

on the same site, if the new application is submitted within one year of the denial or withdrawal.

(f) In some cases, an applicant's act or omission makes it necessary for Department staff to perform more than one site visit during the review of an application. In such a case, the Department shall assess an additional fee of up to \$ 1,000 for each additional site visit. No permit, waiver, or letter of interpretation shall be issued until this fee has been paid.

(g) The fees for applications under this chapter are set forth in Table A below:

Table A
APPLICATION FEES

Exemption letter	
	Fee
Exemption letter pursuant to N.J.A.C. 7:7A-2.10	\$500.00

Letter of Interpretation (LOI)	
	Fee
Presence/absence LOI pursuant to N.J.A.C. 7:7A-3.2	\$1,000
Footprint of disturbance LOI pursuant to N.J.A.C. 7:7A-3.2	\$1,000
Delineation LOI pursuant to N.J.A.C. 7:7A-3.3	\$1,000
Line verification LOI pursuant to N.J.A.C. 7:7A-3.4	\$1,000 plus \$100.00 per acre of the site (or fraction thereof)

Authorization under a general permit pursuant to N.J.A.C. 7:7A-5

	Fee
General permit 16—Habitat creation and enhancement activities, N.J.A.C. 7:7A-5.16	No fee
General permit 17—Trails and boardwalks, N.J.A.C. 7:7A-5.17, for a project located on publicly-owned land	No fee
General permit 25—Malfunctioning individual subsurface sewage disposal (septic) systems, N.J.A.C. 7:7A-5.25	No fee
Any other general permit	\$1,000

Transition area waiver pursuant to N.J.A.C. 7:7A-6

	Fee
Transition area waiver with a valid letter of interpretation	\$1,000 plus \$100.00 per acres of disturbed regulated area (or fraction thereof)

Transition area waiver without a valid letter of interpretation	\$1,000 plus \$100.00 per acre of disturbed regulated area (or fraction thereof) and the application fee for the appropriate LOI
---	--

Freshwater wetlands or open water fill individual permit pursuant to N.J.A.C. 7:7A-7

	Fee
Freshwater wetlands or open water fill individual permit for the construction of one single-family home or duplex and/or appurtenant improvements, which is not being constructed as part of a residential subdivision or multi-unit development	\$2,000
Freshwater wetlands or open water fill individual permit for any other activity	\$5,000 plus \$2,500 per acre of disturbed regulated area (or fraction thereof)

Water quality certificate pursuant to N.J.A.C. 7:7A-2.1(d)

	Fee
Water quality certificate where a permit is not also issued	\$5,000 plus \$2,500 per acre of disturbed regulated area (or fraction thereof)

Modification of an authorization under a general permit, a transition area waiver or a freshwater wetlands or open water fill individual permit pursuant to N.J.A.C. 7:7A-14.3

	Fee
Minor modification of an authorization under a general permit	\$500.00
Minor modification of a transition area waiver	\$500.00
Minor modification of a freshwater wetlands or open water fill individual permit	\$500.00
Major modification of a transition area waiver, freshwater wetlands or open water fill individual permit	30 percent of the original application fee or \$500.00, whichever is greater

Extension of a letter of interpretation (LOI) pursuant to N.J.A.C. 7:7A-3.6 or of an authorization under a general permit, a transition area waiver, or an individual permit pursuant to N.J.A.C. 7:7A-14.6

	Fee
Extension of a presence/absence LOI	\$500.00
Extension of a footprint of disturbance LOI	\$500.00
Extension of a delineation LOI	\$500.00
Extension of a verification LOI	50 percent of the original application fee or \$500.00, whichever is greater
Extension of an authorization under a general permit	\$500.00
Extension of a transition area waiver	\$500.00
Extension of a freshwater wetlands or open water fill individual permit	50 percent of original application fee or \$500.00, whichever is greater

Additional application fee for stormwater review if a project is a "major development" pursuant to the Stormwater Management Rules (see N.J.A.C. 7:8-1.2)

	Fee
Base fee for any major development	\$3,000
Additional fee for review of groundwater recharge calculations (see N.J.A.C. 7:8-5.4)	\$250.00 per acre of land disturbed by the project (or fraction thereof)
Additional fee for review of runoff quantity calculations (see N.J.A.C. 7:8-5.4)	\$250.00 per acre of land disturbed by the project (or fraction thereof)
Additional fee for review of water quality calculations (see N.J.A.C. 7:8-5.5)	\$250.00 per acre of impervious surface subject to water quality review (or fraction thereof)

Amended by R.1992 d.117, effective March 16, 1992.
See: 23 N.J.R. 338(a), 24 N.J.R. 975(b).

