BLOCK 211.11 LOT 11 QUALIFICATION CODE _____ ADDRESS (SITE) 22 West Granada PERMIT NO. 04-0441

CONSTRUCTION PERMIT APPLICATION

NEW JERSEY UNIFORM CONSTRUCTION CODE

C21-52

Application Completes: Sections I, II, III (optional), IV, VI, and VII

I. IDENTIFICATION

1. Propsed Work Site at: 22 West Granada Brick NJ 08723
2. Name of Owner in Fee: Claus Schwochert Tel. [redacted]
   Address 22 West Granada Brick NJ 08723 (street / municipality / zip code)
3. Ownership in Fee: Public _____ Private X
4. Principal Contractor: Kremer Marine Tel. (732) 477 8012
   Address 321 Manholoking Rd. Brick NJ 08723
   License No. OR, if new home, Builder Reg. No. _____ Exp. Date _____
   Federal Employee No. 13 422 8659 FAX: (732) 477 9221
5. Architect or Engineer _____ Tel. ( ) _____
   Address _____
6. Responsible Person in Charge of Work Richard Kremer
   Tel. (732) 477 8012 FAX (732) 477 9221

Dock

Called 2/18/04

V. FEE SUMMARY (for office use only)

			Update	Update
1. Building	$	60		
2. Electrical				
3. Plumbing				
4. Fire Protection				
5. Elevator Devices				
6. Subtotal	$			
7. Less 20% for State Plan Review				
8. Subtotal	$			
9. DCA Training Fee		1		
10. Subtotal				
11. Cert. of Occupancy				
12. Other		15		
13. TOTAL	$	76		

VI. BUILDING/SITE CHARACTERISTICS

(office use only)

1. Number of Stories _____
2. Height of Structure _____ ft.
3. Area — Largest Floor _____ sq. ft.
4. New Building Area _____ sq. ft.
5. Volume of New Structure _____ cu. ft.
6. Construction Classification _____
7. Total Land Area Disturbed _____ sq. ft.
8. Flood Hazard Zone _____
9. Base Flood Elevation _____ ft.
10. Wetlands yes _____ no _____
11. Max. Live Load _____
12. Max. Occupancy Load _____

FLOOD ZONE AE-6

II. PROPOSED WORK

	Est. Cost	Plans Rec'd by	Date Rec'd	Rejection Date	Approval Date	Re-viewer	Resubmission Dates Approval	Resubmission Dates Rejection	Re-viewer
1. ☐ Minor Work									
2. ☒ New Building	1,000		2/10/04		2-14-04				
3. ☐ Addition									
4. ☐ Alteration									
5. ☐ Fire Protection									
6. ☐ Plumbing									
7. ☐ Electrical									
8. ☐ Elevator Devices									
9. ☐ Asbestos Abat. Subch. 8									
10. ☐ Lead Hazard Abatement									
11. ☐ Demolition									
TOTAL COSTS	1,000								

OPTIONAL (for office use only)

III. DO YOU WANT: (optional)

1. ☐ Partial Releases
2. ☐ Prototype Processing

IV. DOES OR WILL YOUR BUILDING CONTAIN ANY OF THE FOLLOWING?

1. ☐ Elevators/Escalators/Lifts/Dumbwaiters/Moving Walks
2. ☐ High Pressure Boilers
3. ☐ Pressure Vessels
4. ☐ Refrigeration Systems
5. ☐ Cross-Connections/Backflow Preventers
6. ☐ Hazardous Uses/Places of Assembly
7. ☐ Sprinklers
8. ☐ Smoke Control Systems in Open Wells
9. ☐ Underground Storage Tanks

VII. DESCRIPTION OF BUILDING USE

A. RESIDENTIAL

1. ☐ Hotels (R-1)
2. ☐ Multi-Family (R-2)
3. ☐ Two-Family (R-3) BOCA
4. ☐ Two-Family (R-4) CABO
5. ☐ One-Family (R-3) BOCA
6. ☐ One-Family (R-4) CABO

No. of dwelling units:

Before Construction _____
After Construction _____
Net Gain or Loss _____

B. NON-RESIDENTIAL

1. State Specific Use:
2. Use Group: Dock
3. Change in Use Group, Indicate Former:

CERTIFICATION IN LIEU OF OATH

I. OWNER SECTION (to be completed if the applicant is the owner in fee)

I hereby certify that I am the owner in fee of the property listed on Page 1.

Mark the following applicable boxes:

A. ( ) I further certify that a new home (private residence) will be constructed on this property for my own use and occupancy. This dwelling is to be occupied by myself and is not to be used for any purpose other than single family residential use. I attest that all construction, plumbing, or electrical work will be done, in whole or in part, by me or by subcontractors under my supervision, in accordance with all applicable laws; and, I further acknowledge that said new home is not covered under the New Home Warranty and Builders Registration Act (N.J.S.A. 46:3B-1 et seq.) and that such fact shall be disclosed to any person purchasing this property within ten years of the date of issuance of a certificate of occupancy.

I UNDERSTAND THAT IN MARKING BOX A, I ACKNOWLEDGE THAT I AM ASSUMING RESPONSIBILITY FOR THE WORK DONE ON SAID PROPERTY, THE CONDITION OF THE PROPERTY PRIOR TO, DURING, AND AFTER ANY WORK PERFORMED, AND FOR THE PERFORMANCE OF THE SUBCONTRACTORS I HIRE, EMPLOY, OR OTHERWISE CONTRACT OR WITH WHOM I MAKE AGREEMENTS TO PERFORM WORK. I AM VOLUNTARILY AND KNOWINGLY ASSUMING THIS RESPONSIBILITY.

B. ( ) I further certify the following as required by the New Jersey Uniform Construction Code, N.J.A.C. 5:23-2.15(e)1.vii:

I personally prepared the plans submitted for: 1) the new home referred to in A.; or, 2) an addition, alteration, renovation, or repair to an existing single family residence owned and occupied by myself and located on the property listed on Page 1; or, 3) a new structure that will be physically separate from, but that will be deemed part of, an existing single family residence that is owned and occupied by myself and located on the property listed on Page 1.

C. ( ) I further certify that I will perform or supervise the following work:
C.1. ( ) Building C.2. ( ) Fire Protection

I further certify that I will perform the following work:
C.3. ( ) Electrical C.4. ( ) Plumbing

D. ( ) I agree to advise all contractors on this project that they are required to be registered with the New Jersey Division of Taxation and to comply with all New Jersey tax laws.

I further certify the following as required by the Uniform Construction Code, N.J.A.C. 5:23-2.15(a)5: All required State, county, and local prior approvals have been given, including such certification as the construction official may require.

I understand that if any of the above statements are willfully false, I am subject to punishment.

