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# **Borough of Surf City** **Municipal Public Access Plan**



**Submitted by: The Borough of Surf City**

**Date of Current Submittal: 8/26/2016**

**Approved by the New Jersey Department of Environmental Protection:  
To be determined**

**Adoption by the Borough:  
Date will be added upon adoption**

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## **Introduction**

The intent of this document is to provide a comprehensive public access plan for the Borough of Surf City which lays out their vision for providing access to tidal waters and shorelines within the municipal boundary. This Municipal Public Access Plan (MPAP) was developed in accordance with the Coastal Zone Management Rules at N.J.A.C. 7:7E-8.11. This MPAP was developed in collaboration with the New Jersey Department of Environmental Protection (NJDEP), and approved by the NJDEP on <date>. The development and implementation of this MPAP supports the policy of local determination of public access locations and facilities, while safeguarding regulatory flexibility and potential funding opportunities for Surf City Borough.

Public rights of access to, and use of, the tidal shorelines and waters, including the ocean, bays, and tidal rivers, in New Jersey are founded in the Public Trust Doctrine. First set by the Roman Emperor Justinian around A.D. 500 as part of Roman civil law, the Public Trust Doctrine establishes the public's right to full use of the seashore.

Through various judicial decisions, the right of use upheld by the Public Trust Doctrine has been incorporated into many State constitutions and statutes, allowing the public the right to all lands, water and resources held in the public trust by the State, including those in New Jersey. The NJDEP adopted new rules governing public access on November 5, 2012 that enable municipalities to develop and adopt MPAPs to govern public access within their municipality. This MPAP consists of an inventory of public access locations, and plans to preserve and enhance access based on community needs and State standards.

In 2016, representatives from Surf City Borough met with NJDEP staff to begin the public access planning process. This plan was then developed in collaboration with the NJDEP, various departments within Surf City Borough and their Planning Consultant, Owen, Little & Associates, Inc. and was distributed for courtesy review by the Land Use Board and was submitted to the NJDEP on August 26, 2016. Upon receiving approval from the NJDEP on <date>, the MPAP was incorporated into the Master Plan by resolution on <date>, see Appendix 2. All public access decisions made within Surf City Borough after this date will be consistent with this plan.

## **Authority for Municipal Public Access Plans**

The premise of the authorization of MPAPs is that public access to tidal waters is fundamentally linked to local conditions. Municipalities have a better awareness and are more responsive to these conditions than a broader State "one size fits all" mandated public access plan.

The voluntary development of a MPAP by Surf City Borough enables the municipality to better plan, implement, maintain, and improve the provision of public access for its residents and visitors. Also, it informs and/or identifies public access requirements associated with any proposed development or redevelopment project. The MPAP was incorporated into the municipality's Master Plan, in accordance with the Municipal Land Use Law (N.J.S.A 40:55D).

Upon approval of the MPAP by the NJDEP and incorporation into the Master Plan, Surf City Borough will be responsible for ensuring that public access to tidal waterways along the municipality's shorelines is provided in accordance with this plan. For each new public access project, Surf City Borough will provide NJDEP with a letter confirming its consistency with this MPAP. Any permit issued by the NJDEP will reflect, and ensure that public access requirements are satisfied in accordance with this plan. Per N.J.A.C. 7:7E-8.11(j)4, Surf City Borough is required to submit a progress report on plan implementation to NJDEP within five (5) years from date of plan adoption.

The sections of this plan as indicated below are prescribed by the Coastal Zone Management Rules, N.J.A.C. 7:7E-8.11. See Appendix 1.



# **I. Municipal Public Access Vision**

## **A. Overview of Municipality**

The Borough of Surf City is located on Long Beach Island in Southern Ocean County. Long Beach Island is a barrier island community with shoreline along Barnegat Bay Watershed and the Atlantic Ocean. The Borough has a year round population of 1,205 (2010 Census), however, the population increases dramatically in the summer months and can reach 10,000 people. With a total area of 0.917 square miles, of which 0.745 square miles is water, the Borough is situated geographically to enjoy the benefits of the associated oceanfront and bay front shorelines. Surf City Borough is void of any major industry or farmland and is considered fully developed with the exception of small infill lots or new lots created by subdivision. Given the dense population during the summer months, maintenance of existing public access locations along the Barnegat Bay and the Atlantic Ocean is paramount.

