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**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  
Fax: (609) 777-3656 or (609) 292-8115  
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, registration, authorization, waiver, etc. Violation of any term, condition or provision of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.	Approval Date
	<b>JUL 10 2013</b>
	Expiration Date
	<b>JUL 10 2018</b>


Permit Number(s) 0000-13-0004.1 CAF130001, WFD130001, FWW 130001	Type of Approval(s) CAFRA Individual Permit Waterfront Development Individual Permit Freshwater Wetlands General Permit #2 Water Quality Certificate	Enabling Statute(s) N.J.S.A. 13:19-1 N.J.S.A. 12:5-3 N.J.S.A. 13:9B-1 N.J.S.A. 58:10A-1
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Applicant South Jersey Gas – Charles F. Dippe, P.E. One South Jersey Plaza, Route 54 Folsom, New Jersey 08037	Site Location Block(s): N/A Lot(s): N/A Maurice River, Cumberland County Esclie Manor, Atlantic County Upper Township, Cape May County
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This permit grants permission to install approximately 21.7 miles (approximately 9.73 miles are within Pinelands Jurisdiction, 5.12 miles is within Pinelands and CAFRA Jurisdiction, and 11.87 miles are within CAFRA Jurisdiction) of 24" diameter steel pipeline to supply natural gas to the existing B.L. England electric generation plant. The authorized activities are shown on the approved site plans referenced on Page 2 of this permit.

This permit is authorized under and in compliance with applicable Rules on Coastal Zone Management N.J.A.C. 7:7E-1.1 et seq., as amended. The Director of the Division of Land Use Regulation hereby finds the applicable findings as required by Sections 10 & 11 of the CAFRA statute (N.J.S.A. 13:19-1 et seq.) and the Rules on Coastal Zone Management will be met to the satisfaction of the Bureau of Coastal Regulation. The issuance of this permit is contingent upon compliance with the conditions below and failure to comply with any or all conditions may result in appropriate enforcement action and revocation of this permit.

**THIS PERMIT IS NOT EFFECTIVE AND NO CONSTRUCTION APPROVED BY THIS PERMIT OR OTHER REGULATED ACTIVITY, MAY BE UNDERTAKEN UNTIL THE APPLICANT HAS SATISFIED ALL PRE-CONSTRUCTION CONDITIONS AS SET FORTH IN THIS PERMIT.**

Prepared By:   
Eric M. Virostek  
Environmental Specialist 3

Received or Recorded by County Clerk

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

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The authorized activities are shown on the site plans in 107 sheets entitled: "PROPOSED 24" NATURAL GAS PIPELINE FOR SYSTEM REINFORCEMENT AND TO SUPPLY B.L. ENGLAND POWER PLANT, CUMBERLAND, ATLANTIC & CAPE MAY COUNTIES, NJ, PERMITTING PLANS," prepared by Woodard & Curran.

All sheets are dated January 31, 2013 except for SA-6, D-04A, D-04B, D-06, C-AGV-1, C-AGV-2 which are dated April 26, 2013 and BL-1 which is dated May 22, 2013. The following sheets were last revised on:

**April 26, 2013:** G-03, LD-1, AS-1, AS-4 & 5, AS-22, AS-27, AS-32, AS-35, AS-37 thru AS-43, AS-46, SA-1 & 2, C-300

**May 16, 2013:** AS-44 & 45, SA-3

**May 17, 2013:** G-02, D-03, C-100, C-200

**May 20, 2013:** AS-3, AS-6 thru AS-8, AS-10 thru AS-21, AS-23 thru AS-26, AS-28 thru AS-31, AS-33 & 34, AS-36, D-1A, D-1B, D-02

