



**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED & LAND MANAGEMENT**
Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
www.nj.gov/dep/landuse



PERMIT

<p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the terms, conditions, and limitations listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition, or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>		Approval Date May 25, 2021
		Expiration Date May 24, 2026
Permit Number(s): 1334-21-0002.1 LUP210001	Type of Approval(s): Flood Hazard Area Individual Permit Flood Hazard Area Verification Freshwater Wetlands General Permit 11 Freshwater Wetlands General Permit 5 Freshwater Wetlands Transition Area Waiver	Governing Rule(s): N.J.A.C. 7:13-1.1(b) N.J.A.C. 7:7A-1.1(a)
Permittee: M&M at Neptune, LLC Attn: John Taikina 1260 Stelton Road Piscataway, NJ 08854	Site Location: Block(s) & Lot(s): [701, 1] Municipality: Neptune Township County: Monmouth	
Description of Authorized Activities: <p>This permit authorizes the construction of an access driveway, partially within the Flood Hazard Area of Hollow Brook, in connection with the construction of a commercial development, within Lot 1 of Block 701, in the Township of Neptune, Monmouth County. Secondly, this permit verifies the regulatory Flood Hazard Area along Hollow Brook, varying from 17.3 to 21.2 feet NAVD. Lastly, this permit authorizes the permanent and temporary disturbances of freshwater wetlands and transition areas, as noted below, under Freshwater Wetlands General Permits 5, 11 and a Transition Area. This permit to conduct a regulated activity within a freshwater wetland or State open water includes the Division's approval of a Water Quality Certificate.</p> <p><i>The Department has determined that the herein approved activities meet the requirements of the FHACA rules. This approval does not obviate the local Floodplain Administrator's responsibility to ensure all development occurring within their community's Special Flood Hazard Area is compliant with the local Flood Damage Prevention Ordinance, and minimum NFIP standards, regardless of any state-issued permits. FEMA requires communities to review and permit all proposed construction or other development within their SFHA in order to participate in the NFIP.</i></p>		
Prepared by: Chingwah Liang	Received and/or Recorded by County Clerk:	
<p>If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.</p>		
This permit is not valid unless authorizing signature appears on the last page.		

STATEMENT OF AUTHORIZED IMPACTS:

The authorized activities allow for the permittee to undertake impacts to regulated areas as described below. Additional impacts to regulated areas without prior Department approval shall constitute a violation of the rules under which this document is issued and may subject the permittee and/or property owner to enforcement action, pursuant to N.J.A.C. 7:13-21.8; N.J.A.C. 7:7A-19.11

FWW GP5 Landfill Closures	Permanent Disturbance (Acres)	Temporary Disturbance (Acres)
Transition areas	0	1.59

FWW GP11 Outfalls/Intake Structures	Permanent Disturbance (Acres)	Temporary Disturbance (Acres)
Freshwater wetlands	0.009	0.106
Transition areas	0	0.019

TAW - Special Activity Redevelopment	Permanent Disturbance (Acres)	Temporary Disturbance (Acres)
Transition areas	0.113	0

Riparian Zone Vegetation	Area of riparian zone (Acres)
Permanent Disturbed	0
Temporary Disturbed	0

PRE-CONSTRUCTION CONDITIONS:

1. This portion of the permit verifies the Flood Hazard Area Elevation onsite of 17.3 to 21.2 feet NAVD88. It also verifies the location of the floodway and riparian zone as shown on the approved plans. This permit shall be recorded in its entirety in the office of the County Clerk or the Registrar of Deeds and Mortgages for each county where this project is located. Verified notice of this action shall be forwarded to the Division immediately thereafter. NOTE: The following information is to be submitted to the clerk for all Flood Hazard Area Verifications:
 - a. The Department file number for the verification;
 - b. The approval and expiration dates of the verification;
 - c. A metes and bounds description of any flood hazard area limit and/or floodway limit approved under the verification;
 - d. The flood hazard area design flood elevation, or range of elevations if variable, approved under the verification;
 - e. The width and location of any riparian zone approved under the verification; and
 - f. The following statement: "The State of New Jersey has determined that all or a portion of this lot lies in a flood hazard area. Certain activities in flood hazard areas are regulated by the New Jersey Department of Environmental Protection and some activities may be

prohibited on this site or may first require a permit. Contact the Division of Land Use Regulation at (609) 777-0454 for more information prior to any construction onsite.”

