

16. Public use of natural areas shall be allowed only to the extent and in a manner that will not impair natural features; the administering agency may restrict access and use as necessary to protect the natural area; the following are permissible public uses of natural areas:

i. Hunting, trapping, and fishing are permitted in accordance with N.J.A.C. 7:25-5 and 7:25-6; except for the stocking of fish and game, habitats may not be manipulated for the purpose of enhancing hunting, trapping, or fishing;

ii. Occasional camping along trails, boating, and swimming may be permitted in specified locations of natural areas in accordance with N.J.A.C. 7:2-2, 7:2-5, 7:2-7, 7:2-8, and 7:25-2, and are further limited as follows:

(1) No permanent structures may be erected;

(2) No motorized methods of boating or camping are permitted;

(3) Trailside shelters of the type called lean-tos are permitted, but there may not be two such shelters within three miles of each other; and

iii. Trails may be constructed and maintained as follows:

(1) Construction of new trails may be initiated subsequent to approval of a trail plan by the Commissioner. Maintenance of existing trails may be conducted upon approval of the administering agency;

(2) Rare plants may not be removed for the purpose of maintaining existing or constructing new trails; and

(3) To the extent possible, natural materials shall be used on and along trails; and

iv. All pets shall be kept caged or leashed and under immediate control of the owner except that dogs used while legally hunting shall be exempt from the leashing requirement.

(f) The following interim management practices, unless superseded by an adopted management plan, apply to the appropriate specified natural area classifications:

1. Location markers identifying interpretation points of interest may be installed except within ecological reserves;

2. Trail blazes may be used within any natural area;

3. Existing vehicular access lanes may not be enlarged in any manner within an ecological reserve;

4. New vehicular access lanes may be constructed only within buffer areas and upon approval by the Commissioner;

5. The alteration of natural processes or features for the purpose of enhancing public use of the natural area

may be conducted by the administering agency only within buffer areas; and

6. The following management practices shall not be permitted within ecological reserves:

i. New, existing or temporary firebreaks;

ii. Construction of new trails;

iii. Alteration or restoration of water levels;

iv. Prescribed burning;

v. Erosion control measures;

vi. Gypsy moth control activities; and

vii. Manipulation of vegetation and wildlife habitats.

Amended by R.1992 d.77, effective February 18, 1992.

See: 23 N.J.R. 1985(b), 24 N.J.R. 581(b).

Consolidated (f)5 and (e)5 to clarify that construction and alteration of structures located within natural areas may be undertaken as an interim management practice only upon approval by the Commissioner, and to expand the scope of this interim management practice from buffer areas to all natural areas; (e)12 revised to specify that habitat manipulation within a natural area as an interim management practice requires approval by the Commissioner of a specific habitat manipulation plan.

Amended by R.1993 d.350, effective July 19, 1993.

See: 25 N.J.R. 1350(a), 25 N.J.R. 3150(a).

Amended by R.1998 d.308, effective June 15, 1998.

See: 30 N.J.R. 897(a), 30 N.J.R. 2207(a).

In (a), added "and will further the management objective of the natural area" at the end of 1, deleted former 2, and recodified former 3 and 4 as 2 and 3; and rewrote (e).

7:5A-1.10 Procedures for conducting research and collecting specimens

(a) In accordance with this section, research or collection within a natural area may be conducted by individuals, groups, or governmental agencies, who, in the opinion of the administering agency, are qualified to conduct such activities and which, in the opinion of the administering agency, will not have a detrimental effect on the natural features of the area.

(b) A written proposal for research or collection activities within a natural area shall be submitted to the administering agency. The submission shall contain:

1. The name, address, position, and professional qualifications of the applicant;

2. The purpose and theme of the research or collecting and benefits to be derived therefrom;

3. The specific methods and procedures for carrying out the activity;

4. The location of the research sites;

5. The duration of the project, the frequency of visitation, and the method of access;

6. The name(s) and number of persons involved; and

7. Any anticipated direct and indirect impacts on the natural area that may result from implementation of the project.

(c) The administering agency shall review the submission, consulting with the Office of Natural Lands Management or other offices in the Division, as needed, and shall approve, conditionally approve, or disapprove the application for research or collection. The decision shall be based on:

1. The relationship of the activity to the management objective of the area and the benefits to be derived;
2. The ability and competence of the applicant to conduct the activity; and
3. The approved activity having minimal adverse impact on the natural area and the administering agency's ability to adequately manage the area while subject to research and collection.

(d) Interim and final reports and publications resulting from the research or collection, as specified in the approval, shall be submitted to the administering agency and secretary of the Council.

Amended by R.1993 d.350, effective July 19, 1993.

See: 25 N.J.R. 1350(a), 25 N.J.R. 3150(a).

Amended by R.1998 d.308, effective June 15, 1998.

See: 30 N.J.R. 897(a), 30 N.J.R. 2207(a).

In (c), inserted ", consulting with the Office of Natural Lands Management or other offices in the Division, as needed," in the introductory paragraph.

