



**Permit No. 1516-04-0030.2 WFD 060001**  
**Terms And Conditions**

**This permit is subject to the following terms and conditions:**

1. This permit is revocable, or subject to modification or change at any time, pursuant to the applicable regulations, when in the judgement of the Department of Environmental Protection of the State of New Jersey such revocation, modification or change shall be necessary.
2. The issuance of the permit shall not be deemed to affect in any way action by the Department of Environmental Protection of the State of New Jersey on any future application.
3. The works, facilities, and/or activities shown by plans and/or other engineering data, which are this day approved, subject to the conditions herewith established, shall be constructed and/or executed in conformity with such plans and/or engineering data and the said conditions.
4. No change in plans or specifications shall be made except with the prior written permission of the Department of Environmental Protection of the State of New Jersey.
5. The granting of this permit shall not be construed to in any way affect the title or ownership of property, and shall not make the Department of Environmental Protection or the State a party in any suit or question of ownership.
6. This permit does not waive the obtaining of Federal or other State or local government consent when necessary. This permit is not valid and no work shall be undertaken until such time as all other required approvals and permits have been obtained.
7. A copy of this permit shall be kept at the work site, and shall be exhibited upon request of any person.
8. In cases of conflict, the conditions of this permit shall supersede the plans and/or engineering data.

This permit is issued subject to and provided the following conditions can be met to the satisfaction of the Division of Land Use Regulation. All conditions must be met prior to construction unless otherwise specified. Compliance with Administrative conditions shall be determined once copies of all specified permits, certifications, plans, agreements, etc. have been received and approved by the Division of Land Use Regulation. As per NJAC 7:7-1.4, the permittee must notify the Bureau of Coastal and Land Use Compliance and Enforcement, (1510 Hooper Avenue, Toms River, NJ 08753), in writing, at least three (3) days prior to commencement of construction or site preparation.

**ADMINISTRATIVE**

1. This permit shall be RECORDED in the office of the County Clerk (the REGISTRAR OF DEEDS AND MORTGAGES in the applicable counties) in the county wherein the lands included in the permit are located within ten (10) days after receipt of the permit by the applicant and verified notice shall be forwarded to the Division of Land Use Regulation immediately thereafter.
2. This permit is NOT VALID until the permit acceptance form has been signed by the applicant, accepting and agreeing to adhere to all permit conditions, and returned to the Division of Land Use Regulation at P.O. Box 439, Trenton, NJ 08625-0439.
3. This permit does not authorize any dredging activities. If dredging is required in the future, a new Waterfront Development application showing compliance with 7:7E-4.2(g) New Dredging, will be required to be submitted to this Program.

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PHYSICAL

1. In the event that the current bulkhead requires repair or replacement, this replacement shall be in the same location as the alignment shown on the above referenced plans pursuant to the rule on Structural Shore Protection (N.J.A.C. 7:7E-7.11(e)). Although construction "in place" may require more costly construction techniques, the construction authorized by this permit will not be seen as justification for the waiving of this requirement.
2. No dredging shall take place without prior approval.


**Duration of Authorization/Notification of Work**

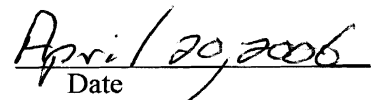
This authorization for a General Permit is valid for a term not to exceed five years from the date of receipt from the Department. If the term of this authorization exceeds the expiration date of the general permit issued by rule, and the permit upon which the authorization is based is modified by rule to include more stringent standards or conditions, the permittee must comply with the requirements of the new regulations by applying for a new General Permit authorization unless construction is already underway. If this General permit is not reissued, the permittee must apply for an individual CAFRA permit unless construction pursuant to the prior General Permit is underway. The expiration date of the General Permits issued by rule is March 21, 2011.

**Appeal of Decision**


In accordance with N.J.A.C. 7:7-5.1, any person who consider themselves aggrieved by a permit decision of the Division of Land Use Regulation may, within 30 days of publication of notice of the permit decision in the DEP Bulletin, submit a written request for an adjudicatory hearing to the Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, Department of Environmental Protection, PO Box 402, Trenton, New Jersey 08625-0402. This request must include a completed copy of the "Administrative Hearing Request Checklist and Tracking Form for Permits".

In order to promote inter-governmental cooperation in management of our natural resources, we shall share a copy of this decision with appropriate local and federal agencies. If you have any questions regarding this General Permit authorization, please contact Anna Kitces AICP, PP, PWS at (609) 984-0288, or by e-mail to [anna.kitces@dep.state.nj.us](mailto:anna.kitces@dep.state.nj.us). To facilitate our response, please refer to the permit file number in any future communication concerning this action.

  
Andrew Gale, Supervisor  
Bureau of Coastal Regulation

  
Date

c. Bureau of Coastal and Land Use Compliance and Enforcement  
Municipal Construction Official

 Gary De Rosa  
C Kirby CT.  
Toms River, NJ 08757