**Application Pre-Review Guidance Document**

**Goal:**

This guidance document is intended to introduce and guide Division of Land Use Regulation (Division) project review officers (PROs) through a standard application pre-review process. All Land Use applications are “pre-reviewed” by PROs within the first 20 working days of receipt to ensure that all potential Land Use permitting issues are identified early in the application process. This document and associated checklists have been developed to streamline the pre-review process and to train new staff on how to use available tools and resources to comprehensively identify environmental resources on an application site. In addition, this process will determine which agencies are required to review the application for comment and transmit the review to the applicable parties in a timely manner.

**How to use this guidance document:**

This guidance document can be used to standardize the pre-review process across the various bureaus of Land Use. It can also be used as a training tool for new employees whereby the newer PRO conducts the pre-review process (as the “pre-reviewer”) and then passes it onto the PRO assigned to the application for completion.

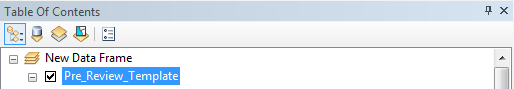
This guidance document is intended to be used in conjunction with ArcGIS and the applicable Pre-Review Checklist (checklist) found at V:\lum\LUR\Pre-Review Resources\Checklists. Each type of application has its own checklist which is specific to the requirements and regulations of that particular set of rules. The PRO should start with the *File Organization* section which is applicable to every application review conducted under this process. The PRO can then proceed to identify the items in this document that correspond to the applicable checklist for further explanation.

The finished product of the pre-review process should be a concise yet thorough sheet that aids anyone who opens the file in quickly understanding the constraints and concerns of the proposed project and site. It should be noted that certain sections of the checklist are not going to be applicable to all projects or sites. For example, a site may not have a State Historic Preservation Office (SHPO) concern. Therefore, it becomes unnecessary to fill out the SHPO section of the checklist. The pre-reviewer has discretion to delete questions on the checklist that are not applicable. **However, the section title should remain with a clear description of the findings of the pre-review to show that it has been evaluated.** The pre-reviewer should keep in mind that the more information that is provided on the checklist, the more the administrative record is clear and complete. The goal is to provide the PRO, the supervisor who is signing off on the application and anyone else who opens the file, with a concise sheet that contains all the relevant information and potential issues with the project and demonstrates that all resources on site have been evaluated.

**Initial Screening and File Organization**

1. Check that the X/Y coordinates of the site and lot and block are accurate in NJEMS. If the information is not accurate, the PRO should contact the database management staff with the file number, activity code, and the correct X/Y coordinates or lot and block.
2. Check that the applicant applied for the appropriate permit for the proposed activity and that all permits sought are reflected by an activity in NJEMS. For example, an application for a Transition Area Waiver may include a fee and a request for a Letter of Interpretation which would need to be reflected in NJEMS.
3. Check that the information in NJEMS matches the information on the LURP form (The permit #, permit type, etc.)
4. FHA and CAFRA application deadlines (45th or 90th day) should be identified and clearly labeled on the pre-review sheet and on the front cover of the file. See the Annual Working Days schedule (in File Organization under Pre-Review folder)
5. Once the checklist is complete, the PRO should print the checklist and place it on the left side of the folder along with any other comments or transmittals. All other application materials should be place in the right side of the folder in the following order:
   1. LURP Form
   2. Maps, Photos
   3. Compliance Statement
   4. All other contents of package

**Using ArcGIS**

A layer file containing all the data needed to conduct permit pre-review can be found at V:\lum\LUR\Pre-Review-Templates. To load the layer on ArcMap, access the catalogue window by clicking on the file cabinet icon located on your toolbar  and click on the icon that is a folder with a plus sign  to connect to the approriate folder location. Navigate to [V:\lum\LUR\Pre-Review Resources](file:///\\dep-tcshared\shared\lum\LUR\Pre-Review%20Resourcs) and click **OK**. Once you have connected to the folder, you can drag the layer file labeled “**Pre\_Review\_Template.lyr**” with the orange diamond icon  to your table of contents window.

