



FLOOD HAZARD AREA APPLICATION CHECKLIST

General Permit 3—Scour protection activities at bridges and culverts

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

To apply for an authorization under general permit 3, please submit the information below to:

<u>Postal Mailing Address</u>	<u>Street Address (Courier & Hand Carry Only)</u>	<u>Electronic Submission</u>
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	NJ Department of Environmental Protection Division of Land Use Regulation 501 East State Street Station Plaza 5, 2 nd Floor Trenton, New Jersey 08609 Attn: Application Support	Access the submission system at https://njdeponline.com . Follow the registration process and create an account. To submit an application, select the service "Apply for a Land Use Permit or Authorization."

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

1. A completed [application form](#) (Paper submissions ONLY)

2. A completed [Property Owner Certification form](#) (Electronic submissions ONLY)
 - Acceptable file formats include pdf, jpg, and png.

3. Public notice:
 - **Electronic Submissions:** A completed [Public Notice form](#). Documentation that notice of the application has been provided in accordance with N.J.A.C. 7:13-19 must be attached to the form (see below for details). Acceptable file formats include pdf, jpg, and png.
 - **Paper Submissions:** Documentation that notice of the application has been provided in accordance with N.J.A.C. 7:13-19 (see below for details).

Both electronic and paper submissions require documentation of public notice as follows:

- i. Notice to municipal clerk (N.J.A.C. 7:13-19.3(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. For electronic submissions, the application consists of a description of the project, the specific permit(s)/authorization(s) being sought, and all items that will be uploaded to the online service, including all required items on this checklist.
 - 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.

ii. Notice to governmental entities and property owners (N.J.A.C. 7:13-19.3(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. 7:13-19.3(d)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:

If the application is for one of the following projects (listed at N.J.A.C 7:13-19.3(c)1-6), notice shall be sent to all owners of real property, including easements, located within 200 feet of any proposed above-ground structure, except for any conveyance lines suspended above the ground or small utility support structures (e.g. telephone poles):

- A linear project of one-half mile or longer
- A public project on a site of 50 acres or more
- An industrial or commercial project on a site of 100 acres or more
- A project to remove sediment or debris from a channel of one-half mile or longer

For any other project, 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.

- Documentation of compliance with this requirement shall consist of:
 1. A copy of the certified United States Postal Service white mailing receipt for each public notice that was mailed, or other written receipt;
 2. 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; and
 3. A copy of the form notice letter.
- The form notice letter required under N.J.A.C. 7:13-19.3(d)1iii shall read as follows:

"This letter is to provide you with legal notification that an application for an authorization under flood hazard area general permit 3 <<has been/will be>> submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the development shown on the enclosed plan(s). A brief description of the proposed project follows: <<INSERT DESCRIPTION OF THE 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”

iii. Newspaper notice (N.J.A.C. 7:13-19.4)

Newspaper notice, in the form of a legal notice or display advertisement in the official newspaper of the municipality(ies) in which the project site is located, or if no official newspaper exists, in a newspaper with general circulation in the municipality(ies), is required for the following projects:

- A. A linear project of one-half mile or longer
- B. A public project on a site of 50 acres or more
- C. An industrial or commercial project on a site of 100 acres or more
- D. A project to remove sediment or debris from a channel of one-half mile or longer

If your project is not one listed above, newspaper notice is not required.

- Documentation of newspaper notice shall consist of:
 - 1. A copy of the published newspaper notice; and
 - 2. The date and name of the newspaper in which notice was published.
- The newspaper notice may be either a legal notice or display advertisement and must read as follows:

“Take notice that an application for a flood hazard area general permit 3<<has been/will be>> submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the development described below:

APPLICANT:

PROJECT NAME:

PROJECT DESCRIPTION:

PROJECT STREET ADDRESS:

BLOCK: LOT:

MUNICIPALITY: COUNTY:

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 the date of this notice to:

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

iv. Notice for projects located in the Pinelands Area

For a project in the Pinelands Area as designated under the Pinelands Protection Act at N.J.S.A. 13:18A-11.a, documentation showing that a copy of the application form has been provided to the New Jersey Pinelands Commission. For electronic submissions, the "application form" will consist of a description of the project, including the lot, block, municipality, and county, and the specific permit(s)/authorization(s) being sought.

