



***Environmental Impact Statement  
Prepared For  
Block 31001, Lots 38 & 39  
Montgomery Township  
Somerset County, New Jersey***

***November 8, 2023***

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## **A. Project Location and Description**

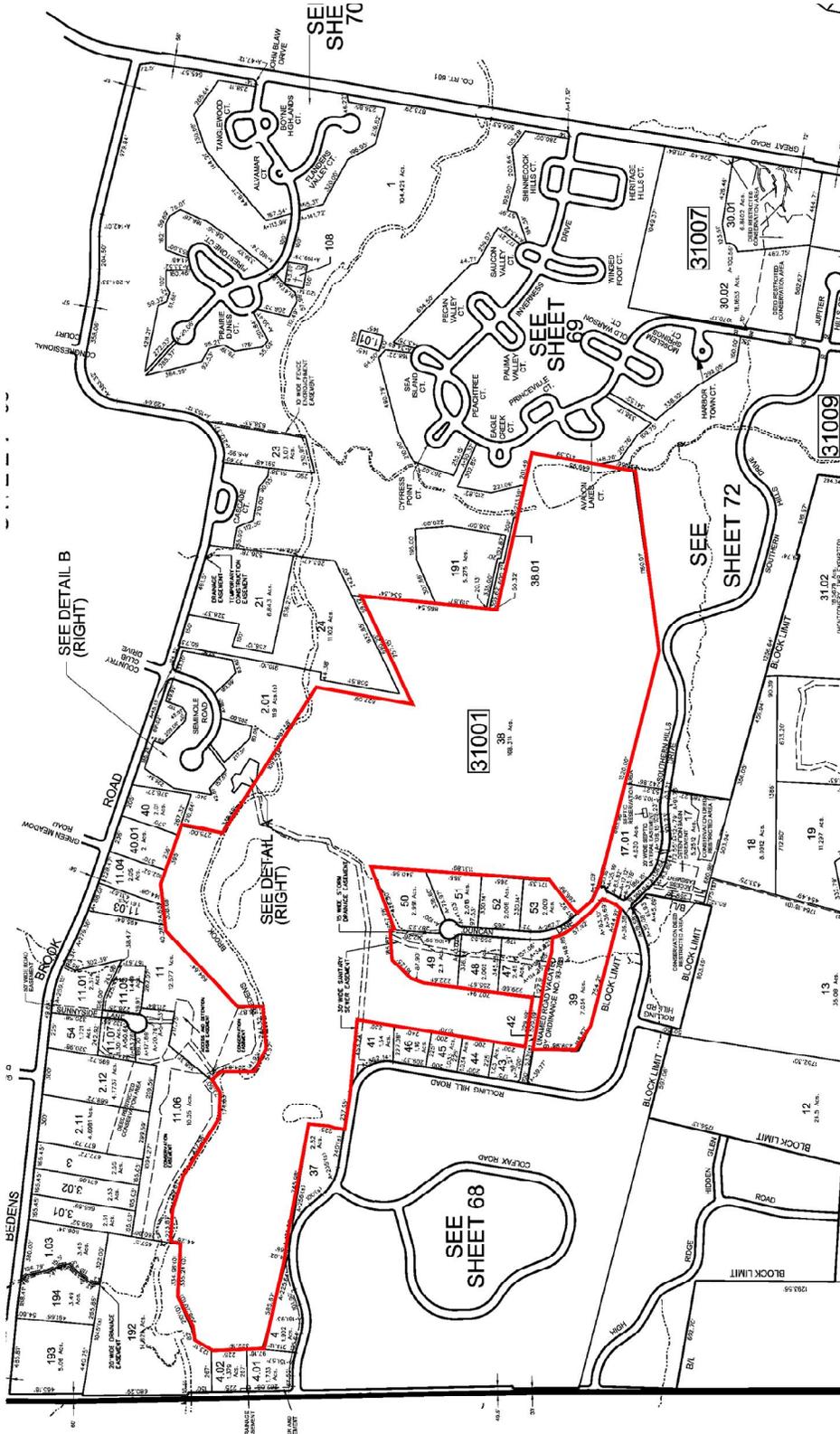
### 1. Reason for the project

The 175.769 acre site is known as Block 31001, Lots 38 and 39, in Montgomery Township, Somerset County, New Jersey. (Figure 1) The existing lots consist of a golf course with tennis courts, paddle ball courts and appurtenant buildings including maintenance buildings, pro shop, club house and cabana. A large portion of the site is occupied by the golf course which consists of maintained lawns and three ponds located on the property. Bedens Brook runs parallel to the northern property line in the area of the northern pond. The entire subject property is part of the Single Family Residential (R5) Zone. The site is located in the State Planning Area PA-4 (Rural).

