

EDUCATION

(b) Dropouts are defined as students who were 16 years of age or older who failed to complete the school year.

(c) Each school with a three-year average dropout rate exceeding 10 percent, as calculated for the years prior to monitoring, shall develop performance objectives to reduce the dropout rate, pursuant to N.J.A.C. 6A:32-12.2(a)3.

(d) The documentation/activities for Group 1 and Group 2 school districts evaluated pursuant to N.J.A.C. 6A:30, Evaluation of the Performance of School Districts, shall be:

1. The fall report (consolidated enrollment: dropout information);
2. The application for State school aid; and
3. Student performance objectives, if required.

6A:32-13.3 Guidance and counseling

(a) The school district shall provide all students with a board-approved program of guidance and counseling services.

- (b) The documentation/activities for Group 1 school districts shall be:
1. A written description of guidance and counseling services; and
 2. District board of education minutes.

(c) The documentation/activities for Group 2 school districts evaluated pursuant to N.J.A.C. 6A:30, Evaluation of the Performance of School Districts, shall be:

1. A written description of guidance and counseling services;
2. District board of education minutes;
3. Staff interviews; and
4. School visits.

SUBCHAPTER 14. STATE AND FEDERALLY MANDATED PROGRAMS AND SERVICES

6A:32-14.1 Review of mandated programs and services

(a) Regularly scheduled reviews will be conducted in each school district by the appropriate division of the Department of Education to determine compliance according to State or Federal law or regulation. The mandated reviews shall cover the following areas:

1. Comprehensive equity according to N.J.A.C. 6A:7-1.9;
2. Bilingual education, English as second language, English language services according to N.J.A.C. 6A:15, Bilingual Education;
3. Early childhood programs according to N.J.A.C. 6A:10A-3.4;
4. Demonstrably effective programs according to N.J.A.C. 6A:10A, Standards-Driven Instruction and Literacy in Abbott School Districts: Implementing Standards-Driven Instruction and Effective and Efficient Practices under Abbott v. Burke;
5. Special education programs and services according to N.J.A.C. 6A:14, Special Education;
6. School district technology plans pursuant to P.L. 107-110, No Child Left Behind Act of 2001; and
7. Discretionary and entitlement grant programs pursuant to P.L. 107-110, No Child Left Behind Act of 2001.

(b) If the school district is rated compliant as a result of the review, it shall not be required to undergo additional monitoring as part of the seven-year monitoring cycle.

(c) If the school district is rated noncompliant as a result of the review, it shall develop and implement a corrective action plan. The status of the corrective action plan shall be reviewed prior to monitoring.

(d) The documentation/activities for Group 1 and Group 2 school districts evaluated pursuant to N.J.A.C. 6A:30, Evaluation of the Performance of School Districts, shall be Department of Education program and service review reports and corrective action plans, if required.

6A:32-14.2 Grants management

(a) Each school district shall expend funds allocated through grants for State and Federally mandated programs and services in accordance with the contract.

(b) The documentation/activities for Group 1 and Group 2 school districts evaluated pursuant to N.J.A.C. 6A:30, Evaluation of the Performance of School Districts, shall be Department of Education program and service review reports.

ENVIRONMENTAL PROTECTION

(a)

OFFICE OF THE COMMISSIONER
Department Organization

Readoption with Amendments: N.J.A.C. 7:1

Adopted: August 4, 2005 by Bradley M. Campbell,

Commissioner, Department of Environmental Protection.
Filed: August 5, 2005 as R.2005 d.293.

Authority: N.J.S.A. 13:1B-3d, 13:1B-3e, 13:1B-5a, and 52:14B-4(b).

Effective Date: August 5, 2005.

Expiration Date: August 5, 2010.

The New Jersey Department of Environmental Protection is readopting N.J.A.C. 7:1, Department Organization, with amendments that reflect the current structure of the Department. These rules became effective upon filing with the Office of Administrative Law pursuant to N.J.S.A. 52:14B-4(b) and N.J.A.C. 1:30-6.6(a)3.

Federal Standards Statement

N.J.S.A. 52:14B-1 et seq. (P.L. 1995, c. 65) and Executive Order No. 27(1994) require State agencies that adopt, readopt, or amend any rule or regulation that exceeds any Federal standards or requirements to include in the rulemaking document a Federal Standards Analysis.