Signature _____ Date _____

II. AGENT SECTION (to be completed if the applicant is not the owner in fee)

I hereby certify the following as required by the Uniform Construction Code, N.J.A.C. 5:32-2.15(d): the proposed work is authorized by the owner in fee; and I have been authorized by the owner in fee to make this application as his agent.

I further certify the following as required by the Uniform Construction Code, N.J.A.C. 5:23-2.15(a)5: All required State, county, and local prior approvals have been given, including such certification as the construction official may require.

I agree to advise all contractors on this project that they are required to be registered with the New Jersey Division of Taxation and to comply with all New Jersey tax laws.

I understand that if any of the above statements are willfully false, I am subject to punishment.

( ) Check if contractor.

Agent Name Kremer Marine

Address 321 Manchoking Rd.
Brick, NJ 08723

Telephone (732) 477 8012

Signature

III. ( ) LEAD HAZARD ABATEMENT: Include Homeowner or Building Owner Affidavit as per N.J.A.C. 5:17.

C3E

TOWNSHIP OF BRICK
401 CHAMBERS BRIDGE RD
DIVISION OF INSPECTIONS

Date Issued 02/19/2004
Control #
Permit # 04-0441

UCC NEW JERSEY
CONSTRUCTION PERMITE

IDENTIFICATION Block 211.11 Lot 11 Qual

Work Site Location 22 WEST GRANADA RD
DOCK
Owner in Fee SCHWOCHERT, ELAINE
Address SAME
BRICK, NJ 08723-
Telephone [redacted]

Contractor KREMER & SON MARINE CONT
Address 321 MANTOLOKING RD
BRICK, NJ 08723-
Telephone (732)477-3016
Lic. No. or Bldrs. Reg. No.
Federal Emp. No. 13-4228653

Is hereby granted permission to perform the following work:

[X] BUILDING [ ] PLUMBING [ ] LEAD HAZARD ABATEMENT
[ ] ELECTRICAL [ ] FIRE PROTECTION [ ] DEMOLITION
[ ] ELEVATOR DEVICES [ ] ASBESTOS ABATEMENT [ ] OTHER
(Subchapter 8 only)

DESCRIPTION OF WORK:
DOCK

PAYMENTS (Office Use Only)

Building	60
Electrical	0
Plumbing	0
Fire Protection	0
Elevator Devices	0
Other	
DCA State Permit Fee	1
Cert. of Occupancy	0
Other	15
Total	76
Check No.	8604
Cash	
Collected By	CRP

02/19/04 9:20AM 000000#7002
XX07 SERV.007

#040441	
BUILDING	$60.00
DCA	$1.00
EPA	$15.00
CHECK	$76.00

NOTE: If construction does not commence within one (1) year of date of issuance, or if construction ceases for a period of six (6) months, this permit is void.

Estimated Cost of Work $ 1,000

Construction Official 02/19/2004
Date

U.C.C. F170 (rev. 3/96) NJ UCCAPS 5.04E

NJ UCCARS 5.24E
TOWNSHIP OF BRICK
401 CHAMBERS BRIDGE RD
DIVISION OF INSPECTIONS

UCC NEW JERSEY
BUILDING
SUBCODE
TECHNICAL SECTION

Date Received 02/05/2004
Date Issued 2/19/04
Control # ~~C21-52~~
Permit # 04-0441

A. IDENTIFICATION-APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. WHEN CHANGING CONTRACTORS. NOTIFY THIS OFFICE. CALL UTILITY DIG NO: 1-800-272-1000

Block 211.11 Lot 11 Qual
Work Site Location 22 WEST GRANADA DR
DOCK
Owner in Fee SCHWOCHERT, CLAUS
Address SAME
BRICK, NJ 08723-
Te [redacted]
Contractor KREMER & SON MARINE CONT
Address 321 MANTOLOKING RD
BRICK, NJ 08723-
Tele.(732)477-8012 Fax ( )
Lic. No. or Bldrs. Reg. No.
Federal Emp. No. 13-4228659

C. CERTIFICATION IN LIEU OF OATH

I hereby certify that I am the (agent of) owner of record and am authorized to make this application.

Signature

D. TECHNICAL SITE DATA
DESCRIPTION OF WORK

DOCK

Not U.C.C. Required Permit

JOB SUMMARY (Office Use Only)

PLAN REVIEW	Date	Initial
[ ] No Plans Req.		
[X] All	2-13-04	
[ ] Footing		
[ ] Foundation		
[ ] Frame		
[ ] Other		

Joint Plan Review Required:
[ ] Elect [ ] Plumb [ ] Fire
SUBCODE APPROVAL [ ] Elev
[ ] CO [ ] CCO [ ] CA
Date:
Approved By:

INSPECTIONS Type	Dates (Month/Day) Failure	Failure	Approval	Initial
Footing				
Foundation				
Slab				
Frame				
BarrierFree				
Insulation				
Finishes				
Energy				
Mechanical				
TCO				
Other				
Final				
BarrierFree				

TYPE OF WORK	FEE (Office Use Only)
[ ] New Building	$ 0
[ ] Addition	0
[X] Alteration	0
[ ] Roofing	0
[ ] Siding	0
[ ] Fence 0 Height (exceeds 6')	0
[ ] Sign 0 Sq. Ft.	0
[ ] Pool	0
[ ] Asbestos Abatement Subchapter 8	0
[ ] Lead Haz. Abatement NJAC 5:17	0
[X] Other DOCK	60
Other	0
[ ] Demolition	0

B. BUILDING CHARACTERISTICS

Use Group Present Proposed U
Constr. Class Present Proposed
No. of Stories 0
Height of Structure 0 Ft.
Area Largest Floor 0 Sq. Ft.
New Bldg. Area/All Floors 0 Sq. Ft.
Volume of New Structure 0 Cu. Ft.
Total Land Area Disturbed 0 Sq. Ft.

Est. Cost of Bldg. Work:
1. New Bldg. $ 0
2. Alteration $ 1,000
3. Total (1+2) $ 1,000

Industrialized Building:
[ ] State Approved
[ ] HUD

Administrative Surcharge	$ 0
Minimum Fee	$ 0
TOTAL FEE	$ 60
DCA State Permit Fee	$ 1

Paid [ ] Check #
Collected by:

U.C.C. F110 (rev. 3/96)

NJ UCCARS 5.24E
TOWNSHIP OF BRICK
401 CHAMBERS BRIDGE RD
DIVISION OF INSPECTIONS

UCC NEW JERSEY
BUILDING
SUBCODE
TECHNICAL SECTION

Date Received 02/05/2004
Date Issued / /
Control # C21-52
Permit #

A. IDENTIFICATION-APPLICANT: COMPLETE ALL APPLICABLE INFORMATION. MAIL CONFIRMING CORRESPONDENCE. VERIFY THIS OFFICE. CHAT UTILITY DIS NO: 1-809 (72-1027)

Tax Blk. 21.12 Lot 11 Qu. _____

Tax Blk. Lot location 22 WEST OSAWKA DR

DOCK

Owner in fee SCHROCKENTT, TRUS

Address 2ND

BRICK, NJ 08724

Tele.(732) 451-1970

Contractor EDWARD A SON MARINE CONS

Address 721 MATTOLDRING RD

BRICK, NJ 08724-

Tele.(732)840-1212 Fax ( )

Lic. No. or Bldrs. Reg. No.

