Publication copy

Plaintiff's Exhibit K - NJDEP letter to LCPHA (Class II, permit application due)

Source: Superior Court of New Jersey, eCourts, SLM-C-000017-26, Trans ID CHC2026285925; filed by Plaintiff (filed 8/28/2026, eCourts CHC2026285925, Volume 1)

Published by Ronald W. Yarbrough, plaintiff, as part of the public record of Yarbrough v. Lake Centerton Park Homeowners Association, Inc., et al., Superior Court of New Jersey, Chancery Division, Salem County, Docket No. SLM-C-000017-26.

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 K

2011-07-14 NJDEP letter to LCPHA (Class II, permit application due)

Lt. Governor Telephone: 609-984-0859 Fax: 609-984-1908

JUL 14 2011

Lake Centerton Park Homeowner's Assoc., Inc.
Attn: Cliff Wheaton
23 Lake Centerton Drive
Pittsgrove, New Jersey 08318

Subject: Centerton Lake Dam
NJDEP Dam File No. 35-3

Dear Mr. Wheaton:

This letter is in reference to the *Hydrologic and Hydraulic (H&H) Study*, dated January 2011, submitted on your behalf by William J. Castle, P.E., of W.J. Castle, P.E. & Associates, P.C., for the Centerton Lake Dam located within Pittsgrove Township, Salem County.

Spillway Design Storm (SDS):

Upon review of the above-noted H&H study, the Bureau of Dam Safety and Flood Control (Bureau) has determined that the portion of the analysis related to the updated spillway design storm (SDS) inflow to the impoundment is acceptable as submitted. At this time, and under the existing conditions of the dam, the hazard classification will remain as Class II (Significant Hazard) with an approved spillway design flood (SDF) considered to be the flood that results from the 100-year SCS Type III storm. Modifications to the existing dam / spillway must be made to allow for the safe passage of the 100-year SDF of 3,011 cubic feet per second (cfs) of inflow to the lake while providing a minimum of 1 (one) foot of freeboard at the dam as per Dam Safety Standards (N.J.A.C. 7:20 – 1.9 (n)). Alternately, modifications that allow for the safe overtopping of the dam as a result of the above inflow to the lake can be considered.

Proposed Modifications:

The Bureau has been in contact with your engineer extensively over the past several months regarding various design alternatives. It has been presented to us that the modifications included in the above report are no longer being considered. As such, no review of the included proposal will be completed as part of this letter. However, a few general comments are presented if a similar design is to be submitted for review:

SLM-C-000017-26 08/28/2026 Pg 101 of 150 Trans ID: CHC2026285925

SLM-C-000017-26 08/28/2026 Pg 102 of 150 Trans ID: CHC2026285925

Spillway Design Flood Reduction Acceptance:

Your engineer has presented an analysis of the 100-year inflow to Centerton Lake. A 100-year SDS constitutes a reduction of the SDS from that required by the New Jersey Dam Safety Standards, N.J.A.C. 7:20-1.9(a) for a Significant Hazard (Class II) Dam. This reduction was previously based upon a quantitative and relative impact analysis, completed in the mid-1990's, which showed that failure of the dam concurrent with the SDF resulting from the former 100-year storm would not result in additional damages beyond the damages which occur as a result of the same flood without the failure of the dam.

In view of the above, the proposed redesign of the dam must include a certification from your engineer that the previously approved SDF reduction study has been reviewed and is still applicable based on the updated H&H conditions. Also, the basis for the previous SDF reduction should be considered in your design. Any significant changes to storage volumes, flow rates or other factors may require reevaluation of the breach effects downstream of this dam.

Also, dredging within the lakebed area and/or changes in land use downstream of the dam within the inundation area may render the reduction unacceptable in the future. Future formal dam safety inspections (required once every 10 years) must reevaluate the dam, lakebed and watershed areas with respect to this reduction to assure that the reduction is still warranted. If changes in the land use render the reduction unwarranted, it will be the responsibility of the dam owner to modify their dam to provide additional spillway capacity.

Prior to approval of any plans and specif[redacted]ons for the rehabilitation of the dam incorporating the reduced SDF, the owner of [redacted]dam will be required to provide written acknowledgement of this responsibility. Ple[redacted]refer to the enclosed Sample Spillway Design Flood (SDF) Reduction - Owner Resp[redacted]bility Acceptance for details on what is required.

At this time, you are required to submit a c[redacted]leted permit application in accordance with the provisions of your loan agreement b[redacted]tober 15, 2011. The Bureau is willing to meet with you and your engineer to d[redacted]ss design alternatives that are being considered. Please contact this office to set u[redacted]eeting if necessary.

Sincerely,

John H. Moyle, P.E., Manager
Bureau of Dam Safety & Flood Control

Enclosures: Sample SDF Reduction - Owner Responsibility Acceptance

C: Roger Weber, W.J. Castle, P.E. & Associates, P.C.
Pittsgrove Township Engineer & Clerk
Salem County Engineer

35003rgt11b

RGT
7/13/11

SLM-C-000017-26 08/28/2026 Pg 103 of 150 Trans ID: CHC2026285925