N.J.A.C. 7:1 was not promulgated under the authority of or in order to implement, comply with or participate in any program established under Federal law, or under a State statute that incorporates or refers to Federal law, Federal standards or Federal requirements. Accordingly, Executive Order No. 27(1994) and N.J.S.A. 52:14B-23 do not require a comparison with Federal law.

Full text of the readopted rules may be found in the New Jersey Administrative Code at N.J.A.C. 7:1.

Full text of the adopted amendments follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]).

7:1-1.2 Organization of the Department

(a) The Commissioner is the administrator and head of the Department and has the duties listed in N.J.S.A. 13:1B-3. The Deputy Commissioner is the Chief of Staff, two Counselors to the Commissioner, [seven] eight Assistant Commissioners, [and the Director of the Policy, Planning and Science Program] report directly to the Commissioner.

(b) (No change.)

(c) The Chief of Staff, who coordinates staff functions in the Commissioner's office, is responsible for the day-to-day administrative of Department activities [and oversees the following unit].

[1. The Office of Equal Opportunity and Contract Assistance, which is responsible for the development and implementation of the Department Equal Opportunity program.]

(d) Two Counselors to the Commissioner serve as the Commissioner's legal liaisons with the Department of Law and Public Safety and advise the Commissioner regarding policy implications of legal issues that arise in connection with the Department's work. In addition, [the Counselors have the responsibilities set forth in (d)1 and 2 below:

1. [The] **the lead** Counselor to the Commissioner serves as the Department's Ethics Liaison Officer and the Department's liaison to the agencies allocated to the Department in accordance with the New Jersey Constitution and commonly known as "in but not of agency." **The lead Counselor to the Commissioner**

[2. The Counselor and Legal Policy Advisor] oversees the following organizational units:

[1.]1. The Office of Legal Affairs, which, pursuant to Executive Order No. 6(1990), is the legal liaison with the Division of Law (in Department of Law and Public Safety) and with the Office of Administrative Law regarding rulemaking, adjudicatory hearing requests and final decisions in contested cases. The office includes the Department's Administrative Practice Officer and the staff to the Department's Ethics Liaison Officer. This office also manages subpo

partment employees and records, and requests for ethics advice Department employees, and serves as the central filing point for communications with legal consequences (such as bankruptcy and mortgages); and

The Office of Audit, which is responsible for external audits of contracts, and leases, as well as internal financial and operation of Department programs;

The Office of the Records Custodian, which manages the Department's response to requests for government records under the Public Records Act; and]

2. The Office of Dispute Resolution, which provides a forum other than administrative and trial courts for resolution of disagreements between affected parties and the Department regarding [departmental] governmental actions. The Office of Dispute Resolution employs alternative dispute resolution processes, primarily mediation, and acts as an impartial third party to assist affected parties and the Department in reaching a prompt resolution of the issue(s) and agreeing on a future course of action. Mediation most often takes place after a [departmental] governmental decision has been formally contested and scheduled for an administrative hearing. The affected party may request mediation simultaneously with its appeal of the Department's decision in accordance with guidelines available from the Office of Dispute Resolution.

The [Director of the] Assistant Commissioner for Policy, Planning and Science [Program] provides support to the Commissioner in the Commissioner's capacity as a member of the State Planning Commission, and is responsible for coordinating, to the extent allowed by law, the implementation of the aspects of the State Development and Commerce Plan relevant to the Department's environmental protection mission and goals. The [Director of the] Assistant Commissioner for Policy, Planning and Science [Program] oversees the following organizational units:

a. Policy [Group] Team, which [coordinates department-wide environmental protection initiatives and] develops linkages between environmental protection and public health and natural resource protection;

b. Division of Science, Research and Technology, which provides scientific and technical information to the Department's programs and oversees the following:

1. Bureau of Environmental Assessment [and Risk Analysis] [Program], which provides human health [and ecological risk] and impacts assessments; [and]

2. [Office] Bureau of Sustainable Communities and Innovative Technology [and Market Development], which disseminates information and fosters implementation of innovative environmental technologies; and

3. The Bureau of Natural Resources Science, which conducts natural resource research and provides technical assistance, and oversees ecological risk assessment, to other programs in support of natural resource protection goals of the Department;

4. The Office of Coastal [Management Office] Planning and Management Coordination, which administers New Jersey's Federally Authorized Coastal Management Program; and

5. The Office of Environmental Justice [Program], which provides technical assistance to disenfranchised communities with information on how to participate in the environmental decision-making process at the local level.

