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 limitations, terms and conditions 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.

<table>
<thead>
<tr>
<th>Permit Number(s):</th>
<th>Type of Approval(s):</th>
<th>Enabling Statute(s):</th>
</tr>
</thead>
<tbody>
<tr>
<td>0807-16-0001.2</td>
<td>Waterfront Development IP In-Water</td>
<td>NJSA 12:5-3 et seq., WFD</td>
</tr>
<tr>
<td>WFD190001</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Permittee:
Gary Lewis
Delaware River Partners LLC
1345 Ave of The Americas
New York, NY 10105

Site Location:
Delaware River Partners Gibbstown Logistic Center – Dock 2
Block(s) & Lot(s): [8, 2] [8, 3] [8, 4.01] [8, 4.02], portions of [8, 1] and [8, 4]
Municipality: Gibbstown, Greenwich Township
County: Gloucester

Description of Authorized Activities:

Construction of a new dock consisting of two loading platforms, eight breasting dolphins, 11 mooring dolphins and walkways. The total area of the dock structure is 139,127 square feet as shown on the approved plans on the last page of the permit.

Dredge no more than 665,000 cubic yards of sediment within a 45-acre area of the Delaware River. The depth of dredging shall be limited to -45 feet below mean low water (-45' MLW) plus two foot (2') of allowable overdraft and shall be restricted to the limits as depicted on the authorized plans. Dredging shall be accomplished using a closed clamshell environmental bucket.

This authorization to conduct activities in the Delaware River includes the issuance of a Water Quality Certificate.

Prepared by:
Suzanne U. Dietrick, Division of Land Use Regulation

Received and/or Recorded by
County Clerk:

If the permittee undertakes any regulated activity authorized under a 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 permit and all conditions therein.

This permit is not valid unless authorizing signature appears on the last page.
SPECIAL CONDITIONS

1. The Department, the Commissioner of the Department, and Administrator of the Spill Compensation Fund reserve all authority and rights against all parties responsible for the discharges or in any way responsible for the hazardous substances present at the site with respect to liability for all costs and damages, including but not limited to damages for injury to, destruction of, or loss of natural resources (including the costs to conduct primary restoration to pre-discharge conditions and compensatory restoration damages) and for the costs of any natural resource damage assessments. The Department and Commissioner of the Department further reserve their authorities and rights to seek all available relief, including equitable relief and the right to require any person responsible for the contamination at or migrating from the site to address natural resource injuries. Any approvals provided herein are without prejudice to the above-referenced authorities and rights.

2. Prior to the start of any in-water site disturbance authorized in this permit, the permittee shall obtain the following:
   a. Valid Tidelands Instrument as applied for on March 1, 2019;
   b. United States Army Corps of Engineering authorization for the project.

3. To minimize impacts to migrating and spawning of anadromous fish, any and all in-water work or sediment generating disturbances is prohibited from March 15 to June 30 of each year.

4. The depth of dredging shall be limited to -45 feet below mean low water (-MLW) plus 2 foot of allowable overdredge.

5. Dredging shall be restricted to the limits as depicted on the authorized plans. The volume of material to be dredged shall not exceed 665,000 cubic yards (cy) as shown on the approved plans.

6. A pre-construction dredging report shall be completed and sent to the Office of Dredging and Sediment Technology 14 days prior to construction. Please refer to the NJDEP, Land Use Regulation Program website.

7. The permittee shall employ the services of an independent dredging inspector to monitor dredging activities twice per week. The permittee shall submit the resume of the dredging inspector to the Department for review and receive written approval prior to the initiation of dredging. The independent dredging inspector shall perform inspections of the dredging contract a minimum of twice per week using the attached WQC Field Inspector form. The permittee shall submit the completed inspection forms to the NJDEP, ODST on at least a weekly basis.

8. Upon completion of dredging, a completion report shall be completed and sent to the Office of Dredging and Sediment Technology. The dredging contractor shall complete and submit the attached Dewatering Form to the independent dredging inspector on a weekly basis as part of the Quality Control Report provided to the permittee. Said Dewatering Form shall be certified by the independent dredging inspector that they have witnessed the dewatering process during the preceding week. The permittee shall submit the completed Dewatering Form with appropriate certifications by email to Mark.Davis@dep.nj.gov of the Office of Dredging and Sediment Technology for the preceding week.
9. REPORTING REQUIREMENTS: At the completion of the dredging project, the permittee shall submit the following information to the Office of Dredging and Sediment Technology. This information shall be submitted within three months of completion of dredging.

- Start and finish date of work order(s)
- Post-dredge hydrographic survey
- Completed "Notice of Completion of Work" attached for each work order(s)/completion of Project.

**Closed Clamshell Environmental Bucket**

10. Any fine-grained sediments dredged within the approved dredge area shall be removed using a closed clamshell environment bucket.

11. The dredge shall control the rate of descent of the bucket to maximize the vertical cut of the clamshell bucket while not penetrating the sediment beyond the vertical dimension of the open bucket (i.e., overfilling the bucket). This will reduce the amount of free water in the dredged material, will avoid overfilling the bucket, and minimize the number of dredge bucket cycles needed to complete the dredging contract. The dredging contractor shall use appropriate software and sensors on the dredging equipment to ensure consistent compliance with this condition during the entire dredging operation. The independent dredging inspector shall monitor the operation of the software and sensors during the inspections as specified in the below conditions. Any malfunction of the software and sensors on the dredge at any time shall be immediately reported to the independent dredging inspector and the permittee by the dredging contractor and shall be immediately repaired to working order.

12. The closed clamshell environmental bucket shall be equipped with sensors to ensure complete closure of the bucket before lifting the bucket. Said sensors shall be operational during the entire dredging operation.

13. The closed clamshell environmental bucket shall be lifted slowly through the water, at a rate of 2 feet per second or less.

14. Dredged material shall be placed deliberately in the barge to prevent spillage of material overboard.

15. The discharge (i.e., "overflow") of water from the barge/scow into which dredged material is placed is prohibited.

16. All barges or scows used to transport sediment shall be of solid hull construction or be sealed with concrete.

17. The gunwales of the dredge scows shall not be rinsed or hosed during dredging except to the extent necessary to ensure the safety of workers maneuvering on the dredge scow.

18. All decant water holding scows shall be water tight and of solid hull construction.

19. Decant water from this project may only be discharged within the dredge area from where the sediments originated, in proximity to the dredging contract area. Discharge to another receiving
waterbody requires prior approval from the Department, and may require a New Jersey Discharge Pollutant Elimination System/Discharge to Surface Water (NJDPES/DSW) permit.

20. All decant water shall be held in the decant holding scow a minimum of 24 hours after the last addition of water to the decant holding scow. Said water contained in the decant holding scow may only be discharge after this mandatory 24-hour retention time.

a. Should the contractor wish to reduce the required holding time, the contractor shall demonstrate that the reduced holding time is sufficient to meet a total suspended solids (TSS) background value of 30 mg/L. The total suspended solids shall be determined through gravimetric analysis. No discharge shall be permitted from the decant holding scow until the results of the gravimetric analysis have confirmed that the 30 mg/L background level has been achieved. No additional water shall be added to the decant holding scow between the time of sample acquisition and discharge. Upon successful demonstration that the reduced holding time is sufficient to meet the TSS background level of 30 mg/L, the monitoring of TSS may be suspended and the demonstrated settling time shall replace the 24-hour minimum. A successful demonstration of the reduced holding time efficiency shall be determined once three consecutive TSS analyses have confirmed that the 30 mg/L action level has been achieved by the reduced holding time.

b. Should the contractor wish to demonstrate this reduced holding time, all records including time of last addition of decant water into the scow, time of TSS sampling and the results of TSS sampling shall be submitted to the NJDEP as soon as they become available, together with a request for a reduced holding time.

21. During pumping of the decant water from the holding scow, great care shall be taken to avoid re-suspending or pumping sediment which has settled in the decant holding scow.

22. The dredging contractor shall complete and submit the attached Dewatering Form to the independent dredging inspector on a weekly basis as part of the Quality Control Report provided to the permittee. Said Dewatering Form shall be certified by the independent dredging inspector that they have witnessed the dewatering process during the preceding week. The permittee shall submit the completed Dewatering Form with appropriate certifications by email to the Office of Dredging and Sediment Technology for the preceding week.

23. Acceptable Use Determination for Dredged Material

The 665,000 cubic yards of dredged material to be removed from the berthing facility was sampled in accordance with an approved Sediment Sampling and Analysis Plan (SSAP) dated December 24, 2019. The analytical results of the sediment sampling were submitted with the Waterfront Development Permit on March 20, 2019. The NJDEP has reviewed the analytical results for the project and the document entitled “Dredged Material Management Plan, DRP Gibbstown Logistics Center, - Dock 2 Gibbstown, NJ (DMMP) dated March 2019. The NJDEP has also reviewed the five sheets entitled “Dredge Material Management Plan, Dock 2, DRP Gibbstown Logistic Center, Gibbstown, New Jersey” dated March 13, 2019, and prepared by Nestor D. Soler, PE of Ramboll Environ.

The following conditions are the Acceptable Use Determination for the 665,000 cy of material to be managed from this project:
a. Sixty days prior to the initiation of dredging as authorized in this permit, the permittee shall schedule an on-site meeting with the NJDEP and designated contractor(s) performing the dredging, processing and placement of the material to finalize the dredging schedule, disposal and beneficial use site options.

b. Fort Mifflin CDF - Placement of the dredged material or processed dredged material from this project at the identified out-of-state placement sites is addressed in separate authorizations and approvals issued by the Pennsylvania Department of Environmental Protection and the owner/operator of the site.

c. Whites Rehandling Basin - Placement of the dredged material from this project shall comply with the conditions specified in the Weeks Marine Waterfront Development Permit In-Water, Water Quality Certificate and Acceptable Use Determination (DEP File #0809-08-00101 LUPl90001 and CDT180001)

d. If the permittee proposes to place the dredged material from this project at a location different from that approved in this permit, written authorization in the form of a minor or major technical modification must be obtained from the Department prior to the transport of any dredged material to the alternative placement location.

24. To protect sensitive habitat for the State-listed Osprey, the permittee shall adhere to a seasonal restriction on the use of heavy construction equipment/machinery within 1000 feet (300 meters) of any active osprey nest along the project limit of disturbance from April 1 through August 31 of each calendar year. The initiation and implementation of work which generates disturbance (e.g., sound levels, visual interruption) that is out of character with what currently exists at or surrounding the anticipated work area during the restricted time-period recommended above may result in the permittee being in violation of the “take” clauses within State of New Jersey (Endangered and Nongame Species Conservation Act, NJSA 23:2A-1) and federal (Migratory Bird Treaty Act, 16 USC 703-712) statutes.

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 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 by telephone at (877) 927-6337 (Warn DEP Hotline) of any noncompliance that may endanger the public health, safety, and welfare, or the environment. In addition, the permittee shall inform the Division of Land Use Regulation 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:
   a. A description of the noncompliance and its cause;
   b. The period of noncompliance, including exact dates and times;
   c. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
   d. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

7. 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.

8. 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.

9. 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.

10. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.

11. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
   a. Enter upon the permittee’s premises where a regulated activity is located or conducted, or where records must be kept under the conditions of the permit;
   b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and
   c. 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 under.

12. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action under, as well as, in the appropriate case, suspension and/or termination of the permit.

13. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect so long as the regulated activity or project, or any portion thereof, is in existence, unless the permit is modified.

14. For Coastal Permits, Flood Hazard Permits and Flood Hazard Verifications, 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 the Division of Land Use Regulation at the address set forth in the rules.

15. 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.

16. 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.

17. A permit shall be transferred to another person only in accordance with the regulations.

18. A permit can be suspended or terminated by the Department for cause.

19. 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.

20. 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.

21. The permittee shall submit written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, 401 East State Street, 4th Floor, P.O. Box 420, Mail Code 401-04C, Trenton, NJ 08625, at least three working days prior to the commencement of regulated activities.

22. 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(ies) is being undertaken. Upon completion of the regulated activity(ies), 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.

23. The regulated activity shall not destroy, jeopardize, or adversely modify a present or documented habitat for threatened or endangered species, and shall not jeopardize the continued existence of any local population of a threatened or endangered species.

APPROVED PLANS:

- The drawings hereby approved consist of five (5) sheets prepared by Nestor D. Soler, PE of Ramboll Environ, dated March 13, 2019, unrevised and entitled “DREDGE MATERIAL MANAGEMENT PLAN – DOCK 2, DRP GIBBSTOWN LOGISTICS CENTER, GIBBSTOWN, NEW JERSEY”

- “DRP GIBBSTOWN – LOGISTIC CENTER, DOCK 2”, prepared by Thomas Shafer, P.E. Maser Consulting, dated February 21, 2109, unrevised, and entitled:
INDEX OF DRAWINGS, Sheets 3 of 20,
PROJECT AREA, Sheet 4 of 20,
PLAN - DREDGING, Sheet 5 of 20,
SECTIONS - DREDGING SHEET 1 of 3, Sheet 6 of 20,
SECTIONS - DREDGING SHEET 2 of 3, Sheet 7 of 20,
SECTIONS - DREDGING SHEET 3 of 3, Sheet 8 of 20,
PLAN - GENERAL ARRANGEMENT BERTH A AND BERTH B, Sheet 9 of 20
PLAN - PILE BERTH A AND BERTH B, Sheet 10 of 20
PLAN - DECK BERTH A AND BERTH B, Sheet 11 of 20
PLAN - ENLARGED BERTH A AND BERTH B, Sheet 12 of 20
PLAN - LANDSIDE TRANSITION BERTH A AND BERTH B, Sheet 13 of 20
PLAN - SECTION LANDSIDE TRANSITION BERTH A AND BERTH B, Sheet 14 of 20
SECTION - TYPICAL TRESTLE, Sheet 15 of 20
SECTION - TYPICAL MOORING DOLPHIN, Sheet 16 of 20
SECTION - TYPICAL BREASTING DOLPHIN, Sheet 17 of 20
SECTION - TYPICAL SHARED DOLPHIN, Sheet 18 of 20
SECTION - LOADING PLATFORM, Sheet 19 of 20
SECTION - TYPICAL WATERWAY SUPPORT, Sheet 20 of 20

Approved By:

Christopher Jones, Manager
Bureau of Urban Growth and Redevelopment
Division of Land Use Regulation

5/20/19

Original sent to Agent to record
c: Permittee
Construction Official
December 18, 2018

Via Federal Express

David Kovach, P.G.
Project Review Section Manager
Delaware River Basin Commission
P.O. Box 7360
25 Cosey Road
West Trenton, NJ 08628-0360

RE: DELAWARE RIVER PARTNERS LLC
DRP GIBBSTOWN LOGISTICS CENTER
GIBBSTOWN GLOUCESTER COUNTY, NEW JERSEY
DOCKET NO. D-2017-009-1

Dear Mr. Kovach:

On behalf of Delaware River Partners LLC (DRP), please find enclosed a copy of site plans recently approved by NJDEP through a minor modification of Division of Land Use regulation (DLUR) file no. 0807-16-0001.2, WDP170001, WDP160007, FHA160001, FHA160002, CSW160001, FWW160001, FWW160002. Also enclosed is the minor modification issued by NJDEP, dated November 29, 2018. The approved revised plans are submitted for your information in accordance with condition (c) of the above-referenced docket.

Should you have any questions or concerns, please contact me at lgeorge@rambo ll.com or (215) 523-5603.

Sincerely,

Laura N. George
Principal Consultant

Attachment

cc: Gary Lewis, DRP (email)
    Jim Osman, DRP (email)
    Ken Charron, DRP (email)
    David Miller, Gibbons PC (email)
ATTACHMENT A
NJDEP MINOR MODIFICATION DATED 11-29-2018
Dear Mr. Lewis:

The Division of Land Use Regulation, acting under the provisions of the Coastal Zone Management Rules (N.J.A.C. 7:7 et seq.), the Freshwater Wetland Protection Act Rules (N.J.A.C. 7:7A et seq.) and the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13) hereby modifies the existing permit issued April 10, 2017 (as modified on August 3, 2017, January 18, 2018, February 13, 2018 and March 9, 2018) based on a submission of a minor technical modification application submitted on August 24, 2018 to authorize:

1) A reconfiguration of the footprint of the marine terminal development and relocation or elimination of infrastructure associated with the bulk liquid and gas operations at the facility.

2) A realignment of the internal road system to provide for a more efficient movement of trucks into and out of the marine terminal. This realignment will result in the reduction of 0.03 acres of permanent transition area impact and an increase of 0.027 acres of temporary transition area impacts.

The Department approved revisions are shown on plans as follows:

**MODIFIED APPROVED PLANS:**

- The revised drawings hereby approved are entitled “DRP GIBBSTOWN LOGISTICS CENTER, DELAWARE RIVER PARTNERS, LLC, GIBBSTOWN, GREENWICH TOWNSHIP, NEW JERSEY” dated July 2016, revision dates December 9, 2018, with the following 25 sheets being revised on revised on August 24, 2018 as part of the minor technical modification application: G-002, G-101, G-102, G-103, C-001, C-002, C-003, C-100, C-101, C-102, C-102, C-103, C-104, C-106, C-107, C-108, C-109, C-111, C-112, C-113, C-114, C-115, C-120, C-305 and C-306.