### **1. Public Access Description**

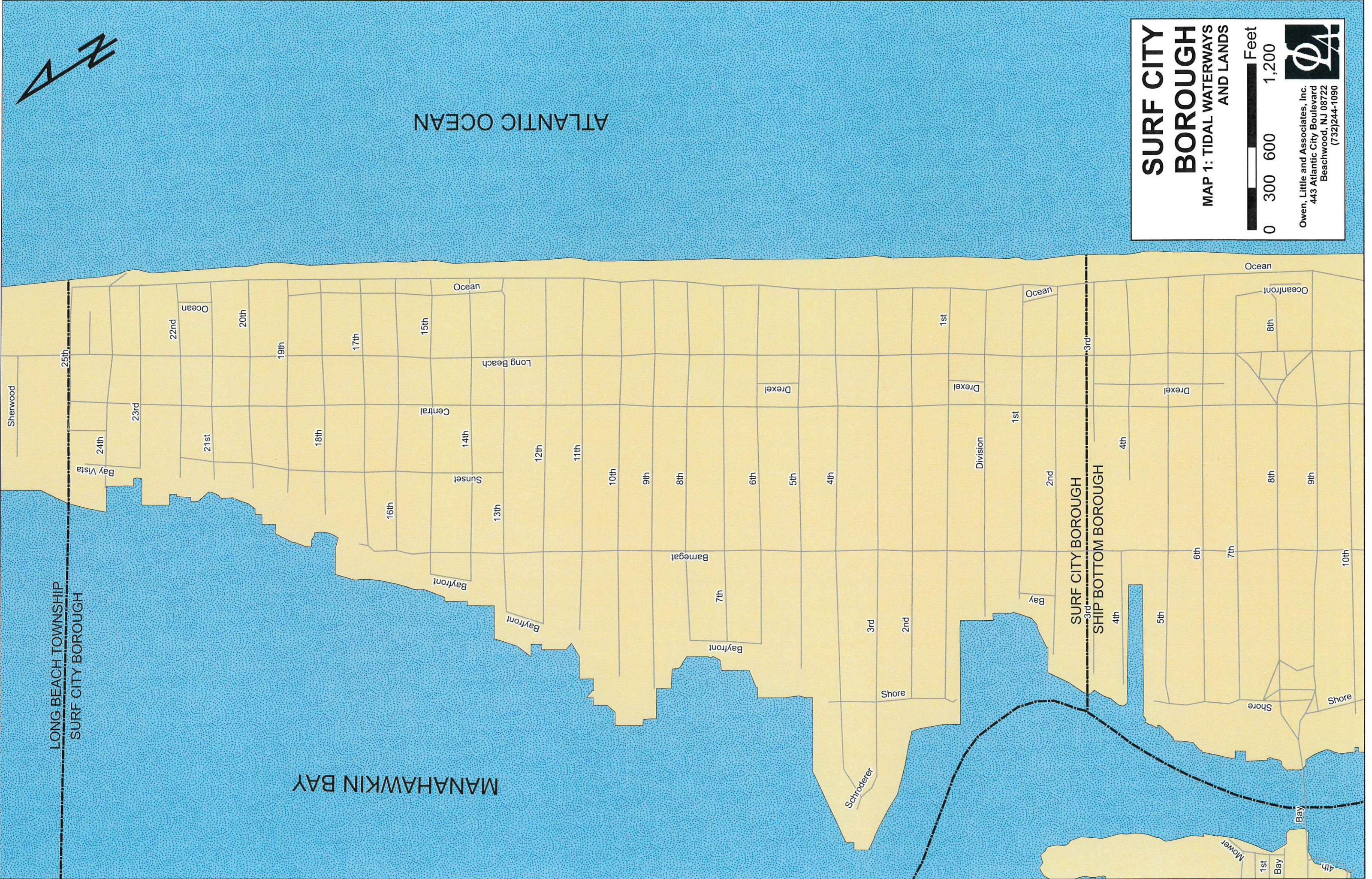
Public Access in Surf City Borough is provided by the municipality and consists of a variety access points and facilities including beach walkways, bathroom facilities, lifeguarded beaches, surfing and fishing beaches as well as parks, playgrounds and docks. The Borough protects and ensures public access through ordinances and beach fees. For example, many of the open spaces or areas that provide access to tidal water are regulated by Borough Ordinance. Beach fees are collected for beach users at a daily, weekly or seasonal rate and the type of tag purchased is the decision of the purchaser, not the Borough

The overall goal of this MPAP is to establish Surf City's plan to maintain and enhance all existing public access locations to and along tidal waterways and their shores.

### **2. Surf City Borough Tidal Waterways and Lands**

Map 1 shows all the tidal waterways within the municipality and all lands held by the municipality. More specifically, Surf City's tidal waterways consist of the Atlantic Ocean to its east and the Barnegat Bay to its west. The Barnegat Inlet is situated to the north of Surf City and a significant portion of the Borough's recreational and economic activities are dependent upon this inlet.





ATLANTIC OCEAN

MANAHAWKIN BAY

LONG BEACH TOWNSHIP  
SURF CITY BOROUGH

SURF CITY BOROUGH  
SHIP BOTTOM BOROUGH

# SURF CITY BOROUGH

MAP 1: TIDAL WATERWAYS  
AND LANDS




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## B. Municipal Public Access Goals and Objectives

### 1. Goals & Objectives

- a. Participate in programs, both Federal and State, that preserve environmentally critical, sensitive or beneficial parcels of land.
- b. Promote the continued balance of land uses while ensuring adequate open space and unrestricted access remains intact.
- c. Maintain and continue to promote visually pleasing aesthetic waterfront areas.
- d. Upgrade existing municipal park facilities where needed.
- e. Remain motivated to increase and improve public access locations.
- f. Utilize native plantings when restoring areas adjacent to tidal water.
- g. Remain cognizant of stormwater runoff and its effect on the estuary; consider requiring recharge systems and decreased impervious coverage limits.



