Publication copy

Plaintiff's Exhibit N - NJDEP Dam Permit 1494

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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 N

2015-07-28 NJDEP Dam Permit 1494

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JUL 2 8 2015 | JUL 2 8 2015 | JUL 2 8 2017

Name and Address of Applicant	Name and Address of Owner	Name and Address of Operator
Lake Centerton Park Homeowners Assoc., Inc. 23 Lake Centerton Drive Pittsgrove, NJ 08318		
Location of Activity/Facility *(Street Address)* Lot _____ Block _____	**Issuing Division** Natural and Historic Resources Engineering & Construction	**Statute(s)** NJSA-58:4-1 et seq.
Type of Permit Dam		**Maximum Approved Capacity, if applicable**

This permit grants permission to:

rehabilitate the Centerton Lake Dam located across the Muddy Run within the Township of Pittsgrove, Salem County, New Jersey. PROJECT IS SHOWN ON APPROVED DRAWINGS LISTED ON PAGES 5 OFTHIS PERMIT.

Prepared by: Richard Tamagno

See page 5 for signature

Revised Date	Approved by the Department of Environmental Protection
	Name (Print or Type) _____ Title _____
	Signature _____ Date _____

**The word permit means "approval, certification, registration, etc."* (General Conditions are on the Reverse Side)

DEP-007 (1/95) C.M. # 70101870000147594169

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B. Technical Specifications

2. The action of the Bureau in approving this application and issuing the permit shall not relieve the party constructing the works hereby approved from the responsibility for damage caused by such works; nor does the Bureau accept responsibility for the structural design.

3. The work shall at all times be subject to supervision and inspection by representatives of the Bureau.

4. No changes in the plans and specifications as approved shall be made except with written consent of the Bureau. The Bureau however, reserves the right to require such changes or modifications in the plans and specifications as may be considered necessary in the interest of public safety.

5. A formal construction inspection program (program) shall [redacted] required for all permitted construction activities. A copy of the program d[redacted]ription is to be submitted and approved by the Bureau prior to the [redacted]mencement of construction. The program description shall contain de[redacted]ed information including but not limited to the following items:

   A. Organization chart of the construction inspection force.

   B. Number and specialties of inspectors proposed. Inform[redacted]on submitted with this item, or item above, should include [redacted]e number of inspectors proposed for each feature of construction[redacted]Where full-time inspection is not proposed, the schedule for [redacted]-time inspection should be described.

   C. Duties, responsibilities, necessary qualifications, and scope of authority of the inspection staff members. This information should be supplemented on a continuing basis by submittal of qualifications of the personnel actually employed.

   D. Field tests to be performed and frequency of testing.

H. Schedule of construction, showing all major features of construction.

I. Erosion Control and Other Environmental Measures.

J. Inspection and monitoring of erosion control and other measures that are required for the protection of the environmental integrity of streams and other areas affected by construction.

The information provided should be in sufficient detail to enable the Bureau to assure that the proposed program provides adequate construction quality control. Some items, such as safety requirements and special construction techniques, including a water diversion plan; underground and surface excavation; and production and placement of reinforced concrete work may be included in the contract specifications. If not, these items, especially those that may involve the safety of personnel during construction, should be detailed in the inspection program.

6. All on-site construction activities [redacted] be performed under the direct supervision of a professional engineer, license[redacted] the State of New Jersey and experienced in the design and construction of da[redacted] The Bureau will not accept an inspection program that provides for quality [redacted]rol to be administered or performed by the contractor.

7. The professional engineer respon[redacted] for inspecting the construction shall submit a report on the status of construct[redacted]vith color photographs to the Bureau on the first day of each month until the v[redacted] has been completed.

8. A construction notice on a prescribed form shall be prepared and submitted to the Bureau two weeks prior to construction beginning. No material shall be placed on any portion of the foundation of the embankment or spillway until such portion of the foundation has been approved in writing by a representative of the Bureau.

9. The work shall be started within one (1) year from the date of this permit and completed within two (2) years from said date, otherwise, this permit, if not previously revoked or specifically extended, shall cease and be null and void.

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12. All construction work on the lands encompassed within this dam permit shall be **STABILIZED** in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey" (obtainable from local Soil Conservation District Offices), or equal engineering specifications, so as to prevent eroded soil therefrom entering the waterway at any time during and after construction.

13. This permit **DOES NOT GIVE ANY PROPERTY RIGHTS,** in either real or personal property or material, nor any exclusive privileges; neither does it authorize any injury to private property, nor invasion of private rights including a lake lowering permit from the NJDEP Division of Fish and Wildlife.

14. No trees or brush shall be allowed to grow on the dam structure and, the dam embankment, spillway and appurtenances shall be maintained as described on the approved drawings.

15. After the construction of the dam has been completed, inspection reports shall be submitted to the Bureau in accordance with N.J.A.C. 7:20-1.11 of the Dam Safety Standards entitled: "Dam operating requirements and inspections, new and existing dams."

16. No flashboards or other obstruction shall be placed or permitted to remain on the crest of the spillway.

17. A complete set of 'as-built" designs, plans and specifications must be submitted to the Section upon completion of the project.

18. The professional engineer who has inspected the construction shall submit a written certification on the prescribed form that the structure has been constructed in conformance with the approved drawings and specifications.

19. A time restriction [redacted]April 1st thru June 30th needs to be imposed on any sediment generati[redacted]vities associated with the project in order to protect warm-water fish n[redacted]lding and spawning.

20. The contractor [redacted] instruct all employees and sub-contractors to avoid any animals and, if [redacted]le, move any turtles to the closest suitable habitat outside the work zone [redacted]ease unharmed.

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23. The October 19, 2014 Operations and Maintenance Manual (O&M) submitted as part of the permit application is hereby approved.

24. The drawings hereby approved are six (6) sheets prepared by W.J. Castle PE & Associates, dated February 20, 2012, entitled:

"CENTERTON LAKE DAM PITTSGROVE TOWNSHIP SALEM COUNTY, NEW JERSEY CLIENT: LAKE CENTERTON HOMEOWNERS ASSOCIATION",

"GENERAL NOTES", Sheet No. 2 of 8, last revised August 19, 2014,

"PROPOSED PLAN AND PROFILE", Sheet No. 4 of 8, last revised August 19, 2014,

"PROPOSED WEIR PLAN AND ELEVATION", Sheet No. 5 of 8,last revised March 4, 2015,

"PROPOSED WEIR DETAILS", Sheet No. 6 of 8, last revised March 4, 2015,

"PROPOSED DAM DETAILS", Sheet No. 7 of 8, last revised August 19, 2014,

"PROPOSED BRIDGE DETAILS", Sheet No. 8 of 8, last revised August 19, 2014,

and construction specifications prepared by W.J. Castle PE & Associates, dated March 23, 2015, entitled:

"LAKE CENTERTON PARK HOMEOWNERS ASSOCIATION DAM REHABILITATION TECHNICAL SPECIFICATIONS".

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

7/28/15
Date

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