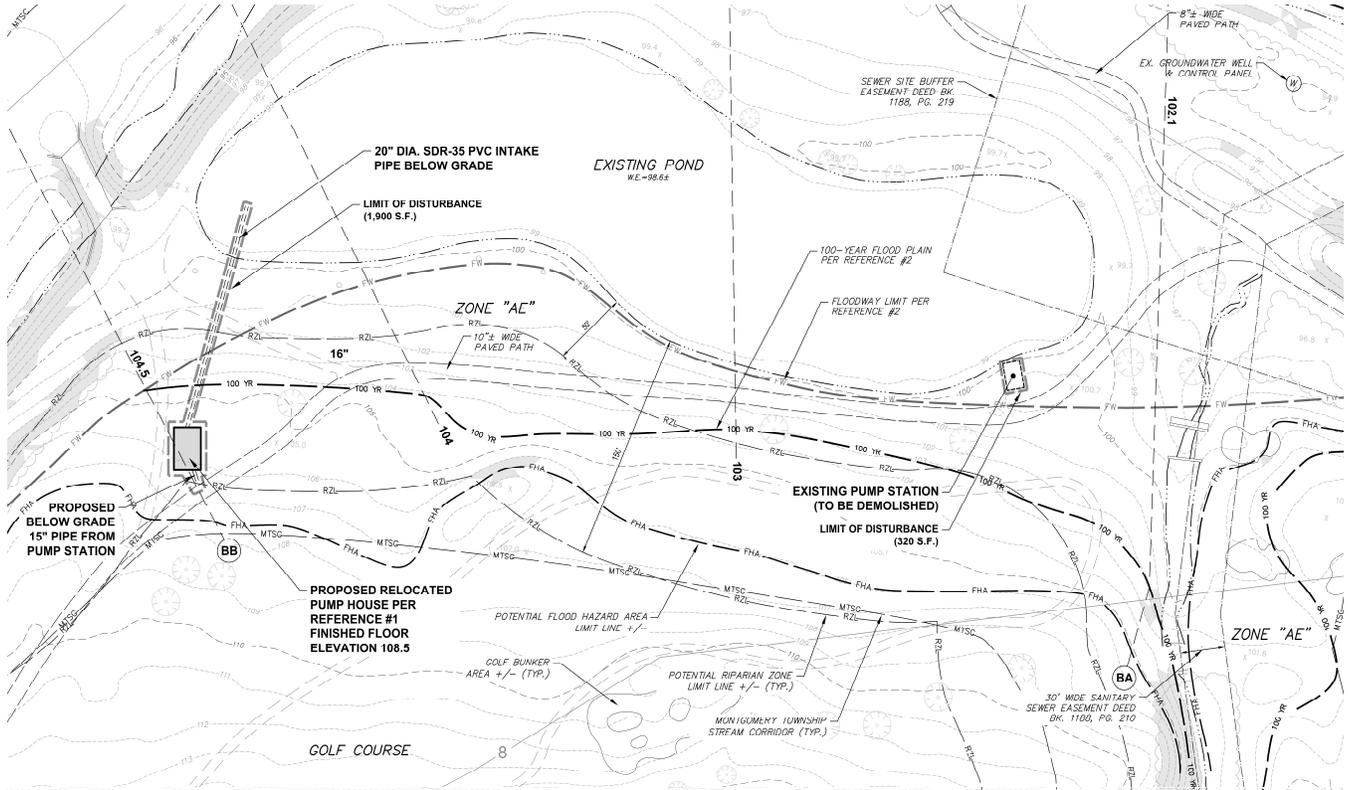
The applicant is proposing a tennis hut to replace an existing tennis house / deck. The proposed tennis hut will be in the same location as the existing tennis house / deck which will be removed. The applicant is also proposing relocating and upgrading an existing pump house. The proposed relocated pump will be located adjacent to the same existing pond as the current pump house. The pump house will be utilized for irrigation of the golf course.

The scope of this report has been limited to the areas surrounding the proposed improvements given the extensive area of the project lots and the very limited scope of the improvements. The property is characterized by varying sloping topography, slopes range from 25% to 2%. The elevations on-site range from 92 feet above mean sea level in the area surrounding the Bedens Brook to 180 feet above mean sea level near the proposed tennis house/deck. The subject property is located within the Millstone River (below/including Carnegie Lake) watershed, sub-watershed Bedens Brook (below Province Line Road)

**FIGURE 1 – TAX MAP**  
 Montgomery Township Tax Map Sheet 67  
 Block 31001, Lots 38 & 39  
 Montgomery Township, Somerset County



**FIGURE 2 – SITE PLAN PUMP HOUSE**  
 Pump House & Tennis Hut – Minor Site Plan and Use Variance Plan  
 Block 31001, Lots 38 & 39  
 Montgomery Township, Somerset County