4. Application fees:

- **Electronic Submissions:** The appropriate application fee, as specified in N.J.A.C. 7:13-20.1, payable through the online service via credit card or e-check, or to receive a bill, select "Bill Me" on the payment screen. Bills will be sent to the Fee Billing Contact identified in the service and must be paid directly to the Department of Treasury.
- **Paper Submissions:** The appropriate application fee, as specified in N.J.A.C. 7:13-20.1, in the form of a check (personal, bank, certified, or attorney), money order, or government purchase order made payable to "Treasurer State of New Jersey."

5. Site plans:

All site plans must include the scale of the site plans, a north arrow, the name of the person who prepared the plans, date the site plans were prepared, and the applicant's name and the block, lot, and municipality in which the site is located. In addition, the site plans shall include the following information, both on and adjacent to the site, in accordance with N.J.A.C. 7:13-18.4(a)4:

i. Existing features:

- A. Lot lines and right-of-way lines;
- B. Survey of existing bridge or culvert;
- C. Cross-sections of the upstream and downstream faces of the bridge or culvert, cross-sections of any additional upstream and downstream scour areas, and cross-sections of unscoured areas upstream and downstream of the bridge or culvert;
- D. Land cover and vegetation; and
- E. A longitudinal profile of the bridge or culvert, going from an upstream stable area to a downstream stable area, including the scour area.

ii. Proposed regulated activities:

- A. Cross-sections of the proposed conditions at the same locations as the cross-sections provided for existing conditions;
- B. In plan view and cross-section, the limits of the use of stabilizing materials;
- C. In cross-section, a depiction of whether the stabilizing materials will be buried under two feet of native substrate or not (if not, explain why two feet of burial is not feasible);
- D. The footprint of disturbance associated with each access point for the project;
- E. Any additional riparian zone disturbance;
- F. Details of any proposed channel stabilization; and
- G. Details of any planting to restore disturbed areas in accordance with N.J.A.C. 7:13-6.7(b)5.

iii. Topography:

- A. Existing and proposed topography. All topography must reference NGVD or include the appropriate conversion factor to NGVD.

iv. Soil erosion and sediment control:

- A. Details of any proposed soil erosion and sediment control measures; and

- B. Proposed best management practices to minimize downstream transport of sediment during the performance of the activity.
- v. Riparian zone:
 - A. The location of any riparian zone onsite (see N.J.A.C. 7:13-4.1).
- vi. Metes and bounds description:
 - A. Not required for this general permit.
- vii. Flood hazard area/floodway information:
 - A. A depiction of any flood hazard area and floodway limits shown on a Department delineation or FEMA flood insurance study, where such depictions exist (see N.J.A.C. 7:13-3).
- viii. Details of construction proposed in a regulated water:
 - A. A thorough description of proposed construction methods;
 - B. A timetable for construction; and
 - C. Details of any trenching, diversionary channels, temporary piping, and other disturbances to the regulated water.
- **Electronic Submissions:** Acceptable file formats include pdf and zip. Site plans must be certified in accordance with N.J.A.C. 7:13-18.2(j) and prepared according to the Department's [site plan specifications](#) for electronic site plans. All plans must be digitally signed and sealed by a New Jersey licensed professional engineer, surveyor, or architect, as appropriate, pursuant to N.J.A.C. 13:40-7.2 through 7.4, with signatures and seals that meet the requirements of N.J.A.C. 13:40-8.1A. Site plans with electronic signatures, such as scans of site plans with a handwritten signature, will not be accepted.
- **Paper Submissions:** Three sets of site plans, certified in accordance with N.J.A.C. 7:13-18.2(j). Prior to issuance of any permit, the Department will require four to five sets of final site plans. The site plans must be signed and sealed by a New Jersey licensed professional engineer, surveyor, or architect, as appropriate, pursuant to N.J.A.C. 13:40-7.2 through 7.4.