To add the DEP Data toolbar to your ArcView, follow the instructions found at: <http://depnet.dep.state.nj.us/dep-intranet/gis/deptoolbar.html>

**Explanation of Sections in Pre-Review Checklists:**

**Previously issued authorizations or violations onsite:** Search the file number in NJEMS to see if there are any previously issued determinations, authorizations, or violations onsite. , therefore it is important to document all authorizations that have been granted by DLUR. If nothing comes up in NJEMS, and historical aerials show that there was development onsite that may have needed wetlands authorizations, you can check Paradox, which contains information for authorizations prior to 2002.

Using Paradox:

1. Navigate to depnet/ and click on Web Intelligence on the left hand list

User name: firstinitiallastname ie: jsmith

Password: firstinitiallastname ie: jsmith

If you cannot gain access with this combination of username/password, email Imran Hussain at [Imran.hussain@dep.nj.gov](mailto:Imran.hussain@dep.nj.gov) to request access to web intelligence. He will provide you with login information.

1. Click on Documents on the left hand side.
2. Expand the Public Documents tab on the left hand side. Navigate down to Land Use and expand. Open Paradox.
3. Choose your search method under the Title list. Searching by block-lot and county-municipality or by file number are the easiest ways to find your site. Enter the site information and click “run request”. If there are approvals on the site, a report will be generated which details the file number, site location, permit type, owner, and program manager. Use this information to locate the file if necessary.

**Historic Aerials:** USE ArcGIS and Pictometry to look at the land use over the last few decades. If there has been a change of land use without permit authorization, there may be potential for Land Use Enforcement action.

**Flood Hazard Area (FHA)**

A project will require an FHA permit if work is proposed within any FHA regulated areas, which are defined at N.J.A.C. 7:13-2.2 & 2.3. There are number of activities that are allowed in FHA regulated areas without department approval if they meet the requirements set forth at N.J.A.C. 7:13-7.1- Permits-By-Rule.

Use ArcGIS to determine if there is a regulated feature onsite:

1. Apply the “Stream Network 2002” layer to check if a feature falls within your site or use the measure tool to see if a feature is within 300 feet. \*\* (You can also use USGS Topoquads found in the “Imagery” category in DEP Data.)
2. Apply the “Surface Water Quality Standards” layer. Expand the table of contents to view the color coding system. \*\*
3. Apply the “Watersheds (DEPHUC14)” layer to see the water quality standards of the entire watershed. Identify the layer to see the name of the Watershed and Sub-watershed.\*\*

\*\*This information is also used to fill out the “Land Use General Info” tab in NJEMS, which is a requirement for all DLUR Applications.

Water feature onsite or within 300’:

* If there is a water body or an associated riparian zone onsite, the applicant may need to come in for a FHA permit or Verification, or you might add FHA language (indicating there is a regulated feature onsite) in the LOI

Does the water feature drain more than 50 acres?:

* This section will assist in determining whether the water feature on or in proximity to the site is FHA regulated water.
  + All features draining more than 50 acres are regulated and have an associated flood hazard area and riparian zone.
  + Features draining less than 50 acres are regulated if the feature is not a ditch and has a defined bed and bank. These features do not have a flood hazard area, but do have a riparian zone.
* \*\*\*There is a draft SOP on determining if a feature is regulated by the Flood Hazard Area Rules. Link to SOP here when available
* The PRO can use USGS Stream Stats to check if the water feature drains over 50 acres: It is only necessary to check stream stats when there is a small headwater stream or ditch onsite and the 50 acre threshold is essential to determine if FHA regulations will apply. Use your best judgement of the location of the site in the watershed to determine if stream stats needs to be consulted or not. Sometimes stream stats is consulted AFTER a field visit when a feature is encountered that wasn’t obvious on GIS.
  + Click on this link (or google “Stream Stats NJ”): <http://water.usgs.gov/osw/streamstats/new_jersey.html>
  + *See document “how to use streams stats” found at V: \lum\LUR\Pre-Review Resources\FHA Resources*

**Riparian Zones**

Riparian zones are determined by bedrock geology of the site, presence of threatened and endangered species downstream, and surface water quality standards of the watershed.