*SURF CITY BOROUGH  
REPRESENTS A  
BARRIER ISLAND  
COMMUNITY THAT  
RELIES HEAVILY ON  
THE SURROUNDING  
WATERWAYS FOR  
TOURISM AND  
COMMERCE AND  
PRIDES ITSELF ON  
OFFERING MORE THAN  
50 WAYS OF ACCESS  
TO THESE DESIRABLE  
SHORES*

In addition to those goals outlined within the Master Plan, Surf City Borough establishes the following State required goals specifically for public access:

- h. All existing public access shall be maintained to the maximum extent practical.
- i. Maintain safe and adequate access locations for fishing in those areas where fishing is safe and appropriate.
- j. Provide clear informative signage for access locations.

Surf City's Municipal Public Access Plan embraces and reflects these goals and will help preserve, protect, and enhance the public's ability to access the Public Trust Lands which surround the community. The previous goals are compliant with the New Jersey Coastal Zone Management Rules (see N.J.A.C 7:7E-1.1 (c)).

### 2. Municipal Master Plan Consistency

The goals and objectives provided in this Municipal Public Access Plan have been reviewed and are consistent with the Surf City Borough Master Plan.

Specifically, the Master Plan sets the following Goals, related to public access:

- Goal:** Acquire open space and recreational lands before demand for such drives up to acquisition costs.
- Goal:** Support environmental protection of wetlands and other environmentally sensitive features.

## II. Public Access

### A. Public Access Locations

Map 2, Surf City Borough Public Access Locations, identifies an inventory of all public access locations within the Borough, and further describes the type of access provided as well as the shoreline condition. For the purpose of this plan, the access points have been defined as follows:

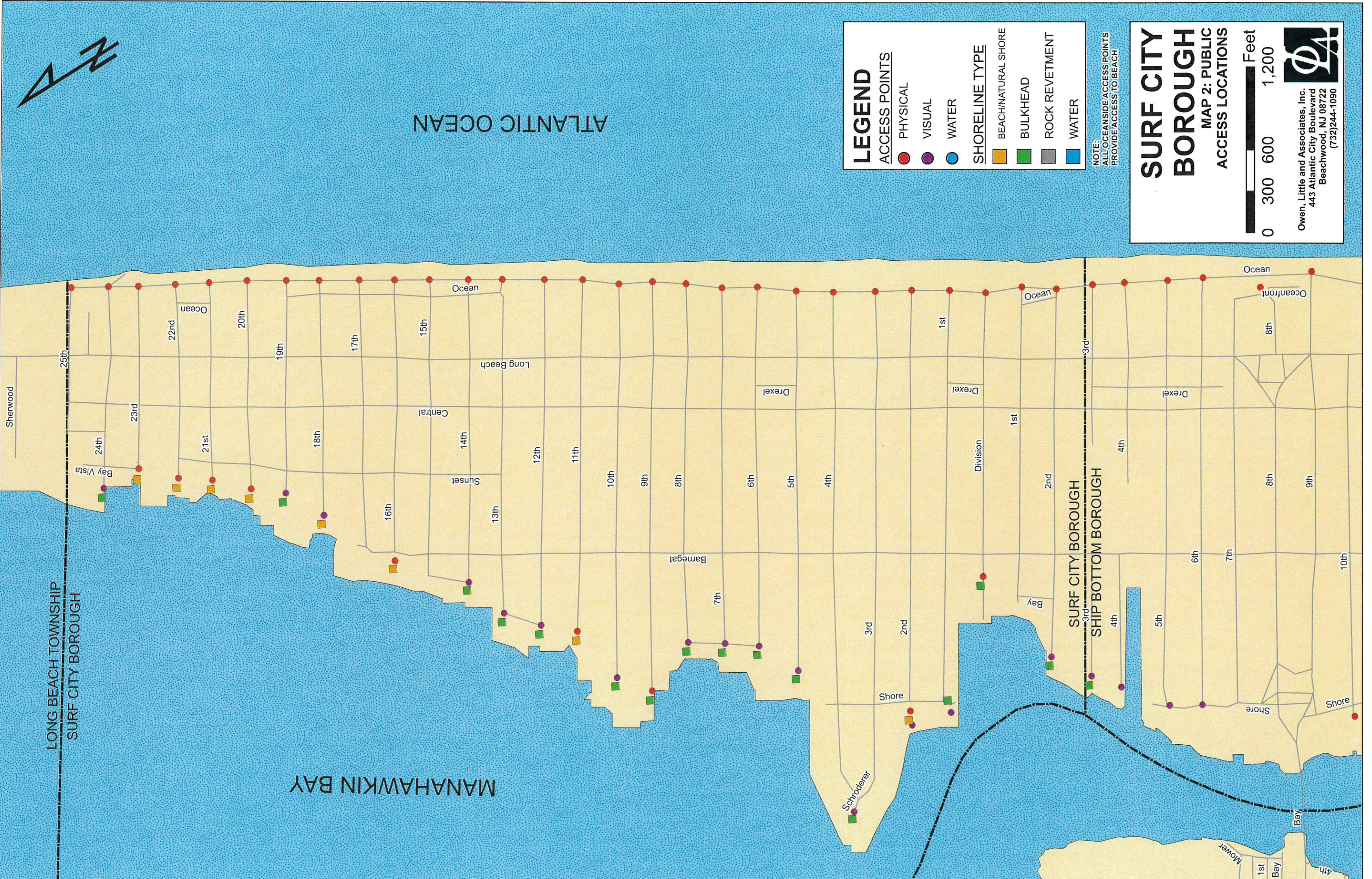
Physical Access:	A location point in which a user can access and physically enter the tidal water for the purposes of swimming, fishing, kayaking or the like.
Visual Access:	A location point in which a user can not physically access the tidal water but still utilize the water way for fishing, birdwatching, photography or sightseeing. In many cases, these locations may be hindered by bulkheads or permanent barriers to alert vehicles of the street ends and intersecting waterways.
Water Access:	A location point which is reserved for islands within the municipal boundary that is accessible only by watercraft.

