Publication copy

Plaintiff's Exhibit DD-1 - Wheaton email to Tamagno (tree removal contractor) thread 11 pp

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This copy is the filed or produced document with these changes only: black boxes cover (1) names, addresses, telephone numbers and e-mail addresses of persons who are not parties, (2) personal identifiers and financial account numbers (R. 1:38-7), (3) telephone and e-mail contact details, and (4) plaintiff's personal financial information, marked "Redacted: plaintiff's personal financial information". Withheld pages, if any, are replaced by a notice page. The complete document is available from the Court.

EXHIBIT DD-1

2026-08-01 Wheaton email to Tamagno (tree removal contractor) thread 11 pp

From: Clifford Wheaton
To: Tamagno, Ric
Cc: Michael Rossi; [redacted]
Subject: Re: [EXTERNA NOFO
Date: Saturday, August 1, 2026 12:01:22 PM
Attachments: image001.png
image002.png
image003.png
image004.png
image005.png
image006.png
image007.png
image008.png

Hello Rick,

I hope all is well with you.

Attached are a couple of updated pictures of the Lake Centerton Spillway that I took this morning.

We continue to keep the spillway channels and the weed vegetation clear.

On May 20, 2026 we contracted with a tree removal service company to also clear the beaver dam upstream from the spillway. This was successful with our continued efforts to keep the water level of the stream at its natural state and normal flow.

Best regards,

Cliff

On Tue, Jul 8, 2025 at 1:56 PM Tamagno, Richard [DEP] <Richard.Tamagno@dep.nj.gov> wrote:

> Cliff,

Thanks for the update and I hope all is well.

Rick

Richard G. Tamagno, P.E.

Principal Civil Engineer

NJ Department of Environmental Protection

Division of Dam Safety & Flood Engineering

501 East State Street, 1st Fl.

PO Box 420, Mail Code 501-01A

Trenton, NJ 08625-0420

richard.tamagno@dep.nj.gov

T [redacted] | F [redacted]

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From: Clifford Wheaton [redacted]
Sent: Tuesday, July 8, 2025 10:03 AM
To: Tamagno, Richard [DEP] <Richard.Tamagno@dep.nj.gov>
Cc: Michael Rossi [redacted]

Subject: Re: [EXTERNAL] Re: FW: NFPP BIL FY24 NOFO

Hello Rick,

Attached is an updated picture of the Lake Centerton Spillway that I took last week.

We continue to keep the channels and the weed vegetation clear.

We are still also doing our best to keep the water flowing through the beaver dam that is just upstream of the Spillway.

Earlier in the year we had a trapper (who had the proper permits from NJ Fish and Wildlife) try to trap the beavers with no success.

The beaver dam is impounding some water however it does not seem to be a significant issue at this time.

Best regards,

Cliff

On Sat, Nov 2, 2024 at 7:15 AM Clifford Wheaton [redacted] wrote:

> Hello Rick,
>
> It's been a while since I provided you with updated pictures of the Lake Centerton Spillway.
>
> Attached is a picture I took this week. We continue to keep the channels and the weed vegetation clear.
>
> I also attached a picture of the beaver dam and beaver den just upstream from the spillway.
>
> The beaver dam is impounding some water however it does not seem to be a significant issue at this time.
>
> Best regards,

Cliff

On Thu, Jun 13, 2024 at 7:00 AM Clifford Wheaton [redacted] wrote:

> Hello Rick,
>
> We are still researching options to best remove the timbers. In the meantime, as agreed, we will monitor and keep the spillway clean.
>
> I spent some time at the spillway yesterday to make sure all channels were free and clear of debris. See attached pictures.
>
> Best regards,
>
> Cliff Wheaton
>
> On Mon, May 20, 2024 at 10:39 AM Tamagno, Richard [DEP] <Richard.Tamagno@dep.nj.gov> wrote:
>
> > Cliff,
> >
> > Thanks for the follow up on this, if the beaver dam becomes significant and starts to impound a significant amount of water we may need to revisit this with Jess. Also, please get back to us as soon as possible regarding the spillway timber removal.
> >
> > Rick
> >
> > ---
> >
> > **From:** Clifford Wheaton [redacted]

Sent: Sunday, May 19, 2024 9:06 AM
To: Tamagno, Richard [DEP] <Richard.Tamagno@dep.nj.gov>
Cc: Michael Rossi [redacted]
Subject: Re: [EXTERNAL] Re: FW: NFPP BIL FY24 NOFO

Rick,

Thank you for sending Jess Hinton's information. I contacted her and she advised that the Beaver's cannot be trapped and relocated until December 26th and then ending first weekend of February.

She also confirmed that we cannot disturb the Beaver's or their den since they are a protected species.

So I guess we'll just let the Beavers do their thing in the stream and the upside is that this should actually help keep the spillway cleaner from debris.

