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CHAPTER 7E

COASTAL ZONE MANAGEMENT

Authority

N.J.S.A. 13:19-1 et seq., 13:9A-1 et seq.,
12:5-1 et seq., and 13:9B-1 et seq.

Source and Effective Date

R.1995 d.405, effective June 23, 1995.
See: 27 N.J.R. 417(a), 27 N.J.R. 2738(a).

Executive Order No. 66(1978) Expiration Date

Chapter 7E, Coastal Zone Management, expires on June 23, 2000.

Chapter Historical Note

Chapter 7E, Coastal Zone Management, became effective September 28, 1978, as R.1978 d.292. See: 10 N.J.R. 184(a), 10 N.J.R. 384(a). Amendments became effective September 26, 1980, as R.1980 d.375. See: 12 N.J.R. 252(a), 12 N.J.R. 576(a). Further amendments became effective May 15, 1981 as R.1981, d.186. See: 13 N.J.R. 76(a), 13 N.J.R. 338(a). Further amendments became effective February 16, 1982, as R.1982 d.31. See: 13 N.J.R. 864(a), 14 N.J.R. 206(a). Further amendments became effective April 19, 1982, as R.1982 d.114. See: 13 N.J.R. 565(a), 14 N.J.R. 385(c), 14 N.J.R. 1155(a). A public notice regarding a Federal ruling on certain Chapter 7E rules was published at 14 N.J.R. 1467(b). Pursuant to Executive Order No. 66(1978), Chapter 7E was readopted as R.1985 d.422, effective July 24, 1985. See: 17 N.J.R. 1465(a), 17 N.J.R. 1797(c), 17 N.J.R. 2021(a). Pursuant to Executive Order No. 66(1978), Chapter 7E was readopted as R.1990 d.413, effective July 24, 1990. See: 22 N.J.R. 1188(a), 22 N.J.R. 2542(b). Subchapters 3A, Standards for Beach and Dune Activities, 3B, Information Required in Wetland Mitigation Proposals, and 3C, Assessing Impacts to Endangered and Threatened Wildlife Species in Environmental Impact Assessments, were adopted as New Rules by R.1994 d.380, effective July 18, 1994 (operative July 19, 1994). See: 26 N.J.R. 943(a), 26 N.J.R. 1561(a), 26 N.J.R. 2990(a). Chapter 7E was readopted as R.1995 d.405, effective June 23, 1995. See: Source and Effective Date.

Public Notice: Notice of Routine Program Implementation. See: 25 N.J.R. 1010(a).

See section annotations for specific rulemaking activity.

Appendix to Chapter 7E: Figures 1 through 16 were adopted as a part of R.1994 d.380 and form the Appendix to N.J.A.C. 7:7E. The Figures are not reproduced in this chapter, but can be reviewed by contacting the Office of Administrative Law, Rules and Publications, PO Box 301, Trenton, NJ 08625-0301, or the Department of Environmental Protection.

Notice of Routine Program Change. See: 30 N.J.R. 2087(a), 30 N.J.R. 2780(b), 30 N.J.R. 4284(a).

Case Notes

Coastal zone management rules preempted township ordinance governing placement and length of docks. *Tumino v. Long Beach Township*, 319 N.J.Super. 514, 725 A.2d 1173 (N.J.Super.A.D. 1999).

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SUBCHAPTER 1. INTRODUCTION

7:7E-1.1 Purpose

(a) This chapter presents the substantive rules of the Department of Environmental Protection regarding the use and development of coastal resources, to be used primarily by the Land Use Regulation Program in the Department in reviewing permit applications under the Coastal Area Facility Review Act (CAFRA), N.J.S.A. 13:19-1 et seq. (as amended to July 19, 1993), Wetlands Act of 1970, N.J.S.A. 13:9A-1 et seq., Waterfront Development Law, N.J.S.A. 12:5-3, Water Quality Certification (401 of the Federal Clean Water Act), and Federal Consistency Determinations (307 of the Federal Coastal Zone Management Act). Requests for Water Quality Certification shall also be reviewed in accordance with other applicable statutes and regulations administered by the Department including the Surface Water Quality Standards, N.J.A.C. 7:9B. The rules also provide a basis for recommendations by the Program to the Tidelands Resource Council on applications for riparian grants, leases and licenses.