

**STREAM PROTECTION AND MAINTENANCE
IN THE
BOROUGH OF PARAMUS**

The following applies to the streams located in the Borough of Paramus.

1. Chapter 213 Drainage and Environmental Protection and the Borough Code provides regulation where drainage permits are required in the Borough.
2. The following streams within the Borough are classified by NJDEP as follows:

Behnke Brook	FW2-NT/SE1
Herring Brook	FW2-NT/SE1
Highland Brook	FW2-NTC1
Saddle River	FW2-NT
Soldier Brook	FW2-NTC1
Sprout Brook	FW2-NT
Van Saun Mill Brook	FW2-NT/SE1

3. All activities within 300 feet of top of bank, including the watercourse, of category 1 waterways (Highland Brook and Soldier Brook) are regulated by the NJDEP. All other watercourses are regulated within 50 feet of the top of bank, including the watercourse. Therefore, all work within this area requires permits from NJDEP.
4. All water features with a drainage area greater than 50 acres are regulated and require a permit from NJDEP. They also carry a minimum riparian zone of 50 feet.
5. Borough residents typically have inquired about four types of activities if their properties border one of the streams.
 - a. Bank Stabilization
 - i. This activity is a treatment along the stream banks to restore the banks of the stream to stabilize the banks to prevent future soil erosion. Since the banks of the stream are located on private property, it is the responsibility of the individual property owners to perform maintenance to eroded banks. Typically, NJDEP would require an FHA IP (Flood Hazard Act Individual Permit) and a FWW GP20 (Freshwater Wetlands General Permit #20).
 - ii. Residents may perform manual clearing of branches and debris on stream banks.

- iii. Removal of roots or stumps from stream banks are not permitted as they may destabilize the stream banks and cause erosion.
- b. Tree Removal/Clearing
 - i. If a tree is determined to be dead or unsafe, the resident may clear it with permission from the Borough.
 - ii. If a tree falls across a stream, a resident may contact Bergen County Mosquito Commission at 201-634-2880 to seek assistance for tree removals across a stream. If they cannot provide assistance it is the individual property-owners responsibility.
- c. Fence Installation
 - i. Fence in flood hazard areas as defined by NJDEP shall conform to the requirements of N.J.A.C. 7:13-7.20 (Flood Hazard Control Act)
- d. Sediment Removal
 - i. Sediment Removal is intended to restore the channel to its original depth and remove any settled debris. Sediment removal is done to remove any localized flooding caused by a decrease in flood capacity within the channel. To remove built up sediment from the channel, the applicant needs an NJDEP Flood Hazard Area Permit-By-rule (PBR) and a Freshwater Wetlands (FWW) General Permit (GP) 25. Since the stream is considered "Waters of the State", FWW GP 25 specifies that the permit is to be obtained by a local government agency.
- 6. Non-Regulated Streams
 - a. With all non-listed water features, it is the resident's responsibility to confirm the drainage area with the NJDEP, to determine if it is regulated.
 - b. If the area is determined to be regulated, the responsibility of each item remains the same as above
- 7. Property owners are able to perform maintenance on drainage ditches, as long as it doesn't encroach on a regulated area specified above.

8. Stream Easements on private properties give the Borough the right but not the obligation to enter the property to perform stream maintenance activity and to protect that area of the property from any development.