300’: Category One (C1) waters and all upstream tributaries within the same HUC14.

150:’ Trout production waters and all upstream waters; Trout maintenance waters and all upstream waters within one linear mile; waters flowing through an area with acid producing soils; and waters with critically dependent T&E species (see note below).

\*\*Note: A 150 foot riparian zone can also be attributed to a regulated water if there are critically dependent T&E species onsite or within one downstream mile. Please see the T&E section for more information.

50’: All other regulated features

**Allowable under Table C:** see N.J.A.C. 7:13-10.2. This table sets the limits for development in the applicable riparian zone for different types of projects and all applications.

**In stream work:** see N.J.A.C. 7:13-10.1

**Threatened & Endangered (T&E) Species Review**

T&E species are a critical review component of all Division permits and can severely restrict or impact a proposed project. Each permit type has its own set of review criteria as discussed below. If there is potential habitat for T&E species (fauna or flora) as identified in the process below, then the pre-reviewer should send a review to the T&E Unit.

How to determine if a permit needs a T&E review:

Use ArcGIS to screen for potential habitat for T&E species on or within 150 feet ofthe project site:

Check Landscape Project 3.1 layer on GIS:

1. Apply the Landscape Project 3.1 layer for the appropriate region (Atlantic Coastal, Piedmont Plains, Delaware Bay, etc.) as found in the DEP data bar.
2. Use the Identify tool on segment(s) over the project site and adjacent properties. Check for Land Use Rank (LNDR) with a rating of 3 or above.

If a polygon is found with a LNDR of 3 or above, then the site contains potential T&E habitat and likely needs to be sent to the T&E unit for review. To identify the species of concern, the PRO can expand the list in the upper portion of the identify box (click on plus next to the number). Any project that falls within a Landscape Project Mapping Version 3.1 (Statewide) Layer ranked 3, 4, or 5 has the potential to feature endangered or threatened species habitat. Some habitats are ranked 3, 4, or 5 for species that are not dependent on wetlands, and these do not require a review by the T&E unit. For a list of these species, see the document titled “T&E species ranks regarding potential impacts from groundwater draw down” found at V:\lum\LUR\Pre-review Resources\FWW Resources. Species ranked N/A are not wetland dependent and do not require a review by the T&E unit. Species ranked 3, 2, or 1, are potentially affected by changes in hydrology and therefore a review needs to be sent to the T&E unit. Properties within areas ranked 1 or 2 do not feature documented habitat and no further endangered or threatened species review is required.

Check for vernal pool habitat (FWW Permits only):

1. Apply the Vernal Pool layer on GIS. This layer is a sublayer under the Landscape 3.1 layer.
2. If the center (centroid) of a circle shows up on the site or within 300 feet of the site, then a T&E unit review is required. Please note that the buffer around the centroid extends to 300 meters so you will need to use the measure tool to determine if the centroid of the circle is within 300 feet of the site. If the project proposes to impact any wetlands identified in this layer, then a Vernal Habitat review should be forwarded to the T&E Unit. \*\*Note: This step should be pre-screened by application support unit (ASU), but for a diligent review, please double check. Check Activity Tracking to see if a USFWS review request has been sent by ASU. If not, then the following screening should be done.

Check for T&E plants:

1. Use the Natural Heritage Plant Grid GIS Layer (grid) located at V:\lum\LUR\GIS\_DATA\NHP\_Grid\_Map\_Nov\_2009|2015 Grid Map Update
2. Use the Identify tool to see which plants are listed in the grid.
   1. If the grid is labeled as NHP\_All, a review is not required.
   2. If the grid is labeled as NHP\_S\_Precison, a review is required from the T&E unit
      1. If reviewing a stand-alone wetlands LOI/permit, only these six plants require a T&E review:
         1. Swamp pink
         2. Sensitive joint vetch
         3. Small whorled pogonia
         4. Bog asphodel
         5. Sea beach amaranth
         6. Knieskern’s beaked-rush
      2. If reviewing a FHA, CAFRA or WFD permit any “NHP\_S\_Precison” sites should be sent for a review

If potential T&E habitat is identified and it is determined that a T&E review is required, follow the procedure below based on the type of application being reviewed. If there are overlapping permit types (such as FHA with FWW or CAFRA with FWW), then the follow the instructions for the FHA or CAFRA permit.