Federal Tax. No. 12-1226-59

DCA ADMIN (Office Use Only)

PLAN REVIEW	Date	Initial
[ ] To Bldrs Reg.		
[ ] Zoning		
[ ] Foundation		
[ ] Frame		
[ ] Fire		
Joint Site Review Required:		
[ ] Elec [ ] Plumb [ ] Fire		
SUBCODE APPROVAL [ ] Elev		
[ ] PD [ ] CCD [ ] CA		
Date:		
Approved By:		

INSPECTIONS	Date (Month/Day)
Type	Violence Failure Approval Initial
Footing	
Foundation	
Slab	
Frame	
Barrierfree	
Insulation	
Finishes	
Energy	
Mechanical	
PDC	
Other	
Final	
Barrierfree	

B. BUILDING CHARACTERISTICS

Use Group Present Proposed 0

Construc. Class Present Proposed

No. of Stories 0

Height of Structure 0 Ft.

Area Largest Floor 0 Sq. Ft.

New Bldg. Area/All Floors 0 Sq. Ft.

Volume of New Structure 0 Cu. Ft.

Total Land Area Disturbed 0 Sq. Ft.

Sec. Per. or Disp. Work:

1. New Bldg. 1

2. Alteration 2

3. Total (1+2) 1,299

Incentivalized Building:

( ) Grace Approved

( ) NOC

TYPE OF WORK

[ ] New Building

[ ] Addition

(X) Alteration

( ) Roofing

( ) Siding

( ) Pool

( ) Asbestos Abatement Structure(s) &

( ) Lead Haz. Abatement Full Bldg

(X) Other 2ND

Other

( ) Demolition

$	
	0
	0
	0
	0
	0
	60
	0

Paid ( ) Check # _____ Construction Value

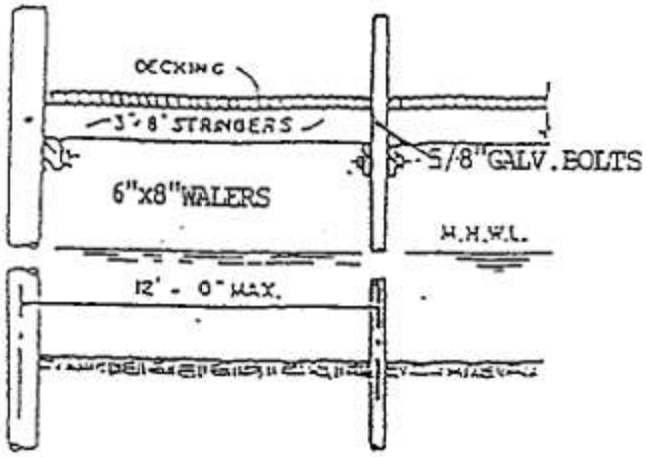
Collected by _____ R.Bonus Fee

TOTAL FEE

DCA Fees Permit Fee

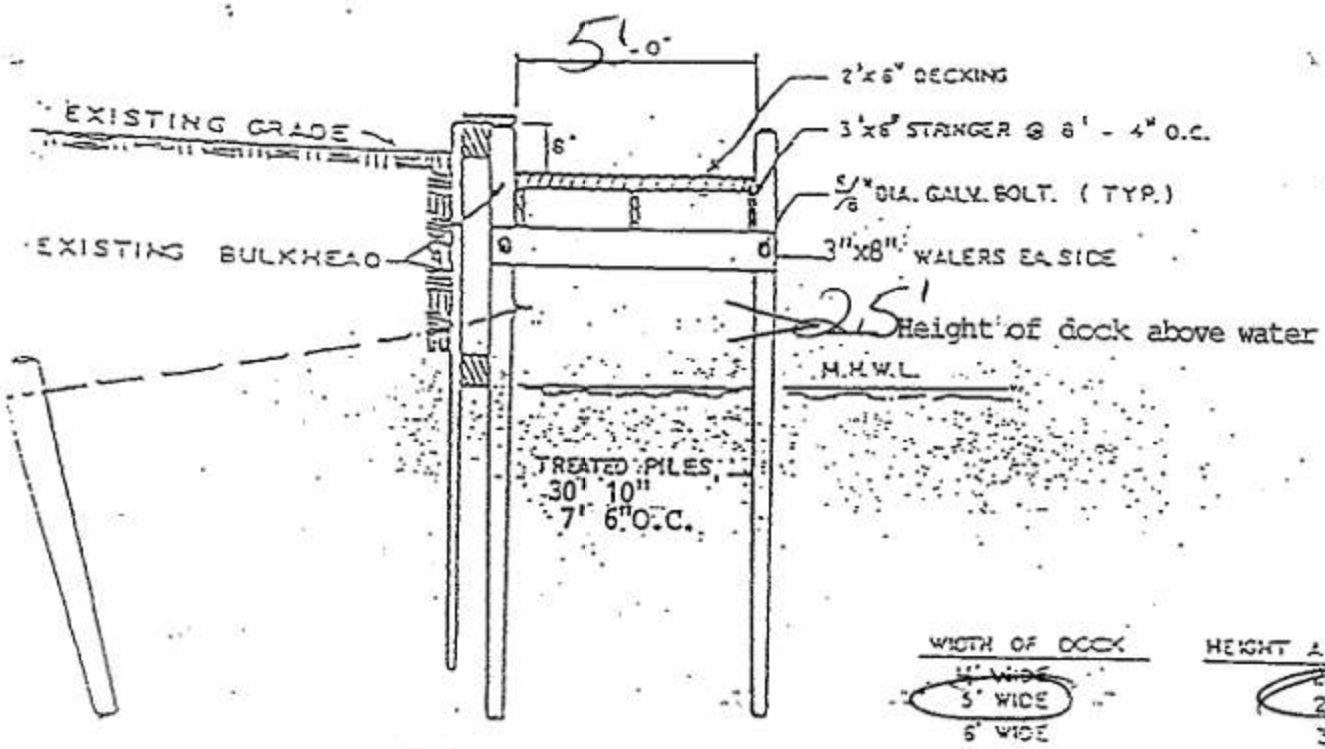
$	0
$	0
$	60
$	

N.C.C. Fill (rev. 3/96)



DOCK SECTION

N.T.S.