2. Prior to the start of any construction onsite, the applicant/owner shall sign a Department approved conservation restriction to guarantee the preservation of any regulated area utilized for compliance with the Stormwater Management Rules at N.J.A.C. 7:8. Specifically, the porous pavement as shown on the approved plan(s). This restriction shall be included in the deed of the property and shall be recorded with the local County Clerk (the registrar of deeds and mortgages). This restriction shall run with the land and be binding upon all successive owners, and all land surveys of the property shall show the protected areas onsite. This restriction shall conform to the format and content of the model Grant of Conservation Restriction/Easement (Stormwater Management Strategies Protection Area), downloadable at www.nj.gov/dep/landuse/forms/. Please submit a copy of the draft restriction to the project manager of this office for review prior to recording, as well as the final restriction once filed. Regulated activities shall not commence onsite until the permittee has submitted adequate proof that this restriction has been recorded as required above and has received written confirmation of the same from the Department.
3. All sediment barriers and other soil erosion control measures shall be installed prior to commencing any excavation, grading, stockpiling or construction onsite, and shall be maintained in proper working condition throughout the entire duration of the project.
4. Prior to the commencement of site clearing, grading or construction, the permittee shall have a silt fence or sediment barrier erected at the limits of disturbance authorized herein and at the limits of the modified transition area as authorized herein. These fences shall serve as both a siltation and debris barrier as well as a physical barrier protecting the wetland and modified transition area from encroachment by construction vehicles or activities. These fences shall be kept in place and maintained throughout the duration of construction, until such time that the site is stabilized. No regulated activities, including grading or clearing may occur in the wetland or modified transition area on site without the prior approval of the Department.
5. Within 90 days of the permit issuance and/or prior to construction (whichever occurs first), the property owner shall sign a Department-approved conservation restriction for the compensation areas only on the subject parcel(s) in accordance with N.J.A.C. 7:7A-8.1(e) and N.J.A.C. 7:7A 8.2 (f). The conservation restriction shall preclude future transition area disturbance within the compensation area on-site, unless said activity is permissible pursuant to the language of the deed restriction. The restriction shall be included on the deed and recorded in the office of the County Clerk (the Registrar of Deeds and Mortgages), in the county wherein the lands included in the waiver are located. Said restriction shall run with the land and be binding upon all successive owners. All individual lot surveys shall show the approved wetland and transition area boundaries. Any regulated activities undertaken on the site before a copy of this recorded restriction is submitted to the Department will be considered in violation of the Freshwater Wetlands Protection Act. The conservation restriction shall conform, verbatim, to the format and content of the model Conservation Restriction/Easement for Freshwater Wetlands Transition Area – Averaging Plan on the Division's website at http://www.nj.gov/dep/landuse/download/lur_036.pdf. A copy of the recorded conservation restriction shall be forwarded to the Division's project manager via email at Katherine.Todoroff@dep.nj.gov before beginning regulated activities.

SPECIAL CONDITIONS:

1. All excavated material shall be disposed of in a lawful manner. For example, it should be placed outside of any flood hazard area, riparian zone, regulated water, freshwater wetland and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.
2. The Department has determined that this project meets the requirements of the Stormwater Management rules at N.J.A.C. 7:8. Any future expansion or alteration of the approved stormwater management system, which would affect water quality, increase the rate or volume of stormwater leaving the site, affect the infiltration capacity on the site, or alter the approved low impact site design, shall be reviewed and approved by the Department prior to construction. This includes any proposed changes to the discharge characteristics of any basin, the construction of new inlets or pipes that tie into the storm sewer network and/or the replacement of existing inlets or pipes with structures of different capacity.
3. The permittee shall make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed stormwater management measures onsite. This includes the inspection (and cleaning where necessary) of any and all constructed underground detention basins, Mechanical Treatment Devices, rain gardens, drywells, swales, and inlets at least four times per year and after every major storm totaling 1 inch of rainfall or more, and the inspection and cleaning of any and all mechanical treatment devices in accordance with the Department's certification letters, as found at www.njstormwater.org/treatment.html, the use of appropriate soil conservation practices onsite, and any other reasonable effort required to maintain the stormwater management system in good working order.
4. All project activities must be in accordance with the requirements of the Department's Division of Solid Waste, Bureau of Landfill and Hazardous Waste Permitting, including any requirements contained within the Sanitary Landfill Disruption Approval (Program Interest No. 585676) issued on September 17, 2012, and any amendments thereto.
5. Any additional disturbance of freshwater wetlands, State open waters and/or transition areas besides that shown on the approved plans shall be considered a violation of the Freshwater Wetlands Protection Act Rules unless the activity is exempt or a permit is obtained from the Department prior to the start of the disturbance.
6. Any material needed to backfill excavated areas must meet the clean fill standards as provided in NJDEP SRP Fill Material Guidance for SRP Sites, dated April 2015.
7. All trucks used to transport material offsite shall be tarped pursuant to the applicable State DOT requirements or applicable regulatory agency requirements.