6. The Assistant Commissioner for Communications and Legislation oversees the Department's communications with the business community, local, county and State government, and the media; monitors State and Federal legislation; coordinates Department testimony on legislation; and manages and maintains oversight for the content of the Department's website. The Assistant Commissioner for Communications and Legislation oversees the following organizational units:

a. The Office of Communications, which includes the Department's Information Office) Access Center, and[, in addition,] which coordinates and supports public outreach and education activities, provides technical communications support, and provides editorial and graphic design services to the Department;

[2. The Office of Business Affairs, which serves as a liaison between the Department and the business community, local, county and State government, and their representatives for the purpose of facilitating understanding of and compliance with Department permitting requirements for urban development and other economic growth projects;]

[3.]2. The Office of Legislative Affairs, which [is responsible for managing the Department's relations with Congress, the Legislature, and county and municipal governments, and their agencies. The Office of Legislative Affairs monitors State and Federal legislation; and coordinates Department testimony on legislation] **monitors and tracks all State and Federal legislation, coordinates with all relevant Department offices and other State agencies to develop the Department's position on each piece of legislation, which may include the drafting and submission of amendments to the bill sponsor; tracks and reviews all correspondence with and requests from legislators and members of Congress; and prepares legislative testimony for Department representatives;**

[4.]3. The Press Office, which [serves as the Department's liaison with the media and is responsible for communicating with the media about a variety of issues and events on a daily basis, preparing news releases and coordinating conferences] **serves as a single point of contact between the Department and all media outlets, reporters, editorial writers, and columnists for the purpose of facilitating the release of accurate and timely information to the press and ensuring that all Department communications with the press reflect the current policies and priorities of the Commissioner;** and

[5.]4. The Office of Local Government [Affairs] Assistance, which serves as the Department's liaison to local governments and is responsible for administering grants to support environmental projects on the local level, and for assisting [department] Department programs in communicating with [local] county and municipal governments.

(g) The Assistant Commissioner for Compliance and Enforcement implements the Department's overall compliance and enforcement policies and supervises the Department's enforcement programs associated with water pollution; hazardous waste management; solid waste management; coastal and land use; pesticides; local environmental management; and air pollution. The Assistant Commissioner for Compliance and Enforcement [also] oversees the issuance and settlement of administrative enforcement documents for the above programs [as well as radiation and pollution prevention]. The Assistant Commissioner for Compliance and Enforcement supervises the Bureau of Enforcement and Compliance Services. The Assistant Commissioner for Compliance and Enforcement oversees the following organizational units:

1.-3. (No change.)

4. Pesticide Control and Coastal and Land Use Enforcement.

(h) The Assistant Commissioner for Environmental Regulation oversees the Department's air quality programs, including permit programs and other air quality management work; water quality permitting; low-interest financing for environmental infrastructure; radiation protection; the prevention of toxic catastrophes and of discharges of hazardous substances; the collection of chemical inventory, environmental release and materials accounting data; pollution prevention; certification of environmental laboratories, and the Department's quality assurance program. **The Assistant Commissioner for Environmental Regulation is also responsible for implementing a compliance and enforcement program for the Pollution Prevention Act, the Toxic Catastrophe Prevention Act, the Worker and Community Right to Know Act and the discharge prevention aspects of the Spill Compensation and Control Act.** The Assistant Commissioner for Environmental Regulation oversees the following organizational units:

1. The Division of Air Quality, which includes Air Quality Permitting, Air Quality Management and Air Quality Evaluation.

i. Air Quality Permitting is responsible for evaluating facility-wide air pollution control permits for major facilities; evaluating applications for new or modified equipment which emit air contaminants; and overseeing the measurement of air contaminant emissions.

ii. Air Quality Management monitors air quality, evaluates stationary, mobile and natural sources of air pollution, and develops air quality regulations.

iii. The Bureau of Air Quality Evaluation is responsible for reviewing air quality modeling and risk assessments;

2. The Division of Environmental Safety[,] and Health [and Analytical Programs], which includes the Office of Quality Assurance [and], the Radiation Protection and Release Prevention Program, and the Office of Pollution Prevention and Right to Know.

i. The Office of Quality Assurance develops and administers the Department's quality assurance policies and procedures and administers the laboratory certification program.