DOCK SECTION

N.T.S.

WIDTH OF DOCK	HEIGHT ABOVE M.H.W.L.
~~4' WIDE~~	~~2.0'~~
5' WIDE	2.5'
6' WIDE	3.0'
8' WIDE	4.0'

NOTE: This piling dock detail shall be regarded as our statement of compliance for 4.11(E).

5" planks - ½" gap spacing

There is NO on-site wetlands.

50' Dock

"PILING DOCK ALONG BULKHEAD"

- DOCK DETAIL -

LOT 11 - BLOCK 211.11

TOWNSHIP OF BRICK

OCEAN COUNTY NEW JERS

DEC 1 1 2003

State of New Jersey

James E. McGreevey
Governor

Department of Environmental Protection
Land Use Regulation Program
P.O. Box 439, Trenton, New Jersey 08625
FAX # (609) 777-3656
Web Site:www.state.nj.us/dep/landuse

Bradley M. Campbell
Commissioner

Authorization for Waterfront Development General Permit and CENAP-OP-R-New Jersey-SPGP-17

Richard Kremer
R. Kremer & Son Marine Contractors
321 Mantoloking Road
Brick Township, NJ 08723

Applicant: Clause Schwochert
LURP File No.: 1506-03-0255.1 wfd 030001
Block: 211.11, Lot: 11
Brick Township, Ocean County

Dear Mr. Kremer:

The Land Use Regulation Program hereby issues a General Permit authorization pursuant to the Coastal Permit Program Rules at N.J.A.C. 7:7-7. In addition, the Department of the Army Permit (CENAP-OP-R-New Jersey-SPGP-17) is hereby issued and attached.

This permit authorizes the construction of 50.01' of vinyl bulkhead 24" in front of existing bulkhead and a 5'x 50' dock on a man-made lagoon.

The approved development is as shown on plans submitted by the applicant with the permit application.

By this permit, the State of New Jersey does not relinquish tidelands ownership or claim to any portion of the subject property or adjacent properties.

Project Specific Conditions

In addition to the conditions noted at N.J.A.C. 7:7-7.2, the activities allowed by this authorization shall comply with the conditions as indicated on the attached sheet. Failure to comply with these conditions shall constitute a violation of the Coastal Area Facility Review Act (N.J.S.A. 13:19-1 et seq.)_and /or the Waterfront Development Law (N.J.S.A. 12:5-3)

Standard Permit Conditions

The following standard conditions apply:

1. This permit is NOT VALID until the **permit acceptance form** has been signed by the applicant, accepting and agreeing to adhere to all permit conditions, and returned to the appropriate regional office within the Land Use Regulation Program

2. This permit, including all conditions listed herein shall be recorded in the office of the County Clerk (the Registrar of Deeds and Mortgages if applicable) in the county or counties wherein the lands included in the permit are located within ten (10) days after receipt of the permit by the applicant. A copy of the recorded permit shall be forwarded to the Land Use Regulation Program immediately thereafter.

3. The permittee shall notify, in writing, the NJDEP, Bureau of Coastal & Land Use Enforcement at 1510 Hooper Avenue, Toms River, NJ 08753, three working days prior to the commencement of construction on the site or site preparation

4. The issuance of this permit shall in no way expose the Department to liability for the sufficiency or correctness of the design of any construction or structures. Neither the state nor the Department shall be liable for any loss of life or property, which may occur by virtue of the activity or development resulting from any permit.

5. The permittee shall allow the authorized representatives of the Department free access to the site at all time when construction activity is taking place, and at other times upon notice to the permittee.

6. The activities shown by plans and/or other engineering data, which are this day approved, shall be constructed and/or executed in conformity with such plans and/or engineering data and conditions herein. No change in plans or specifications upon which this permit is issued shall be made except with the prior written permission of the Department, in accordance with NJ-AC. 7:7-4. 1 0.

7. A copy of this permit and approved plans shall be kept at the construction site and shall be exhibited upon request to any person.

8. 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, The Department may, upon discovery of such anticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit, pursuant to N.J.A.C. 7:7-4.11.

9. This permit does not waive the obtaining of any local, State or Federal permits, which may be required. This permit is not valid and no work shall be undertaken until such time as all other required approvals have been obtained.

10. All fill and other earth work on the lands encompassed within this permit authorization shall be stabilized in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey," obtainable from local Soil Conservation District, offices promulgated by the New Jersey State Soil Conservation Committee, pursuant to the Soil Erosion and Sediment Control Act of 1975, N.J.S.A 4:24-42 et seq, and N.J.A.C, 2:90-1,3 through 1, 14. These standards are hereby incorporated by reference.

Duration of Authorization/Notification of Work

This authorization for a General Permit is valid for a term not to exceed five years from the date of receipt from the Department. If the term of this authorization exceeds the expiration date of the general permit issued by rule, and the permit upon which the authorization is based is modified by rule to include more stringent standards or conditions, the permittee must comply with the requirements -of the new regulations by applying for a new General Permit authorization unless construction is already underway. If the General permit is not reissued, the permittee must apply for an individual CAFRA permit unless construction pursuant to the prior General Permit is underway. The expiration date of the General Permits issued by rule is October 16, 2005.

Appeal of Decision

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 decision date 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.

In order to promote inter-governmental cooperation in management of our natural resources, a copy of this decision shall be shared with appropriate local and federal agencies.

If you have any questions regarding this General Permit authorization, please contact the Program at (609) 777-0456. Please reference the permit number in any future communication concerning this action.

Sincerely,

Andrew Gale, Supervisor
Land Use Regulation Program

C. Bureau of Coastal and Land Use Compliance Enforcement
Township Construction Official

CONSTRUCTION CONDITIONS FOR WATERFRONT DEVELOPMENT GENERAL PERMITS

THIS WATERFRONTDEVELOPMENT GENERAL PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. The replacement bulkhead must be constructed within 18" of the original bulkhead alignment for wood or 24" for vinyl as shown on the referenced plans, as measured from the waterward side of the old sheathing to the waterward side of the new sheathing.

2. All backfill material for the proposed bulkhead shall be from an upland source and be free of any toxic contaminants. No dredging shall take place.

3. The proposed dock/pier is not to exceed the dimensions as specified in the above description.

4. The clearance between the proposed dock/pier and the water surface at mean high tide (as measured from the bottom of the stringers) shall be a minimum of one-half the width of the proposed structure. Floating docks are not subject to the height requirement.