### B. Enhanced Public Access Locations

Map 3, Surf City Borough's Enhanced Public Access Locations, provides an inventory of the existing public access locations that currently provide access to Public Trust Lands and Waters. See Table 1, located in Appendix 3, for detailed information.

Surf City is unique in that it has several access locations which are open to the public and presented accordingly but are considered to many as hidden gems due to their infrequent use by the general public. Many of the Borough's street ends include gazebos for shade or docks and benches for the enjoyment of the views and may include designated handicap parking stalls.





**LEGEND**

**ACCESS POINTS**  
● PHYSICAL  
● VISUAL  
● WATER

**SHORELINE TYPE**  
■ BEACH/NATURAL SHORE  
■ BULKHEAD  
■ ROCK REVETMENT  
■ WATER

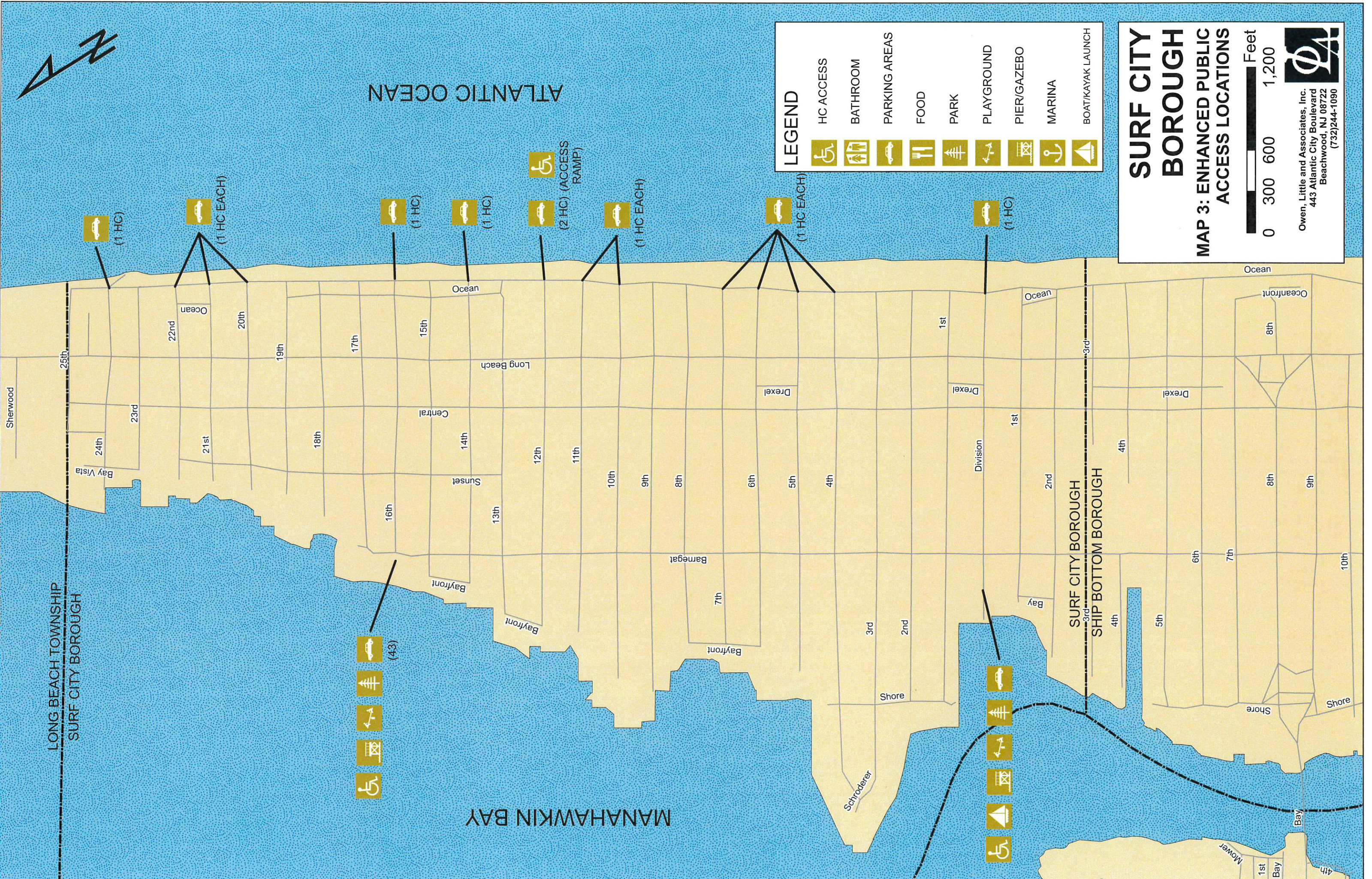
NOTE:  
ALL OCEANSIDE ACCESS POINTS  
PROVIDE ACCESS TO BEACH

**SURF CITY  
BOROUGH**  
MAP 2: PUBLIC  
ACCESS LOCATIONS

0 300 600 1,200 Feet

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ATLANTIC OCEAN

MANAHAWKIN BAY

**LEGEND**

	HC ACCESS
	BATHROOM
	PARKING AREAS
	FOOD
	PARK
	PLAYGROUND
	PIER/GAZEBO
	MARINA
	BOAT/KAYAK LAUNCH

**SURF CITY BOROUGH**

**MAP 3: ENHANCED PUBLIC ACCESS LOCATIONS**

0 300 600 1,200 Feet

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Beachwood, NJ 08722  
(732)244-1090



## **C. Limitations to Public Access**

The following limitations to public access currently exist:

The Borough established places of resort, beaches, bathing, and recreation safeguards and equipment for the purposes of public health, recreation and entertainment. Places of resort shall be located at the ocean front, upon all lands owned by the Borough fronting on the Atlantic Ocean, in those portions of a tract of land known as "Ocean Avenue," together with the lands east of and adjacent hereto in the Borough wherein it has ownership and or control, easement rights or the right to occupy and use the same. Such places of resort shall further include the improved portions of the easterly ends of all public streets running in a generally east and west direction to the mean high water mark of the Atlantic Ocean.

### **1. Temporary Restrictions**

Surf City provides 53 access points to its tidal waters and the vast majority of access points are located on bayfront street ends or ocean blocks while other access points are provided via public parks or access easements.

#### **a. Hours**

The bathing season is from June 25th until September 7th.

Places of resort shall be kept open from 10:00 am until 5:00 pm during the usual bathing season during daylight savings time, except during inclement weather and unless changed by resolution of the Governing Body. During the hours of 5:00 pm until 10:00 am, the beaches are unguarded and swimming is not advised.

#### **b. Beach Badges**

Surf City Borough does utilize beach badges, commonly referred to as 'beach tags', to provide the necessary funds to improve, maintain and police the beaches and recreational areas, including the employment of lifeguards and the purchase of necessary equipment for the protection and safeguard of bathers. The following beach badge fees are charged for such facilities:

- 1) No fees shall be charged to or collected from any child under the age of 12 years old.
- 2) No fees shall be charged to or collected from any individual while attired in street clothing upon the beach.
- 3) Twenty five (\$25.00) dollars per person, per season, provided that application is made to the proper authorities on or before May 31 of the bathing season.

- 4) Thirty-five (\$35.00) dollars per person, per season, in the event that application is made after the 31<sup>st</sup> day of May of the bathing season.