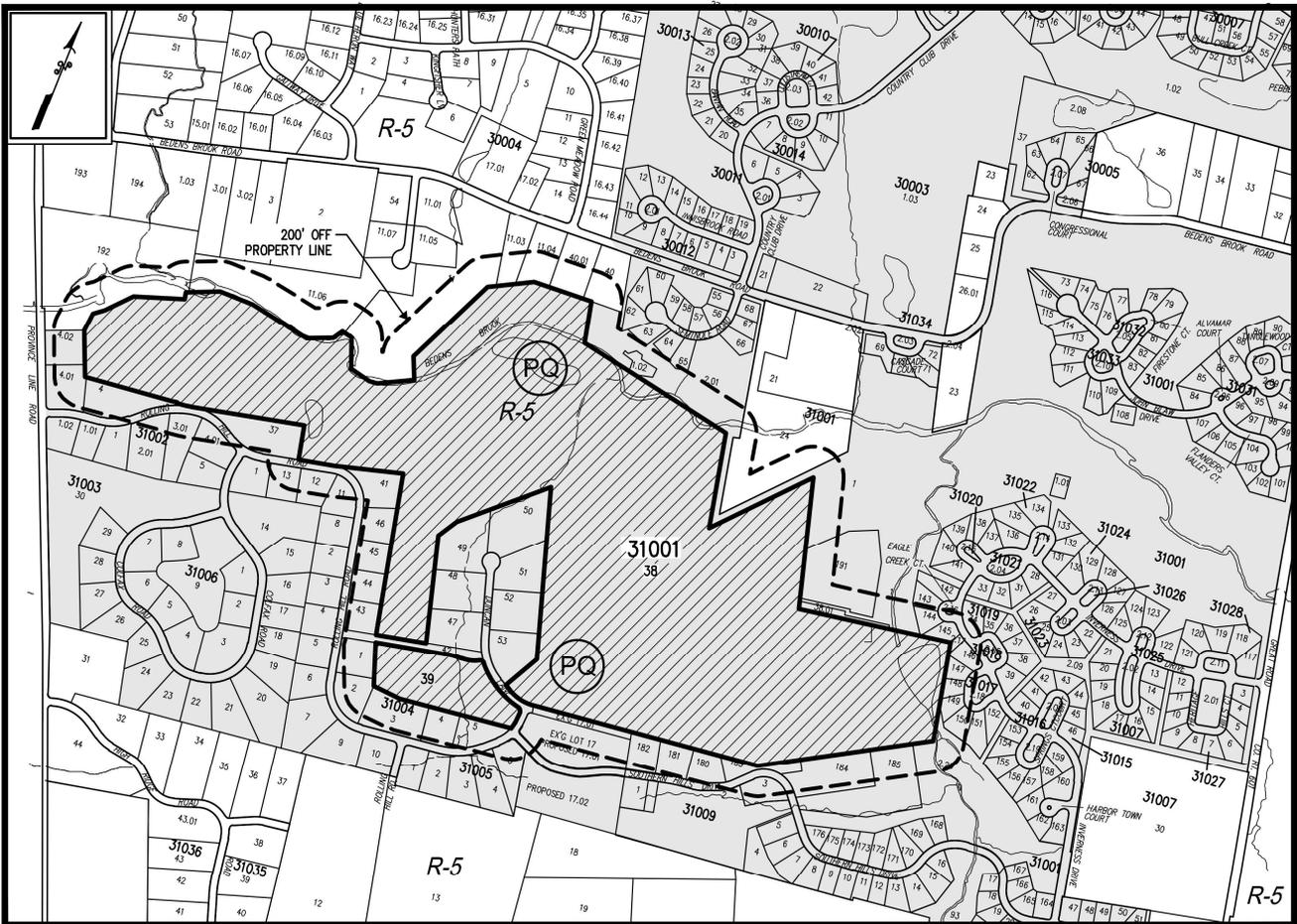
2. Recommended or favored alternative

The current proposed development is the favored alternative. The proposed relocated pump house is required to be located adjacent to the existing pond. The relocated area is adjacent to a path for convenient access and in an actively disturbed area. The proposed tennis hut is located adjacent to existing tennis courts. The proposed tennis hut location will replace an existing tennis house/deck as to limit the proposed disturbance to the maximum extent practicable.

3. Existing land use, zoning and Master Plan

The proposed development is located in the Single Family Residential (R5) Zone of the Township within the Single-Family Residential Cluster 1 – Optional Development Alternatives zone (Figure 4). The proposed improvements are upgrading existing site features of the same purpose, therefore no change in use is proposed for the site.

**FIGURE 4 – SITE LOCATION - ZONING MAP**  
Pump House & Tennis Hut – Minor Site Plan and Use Variance Plan  
Block 31001, Lots 38 & 39  
Montgomery Township, Somerset County



KEY MAP

— SINGLE-FAMILY RESIDENTIAL CLUSTER 1 -  
OPTIONAL DEVELOPMENT ALTERNATIVES

**FIGURE 5 – ZONING TABLE**

Pump House & Tennis Hut – Minor Site Plan and Use Variance Plan  
 Block 31001, Lots 38 & 39  
 Montgomery Township, Somerset County

ZONING REQUIREMENTS - R5 - SINGLE FAMILY RESIDENTIAL

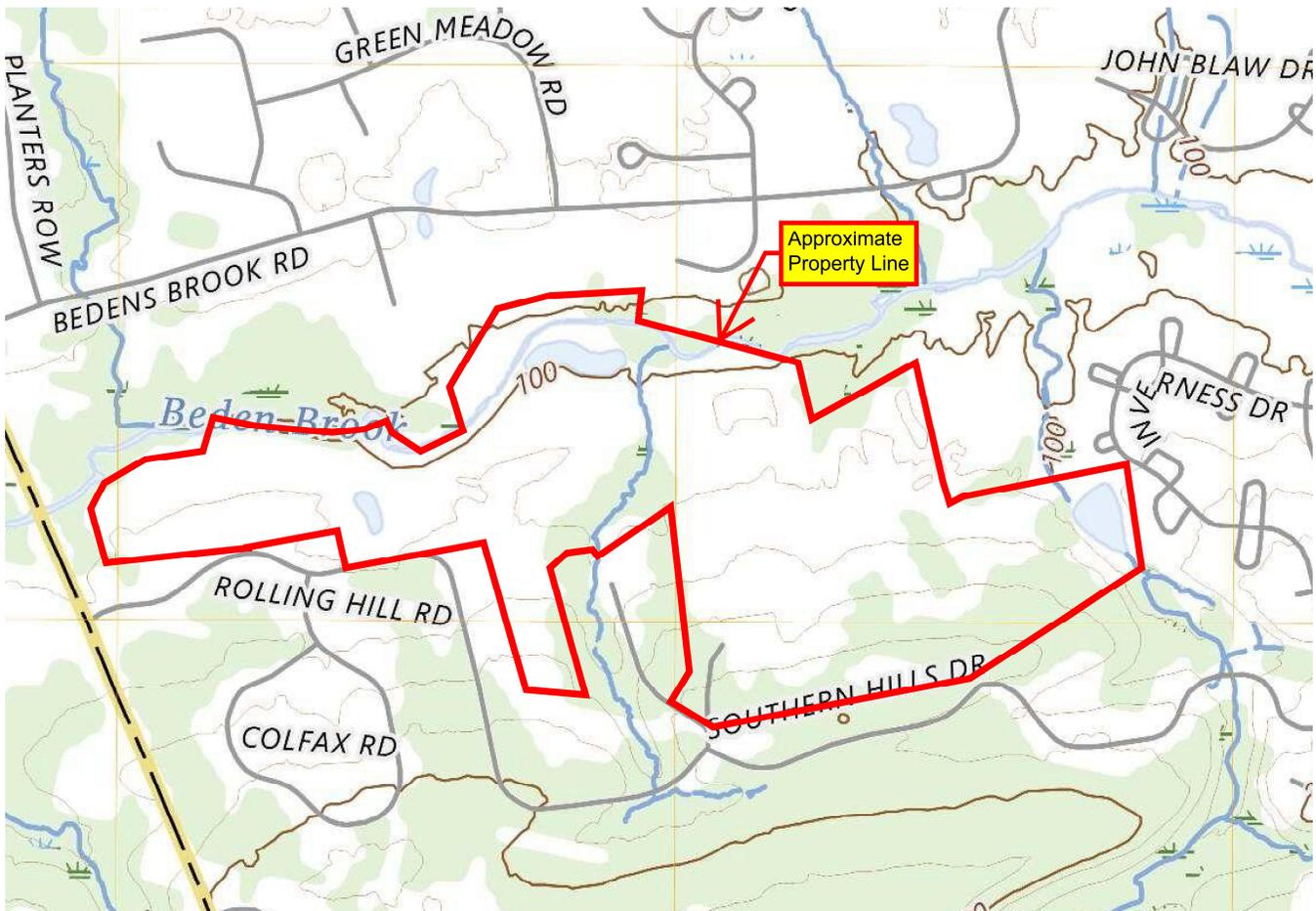
<u>PRINCIPAL BUILDING</u>	<u>SINGLE FAMILY RESIDENTIAL REQUIREMENTS</u>	<u>EXISTING CONDITION LOTS 38 &amp; 39</u>	<u>PROPOSED CONDITION LOTS 38 &amp; 39</u>
MINIMUM LOT AREA	5.00 ACRES	175.769 ACRES	175.769 ACRES
MINIMUM LOT FRONTAGE	300 FT.	545.25 FT.	545.25 FT.
MINIMUM LOT WIDTH @ SETBACK	300 FT.	498.81 FT.	498.81 FT.
MINIMUM LOT DEPTH	500 FT.	814.55 FT.	814.55 FT.
MINIMUM SIDE YARD SETBACK (EACH)	75 FT.	507.73 FT.	507.73 FT.
MINIMUM FRONT YARD SETBACK	75 FT.	603.25 FT.	603.25 FT.
MINIMUM REAR YARD SETBACK	100 FT.	746.57 FT.	746.57 FT.
MAXIMUM BUILDING COVERAGE	8 %	0.20 %	0.20 %
MAXIMUM LOT COVERAGE	15 %	3.62 %	3.62 %
MAXIMUM BUILDING HEIGHT	35 FT.	25 FT.	25.0 FT.
<u>ACCESSORY BUILDINGS</u>			
MINIMUM SIDE YARD SETBACK	50 FT.	505.76 FT.	505.76 FT.
MINIMUM REAR YARD SETBACK	50 FT.	384.29 FT.	384.29 FT.
MAXIMUM DISTANCE TO OTHER BUILDING	20 FT.	20.50 FT.	20.50 FT.
MAXIMUM BUILDING COVERAGE OF ACCESSORY BUILDINGS	2 %	0.25 %	0.25 %