5. Space between horizontal planking shall be maximized and the width of the planking shall be minimized. Under normal circumstances a minimum of 3/8". 1/2", 3/4" or 1" spacing is to be provided for 4", 6", 8-10" or 12"+ wide planks respectively.

6. No more than 4 vessels may be moored at this location at any time. All structures and mooring areas shall be within the permittee's property line extension and within the area of the Tideland's instrument.

7. Unless specifically approved in the attached Waterfront Development permit this permit does NOT authorize dredging activities. If dredging is required in the future a new Waterfront Development Application, showing compliance with 7:7E-4.2(f) Maintenance Dredging, will be required to be submitted to this Program.

James E. McGreevey
Governor

State of New Jersey
Department of Environmental Protection
Land Use Regulation Program
P.O. Box 439, Trenton, New Jersey 08625
FAX # (609) 777-3656
Web Site: www.state.nj.us/dep/lan.luse

Bradley M. Ca
Commissic

Acceptance of Revocable Permit

NJDEP
LAND USE REGULATION
PO BOX 439
TRENTON, NJ 08625

To be filled out by Permittee

Applicant:_____

File:_____

The undersigned hereby accepts the revocable permit issued by the Department of the Environmental Protection, Land Use Regulation, subject to the terms and conditions thereof including but not limited to the right of the State to revoke same with cause and also subject to all provisions of law, rules and regulations of any government agency applicable thereto.

Applicant/Agent Signature:_____

Date:_____

DEPARTMENT OF THE ARMY GENERAL PERMIT
NEW JERSEY-SPGP-17

PERMITTEE AND PERMIT NUMBER: Clarence Schuchert
1506-03-0255.1 WFD0000

CENAP-OP-R-SPGP-17 -

ISSUING OFFICE:

Department of the Army
U.S. Army Corps of Engineers, Philadelphia District
Wanamaker Building - 100 Penn Square East
Philadelphia, Pennsylvania 19107-3390

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

PROJECT DESCRIPTION: This general permit authorizes the construction of structures; performance of work and the discharge of dredged and fill material in substantially developed artificial tidal lagoons and their access channel. The terms "structure" and "work" are defined in Federal regulations contained in 33 CFR 322.2[b] & [c]. The terms "discharge of dredged material", "fill material" and "discharge of fill material" are defined in Federal regulations contained in 33 CFR 323.2[d], [e] & [f]. "Substantially developed" artificial tidal lagoons are those where the surrounding lands are uplands and do not support wetlands other than a narrow band of fringe wetlands along the waterline. Lagoons are defined as artificially created linear waterways sometimes branched, ending in a dead end with no significant upland drainage. A natural waterway, which is altered by activities including, but not limited to, filling, channelizing, or bulkheading shall not be considered a lagoon. A bulkheaded boat slip shall not be considered a lagoon.

PROJECT LOCATION: This general permit is applicable to Waters of the United States in the State of New Jersey located in substantially developed artificial tidal lagoons and their access channel within the geographic boundaries of both the Philadelphia District and the New York District, U.S. Army Corps of Engineers.

TERMS OF AUTHORIZATION:

1. That in order for the construction of structures, performance of work and/or the discharge of dredged and fill material to be approved by this general permit, these activities must be reviewed and receive the approval(s) or waiver of authorization from the New Jersey Department of Environmental Protection (NJDEP), pursuant to N.J.S.A. 12:5-3 (Waterfront Development Permit), N.J.S.A. 13:9A-1 et seq (Wetlands Permit), New Jersey Water Pollution Control Act, N.J.S.A. 58, 10A (Water Quality Certificate), and/or N.J.A.C. 7:7-2.3(d)("Zanes"). Additionally, in order for these activities to be approved under this general permit, you must be furnished a copy of this general permit from the NJDEP at the time you receive your State approval.

2. This general permit is not applicable to activities that are authorized by the State due to failure of the State to make a permit decision within the review period mandated by State Law and/or regulation. This general permit is not applicable when activities are authorized by the State as part of a settlement agreement.

3. This general permit allows for the installation of temporary structures, work and discharges, including cofferdams, necessary for dewatering construction sites/activities authorized by this general permit. All temporary structures, work and discharges must be entirely removed to upland areas following completion of construction activities and the affected areas restored to pre-project conditions.

4. That all activities that the applicant plans to undertake that are reasonably related to the same project and for which a Department of the Army permit would be required shall be included in the same permit application (33 CFR 325[d][2]). The use of more than one SPGP-17 for a single and complete project, by one or more applicants, is prohibited. Projects subject to individual DA authority cannot be issued under this general permit.

5. This general permit will not apply to:

   a) any area named in Acts of Congress or Presidential Proclamations as National Rivers, National Wilderness Areas, National Seashores, National Recreation Areas, National Lakeshores, National Parks, National Monuments, and such areas as may be established under Federal Law for similar and related purposes, such as estuaries and marine sanctuaries; and

   b) any area designated a component of the National Wild and Scenic River System; nor in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status.

6. That the District Engineer retains discretionary authority to require on a case-by-case basis submission of an Individual Department of the Army permit application for proposed work when it is determined that such a review would be in the public interest (i.e., potential for significant impact on environmental resources, effect on navigation, etc.) or the impacts of the project are more than minimal.

7. This General Permit will expire on December 31, 2007. At that time, this General Permit may be re-issued/extended. In the event that this General Permit is re-issued/extended, any activity which has been authorized under the terms and conditions of this General Permit will remain authorized until such time that the required State permit/authorization issued with the general permit expires, provided the authorized activity complies with any subsequent re-authorization or modification of this general permit.

8. The replacement or repair of an existing bulkhead may not extend more than 18 inches channelward of the existing bulkhead unless the NJDEP, Land Use Regulation in accordance with New Jersey "Structural Shore Protection" regulations [NJAC 7:7E-7.11(e)(2)], determines that the additional encroachment is necessary. In order to maintain safe navigability of the lagoons, any subsequent replacement or repair of the bulkhead shall be in place.

9. This general permit is applicable only for work, structures and fill in substantially developed artificial tidal lagoons within the State of New Jersey previously authorized by the Corps of Engineers. It is also applicable to work, structures and fill in substantially developed artificial tidal lagoons within the State of New Jersey that were constructed prior to December 18, 1968 and do not interfere with navigation. Work, structures and fill in all other waters of the United States do not qualify under this general permit and require separate Department of the Army authorization.

10. That this general permit does not authorize the construction of dams and/or dikes. An individual Department of the Army permit application must be submitted to the appropriate Corps of Engineers District (Philadelphia or New York) for such work.

