



Land Use Enforcement to Propose Grace Period Rule

Who is affected by this initiative?

Any person who interacts with New Jersey rules regulating activities in freshwater wetlands, coastal wetlands, flood ways and flood plains, waterfronts, beaches, docks and bulkheads, and areas regulated by the Coastal Area Facility Review Act (CAFRA) should be aware of this proposal. Consultants, engineers, attorneys, property owners, municipalities and environmental organizations also would have an interest in these regulatory changes.

What is occurring that may help me?

The Grace Period proposal will categorize violations of the following Land Use rules as either minor or non-minor:

Coastal Zone Rules: N.J.A.C. 7:7, specifically CAFRA, N.J.S.A. 13:19-1 and the Coastal Wetland Law of 1970, N.J.S.A. 13:9A-1

Freshwater Wetlands Protection Act: N.J.S.A. 13:9B-1 and N.J.A.C. 7:7A

Flood Hazard Area Control Act: N.J.S.A. 58:16A-1 and N.J.A.C. 7:13.

For minor violations, the proposal establishes a period during which compliance can be achieved without the threat of fines or formal enforcement action. The proposed grace period is intended to encourage compliance and foster a greater sense of cooperation between the DEP and the regulated community.

How can I participate?

An informal stakeholder meeting or workshop will be held on January 24, 2005 from 10-12 am in conference room #1, third floor, Department of Environmental Protection's Pesticide Control Office, 22 South Clinton Ave., 4 Station Plaza, Trenton New Jersey. During the meeting, DEP representatives will present a brief summary of the minor and non-minor violations, answer questions about the rule proposal and accept public comment for further consideration. Comments may also be made via email to the email address below until January 24. This informal information session supplements the formal public participation that is held as part of the rule-adoption process scheduled for early to mid-2005.

Whom should I contact with questions?

Scott Brubaker, Chief, Bureau of Coastal and Land Use Compliance and Enforcement at (609) 292-1240 or email at Scott.Brubaker@DEP.State.NJ.US

COMPLIANCE ADVISORY

Where can I get more information?

Visit the following Web sites for additional information:

Notices of opportunities for public participation and/or comment prior to formal NJDEP rulemaking: <http://www.nj.gov/dep/rules/ipr.html>

Please note this advisory is intended to be a summary explanation of a DEP initiative. It does not include all potentially applicable requirements. If you have any questions about compliance with this initiative, please contact the DEP's Bureau of Coastal and Land Use Compliance and Enforcement at (609) 292-1240.