**B. Inventory of existing environmental conditions**

**1. Contours**

The property is characterized by varying sloping topography, slopes range from 25% to 2%. The elevations on-site range from 92 feet above mean sea level in the area surrounding the Bedens Brook to 180 feet above mean sea level new the proposed tennis house/deck. The topography on site includes shallow slopes within the golf course area and includes ponds and golf hazards such as sand traps and ponds. The project site drains from south to north into the Bedens Brook which is located along the northerly property line. Figure 6 shows the site location on the USGS Rocky Hill Quad Map.

**FIGURE 6 – USGS ROCKY HILL QUAD MAP**  
Block 31001, Lots 38 & 39  
Montgomery Township, Somerset County



## 2. Surface Water

The project lot contains a section of the Bedens Brook, which is categorized as an FW2- NT surface water, and is located along the northern property line. A tributary to the Bedens Brook runs from south to north bisecting the project site. The tributary converges with the Bedens Brook at near center of the project lots northerly property line. In addition to these streams are three perennial ponds are located on the project site. Pond Bedens Brook #1 is in the area of the relocated pump house and currently serves the existing on-site pump.

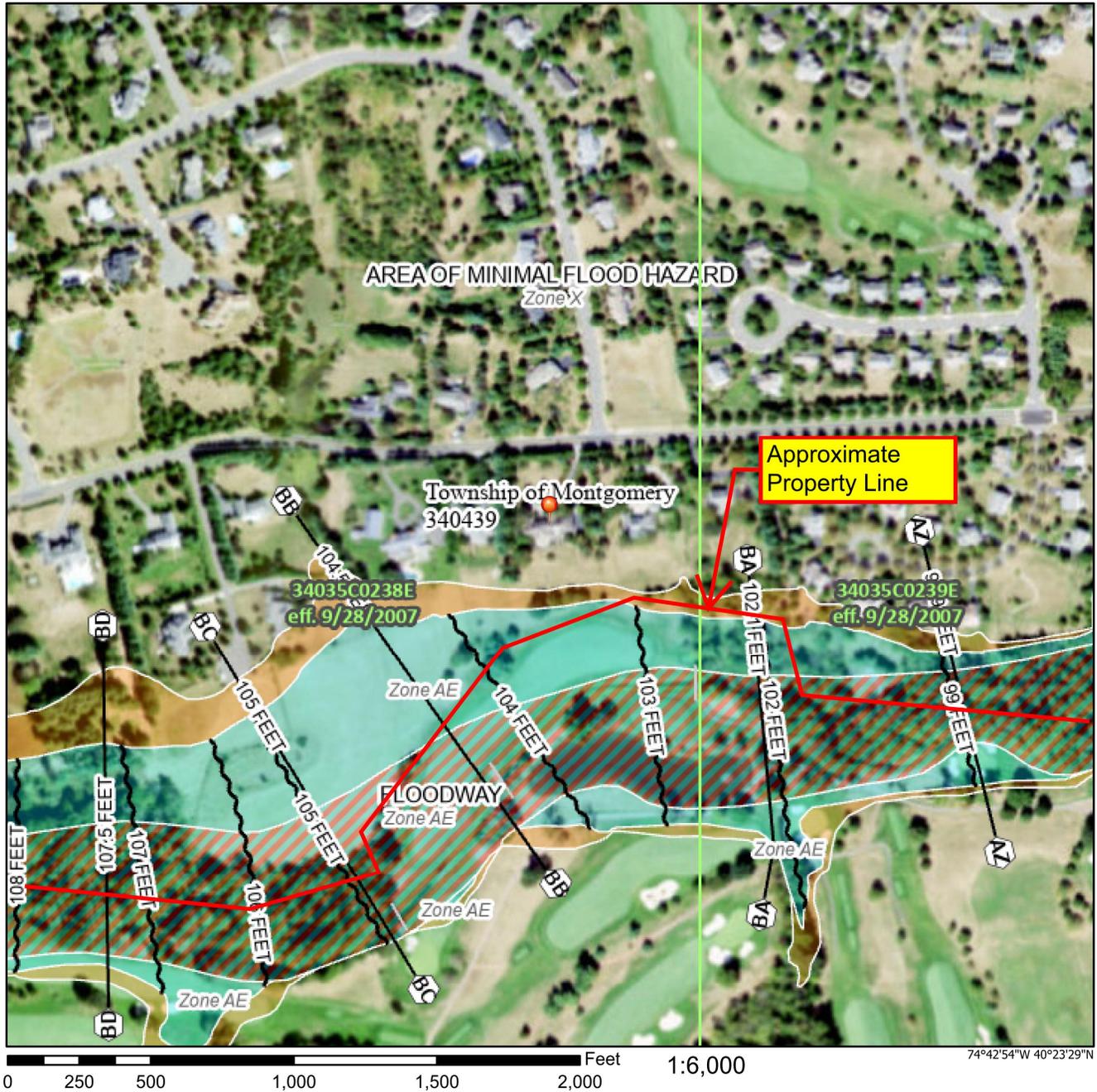
## 3. Water Supply

The development will be serviced by public water. Water to the site will be supplied from Elizabeth Water Company.

## 4. Hydrology

The site flows into Bedens Brook as one drainage area due to the Brook running parallel to the rear property line. The project is located in the Millstone Watershed Management Area, WMA number 10. The sub-watershed containing the lot is Beden Brook (below Province Line Road). Northern portions of the