11. Maintenance dredging, by mechanical and hydraulic methods, is authorized subject to the following:
    a) That this general permit authorizes maintenance dredging of previously authorized lagoons and access channels only. Any new dredging will require submission of an individual Department of the Army permit application and approval by the District Engineer, Corps of Engineers;
    b) Access channels are defined, for purposes of this permit, as those channels connecting the mouth of the substantially developed artificial tidal lagoon to a navigable channel. Dredging within access channels shall be limited to a maximum length of 500' and the generation of no more than 1,000 cubic yards of dredged material;
    c) That dredging performed under the authority of this general permit shall not exceed the controlling depth of adjacent waters or the original dimensions of the previously authorized lagoon or access channel whichever is less;
    d) This general permit does not authorize dredging in wetlands. Additionally, the proposed slope from the waterward edge of any wetlands to the nearest edge of the dredged area shall not exceed three feet horizontal to one foot vertical; and
    e) That the discharge of dredged or fill material associated with the construction of a disposal facility in waters of the U.S. is not authorized by this general permit. The entire disposal facility shall be located in an upland/non-wetland area.

12. This general permit does not authorize discharges of dredged or fill material in wetlands. Work which involves the discharge of dredged and/or fill material in wetlands shall require a separate Department of the Army authorization.

13. When lagoons are to be crossed by submarine cables and pipelines, the cables and pipelines shall be suitably buried to a depth of at least four feet below the existing bottom or authorized dredging depth of the lagoon whichever is deeper.

14. This general permit authorizes the burial of submarine cables and pipelines by trenching or directional drilling/boring or similar jacking methods. For directional drilling/boring installations, the entry and exit ports shall be located in upland areas. For trenching installations, all excavated material must be removed from the waterway. As soon as the cable is installed, appropriate new or previously excavated backfill material shall be placed in the trench and the area restored to its pre-construction condition. All excess dredged and/or excavated material not used as backfill shall be disposed on an upland, non-wetland areas and shall be suitably retained so as to prevent its escape or return into any waterway or wetlands.

15. This general permit authorizes the construction of aerial power lines. The following minimum clearances are required for aerial electric power transmission lines crossing navigable waters of the United States. These clearances are related to the clearances over the navigable channel provided by existing fixed bridges, or the clearances which would be required by the U.S. Coast Guard for new fixed bridges, in the vicinity of the proposed power line crossing. The clearances are based on the low point of the line under conditions which produce the greatest sag, taking into consideration temperature, load, wind, length of span, and type of supports as outlined in the National Electric Safety Code.

Clearances for communication lines, stream gauging cables, ferry cables, and other aerial crossings are required to be a minimum of ten feet above clearances required for bridges. Greater clearances will be required if the public interest so indicates.

Minimum Additional Clearance (Feet)

Nominal System Voltage, KV	Above Clearance Required for Bridges
115 and below	20
138	22
161	24
230	26
350	30
500	35
700	42
750 to 765	45

PERMIT CONDITIONS:

General Conditions:

1. The time limit for completing the work authorized by this general permit ends on December 31, 2007. However, term of authorization 7 specifically addresses those circumstances where this time limit may be extended beyond December 31, 2007.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 3 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you sell the property associated with this general permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

4. If a conditioned water quality certification has been issued for your project by NJDEP, you must comply with conditions specified in the certification as special conditions to this general permit.

5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your general permit.

6. Damage to structures/vessels: That the permittee hereby recognizes the possibility that the structures permitted may be subject to damage by wave wash from passing vessels. The issuance of this general permit does not relieve the permittee from taking all proper steps to insure the integrity of the structures permitted and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

7. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration. (This special condition is applicable to Corps of Engineers permits that provide authorization under Section 10 of the Rivers and Harbors Act of 1899.)

Special Conditions:

1. When the activity authorized by this General Permit is a submerged cable or pipeline, the permittee shall notify in writing the National Oceanic and Atmospheric Administration, National Ocean Service, Nautical Data Branch, N/CS 26, Station 7230, 1315 East/West Highway, Silver Spring, Maryland 20910-3282, of the commencement and completion dates of the authorized work. A copy of the notification letter shall be forwarded to the Corps of Engineers District Office for inclusion in the permit application file. Upon completion of the authorized work, the permittee shall furnish this office with certification that the submerged cable or pipeline has been installed in compliance with the approved plans. The certification shall include a survey, conducted by a licensed surveyor, which clearly shows the elevation of the cable or pipeline below mean low water at both edges and at the centerline of the channel and at fifty (50) foot intervals from its entrance into the waterway.

2. When the activity authorized by this General Permit is an aerial wire or cable crossing, the permittee shall, upon completion of the authorized work, furnish the Corps of Engineers and the National Oceanic and Atmospheric Administration, National Ocean Service, Nautical Data Branch, N/CS 26, Station 7230, 1315 East/West Highway, Silver Spring, Maryland 20910-3282 with certification that the aerial wire/cable has been installed in compliance with the approved plans. The certification shall include a survey, conducted by a licensed surveyor, which clearly shows the minimum clearance of the aerial crossing above the mean high water line at the time of the survey. The certification shall also include a statement by the permittee that the clearance of the wires, at maximum sag conditions, shall never be less than the clearance shown on the approved plans.

3. The applicant must notify the District Engineer if the authorized activity may affect any historic properties listed, or determined to be eligible, or which the applicant has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of National Historic Preservation Act have been satisfied and that the activity is authorized. Furthermore, that if the permittee before or during prosecution of the work authorized encounters a historic property that has not been listed or determined eligible for listing on the National Register but which may be eligible for listing in the National Register, he shall immediately notify the District Engineer.

4. Any archeological artifacts discovered during the performance of work under the authorization of this general permit must be adequately protected and their discovery promptly reported to the District Engineer.

5. No activity authorized under this General Permit shall adversely affect any federally-listed threatened or endangered species, as identified under the Endangered Species Act of 1973, or result in the destruction or adverse modification of critical habitat of such species. If the activity may affect listed species or critical habitat, or is likely to jeopardize proposed species, or likely to result in the adverse modification of proposed critical habitat, the Corps shall initiate and complete a Section 7 consultation or conference, as appropriate, in accordance with the Endangered Species Act of 1973 prior to authorization of the activity under this General Permit.

6. That prior to commencing any work under this general permit, the permittee should contact the various utility authorities and companies (i.e., electric, gas, water, sewage, etc.) in order to prevent personal injury and/or damage to property during construction of work.

7. All work performed under the authorization of this general permit must be consistent with approved coastal zone management program. The applicant must include a statement with the permit application indicating that, "The proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program", specifically New Jersey Coastal Resource and Development Policies (N.J.A.C. 7:7E-1.1 et seq).