At (a) added to list of documents which must be accompanied by a fee.

Amended by R.1993 d.111, effective March 1, 1993.
See: 24 N.J.R. 2768(a), 25 N.J.R. 924(a).

Added subsection (d).

Amended by R.1995 d.205, effective April 17, 1995.
See: 26 N.J.R. 3922(a), 27 N.J.R. 1576(b).

Amended by R.2001 d.312, effective September 4, 2001.

See: 32 N.J.R. 2693(a), 33 N.J.R. 3045(a).

Former N.J.A.C. 7:7A-11.1, Application contents for Individual Freshwater Wetlands and Open Water Fill Permits, was repealed.

Amended by R.2003 d.298, effective July 21, 2003.

See: 35 N.J.R. 928(a), 35 N.J.R. 3354(a).

Amended the fee tables.

Amended by R.2006 d.349, effective October 2, 2006.

See: 37 N.J.R. 3125(a), 38 N.J.R. 4209(a).

Amended fee tables.

Amended by R.2008 d.291, effective October 6, 2008.

See: 39 N.J.R. 3587(a), 40 N.J.R. 5581(a).

In (b)2, inserted "and" at the end; in (b)3, substituted a period for "and" at the end; deleted (b)4; in the introductory paragraph of (d), substituted "Division of Land Use Regulation" for "Land Use Regulation Program"; in (d)2, inserted the "Example"; in the "Application fees for general permit authorizations (N.J.A.C. 7:7A-5)" section of the fee tables in (g), deleted entries for "Combined general permit 2 authorization and flood hazard area Permit", "General permit 10A, 11, or 20 authorization combined with a major flood hazard area permit", "General permit 10A, 11 or 20 combined with a minor flood hazard area permit" and "Combined general permit 26 authorization and flood hazard area Permit"; in the "Fee" column of the "Application fees for transition area waivers (N.J.A.C. 7:7A-6)" section of the fee tables in (g), deleted "affected³" following "\$1,080 plus \$96.00 per acre"; and in the "Fee" column of the "Application fees for modifications (N.J.A.C. 7:7A-14)" section, substituted "\$240.00" for "None" in the entry for "Minor modification".

Repeal and New Rule, R.2015 d.023, effective February 2, 2015.

See: 46 N.J.R. 1839(a), 47 N.J.R. 422(a).

Section was "General fee provisions".

Amended by R.2016 d.055, effective June 20, 2016.

See: 47 N.J.R. 1041(a), 48 N.J.R. 1067(a).

In Table A of (g), deleted "Additional fee if project disturbs vegetation within a Special Water Resource Protection Area (see N.J.A.C. 7:8-5.5)" in the first column and "\$2,000" in the corresponding second column.

7:7A-11.2 Adjustment of application fees

(a) When, based on budget considerations, the Department determines to adjust the application fees established in this subchapter for the upcoming State fiscal year (which runs from July 1 to June 30), the Department shall:

1. Prepare an Application Fee Adjustment Report, in accordance with (b) below; and

2. Publish a notice of administrative change in the New Jersey Register that:

i. States that the Application Fee Adjustment Report is available on the Department's website at www.nj.gov/dep/landuse; and

ii. Sets forth the adjusted application fees determined as provided at (b) below.

(b) In the Application Fee Adjustment Report, the Department shall:

1. Project the total amount of money required to fund the program in the upcoming State fiscal year. This projection shall consider the following:

i. The number and type of Department staff required to perform each activity for which fees are charged and the projected total salaries of those staff for the upcoming State fiscal year;