site are located within the 100-year flood plan as shown on the FEMA Firmette or Somerset County (see Figure below). The proposed relocated pump station will be located within the NJDEP Flood Hazard Area per the FEMA fluvial method as described in N.J.A.C 7:13-3.4(f). An NJDEP Flood Hazard General Permit by Certification has been obtained for this aspect of the project. See appendix if this report for a copy of the permit.

**FIGURE 7 – Flood Map**  
 FEMA Firmette Map  
 Block 31001, Lots 38 & 39  
 Montgomery Township, Somerset County



## 5. Soils

The Soil Conservation Service Soil Survey (SCS) for Somerset County and the Natural Resource Conservation Service (NRCS) Websoil online mapping identify one soil type on the project site in the area of the proposed pump house as follows:

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BhnA	Birdsboro silt loam, 0 to 2 percent slopes	2.3	6.6%
BhnB	Birdsboro silt loam, 2 to 6 percent slopes	4.7	13.8%
PeoB	Penn channery silt loam, 2 to 6 percent slopes	11.3	33.2%
PeoC	Penn channery silt loam, 6 to 12 percent slopes	0.0	0.0%
RehA	Reaville silt loam, 0 to 2 percent slopes	0.2	0.6%
RorAt	Rowland silt loam, 0 to 2 percent slopes, frequently flooded	14.0	41.1%
WATER	Water	1.6	4.6%
<b>Totals for Area of Interest</b>		<b>34.0</b>	<b>100.0%</b>

The proposed relocated pump house will be located in the Birdsboro silt loam, 0 to 2 percent slopes mapping unit. The properties and qualities of this soil type from the USDA-NRCS WebSoil maps is as follows:

### **BhnA—Birdsboro silt loam, 0 to 2 percent slopes**

Properties and qualities

Slope: 0 to 2 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)

Depth to water table: More than 80 inches

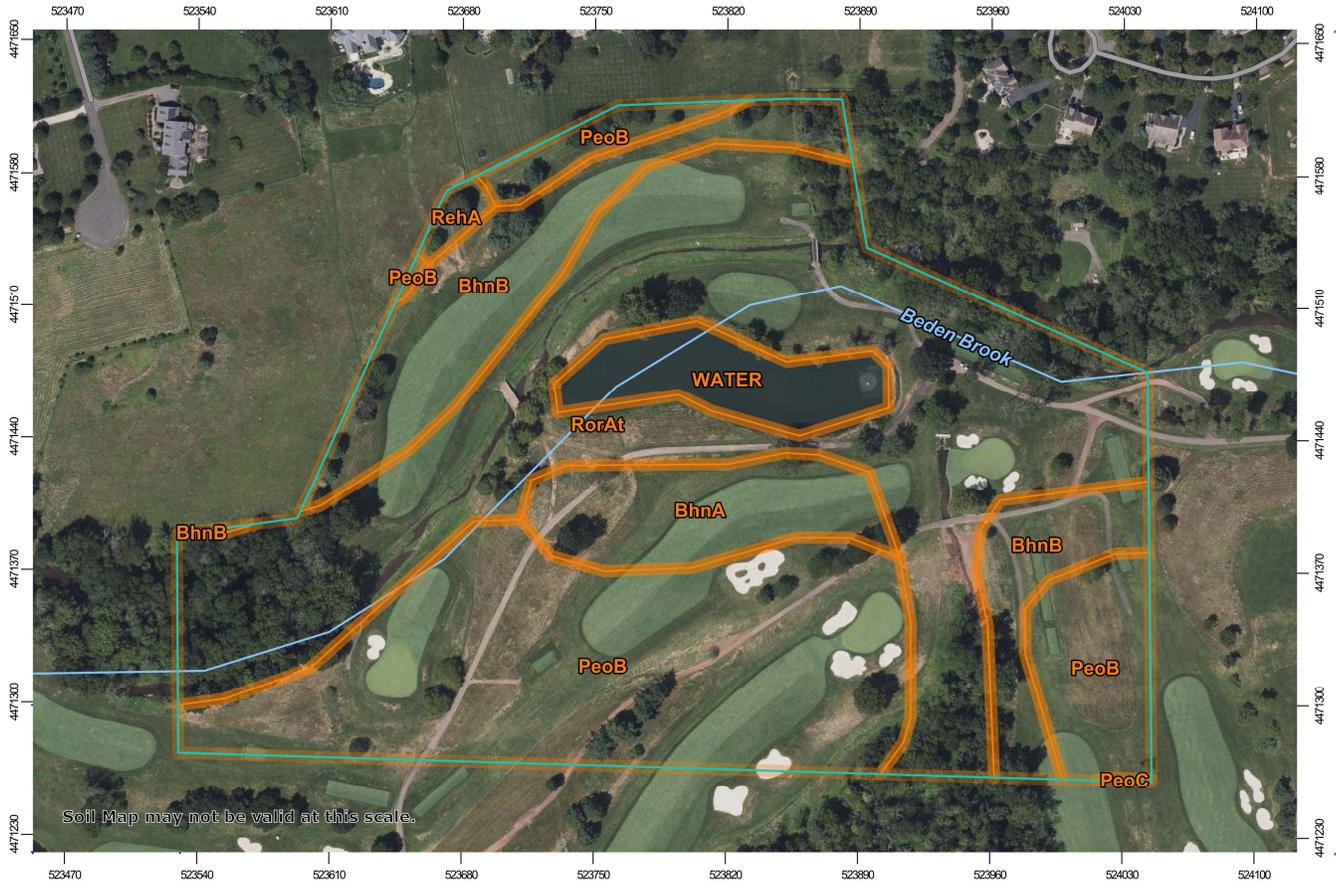
Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: High (about 10.0 inches)