For **Freshwater Wetlands Permit** or **LOI**: If there is potential habitat **onsite or within 150’**, the complete the following steps in NJEMS:

1. Select the appropriate activity and click on “Create New Document.”
2. Under “Type”, select Word Processing.
3. From the list of Word Processing templates, select T&E Form FWW
4. Fill out the form and print one copy. Save form to NJEMS.
   1. Remember to add the date you sent the review to T&E (“date received”), the Project Manager (PRO) and make sure that all **types** of permits with the application are noted. (The automated document does not populate all this information on the form). Under Landscape Mapping: Version 2.1/3.0, write in the region (i.e., Piedmont Plains)
5. Activity Tracking: Add Row, select “Group Task” box, and select “T&E Species Habitat Review” from the drop down. Assign “PM Send T&E Review to T&E” unit to yourself. Assign all other tasks to appropriate T&E staff for your region.

For a **Coastal Zone Management Permit**: If there is potential habitat **onsite or within 150’**, the PRO should complete the following steps in NJEMS:

1. Select the appropriate activity and click on “Create New Document.”
2. Under “Type”, select Word Processing.
3. From the list of Word Processing templates, select T&E Form CAF
4. Fill out the form and print one copy. Save form to NJEMS.
   1. Remember to add the date you sent the review to T&E(“date received”). The 90th day deadline date should be clearly visible in large lettering on the form so the T&E staff can plan accordingly. Make sure that all permits with the application are noted. (The automated document does not populate all this information on the form)
5. Activity Tracking: Add Row, select “Group Task” box, and select “T&E Species Habitat Review” from the drop down. Assign “PM Send T&E Review to T&E” unit to yourself. Assign all other tasks to appropriate T&E staff for your region.

For **Flood Hazard Area Permit**: If there is potential habitat **onsite (as determined above) or within a mile downstream (as determined with Natural Heritage Program letter below)**, the PRO should complete the following:

Check for a Natural Heritage Program Letter (NHP) and look to see if there are Critically Dependent Species on Water Courses on the site or within a mile. The following list contains species that are critically dependent on the water course: <http://www.nj.gov/dep/landuse/download/fh_009.pdf>.   
  
\*\*\*If the application does not have a NHP Letter included, it is considered a deficiency. The pre-reviewer should first contact the DLUR engineer assigned to the file to see if it is in their copy of the file. If it is not, note this omission on the checklist and inform the PRO who will be taking over the permit that the NHP letter needs to be requested from the agent.

In NJEMS:

1. Select the appropriate activity and hit “Create New Document.”
2. Under “Type”, Select “Word Processing.”
3. From the list of Word Processing templates, select “T&E Form FHA.”
4. Fill out form and print one copy. Save form to NJEMS.
   1. Remember to add the “date permit was received”, “date you sent the review to T&E.” The 45th (GP) or 90th (IP) day deadline date should be clearly visible in large lettering on the form so the T&E staff knows to prioritize. Make sure that all permits with the application are noted. (sometimes the automated document does not populate all this information on the form)
5. Activity Tracking: Add Row, select “Group Task” box, and select “T&E Species Habitat Review” from the drop down. Assign “PM Send T&E Review to T&E” unit to yourself. Assign all other tasks to appropriate T&E staff for your region.

*Deliver the review package to the T&E Unit (baskets sorted by permit type and geographic region located outside T&E unit cube area) containing:*

1. A copy of the T&E review form;
2. A copy of the LURP form;
3. A USGS map or road map showing property location; and
4. One copy of the plan.

