

Important Announcement Regarding Soil Restoration Requirements

Urban Redevelopment Area Exclusion

The State Soil Conservation Committee has provided further clarification of the NJ Standard for Land Grading. Specifically, item #6 of the list of possible exclusions where soil compaction remediation is **not** required mentions “**urban redevelopment areas.**” These areas have been defined by the NJDEP as “**previously developed**” portions of areas that are identified in the State Plan Policy Map (SPPM) as follows:

- 1) Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- 2) CAFRA Centers, Cores or Nodes;
- 3) Urban Enterprise Zones; and
- 4) Urban Coordinating Council Empowerment Neighborhoods.

The NJDEP considers an area which has been “previously developed” as a site or portion thereof: “covered by paved, gravel or dirt driveways, streets, roads and parking areas, gravel, pavement, buildings, impervious surfaces, lawns or structures. Additionally, sites or portions thereof which are covered in woody vegetation (including areas which may have been cleared and regrowth has occurred) are **not** considered ‘previously developed’ by the NJDEP.

Therefore, projects applying for soil erosion and sediment control plan certification that are located within the SPPM areas noted above shall be treated for soil compaction restoration as follows:

- 1) Any site or portion thereof which contains woody vegetation and is proposed for stabilization with vegetative cover is subject to all applicable provisions for soil compaction remediation in accordance with the NJ Standard for Land Grading.
- 2) Any site or portion thereof that does **not** contain woody vegetation is completely excluded from the requirements for soil compaction remediation and therefore no testing, remediation area(s) or remediation notes are required to be depicted on the soil erosion and sediment control plan.
- 3) Plan preparers who determine that their project is completely or partially excluded from the soil restoration remediation requirements must provide a note on the soil erosion and sediment control plan stating the reason for the exclusion and also, in the case of partial exclusion, label the excluded area(s).
- 4) Exclusion from soil compaction remediation does not exclude the new topsoil requirements. Plan preparers must use the latest revised soil erosion and sediment control notes dated 12/7/17 and must include an item in the sequence of construction that addresses the new top soil requirement as follows: **Uniformly apply topsoil to an average depth of 5”, minimum of 4”, firmed in place.**

Here are some links to the State Plan Policy Map:

<http://www.nj.gov/state/planning/maps/stateplanmap.pdf>

http://nigin.state.nj.us/OIT_BusinessMap2/