The original permit is hereby modified to include the following condition:

41. The permittee shall comply with all Toxic Catastrophe Prevention Act (TCPA) Program rule requirements pursuant to N.J.A.C. 7:31 et seq.
All other conditions of the existing permit remain in full force and effect.

Please do not hesitate to contact the Suzanne Dietrick at (609) 984-6216 or at Suzanne.Dietrick@dep.nj.gov if you have questions concerning this letter.

Sincerely,

Christopher Jones, Manager
Bureau of Urban Growth and Redevelopment
Division of Land Use Management

Attachment
C: Michael Hayduk, Philadelphia District Army Corps of Engineers, Regulatory Branch (w/plans)
   Greenwich Township Municipal Official
ATTACHMENT B
SITE PLANS
INDEX OF DRAWINGS

<table>
<thead>
<tr>
<th>INDEX NO.</th>
<th>SHEET NO.</th>
<th>SHEET TITLE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A-001</td>
<td>PLAN GENERAL ARRANGEMENT</td>
</tr>
</tbody>
</table>
DELAWARE RIVER

INDEX: OF C-002

UPLANDS GENERAL ARRANGEMENT
PLAN COASTAL WETLAND

Coastal wetland
Impact to regulated areas on the project site
Regulated Areas

<table>
<thead>
<tr>
<th>PERMANENT</th>
<th>TEMPORARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>WATERFRONT</td>
<td>WATERFRONT</td>
</tr>
<tr>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>0.005</td>
<td>0.005</td>
</tr>
<tr>
<td>0.000</td>
<td>0.000</td>
</tr>
<tr>
<td>0.000</td>
<td>0.000</td>
</tr>
</tbody>
</table>

NOTES:
1. Impact refers to the fact that there are areas of coastal wetland that will be filled in conjunction with this approved development activities. "Filled" means that all wetland functions and values for the filled area will be lost.
2. The following activities are for the installation and maintenance of temperature sensors and current control measures. These activities will be removed to their original conditions upon completion.

Scale: 1" = 200'
McAleer, Shane

From: Miller, David J. <DMiller@gibbonslaw.com>
Sent: Wednesday, May 08, 2019 8:53 AM
To: Kovach, David
Cc: McAleer, Shane; Hauge, Paul M.
Subject: [EXTERNAL] RE: Gibbstown Logistics Center - Dock 2

Thank you very much, David.

-Dave

David J. Miller
Environmental Law Department
GIBBONS P.C.
e-mail | attorney bio | website

From: Kovach, David <David.Kovach@drbc.gov>
Sent: Tuesday, May 7, 2019 4:44 PM
To: Miller, David J. <DMiller@gibbonslaw.com>
Cc: McAleer, Shane <Shane.McAleer@drbc.gov>; Hauge, Paul M. <PHauge@gibbonslaw.com>
Subject: RE: Gibbstown Logistics Center - Dock 2

David,
Nothing new to report and we require no additional information at this time. Best of luck at your new position.
Paul,
Feel free to call if you require anything from the DRBC.

David Kovach, P.G.
Project Review Manager
Delaware River Basin Commission
P.O. Box 7360
25 Cosey Road
West Trenton, NJ 08628-0360
P: 609-477-7264
David.kovach@drbc.gov

From: Miller, David J. <DMiller@gibbonslaw.com>
Sent: Tuesday, May 07, 2019 12:07 PM
To: Kovach, David <David.Kovach@drbc.gov>
Cc: McAleer, Shane <Shane.McAleer@drbc.gov>; Hauge, Paul M. <PHauge@gibbonslaw.com>
Subject: [EXTERNAL] Gibbstown Logistics Center - Dock 2

Hi David –

I hope all is well with you. I wanted to quickly reach out to see if DRBC had received any comments on the above-referenced application and if there was anything else you needed from our end.

Separately, I wanted to let you know that I am leaving Gibbons on Friday (5/10/19) to pursue another opportunity and that my colleague Paul Hauge (copied here) will be the contact going forward from our end.
Please do not hesitate to reach out to me over the next couple days with any questions, etc.

Thanks again for your help.

-Dave

David J. Miller  
*Environmental Law Department*  
GIBBONS P.C.  
Newark | New York | Trenton | Philadelphia | Wilmington  
One Gateway Center, Newark, NJ 07102-5310  
email | attorney bio | website  

Visit www.rpelawalert.com for the latest real estate and environmental legal and business news.

**Disclaimer**  
The contents of this message, together with any attachments, may contain information that is legally privileged, confidential and exempt from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, printing, or copying of this message, or any attachment, is strictly prohibited. If you have received this message in error, please notify me immediately by reply e-mail or call Gibbons P.C. at 973-596-4500 and delete this message, along with any attachments, from your computer.
Hi Paul,
Attached is a list of required permits and statuses for the Gibbstown Dock 2 project that was submitted with the application. Can you please provide an updated list of permit status and any permits that have been issued to date? Please call or write with any questions.

Thanks,

David Kovach, P.G.
Project Review Manager
Delaware River Basin Commission
P.O. Box 7360
25 Cosey Road
West Trenton, NJ 08628-0360
P: 609-477-7264
David.kovach@drbc.gov
<table>
<thead>
<tr>
<th>PERMIT TYPE</th>
<th>APPLICATION</th>
<th>STATUS/ISSUANCE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NJDEP Waterfront Development Individual Permit and Water Quality Certificate</td>
<td>3/1/19</td>
<td>Pending</td>
</tr>
<tr>
<td>NJDEP Tidelands License (Dredging)</td>
<td>3/1/19</td>
<td>Pending</td>
</tr>
<tr>
<td>NJDEP Tidelands License (Fixed Structure)</td>
<td>3/1/19</td>
<td>Pending</td>
</tr>
<tr>
<td>USACE Jurisdictional Determination</td>
<td>2/18/16</td>
<td>7/5/16</td>
</tr>
<tr>
<td>USACE Section 10/404 Individual Permit</td>
<td>3/1/19</td>
<td>Pending</td>
</tr>
<tr>
<td>Gloucester County Site Plan Approval</td>
<td>Pending</td>
<td>Pending</td>
</tr>
<tr>
<td>Greenwich Township Site Plan Approval</td>
<td>Pending</td>
<td>Pending</td>
</tr>
<tr>
<td>Gloucester County Soil Conservation District Plan Certification</td>
<td>Pending</td>
<td>Pending</td>
</tr>
<tr>
<td>NJDEP NJPDES Permit</td>
<td>Pending</td>
<td>Pending</td>
</tr>
</tbody>
</table>
Permit status update

David Kovach, P.G.
Project Review Manager
Delaware River Basin Commission
P.O. Box 7360
25 Cosey Road
West Trenton, NJ 08628-0360
P: 609-477-7264
David.kovach@drbc.gov

From: Hauge, Paul M. <PHauge@gibbonslaw.com>
Sent: Wednesday, May 15, 2019 12:35 PM
To: Kovach, David <David.Kovach@drbc.gov>
Subject: [EXTERNAL] DRP Gibbstown Dock 2

Mr. Kovach:

Thank you for your e-mail. As we discussed by telephone this morning, I attach a revision of your table with the dates that you requested. In accordance with our understanding, which you confirmed, the attached table notes that county and local approvals are not relevant for purposes of DBC docketing. Also, we have determined that the project will not require an NJPDES permit.

Thanks again for your assistance. Please let me know if you require any additional information in order to include the project on the August agenda.

Paul M. Hauge
Counsel
Environmental Law Department
Gibbons P.C.
One Gateway Center
Newark, NJ 07102
O: 973-596-4471
C: 973-803-7133
Disclaimer
The contents of this message, together with any attachments, may contain information that is legally privileged, confidential and exempt from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, printing, or copying of this message, or any attachment, is strictly prohibited. If you have received this message in error, please notify me immediately by reply e-mail or call Gibbons P.C. at 973-596-4500 and delete this message, along with any attachments, from your computer.
<table>
<thead>
<tr>
<th>PERMIT TYPE</th>
<th>APPLICATION</th>
<th>STATUS/ISSUANCE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NJDEP Waterfront Development Individual Permit and Water Quality Certificate</td>
<td>3/1/19</td>
<td>Expected 6/19/19</td>
</tr>
<tr>
<td>NJDEP Tidelands License (Dredging)</td>
<td>3/1/19</td>
<td>Approval expected 6/20/19</td>
</tr>
<tr>
<td>NJDEP Tidelands License (Fixed Structure)</td>
<td>3/1/19</td>
<td>Approval expected 6/20/19</td>
</tr>
<tr>
<td>USACE Jurisdictional Determination</td>
<td>2/18/16</td>
<td>7/5/16</td>
</tr>
<tr>
<td>USACE Section 10/404 Individual Permit</td>
<td>3/1/19</td>
<td>Expected 6/26/19</td>
</tr>
<tr>
<td>Gloucester County Site Plan Approval (not required for DRBC docketing)</td>
<td>Pending</td>
<td>Pending</td>
</tr>
<tr>
<td>Greenwich Township Site Plan Approval (not required for DRBC docketing)</td>
<td>Pending</td>
<td>Pending</td>
</tr>
<tr>
<td>Gloucester County Soil Conservation District Plan Certification (not required for DRBC docketing)</td>
<td>Pending</td>
<td>Pending</td>
</tr>
<tr>
<td>NJDEP NJPDES Permit</td>
<td>Not required</td>
<td>Not required</td>
</tr>
</tbody>
</table>
Please amend docket to accommodate.

David Kovach, P.G.
Project Review Manager
Delaware River Basin Commission
P.O. Box 7360
25 Cosey Road
West Trenton, NJ 08628-0360
P: 609-477-7264
David.kovach@drbc.gov

From: Hauge, Paul M. <PHauge@gibbonslaw.com>
Sent: Tuesday, May 21, 2019 1:16 PM
To: Kovach, David <David.Kovach@drbc.gov>
Subject: [EXTERNAL] DRP Gibbstown Dock 2

Mr. Kovach:

As we discussed earlier today, I attach copies of (1) Waterfront Development Permit No. 0807-16-0001.2/WFD190001, issued by NJDEP's Division of Land Use Regulation on May 20, 2019, and (2) an updated table of approvals for the project.

Thanks again for your help. Please let me know if I can provide any additional information.

Paul M. Hauge
Counsel
Environmental Law Department
Gibbons P.C.
One Gateway Center
Newark, NJ 07102
O: 973-596-4471
C: 973-803-7133

GIBBONS

Disclaimer
The contents of this message, together with any attachments, may contain information that is legally privileged,
confidential and exempt from disclosure. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, printing, or copying of this message, or any attachment, is strictly prohibited. If you have received this message in error, please notify me immediately by reply e-mail or call Gibbons P.C. at 973-596-4500 and delete this message, along with any attachments, from your computer.
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION
Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
www.state.nj.us/dep/landuse

PERMIT

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 limitations, terms and conditions listed below and on the attached pages. For the purpose of this document, “permit” means “approval, certification, regulation, 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.

Approval Date
May 20, 2019

Expiration Date
May 19, 2024

Permit Number(s):
0807-16-0001.2
WFD190001

Type of Approval(s):
Waterfront Development IP In-Water

Enabling Statute(s):
NJSA 12:5-3 et seq, WFD

Permittee:
Gary Lewis
Delaware River Partners LLC
1345 Ave of The Americas
New York, NY 10105

Site Location:
Delaware River Partners Gibbstown Logistic Center – Dock 2
Block(s) & Lot(s): [8, 2] [8, 3] [8, 4.01] [8, 4.02], portions of [8,1]
and [8,4]
Municipality: Gibbstown, Greenwich Township
County: Gloucester

Description of Authorized Activities:

Construction of a new dock consisting of two loading platforms, eight breasting dolphins, 11 mooring dolphins and walkways. The total area of the dock structure is 139,127 square feet as shown on the approved plans on the last page of the permit.

Dredge no more than 665,000 cubic yards of sediment within a 45-acre area of the Delaware River. The depth of dredging shall be limited to -45 feet below mean low water (-45' MLW) plus two foot (2') of allowable overdraft and shall be restricted to the limits as depicted on the authorized plans. Dredging shall be accomplished using a closed clamshell environmental bucket.

This authorization to conduct activities in the Delaware River includes the issuance of a Water Quality Certificate.

Prepared by:
Suzanne U. Dietrick, Division of Land Use Regulation

If the permittee undertakes any regulated activity authorized under a 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 permit and all conditions therein.

Received and/or Recorded by
County Clerk:

This permit is not valid unless authorizing signature appears on the last page.
SPECIAL CONDITIONS

1. The Department, the Commissioner of the Department, and Administrator of the Spill Compensation Fund reserve all authority and rights against all parties responsible for the discharges or in any way responsible for the hazardous substances present at the site with respect to liability for all costs and damages, including but not limited to damages for injury to, destruction of, or loss of natural resources (including the costs to conduct primary restoration to pre-discharge conditions and compensatory restoration damages) and for the costs of any natural resource damage assessments. The Department and Commissioner of the Department further reserve their authorities and rights to seek all available relief, including equitable relief and the right to require any person responsible for the contamination at or migrating from the site to address natural resource injuries. Any approvals provided herein are without prejudice to the above-referenced authorities and rights.

2. Prior to the start of any in-water site disturbance authorized in this permit, the permittee shall obtain the following:
   a. Valid Tidelands Instrument as applied for on March 1, 2019;
   b. United States Army Corps of Engineering authorization for the project.

3. To minimize impacts to migrating and spawning of anadromous fish, any and all in-water work or sediment generating disturbances is prohibited from March 15 to June 30 of each year.

4. The depth of dredging shall be limited to -45 feet below mean low water (-MLW) plus 2 foot of allowable overdredge.

5. Dredging shall be restricted to the limits as depicted on the authorized plans. The volume of material to be dredged shall not exceed 665,000 cubic yards (cy) as shown on the approved plans.

6. A pre-construction dredging report shall be completed and sent to the Office of Dredging and Sediment Technology 14 days prior to construction. Please refer to the NJDEP, Land Use Regulation Program website.

7. The permittee shall employ the services of an independent dredging inspector to monitor dredging activities twice per week. The permittee shall submit the resume of the dredging inspector to the Department for review and receive written approval prior to the initiation of dredging. The independent dredging inspector shall perform inspections of the dredging contract a minimum of twice per week using the attached WQC Field Inspector form. The permittee shall submit the completed inspection forms to the NJDEP, ODST on at least a weekly basis.

8. Upon completion of dredging, a completion report shall be completed and sent to the Office of Dredging and Sediment Technology. The dredging contractor shall complete and submit the attached Dewatering Form to the independent dredging inspector on a weekly basis as part of the Quality Control Report provided to the permittee. Said Dewatering Form shall be certified by the independent dredging inspector that they have witnessed the dewatering process during the preceding week. The permittee shall submit the completed Dewatering Form with appropriate certifications by email to Mark.Davis@dep.nj.gov of the Office of Dredging and Sediment Technology for the preceding week.
9. REPORTING REQUIREMENTS: At the completion of the dredging project, the permittee shall submit the following information to the Office of Dredging and Sediment Technology. This information shall be submitted within three months of completion of dredging.

- Start and finish date of work order(s)
- Post-dredge hydrographic survey
- Completed "Notice of Completion of Work" attached for each work order(s)/completion of Project.

Closed Clamshell Environmental Bucket

10. Any fine-grained sediments dredged within the approved dredge area shall be removed using a closed clamshell environment bucket.

11. The dredge shall control the rate of descent of the bucket to maximize the vertical cut of the clamshell bucket while not penetrating the sediment beyond the vertical dimension of the open bucket (i.e., overfilling the bucket). This will reduce the amount of free water in the dredged material, will avoid overfilling the bucket, and minimize the number of dredge bucket cycles needed to complete the dredging contract. The dredging contractor shall use appropriate software and sensors on the dredging equipment to ensure consistent compliance with this condition during the entire dredging operation. The independent dredging inspector shall monitor the operation of the software and sensors during the inspections as specified in the below conditions. Any malfunction of the software and sensors on the dredge at any time shall be immediately reported to the independent dredging inspector and the permittee by the dredging contractor and shall be immediately repaired to working order.

12. The closed clamshell environmental bucket shall be equipped with sensors to ensure complete closure of the bucket before lifting the bucket. Said sensors shall be operational during the entire dredging operation.

13. The closed clamshell environmental bucket shall be lifted slowly through the water, at a rate of 2 feet per second or less.

14. Dredged material shall be placed deliberately in the barge to prevent spillage of material overboard.

15. The discharge (i.e., "overflow") of water from the barge/scow into which dredged material is placed is prohibited.

16. All barges or scows used to transport sediment shall be of solid hull construction or be sealed with concrete.

17. The gunwales of the dredge scows shall not be rinsed or hosed during dredging except to the extent necessary to ensure the safety of workers maneuvering on the dredge scow.