**Areas of Special Concern**

Some geographic regions in NJ are regulated by other agencies and/or have more strict regulations than those enforced by DLUR. Use the State Plan layer on ArcGIS (found in the DEP Data toolbox) to determine if your site falls in Highlands Preservation Area, Pinelands Preservation Area, or Meadowlands Jurisdiction. Using the “State Plan Layer” you can determine what planning area the site is in. This information is also used for determining if older permits or LOIs onsite qualify for the Permit Extension Act (PEA).

**Stormwater Management:**

Projects that create more than 0.25 acres of new impervious surface or disturb more than one acre of land are considered a “major development” and are subject to a stormwater management review by DLUR Engineers. Check activity tracking to ensure an engineer has been assigned. If the PRO is reviewing a CAFRA or FHA application, then the entire project should be evaluated to determine if major development criteria are met. If it’s a FWW application, then only the portions of the project within freshwater wetlands and transition area should be evaluated for major development criteria. If the project proposes more than an acre of total disturbance or more than a quarter acre of new impervious within wetlands and transition area, a stormwater review is warranted.

**EPA Jurisdiction:**

USEPA review is required for a number of situations (including but not limited to those listed below) to determine if the wetlands impacted are considered “Waters of the United States”, which are under the jurisdiction of the Army Corps of Engineers. Check the proposed project for the following:

1. Discharge with potential for affecting endangered or threatened species.

2. Discharges of dredged or fill material which have the potential for adverse impacts on the waters of a state other than New Jersey:

3. Discharges known or suspected to contain toxic pollutants, hazardous substances, toxic substances, or hazardous waste;

4. Discharges located in the proximity of a public water supply intake;

5. Discharges within critical areas established under state or Federal law; including but not limited to:

a. A National or State forest,

b. fish or wildlife sanctuary,

c. National or historic monument,

d. Wilderness area or preserve,

e. A site identified or proposed under the National Historic Preservation Act; or

f. A component of the National Wild and Scenic Rivers system.

6. The filling of five or more acres of freshwater wetlands or State open waters and/or any regulated activity which results in significant reductions in the ecological, commercial, or recreational values or five or more acres of freshwater wetlands or State open waters;

7. Culvert enclosures of more than 100 feet

8. Channelization or more than 500 feet of a river or stream;

9. Filling of more than 0.5 acres under a Statewide General Permit number 6 (or filling 0.1 acres of WOTUS, which requires mitigation.)

10. Cutting more than 5 acres of trees in wetlands for airport site line clearing.

A template letter is found at V:>lum>LUR>Pre-Review Resources>Transmittal sheets>USEPA Wotus Determination Request. The letter should be amended to include project specific details. Along with the letter, include the first page of DLUR application, the Permit and Database transmittal, a USGS location map and/or tax map, a copy of a plan that shows the wetland line, and any other supporting documents or site plans. Send packet to the attention of Bob Montgomerie: [montgomerie.robert@epa.gov](mailto:montgomerie.robert@epa.gov) and copy Dan Montella: [Montella.daniel@epa.gov](mailto:Montella.daniel@epa.gov).

**Wetland Information**

Resource Value Classification: as per N.J.A.C. 7:7A-2.4

* Resource value classification (RVC) will be determined by the T&E unit and/or site visit by the PRO. If a T&E review was not sent because there is no documented habitat onsite, then check the fishery resource as described below.
* Check fishery resource (FWW permits only):
  + Apply the “Surface Water Quality Standards” layer. An exceptional resource value designation is applicable for wetlands that discharge to FW1 or FW2 trout production waters and their tributaries.
* If the screening does not result in an exceptional resource value or T&E review, then the PRO may select the 50’ Intermediate box or 0’ Ordinary box. Ordinary RVC is generally reserved for ditches, swales, and isolated wetlands that are surrounded by more than 50% disturbed area. If the project needs further review to determine RVC mark the box labeled “Not Sure” and the PRO will fill out the box once a site inspection and T&E review are complete.