- 5) Seventeen (\$17.00) dollars per person, per week, or any fractional part thereof, of the bathing season.
- 6) Six (\$6.00) dollars per person, per day, or any fractional part thereof, of the bathing season.

No person over the age of eleven (11) years old shall bathe at or otherwise use the lands, facilities or privileges of any bathing beach or recreational areas in the Borough including the Borough tennis courts located at the Richard A. Zachariae Recreation Area, without having first acquired and then having conspicuously displayed, a proper and effective beach badge, license or permit to use the beaches.

c. Swimming/Bathing

Bathing in the surf is prohibited during periods of storm, high wind or dangerous conditions. Swim distance is determined by the Beach Patrol Supervisor according to daily ocean and wind conditions. No person is permitted to enter or remain in the surf beyond the northerly or southerly boundaries of bathing districts as designated by red/yellow flag markers posted by lifeguards.

d. Surfing

Per the Borough's Ordinance:

No person shall ride or operate a surfboard in any area of the beaches not designated for that purpose. The Borough Council, by and through it's Beach Committee, shall designate areas of the beaches for the use of those persons desiring to engage in surfing. In these areas, no bathing or fishing shall be permitted while areas are being used for surfing. The use of the designated surfing areas shall be subject to the control and supervision of the Beach Committee. The Committee may change the location of the surfing areas, designate the hours of use of the areas and adopt such other regulations for the management as the public welfare requires. Any area designated for surfing shall be posted.

Per the Borough's website - Summer 2016:

Surfing is restricted to south side of South 1st Street jetty to South 2nd Street flag during the season and normal hours of beach operation (10:00 a.m. - 5:00 p.m.).

e. Beach Buggies

- 1) Every person desiring to operate a motor vehicle on the strand of ocean beach of the Borough shall first register the same with the Surf City Police Department and upon payment of the \$25.00 fee shall be issued a permit which will be effective from September of the current year until May of the next year.
- 2) No vehicle except Municipal, State, or Federal vehicles shall be operated on the strand or beachfront during the period from the 4<sup>th</sup> Saturday in May to the 3<sup>rd</sup> Saturday in September.
- 3) No vehicle shall be operated on the strand or beachfront at a speed in excess of 20 mph.
- 4) Only motor vehicles properly registered and licensed to drive on the public highways of the State of New Jersey and equipped with four wheel drive and used for the purpose of sport fishing shall be permitted on the strand or beachfront.
- 5) No permitted vehicle shall be operated on the sand dunes, and all permitted vehicles shall obtain access to the beachfront from the public streets only at places specifically designed by the Police Department.
- 6) All permitted vehicles shall be required to maintain a reasonable distance from congested bathing beaches or other areas where bathers and fishermen or others using the beach are present.
- 7) No rubbish, debris or litter of any sort shall be discarded from any vehicle while being operated on the ocean beach.
- 8) No vehicles shall be operated on the beach front at night without adequate lights
- 9) Every vehicle being operated on the beach shall be operated in a safe, reasonable and careful manner at all times so as not to endanger the lives and safety of other persons using the beach front.