18. All decant water holding scows shall be water tight and of solid hull construction.

19. Decant water from this project may only be discharged within the dredge area from where the sediments originated, in proximity to the dredging contract area. Discharge to another receiving
20. All decant water shall be held in the decant holding scow a minimum of 24 hours after the last addition of water to the decant holding scow. Said water contained in the decant holding scow may only be discharge after this mandatory 24-hour retention time.

   a. Should the contractor wish to reduce the required holding time, the contractor shall demonstrate that the reduced holding time is sufficient to meet a total suspended solids (TSS) background value of 30 mg/L. The total suspended solids shall be determined through gravimetric analysis. No discharge shall be permitted from the decant holding scow until the results of the gravimetric analysis have confirmed that the 30 mg/L background level has been achieved. No additional water shall be added to the decant holding scow between the time of sample acquisition and discharge. Upon successful demonstration that the reduced holding time is sufficient to meet the TSS background level of 30 mg/L, the monitoring of TSS may be suspended and the demonstrated settling time shall replace the 24-hour minimum. A successful demonstration of the reduced holding time efficiency shall be determined once three consecutive TSS analyses have confirmed that the 30 mg/L action level has been achieved by the reduced holding time.

   b. Should the contractor wish to demonstrate this reduced holding time, all records including time of last addition of decant water into the scow, time of TSS sampling and the results of TSS sampling shall be submitted to the NJDEP as soon as they become available, together with a request for a reduced holding time.

21. During pumping of the decant water from the holding scow, great care shall be taken to avoid resuspending or pumping sediment which has settled in the decant holding scow.

22. The dredging contractor shall complete and submit the attached Dewatering Form to the independent dredging inspector on a weekly basis as part of the Quality Control Report provided to the permittee. Said Dewatering Form shall be certified by the independent dredging inspector that they have witnessed the dewatering process during the preceding week. The permittee shall submit the completed Dewatering Form with appropriate certifications by email to the Office of Dredging and Sediment Technology for the preceding week.

23. Acceptable Use Determination for Dredged Material

   The 665,000 cubic yards of dredged material to be removed from the berthing facility was sampled in accordance with an approved Sediment Sampling and Analysis Plan (SSAP) dated December 24, 2019. The analytical results of the sediment sampling were submitted with the Waterfront Development Permit on March 20, 2019. The NJDEP has reviewed the analytical results for the project and the document entitled “Dredged Material Management Plan, DRP Gibbstown Logistics Center, Dock 2 Gibbstown, NJ (DMMP) dated March 2019. The NJDEP has also reviewed the five sheets entitled “Dredge Material Management Plan, Dock 2, DRP Gibbstown Logistic Center, Gibbstown, New Jersey” dated March 13, 2019, and prepared by Nestor D. Soler, PE of Ramboll Environ.

   The following conditions are the Acceptable Use Determination for the 665,000 cy of material to be managed from this project:
a. Sixty days prior to the initiation of dredging as authorized in this permit, the permittee shall schedule an on-site meeting with the NJDEP and designated contractor(s) performing the dredging, processing and placement of the material to finalize the dredging schedule, disposal and beneficial use site options.

b. Fort Mifflin CDF - Placement of the dredged material or processed dredged material from this project at the identified out-of-state placement sites is addressed in separate authorizations and approvals issued by the Pennsylvania Department of Environmental Protection and the owner/operator of the site.

c. Whites Rehandling Basin – Placement of the dredged material from this project shall comply with the conditions specified in the Weeks Marine Waterfront Development Permit In-Water, Water Quality Certificate and Acceptable Use Determination (DEP File #0809-08-0010.1 LUP190001 and CDT180001)

d. If the permittee proposes to place the dredged material from this project at a location different from that approved in this permit, written authorization in the form of a minor or major technical modification must be obtained from the Department prior to the transport of any dredged material to the alternative placement location.

24. To protect sensitive habitat for the State-listed Osprey, the permittee shall adhere to a seasonal restriction on the use of heavy construction equipment/machinery within 1000 feet (300 meters) of any active osprey nest along the project limit of disturbance from April 1 through August 31 of each calendar year. The initiation and implementation of work which generates disturbance (e.g., sound levels, visual interruption) that is out of character with what currently exists at or surrounding the anticipated work area during the restricted time-period recommended above may result in the permittee being in violation of the “take” clauses within State of New Jersey (Endangered and Nongame Species Conservation Act, NJSA 23:2A-1) and federal (Migratory Bird Treaty Act, 16 USC 703-712) statutes.

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 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 by telephone at (877) 927-6337 (Warn DEP Hotline) of any noncompliance that may endanger the public health, safety, and welfare, or the environment. In addition, the permittee shall inform the Division of Land Use Regulation 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:
   a. A description of the noncompliance and its cause;
   b. The period of noncompliance, including exact dates and times;
   c. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
   d. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

7. 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.

8. 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.

9. 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.

10. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.

11. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
   a. Enter upon the permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of the permit;
   b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and
   c. 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 under.

12. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action under, as well as, in the appropriate case, suspension and/or termination of the permit.

13. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect so long as the regulated activity or project, or any portion thereof, is in existence, unless the permit is modified.

14. For Coastal Permits, Flood Hazard Permits and Flood Hazard Verifications, 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 the Division of Land Use Regulation at the address set forth in the rules.

15. 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.

16. 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.

17. A permit shall be transferred to another person only in accordance with the regulations.

18. A permit can be suspended or terminated by the Department for cause.

19. 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.

20. 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.

21. The permittee shall submit written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, 401 East State Street, 4th Floor, P.O. Box 420, Mail Code 401-04C, Trenton, NJ 08625, at least three working days prior to the commencement of regulated activities.

22. 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(ies) is being undertaken. Upon completion of the regulated activity(ies), 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.

23. The regulated activity shall not destroy, jeopardize, or adversely modify a present or documented habitat for threatened or endangered species, and shall not jeopardize the continued existence of any local population of a threatened or endangered species.

APPROVED PLANS:

- The drawings hereby approved consist of five (5) sheets prepared by Nestor D. Soler, PE of Ramboll Environ, dated March 13, 2019, unrevised and entitled “DREDGE MATERIAL MANAGEMENT PLAN – DOCK 2, DRP GIBBSTOWN LOGISTICS CENTER, GIBBSTOWN, NEW JERSEY”

- “DRP GIBBSTOWN – LOGISTIC CENTER, DOCK 2”, prepared by Thomas Shafer, P.E. Maser Consulting, dated February 21, 2109, unrevised, and entitled:
INDEX OF DRAWINGS, Sheets 3 of 20,
PROJECT AREA, Sheet 4 of 20,
PLAN - DREDGING, Sheet 5 of 20,
SECTIONS - DREDGING SHEET 1 of 3, Sheet 6 of 20,
SECTIONS - DREDGING SHEET 2 of 3, Sheet 7 of 20,
SECTIONS - DREDGING SHEET 3 of 3, Sheet 8 of 20,
PLAN - GENERAL ARRANGEMENT BERTH A AND BERTH B, Sheet 9 of 20
PLAN - PILE BERTH A AND BERTH B, Sheet 10 of 20
PLAN - DECK BERTH A AND BERTH B, Sheet 11 of 20
PLAN - ENLARGED BERTH A AND BERTH B, Sheet 12 of 20
PLAN - LANDSIDE TRANSITION BERTH A AND BERTH B, Sheet 13 of 20
PLAN - SECTION LANDSIDE TRANSITION BERTH AND BERTH B, Sheet 14 of 20
SECTION - TYPICAL TRESTLE, Sheet 15 of 20
SECTION - TYPICAL MOORING DOLPHIN, Sheet 16 of 20
SECTION - TYPICAL BREASTING DOLPHIN, Sheet 17 of 20
SECTION - TYPICAL SHARED DOLPHIN, Sheet 18 of 20
SECTION - LOADING PLATFORM, Sheet 19 of 20
SECTION - TYPICAL WATERWAY SUPPORT, Sheet 20 of 20

Approved By:

Christopher Jones, Manager
Bureau of Urban Growth and Redevelopment
Division of Land Use Regulation

Original sent to Agent to record
c: Permittee
Construction Official
<table>
<thead>
<tr>
<th>PERMIT TYPE</th>
<th>APPLICATION</th>
<th>STATUS/ISSUANCE DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>NJDEP Waterfront Development Individual Permit and Water Quality Certificate</td>
<td>3/1/19</td>
<td>Issued 5/20/19</td>
</tr>
<tr>
<td>NJDEP Tidelands License (Dredging)</td>
<td>3/1/19</td>
<td>Approval expected 5/22/19</td>
</tr>
<tr>
<td>NJDEP Tidelands License (Fixed Structure)</td>
<td>3/1/19</td>
<td>Approval expected 5/22/19</td>
</tr>
<tr>
<td>USACE Jurisdictional Determination</td>
<td>2/18/16</td>
<td>7/5/16</td>
</tr>
<tr>
<td>USACE Section 10/404 Individual Permit</td>
<td>3/1/19</td>
<td>Expected 6/26/19</td>
</tr>
<tr>
<td>Gloucester County Site Plan Approval (not required for DRBC docketing)</td>
<td>Pending</td>
<td>Pending</td>
</tr>
<tr>
<td>Greenwich Township Site Plan Approval (not required for DRBC docketing)</td>
<td>Pending</td>
<td>Pending</td>
</tr>
<tr>
<td>Gloucester County Soil Conservation District Plan Certification (not required for DRBC docketing)</td>
<td>Pending</td>
<td>Pending</td>
</tr>
<tr>
<td>NJDEP NJPDES Permit</td>
<td>Not required</td>
<td>Not required</td>
</tr>
</tbody>
</table>
Shane –

It was nice to meet you by phone yesterday. Attached is the cover letter and administrative attachments for the Waterfront Development Permit modification that was submitted to DEP last August. The modification was issued in November (also attached).

The pdf drawing file is about 21 MB. I wasn’t sure if you can receive that large of a file, so attached is the cover sheet and first 7 sheets that provide the overall view of the project.

I’ll try to send to larger file next.

Best regards,

Laura George
Principal Consultant

D +1 (215) 5235603
M +1 (609) 3563674
lgeorge@ramboll.com

1760 Market Street
Suite 1000
Philadelphia, PA 19103
Mr. Gary Lewis
Delaware River Partners, LLC
1345 Avenue of the Americas
New York, New York 10105

Dear Mr. Lewis:

The Division of Land Use Regulation, acting under the provisions of the Coastal Zone Management Rules (N.J.A.C. 7:7 et seq.), the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A et seq.) and the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13) hereby modifies the existing permit issued April 10, 2017 (as modified on August 3, 2017, January 18, 2018, February 13, 2018 and March 9, 2018) based on a submission of a minor technical modification application submitted on August 24, 2018 to authorize:

1) A reconfiguration of the footprint of the marine terminal development and relocation or elimination of infrastructure associated with the bulk liquid and gas operations at the facility.

2) A realignment of the internal road system to provide for a more efficient movement of trucks into and out of the marine terminal. This realignment will result in the reduction of 0.03 acres of permanent transition area impact and an increase of 0.027 acres of temporary transition area impacts.

The Department approved revisions are shown on plans as follows:

MODIFIED APPROVED PLANS:

- The revised drawings hereby approved are entitled “DRP GIBBSTOWN LOGISTICS CENTER, DELAWARE RIVER PARTNERS, LLC, GIBBSTOWN, GREENWICH TOWNSHIP, NEW JERSEY” dated July 2016, revision dates December 9, 2018, with the following 25 sheets being revised on revised on August 24, 2018 as part of the minor technical modification application: G-002, G-101, G-102, G-103, C-001, C-002, C-003, C-100, C-101, C-102, C-102, C-103, C-104, C-106, C-107, C-108, C-109, C-111, C-112, C-113, C-114, C-115, C-120, C-305 and C-306.

The original permit is hereby modified to include the following condition:

41. The permittee shall comply with all Toxic Catastrophe Prevention Act (TCPA) Program rule requirements pursuant to N.J.A.C. 7:31 et seq.
All other conditions of the existing permit remain in full force and effect.

Please do not hesitate to contact the Suzanne Dietrick at (609) 984-6216 or at Suzanne.Dietrick@dep.nj.gov if you have questions concerning this letter.

Sincerely,

[Signature]
Christopher Jones, Manager
Bureau of Urban Growth and Redevelopment
Division of Land Use Management

Attachment
C: Michael Hayduk, Philadelphia District Army Corps of Engineers, Regulatory Branch (w/plans)
  Greenwich Township Municipal Official
August 24, 2018

Via Federal Express

Application Support
Division of Land Use Regulation
New Jersey Department of Environmental Protection
501 East State Street
Station Plaza 5, 2nd Floor
Trenton, NJ 08609

RE: MINOR TECHNICAL MODIFICATION AND COMPLIANCE WITH
WDP SPECIAL CONDITION 36
PERMIT NO. 0807-16-0001.1 WDP170001, WDP160002,
FHA160001, FHA160002, CSW160001, FWW160001,
FWW160002
DRP GIBBSTOWN LOGISTICS CENTER
200 NORTH REPAUNO AVENUE
GIBBSTOWN, GLOUCESTER COUNTY, NEW JERSEY

Dear Sir/Madam:

On behalf of the applicant, Delaware River Partners LLC (DRP), Ramboll U.S. Corporation (Ramboll) is submitting this request for a minor technical modification to the above-referenced permits issued for the DRP Gibbstown Logistics Center project under the Coastal Zone Management Rules (NJAC 7:7 et seq.), the Freshwater Wetlands Protection Act Rules (NJAC 7:7A et seq.), and the Flood Hazard Area Control Act Rules (NJAC 7:13 et seq.). The modification addresses internal reconfiguration of operational areas within the marine terminal area and improvement of an internal roadway intersection. In addition, as required by Special Condition 36 of the Waterfront Development Permit ("WDP"), also enclosed is a revised stormwater management report that has been updated to account for refinement of the site grading to support separation of different operational areas at the site. The overall limit of land disturbance and outfall locations have not changed.

MINOR TECHNICAL MODIFICATION

The proposed modification involves an internal reconfiguration of operational areas of the site. The dry storage and cold storage buildings, which were originally planned and shown on the approved site plans, are eliminated from the site. The truck rack is enlarged and, along with associated infrastructure, is relocated from the currently permitted location in the southwestern portion of the liquid storage area to the central waterfront area of the marine terminal. In addition, eleven above ground storage tanks have been eliminated near the existing hard rock storage cavern loading/unloading area. The reconfiguration and removal of buildings and tanks would not affect the limit of land disturbance and would not result in any new impacts to regulated areas. The purpose of these changes is to improve access to and from the truck rack for trucks.
entering and leaving the marine terminal and to allow for more efficient movement of cargo through the site. These changes are reflected on Sheets G-101, C-001, C002, C-003, C-100, C-102, C-103, C-107, C-108, C-112 and C-115.

The last change involves the improvement of the intersection of C-Line road and A-Line Extension to enhance internal vehicle circulation. On the approved plans, A-Line Extension is realigned to form a T-intersection with C-Line Road. The modified alignment would reorient the previously permitted T-intersection so that the primary traffic flow does not necessitate a stop at an intersection. This change is expected to optimize truck movement to and from the marine terminal, creating safer, more operationally efficient traffic patterns at the site overall. As discussed in the Review of Compliance (enclosed), the proposed modification would result in no new permanent disturbance to regulated resources. There is a small reduction (0.030 acre) in permanent impact to freshwater wetland transition area and a small increase (0.027 acre) in temporary impact to freshwater wetland transition areas. This is the net result of an increase of transition area impact on the west side of C-Line Road and a reduction of the transition area impact on the east side of C-Line Road. This change is shown on sheets G-101, C-001, C002, C-003 and C-120.

To support this application for a minor technical modification one copy of each of the following items are enclosed:

- Completed DLUR Application form (See Attachment A);
- Minor Technical Modification Checklists (See Attachment B); and
- WDP, FHA, and FWW Individual Permits issued to DRP and of which modification is sought (See Attachment C).

Though not required by a Minor Technical Modification, DRP is providing notice to neighboring property owners and local government agencies. A template of this notice is provided in Attachment D. Also, as required and in support of the modification, the following items are enclosed:

- Three (3) copies of a Compliance Statement for the proposed modification, including:
  - A description of the proposed scope and purpose of the proposed change;
  - A review of the Joint Statement of Compliance submitted December 2016, revised June 5, 2017 to demonstrate that the proposed change continues to comply with the requirements of the Coastal Zone Management Rules, Freshwater Wetlands Protection Act Rules, and Flood Hazard Area Control Act Rules. Only rules that are affected by the modification are discussed;
- Three (3) sets of reduced-size (11x17) revised Site Plans showing the proposed changes. Note that for completeness, all C-series drawings (C-001 through C-123) are enclosed. These drawings have been signed and sealed by Thomas Shafer, Jr., P.E. of Moffat & Nichol, a New Jersey-licensed Professional Engineer; and
- The application fee in the form of a check (no. 7866) in the amount of $1,500, made payable to the Treasurer, State of New Jersey.

**COMPLIANCE WITH WDP SPECIAL CONDITION 36**

As required by Special Condition 36 of the WDP, NJDEP review of changes to the stormwater management plan is required when these changes 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. The site grading and stormwater management plan was only revised to support separation of different operational areas at the site. The overall limit of land disturbance and outfall locations have not changed. Revised grading is shown on sheets C-101 through C-123 (enclosed as indicated above). While included for completeness, no changes were made on sheets C-105, C-110, C-116 through C-119, and C-121 through C-123. A revised Stormwater Management Report, prepared by Langan Engineering, that details the proposed alterations is enclosed for NJDEP review and to demonstrate continuing compliance with Special Condition 36.

Should you have any questions or require additional information, please do not hesitate to contact Laura George at lgeorge@ramboll.com or (215) 523-5063.