TRANSITION AREA WAIVER AVERAGING SPECIAL CONDITIONS:

1. The transition area associated with on the subject site may be reduced by 0.041 acres of surface area, which shall be compensated by 0.042 acres as shown on the referenced plan.
2. The transition area shall not be reduced to less than 75 feet in width as shown on the referenced plan.
3. Once a conservation restriction is recorded the freshwater wetlands and transition area boundary lines, as approved in this permit and recorded, these boundary lines must be shown on any future site development plans. The line(s) should be labeled with the above DLUR file number and the following note: "Freshwater Wetlands/Transition Area Boundary Lines as approved by NJDEP on.

(date of this permit), File No. 1334-21-0002.1 LUP210001, and subject to existing NJDEP conservation restriction.”

FRESHWATER WETLAND MITIGATION PERMIT CONDITIONS:

1. The permittee shall mitigate for the temporary disturbance of **1.40 acres** of forested transition area, and **0.19 acres** of scrub/shrub transition area through an on-site restoration project as shown on the plans entitled:
 - “M&M NEPTUNE, LLC, PROP IMPROVMENTS, BLOCK 701, LOT 1 (TAX MAP SHEET 7), TOWNSHIP OF NEPTUNE, MONMOUTH COUNTY, NJDEP TRANSITION AREA RESTORATION PLAN” sheet C-13 of C-28, dated December 29, 2020, last revised May 10, 2021, and prepared by Jeffery A. Martell, P.E., and;
 - “M&M NEPTUNE, LLC, PROP IMPROVMENTS, BLOCK 701, LOT 1 (TAX MAP SHEET 7), TOWNSHIP OF NEPTUNE, MONMOUTH COUNTY, NJDEP TRANSITION AREA RESTORATION DETAILS” sheet C-13A of C-28, dated December 29, 2020, last revised May 10, 2021, and prepared by Jeffery A. Martell, P.E.
2. All mitigation shall be conducted immediately following completion of the activity that caused the disturbance and shall be continued to completion within six months after the end of the activity that caused the disturbance.
3. If the permittee fails to perform mitigation within the applicable time frame the activity shall be considered permanent and mitigation shall be required to replace the affected resource.
4. The permittee shall obtain a secured bond or other financial surety acceptable to the Division from a firm licensed to provide such services in New Jersey. (N.J.A.C. 7:7A-11.17)
5. The permittee shall notify the Mitigation Unit at the Division of Land Resource Protection in writing **at least 30 days prior to the start of construction of the wetland mitigation project** to arrange an on-site pre-construction meeting among the permittee, the contractor, the consultant and the Division.
6. To ensure the intent of the mitigation design and its predicted wetland hydrology is realized in the landscape, the mitigation designer shall be present on-site during all critical stages of mitigation construction and during the restoration of any temporarily impacted areas. Critical stages of construction include but are not limited to herbicide applications, earthmoving activities, planting, and inspections.
7. The permittee shall be responsible for ensuring that best management practices are used throughout construction to control the spread and colonization of highly invasive plants. Specifically, all equipment, especially tracks and tires, must be thoroughly cleaned every time equipment or vehicles move from an area containing invasive plants or from off-site to the mitigation area. In addition, soil containing root fragments and above-ground vegetative material from invasive plants shall be carefully managed during earthmoving activities and disposed of at a suitable offsite location rather than mulched and reused or stockpiled elsewhere on the site. For information on the specific species that are considered to be invasive, please refer to the Invasive Plant Atlas at <http://www.invasiveplantatlas.org/index.html>.

8. If changes to the mitigation design are necessary to ensure success of the project as a result of on-site conditions, the mitigation designer shall immediately notify the Division in writing and submit an alternative plan which achieves the proposed wetland conditions. The Division shall review the plan in accordance with N.J.A.C. 7:7A-11.7. Any modifications to the plan that are reviewed and approved by the Division must be shown on a signed and sealed revised plan. The As-Built plans required as a part of the Construction Completion Report may serve as the signed and sealed revised plan required to be submitted as part of the construction modification process described above if time constraints warrant such action and have been approved by the Division in writing.
9. **Within 30 days of final grading of the mitigation site and prior to planting**, the permittee shall notify the Mitigation Unit at the Division of Land Resource Protection in writing to arrange a post-grading construction meeting among the permittee, contractor, consultant and the Division.
10. **Within 60 days following the final planting of the mitigation project**, the permittee shall submit a Construction Completion Report to the Division detailing as-built conditions (see below) and any changes to the approved mitigation plan that were made during construction (N.J.A.C. 7:7A-11.12). The Construction Completion Report shall contain, at a minimum, the following information:
 - i. A completed [Wetland Mitigation Project Completion of Construction Form](http://www.nj.gov/dep/landuse/forms/index.html). This form is located at <http://www.nj.gov/dep/landuse/forms/index.html> and certifies that the mitigation project has been constructed as designed and that the proposed area of wetland creation, restoration or enhancement has been accomplished;
 - ii. As-Built plans which depict final grade elevations at one-foot contours and include a table of the species and quantities of vegetation that were planted including any grasses that may have been used for soil stabilization purposes; and
 - iii. Photos of the constructed wetland mitigation project with a photo location map as well as the GPS waypoints in NJ state plane coordinates NAD 1983.
11. **Within 30 days following final planting of the mitigation project**, the permittee shall post the mitigation area with permanent signs which identify the site as a wetland mitigation project and that all-terrain vehicle use, motorbike use, mowing, dumping, draining, cutting and/or removal of plant materials is prohibited and that violators shall be prosecuted and fined to the fullest extent under the law. The signs must also state the name of the permittee, a contact name and phone number, and the Department's permit number.
12. The permittee shall monitor **all freshwater wetland and transition area projects** for a minimum of 5 years, unless otherwise stipulated within the approved mitigation proposal, beginning the first full growing season after the mitigation project has been completed. The permittee shall submit monitoring reports to the Division of Land Resource Protection no later than December 31st of each full monitoring year (N.J.A.C. 7:7A-11.12(g)). All monitoring reports must include the standard items identified in the checklist entitled, "Wetland Mitigation Monitoring Project Checklist", which can be found at <http://www.nj.gov/dep/landuse/forms/index.html>.
13. Once the required monitoring period has expired and the permittee has submitted the final monitoring report, the Division will make the finding that the mitigation project is either a success or a failure. This mitigation project will be considered successful if the permittee demonstrates all of the following:
 - i. That the goals of the wetland mitigation project, including acreage and the required transition area, as stated in the approved wetland mitigation proposal and the permit have been satisfied. The permittee shall submit a field wetland delineation of the wetland mitigation project based on the [Federal Manual for Identifying and Delineating Jurisdictional Wetlands](#) (1989) which

shows the exact acreage of State open waters, emergent, scrub/shrub and/or forested wetlands in the mitigation area;

- ii. The site has an 85 percent survival and 85 percent area coverage of the mitigation plantings or target hydrophytes, which are species native to the area and similar to ones identified on the mitigation planting plan. All plant species in the mitigation area must be healthy and thriving and all trees must be at least five feet in height;
 - iii. The site has less than 10 percent coverage by invasive or noxious species.
 - iv. The site contains hydric soils or there is evidence of reduction occurring in the soil; and,
 - v. The proposed hydrologic regime as specified in the mitigation proposal has been satisfied.
14. The permittee is responsible for assuming all liability for any corrective work necessary to meet the success criteria established above (N.J.A.C. 7:7A-11.12(i)). The Division will notify the permittee in writing if the mitigation project is deemed a failure. Within 30 days of notification, the permittee shall submit a revised mitigation plan to meet the success criteria identified above for Division review and approval. The financial surety, if required, will not be released by the Division until such time that the permittee satisfies the success criteria as stipulated above.