Figure 8 below shows the mapping of the site on the USDA-NRCS WebSoil maps.

**FIGURE 8 – Soils Map Pump House**  
USDA-NRCS Websoil Survey Pump House  
Block 31001, Lots 38 & 39  
Montgomery Township, Somerset County



The Soil Conservation Service Soil Survey (SCS) for Somerset County and the Natural Resource Conservation Service (NRCS) Websoil online mapping identify one soil type on the project site in the area of the proposed tennis hut is as follows:

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
PeoB	Penn channery silt loam, 2 to 6 percent slopes	0.4	5.2%
RedB	Readington silt loam, 2 to 6 percent slopes	5.8	77.3%
RehB	Reaville silt loam, 2 to 6 percent slopes	1.3	17.5%
<b>Totals for Area of Interest</b>		<b>7.5</b>	<b>100.0%</b>

The proposed relocated pump house will be located in the Readington silt loam, 2 to 6 percent slopes mapping unit. The property and qualities of this soil type from the USDA-NRCS WebSoil maps is as follows:

**RedB—Readington silt loam, 2 to 6 percent slopes**

Properties and qualities

Slope: 2 to 6 percent

Depth to restrictive feature: 24 to 36 inches to fragipan; 39 to 60 inches to lithic bedrock

Drainage class: Moderately well drained

Runoff class: Low

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.20 to 2.00 in/hr)

Depth to water table: About 18 to 36 inches

Frequency of flooding: None

Frequency of ponding: None

Available water supply, 0 to 60 inches: Low (about 5.5 inches)

Figure 9 below shows the mapping of the site on the USDA-NRCS WebSoil maps.

**FIGURE 9 – Soils Map Tennis Hut**  
USDA-NRCS Websoil Survey Tennis Hut  
Block 31001, Lots 38 & 39  
Montgomery Township, Somerset County



## **C. Assessment of Probable Impact of the project**

### **1. Contours**

Proposed contours will mimic existing conditions as no proposed change to grades is proposed at either the pump house or the tennis hut. The project will not result in an adverse impact to the existing contours on-site either within or adjacent to the project areas.

### **2. Surface Water**

The project is not expected to adversely affect the surface water quality. The proposed pump house will draw water from the same pond currently serving the existing pump house on-site. And the required NJDEP Permit has been secured for this aspect of the project. No point sources such as underground storage tanks, sub-surface sewage disposal systems or other structures are proposed on the site. Sub-surface sewer collection pipes will not be constructed as a result of this project. There are no stormwater management structures proposed as part of this project.

### **3. Water Supply**

The project is located within the jurisdiction of Elizabeth Water Company. No proposed water connections are proposed with the project improvements.

### **4. Hydrology**

Surface drainage patterns will not be affected in any way by the proposed improvements. The proposed tennis hut will mostly be located within the footprint of an existing tennis house/deck and will not change the grade of any surrounding areas. The pump house footprint disturbance is minor and will not redirect stormwater runoff.

### **5. Soils**

Soils within the footprints of the improvements will be impacted by construction. This disturbance is very minor in nature as discussed above. Soils adjacent to the proposed improvements are not expected to be impacted by the proposed uses. There will be no adverse impacts on the project sites soils as a result of this project.

#### **D. References**

- NJDEP 2023, NJDEP Flood Hazard Regulations, NJAC 7:13
- NJDEP 2023, Geo-Web GIS
- U.S.D.A. NRCS 2023, Web Soil Survey, United States Department of Agriculture, Natural Resource Conservation Service
- FEMA Online Flood Map Service Center
- USGS Topoview

# **APPENDIX**

**Division of Land Resource Protection**



**Division of Land Resource Protection**  
**501-02A**  
**PO Box 420**  
**Trenton, NJ 08625-0420**  
**Phone: (609) 777- 0454**  
**Fax: (609) 777- 3656**

<b>Permit #:</b> 1813-03-0009.2 - FHC230001
<b>RSP Service ID#:</b> 1584417
<b>Payment Arrangement:</b> Exempt
<b>Paid Online:</b> N/A
<b>Paid On:</b> N/A
<b>Paid Amt:</b> N/A

This Authorization form is requested to be located at the regulated construction site at all times and be available for inspection by any authorized representative of the New Jersey Department of Environmental Protection. If you have designated an agent, it is your responsibility to notify your agent about this General Permit and its requirements.