Sincerely,

Laura George
Principal Consultant

cc: Suzanne Dietrick (email)
    Gary Lewis, DRP (email)
    Jim Osman, DRP (email)
    Shawn LaTourette, Gibbons PC (email)
State of New Jersey
Department of Environmental Protection
Division of Land Use Regulation
Application Form for Permit(s)/Authorization(s)
501 E. State Street Mall Code 501-02A P.O. Box 420
Trenton, NJ 08625-0420
Phone #: (609) 777-0454 Web: www.nj.gov/dep/landuse

Please print legibly or type the following: Complete all sections and pages unless otherwise noted. Is this project Superstorm Sandy Related Yes ☐ No ☑

1. Applicant Name: Mr./Ms./Mrs. Gary Lewis, as President of Delaware River Partners LLC
   Address: 200 North Repauno Avenue
   City/State: Gibbstown, NJ
   Daytime Phone: 904-538-8057
   E-Mail: glewis@repauno.com
   Zip Code: 08027

2. Agent Name: Mr./Ms./Mrs. Laura George
   Firm Name: Ramboll U.S. Corporation
   Address: 1760 Market Street, Suite 1000
   City/State: Philadelphia, PA
   Daytime Phone: 215-523-5603
   E-Mail: lgeorge@ramboll.com
   Zip Code: 19103

3. Property Owner: Mr./Ms./Mrs. Delaware River Partners LLC
   Address: Same as #1 above
   City/State: Gibbstown, NJ
   Daytime Phone: _______________________________
   E-Mail: _______________________________

4. Project Name: ORP Gibbstown Logistics Center
   Municipality: Greenwich Township
   County: Gloucester
   Block(s): 8
   N.A.D. 1983 State Plane Coordinates (feet) E (x): 267,960.5
   N(y): 387,630.3
   Watershed: Cedar Swamp/Repauno Creek/Clonmell Creek
   Nearest Waterway: Delaware River
   Lot(s): 2, 3, 4, 6, 4.02 and portions of 1 and 4.
   Subwatershed: Neshonny Bk/Clonmell Ck. & Repauno Ck/Cedar Swamp
   County: Gloucester
   Zip Code: _______________________________

5. Project Description: The applicant is seeking a minor technical modification to the joint Waterfront Development/Flood Hazard/Freshwater Wetlands Individual Permit issued for the above-referenced site to reconfigure certain site operation features and realign an internal roadway intersection.

Provide if applicable: Previous LUR File # (s): _______________________________
Waiver request ID # (s): _______________________________

A. SIGNATURE OF APPLICANT (required):
I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining and preparing the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fine and imprisonment. If the applicant is an organization such as a corporation, municipal entity, home-owners association etc., the party responsible for the application shall sign on behalf of the organization.

Signature of Applicant
Date
Print Name

Signature of Applicant
Date
Print Name

Page 1
Document ID: lur_021.doc, Last Revised: May 2018
B. PROPERTY OWNER'S CERTIFICATION

I hereby certify that the undersigned is the owner of the property upon which the proposed work is to be done. This endorsement is certification that the owner/easement holder grants permission for the conduct of the proposed activity. In addition, written consent is hereby given to allow access to the site by representatives or agents of the Department for the purpose of conducting a site inspection(s) or survey(s) of the property in question.

In addition, the undersigned property owner hereby certifies:

1. Whether any work is to be done within an easement?
   (If answer is "Yes" - Signature and Title of responsible party is required below)
2. Whether any part of the entire project will be located within property belonging to the State of New Jersey?
3. Whether any work is to be done on any property owned by any public agency that would be encumbered by Green Acres?
4. Whether the project requires a Section 106 (National Register of Historic Places) Determination as part of a federal approval?

Signature of Property Owner:

Date

Gary Lewis, as President of Delaware River Partners LLC
Print Name CARRY LEWIS

C. APPLICANT'S AGENT

Gary Lewis, as President of Delaware River Partners, LLC, the Applicant/Owner and ____________________________ co-Applicant/Owner authorize to act as my agent/representative in all matters pertaining to my application the following person:

Name of Agent
Laura George
Environmental Consultant
Occupation/Profession of Agent

Signature of Agent

Signature of Applicant/Owner:

Signature of co-Applicant/Owner:

D. STATEMENT OF PREPARER OF PLANS, SPECIFICATIONS, SURVEYORS OR ENGINEERS' REPORT

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining and preparing the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fine and imprisonment.

Signature
Thomas Shafer, Jr., PE
Print Name
Vice President, Moffett & Nichol
Position & Name of Firm N24EG0069200
Professional License 
Date 8/23/18

E. STATEMENT OF PREPARER OF APPLICATION, REPORTS AND/OR SUPPORTING DOCUMENTS (other than engineering)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining and preparing the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fine and imprisonment.

Signature
Laura George
Print Name Principal Consultant, Ramboll
Position & Name of Firm
Professional License 
Date 8/23/18

Page 2
### Coastal General Permits

<table>
<thead>
<tr>
<th>Coastal General Permits</th>
<th>Fee Amount</th>
<th>Fee Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>CZMGP1 Amusement Pier Expansion</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP2 Beach/Dune Activities</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP3 Voluntary Reconstruction Certain Residential/Commercial Dev.</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP4 Development of one or two SFH or Duplicates</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP5 Expansion or Reconstruction SFH/Duplex</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP6 NewBulkhead/Fill Lagoon</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP7 Revetment at SFH/Duplex</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP8 Gabions at SFH/Duplex</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP9 Support Facilities at a Marina</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP10 Reconstruction of Existing Bulkhead</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP11 Hazard Waste Clean-up</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP12 Landfill of Utilities</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP13 Recreation Facility at Public Park</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP14 Bulkhead Construction &amp; Fill Placement</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP15 Construction of Docks/Ramps/Ramps in Lagoons</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP16 Minor Maintenance Dredging in Lagoons</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP17 Erodable Shoreline Stabilization</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP18 Avian Nesting Structures</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP19 Modification of Electrical Substations</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP20 Legalization of the Filling of Tidelands</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP21 Construction of Telecommunication Towers</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP22 Construction of Tourism Structures</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP23 Geotechnical Survey Boeings</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP24 Habitat Creation/Restoration/Enhancement/Living Shorelines</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>CZMGP25 1 to 2 Turbines &lt; 200 Feet</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP26 Wind Turbines &lt; 250 Feet</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP27 Dredge Lagoon (post storm event)</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP28 Dredge post Bulkhead Failure</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP29 Dredge Marine (post storm event)</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP30 Aquaculture Activities</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP31 Placement of Shell (shellfish areas)</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZMGP32 Application of Herbicide in Coastal Wetlands</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZM General Permit Extension</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>CZM Permit-by-Certification (On-line application ONLY)</td>
<td>$1,000.00</td>
<td></td>
</tr>
</tbody>
</table>

### Flood Hazard Area General Permits

<table>
<thead>
<tr>
<th>Flood Hazard Area General Permits</th>
<th>Fee Amount</th>
<th>Fee Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>FHAGP1 Channel Clean w/o Sediment Removal</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>FHAGP1 Channel Clean w Sediment Removal</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>FHAGP2 Mosquito Control</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FHAGP3 Scour Protection Bridges/Culverts</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FHAGP4 Creation/Restoration/Enhancement of Habitat and Water Quality Values and Functions</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>FHAGP5 Construction and/or Elevation of Building in a Floodway</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>FHAGP6 Construction of One SFH/Duplex and Driveway</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FHAGP7 Relocation of Manmade Roadside Ditches for Public Roadway Improvements</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FHAGP8 Placement of Storage Tanks</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FHAGP9 Construction/Reconstruction of Bridge/Culvert Across Water &lt; 50 Acres</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FHAGP10 Construction/Reconstruction of Bridge/Culvert Across Water &gt; 50 Acres</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FHAGP11 Stormwater Outfall Along Regulated Water &lt;50 Acres</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FHAGP12 Construction of Footbridges</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FHAGP13 Construction of Trails and Boardwalks</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FHAGP14 Application of herbicide in riparian zone</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FHA General Permit Extension</td>
<td>$240.00</td>
<td></td>
</tr>
<tr>
<td>FHA Permit-by-Certification (Except PBC 4 &amp; 5) (On-line application ONLY)</td>
<td>$1,000.00</td>
<td></td>
</tr>
</tbody>
</table>

### Applicability Determination

<table>
<thead>
<tr>
<th>Applicability Determination</th>
<th>Fee Amount</th>
<th>Fee Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coastal Applicability Determination</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>Flood Hazard Applicability Determination</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>Highlands Jurisdictional Determination</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>Executive Order 215</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
</tbody>
</table>

### Highlands

<table>
<thead>
<tr>
<th>Highlands</th>
<th>Fee Amount</th>
<th>Fee Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency Permit</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>Pre-application Meeting</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>Resource Area Determination Presence/Absence</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>Resource Area Determination ≤ one acre</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>Resource Area Determination &gt; one acre</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>hPAAGP 1/ Habitat Creation/Enhance</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>HPAAGP 2 Bank Stabilization</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>Preservation Area Approval (PAA)</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>PAA with Waiver (Specify type below)</td>
<td>$500.00</td>
<td></td>
</tr>
</tbody>
</table>

### Coastal Wetlands

<table>
<thead>
<tr>
<th>Coastal Wetlands</th>
<th>Fee Amount</th>
<th>Fee Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coastal/Tidal Wetlands Permit</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Coastal Wetland Permit Modification</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Individual Permit Equivalency</td>
<td>CERCLA</td>
<td>No Fee</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>--------</td>
<td>--------</td>
</tr>
</tbody>
</table>

Page 3
<table>
<thead>
<tr>
<th>Freshwater Wetlands</th>
<th>Fee Amount</th>
<th>Fee Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>FWGP1 Main. &amp; Repair Exist Feature</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP2 Underground Utility Lines</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP3 Discharge of Return Water</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP4 Hazard Site Invest/Cleanup</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP5 Landfill Closures</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP6 Filling of Non-Tributary Wetlands</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP6A TA Adj. to Non-Tributary Wetlands</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP7 Human-made Ditches/Swales in Headwaters</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP8 House Additions</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP9 Airport Sight-line Clearing</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP10A Very Minor Road Crossings</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP10B Minor Road Crossings</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP11 Outfalls / Intakes Structures</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP12 Surveying and Investigating</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP13 Lake Dredging</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP14 Water Monitoring Devices</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP15 Mosquito Control Activities</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP16 Creation/Restoration/Enhancement Habitat</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>FWGP17 Trails / Boardwalks</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP17A Non-Motorized Multi-Use Paths</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP18 Dam Repairs</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP19 Docks and Piers</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP20 Bank Stabilization</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP21 Above Ground Utility Lines</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP22 Expansion Cranberry Growing (Pinelands)</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>FWGP23 Spring Developments</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP24 Malfunctioning individual Septic Systems</td>
<td>No Fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>FWGP25 Minor Channel / Stream Cleaning</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP26 Redevlop Previously Disturbed Site</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP27 Application of herbicide in wetlands</td>
<td>$1,000.00</td>
<td></td>
</tr>
<tr>
<td>FWGP28 Administrative Modification</td>
<td>No fee</td>
<td>No Fee</td>
</tr>
<tr>
<td>FWGP Major technical modification</td>
<td>$500.00</td>
<td></td>
</tr>
<tr>
<td>FWGP Extension</td>
<td>$500.00</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Stormwater Review Fees</th>
<th>Fee Amount</th>
<th>Fee Paid</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ Fee for all Stormwater Reviews</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Please note: If no fee amount is specified in the "Fee Amount" column, please refer to the Regulatory Fee Schedule which can be found at www.nj.gov/dep/landuse/forms.html. The following types of applications DO NOT require a fee submittal:

- Coastal Permitting
  - General Permit #24 - Habitat creation, restoration, enhancement and living shoreline activities
  - Individual Permit Equivalency – CERCLA
  - Administrative Modifications

- Flood Hazard Area
  - General Permit #1 - Channel cleaning under the Stream Cleaning Act
  - General Permit #4 - Creation, restoration, and enhancement of habitat and water quality values and functions
  - General Permit #5 - Reconstruction and/or elevation of a building in a floodway
  - Transfer of Approval
  - Administrative Modifications
  - Individual Permit Equivalency – CERCLA

- Highlands
  - General Permit #1 - Habitat Creation, Restoration, Enhancement

- Freshwater Wetlands
  - General Permit #16 - Habitat creation and enhancement activities
  - General Permit #17 - Trails and Boardwalks (NO FEE when the activity is proposed on publicly owned lands)
  - General Permit #22 - Expansion of cranberry growing operations in the Pinelands
  - General Permit #24 - Malfunctioning individual subsurface sewage disposal (septic) systems
  - Individual Permit Equivalency – CERCLA

**NOTE:**

Electronic permitting and/or application submittal is available for specific applications. Please see the Division website at www.nj.gov/dep/landuse/permit.html for more information.
APPLICATION FORM - APPENDIX I

Section 1: Please provide the following information for the overall project site. All area measurements shall be recorded in acres to the nearest thousandth (0.001 acres).

<table>
<thead>
<tr>
<th>PROPOSED:</th>
<th>PRESERVED</th>
<th>UNDISTURBED</th>
<th>DISTURBED</th>
</tr>
</thead>
<tbody>
<tr>
<td>RIPARIAN ZONE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CZMRA FORESTED</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(CZMRA IP - Only)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E &amp; T HABITAT</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Endangered and/or Threatened</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>FRESHWATER WETLANDS</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Section 2: Please provide the following information for each permit/authorization requested pursuant to the Freshwater Wetlands Protection Act. All area measurements shall be recorded in acres to the nearest thousandth (0.001 acres). Use additional sheets if necessary.

<table>
<thead>
<tr>
<th>PERMIT TYPE</th>
<th>TA Waiver</th>
<th>WETLAND TYPE</th>
<th>RESOURCE CLASSIFICATION</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Emergent, Forest, Shrub, Etc.</td>
<td>Ordinary, Intermediate, Exceptional, EPA, Etc.</td>
<td>N/A</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PROPOSED DISTURBANCE:</th>
<th>WETLANDS</th>
<th>TRANSITION AREA</th>
<th>SOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>FILLED</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EXCAVATED</td>
<td>NO ADDITIONAL PERMANENT IMPACTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>CLEARED</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TEMPORARY DISTURBANCE</td>
<td>0.027</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PERMIT TYPE</th>
<th>WETLAND TYPE</th>
<th>RESOURCE CLASSIFICATION</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>PROPOSED DISTURBANCE:</th>
<th>WETLANDS</th>
<th>TRANSITION AREA</th>
<th>SOW</th>
</tr>
</thead>
<tbody>
<tr>
<td>FILLED</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>EXCAVATED</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>CLEARED</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TEMPORARY DISTURBANCE</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Appendix II - Fee Calculation Sheet (Required)

**Directions:**

The Fee Calculation sheet is broken down by the types of programs administered by the Division of Land Use Regulation: Coastal, Flood Hazard Area, Freshwater Wetlands, Stormwater Review.

Use the abbreviation key below in order to identify the type(s) of applications that you need to submit for your project. Once you find your application type(s) work through the calculation column and place the figure on the fee amount line. Do this for each application type and subtotal each section. In section 5 - enter the subtotals as indicated and add the fee figures to find your total fee.

- Whenever the calculation requires an acreage figure, you will need to round up to the nearest whole number, for example: 0.25 acres gets rounded up to one (1) acre or 2.61 acres gets rounded up to three (3) acres.
- The maximum fee for a CAFRA Individual permit, an Upland Waterfront Development permit, or an In-Water Waterfront Development permit is $30,000 per permit type. For example: if you are applying for both an upland and an in-water Waterfront Development the maximum fee is applied to each permit for a maximum total of $60,000 plus any applicable stormwater review fee.
- The stormwater review fee is applied only one time per project, maximum of $20,000, regardless of multiple applications.