**Borough-Owned Parking Area and Boat Ramp on the Bay Front Between South 1<sup>st</sup> Street and North 1<sup>st</sup> Street**

The facilities of the Borough-owned parking area between South 1<sup>st</sup> Street and North 1<sup>st</sup> Street, extending from the westerly side of Barnegat Avenue to the Bayfront, all such premises lying within the boundaries of the Richard A. Zachariae Recreation Area, is to be used for parking, solely by cars with trailers attached or detached boat trailers, in either case bearing stickers as hereafter provided and shall be used for such parking only in connection with boat launching or retrieval.





f. Stickers Required and Fees

Stickers for the purposes of parking in the Borough-Owned Parking Area on the Bay Front Between South 1<sup>st</sup> Street and North 1<sup>st</sup> Street and for use of the boat ramp shall be issued by the Municipal Clerk in accordance with the following Fee Schedule for annual stickers. The parking of motor vehicle or trailer or utilization of the boat ramp without an official sticker is specifically prohibited.

- 1) To owners of property in the Borough using the boat ramp or parking lot, upon proof of such ownership, no fee (for personal use only)
- 2) To all other persons using the boat ramp or parking lot, for personal use only, \$50.00 dollars per season.
- 3) To any person using the boat ramp or parking lot for commercial purposes, \$100.00 dollars per season.
- 4) To all other persons, using the boat ramp or parking lot for personal use only, \$15.00 dollars per day.

g. Prohibited Parking

The parking of vehicles and/or trailers overnight is prohibited. Overnight is considered between 9:00 pm and 6:00 am.

h. Jet Skis and Boat Launching

Boats, vessels and jet-skis are only permitted to be launched at the following locations:

- 1) Boat launchings from the Municipal launching ramp owned and operated by the Borough.
- 2) Boat launchings from any marina located in the Marine Commercial District or on the Bayfront in the Borough and
- 3) Launching of surfboards in the designated surfing beach on the beachfront, giving access to the waters of the Atlantic Ocean in the Borough.

i. Fishing from Beaches

Per the Borough Ordinance:

No person shall surf fish, fish or crab in any areas of the beaches not designated for that purpose. The Borough Council, through its Beach Committee, shall designate areas of the beaches for the use of those persons desiring to engage in surf fishing or crabbing. In these areas, no bathing shall be permitted when the areas are being used for surf fishing or crabbing. The use of the designated surf fishing and crabbing shall be subject to the control and supervision of the Beach Committee. The Committee may change the location of the surf fishing and crabbing areas, designate the hours and use of these areas and adopt such other regulations as the public welfare may require.

Per the Borough's website - Summer 2016:

Fishing is restricted during the season and normal hours of beach operation (10:00 a.m. - 5:00 p.m.), north side of 23rd Street jetty to 24th Street lifeguard flag.

j. Ball Playing and Like Activities

Ball playing, ball throwing, horsehoes and like activities will be permitted at the discretion of the lifeguard captain, Chief of Police, or their designees.

k. Additional Temporary Restrictions

Additional temporary restrictions may come by way of dangerous or hazardous water conditions when lifeguards determine there is a risk to public safety and therefore prohibit bathing on particular beaches.

**2. Permanent Restrictions**

There are no known restrictions to established public access points in Surf City Borough.

### **III. Community Needs Assessment**

Surf City has performed a Community Needs Assessment. The methods and results are described in the following section:

Analysis of the collected data including interviews with residents and stakeholders, site inspections and deed research indicates that adequate public access is provided to the tidal waters adjacent to Surf City Borough. In addition, in the past five (5) years, Surf City has initiated and completed numerous bulkhead projects at street ends to ensure shoreline stability and a safe point of access to the waterfront as well as rehabilitated or reconstructed bayside and oceanfront facilities to provide additional services to those utilizing them. The Borough is always looking for ways to increase and improve public access.

The Borough has embraced a vision of providing increased passive recreational opportunities as well as waterfront access for different age groups at its Borough-owned park facilities. Improvements such as adding playground equipment, park benches and expanding beach areas where appropriate would help improve the local recreational facility offerings. The increase in seasonal population has warranted an expansion of current facilities throughout the community. Unlike other municipalities in the State, Surf City is unique in that all recreational facilities can be accessed via different types of pedestrian oriented modes such as cycling or walking. In turn, this maximizes the potential use of the facilities by the local population. Municipal stakeholders feel it is important to continue park and access point rehabilitation projects to avoid a deterioration in the existing infrastructure.