**AUTHORIZATION TO CONSTRUCT**  
**FHGPC5 Bldg Reconstruction, Relocation, Expansion/Elevation**

**Property Owner**

Craig Campbell  
 The Bedens Brook Golf Club  
 240 Rolling Hill Road  
 Skillman, NJ 08558

**Applicant**

Craig Campbell  
 The Bedens Brook Golf Club  
 240 Rolling Hill Road  
 Skillman, NJ 08558

**Project Name & Location**

Craig Campbell  
 240 Rolling Hill Rd  
 Montgomery Twp, NJ 08558

Montgomery Twp / Somerset

<u>County</u>	<u>Municipality</u>	<u>Block</u>	<u>Lot</u>
Somerset	Montgomery Twp	31001	39
Somerset	Montgomery Twp	31001	38

Electronically certified online by the responsible party Paul Christopher on 07/27/2023.

<b>Issuance Date</b>	<b>Effective Date of Authorization</b>	<b>Expiration Date</b>
07/27/2023	07/27/2023	07/26/2028

This Authorization under the Division of Land Resource Protection General Permit by Certification No. %preferred\_id% - FHC230001 issued by the Department based on submission of online certification by the responsible party listed above. The certification submitted by the responsible party may hereafter be reviewed by the Department for accuracy and ongoing compliance with the applicable regulations.

Electronically signed in accordance with N.J.S.A. 12A:12-7

Date: 07/27/2023

Jennifer Moriarty, Director  
 Division of Land Resource Protection  
 New Jersey Department of Environmental Protection

General Permit by Certification (GPBC) Conditions

The Department will monitor and require strict compliance with the terms of this permit. Any noncompliance with this authorization constitutes a violation of this chapter and is grounds for enforcement action under N.J.A.C. 7:13-24.

If a permittee undertakes any regulated activity authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the permit and all conditions herein. [N.J.A.C. 7:13-22.2(b)]

**Conditions that apply to this permit:**

1. The issuance of this 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 this permit. [N.J.A.C. 7:13-22.2(c)1]
2. The issuance of this permit does not convey any property rights or any exclusive privilege. [N.J.A.C. 7:13-22.2(c)2]
3. The permittee shall obtain all applicable Federal, State, and local approvals prior to commencement of regulated activities authorized under this permit. [N.J.A.C. 7:13-22.2(c)3]
4. If the permittee is 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. [N.J.A.C. 7:13-22.2(c)4]
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. [N.J.A.C. 7:13-22.2(c)5]
6. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of the permit. The Department may, upon discovery of such unanticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit, pursuant to N.J.A.C. 7:13-22.7. [N.J.A.C. 7:13-22.2(c)6]
7. The permittee shall immediately inform the Department by telephone at (877) 927-6337 (Warn DEP Hotline) of any noncompliance that may endanger public health, safety, and welfare, or the environment. The permittee shall inform the Division of Land Resource Protection by telephone at (609) 292-0060 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. The written notice shall include all of the following:
  - i. A description of the noncompliance and its cause.
  - ii. The period of noncompliance, including exact dates and times.
  - iii. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue.
  - iv. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.[N.J.A.C. 7:13-22.2(c)7]
8. action under N.J.A.C. 7:13-24, as well as, in the appropriate case, suspension and/or termination of the permit. [N.J.A.C. 7:13-22.2(c)8]
9. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the authorized activity in order to maintain compliance with the conditions of the permit. [N.J.A.C. 7:13-22.2(c)9]

## Division of Land Resource Protection

10. The permittee shall employ appropriate measures to minimize noise where necessary during construction, as specified in N.J.S.A. 13:1G-1 et seq., and N.J.A.C. 7:29 [N.J.A.C. 7:13-22.2(c)10]
11. The issuance of this permit does not relinquish the State's tidelands ownership or claim to any portion of the subject property or adjacent properties. [N.J.A.C. 7:13-22.2(c)11]
12. The issuance of this permit does not relinquish public rights to access and use tidal waterways and their shores. [N.J.A.C. 7:13-22.2(c)12]
13. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
  - i. Enter upon the permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of the permit
  - ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit, and
  - iii. Inspect, at reasonable times, any facilities, equipment, practices, or operations regulated or required under the permit. Failure to allow reasonable access shall be considered a violation and subject the permittee to enforcement action under N.J.A.C. 7:13-24. [N.J.A.C. 7:13-22.2(c)13]
14. The permittee shall not cause or allow any unreasonable interference with the free flow of a regulated water by placing or dumping any materials, equipment, debris, or structures within or adjacent to the channel while the regulated activity(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. [N.J.A.C. 7:13-22.2(c)14]
15. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents associated with this permit. [N.J.A.C. 7:13-22.2(d)1]
16. All conditions, site plans, and supporting documents approved by this permit shall remain in full force and effect so long as the regulated activity or project, or any portion thereof, is in existence. [N.J.A.C. 7:13-22.2(d)2]
17. The permittee shall record the permit, including all conditions listed herein, 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 copy of the recorded permit shall be forwarded to the Division of Land Resource Protection at the address set forth at N.J.A.C. 7:13-1.3. [N.J.A.C. 7:13-22.2(d)3]
18. If the general permit-by-certification or any condition of the 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. [N.J.A.C. 7:13-22.2(d)5]
19. Any permit condition that does not establish a specific timeframe within which the condition must be satisfied (for example, prior to commencement of construction) shall be satisfied within six months of the effective date of the permit. [N.J.A.C. 7:13-22.2(d)6]
20. A copy of the permit, all 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. [N.J.A.C. 7:13-22.2(d)7]
21. The permit can be suspended or terminated by the Department for cause. [N.J.A.C. 7:13-22.2(d)10]

## Division of Land Resource Protection

22. Where the permittee becomes aware that they failed to submit any relevant facts in the application or submitted incorrect information in the application or in any report to the Department, it shall promptly submit such facts or information. [N.J.A.C. 7:13-22.2(d)12]
23. 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. [N.J.A.C. 7:13-22.2(d)13]
24. Any person aggrieved by this decision may, in accordance with N.J.A.C. 7:13-23.1, request an adjudicatory hearing within 30 calendar days after public notice of the decision is published in the DEP Bulletin. If a person submits the request after this time, the request will be denied.
25. This permit is valid for five years from the date of issuance and cannot be extended. If the permittee wishes to commence or continue the regulated activities after the expiration date of the authorization, the permittee must apply for and obtain a new authorization or permit.