**May 22, 2013:** AS-2, AS-9

**June 11, 2013:** G-01, AS-47 thru AS-82, SA-4 & 5, D-06, BL-1

**Unrevised:** SA-6, D-1C, D-04A, D-04B, D-05, C-AGV-1, C-AGV-2

#### STANDARD CONDITIONS:

1. **Extent of approval:**
  - a. This document grants permission to perform certain activities that are regulated by the State of New Jersey. The approved work is described by the text of this permit and is further detailed by the approved drawings listed herein. All work must conform to the requirements, conditions and limitations of this permit and all approved drawings.
  - b. If you alter the project without prior approval, or expand work beyond the description of this permit, you may be in violation of State law and may be subject to fines and penalties. Approved work may be altered only with the prior written approval of the Department.
  - c. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site.
2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety, and the responsibility to comply with the terms and conditions. If you do not accept or agree with this document in its entirety, **do not begin** construction. You are entitled to request an appeal within a limited time as detailed on the *Administrative Hearing Request Checklist and Tracking Form* which is available on the Department's website at [www.state.nj.us/dep/landuse/forms/index.html](http://www.state.nj.us/dep/landuse/forms/index.html).
3. **Recording with County Clerk:** You must record this permit in the Office of the County Clerk for each county involved in this project. The front page of the recorded permit shall be forwarded to Eric M. Virostek, via email at [Eric.Virostek@dep.state.nj.us](mailto:Eric.Virostek@dep.state.nj.us), before beginning regulated activities.
4. **Notice of Construction:** You must notify the NJDEP, Bureau of Coastal and Land Use Compliance and Enforcement, in writing, at 1510 Hooper Avenue, Toms River, NJ 08753, at least three working days prior to beginning any construction on the site or any site preparation.

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5. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page unless otherwise extended by the Division. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some permits may qualify for an extension of the expiration date. Please contact the Department for further information.)
6. **Rights of the State:**
  - a. This permit is revocable and subject to modification by the State with due cause.
  - b. Representatives from the State have the statutory authority to enter and inspect this site to confirm compliance with this permit and may suspend construction or initiate enforcement action if work does not comply with this permit.
  - c. This permit does not grant property rights. The issuance of this permit shall not affect any action by the State on future applications, nor affect the title or ownership of property, nor make the State a party in any suit or question of ownership.
7. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work. All work must be stabilized in accordance with the *Standards for Soil Erosion and Sediment Control in New Jersey*, and all fill material must be free of toxic pollutants in toxic amounts as defined in section 307 of the Federal Act.


#### PERMIT SPECIFIC CONDITIONS:

1. A portion of the proposed alignment includes an area listed as documented habitat for American Mistletoe (*Phoradendron leucarpum*). In order to prevent impacts to this species, the permittee may not clear/remove/trim woody vegetation within the area marked by cross section figures "464+00" through "470+50" during any given work year unless a survey for this species has been completed and the area has been proven void of the protected species.
2. In an effort to comply with provisions of the Federal Migratory Bird Treaty Act, there shall be no removal of woody vegetation (within the areas to be mitigated for as mentioned below in Project Specific Condition No. 3) from **March 15<sup>th</sup> through July 31<sup>st</sup>** of any given work year.
3. **Within 90 days of issuance of this permit**, the applicant must submit for review and approval a mitigation proposal for the proposed impacts to **3.07 acres** of critical wildlife habitat. A written mitigation proposal and an accompanying site plan (with a timeline for mitigation completion) must outline a mitigation offer at a **1:1 ratio** for the proposed impacts to critical wildlife habitat. Note that a 1:1 mitigation ratio is acceptable for this project in order to compensate for the direct loss of habitat *only*. Specific to the project at hand, habitat impacts do not extend to the removal of habitat on either side of the proposed pipeline location (i.e. should potential for future connections to this line exist).
4. All debris generated from the construction shall be disposed of at an approved disposal site.
5. All sediment barriers and other soil erosion control measures must be installed prior to the start of any clearing, grading or construction on site, and must be maintained in proper working condition throughout the entire duration of the project.
6. All excavated material must be lawfully disposed of outside any flood plain, open water, freshwater wetlands or transition area.
7. 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 this permit.

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8. The permittee shall restore ALL temporarily disturbed areas to pre-existing site conditions.
9. The applicant shall apply for and receive a tidelands grant, lease or license from the Bureau of Tidelands Management prior to construction. Failure to comply with this condition will result in fines up to \$1000 plus \$100 per day, a higher fee for the conveyance and possible prosecution by the Attorney General's Office to remove unauthorized structures and to pay use and occupancy charges.

  
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Christopher M. Dolph, Section Chief  
Bureau of Coastal Regulation  
Division of Land Use Regulation

7/11/13  
\_\_\_\_\_  
Date

- C: Agent (original sent to Agent to facilitate condition compliance)  
Municipal Clerk  
Municipal Construction Official