ii. The Radiation Protection and Release Prevention Program licenses radiological technologists and users of radioactive materials, assesses exposure to non-ionizing radiation, and administers the radon program;

3.iii. The [Division] Office of Pollution Prevention and [Release Prevention, which] Right to Know is responsible for the implementation of the Pollution Prevention Act, including facility-wide permitting and the integration of multimedia pollution prevention into media-specific permit programs, the Toxic Catastrophe Prevention Act, Community and Worker Right to Know Act, and the discharge prevention aspects of the Spill Compensation and Control Act. The [Division] Office also implements the Small Business Assistance Program and "One Stop," a coordinated permitting and compliance assistance process which identifies all permits required for a development or significant facility start-up or expansion project and maintains consistent contact throughout the process; and

4.3. The Division of Water Quality, which includes the Bureau of Permit Management, the Watershed Permitting Element, and the Municipal Finance and Construction Element.

i. The Bureau of Permit Management is responsible for development of fee assessment methodology, administering New Jersey Pollutant Discharge Elimination System permit fees, and management of the discharge monitoring report program.

ii. The Watershed Permitting Element is responsible for stormwater permitting; reviewing permit applications for construction and operation of [wastewater treatment facilities, sanitary sewers and] alternative design septic systems; issuing New Jersey Pollutant Discharge Elimination System [(NJPDDES)] permits for discharges to surface and ground waters; [and] regulating the discharge of contaminants and toxics into wastewater treatment facilities; [The Division is additionally responsible for] and regulating the management of residuals such as sludge and food wastes[.];

iii. The Municipal Finance and Construction Element is responsible for assisting municipalities with planning, design, construction, and management of municipal wastewater treatment and conveyance facilities [as well as]; issuing permits for combined [sewer corrective actions] sewers; issuing permits for construction and operation of wastewater treatment facilities and sanitary sewers; and administering the New Jersey [environmental infrastructure finance program] Environmental Infrastructure Finance Program.

(i) (No change.)

(j) The Assistant Commissioner for Natural and Historic Resources [supervises] manages organizational units responsible for [fish, wildlife, and endangered and threatened nongame species management; natural lands, forest, and State parks management; historic preservation; open space acquisition and outdoor recreational development projects; shore protection; and dam safety] preservation, protection and stewardship of the State's natural and historic resources; increasing public awareness, knowledge and appreciation of these resources and their contribution to public welfare; providing recreational opportunities on public lands and parks and ensuring open and equitable access thereto; addressing threats to public health, safety and property posed by flooding and other natural causes; and pursuing redress of injury to natural and historic resources. The Assistant Commissioner for Natural and Historic Resources oversees the following organizational units:

1. The Division of Fish and Wildlife, which [manages] conserves and [enforces regulations concerning] protects New Jersey's wildlife[,] through research, management, education, regulation and

enforcement; administers programs for recreational hunting, angling and other wildlife-related recreation; maintains New Jersey's lists of endangered and threatened nongame species[.]; and; manages the State's marine and freshwater fisheries and operates the State's fish-rearing and fish-stocking program; administers the State's wildlife management areas; provides a variety of wildlife information and technical services to the general public and other government programs; and provides administrative support to the Endangered and Nongame Species Advisory Committee, the Fish and Game Council, the Marine Fisheries Council, the New Jersey Mosquito-Control Commission, the Shellfisheries Council, and the Waterfowl Advisory Committee;

2. The Division of Parks and Forestry, which is responsible for [natural lands management, historic preservation, forest management, forest fire service and] management of State parks, forests, recreation areas, historic sites and districts, and natural areas, to preserve and protect the resources therein and to provide public recreational opportunities; maintains a law enforcement component to ensure public safety and resource protection; promotes forest stewardship; provides forest fire prevention and control services; maintains a Statewide inventory of rare plant and ecological community occurrences; promotes a Statewide network of trails, and provides administrative support to the New Jersey Natural Land Trust, the New Jersey Trails Council, and the Community Forestry Advisory Council;

3. (No change.)