## **IV. Implementation Plan**

Surf City Borough has created an Implementation Plan composed of Priorities, Preservation of Public Access Locations, Signage, Proposed Access Improvements and Facilities, and Municipal Tools for Implementation as described in the following section:

### **A. Priorities**

Surf City Borough has developed the following priorities:

#### **1. Maintain Existing Public Access**

The Borough Department of Public Works routinely checks access points to ensure that they are free from barriers and remain safe for users however, a Municipal Access Maintenance Plan should be developed. Additional signage may be installed at particular access points to advise the general public of their availability.

##### **a. Cost and Funding**

Funding is appropriated at time of budget each year.

#### **2. Preserving Public Access**

The Borough's Master Plan addresses parks and recreational facilities and includes recommendations for the enhancement of these facilities, however, at this time, no projects are planned for the recreational areas adjacent to tidal waters.

##### **1) Completed Projects**

- Recreation Trust Fund – In an effort to expand the Borough's capabilities to purchase and maintain playground and recreation equipment and grounds, beyond current budgeting constraints, the Borough, under Resolution 2008-125, established the "Recreation Trust Fund". The trust fund allows the Borough to accept bequests, legacies and gifts in the form of cash contributions to further enhance the Borough's recreational facilities.
- In addition, the Borough provides detailed signage promoting beach activities and advising of activities that are not permitted. Surf City also promotes use of its street ends for crabbing and fishing and has installed "crab measurement" signs to educate the public on State crabbing regulations.
- In 2012, the Borough completed a bulkhead replacement project on 19<sup>th</sup> Street with the assistance of \$45,000 in Community Development Block Grant funds.

- In 2015, the Borough completed a second bulkhead replacement project on North 14<sup>th</sup> Street with the assistance of \$45,000 in Community Development Block Grant Funds.

## 2) Recommended Projects



Site inspection of the bulkhead along Shore Avenue between North 1<sup>st</sup> Street and North 2<sup>nd</sup> Street is in a deteriorating condition and should be replaced. The existing environmental condition of this shoreline may make a living shoreline project feasible. The Borough is encouraged to explore alternative means of shoreline stabilization, besides bulkheading, when addressing the rehabilitation of this area.



## 3) Proposed Locations and Facilities

No proposed access points are presently proposed.

## B. Signage

The Borough provides signage throughout the community at each of its public access points to clearly direct users to the appropriate entrance locations. Safety signs are also provided. Examples of the signage is provided below

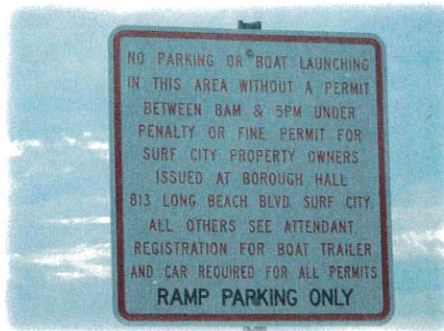


In the winter months, signs are hung at each street end indicating an unprotected beach and swimming is available at your own risk.





22<sup>nd</sup> Street Bayfront



### C. Municipal Public Access Fund

At this time, Surf City Borough does not have a Municipal Public Access Fund in place.

### D. Army Corps of Engineers Requirements for Shore Protection Projects

Long Beach Island is an 18-mile barrier island in southern Ocean County, New Jersey. The area regularly suffers damages from coastal storms, hurricanes and nor'easters. The Barnegat Inlet to Little Egg Inlet Coastal Storm Risk Management project, also known as the Long Beach Island Beachfill or Beach Nourishment Program, is designed to reduce erosion and property damages associated with these events. It is a joint effort of the Army Corps and the New Jersey Department of Environmental Protection.

A Feasibility Report Completed in September of 1999 recommended beachfill with periodic nourishment to reduce potential hurricane and storm damages for the island. The project involves the construction of a dune with a top elevation 22 feet above sea level with a 300-400 foot wide berm, depending on the location of the beach on the island, at an elevation of 8 feet above sea level.

The Long Beach Island Coastal Storm Damage Reduction Project was only partially completed when Hurricane Sandy hit the New Jersey shore. The Army Corps completed the initial construction of the project at Surf City in 2006. The Army Corps repaired beaches in Surf City and Harvey Cedars in 2012 after Hurricane Irene, and fully restored the beaches within all three communities after Hurricane Sandy in 2013. The restoration and repair work was funded 100 percent through the Army Corps' Flood Control and Coastal Emergencies program.



Surf City's beach entrances between 20<sup>th</sup> Street and 13<sup>th</sup> Streets were inaccessible after Winter Storm Jonas in January 2016. Members of the Public Works Department trucked in sand from the Borough's southern beaches to make the repairs. The 21<sup>st</sup> Street entrance, which was the most critically impacted, was restored by the County.

The U.S. Army Corps of Engineers approved further repair work from Jonas in Surf City and other sections of Long Beach Island following the completion of the overall replenishment project. Appropriations from Congress are underway. Great Lakes Dredge and Dock Company is anticipated to start the Borough's beach replenishment from 22<sup>nd</sup> to 25<sup>th</sup> Streets during the second week of August.