7:5A-1.11 Enforcement of rules

(a) Remedies for the violation of the provisions of this chapter applicable to those State-owned or leased lands, waters and facilities administered by the Department, other than wildlife management areas or reservoir lands, shall be as provided at N.J.S.A. 13:1L-23.

(b) Penalties for the violation of the provisions of this chapter applicable to State-owned or leased lands under the control of the Division of Fish, Game and Wildlife shall be as provided at N.J.S.A. 23:7-9.

Amended by R.1993 d.350, effective July 19, 1993.

See: 25 N.J.R. 1350(a), 25 N.J.R. 3150(a).

7:5A-1.12 Boundaries of natural areas

(a) The Division shall maintain, and make available to the administering agency and members of the public, general location maps of each natural area in the System.

(b) All boundaries of natural areas shall conform with physical features identifiable in the field or the edge of State ownership of the natural area.

(c) The Department may correct errors in the boundary of a natural area effective upon publication of notice of the correction in the New Jersey Register.

(d) Changes in boundaries of natural areas may be made pursuant to the procedure at (f) through (j) below.

(e) In order to qualify for addition to a natural area through a boundary change, a site must be owned in fee or held as a conservation easement by the Department.

(f) Any person may petition the Department to change the boundary of a natural area by completing a proposal as specified at (g) below and submitting copies to the Council, the Division, and the administering agency for the natural area. The Division may propose to change the boundary of a natural area by providing the information specified at (g) below to the Council and the administering agency for the natural area.

(g) A proposal to change the boundary of a natural area shall be in written form and shall contain the following information:

1. The name, address, and affiliation of the petitioner;
2. The relationship of the petitioner to the natural area for which a boundary change is proposed;
3. A map, at U.S.G.S. scale or larger, clearly showing the current boundary of the natural area and the proposed boundary adjustment;
4. An explanation of the reason for the proposed boundary change; and
5. A general description of the land proposed for exclusion or inclusion in the natural area, including, but not limited to, a description of:
 - i. Vegetative community types;
 - ii. Habitat types (wetland and upland);
 - iii. Ecological community age, structure and quality; and
 - iv. Structures and other man-made features.

(h) If the proposed change would result in a net change of not more than 25 percent of the total acreage of the natural area, the Council shall review the proposal at the next regularly-scheduled meeting after receiving the proposal and shall submit its recommendation on the proposal to the Commissioner for decision.

(i) If the proposed change would result in a net change of more than 25 percent of the total acreage of the natural area, public notice of the proposal shall be provided in the New Jersey Register. The Department shall accept written comment on the proposal and the Council shall review the proposal at the next regularly-scheduled meeting after the close of the public comment period on the proposal. The Council shall submit its recommendation and a summary of any written public comment received on the proposal to the Commissioner for decision.

(j) The Commissioner shall review the recommendation of the Council and shall take one of the following actions on the proposal:

1. Approve the boundary change, effective upon publication of notice of the boundary change in the New Jersey Register, upon a finding that the boundary change:
 - i. Conforms with physical features identifiable in the field or the limits of State ownership; and
 - ii. Serves to protect the natural area or further its management objective; or
2. Request that the Council reconsider its recommendation and resubmit the proposal for the Commissioner's review; or
3. Deny the proposal, effective upon publication of notice of the denial in the New Jersey Register, upon a finding that the proposed boundary change:
 - i. Does not conform with physical features identifiable in the field or the limits of State ownership; or
 - ii. Does not serve to protect the natural area or further its management objective.

New Rule: R.1992 d.77, effective February 18, 1992.
 See: 23 N.J.R. 1985(b), 24 N.J.R. 581(b).
 Amended by R.1993 d.350, effective July 19, 1993.
 See: 25 N.J.R. 1350(a), 25 N.J.R. 3150(a).

7:5A-1.13 Natural Areas System

(a) The following are designated as components of the Natural Areas System:

1. Absegami Natural Area:
 - i. Location: Bass River State Forest, Bass River Township, Burlington County;
 - ii. Management Objective: preservation of Atlantic white cedar and pine/oak communities, southern swamp habitat, and rare species habitat;
 - iii. Interim Classification: conservation preserve;
 - iv. Administering Agency: Division of Parks and Forestry, through Bass River State Forest;
2. Allamuchy Natural Area:
 - i. Location: Allamuchy State Park, Allamuchy Township, Warren County, and Byram Township, Sussex County;
 - ii. Management Objective: preservation of a hardwood forest of significant size and successional fields and protection of a rare plant community;
 - iii. Interim Classification: conservation preserve;
 - iv. Administering Agency: Division of Parks and Forestry, through Hopatcong State Park;
3. Batsto Natural Area:

- i. Location: Wharton State Forest, Mullica Township and Hammonton Town, Atlantic County, and Washington and Shamong Townships, Burlington County;

- ii. Management Objective: preservation of pitch pine lowland, Atlantic white cedar swamp, Pine Barrens bog, savanna and other wetland habitats, and rare species habitat;