#### Abbreviation KEY

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>CAFRA</td>
<td>CZM General Permit</td>
</tr>
<tr>
<td>Coastal (Tidal) Wetlands</td>
<td>CSW Individual Permit</td>
</tr>
<tr>
<td>Extension</td>
<td>EXT Letter of Interpretation</td>
</tr>
<tr>
<td>Flood Hazard Area</td>
<td>FHA Mean High Water Line - MHWL</td>
</tr>
<tr>
<td>Freshwater Wetlands</td>
<td>FWW Modification</td>
</tr>
<tr>
<td>SFH</td>
<td>Single Family Home</td>
</tr>
<tr>
<td>TAW</td>
<td>Transition Area Waiver</td>
</tr>
<tr>
<td>LOI</td>
<td>Verification</td>
</tr>
<tr>
<td>WQC</td>
<td>Water Quality Certificate</td>
</tr>
<tr>
<td>EPT</td>
<td>EPT Technical Modification</td>
</tr>
<tr>
<td>GP</td>
<td>General Permit</td>
</tr>
<tr>
<td>IP</td>
<td>Individual Permit</td>
</tr>
<tr>
<td>MOD</td>
<td>Modification</td>
</tr>
<tr>
<td>VER</td>
<td>Verification</td>
</tr>
<tr>
<td>WD</td>
<td>Waterfront Development</td>
</tr>
<tr>
<td>PIP</td>
<td>Permit Inception Professional Permit</td>
</tr>
<tr>
<td>VERP</td>
<td>Verification Professional Permit</td>
</tr>
</tbody>
</table>

### Section 1 - Coastal Application Type

<table>
<thead>
<tr>
<th>Calculation</th>
<th>Fee Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>All General Permits (Except for Coastal GP #4)</td>
<td>$1,000 x</td>
</tr>
<tr>
<td>CZM - IP SFH or Duplex</td>
<td>$2,000</td>
</tr>
<tr>
<td>CZM - IP Residential other than SFH/duplex</td>
<td>$3,000 x</td>
</tr>
<tr>
<td>CZM - IP Commercial, Industrial or Public</td>
<td>$3,000 x</td>
</tr>
<tr>
<td>CSW - IP SFH or Duplex</td>
<td>$2,000</td>
</tr>
<tr>
<td>CSW - IP All Development other than SFH/duplex</td>
<td>$3,000 x</td>
</tr>
<tr>
<td>WD - IP SFH or Duplex (Landward of MHWL)</td>
<td>$2,000</td>
</tr>
<tr>
<td>WD - IP Residential other than SFH/duplex (Landward of MHWL)</td>
<td>$3,000 x</td>
</tr>
<tr>
<td>WD - IP Commercial, Industrial or Public Development</td>
<td>$3,000 x</td>
</tr>
<tr>
<td>WD - IP SFH or Duplex (Waterward of MHWL)</td>
<td>$2,000</td>
</tr>
<tr>
<td>WD - IP All Development other than SFH/duplex (Waterward of MHWL)</td>
<td>$3,000 x</td>
</tr>
<tr>
<td>CZM, CSW, WD - Minor Technical Modification (P/IP)</td>
<td>$500 x 1</td>
</tr>
<tr>
<td>CZM, CSW, WD - Major Technical Modification (P/IP)</td>
<td>0.30 x</td>
</tr>
<tr>
<td>General Permit Extension</td>
<td>$240 x</td>
</tr>
<tr>
<td>WD - IP Permit Extension</td>
<td>0.25 x</td>
</tr>
<tr>
<td>CZM, CSW, WD - Exemption Request</td>
<td>$500 x</td>
</tr>
</tbody>
</table>

#### Subtotal for Coastal Applications

### Section 2 - Freshwater Wetlands Application Type

<table>
<thead>
<tr>
<th>Calculation</th>
<th>Fee Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>All General Permits (Except those listed in notes on Page 4)</td>
<td>$1,000 x</td>
</tr>
<tr>
<td>FWW - LOI Presence/Absence, Footprint, Delineation &lt; 1 acre</td>
<td>$1,000</td>
</tr>
<tr>
<td>FWW - LOI Line Verification</td>
<td>$1,000 + ($100 x</td>
</tr>
<tr>
<td>FWW - TAW with valid LOI</td>
<td>$1,000 + ($100 x</td>
</tr>
<tr>
<td>FWW - TAW without valid LOI</td>
<td>$100 + ($100 x</td>
</tr>
<tr>
<td>FWW - IP or Open Water Fill SFH or Duplex</td>
<td>$2,000</td>
</tr>
<tr>
<td>FWW - IP or Open Water Fill other than SFH or Duplex</td>
<td>$5,000 + ($2,500 x</td>
</tr>
<tr>
<td>FWW - GP, TAW, IP, Open Water Fill Minor Technical Modification</td>
<td>$500</td>
</tr>
<tr>
<td>FWW - GP, TAW, IP, Open Water Fill Major Technical Modification</td>
<td>$500</td>
</tr>
<tr>
<td>FWW - EXT LOI Presence/Absence, Footprint, Delineation &lt; 1 acre</td>
<td>0.50 x</td>
</tr>
<tr>
<td>FWW - EXT LOI Line Verification</td>
<td>0.50 x</td>
</tr>
</tbody>
</table>

#### Subtotal for Freshwater Wetlands Applications
## Appendix II - Fee Calculation Sheet - Continued

### Section 3 - Flood Hazard Area Application Type

<table>
<thead>
<tr>
<th>Description</th>
<th>Calculation</th>
<th>Fee Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>All General Permits (Except for FHAP 1, 4, 5)</td>
<td>$1,000 x # of GPs requested</td>
<td></td>
</tr>
<tr>
<td>FHA - VER Methods 1, 2, 3, 5 (Fee not applicable to one (1) SFH)</td>
<td>$1,000</td>
<td></td>
</tr>
<tr>
<td>FHA - VER Method 4 or 6</td>
<td>$4,000 + ($400 x per 100 linear ft.)</td>
<td></td>
</tr>
<tr>
<td>FHA - Delineation of Riparian Zone Only</td>
<td>$1,000</td>
<td></td>
</tr>
<tr>
<td>FHA - IP SFH and/or Accessory Structures</td>
<td>$2,000</td>
<td></td>
</tr>
<tr>
<td>FHA - IP, VER, IP, GP Major Technical Modification</td>
<td>$9,000 base + $1,000</td>
<td></td>
</tr>
<tr>
<td>FHA - Extension of Verification - Method 1, 2, 3, 5, Riparian Zone</td>
<td>$240.00</td>
<td></td>
</tr>
<tr>
<td>FHA - Extension of Verification - Method 4 or 6</td>
<td>0.25 x original fee</td>
<td></td>
</tr>
<tr>
<td>FHA - Extension of a General Permit</td>
<td>$240.00 x # of GPs to be extended</td>
<td></td>
</tr>
<tr>
<td>FHA - Extension of an Individual Permit</td>
<td>0.25 x original fee</td>
<td></td>
</tr>
<tr>
<td>FHA - Department Delineation Minor Revision</td>
<td>$500</td>
<td></td>
</tr>
<tr>
<td>FHA - Department Delineation Major Revision</td>
<td>$4,000 + ($400 x per 100 linear ft.)</td>
<td></td>
</tr>
</tbody>
</table>

**Subtotal for Flood Hazard Area Applications**

### Section 4 - Individual Water Quality Certificate

<table>
<thead>
<tr>
<th>Description</th>
<th>Calculation</th>
<th>Fee Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>WQC (NOTE: No fee required under the coastal program)</td>
<td>$5,000 + ($2,500 x # acres regulated area disturbed)</td>
<td></td>
</tr>
</tbody>
</table>

### Section 5 - Additional Stormwater Review Fee

<table>
<thead>
<tr>
<th>Description</th>
<th>Calculation</th>
<th>Fee Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stormwater Review</td>
<td>$3,000 base + $250 x # acres disturbed + $250 x # acres impervious surface</td>
<td></td>
</tr>
<tr>
<td>Review of Groundwater Recharge Calculations</td>
<td>+ $250 x # acres disturbed</td>
<td></td>
</tr>
<tr>
<td>Review of Runoff Quantity Calculations</td>
<td>+ $250 x # acres disturbed</td>
<td></td>
</tr>
<tr>
<td>Review of Water Quality Calculations</td>
<td>+ $250 x # acres impervious surface</td>
<td></td>
</tr>
</tbody>
</table>

**Subtotal of Stormwater Review Fee**

### Section 6 - Total of Application Fees

<table>
<thead>
<tr>
<th>Description</th>
<th>Fee Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subtotal of Section 1 - Coastal Applications</td>
<td>$500</td>
</tr>
<tr>
<td>Subtotal of Section 2 - Freshwater Wetlands Applications</td>
<td>$500</td>
</tr>
<tr>
<td>Subtotal of Section 3 - Flood Hazard Area Applications</td>
<td>$500</td>
</tr>
<tr>
<td>Subtotal of Section 4 - Individual Water Quality Certificate</td>
<td>$500</td>
</tr>
<tr>
<td>Subtotal of Section 5 - Additional Stormwater Review</td>
<td>$500</td>
</tr>
</tbody>
</table>

**Total Application Fee** | $1500 |

**Total Fee:** $1500

*Check #: ___________________________

Page 7
Instructions for completing the Application Form for Permits/Authorizations from the Division of Land Use Regulation
(Please print clearly or type all information in every section)

Section 1. Applicant Information
✓ Please check off whether the project is Superstorm Sandy related.
✓ Make sure all applicant information is correct and up to date.
✓ Do not provide telephone numbers with call intercept.
✓ Must include correct E-mail address.

Please Note: The following permits and authorizations are available as on-line applications at http://www.nj.gov/dep/landuse under “Electronic Services”:
- Coastal General Permits-by-Certification #10 and #15
- Flood Hazard Area Permits-by-Certification #1 thru #15
- Freshwater Wetlands General Permits #8 and #24
- Freshwater Wetlands E-LOI (submittal only)

Section 2. Agent Information
✓ Make sure all agent information is correct and up to date.
✓ Do not provide telephone numbers with call intercept.
✓ If you do not have an agent, leave this section blank.
✓ Must include correct E-mail address.

Section 3. Property Owner Information
✓ Identify the property owner if different from applicant.

Section 4. Project Site Information/Fees and Costs
✓ List the street address if known (or nearest crossroads) along with the correct zip code for the property.
✓ List all blocks and lots if more space is needed please attach a list to the application form.
✓ Make sure the state plane coordinates are given and that they are 1983 datum otherwise the application will be rejected.
  o Applicants can find state plane coordinates on USGS maps or by going to the NJDEP website and using the GeoWeb feature to find the location of property and the exact state plane coordinates

Section 5. Project Description
✓ Briefly describe what you are proposing to construct within regulated areas. In addition, list any previous LUR file number(s) and if a Waiver Request has been submitted to the Office of Permit Coordination and Environmental Review please list the Waiver Request ID number(s) on the line provided.

Section A. Applicant’s Signature
✓ The person or responsible party representative applying for this permit and to whom the permit will be issued must sign here.

Section B. Property Owner’s Signature
✓ The legal owner of the property on which the regulated activities are proposed must sign here and certify items one through four in this section. In addition, all easement owners on the project site are also required to sign the certification.

Section C. Applicant’s Agent Authorization
✓ If the applicant is represented by a consultant or engineer, that individual shall fill out this section.

Section D. Statement of the Preparer of Plans, Specifications, Surveyor’s of Engineer’s Report
✓ All Flood Hazard Area and Waterfront Development applications require that the person preparing the plans and reports fill out this section.

Section E. Statement of the Preparer of Application, Reports and Supporting Documents
✓ Anyone who prepares and is the responsible person for part of the application, reports or supporting documents must fill out this section.

Section F. Type of Application you are submitting
✓ Place a check mark next to each type of activity you are requesting in this application package. Please fill in the amount of fee required for each permit and the amount of fees paid for each permit. The fee paid may differ from the amount required for each permit since the amount required may differ due the three payment plan for fees in excess of $1,000. A Fee Calculation Sheet is now included to allow an applicant to determine the fee for applications where the fee will vary due to size of site, impacts, etc.

Appendices Please follow the directions as outlined for each Appendix.
✓ Both Appendix I and II are required to be filled-out and submitted in order for the application form to be considered completed

Note In addition to the standard paper submission, an electronic copy of the entire application, including plans, may be submitted on CD-ROM to assist the Department in the review this application.
ATTACHMENT B
MINOR TECHNICAL MODIFICATION
CHECKLISTS
FLOOD HAZARD AREA APPLICATION CHECKLIST
Minor technical modification of a verification, a general permit authorization, or an individual permit

CALL NJDEP AT (609) 777-0454 IF YOU HAVE ANY QUESTIONS

To apply for a minor technical modification of an existing verification, general permit authorization, or individual permit, please submit the information below to:

<table>
<thead>
<tr>
<th>Postal Mailing Address</th>
<th>Street Address (Courier &amp; Hand Carry Only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>NJ Department of Environmental Protection Divison of Land Use Regulation P.O. Box 420, Code 501-02A Trenton, New Jersey 08625-0420 Attn: Application Support</td>
<td>NJ Department of Environmental Protection Divison of Land Use Regulation 501 East State Street Station Plaza 5, 2nd Floor Trenton, New Jersey, 08609 Attn: Application Support</td>
</tr>
</tbody>
</table>

1. Completed application form. See Attachment A to cover letter

2. The appropriate application fee, as specified at N.J.A.C. 7:13-20.1, in the form of a check (personal, bank, certified, or attorney), money order, or government purchase order made payable to "Treasurer State of New Jersey." check enclosed

3. A description of the scope and purpose of the proposed change to the verified delineation or the approved regulated activity or project. See Item 4, Compliance Statement Review

4. The site plans approved as part of the verification, general permit authorization, or individual permit revised to show the proposed change in the regulated activity or project; enclosed

5. A copy of the verification, general permit authorization, or individual permit for which the modification is requested. See Attachment C to cover letter

6. One set of color photographs depicting the entire project area, mounted on 8½ -inch by 11-inch paper and accompanied by a map showing the location and direction from which each photograph was taken. Copies of photographs are acceptable provided they are color copies. Black and white copies of photographs are not acceptable. See Appendix A of Compliance Statement Review

7. For a minor modification to an individual permit, a revised environmental report that addresses the aspects of the regulated activity or project that are proposed to be changed and demonstrates that the project for which the modification is requested continues to comply with all requirements of the FHACA Rules.

See Item 4, Compliance Statement Review
FRESHWATER WETLANDS PROTECTION ACT RULES

APPLICATION CHECKLIST

Minor technical modification of a general permit authorization, transition area waiver, or an individual permit

To apply for a minor technical modification of an existing general permit authorization, transition area waiver, or individual permit, please submit the information below to:

<table>
<thead>
<tr>
<th>Postal Mailing Address</th>
<th>Street Address (Courier &amp; Hand Carry Only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>NJ Department of Environmental Protection Division of Land Use Regulation P.O. Box 420, Code 501-02A Trenton, New Jersey 08625-0420 Attn: Application Support</td>
<td>NJ Department of Environmental Protection Division of Land Use Regulation 501 East State Street Station Plaza 5, 2nd Floor Trenton, New Jersey, 08609 Attn: Application Support</td>
</tr>
</tbody>
</table>

1. Completed application form. See Attachment A to cover letter

2. The appropriate application fee, as specified at N.J.A.C. 7:7A-18.1, in the form of a check (personal, bank, certified, or attorney), money order, or government purchase order made payable to "Treasurer State of New Jersey." Check enclosed

3. A description of the scope and purpose of the proposed change to the approved regulated activity or project. See Compliance Statement Review

4. The site plans approved as part of the general permit authorization, transition area waiver, or individual permit, revised to show the proposed change in the regulated activity or project; Enclosed

5. A copy of the general permit authorization, transition area waiver, or individual permit for which the modification is requested. See Attachment C to cover letter

6. One set of color photographs depicting the entire project area, mounted on 8½ -inch by 11-inch paper and accompanied by a map showing the location and direction from which each photograph was taken. Copies of photographs are acceptable provided they are color copies. Black and white copies of photographs are not acceptable. See Appendix A of Compliance Statement Review

7. For a minor modification to an individual permit, a revised environmental report that addresses the aspects of the regulated activity or project that are proposed to be changed and demonstrates that the project for which the modification is requested continues to comply with all requirements of the FWPA Rules. See Compliance Statement Review
COASTAL ZONE MANAGEMENT APPLICATION CHECKLIST
Minor technical modification of a general permit authorization or an individual permit

CALL NJDEP AT (609) 777-0454 IF YOU HAVE ANY QUESTIONS

To apply for a minor technical modification of a general permit authorization or individual permit, please submit the information below to:

<table>
<thead>
<tr>
<th>Postal Mailing Address</th>
<th>Street Address (Courier, Overnight &amp; Hand Carry Only)</th>
</tr>
</thead>
<tbody>
<tr>
<td>NJ Department of Environmental Protection</td>
<td>NJ Department of Environmental Protection</td>
</tr>
<tr>
<td>Division of Land Use Regulation</td>
<td>Division of Land Use Regulation</td>
</tr>
<tr>
<td>P.O. Box 420, Code 501-02A</td>
<td>501 East State Street</td>
</tr>
<tr>
<td>Trenton, New Jersey 08625-0420</td>
<td>Station Plaza 5, 2nd Floor</td>
</tr>
<tr>
<td>Attn: Application Support</td>
<td>Trenton, New Jersey, 08609</td>
</tr>
<tr>
<td></td>
<td>Attn: Application Support</td>
</tr>
</tbody>
</table>

1. Completed application form. See Attachment A to cover letter

2. The appropriate application fee, as specified in N.J.A.C. 7:7-25.1, in the form of a check (personal, bank, certified, or attorney), money order, or government purchase order made payable to the “Treasurer State of New Jersey.” Check enclosed

3. A description of the scope and purpose of the proposed change to the project authorized under the general permit authorization or individual permit; See Compliance Statement Review

4. The site plans approved as part of the general permit authorization or individual permit with revisions illustrating the proposed change in the regulated activity or project. Enclosed

5. A copy of the general permit authorization or individual permit for which the modification is requested. See Attachment C to cover letter

6. One set of color photographs depicting the entire project area, mounted on 8½ -inch by 11-inch paper and accompanied by a map showing the location and direction from which each photograph was taken. Copies of photographs are acceptable provided they are color copies. Black and white copies of photographs are not acceptable. See Appendix A of Compliance Statement Review

7. A revised environmental impact statement if the proposed modification is of an individual permit or a revised compliance statement if the proposed modification is of a general permit authorization. The revised environmental impact statement or compliance statement must address the aspects of the project that are proposed to be changed and demonstrate that the project for which the modification is requested continues to comply with all requirements of the Coastal Zone Management Rules.

See Compliance Statement Review
ATTACHMENT C
PERMITS
Dear Mr. Lewis:

The Division of Land Use Regulation, acting under the provisions of the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A) has modified the existing permit issued June 30, 2017 to correct typographical errors in the acreage of freshwater wetland impacts and freshwater wetlands mitigation requirements to reflect values as presented on the approved plans.