Cliff

On Fri, May 17, 2024 at 2:04 PM Tamagno, Richard [DEP] <Richard.Tamagno@dep.nj.gov> wrote:

> Cliff/Mike – I rec'd a follow up response from Jess Hinton already and she asked that you contact her at the phone number below to discuss your situation.
>
> Jess Hinton
>
> Biological Science Technician (Wildlife)
>
> USDA Wildlife Services
>
> Atlantic City Airport
>
> Suite 106
>
> Egg Harbor, NJ 08234
>
> Office: [redacted]
>
> Thanks,

Rick

From: Tamagno, Richard [DEP]
Sent: Friday, May 17, 2024 11:46 AM
To: Clifford Wheaton [redacted]
Cc: Michael Rossi [redacted]
Subject: RE: [EXTERNAL] Re: FW: NFPP BIL FY24 NOFO

Cliff,

Good morning. I just forwarded your photos and contact info to Jessica Hinton of the USDA jessica.s.hinton@usda.gov regarding the need to trap and remove beavers from the former impoundment area. She should be reaching out to you shortly to match you up with a trapper. Feel free to reach out to me if you have any questions or if you don't hear from her over the next few days/weeks.

Thanks a have a nice weekend,

Rick

Richard G. Tamagno, P.E.

Principal Civil Engineer

NJ Department of Environmental Protection

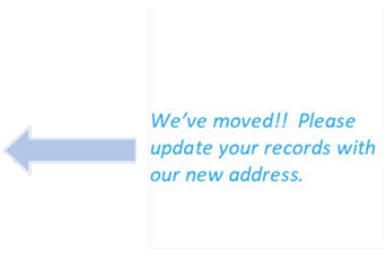
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richard.tamagno@dep.nj.gov



T [redacted] | F [redacted]

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From: Clifford Wheaton [redacted]
Sent: Thursday, May 16, 2024 3:40 PM
To: Tamagno, Richard [DEP] <Richard.Tamagno@dep.nj.gov>
Cc: Michael Rossi [redacted]
Subject: Re: [EXTERNAL] Re: FW: NFPP BIL FY24 NOFO

Rick,

I got your email and request to remove the freestanding timber portions of the former gate guides.

Mike Rossi has been out of town this week however I will get together with him about how we can remove the timber guides and provide you with an update shortly.

We also have a problem with a beaver dam that is just to the northeast of the spillway. See attached pictures.

Do you know what the DEP's regulation is for beaver dams? Is the HOA responsible for removing the beaver dam or is that something that the NJ Fish and

Wildlife can take care of?

Thank you for your continued help and support.

Cliff

On Tue, May 14, 2024 at 3:05 PM Tamagno, Richard [DEP] <Richard.Tamagno@dep.nj.gov> wrote:

> Cliff,
>
> Thanks for your email and for providing some current photos of the spillway. I talked with Clint about this (Bureau manager) and we both agree that since there is no set timeframe for when this project might happen, our office we'll need to have some additional assurances that water will not likely be impounding behind the dam. After looking through your photos, we want to know if you have the means to remove the unnecessary/freestanding timber portions of the former gate guides to allow for larger openings between the remaining footbridge supports? I marked up one of your photos (attached) showing which ones these would be (for every bay across the spillway though). These would need to be completely removed and flush cut as low as possible. You would not be required to have a PE oversee this work. Please let us know if you would be able to complete this work, and if so, please respond with either a letter or email detailing what exactly would be removed and how you intend to remove it. Then we'll send out an approval for the work so that there's something official from our office. Please let me know if you have any questions or concerns.
>
> Thanks,
>
> Rick

From: Clifford Wheaton [redacted]
Sent: Sunday, May 12, 2024 8:46 AM
To: Tamagno, Richard [DEP] <Richard.Tamagno@dep.nj.gov>

Cc: Michael Rossi [redacted]
Subject: [EXTERNAL] Re: FW: NFPP BIL FY24 NOFO

Hello Rick,

Thank you again for taking the time to review the situation of the Lake Centerton Dam with Mike Rossi and me earlier this month and the notice of funding opportunity in your email below.

As discussed, the homeowners association will work to keep the current spillway structure free of debris as we work towards a solution for the dam.

Mike and I cleaned the spillway yesterday and attached are pictures showing the spillway after cleaning. We intend to keep the spillway clean and will provide you with similar pictures on a monthly basis.

If you have any questions or need anything else at this time, please let us know.

Thank you,

Cliff

On Wed, May 1, 2024 at 10:46 AM Tamagno, Richard [DEP] <Richard.Tamagno@dep.nj.gov> wrote:

> FYI see email below as discussed.
>
> Thanks,
>
> Rick

From: Beth Styler Barry [redacted]
Sent: Monday, Octob
To: Beth Styler Barry [redacted]
Subject: [EXTERNA
Importance: High

Please see this message from Alex Vidal, USFWS, lead of the NJ Statewide Dam Removal Partnership Funding Work Group

Hi all,

The FY24 NFPP BIL Notice of Funding Opportunity has been posted in Grants.gov:

- https://www.grants.gov/web/grants/search-grants.html?keywords=fish%20passage%20program
- Opportunity #F24AS00062

If you intend on submitting a proposal, a letter of intent will be due to Cathy Bozek (catherine_bozek@fws.gov) by November 17, 2023. As always please feel free to reach out to me with any questions.

This link provides an overview of the NFPP-BIL process including deadlines, guidance, and scoring criteria: https://www.fws.gov/page/national-fish-passage-programs-bipartisan-infrastructure-law-2024-funding-opportunity-guidance

Thank you for your time.

Best,

Alex

Alex Vidal

Fish and Wildlife Biologist

US Fish and Wildlife Service

Maryland Fish and Wildlife Conservation Office

Phone: [redacted]

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Cliff
Cell: [redacted]

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Cliff
Cell: [redacted]

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Cell: [redacted]

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Cell: [redacted]

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Cliff
Cell: [redacted]