- iii. Interim Classification: conservation preserve;

- iv. Administering Agency: Division of Parks and Forestry, through Wharton State Forest;

4. Bearfort Mountain Natural Area:

- i. Location: Wawayanda State Park, West Milford Township, Passaic County;

- ii. Management Objective: preservation of scrub oak and hardwood swamp forests, and rare species habitat;

- iii. Interim Classification: conservation preserve;

- iv. Administering Agency: Division of Parks and Forestry, through Wawayanda State Park;

5. Bear Swamp East Natural Area:

- i. Location: Downe Township, Cumberland County;

- ii. Management Objective: preservation of ecological communities and relationships, management of bald eagle nesting site and other known and potential endangered species habitat;

- iii. Interim Classification: ecological reserve;

- iv. Administering Agency: Division of Parks and Forestry, through Belleplain State Forest;

6. Black River Natural Area:

- i. Location: Black River Wildlife Management Area, Chester and Washington Townships, Morris County;

- ii. Management Objective: preservation of mesic, marsh, floodplain habitat, and rare species habitat;

- iii. Interim Classification: conservation preserve;

- iv. Administering Agency: Division of Fish, Game and Wildlife, through Whittingham Wildlife Management Area;

7. Bull's Island Natural Area:

- i. Location: Bull's Island Recreation Area, Delaware Township, Hunterdon County;

- ii. Management Objective: preservation of a northern floodplain habitat, and rare species habitat;

- iii. Interim Classification: conservation preserve;

iv. Administering Agency: Division of Parks and Forestry, through Delaware and Raritan Canal State Park;

8. Bursch Sugar Maple Natural Area:

i. Location: Hope and Knowlton Townships, Warren County;

ii. Management Objective: preservation of a north-eastern hardwoods forest, and sugar maple/mixed hardwood community;

iii. Interim Classification: conservation preserve;

iv. Administering Agency: Division of Parks and Forestry, through Jenny Jump State Forest;

9. Cape May Point Natural Area:

i. Location: Cape May Point State Park, Cape May Point Borough and Lower Township, Cape May County;

ii. Management Objective: preservation of freshwater marsh behind a coastal dune, habitat diversity for migratory birds, and rare species habitat;

iii. Interim Classification: conservation preserve;

iv. Administering Agency: Division of Parks and Forestry, through Cape May Point State Park;

10. Cape May Wetlands Natural Area:

i. Location: Avalon Borough, Dennis and Middle Townships, Cape May County;

ii. Management Objective: preservation of tidal salt marsh ecosystem and rare species habitat;

iii. Interim Classification: ecological reserve;

iv. Administering Agency: Division of Parks and Forestry, through Cape May Point State Park;

11. Cedar Swamp Natural Area:

i. Location: Lebanon State Forest, Woodland Township, Burlington County;

ii. Management Objective: preservation of southern swamp and floodplain habitat, Atlantic white cedar, red maple and pine/oak forest communities, and rare species habitat;

iii. Interim Classification: conservation preserve;

iv. Administering Agency: Division of Parks and Forestry, through Lebanon State Forest;

12. Cheesequake Natural Area:

i. Location: Cheesequake State Park, Old Bridge Township, Middlesex County;

ii. Management Objective: preservation of habitat diversity including hardwood forest, cedar swamp, mature white pine stand, freshwater swamp, Pine Barren outlier and salt marsh, and rare species habitat;

iii. Interim Classification: conservation preserve;

iv. Administering Agency: Division of Parks and Forestry, through Cheesequake State Park;

13. Cook Natural Area:

i. Location: South Brunswick Township, Middlesex County;

ii. Management Objective: preservation of freshwater nontidal flood plain forest habitat;

iii. Interim Classification: conservation preserve;

iv. Administering Agency: Division of Parks and Forestry, through Delaware and Raritan Canal State Park;

14. Dryden Kuser Natural Area:

i. Location: High Point State Park, Montague and Wantage Townships, Sussex County;

ii. Management Objective: preservation of an inland high elevation Atlantic white cedar swamp, chestnut oak forest and associated forest communities, and rare species habitat;

iii. Interim Classification: conservation preserve;

iv. Administering Agency: Division of Parks and Forestry, through High Point State Park;

15. Dunnfield Creek Natural Area:

i. Location: Worthington State Forest, Pahaquarry Township, Warren County;

ii. Management Objective: preservation of a hemlock ravine, chestnut oak forest, and rare species habitat;

iii. Interim Classification: conservation preserve;

iv. Administering Agency: Division of Parks and Forestry, through Worthington State Forest;

16. Farny Natural Area:

i. Location: Farny State Park, Rockaway Township, Morris County;

ii. Management Objective: preservation of northern mixed oak-hardwood forest, hardwood swamp forest, and rare species habitat;

iii. Interim Classification: conservation preserve;

iv. Administering Agency: Division of Parks and Forestry, through Ringwood State Park;

17. Great Bay Natural Area: