

## WATERWAY CLEARANCE AND MAINTENANCE AND GUIDELINES

Stream cleaning is the desilting or de-snagging of a channel or the removal of accumulated garbage or debris. Cleaning a stream or waterway is regulated by a permitting process under the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13) and the Freshwater Wetland Protection Act Rules (N.J.A.C. 7:7A).

- Under N.J.A.C. 7:13-7.5 and N.J.A.C. 7:7A, property owners are authorized to remove accumulated debris from waterways by hand without obtaining a DEP permit.
  - This includes general maintenance that does not require the use of heavy machinery and the material consists solely of accumulated sediment and debris. See attached Permits By Rule for additional guidance.
  - If the property owner is unable to remove the accumulated debris by hand, without the use of machinery, then a governmental entity must apply for a permit to conduct work.
- At the request of Municipalities, the County Mosquito Control agency may be required to control/prevent the accumulation of stagnant water in order to avoid mosquito infestation and reduce mosquito treatments. While the County is not obligated to maintain the waterways within its 70 municipalities, the County of Bergen is cooperating with its communities with regard to the de-snagging of waterways as part of the County Mosquito Control function.
- The County does not assist in de-snagging ponds or lakes on private property. Property owners remains responsible for these bodies of water.
- Every Municipality within the State is required to have a Stormwater Management Ordinance, which include NJ DEP mandated maintenance provisions.
- If you believe your situation warrants attention, please contact your local municipality for an evaluation.
- **All requests must be made through your Municipality. The County cannot respond directly to residents or property owners. If assistance is requested, the County will promptly respond to your Municipalities request and evaluate the situation.**