EPA Priority Wetlands:

* EPA Priority Wetlands are have been designated as ecologically significant by the EPA due to their importance for supporting threatened and endangered species habitat and protecting water quality as well as their vulnerability to encroaching development. These wetlands are listed on the March 1994 “Priority Wetlands List for the State of New Jersey”.
  + To determine if the site has EPA priority wetlands use the GIS Layer found at V:\lum\LUR\GIS\_Data\ EPA\_Priority\_Wetlands.lyr
  + Use the Identify tool to see information, including caveats for wetlands that may fall in the geographic area but are excluded from the EPA priority. For further assistance; you may use the guidance document on the EPA Priority Wetland Layer found at V:\lum\LUR\Pre-Review Resources\SOPs

Soils:

* Use the DEP Data Soils (SSURGO) View layer to determine the soils that are mapped onsite. Soils should be checked for both LOIs and Permit pre-review. This information is helpful for making wetland determinations: if soils that are “poorly drained” or “somewhat poorly drained” are mapped onsite, these areas that wetlands are most likely to occur and help narrow the focus of what to inspect in the field. The mapped soil type is also required for the Wetland Data Form.

**NJEMS Tracking information:** The following items are required to be entered into the “Environmental Data” tab in NJEMS for all DLUR permits. The Department uses this information to track wetlands impacts through permits report these metrics to the EPA each year. For the purposes of the pre-review, the acreage of each item should be gleaned from studying the LURP form, compliance statement, and plans. If the information is not readily available, the PRO must contact the agent and request it.

* Acreage of Disturbance (for FWW Wetlands, Transition Area, and State Open Water)
* FWW Undisturbed (wetland acreage remaining after permit action has been conducted/total wetland acreage onsite minus permanently disturbed wetlands)
* FWW Preserved (or “deed restricted”)

For more information, follow the guide “NJEMS FWW Tracking SOP” found in V:\lum\LUR\Pre-Review Resources\SOPs.

* Riparian zone (for FHA permits only: undisturbed, disturbed, and preserved)
* CAFRA Forested (CAFRA permits only: disturbed and preserved)

For more information, follow the guide “resource Preserved SOP Final Draft” found in V:\lum\LUR\Pre-Review Resources\SOPs.

**United States Fish & Wildlife Service (USFWS) Review**

USFWS review is required for projects that result in disturbances to wetlands within municipalities that contain federally listed threated and endangered species. However, a USFWS review is only required for certain types of wetland permits.

Note: This step should be pre-screened by application support unit (ASU), but for a diligent review, please check Activity Tracking to see if a USFWS review request has been sent by ASU. If not, then the following screening should be done.

To determine whether the pending wetland permit requires USFWS review, use the “Two-Way Memorandum USFWS/NJDEP Freshwater Wetlands Permit Application Review” form found in V:\lum\LUR\Pre-Review Resources\Transmittal Sheets. If your pending permit is not listed on the transmittal, then USFWS review is not required.

If the permit is applicable, the PRO still needs to check if the municipality is listed in the “USFW Federally Listed and Candidate Species Occurrences in New Jersey by County and Municipality” packet found in V:\lum\LUR\Pre-Review Resources\FWW Resources.

If the permit is listed in the memorandum, and the project proposes disturbance to wetlands (not just transition area), and the municipality is listed in the packet, a USFWS review is required. The PRO should create a package containing:

1. A copy of the LURP Permit Application Transmittal Form;
2. A copy of the LURP form;
3. A USGS map or road map showing property location; and
4. One copy of the plan.

*The package can be placed in the bin labeled USFW Review (North or South) located next to the T&E Unit.*

In NJEMS, complete the following in activity tracking:

1. Add row, select group task, and select “Pre-review Send USFWS In-House Review to T&E.”
2. Assign the “Pre-review Send USFWS In-House Review to T&E” task to yourself and add date requested, Assign the other tasks to Karena DiLeo and leave the dates blank.

**State Historic Preservation Office Review**

A SHPO review may be required for a Freshwater Wetland Permit or a Coastal Zone Management Permit that has historic archeological resources onsite. Aspects of a project that could affect SHPO resources are impacts to historic sites or buildings, historic neighborhoods and/or archeological resources.

Use ArcGIS layers to identify any areas of historic value:

1. Select the layer “Historic Preservation Data.” Please be sure to check each of the sublayers under this layer (click on plus and check each of the four sublayers including Historic District, Historic Fill, Historic Site, and Historic Archeological Site Grid.) If any of these layers intersect the project site, then a SHPO review is required.

In addition, a SHPO review is required if:

* 1. The project site exceeds 20 acres in size and includes a permanent water body (for example wetlands, pond, lake, river or perennial stream) or is located within 250 feet of a permanent water body; or
  2. The proposed projects includes a new, replacement, reconstructed, or rehabilitated bridge or culvert.

If a SHPO review is required, fill out the LURP Permit Application Transmittal Form (found at: V:\lum\LUR\Pre-Review Resources\Transmittal Sheets and labeled as “Land Use Regulation Permit Application Transmittal”) and include the following:

1. A copy of the LURP Permit Application Transmittal Form;
2. A copy of the LURP form;
3. A USGS map or road map showing property location; and
4. One copy of the plan.

*The package can be delivered to the SHPO secretary at 501 East State St 4th Floor southwest corner or to the SHPO mail box bin the lunchroom.*

In NJEMS, the following should be completed in activity tracking:

1. Add row, select group task, select SHPO referral.
2. Assign “Request Comments from SHPO” and “Receive SHPO comments” to yourself and add date requested.

**CAFRA**

Use the ArcGIS CAFRA layer to check if your site falls within the CAFRA zone. To determine if a CAFRA permit is required, then follow the steps below:

1. Is the project on a beach or dune? If yes, then CAFRA permit is required.
2. Is the project within 150 feet and the first use landward of the MHWL and/or beach or dune? If yes, then a CAFRA permit is required.
3. Is the project a public development (landfills, sewer plants, highways, utility lines, airport)? If yes, then a CAFRA permit is required.
4. Is the project an industrial development (power plant, manufacturing, factory, mining)? If yes, then a CAFRA permit is required.
5. Is the project within 500 feet of the MHWL and proposes 25 or more residential units or 50 or more parking spaces? If yes, then a CAFRA permit is generally required. The exception occurs when the project occurs within a “qualifying municipality” which can be determined by checking the latest list at <http://www.state.nj.us/dca/divisions/dlgs/resources/stateaidinfo.shtml>. From the first drop down, select “Urban Aid Eligibility” and then select the current fiscal year from the second drop down. If the project municipality is listed, then the threshold for CAFRA jurisdiction is different and can be as much as 75 or more residential units or 150 or more parking spaces. Please see N.J.A.C. 7:7-2.2(a)3 and 4 for more information.

**Coastal Wetlands**

Use the ArcGIS “1970 Wetland Basemaps” layer to determine if your site has coastal wetlands. The basemap can be found in the DEP data bar under “imagery” labeled as “1970 Wetlands Basemap”. It is not sufficient to use the “Upper Wetlands Boundary” layer on ArcGIS. This layer is not the accurate upper limit of the wetlands but rather a limit of the extent of the study area when the maps were developed. The PRO needs to make sure that there is a mapped vegetation unit waterward of the upper wetland boundary (thick dark line) on the mapping. If there is not a mapped vegetation unit, then mapped coastal wetlands are absent from the site.



**Wrap Up**

1. In Activity Tracking, whoever fills out the pre-review checklist (PRO or pre-reviewer) should assign “Start Technical Review” and “End Technical Review” to themselves and add the appropriate date.
2. Add the checklist to NJEMS as a Blank Word Document (title the document “Pre Review.”
3. If the pre-review PRO is not the lead reviewer on the project, then the file should be delivered to the lead reviewer with the checklist attached to the left side of the folder.

\*\*Note: Although this process is intended to screen incoming applications, the pre-reviewer should also use the process to conduct a preliminary compliance review of the proposed project. There are sections on the checklist where a pre-review can note any potential deficiencies to the PRO.