All other conditions of the existing permit remain in full force and effect.

Please do not hesitate to contact the Office's project manager, listed on the first page of the permit, to discuss any concerns or questions you may have. Thank you for working with the staff of the Office to protect our state's natural resources.

Sincerely,

Suzanne U. Dietrick, Supervising Environmental Specialist
Office of Policy Implementation
Division of Land Use Management

Attachment

C: Michael Hayduk, Philadelphia District Army Corps of Engineers, Regulatory Branch (w/plans)
   Greenwich Township Municipal Official
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 limitations, terms and conditions 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.

<table>
<thead>
<tr>
<th>Permit Number(s):</th>
<th>Type of Approval(s):</th>
<th>Enabling Statute(s):</th>
</tr>
</thead>
<tbody>
<tr>
<td>0807-16-0001.2</td>
<td>Individual Freshwater Wetlands Permit</td>
<td>N.J.S.A. 13:9B-1 et seq.</td>
</tr>
</tbody>
</table>

Permittee: Gary Lewis
Delaware River Partners LLC
1345 Ave of The Americas
New York, NY 10105

Site Location:
Block(s) & Lot(s): [8, 1] [8, 2] [8, 3] [8, 4] [8, 4.01] [8, 4.02]
Municipality: Gibbstown, Greenwich Township
County: Gloucester

Description of Authorized Activities:

This permit authorizes the permanent disturbance of 4.41 acres (192,099.6 square feet) of freshwater wetlands, State open water and transition area and the temporary disturbance of 1.062 acres (46,260.72 square feet) for the construction of a new multi-use, deep-water port and logistics center, including a marine terminal for automobile import (roll-on/roll-off), parking lot for vehicles, processing facilities, perishables, non-containerized break bulk cargo handling, bulk-liquid and handling, and two warehouse buildings totaling 189,800 square feet. The activities are authorized under a Freshwater Wetlands Individual Permit as shown on the plans referenced on the last page of this permit.

This authorization to conduct activities in freshwater wetlands includes the issuance of a Water Quality Certificate.

Prepared by: Suzanne U. Dietrick, Division of Land Use Regulation

Received and/or Recorded by County Clerk:

If the permittee undertakes any regulated activity authorized under a 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 permit and all conditions therein.

This permit is not valid unless authorizing signature appears on the last page.
FRESHWATER WETLAND SPECIAL CONDITIONS:

1. This permit authorizes the permanent disturbance of 4.41 acres (192,099.6 square feet) of freshwater wetlands, State open water and transition area and the temporary disturbance of 1.062 acres (46,260.72 square feet) for the construction of a new multi-use, deep-water port and logistics center, including a marine terminal for automobile import (roll-on/roll-off), parking lot for vehicles, processing facilities, perishables, non-containerized break bulk cargo handling, bulk-liquid and handling, two warehouse buildings totaling 189,800 square feet.

2. The wetlands affected by this permit authorization are of both Intermediate and Exceptional resource value and the standard transition area or buffer required adjacent to these wetlands is 50 feet and 150 feet. The project site obtained a Letter of Interpretation (LOI) from the Division of Land Use Regulation on July 11, 2016, as amended on July 29, 2016 and October 11, 2016. The LOI identified the freshwater wetlands, coastal wetlands and State Open Waters present on the site. The LOI also identified the applicable transition areas associated with the identified wetlands present on the site. This permit includes a transition area waiver, which allows encroachment only in that portion of the transition area, which has been determined by the Department to be necessary to accomplish the regulated activities. Any additional regulated activities conducted within the standard transition area on-site shall require a separate transition area waiver from the Division. Regulated activities within a transition area are defined at N.J.A.C. 7:7A-2.6. Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules (N.J.A.C. 7:7A-1.1 et seq.) for additional information.

3. This authorization is valid for a term not to exceed five years from the date of this permit. If the permittee wishes to continue an activity covered by the permit after the expiration date of the permit, the permittee must apply for and obtain a permit extension or a new permit, prior to the permit’s expiration in accordance with N.J.A.C. 7:7A-14.6.

4. The permittee shall submit written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, Mail Code 401-04C, 401 East State Street, PO Box 420, Trenton, NJ 08625-0420, at least seven days prior to the commencement of site preparation, or of regulated activities, whichever comes first. The notification shall contain proof of recording of a conservation restriction or easement, if one was required as part of the permit.

5. The permittee will be responsible for the installation of a sediment barrier around all disturbed soils, which is sufficient to prevent the sedimentation of the remaining wetlands and transition area.

6. In order to protect sensitive habitat for the State-listed Osprey, the permittee shall adhere to a seasonal restriction on the use of heavy construction equipment/machinery within 1000 feet (300 meters) of any active osprey nest along the project limit of disturbance from April 1 through August 31 of each calendar year. The initiation and implementation of work which generates disturbance (e.g., sound levels, visual interruption) that is out of character with what currently exists at or surrounding the anticipated work area during the restricted time
period recommended above may result in the permittee being in violation of the “take” clauses within State of New Jersey (Endangered and Nongame Species Conservation Act, NJSA 23:2A-1) and federal (Migratory Bird Treaty Act, 16 USC 703-712) statutes.

7. The permittee shall not disturb the nest of a State-listed or federally-protected species, whether it is actively being constructed or has already been built in preparation of the breeding season, from April 1 through August 31 of each calendar year. The permittee shall direct all inquiries with regard to the disturbance of a nest during the breeding season to the United States Fish and Wildlife Service Region 5 Migratory Bird Permit Office and/or the USDA Wildlife Services (NJ Office).

8. Prior to or concurrent with the onset of construction, the permittee and/or electrical power utility provider shall submit to the Department an Avian Protection Plan for the proposed utility lines that demonstrates that the potential for take of avian species from collision and electrocution has been minimized.


   a. Wetland A, a certified vernal habitat, shall be filled when the pool is dry; this will most likely occur from August to December when water levels are at their lowest. If the pool does not dry, this effort shall be coordinated with NJDEP, Division of Land Use Regulation, Endangered and Threatened Species Unit (Attn: Karena DiLeo) to minimize any potential impacts.

   b. Prior to the placement of any fill within the wetland “A”, the permittee shall install a silt fence around the perimeter of the Wetland A to prevent species from entering the work area.

   c. Immediately after installation of the work area enclosure (i.e. silt fence), a qualified herpetologist must thoroughly inspect the enclosed area prior to the commencement of any work. Please note that the qualified herpetologist is required to obtain a valid Scientific Collecting Permit from NJDEP, Division of Fish and Wildlife, Endangered and Nongame Species Program prior to this effort.

   d. Any animals found within the confines of the enclosure shall be relocated by the herpetologist outside of the area of impact (construction, staging areas, etc.).

   e. Once the inspection is complete, authorized activities may commence within the enclosed area.

   f. The silt fence must be monitored daily and maintained until project completion.

10. Condition for mitigation for the loss of Wetland “A”, certified vernal habitat:

   a. All created, restored, enhanced, or preserved vernal habitats must meet the Department’s vernal habitat certification criteria. Any proposed mitigation project must include a discussion of target herpetofauna, and, it must establish specific goals for species’ use of
the completed mitigation site including reproductive success and general use by species. All documents related to the vernal habitat mitigation effort shall be submitted electronically to Karena DiLeo, (karena.dileo@dep.nj.gov), NJDEP, Division of Land Use Regulation, Endangered and Threatened Species Unit.

b. At least 90 days prior to the initiation of regulated activities impacting vernal habitats authorized by this permit, the permittee must submit a “Conceptual Vernal Habitat Mitigation Proposal” to the NJDEP Division of Land Use Regulation, Endangered & Threatened Species Unit for review and approval. The mitigation proposal must summarize the lost functions and values of the vernal habitat impacted by the authorized activity, establish the goals of the proposal which are designed to mitigate for these losses, and detail how the proposed creation, restoration and/or enhancement of a vernal habitat(s) “equal in ecological value” to those that will be lost by the authorized activity will specifically satisfy these goals.

   i. For a vernal habitat enhancement project, the ratio of vernal habitat wetlands (breeding habitat) and non-wetlands (critical terrestrial habitat) areas enhanced (in a manner designed to provide essential habitat for the target species or of species which could reasonably be expected to occupy the proposed mitigation site) to compensate for the losses in ecological value of the vernal habitat disturbed may be variable and shall either be approved in advance by the Division or will be agreed upon during review of the conceptual plan. Enhancement activities could be proposed in wetlands (breeding habitat) and/or non-wetlands (critical terrestrial habitat). For example, enhancement (and subsequent deed restriction of) degraded terrestrial habitat adjacent to a vernal habitat and within the critical terrestrial habitat zone of the resident species may be proposed as a form of vernal habitat enhancement.

c. Within 90 days of receiving Division approval of the Conceptual Vernal Habitat Mitigation Proposal, the permittee must submit a “Final Vernal Habitat Mitigation Plan” for the mitigation project and submit a report containing information consistent with the requirements on the checklist entitled Checklist for Completeness: Creation, Restoration or Enhancement for a Freshwater Wetland Mitigation Proposal located on the Internet at: http://www.nj.gov/dep/landuse/forms/index.html

d. Review and written approval of the “Final Vernal Habitat Mitigation Plan” is required prior to implementation of a creation, restoration or enhancement mitigation plan. Upon written approval of the Final Vernal Habitat Mitigation Plan, the plan’s goals become the required success criteria.

e. The Final Vernal Habitat Mitigation Plans approved for a creation, restoration or enhancement project must be implemented prior to the construction of the regulated activities in vernal habitats authorized by this permit. In no circumstance shall the filling of the regulated vernal habitat occur prior to the establishment of the mitigated vernal pool, unless otherwise expressly stated in the conditions which follow or approved hereafter in writing by the Department.

f. Within 60 days of approval of the Final Vernal Habitat Mitigation Plan, the permittee must submit evidence that a conservation restriction was prepared, signed and recorded for the approved vernal habitat creation, restoration or enhancement sites (including
restrictions on any adjacent habitats which were determined by the Department to be critical to mitigation site selection). The conservation restriction must meet the requirements of N.J.A.C. 7:7A 15.14 and shall conform to the format and content of the Wetlands Mitigation Area Model Deed/Conservation Restriction that is available at: http://www.nj.gov/dep/landuse/forms/index.html

i. The restriction must be included on the deed, and recorded in the office of the County Clerk (the Registrar of Deeds and Mortgages in some counties), in the county wherein the lands of the mitigation project are located. A copy of the deed restriction, along with evidence of recording, must be forwarded to the Department within 10 days of the recording with the county clerk.

g. The mitigation design consultant must be present on-site during critical stages of construction of the approved creation, restoration or enhancement mitigation projects. This includes but is not limited to herbicide applications, sub-grade inspections, final grade inspections, and planting inspections to ensure the intent of the mitigation designs and their predicted wetland hydrology are realized in the landscape.

h. Approved creation, restoration or enhancement mitigation designs are not static documents and changes may be necessary to ensure success of the project. Should the mitigation design consultant determine that the mitigation plan as designed and approved by the Division will not achieve the proposed vernal habitat condition due to the actual conditions encountered during construction, the mitigation design consultant must immediately notify the Division. The mitigation design consultant must propose an alternative plan to achieve the proposed vernal habitat condition that must be approved by the Division in writing. If the Division provides the mitigation design consultant with comments on the alternative plan, the mitigation designer shall revise the plan to conform to the Division’s comments. The Division shall be the sole party which determines whether or not the alternative plan as submitted conforms to the Division’s comments. Any modifications to the plan that are 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 plans 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.

i. The permittee shall assume all liability for accomplishing corrective work should the Division determine that any portion of the implemented creation, restoration or enhancement mitigation plans have not been 100% successful. Remedial work may include re-grading, replanting and/or alteration of hydrology of the mitigation site. This responsibility is incumbent upon the permittee until such time that the Division makes the finding that the mitigation project is successful.

j. The permittee shall monitor the creation, restoration or enhancement mitigation project for five full growing seasons beginning the year after the mitigation project has been completed. The permittee shall electronically submit monitoring reports to Karena DiLeo (karena.dileo@dep.nj.gov), NJDEP, Division of Land Use Regulation, Endangered & Threatened Species Unit no later than December 31st of each full monitoring year. All
monitoring reports must include the standard items identified in the checklists entitled Mitigation Project Monitoring Reports: Checklist for Completeness, located on the Internet at: http://www.nj.gov/dep/landuse/forms/index.html.

k. Once the required monitoring period for a creation, restoration or enhancement mitigation site 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:

l. That the goals of the mitigation project, including required acreage of wetlands/transition areas/critical terrestrial habitat, number of credits or amount of habitat preserved, as stated in the approved mitigation proposal and the permit, has been satisfied;

m. 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 are healthy and thriving. All trees are at least five feet in height;

n. The final monitoring report must include documentation demonstrating the site is less than 10 percent occupied by invasive or noxious species; and,

o. The mitigation site meets the Department's vernal habitat certification criteria, demonstrated via the submission of a completed vernal habitat certification form(s), AND meets the species-specific goals.

FRESHWATER WETLANDS MITIGATION CONDITIONS:

1. The permittee shall compensate for the temporary disturbance to 0.068 acres of herbaceous wetlands, 0.02 acres of palustrine scrub/shrub, 0.002 acres of palustrine forested wetlands, and 0.837 acres of transition area through an on-site project as shown on the approved plans.

2. All mitigation shall be conducted immediately following completion of the activity that cause 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 period the activity shall be considered permanent and mitigation shall be required to replace the affected resource.

4. The permittee shall monitor scrub shrub wetland mitigation projects for 5 full growing seasons and emergent wetland or State open water mitigation projects for 3 full growing seasons, beginning the year after the mitigation project has been completed. The permittee shall submit monitoring reports to the Division of Land Use Regulation no later than December 31st of each full monitoring year (N.J.A.C. 7:7A-15.16(c)). 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.

5. 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.

6. 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-15.16(f)). The Division will notify the permittee in writing if the mitigation project is considered to be 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.

7. The permittee shall mitigate for the permanent loss of 3.808 acres of herbaceous wetlands, 0.205 acres of palustrine scrub/shrub, 0.425 acres of palustrine forested, 0.003 acres of State Open Waters.

a. The permittee has proposed to purchase credits from a mitigation bank to satisfy the mitigation requirements. Prior to the initiation of regulated activities authorized by this permit, the permittee shall submit proof of purchase for 4.441 mitigation credits from an approved wetland mitigation bank.

At this time, the following banks are approved to serve the project area; additional banks may be approved at any time, so please contact the Mitigation unit for the most up to date service area information if you would like additional options.

- Willow Grove Lake Wetlands Mitigation Bank – Heather Brecht, The Nature Conservancy – New Jersey Chapter, 2350 Route 47, Delmont, NJ 08314, Phone: (609) 861-4122, Fax: (609) 861-4420, or Email: heather.brecht@tnc.org

- Abbot Creek-Contact Mark Renna, Evergreen Environmental, LLC, at 973-305-0643 or 973-356-7164 or by email at mrenna@evergreenenv.com. NOTE: Abbot Creek cannot provide credits for forested wetland impacts.

8. Concurrent with the initiation of the construction activities authorized in this permit, the permittee shall submit proof of purchase for the amount of mitigation credits listed above to the attention of the Mitigation Unit Supervisor, NJDEP, Division of Land Use Regulation at Mail Code 501-02A, P.O. Box 420, Trenton, NJ 08625-0420.

9. In the event that mitigation credits are no longer available from the above referenced mitigation bank, the permittee shall contact the Division of Land Use Regulation, Mitigation
Unit to arrange for an alternative mitigation option prior to the initiation of regulated activities.

10. All mitigation shall be conducted prior to or concurrent with the construction of the approved project (N.J.A.C. 7:7A-15.3(a)). Concurrent means that at any given time, the mitigation must track at the same or greater percentage of completion as the project as a whole.

11. If the permittee fails to perform mitigation within the applicable time period the acreage of mitigation required shall be increased by 20 percent each year after the date mitigation was to begin (N.J.A.C. 7:7A-15.3(b)).

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. The permittee will be responsible for the installation of a sediment barrier around all disturbed soils, which is sufficient to prevent the sedimentation of the remaining wetlands and transition area. In addition, 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 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 by telephone at (877) 927-6337 (Warn DEP Hotline) of any noncompliance that may endanger the public health, safety, and welfare, or the environment. In addition, the permittee shall inform the Division of Land Use Regulation by telephone at (609) 777-0454 of any noncompliance within twelve hours 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:
   a. A description of the noncompliance and its cause;
   b. The period of noncompliance, including exact dates and times;
   c. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
d. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

7. 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.

8. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
   a. Enter upon the permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of the permit;
   b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and
   c. 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 under.

9. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action under, as well as, in the appropriate case, suspension and/or termination of the permit.

10. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect so long as the regulated activity or project, or any portion thereof, is in existence, unless the permit is modified.

11. 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.

12. 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.

13. A permit shall be transferred to another person only in accordance with the regulations N.J.A.C. 7:7A-14.2.

14. A permit can be suspended or terminated by the Department for cause as specified at N.J.A.C. 7:7A 14.4 and 14.5.

15. 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.
16. 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.

17. The permittee shall submit written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, 401 East State Street, 4th Floor, P.O. Box 420, Mail Code 401-04C, Trenton, NJ 08625, seven days prior to the commencement of site preparation or of regulated activities, whichever comes first. The notification shall contain proof of recording of a conservation restriction or easement, if one was required as part of the permit.

