pinelands Wetlands Program.

4. Color copies of the following maps:

- i. A copy of the portion of the county road map showing the property location;
- ii. A copy of the USGS quad map(s) that include the site, with the site clearly outlined to scale.

5. A copy of the original LOI which the applicant wishes to extend.

6. A copy of the survey or site plan submitted as a part of the original LOI application.