4. The Office of Engineering and Construction, [Program], which [oversees shore protection projects] protects public and private property and infrastructure through dam safety inspections and dam restorations, waterway maintenance, [dam safety, and flood plain management] and flood control and shore protection projects, while increasing and institutionalizing public access to natural resources at the project areas; [and]

5. The Office of Natural Resource Restoration, which [provides assessments of] assesses injuries to New Jersey's natural resources associated with oil spills or other hazardous substance releases; [performs restoration of those resources], in conjunction with State or Federal agencies [and], determines appropriate restoration of the injuries, implemented through negotiated settlements with responsible parties[.]; and

6. The Office of Historic Preservation, which maintains the New Jersey Register of Historic Places; reviews projects proposed by agencies of government, permit applicants and other persons that may impact historic or archaeological resources; provides technical assistance and training to preserve, protect and promote the State's historic resources; and provides administrative support to the New Jersey Historic Sites Council.

(k) The Assistant Commissioner for Land Use Management oversees permitting involving freshwater and coastal wetlands, coastal area facility review, waterfront development, and flood hazard area control (site encroachment). The Assistant Commissioner additionally oversees programs that assure adequate and safe water supplies, establish water quality standards, characterize geological and groundwater resources [and] perform ambient monitoring of the State's fresh and marine surface waters, establish and implement plans, regulations, and guidance to ensure appropriate stormwater and wastewater management on a regional basis and reduce non-point source pollution, administers Tidelands instruments to convey riparian rights, and implement the Department's Smart Growth policies and objectives. The Assistant Commissioner for Land Use Management oversees the following organizational units:

1. The Division of Land Use Regulation [Program], which includes the Bureau of Coastal Regulation [(southern)], the [Bureau of] Land Use Regulation [(northern)] and] Element, and the Bureau of Land Management. The Division of Land Use Regulation [Program] is responsible for the regulation and permitting of activities in the on- and coastal wetlands, flood hazard areas, the coastal zone and natural areas.

2. The Division of Water Supply [Administration], which includes the [Bureau of] Water [Allocation and the Bureau of Safe Drinking Water Supply Permitting Element and the Water Supply Operat-

Element. The Division of Water Supply [Administration] is responsible for well construction activities, water allocation permitting and water resource management activities, safe drinking water construction permitting, water supply construction loans, and private well testing activities. Other [programs] responsibilities include source water assessments, physical connections, capacity development, drought management and drinking water security:

3. The Division of Watershed Management, which includes the Bureaus of [Southern and Northern] Watershed Planning; Environmental Analysis and Restoration; [Program Evaluation and Monitoring, and the Outreach and Education Team] and **Watershed Regulation; and the Office of Watershed Education, Estuaries and Monitoring**. The Division of Watershed Management is responsible for water resource policy and planning, water quality planning, water supply planning, total maximum daily load development, water resource model development, watershed management and citizen education activities:

4. The Water Monitoring and Standards [Program] Element, which includes the Bureau of Marine Water Monitoring, the Bureau of Freshwater and Biological Monitoring, and the Bureau of Water Quality Standards and Assessment. The Water Monitoring and Standards [Program] Element is responsible for ambient monitoring and assessment of the State's fresh and marine surface waters (including lakes) and groundwaters based on their physical, chemical and biological characteristics; implementing the monitoring portion of New Jersey's Shellfish Sanitation Program; developing surface and groundwater quality standards; and developing the Integrated 305(b)/303(d) Water Quality Impaired Waterbodies Report; [development of surface and groundwater quality standards; implementing the monitoring portion of the Shellfish Resource Recovery Program; and the State's Clean Lakes Program; and]

5. The New Jersey Geological Survey (NJGS) Element, which includes the Bureau of Water Resources and the Bureau of Geology and Topography. The NJGS is responsible for geology, historic fill and groundwater resource mapping and information, aquifer recharge evaluation, well head protection area delineation, geoscience research, geographical information services, State boundary maintenance, shore protection resource assessments, ambient groundwater quality characterization and assessment of watersheds and their water supplies[.] and

6. The Division of Smart Growth, which coordinates Department-wide smart growth initiatives.

(1) The Assistant Commissioner for Management and Budget oversees the Department's administrative, financial, contracting, human resources, [and central services] information technology, health and safety, training audits, records custodian and equal opportunity activities. The Controller reports directly to the Assistant Commissioner for Management and Budget. The Assistant Commissioner oversees the following organizational units:

1. The Division of Budget and Finance, which comprises five operating units that provide overall financial guidance and establish fiscal policies within the Department. These units include Budget Management, Contracts and Administrative Operations, Federal Funds Administration, Financial Operations and Trust Funds Management:

[2. Financial Operations:]

[3.]2. General Services, which consists of two bureaus, Central Services, and Property Management and Support Services, and which provides Department programs with resources and the facility support required to assist staff in carrying out their program objectives:

[4.]3. The Office of Management [Information] and Budget Systems [and Technology] Coordination, which is responsible for improving business processes through technology with a focus on financial, human resources, and other administrative services. The Office leverages the functionality of the existing administrative suite and develops new applications and complex reports to provide constituents with the highest quality administrative information technology:

[5.]4. The Division of Human Resources [Management], which comprises three units, Labor Relations, Human Resource Operations

and Human Resource Services, and which manages and administers personnel and payroll services, disputes, disciplinary actions, classification and organization analysis, recruitment, employee benefits, position managements, and salary administration:

[6.]5. The Office of Occupational Health and Safety, which is responsible for developing, implementing and administering a Department-wide health and safety program. Its primary role is the protection of Department employees from recognized health and safety hazards within their work places and in the performance of their jobs:

[7.]6. The Office of Information Resources Management (OIRM), which is organized into three major areas: Network Services, Geographic Information Systems (GIS), and Systems Development and Support, OIRM is charged with increasing the efficiency of Department programs by developing and maintaining integrated information systems and internet applications that streamline business operations, providing centralized computer systems, servers and network support, providing GIS expertise to Department programs, and providing data entry assistance to all Department programs as needed; [and]

[8.]7. The Office of Organizational Development[.] and Training, which is responsible for the Department's workforce development, succession planning and special program administration, and assisting with change management and process improvement strategies;

8. The Office of the Records Custodian, which manages the Department's response to requests for government records under the Open Public Records Act;

9. The Office of Audit, which is responsible for external audits of grants, contracts and leases, as well as internal financial and operational audits of Department programs. The Office assists management by evaluating the adequacy and effectiveness of internal controls; and

10. The Office of Equal Opportunity and Contract Assistance, which is responsible for the development and implementation of the Department's Equal Opportunity program. The Office also monitors and enforces compliance with Federal and State statutes relative to minority and women-owned business participation in the Department's contracting process.

7:1-1.3 Communicating with the Department

(a) (No change.)

(b) Requests for inspection, copying, or obtaining a copy of any government record [required to be made available] under N.J.S.A. 47:1A-1 et seq.[.] (Open Public Records Act)[.] should be submitted to:

Department of Environmental Protection
Office of the Records Custodian
401 East State Street
PO Box 442
Trenton, NJ 08625-0442
E-mail: [Records.Custodian] records.custodian@dep.state.nj.us
Website: www.state.nj.us/dep/opra

(c) Publications, press releases, notices of public hearings and other forums, scientific studies, and a variety of other information is maintained and made available at the DEP Public Access Center, 401 East State Street, 1st Floor, Trenton, New Jersey. The Public Access Center is open weekdays from 9:00 A.M. to 5:00 P.M., and its staff is available by telephone at (609) 777-DEP3. Written inquiries should be submitted to:

Department of Environmental Protection
Public Access Center
[Department of Environmental Protection]
401 East State Street
PO Box 402
Trenton, NJ 08625-0402

(d) (No change.)

(e) The Department publishes the DEP Bulletin, which is a semi-monthly publication listing the construction permit applications recently filed or acted upon by the Department. Using the DEP Bulletin, interested persons can determine the status of Coastal Area Facility Review Act

(CAFRA) permits, Federal consistency activity permits, freshwater wetlands individual and general permits, [general groundwater petroleum products cleanup permits] **open water fill permits**, NJPDES permits, solid waste facility permits, flood hazard area control (stream encroachment) permits, tidal wetlands permits, treatment works approvals, and waterfront development permits. The DEP Bulletin also includes a calendar of events of interest, a schedule of public hearings (which, however, does not constitute an official notice of a hearing), and a list of Environmental Impact Statements acted upon. The DEP Bulletin is available at municipal clerks' offices and county planning board offices **and on the Department's website at www.nj.gov/dep/bulletin**. Annual subscriptions (24 issues) are available to individuals for a \$50.00 fee. Persons interested in subscribing to the DEP Bulletin should [contact] **mail their request with a check made payable to "Treasurer, State of New Jersey" to:**

Department of Environmental Protection
[Documents Distribution Center] **Bureau of Revenue**
PO Box [420] 417
Trenton, NJ 08625-[0420] 0417
[(609) 292-1553]

(f) (No change.)

(a)

**DIVISION OF PARKS AND FORESTRY
State Park Service Code
Fees for Services and Facilities Provided by the
State Park Service
Adopted Amendments: N.J.A.C. 7:2-17.1 through
17.4**

Proposed: May 2, 2005 at 37 N.J.R. 1281(a).
Adopted: August 11, 2005 by Bradley M. Campbell,
Commissioner, Department of Environmental Protection.
Filed: August 11, 2005 as R.2005 d.300, **without change**.
Authority: N.J.S.A. 13:1B-3; 13:1B-15.100 et seq. and 13:1L-1 et
seq.
DEP Docket Number: 10-05-04/494.
Effective Date: September 6, 2005.
Expiration Date: October 17, 2006.

The New Jersey Department of Environmental Protection is adopting amendments to the rules governing the administration, management and use of State parks, forests, recreation areas, historic sites, natural areas, marinas, golf courses, botanical gardens and other lands, waters and facilities. The Department is adopting amendments to increase the fees it charges for services and facilities provided by the State Park Service. The proposal was published in the New Jersey Register at 37 N.J.R. 1281(a) on May 2, 2005. The comment period for the proposal closed on July 1, 2005.

Summary of Public Comments and Agency Responses:
No comments were received.

Federal Standards Statement

Executive Order No. 27(1994) and N.J.S.A. 52:14B-1 et seq. (P.L. 1995, c. 65) require State agencies that adopt, readopt or amend any State rule or regulation that exceeds any Federal standards or requirements to include in the rulemaking document a Federal standards analysis.

The adopted amendments are not promulgated under the authority of or in order to implement, comply with or participate in any program established under Federal law, or under a State statute that incorporates or refers to Federal law, Federal standards or Federal requirements. Accordingly, Executive Order No. 27(1994) and N.J.S.A. 52:14B-1 et seq. do not require a Federal standards analysis.

Full text of the adoption follows:

SUBCHAPTER 17. FEES FOR SERVICES AND FACILITIES PROVIDED BY THE STATE PARK SERVICE

7:2-17.1 Day use fees for services and facilities provided by the State Park Service

(a)-(b) (No change.)

(c) Parking fees for motorcycles and buses at State parks, forests, recreation areas identified in (a) above, for the period beginning on Memorial Day weekend and ending on Labor Day inclusive, are as follows:

Vehicle	Weekdays	Weekends and Holidays
1. (No change.)		
2. Bus (out-of-State groups)	\$105.00/Bus	\$105.00/Bus
3. Bus (in-State groups)	\$55.00/Bus	\$55.00/Bus

(d)-(e) (No change.)

(f) The daily or annual fee for boat launching at designated State parks and marinas are as follows:

Area	Daily Fee	Annual Fee
1. Leonardo State Marina	\$15.00/launch	\$150.00
2. Liberty State Park	\$15.00/launch	\$150.00
3. Corson's Inlet (Between Memorial Day weekend and ending on Labor Day inclusive)	\$10.00/launch	\$55.00
4. Mullica River Boat Launch	\$10.00/launch	\$55.00
5. Hopatcong State Park (launch fee charged on Saturdays and Sundays only, from April 1 through the Sunday before Memorial Day and from the first Saturday after Labor Day through October 31)	\$10.00/launch	\$55.00

(g) The fee for dry boat storage permits at designated State parks, recreation areas for the period from April 1 to October 31, pursuant to N.J.A.C. 7:2-8.9, is as follows:

Area	Type	Fee
Spruce Run	Single Boat Trailer (Half Rate after August 1)	\$1
Spruce Run	Double Deck Boat Trailer (Half Rate after August 1)	\$2
Corson's Inlet	Catamaran (Half Rate after August 1)	\$1
Late Boat Removal Fee—\$30.00		
Late Boat Storage Fee—\$15.00/Day		

(h) The fee for dry boat storage permits for the period from November 1 to March 31, at designated State parks and recreation areas, pursuant to N.J.A.C. 7:2-8.9, is as follows:

Area	Type	Fee
Spruce Run	Single Boat Trailer	\$1
Spruce Run	Double Deck Boat Trailer	\$1

(i)-(l) (No change.)