### Permit Details

The authorized FHGPC5 Bldg Reconstruction, Relocation, Expansion/Elevation activity allows for 0.0070 acres (321 square feet) of an addition.

### Certifications

The permittee certified that the project consists of the reconstruction, relocation, expansion, and/or elevation of a lawfully existing building located outside of a floodway. [Citation: N.J.A.C. 7:13-8.5(a)]

The permittee certified that the flood hazard area elevation for the site has been determined by a Department delineation or FEMA flood mapping, under Methods 1, 2 or 3 (at N.J.A.C. 7:13-3.3, 3.4(d) and 3.4(e), respectively); [Citation: N.J.A.C. 7:13-8.5(a)1]

The permittee certified that the building is not located in a floodway. [Citation: N.J.A.C. 7:13-8.5(a)2]

The permittee certified that I have obtained an engineering certification confirming that the building is not being expanded within or relocated into a floodway. [Citation: N.J.A.C. 7:13-8.5(a)3]

The permittee certified that the footprint of the building has not increased by more than 750 square feet, cumulatively, since November 5, 2007. [Citation: N.J.A.C. 7:13-8.5(a)4]

The permittee certified that they have obtained an engineering certification confirming that the lowest floor of the building is being reconstructed or elevated to at least one foot above the flood hazard area design flood elevation and is not lower than the elevation required under the Uniform Construction Code, N.J.A.C. 5:23. [Citation: N.J.A.C. 7:13-8.5(a)5]

The permittee certified that any new enclosure below the lowest floor of the building is not used for habitation, remains open to floodwaters, and is constructed in accordance with N.J.A.C. 7:13-12.5(p). [Citation: N.J.A.C. 7:13-8.5(a)6]

The permittee certified that any existing enclosure below the lowest floor of the building, which does not conform to the requirements of N.J.A.C. 7:13-12.5(p), such as a basement having a floor that is below grade along all adjoining exterior walls, is abandoned, filled-in and/or otherwise modified to conform with the requirements of N.J.A.C. 7:13-12.5 [Citation: N.J.A.C. 7:13-8.5(a)7].

The permittee certified that no disturbance is located within 25 feet of any top of bank unless the project lies adjacent to a lawfully existing bulkhead, retaining wall, or revetment along a tidal water or impounded fluvial water; [Citation: N.J.A.C. 7:13-8.5(a)8]

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The permittee certified that any building to be relocated is either moved outside a riparian zone or located within an actively disturbed area. [Citation: N.J.A.C. 7:13-8.5(a)9]

The permittee certified that no riparian zone vegetation is cleared, cut, and/or removed, except for vegetation within 20 feet of the building, where such disturbance is necessary to access the building and facilitate its reconstruction, relocation, expansion, and/or elevation. [Citation: N.J.A.C. 7:13-8.5(a)10]

The permittee certified that any new, reconstructed, enlarged, or elevated structure within a flood hazard area shall be secured to resist flotation, collapse, and displacement due to hydrostatic and hydrodynamic forces from floodwaters. [Citation: N.J.A.C. 7:13-6.7(b)1]

The permittee certified that the authorized activities 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. [Citation: N.J.A.C. 7:13-6.7(b)4]

The permittee certified that all riparian zone vegetation that is cleared, cut, and/or removed to conduct authorized activities, access an area where authorized activities will be conducted, or otherwise accommodate an authorized activity shall be replanted immediately after completion of the project, unless prevented by seasonal weather, in which case the vegetation shall be replanted as soon as conditions permit. Portions of the riparian zone occupied by an authorized structure need not be replanted. [Citation: N.J.A.C. 7:13-6.7(b)5]

The permittee certified that all riparian zone vegetation to be replanted shall meet 1 and 2 below, except as provided in 3:

1. Consist of vegetation of equal or greater ecological function and value as the vegetation that was cleared, cut, or removed. For example, herbaceous vegetation may be replaced with the same type of vegetation or with trees, but the trees in forested areas must be replaced with trees of equal or greater density and ecological function and value;
2. Consist of native, non-invasive vegetation, except in an actively disturbed area. In an actively disturbed area, the vegetation may be replaced with the same type of vegetation that was cleared, cut, or removed, or with another kind of vegetation typical of an actively disturbed area. For example, lawn grass may be replaced with garden plants or agricultural crops; and
3. Where replanting in accordance with 1 and 2 above would interfere with continued access to or maintenance of a structure that is required by Federal, State, or local law, the vegetation replanted shall meet the requirements of 1 and 2 above to the extent feasible. [Citation: N.J.A.C. 7:13-6.7(b)5]

The permittee certified that the activities authorized under this permit, in combination with all proposed activities, do not constitute a “major development” as defined in the Stormwater Management rules at N.J.A.C. 7:8-1.2. [Citation: N.J.A.C. 7:13-6.7(c)]

**Division of Land Resource Protection**

Timing Restriction for Threatened or Endangered Stream Species of Special Concern

The following timing restrictions shall apply to all projects which propose disturbances in areas that support the following species of special concern.

Species	Status	Timing Restriction
<b>Amphibians</b>		
Blue-spotted salamander	(E)	March 1 to August 1
Longtail salamander	(T)	December 1 to August 1
<b>Reptiles</b>		
Bog turtle	(E)*	November 1 to April 30
Wood turtle	(T)	November 1 to April 1
<b>Fish</b>		
Atlantic Sturgeon	(E)*	March 1 to June 30
Shortnose Sturgeon	(E)*	March 1 to June 30
<b>Freshwater Mussels</b>		
Dwarf wedgemussel	(E)*	April 1 to June 15 August 1 to November 1
Brook floater	(E)	April 1 to June 30 August 1 to September 30
Green floater	(E)	April 1 to June 30 August 1 to September 30
Yellow lampmussel	(T)	April 1 to June 30 August 1 to October 15
Tidewater mucket	(T)	April 1 to June 15 September 15 to November 1
Eastern pondmussel	(T)	May 15 to September 30
Triangle floater	(T)	May 1 to September 20

\*Federally listed species.