8. No discharge of dredged, excavated or fill material or structures may consist of unsuitable material or solid waste (e.g., asphalt, trash, debris, car bodies, etc.) and all material discharged must be free from toxic pollutants in toxic amounts pursuant to Section 307 of the Clean Water Act.

9. That all work identified and authorized herein shall be consistent with the terms and conditions of this general permit. The Corps may impose additional special conditions on a project authorized pursuant to SPGP-17 when it is determined necessary to minimize adverse environmental effects or based upon any other factor of the public interest. Any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit and may result in the removal of the structures and/or the institution of such legal proceedings as the United States Government may consider appropriate.

10. The applicant shall notify the appropriate Corps District at least 10 days prior to the commencement of authorized work by completing and signing the enclosed Notification/Certification of Work Commencement Form (Enclosure 1). The applicant shall notify the appropriate Corps District within 10 days of the completion of the authorized work by completing and signing the enclosed Notification/Certification of Work Completion/Compliance Form (Enclosure 2). All notifications required by this condition shall be in writing and shall be transmitted to this office by registered mail. Oral notifications are not acceptable. Similar notification is required each time maintenance work is to be done under the terms of this Corps of Engineers permit.

11. That the best management practices listed below shall be followed to the maximum extent practicable:

a) Discharges of fill material into previously authorized substantially developed artificial tidal lagoons shall be avoided or minimized through the use of other practical alternatives;

b) Discharges shall not restrict or impede the movement of aquatic species indigenous to the waters or the passage of normal or expected high flows or cause the relocation of the water (unless the primary purpose of the fill is to impound waters);

c) Heavy equipment working in wetlands shall be placed on mats; and

d) Discharges into breeding areas for migratory waterfowl shall be avoided.

12. That the permittee shall not perform maintenance dredging of previously authorized access channels outside of the lagoon between January 1 and May 31 of any given year to protect Winter Flounder (*Pseudopleuronectes americanus*) utilizing the area for spawning.

13. That the applicant shall notify this office 30 days before any subsequent maintenance dredging takes place. The notification shall include the location of the proposed dredging, existing and proposed dimensions of the area to be dredged, the amounts of dredged material to be generated and the location of the dredged material disposal facility.

14. Pipelines used for hydraulic dredging shall be marked in accordance with U.S. Coast Guard regulations/specifications and shall rest on the channel bottom where it crosses a navigation channel or submerged to a sufficient depth to protect navigation. Buoyant or semi-buoyant pipelines used outside of the navigation channels shall be marked in accordance with U.S. Coast Guard regulations/specifications.

15. Dredged material, other than return water from hydraulic dredging, shall not be discharged into waters of the U.S. All dredged material shall be placed in a disposal facility and contained in such a manner as to preclude its escape into waters or wetlands. The return water from a contained disposal facility is administratively defined as a discharge of dredged material by Federal regulations contained in 33 CFR 323.2(d).

FURTHER INFORMATION:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

   (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

   (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this authorization.

   a) This general permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

   b) This general permit does not grant any property rights or exclusive privileges.

   c) This general permit does not authorize any injury to the property or rights of others.

   d) This general permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this general permit, the Federal Government does not assume any liability for the following:

   a) Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

   b) Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

   c) Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

   d) Design or construction deficiencies associated with the permitted work.

   e) Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this general permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

   a) You fail to comply with the terms and conditions of this general permit.

   b) The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c) Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(District Engineer)
Frank J. Cianfrani, Chief, Regulatory Branch

12/31/02
(DATE)

For Thomas C. Chapman, Lieutenant Colonel
Corps of Engineers, District Engineer

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below and send to Philadelphia District or New York District.

_____ _____

(TRANSFEREE) DATE)

_____

_____

_____

Address

Block: 211.11 Lot: 11
Owner's Name: Claus Schwachert
Owner's Mailing Address: 22 West Granada
Brick, NJ 08723
Phone: [redacted]

BUILDING

Contractor: Kremer Marine
Address: 321 Manitoba Ring Rd.
Brick, NJ 08723
Phone#: 732 477 8012
Lis #
Federal Emp # or SSN 13 422 8659

Technical Data

Description of Work: "Private Use"
Proposed 50' x 5'
Dock.

Type of Work

X New Building
___ Addition
___ Alteration
___ Roofing
___ Asbestos Abatement
___ Siding
___ Fence
___ Pool
___ Demolition
___ Sign _____ sq ft

Building Characteristics

Use Group Present: _____ Proposed: X
No of Stories:
Height of Structure:
Area of the largest floor:
Area of New Building:
Volume of Structure:
Total Land Disturbed:

Cost of Alteration:
Cost of New Building: 1,000
Total Cost of Building Work: 1,000

