

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
www.state.nj.us/dep/landuse

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

Curt Mitchell
REP Materials
P O Box 430
Woodstown, NJ 08098-0430

JUL 18 2014

RE: Freshwater Wetlands Letter of Interpretation: Line Verification
File No.: 0504-03-0002.2
Activity Number: FWW140001
Applicant: REP Materials
Block(s) and Lot(s): [224, 68.01]
Dennis Twp., Cape May County

Dear Mr. Mitchell:

This letter is in response to your request for a Letter of Interpretation to have Division of Land Use Regulation (Division) staff verify the boundary of the freshwater wetlands and/or State open waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection, the U.S. Army Corps of Engineers Philadelphia and New York Districts, and the U.S. Environmental Protection Agency, the NJDEP, the Division is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retain the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Based upon the information submitted, the Division has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled: "PLAN OF SURVEY, LOT 68.01, BLOCK 224, DENNIS TOWNSHIP, CAPE MAY COUNTY, NEW JERSEY", consisting of one (1) sheet(s), dated 09-18-013, last revised 07-07-14, and prepared by Gibson Associates, P.A., is accurate as shown.

Wetlands Resource Value Classification ("RVC")

Exceptional: All wetland flag points. [150 foot wetland buffer]

Please be advised that if the current mining operation on site is abandoned or if a change of use occurs on the site, then the Department reserves the right to claim jurisdiction of wetlands and/or State open waters created by sand mining operations on the property.


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Appeal Process

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days of the date the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist found at www.state.nj.us/dep/landuse/forms. Hearing requests received after 30 days of publication notice may be denied. The DEP Bulletin is available on the Department's website at www.state.nj.us/dep/bulletin. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information on this process.

Please contact April Grabowski of our staff by e-mail at april.grabowski@dep.nj.gov or (609) 633-2289 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,


for Ryan J. Anderson, Supervisor
Division of Land Use Regulation

cc: Municipal Clerk
Municipal Construction Official
Agent (original)