STANDARD CONDITIONS:

1. The issuance of a permit shall in no way expose the State of New Jersey or the Department to liability for the sufficiency or correctness of the design of any construction or structure(s). Neither the State nor the Department shall, in any way, be liable for any loss of life or property that may occur by virtue of the activity or project conducted as authorized under a permit.
2. The issuance of a permit does not convey any property rights or any exclusive privilege.
3. The permittee shall obtain all applicable Federal, State, and local approvals prior to commencement of regulated activities authorized under a permit.
4. A permittee conducting an activity involving soil disturbance, the creation of drainage structures, or changes in natural contours shall obtain any required approvals from the Soil Conservation District or designee having jurisdiction over the site.
5. The permittee shall take all reasonable steps to prevent, minimize, or correct any adverse impact on the environment resulting from activities conducted pursuant to the permit, or from noncompliance with the permit.
6. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of the permit. The Department may, upon discovery of such unanticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit.
7. The permittee shall immediately inform the Department by telephone at (877) 927-6337 (WARN DEP hotline) of any noncompliance that may endanger public health, safety, and welfare, or the environment. The permittee shall inform the Watershed & Land Management by telephone at (609) 777-0454 of any other noncompliance within two working days of the time the permittee becomes aware of the noncompliance, and in writing within five working days of the time the permittee

becomes aware of the noncompliance. Such notice shall not, however, serve as a defense to enforcement action if the project is found to be in violation of this chapter. The written notice shall include:

- i. A description of the noncompliance and its cause;
 - ii. The period of noncompliance, including exact dates and times;
 - iii. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
 - iv. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
8. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action, as well as, in the appropriate case, suspension and/or termination of the permit.
 9. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the authorized activity in order to maintain compliance with the conditions of the permit.
 10. The permittee shall employ appropriate measures to minimize noise where necessary during construction, as specified in N.J.S.A. 13:1G-1 et seq. and N.J.A.C. 7:29.
 11. The issuance of a permit does not relinquish the State's tidelands ownership or claim to any portion of the subject property or adjacent properties.
 12. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.
 13. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
 - i. Enter upon the permittee's premises where a regulated activity, project, or development is located or conducted, or where records must be kept under the conditions of the permit;
 - ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
 - iii. Inspect, at reasonable times, any facilities, equipment, practices, or operations regulated or required under the permit. Failure to allow reasonable access under this paragraph shall be considered a violation of this chapter and subject the permittee to enforcement action; and
 - iv. Sample or monitor at reasonable times, for the purposes of assuring compliance or as otherwise authorized by the Federal Act, by the Freshwater Wetlands Protection Act, or by any rule or order issued pursuant thereto, any substances or parameters at any location.
 14. The permittee shall not cause or allow any unreasonable interference with the free flow of a regulated water by placing or dumping any materials, equipment, debris or structures within or adjacent to the channel while the regulated activity, project, or development is being undertaken. Upon completion of the regulated activity, project, or development, the permittee shall remove and

dispose of in a lawful manner all excess materials, debris, equipment, and silt fences and other temporary soil erosion and sediment control devices from all regulated areas.

15. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit.
16. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect, so long as the regulated activity, project, or development, or any portion thereof, is in existence, unless the permit is modified pursuant to the rules governing the herein approved permits.
17. The permittee shall perform any mitigation required under the permit in accordance with the rules governing the herein approved permits.
18. If any condition or permit is determined to be legally unenforceable, modifications and additional conditions may be imposed by the Department as necessary to protect public health, safety, and welfare, or the environment.
19. Any permit condition that does not establish a specific timeframe within which the condition must be satisfied (for example, prior to commencement of construction) shall be satisfied within six months of the effective date of the permit.
20. A copy of the permit and all approved site plans and supporting documents shall be maintained at the site at all times and made available to Department representatives or their designated agents immediately upon request.
21. The permittee shall provide monitoring results to the Department at the intervals specified in the permit.
22. A permit shall be transferred to another person only in accordance with the rules governing the herein approved permits.
23. A permit can be modified, suspended, or terminated by the Department for cause.
24. The submittal of a request to modify a permit by the permittee, or a notification of planned changes or anticipated noncompliance, does not stay any condition of a permit.
25. Where the permittee becomes aware that it failed to submit any relevant facts in an application, or submitted incorrect information in an application or in any report to the Department, it shall promptly submit such facts or information.
26. The permittee shall submit written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, 401 East State Street, 4th Floor, PO Box 420, Mail Code 401-04C, Trenton, NJ 08625, at least three working days prior to the commencement of regulated activities.
27. The permittee shall record the permit, including all conditions listed therein, with the Office of the County Clerk (the Registrar of Deeds and Mortgages, if applicable) of each county in which the site is located. The permit shall be recorded within 30 calendar days of receipt by the permittee, unless the permit authorizes activities within two or more counties, in which case the permit shall be recorded within 90 calendar days of receipt. Upon completion of all recording, a copy of the recorded permit shall be forwarded to Watershed & Land Management at the address listed on page one of this permit.

APPROVED PLAN(S):

The drawing(s) hereby approved consist of sixteen (16) sheet(s) prepared by Stonefield Engineering & Design, dated December 29, 2020, last revised May 13, 2021, unless otherwise noted, entitled:

“PRELIMINARY & FINAL MAJOR SITE PLANS, M&M NEPTUNE, LLC, PROP IMPROVEMENTS, BLOCK 701, LOT 1 (TAX MAP SHEET 7), 704 N.J. ROUTE 35, TOWNSHIP OF NEPTUNE, MONMOUTH COUNTY, NEW JERSEY”,

“FLOOD HAZARD AREA VERIFICATION PLAN”, sheet NJDEP-1, last revised May 10, 2021,

“FLOOD HAZARD AREA PROPOSED CONDITIONS AND INDIVIDUAL PERMIT PLAN,” drawing NJDEP-2, last revised May 10, 2021,

“WETLAND PERMITTING PLAN,” drawing NJDEP-3, last revised May 10, 2021,

“FWW GP5 PERMITTING AND REVEGETATION PLAN,” drawing NJDEP-4, last revised May 10, 2021,

“NJDEP TRANSITION AREA RESTORATION PLAN,” NJDEP-5, last revised May 10, 2021,

“NJDEP TRANSITION AREA RESTORATION DETAILS,” NJDEP-6, and, last revised May 10, 2021,

“GRADING PLAN”, sheet C-6,

“STORMWATER MANAGEMENT PLAN”, sheet C-7,

“UTILITY PLAN”, sheet C-8,

“NJDEP TRANSITION AREA RESTORATION PLAN”, sheet C-13,

“NJDEP TRANSITION AREA RESTORATION DETAILS”, sheet C-13A,

“CONSTRUCTION DETAILS”, sheets C-18 to 22.

APPEAL OF DECISION:

Any person who is aggrieved by this decision may submit an adjudicatory hearing request within 30 calendar days after public notice of the decision is published in the DEP Bulletin (available at www.nj.gov/dep/bulletin). If a person submits the hearing request after this time, the Department shall deny the request. The hearing request must include a completed copy of the Administrative Hearing Request Checklist (available at www.nj.gov/dep/landuse/forms.html). A person requesting an adjudicatory hearing shall submit the original hearing request to: NJDEP Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7th Floor, Trenton, NJ 08625-0402. Additionally, a copy of the hearing request shall be submitted to the Director of Watershed & Land Management at the address listed on page one of this permit. In

addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see www.nj.gov/dep/odr for more information on this process.

If you need clarification on any section of this permit or conditions, please contact Watershed & Land Management's Technical Support Call Center at (609) 777-0454.

Approved By:

Keith P. Stampfel, PE
Section Chief
Bureau of Flood Hazard & Stormwater Engineering

c: Municipal Clerk
Municipal Construction Official
Agent (original)