18. 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(ies) is being undertaken. Upon completion of the regulated activity(ies), 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.

19. The regulated activity shall not destroy, jeopardize, or adversely modify a present or documented habitat for threatened or endangered species, and shall not jeopardize the continued existence of any local population of a threatened or endangered species.

20. Best management practices shall be followed whenever applicable. (N.J.A.C. 7:7A-1.4)

21. If the permittee, before or during the work authorizes, encounters a possible historic property, as described at N.J.A.C. 7:7A-12.2(l), that is or may be eligible for listing in the New Jersey or National Register, the permittee shall preserve the resource and immediately notify the Department and proceed as directed.

APPROVED PLANS:

The drawings hereby approved are:


“DRP GIBBSTOWN LOGISTICS CENTER, DELAWARE RIVER PARTNERS, LLC, GIBBSTOWN, GREENWICH TOWNSHIP, NEW JERSEY” consisting of one hundred and thirty sheets prepared by Thomas J. Shafer, P.E. of Moffatt and Nichol, July 2016, last revised December 9, 2016.

In accordance with the applicable regulations, any person who is aggrieved by this decision or any of the conditions of this permit may request an adjudicatory hearing within 30 calendar days after public notice of the decision is published in the DEP Bulletin. This request must include a completed copy of the Adjudicatory Hearing Request form. The DEP Bulletin is available
through the Department's website at [http://www.nj.gov/dep/bulletin](http://www.nj.gov/dep/bulletin) and the form is available through the Division's website at [http://www.nj.gov/dep/landuse/download/lur_024.pdf](http://www.nj.gov/dep/landuse/download/lur_024.pdf). In addition to requesting a hearing, a request may be filed with the Department's Office of Dispute Resolution to determine whether the matter is suitable for mediation. Information concerning the dispute resolution process is available at [www.nj.gov/dep/odr](http://www.nj.gov/dep/odr).

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

Approved By:

[Signature]

Suzanne U. Dietrick, Supervising Environmental Specialist

Division of Land Use Management

[Signature]  S/3/17

Date

Original sent to Agent to record

c: Permittee

Construction Official
Dear Mr. Lewis:

The Division of Land Use Regulation, acting under the provisions of the Coastal Zone Management Rules (N.J.A.C. 7:7 et seq.) and the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13) has modified the existing permit issued April 10, 2017 based on a submission of a major technical modification application submitted on June 6, 2017 to authorize:

1) The shifting of the proposed new wharf structure 50 feet channelward;
2) A revision to the pile design plan for the proposed wharf structure;
3) A reduction in the area of dredging from 29 acres to 27 acres;
4) A reduction in the volume of material to be dredged from 457,000 cubic yards to 371,000 cubic yards
5) A reduction in the permanent impacts to intertidal/subtidal shallows from the project from 1.9 acres to 1.4 acres.

The Department is also modifying the existing permit to incorporate an additional condition into the permit related to a public access plan previously proposed by the permittee to demonstrate compliance with the public access rule pursuant to N.J.A.C. 7:7-16.9. Please refer to Condition #40 of the modified permit attached.

The Department is removing Condition #3 in the existing permit related to the requirement that the permittee conduct an archaeological program to identify, evaluate, avoid and/or mitigate project impacts on archeological resources. Delaware River Partners performed the required studies and submitted a letter report entitled “Phase I and II Underwater Archaeological Investigations, Repauno Site, Delaware River, Greenwich Township, Gloucester County County” dated May 31, 2017. Both the Army Corps of Engineers, Philadelphia District and the Department’s State Historic Preservation Officer have concurred with the findings of the report that no historic properties will be affected within the project area and no further Section 106 consultation is required.

All other conditions of the existing permit remain in full force and effect.
Please do not hesitate to contact the Office's project manager, listed on the first page of the permit, to discuss any concerns or questions you may have. Thank you for working with the staff of the Office to protect our state's natural resources.

Sincerely,

Suzanne U. Dietrick, Supervising Environmental Specialist
Office of Policy Implementation
Division of Land Use Management

Attachment

C:  Michael Hayduk, Philadelphia District Army Corps of Engineers, Regulatory Branch (w/plans)
    Greenwich Township Municipal Official
Permit

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 cause and is subject to the limitations, terms and conditions 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.

Permit Number(s):
0807-16-0001.2
WFD170001 (Modification)

Type of Approval(s):
Waterfront Development In-Water
Waterfront Development In-Upland
Flood Hazard IP
Flood Hazard Verification
Coastal Wetland Permit
Water Quality Certificate

Enabling Statute(s):
NJSA 12:5-3 et seq. WFD; NJSA 13:9A et seq. WA; NJSA 58:16A et seq. FHACA; NJSA 40:55D-93-99 et seq. WQPA; NJSA 58:10A-1 et seq. WPICA; NJSA 58:11A-1 et seq. WQPA; NJSA 13:12-29 et seq. 90-D CPL;

Permittee:
Gary Lewis
Delaware River Partners LLC
1345 Ave of The Americas
New York, NY 10105

Site Location:
Block(s) & Lot(s): [8, 1] [8, 2] [8, 3] [8, 4] [8, 4.01] [8, 4.02]
Municipality: Gibbstown, Greenwich Township

Coastal Wetland

Description of Authorized Activities:

Waterfront Development In-Water

Rehabilitate the berthing facility at the site and consists of two pile-supported open deck platforms of dimensions of 200' and 100' long adjacent to a pile supported ballast deck, 450' long. A breasting dolphin and mooring dolphins will be constructed on the northern portion of the pier to allow for a berthing facility of 750' long.

Dredge no more than 371,000 cubic yards of sediment within a 27-acre area of the Delaware River. The depth of dredging shall be limited to 30 feet below mean low water (-40' MLW) plus one foot (1') of allowable overdraft. Dredging of the 3:1 side slope along the landward side of the dredge area will permanently disturb 1.4 acres (60,984 square feet) of intertidal shallows and 0.064 acres (2,788 square feet) of submerged aquatic vegetation for which mitigation will be required as a condition of the permit.

This authorization includes the issuance of a Water Quality Certificate.

Prepared by:
Suzanne L. Dietrick, Division of Land Use Regulation

Received and/or Recorded by County Clerk:

If the permittee undertakes any regulated activity authorized under a 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 permit and all conditions therein.

This permit is not valid unless authorizing signature appears on the last page.
**SPECIAL CONDITIONS**

1. Prior to the start of any in-water site disturbance authorized in this permit, the permittee shall obtain the following:
   
   a. Valid Tidelands Instrument as applied for on December 12, 2016;
   
   b. United States Army Corps of Engineering authorization for the project

2. This permit does not include approval of disturbance of freshwater wetlands and transition areas regulated under the Freshwater Wetlands Protection Act. Prior to the start of any disturbance to freshwater wetlands and transition areasregulated under the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A), the permittee shall obtain a Freshwater Wetland Individual Permit from the Division of Land Use Regulation.

3. To minimize impacts to migrating and spawning of anadromous fish, any and all in-water work or sediment generating disturbances is prohibited from March 15 to June 30 of each year.

4. The depth of dredging shall be limited to -40 feet below mean low water (-MLW) plus 1 foot of allowable overdredge.

5. Dredging shall be restricted to the limits as depicted on the authorized plans. The volume of material to be dredged shall not exceed 371,000 cubic yards (cy) as shown on the approved plans.

6. A pre-construction dredging report shall be completed and sent to the Office of Dredging and Sediment Technology 14 days prior to construction. Please refer to the NJDEP, Land Use Regulation Program website.

7. The permittee shall employ the services of an independent dredging inspector to monitor dredging activities twice per week. The permittee shall submit the resume of the dredging inspector to the Department for review and receive written approval prior to the initiation of dredging. The independent dredging inspector shall perform inspections of the dredging contract a minimum of twice per week using the attached WQC Field Inspector form. The permittee shall submit the completed inspection forms to the NJDEP, ODST on at least a weekly basis.

8. Upon completion of dredging, a completion report shall be completed and sent to the Office of Dredging and Sediment Technology. The dredging contractor shall complete and submit the attached Dewatering Form to the independent dredging inspector on a weekly basis as part of the Quality Control Report provided to the permittee. Said Dewatering Form shall be certified by the independent dredging inspector that they have witnessed the dewatering process during the preceding week. The permittee shall submit the completed Dewatering Form with appropriate certifications by email to Mark.Davis@dep.nj.gov of the Office of Dredging and Sediment Technology for the preceding week.

9. **REPORTING REQUIREMENTS:** At the completion of the dredging project, the permittee shall submit the following information to the Office of Dredging and Sediment Technology. This information shall be submitted within three months of completion of dredging.
• Start and finish date of work order(s)
• Post-dredge hydrographic survey
• Completed "Notice of Completion of Work" attached for each work order(s)/completion of Project.

Closed Clamshell Environmental Bucket

10. Any fine-grained sediments dredged within the approved dredge area shall be removed using a closed clamshell environment bucket.

11. The dredge shall control the rate of descent of the bucket to maximize the vertical cut of the clamshell bucket while not penetrating the sediment beyond the vertical dimension of the open bucket (i.e. overfilling the bucket). This will reduce the amount of free water in the dredged material, will avoid overfilling the bucket, and minimize the number of dredge bucket cycles needed to complete the dredging contract. The dredging contractor shall use appropriate software and sensors on the dredging equipment to ensure consistent compliance with this condition during the entire dredging operation. The independent dredging inspector shall monitor the operation of the software and sensors during the inspections as specified in the below conditions. Any malfunction of the software and sensors on the dredge at any time shall be immediately reported to the independent dredging inspector and the permittee by the dredging contractor and shall be immediately repaired to working order.

12. The closed clamshell environmental bucket shall be equipped with sensors to ensure complete closure of the bucket before lifting the bucket. Said sensors shall be operational during the entire dredging operation.

13. The closed clamshell environmental bucket shall be lifted slowly through the water, at a rate of 2 feet per second or less.

14. Dredged material shall be placed deliberately in the barge to prevent spillage of material overboard.

15. The discharge (i.e. “overflow”) of water from the barge/scow into which dredged material is placed is prohibited.

16. All barges or scows used to transport sediment shall be of solid hull construction or be sealed with concrete.

17. The gunwales of the dredge scows shall not be rinsed or hosed during dredging except to the extent necessary to ensure the safety of workers maneuvering on the dredge scow.

18. All decant water holding scows shall be water tight and of solid hull construction.

19. Decant water from this project may only be discharged within the dredge area from where the sediments originated, in proximity to the dredging contract area. Discharge to another receiving waterbody requires prior approval from the Department, and may require a New Jersey Discharge Pollutant Elimination System/Discharge to Surface Water (NJDPS/DSW) permit.
20. All decant water shall be held in the decant holding scow a minimum of 24 hours after the last addition of water to the decant holding scow. Said water contained in the decant holding scow may only be discharged after this mandatory 24-hour retention time.

a. Should the contractor wish to reduce the required holding time, the contractor shall demonstrate that the reduced holding time is sufficient to meet a total suspended solids (TSS) background value of 30 mg/L. The total suspended solids shall be determined through gravimetric analysis. No discharge shall be permitted from the decant holding scow until the results of the gravimetric analysis have confirmed that the 30 mg/L background level has been achieved. No additional water shall be added to the decant holding scow between the time of sample acquisition and discharge. Upon successful demonstration that the reduced holding time is sufficient to meet the TSS background level of 30 mg/L, the monitoring of TSS may be suspended and the demonstrated settling time shall replace the 24-hour minimum. A successful demonstration of the reduced holding time efficiency shall be determined once three consecutive TSS analyses have confirmed that the 30 mg/L action level has been achieved by the reduced holding time.

b. Should the contractor wish to demonstrate this reduced holding time, all records including time of last addition of decant water into the scow, time of TSS sampling and the results of TSS sampling shall be submitted to the NJDEP as soon as they become available, together with a request for a reduced holding time.

21. During pumping of the decant water from the holding scow, great care shall be taken to avoid resuspending or pumping sediment which has settled in the decant holding scow.

22. The dredging contractor shall complete and submit the attached Dewatering Form to the independent dredging inspector on a weekly basis as part of the Quality Control Report provided to the permittee. Said Dewatering Form shall be certified by the independent dredging inspector that they have witnessed the dewatering process during the preceding week. The permittee shall submit the completed Dewatering Form with appropriate certifications by email to the Office of Dredging and Sediment Technology for the preceding week.

Hydraulic Dredging

23. To ensure safe navigation, the dredge pipeline shall be marked along its length in accordance with U.S. Coast Guard regulations and specifications.

24. The following practices shall be met to the maximum extent practicable:

- Undercutting (vs. over-cutting) the sediment being dredged,
- Increasing the intake velocity of the cutterhead,
  Fully (but not over-) burying the cutterhead in the sediment being dredged.

25. Acceptable Use Determination for Dredged Material

The 371,000 cubic yards of dredged material to be removed from the berthing facility was sampled in accordance with a Sediment Sampling and Analysis Plan (SSAP) dated April 13, 2016 and April 21, 2016 addendum. The NJDEP approved the SSAP on April 26, 2016. The analytical results of the sediment sampling were submitted as Appendix F of the land use joint permit application on August 1, 2016. The NJDEP has reviewed the analytical results for the project and the document entitled
"Dredged Material Management Plan, DRP Gibbstown Logistics Center, Gibbstown, NJ " (DMMP) dated December 2016, February 2017, last revised May 2017. The NJDEP has also reviewed the thirteen sheets entitled "Dredge Material Management Plan, DRP Gibbstown Logistic Center, Gibbstown, New Jersey" dated July 6, 2016, last revised May 4, 2017 and prepared by Nestor D. Soler, PE of Ramboll Environ.

The following conditions are the Acceptable Use Determination for the 371,000 cy of material to be managed from this project:

- Sixty days prior to the initiation of dredging as authorized in this permit, the permittee shall schedule an on-site meeting with the NJDEP and designated contractor (s) performing the dredging, processing and placement of the material to finalize the dredging schedule, disposal and beneficial use site options.

- As specified in Table 2 of the May 2017 DMMP, and Drawing 11 of the approved dredge plans, 181,000 cubic yards of fine-grained sediments (Category B-46,000 cubic yards and Category C-135,000 cy) is authorized to be disposed of at the Weeks Marine White’s Rehandling Basin Confined Disposal Facility in accordance the conditions specified for this facility (DEP File #0809-08-0010.1 WQC 130001 issued on November 25, 2013). Subsequently, the dredged material will be hydraulically pumped into one of the adjacent upland confined disposal facilities (Area I or Area II) for final placement. The analytical results for the 181,000 cubic yards of material from this portion of the dredge area has been reviewed and determined to meet the acceptance criteria for disposal at White’s Rehandling Basin CDF.

- As specified in Table 2 of the May 2017 DMMP, and Drawing 5 of the approved dredge plans, 118,000 cubic yards of sand that meets the Department's Residential Direct Contact Soil Remediation Standards (RDCSRS), (Category D on Table 2) is authorized to be disposed of at Weeks Marine White’s Rehandling Basin Confined Disposal Facility in accordance the conditions specified for this facility (DEP File #0809-08-0010.1 WQC 130001 issued on November 25, 2013). Subsequently, the dredged material will be hydraulically pumped into one of the adjacent upland confined disposal facilities (Area I or Area II) for final placement. The sand from the dredge area is also acceptable for beneficial use on-site as structural fill in the redevelopment of the site.

- As specified in Table 2 of the May 2017 DMMP, and Drawing 11 and Drawing 12 of the approved dredge plans, the 72,000 cy of fine-grained material (Category A) shall be processed within the on-site dredge material processing facility or an off-site dredged material processing facility owned by Weeks Marine located in the City of Camden, Camden County and beneficially used at off-site locations. The NJDEP approves the processing, offloading, transport and placement of the 72,000 cy of material at the following upland placement site provided the following conditions are met:

  - The dredged material from this project shall be processed using a minimum of 8% Portland Cement at the designated processing facility, consistent with the testing of the material as provided in the application.

  - The permittee, or the designated contractor, shall obtain the necessary air permits for the on-site dredged material processing facility.
The following New Jersey upland placement site is acceptable for placement in accordance with the identified oversight documents issued by the NJDEP:

**Stags Leap Ranch Redevelopment, LLC**

The Material shall be placed at the site consistent with the Closure Plan Modification Approval dated April 5, 2016 that incorporated the Protocol For Review, Certification and Acceptance Of Off-Site Recyclable Fill Materials dated March 8, 2006, (Revised July 17, 2006) prepared by SLRD Company – Mullica Hill LLC, which allows for the acceptance of 2,000,000 cubic yards of material.

The permittee shall comply with the conditions and analytical testing requirements specified in the acceptance letter dated February 24, 2017 from Golder Associates, written on behalf of the site.

- Placement of the dredged material and/or processed dredged material from this project at the identified out-of-state placement sites is addressed in separate authorizations and approvals issued by the Pennsylvania Department of Environmental Protection and the owner/operator of the site. The permittee has identified Waste Management, Fairless Landfill located in Morrisville, PA and the Clean Earth Bethlehem Site as upland placement sites for the material from this project. The permittee has also identified the ACOE Fort Mifflin CDF located in Philadelphia County as a disposal site for the material from this project.