6. Photographs:

- i. Color photographs depicting:
 - A. The entire project area, including the stream corridor upstream and downstream of the bridge or culvert at areas not scoured;
 - B. Areas upstream and downstream of the bridge or culvert that are scoured, as applicable;
 - C. The scoured upstream and downstream faces of the bridge or culvert; and
 - D. The bridge or culvert itself.
- ii. A photo location map showing the location and direction from which each photograph was taken.
- **Electronic Submissions:** Acceptable file formats include pdf, doc, docx, jpg, zip, ppt, and pptx.
- **Paper Submissions:** One set of photographs mounted on 8½-inch by 11-inch paper. Copies of photographs are acceptable provided they are color copies. Black and white copies of photographs are not acceptable.

7. A compliance statement that includes the following:

- i. A written narrative explaining how each requirement of general permit 3 at N.J.A.C. 7:13-9.3 will be met by the proposed project;

- ii. A list of all limits and requirements at N.J.A.C. 7:13-6.7, Conditions applicable to a permit-by-rule or to an authorization pursuant to a general permit-by-certification or a general permit, that apply to the proposed project and an explanation of how the project complies with each requirement, including:
 - A. A written narrative of avoidance and/or minimization of impacts to threatened or endangered wildlife or plant species habitat in and near the project area, as applicable; and
 - iii. A description of the site characteristics and the location of the proposed project, potential impacts from the construction process, and, as applicable, any monitoring or reporting methods that will be used.
- **Electronic Submissions:** The required compliance statement should be uploaded under the attachment type “Environmental Report with Site Location Maps.” Acceptable file formats include pdf and zip.

8. Color copies of the following maps:

- i. The tax map for the property;
 - ii. A copy of the portion of the county road map showing the property location; and
 - iii. A copy of the USGS quad map(s) that includes the site, with the site clearly outlined to scale.
- **Electronic Submissions:** The required maps should be uploaded with the compliance statement under the attachment type “Environmental Report with Site Location Maps.” Acceptable file formats include pdf, doc, docx, rtf, and zip.

9. Calculations and analyses:

- i. Signed and sealed counter-scour calculations (including channel depth and width, size of stone, etc.); and
- ii. An engineering certification in accordance with N.J.A.C. 7:13-9.3(a)3, the contents of which are set forth in the definition of “engineering certification” at N.J.A.C. 7:13-1.2.

Any calculations or analyses submitted as part of an application must include the certification set forth at N.J.A.C. 7:13-18.2(j) and must be signed and sealed by a New Jersey licensed professional engineer.

- **Electronic Submissions:** Counter-scour calculations and engineering certifications must be digitally signed and sealed in accordance with N.J.A.C. 13:40-8.1A. Calculations and engineering certifications with electronic signatures, such as a scan of an engineering certification with a handwritten signature, will not be accepted. The service provides an attachment type for engineering certifications, which must be in pdf format. The counter-scour calculations should be included with the compliance statement and uploaded under the attachment type “Environmental Report with Site Location Maps.”

10. Natural Heritage Program Letter:

A copy of an NJDEP, Office of Natural Lands Management Natural Heritage Database data request response for endangered or threatened species of flora or fauna, including a Landscape Map report, if available

- **Electronic Submissions:** Acceptable file formats include pdf, jpg, and png.

11. Additional requirements:

- i. Highlands applicability determination (highlands exemption) – applies only if the project is located within the Highlands Preservation Area

- **Electronic Submissions:** Acceptable file formats include pdf, jpg, and png.

ii. Conservation restriction – applies only if the proposed project is subject to an existing conservation restriction

- **Electronic Submissions:** Acceptable file formats include pdf, jpg, and png.

12. A computer disk containing a copy of the entire application (Paper submissions ONLY)