## V. Relationship to the Other Regional and State Plans

Surf City Borough's MPAP has been reviewed for consistency and has the following relationship to the New Jersey State Development and Redevelopment Plan, prepared by the New Jersey State Planning Commission and Adopted March 1, 2001:

- Coastal Resource Planning Policy #5 promotes *"well-planned and revitalized coastal communities that sustain economies, are compatible with the natural environment, minimize the risks from natural hazards and provide access to coastal resources for the public use and enjoyment."*

Surf City Borough supports this policy and has initiated a Coastal Vulnerability Assessment Study of its public access points and various critical facilities to ensure community leaders and decision makers have a clear understanding of potential future hazard risk to its access locations and to provide a resource which can be utilized to develop future resiliency projects.

- Coastal Resource Planning Policy #11 seeks to *"promote recreational opportunities and public access, and encourage tourism along the oceanfront, bay front and rivers of the coastal area by protecting public access rights."*

It is estimated that as many as 10,000 people are within the boundaries of Surf City Borough on a given day in the summer months. These people are comprised of year round residents, seasonal residents, day trippers and vacationers and most all seek to enjoy the amenities associated with coastal living. The Borough's Bayfront beaches and some streetends and situated so as to promote direct access to the Bayfront.

## **VI. Resolution of Incorporation**

Upon approval of this plan by the New Jersey Department of Environmental Protection, Surf City Borough will approve a final resolution to incorporate this Municipal Public Access Plan into the Surf City Borough Master Plan. The Final Resolution will mimic the draft Resolution provided in Appendix 2 of this plan.

**APPENDIX 1**  
**Municipal Public Access Plans**  
**Required Sections per NJAC 8.11 (e)**

1. (e) 1 Statement describing overall **goal of the MPAP** and the **administrative mechanisms** (for example, conservation restrictions, easements, ordinances) that either are already in place, or that shall be put in place to ensure that the municipality will meet public access goals
2. (e) 2 Statement of **Consistency with...Master Plan**
3. (e) 3 Public access **needs assessment** that evaluates:
  - existing access locations and capacities
  - practical limitations (esp. parking and bathrooms)
  - alternatives to address any limitations determined to exist
  - need for additional locations
4. (e) 4 **Digital Map and Inventory** identifying...:
  - tidal waterways within municipality and adjacent lands held by municipality
  - existing and proposed public access ways
  - proposed public access facilities
  - identified facilities compliant with ADA
5. (e) 5 **Implementation strategy**
  - forms of proposed public access responsive to needs assessment (i)
  - comprehensive list of specific public access projects and initiatives with implementation schedule (ii)
  - proposed tools to implement the plan, including (iii)
    - i. adoption or amendment of muni ordinances
    - ii. uses of monetary compensation (Public Access Fund), if any
  - proposed modifications to existing plans, ordinances & programs to implement MPAP (iv)
  - proposed compliance with ACOE requirements for shore protection projects [see 8.11(r)] (v)
  - cost of implementing, constructing and maintaining the access facilities proposed in the plan and specifies how this cost will be funded (vi)
  - implementation schedule (vii)
  - ordinances in place/to be adopted re signage requirements (viii)
  - measures to permanently protect public access per MPAP (ix)
  - examples/models of easements/restrictions for permanent protections (x)
  - draft resolution incorporating DEP-approved MPAP into a MP element (xi)



**APPENDIX 2**  
**Model Resolution for Incorporating MPAP into Master Plan**  
(upon adoption the final resolution will replace this model)

Resolution #\_\_\_\_\_

Title: A RESOLUTION APPROVING THE MUNICIPAL PUBLIC ACCESS PLAN

WHEREAS, the *Surf City Borough* Municipal Public Access Plan (MPAP) was submitted to the Municipal Council and reviewed at the regular meeting of {date}, and

WHEREAS, the governing body has approved the plan as submitted, and

WHEREAS, the governing body recognizes the need to make the MPAP an authorized component of municipal decision-making by incorporating it into the municipal master plan,

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of *the Borough of Surf City* that the "*Surf City Borough* Municipal Public Access Plan," a copy of which is attached, is hereby approved.

FURTHER RESOLVED, the Municipal Public Access Plan shall be incorporated into the municipal master plan.

FURTHER RESOLVED a copy of the plan shall be sent to the New Jersey Department of Environmental Protection for review and approval in accordance with N.J.A.C.7.7 and 7.7E.

I hereby certify the foregoing to be a resolution adopted by the *Municipal Council of the Borough of Surf City* at a meeting held on {date}.

\_\_\_\_\_  
Municipal Clerk

**Appendix 3**  
**Public Access Tables**

**Part A : Surf City Borough Ocean Access**

**Part B: Surf City Borough Bay Access**

## PART A: Borough Of Surf City Ocean Access

[illegible]

## PART B: Borough Of Surf City Bay Access

[illegible]

**APPENDIX 4**  
**Recreation and Open Space**

The Borough of Surf City does not participate in the NJDEP Green Acres program.



**APPENDIX 5**  
**Sign Ordinance**

The Borough of Surf City does not have an Ordinance that regulates signage on property adjacent to tidal waters, however, as evident in the examples of signage provided within this document, the Borough effectively advertises public access at designated locations