- If the permittee proposes to place the dredged material from this project at a location different from that approved in this permit, written authorization in the form of a minor or major technical modification must be obtained from the Department prior to the transport of any dredged material to the alternative placement location.

26. To protect sensitive habitat for the State-listed Osprey, the permittee shall adhere to a seasonal restriction on the use of heavy construction equipment/machinery within 1000 feet (300 meters) of any active osprey nest along the project limit of disturbance from April 1 through August 31 of each calendar year. The initiation and implementation of work which generates disturbance (e.g., sound levels, visual interruption) that is out of character with what currently exists at or surrounding the anticipated work area during the restricted time-period recommended above may result in the permittee being in violation of the “take” clauses within State of New Jersey (Endangered and Nongame Species Conservation Act, NJSA 23:2A-1) and federal (Migratory Bird Treaty Act, 16 USC 703-712) statues.

27. The permittee shall not disturb the nest of a State-listed or federally-protected species, whether it is actively being constructed or has already been built in preparation of the breeding season, from April 1 through August 31 of each calendar year. The permittee shall direct all inquiries with regard to the disturbance of a nest during the breeding season to the United States Fish and Wildlife Service Region 5 Migratory Bird Permit Office and/or USDA Wildlife Services (NJ Office).

28. Prior to or concurrent with the onset of construction, the permittee and/or electrical power utility provider shall submit to the Department an Avian Protection Plan for the proposed utility lines that demonstrates that the potential for take of avian species from collision and electrocution has been minimized.

29. Prior to or concurrent with the onset of construction, the permittee shall install perch structures (e.g., repurposed telephone poles) along the Delaware River, close to the water and beyond the industrial
area (i.e. to the east and west of the main plant) to encourage safe foraging for State-listed and federally protected raptor species. The structures will encourage raptors away from the plant and gas flares identified by State and Federal biologists as a potential threat to resident and migratory avian species.

30. Prior to the onset of work and site preparation, the permittee shall submit a proposed structural design for each of the proposed gas flares onsite to the Department for review and approval. The proposal shall include the following information: site elevation mapping which illustrates the types and heights of structures relative to the proposed flares, shoreline, etc. (inclusive of heights, sizes of the tank(s) associated with “Phase 2”); detailed model of the anticipated plume generated by each flare (i.e. size, temperature, etc.); and, any details necessary for the Department to make the finding that the flares will in no way result in harm to avian species. Work may commence only after the Department has issued written approval to the permittee that the structural design of each flare is in accordance with State endangered and threatened species habitat protection directives.

31. Prior to the onset of work and site preparation, the permittee shall provide the Department with a protocol for the monitoring of avian risk due to flare operation on the subject site. Once finalized, the permittee shall abide by the conditions and reporting criteria of this plan.

32. This permit verifies the flood hazard area design flood elevations onsite at 9.0’ and 10’ feet NAVD. This permit also verifies that a 50’ riparian zone exists on this site. 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 approved under the verification;

d. The flood hazard area design flood elevation, or range of elevations if variable, approved under the verification; and

e. 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.”

33. The regulated activity shall not adversely affect low-flow aquatic passage in any regulated water.

34. The regulated activity shall not expose unset or raw cement to flowing water within any channel or regulated water during construction.

35. The applicant shall adhere to the maintenance plan for the stormwater management measures incorporated into the design of the major development in accordance with N.J.A.C. 7:8-5.8 and the guidelines of the New Jersey Stormwater Best Management Practices Manual.
36. 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.

37. In accordance with N.J.A.C.7:13-12.6(g)4, the permittee must provide signs in the parking lot indicating that the lot will be subject to inundation during flood events.

38. The floor elevation of each proposed building on the approved plans shall have a lowest finished floor elevation of at least one foot above the respective flood hazard area elevation of 9.0' NAVD or 10.0' NAVD. The construction of any habitable area below this elevation, such as a basement, is prohibited.

39. All foundations, slabs, footings and walls of the proposed structure/s shall be designed to resist uplift, floatation, collapse and displacement due to hydrostatic and hydrodynamic forces resulting from flooding up to an elevation of one foot above the flood hazard area design flood elevation. Furthermore, all structural components shall be designed to resist the same forces.

40. Within 60 days of the effective date of this permit modification, the permittee shall submit a public access plan and location map of the proposed off-site public access area on property owned by the permittee but outside of the active marine terminal area. Said public access plan shall include a schedule for construction of the public access area by the permittee.

RIPARIAN ZONE MITIGATION CONDITIONS:

1. The permittee shall compensate for the temporary disturbance to 0.261 acres of vegetated riparian zone through an on-site project as shown on the approved plans.

2. All mitigation shall be conducted immediately following completion of the activity that cause 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 period the activity shall be considered permanent and mitigation shall be required to replace the affected resource.

4. The permittee shall monitor the riparian project for at least 5 years beginning the year after the riparian zone mitigation project has been completed (N.J.A.C. 7:13-13.11(c)). The permittee shall submit monitoring reports to the Division of Land Use Regulation, no later than December 31st of each full monitoring year.

   a. All monitoring reports except the final one should include the requirements and goals of the mitigation proposal and a detailed explanation of the ways in which the mitigation has or has not achieved progress toward those goals. If mitigation has not achieved progress, the report shall also include a list of corrective actions to be implemented and a timeline for completion.

   b. The final monitoring report must include documentation and data demonstrating that:
i. The goals of the riparian zone mitigation as stated in the approved riparian zone mitigation proposal and the permit conditions have been satisfied.

ii. At least 85 percent of the mitigation plantings have survived. All plant species in the mitigation area must be healthy and thriving. All trees must be at least 5 feet in height; and

iii. The site is less than 10 percent occupied by invasive or noxious species; and

iv. The conservation restriction for the mitigation site has been executed and recorded.

5. If the riparian mitigation project does not meet the success criteria established above the project shall be considered a failure and the permittee shall submit a revised riparian mitigation plan. The revised plan shall be submitted within 60 days of receipt of notification from the Division indicating the riparian mitigation project was a failure.

6. If the Division determines that the riparian zone mitigation project is not constructed in conformance with the approved plan, the permittee will be notified in writing by the Department and will have 60 days to submit a proposal to indicate how the project will be corrected.

COASTAL WETLAND MITIGATION PERMIT CONDITIONS:

1. The permittee shall compensate for the temporary disturbance to 0.076 acres of emergent coastal wetlands through an on-site project as shown on the approved plans.

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 period the activity shall be considered permanent and mitigation shall be required to replace the affected resource.

4. At least 90 days prior to commencement of regulated activities, the permittee shall submit a proposal to mitigate for the permanent loss of 0.186 acres of emergent coastal wetlands. The proposal shall be designed in accordance with the standards at N.J.A.C. 7:7-17.13. Activities authorized by this permit shall not begin until the permittee has obtained written approval of a mitigation plan from the Department.

5. If the permittee is purchasing credits from a mitigation bank to satisfy a mitigation requirement, prior to the initiation of regulated activities authorized by this permit, the permittee shall submit proof of purchase for 0.186 mitigation credits from an approved wetland mitigation bank to the attention of the Mitigation Unit Supervisor, NJDEP, Division of Land Use Regulation at Mail Code 501-02A, P.O. Box 420, Trenton, NJ 08625-0420.

At this time, the following bank is approved to serve the project area; additional banks may be approved at any time, so please contact the Mitigation unit for the most up to date service area information if you would like additional options.

- Abbot Creek-Contact Mark Renna, Evergreen Environmental, LLC, at 973-305-0643 or 973-356-7164 or by email at mrenna@evergreenenv.com.

6. Concurrent with the commencement of construction, the permittee shall submit proof of purchase for the amount of mitigation credits listed above to the attention of the Mitigation Unit Supervisor,
7. In the event that mitigation credits are no longer available from the above referenced mitigation bank, the permittee shall contact the Division of Land Use Regulation, Mitigation Unit to arrange for an alternative mitigation option prior to the initiation of regulated activities.

8. All mitigation shall be conducted prior to or concurrent with the construction of the approved project (N.J.A.C. 7:7-17.3). Concurrent means that at any given time, the mitigation must track at the same or greater percentage of completion as the project as a whole.

9. If the permittee fails to perform mitigation within the applicable time period the acreage of mitigation required shall be increased by 20% each year after the date mitigation was to begin (N.J.A.C. 7:7A-15.3(b)).

10. If the applicant chooses to conduct a mitigation project, the following conditions shall apply:

a. Prior to the initiation of regulated activities authorized by this permit the permittee shall submit a final design of the mitigation project for approval and include all of the items listed on the checklists entitled Checklist for Completeness: Creation, Restoration or Enhancement for a Coastal Wetland Mitigation Proposal located at http://www.nj.gov/dep/landuse/forms/index.html.

b. 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. 7:7-17.17)

c. The permittee shall notify the Mitigation Unit at the Division of Land Use Regulation 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.

d. 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.

e. 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 off-site 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.

f. In the event that 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. 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.
f. 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 Use Regulation in writing to arrange a post-grading construction meeting among the permittee, contractor, consultant and the Division.

g. Within 30 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. 7:7-17.13). The Construction Completion Report shall contain, at a minimum, the following information:

i. A completed Wetland Mitigation Project Completion of Construction Form. 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.

j. 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.

k. The permittee shall monitor emergent wetland mitigation projects for 3 full growing seasons beginning the year after the mitigation project has been completed. The permittee shall submit monitoring reports to the Division of Land Use Regulation no later than December 31st of each full monitoring year (N.J.A.C. 7:7-17.13(f)). All monitoring reports must include the standard items identified in the checklist entitled, “Wetland Mitigation Monitoring Project Checklist” and “Coastal Wetland Mitigation Monitoring Checklist”, which can be found at http://www.nj.gov/dep/landuse/forms/index.html.

l. 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.

m. The permittee is responsible for assuming all liability for any corrective work necessary to meet the success criteria established above (N.J.A.C. 7:7-17.13 (h)). The Division will notify the permittee in writing if the mitigation project is considered to be 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.

INTERTIDAL AND SUBTIDAL SHALLOW/SUBMERGED AQUATIC VEGETATION MITIGATION

1. In accordance with N.J.A.C. 7:7-17.7 (a), the permittee shall submit, for review and approval by the NJDEP, a complete mitigation proposal to offset permanent impacts to 1.4 acres (60,984 square feet) of intertidal/subtidal shallows and 0.064 acres (2,788 square feet) of submerged aquatic vegetation habitat. The mitigation proposal shall comply with the mitigation requirements of N.J.A.C. 7:7-17.10 (SAV habitat) and intertidal and subtidal shallows (N.J.A.C. 7:7-17.11).

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 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 by telephone at (877) 927-6337 (Warn DEP Hotline) of any noncompliance that may endanger the public health, safety, and welfare, or the environment. In addition, the permittee shall inform the Division of Land Use Regulation 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:
a. A description of the noncompliance and its cause;
b. The period of noncompliance, including exact dates and times;
c. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
d. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

7. 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.

8. 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.

9. 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.

10. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.

11. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
   a. Enter upon the permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of the permit;
   b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and
   c. 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 under.

12. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action under, as well as, in the appropriate case, suspension and/or termination of the permit.

13. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect so long as the regulated activity or project, or any portion thereof, is in existence, unless the permit is modified.

14. For Coastal Permits, Flood Hazard Permits and Flood Hazard Verifications, 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 the Division of Land Use Regulation at the address set forth in the rules.
15. 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.

16. 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.

17. A permit shall be transferred to another person only in accordance with the regulations.

18. A permit can be suspended or terminated by the Department for cause.

19. 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.

20. 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.

21. The permittee shall submit written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, 401 East State Street, 4th Floor, P.O. Box 420, Mail Code 401-04C, Trenton, NJ 08625, at least three working days prior to the commencement of regulated activities.

22. 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(ies) is being undertaken. Upon completion of the regulated activity(ies), 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.

23. The regulated activity shall not destroy, jeopardize, or adversely modify a present or documented habitat for threatened or endangered species, and shall not jeopardize the continued existence of any local population of a threatened or endangered species.

APPROVED PLANS:


- The drawings hereby approved are five (5) sheets prepared by Langan Engineering & Environmental Services, Inc., dated 6/10/2016 unrevised unless noted otherwise and entitled "DRP GIBBSTOWN LOGISTICS CENTER, BLOCK NO.08, LOT NO.04, TOWNSHIP OF GREENWICH, GLOUCESTER COUNTY, NEW JERSEY"
The drawings hereby approved consist of thirteen (13) sheets prepared by Nestor D. Soler, PE of Ramboll Environ, dated July 6, 2016, last revised May 4, 2017 and entitled “DREDGE MATERIAL MANAGEMENT PLAN, DRP GIBBSTOWN LOGISTICS CENTER, GIBBSTOWN, NEW JERSEY”


Approved By:

Suzanne Dietrick, Supervising Environmental Specialist
Division of Land Use Regulation

Original sent to Agent to record

c: Permittee
  Construction Official
ATTACHMENT D
TEMPLATE PUBLIC NOTIFICATION LETTER
August 27, 2018

<<ADDRESSEE>>

RE: Repauno Port & Rail Terminal, Block 8, Lots 1, 2, 3, 4, 4.01 and 4.02
200 N. Repauno Ave., Greenwich Township, Gloucester County

NJDEP Permit Numbers:
0807-16-0001.2 WFD170001, WFD 16001 WFD 160002, FHA 160001, FHA 160002
0807-16-0001.2 FWW 160001, FWW 160002

Dear Interested Party:

This letter is to provide you with courtesy notification that an application for a minor technical modification of a coastal wetlands individual permit, waterfront development individual permit, flood hazard area individual permit, and freshwater wetlands individual permit has been submitted to the New Jersey Department of Environmental Protection, Division of Land Use Regulation for the development shown on the enclosed plan. A brief description of the Project follows: The Repauno Port & Rail Terminal will be a multi-use, deep-water seaport and international logistics center at the site of the former DuPont Repauno Works in Gibbstown, New Jersey. This marine terminal is planned to include uses such as an automobile import and processing facility, a bulk liquids storage and handling facility for the transfer of liquefied natural gas and other materials, as well as perishables and bulk cargo handling and logistics. This notice is provided as a courtesy to property owners in close proximity to the Project.

The complete minor permit modification package can be reviewed at either the municipal clerk’s office in the municipality in which the subject to the application is located, or by appointment at the Department’s Trenton Office. The Department welcomes comments and any information that you may wish to provide concerning the proposed modification. Written comments should be submitted within 15 calendar days of receiving this letter to:

New Jersey Department of Environmental Protection
Division of Land Use Regulation
P.O. Box 420, Code 501-02A
Trenton, New Jersey 08625
Attn: Greenwich Township Supervisor
---

**Property Boundary**

- Approximate Project Site Boundary
- Coastal Wetland
- Freshwater Wetland
- State Open Water
- Approximate Project Footprint

**SOURCE:**
1. WORLD STREET MAPS BASELAYER, ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE (ESRI), 2015.
2. WETLAND BOUNDARIES ARE VERIFIED BY A LETTER OF INTERPRETATION, DLNR NO. 0807-16-0001.1, FW160001.

**DRP GIBBSTOWN LOGISTICS CENTER**

**SITE LOCATION MAP**

**GIBBSTOWN, NEW JERSEY**

**FIGURE 1**
August 24, 2018

VIA FEDERAL EXPRESS

Municipal Clerk
Greenwich Township
420 Washington Street
Gibbstown, NJ 08027

Re: Application submitted by:
Delaware River Partners, LLC
Regarding property at:
200 No. Repauno Avenue
Greenwich Township, Gloucester County
Block 8, Lots 1, 2, 3, 4, 4.01 and 4.02
NJDEP Permit Numbers: 0807-16-0001.2 WFD 160001, WFD 160002, FHA 160001, FHA 160002, FWW 160001, FWW 160002

Dear Clerk:

This letter is to provide you with courtesy notice that my client, Delaware River Partners LLC ("DRP"), is submitting the enclosed application to the New Jersey Department of Environmental Protection ("NJDEP") Division of Land Use Regulation for a minor technical modification to DRP’s existing permits pursuant to the Freshwater Wetland Act Rules (N.J.A.C. 7:7A), the Coastal Zone Management Rules (N.J.A.C. 7:7), and the Flood Hazard Area Control Act Rules (N.J.A.C. 7:13). These permits concern the redevelopment of the Repauno Port & Rail Terminal. A brief description of the Project follows: The Repauno Port & Rail Terminal will be a multi-use, deep-water seaport and international logistics center at the site of the former DuPont Repauno Works in Gibbstown, New Jersey. This marine terminal is planned to include uses such as an automobile import and processing facility, a bulk liquids storage and handling facility for the transfer of liquefied natural gas and other materials, as well as perishables and bulk cargo handling and logistics. This notice is provided as a courtesy to the municipality and property owners in close proximity to the Project.

A complete copy of this application for a minor technical modification is being provided to your office, which should remain on file and be made available for inspection by the public.

If you have any comments or questions regarding this application, please write to the NJDEP at the following address and include a copy of this notice:
New Jersey Department of Environmental Protection
Division of Land Use Regulation
501 East State Street, P.O. Box 420
Mail Code 501-02A
Trenton, New Jersey 08625-0420
Attn: Gloucester County Supervisor

If you have any questions for the applicant, please do not hesitate to contact me at (973) 596-4719 or slatourette@gibbonslaw.com.

Sincerely,

Shawn M. LaTourette
GIBBONS P.C.
Attorney for Applicant

Enclosures