Signature: [signature]
Please Print Name Richard Kremer

ELECTRICAL

Contractor:
Address:
Phone#:
Lis #:
Federal Emp # or SSN

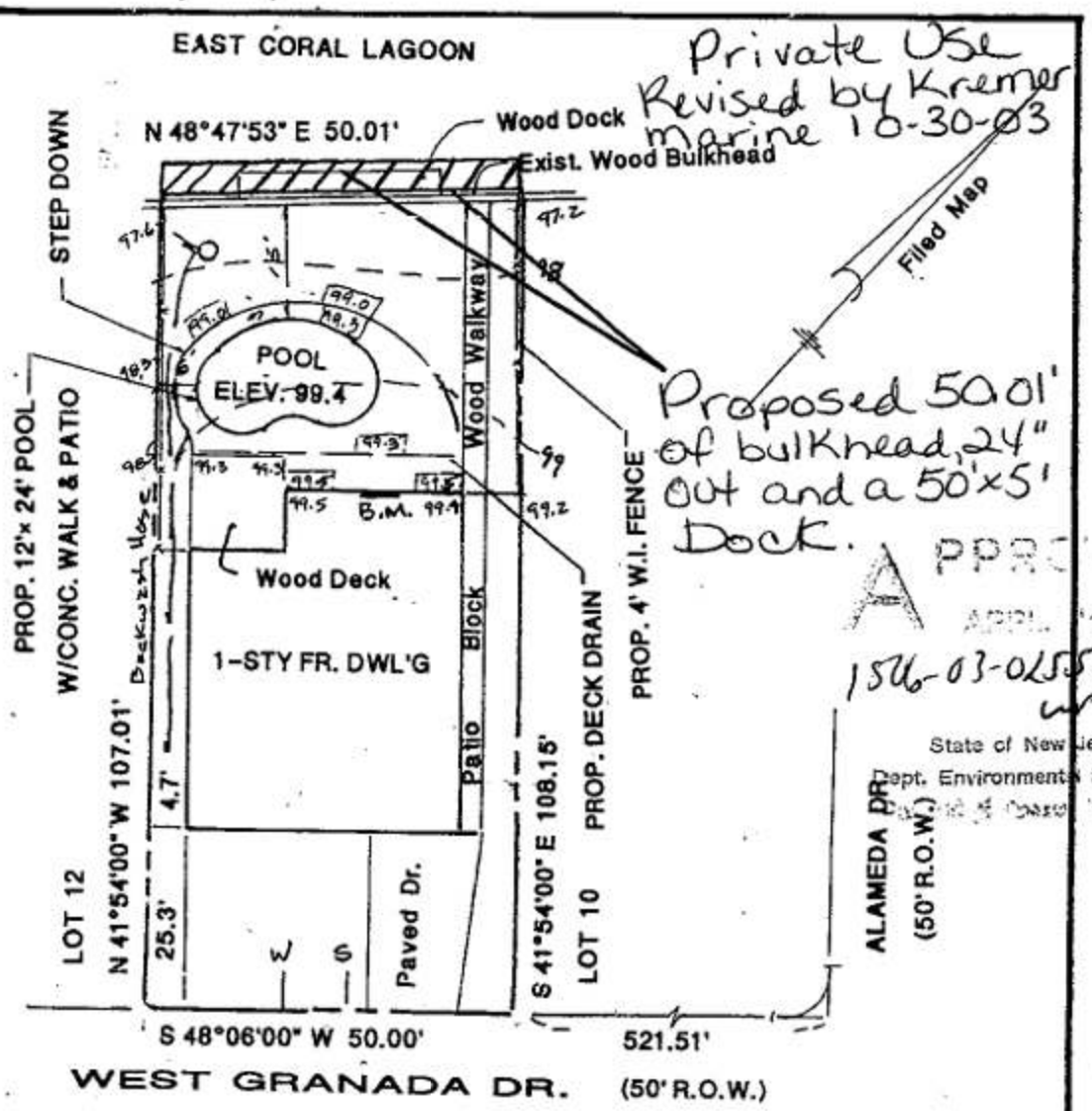
Technical Data

Item	Quantity
Lighting Fixtures	
Receptacles	
Switches	
Detectors	
Light Poles	
Motors w/ Fract. HP	
Emergency & Exit Lights	
Communication Points	
Alarm Devices/FAC Panel	
Total	
Pool	
Spa/Hot Tub/Storable Pool	
Electric Range	KW
Oven/Surface Unit	KW
Electric Water Heater	KW
Electric Dryer	KW
Dishwasher	KW
Garbage Disposal	HP
A/C Unit – Central Air	KW
Space Heater/Air Handler	KW
Baseboard Heating	KW
Motors 1+ HP	
Transformer/Generator	KW
Light Stander	AMP
Service	AMP
Subpanel	AMP
Motor Control Center	AMP
Sign/Outline Light	KW
Furnace	
Steam Boiler	
Other:	

Estimated Cost of Electrical Work:

Signature:
Please Print Name

CONTRACTOR'S SEAL



APPROVED
APRIL 12
1506-03-0255-1
State of New Jersey
Dept. Environmental Protection
Bureau of Coastal Land Use

NOTES;

1. Property of Claus & Andrea Schworhert known as Block 211.11 Lot 11 as shown on a map entitled, "BAYWOOD Section 5A" filed in the Ocean County Clerk's office 7/05/57 as Map #D-321.
2. MAP REFERENCE: "Plan of Survey Block 211.11 Lot 11" prepared by Seneca Survey Co. Inc. dated 6/30/00.
3. Municipal sewer and water service provided thru the front yard as shown.
4. Assumed B.M. 100.0 at the rear door sill.
5. Proposed concrete walk and patio area 4" thick as shown with 6" to 8" step down to existing grade.
6. Proposed 4' Wrought Iron fence with self-closing/locking gate.
7. Proposed deck drain to be connected to existing subsurface downspout drain.
8. Backwash towards W. Granada Dr. via flexible discharge hose.
9. 97.5 denotes existing grade.

[99.3] denotes proposed grade.

Martin G. Miller III
Professional Engineer & Land Surveyor
8 STRATHMORE COURT, FREEHOLD, NJ 07728

Certified as Correct

FOR POOL PERMIT ONLY

Martin G. Miller III 8/11/03
Professional Engineer & Land Surveyor
N.J. License No. 20363

POOL GRADING PLAN

BLOCK 211.11 LOT 11

BRICK TWP., OCEAN CO., N. J.

SCALE: 1" = 20' 8/04/03

BLOCK 211.11 LOT 11 DATE RECEIVED

PROPERTY ADDRESS 22 West Granada Dr. Brick 08723

APPLICANT Claus Schwochert PHONE [redacted]

ADDRESS 22 West Granada Dr. Brick, 08723

CONTRACTOR Kremer Marine PHONE 732.477.8012

ADDRESS 321 Mantoloking Road Brick NJ 08723

TYPE OF WORK Bulkhead + Dock

		YES	NO	N/A
1.	PLANS/DETAILS SIGNED & SEALED	X		
2.	SCALE OF NOT LESS THAN 1"-50'	X		
3.	PROPERTY LINES, CORNERS, BEARINGS & DISTANCES	X		
4.	DRAINAGE PIPES/OUTFALLS/EASEMENTS			
5.	NORTH ARROW	X		
6.	PROPERTY ADDRESS/LOT & BLOCK NUMBER	X		
7.	EXISTING STRUCTURES/DWELLINGS	X		
8.	M.H.W.L. ELEVATION	X		
9.	EXISTING BULKHEAD/DOCK LOCATION	X		
10.	PROPOSED BULKHEAD/DOCK LOCATION	X		
11.	BULKHEAD/DOCK DETAIL (ELEVATION/PROFILE)	X		
12.	FACE/ANCHOR PILING TYPE/SIZE/LENGTH 30'	X		
13.	SHEET PILING TYPE/SIZE/LENGTH			
14.	WALER TYPE/SIZE/LENGTH	X		
15.	TIE ROD SIZE/LENGTH			
16.	CAP/HARDWARE/OTHER MISCELLANEOUS ITEMS	X		
17.	TOP OF BULKHEAD ELEVATION			
18.	DISTANCE - TOP OF BULKHEAD TO SOLID BOTTOM			
19.	BEVEL CUT DETAIL			
20.	PIPE PENETRATION DETAILS			
21.	~~PRIOR APPR. ARMY CORP/NJDEP~~	X		
22.	BOAT LIFT DETAIL			
23.	DOCK LIGHTING FOR REFLECTOR TAPE, ETC.			
24.	DRAG LOG SIZE, TYPE, LENGTH			

BULKHEAD/DOCK REVIEW

APPROVED 2/10/04 REJECTED _____ SIGNED 2/10/04 DATE

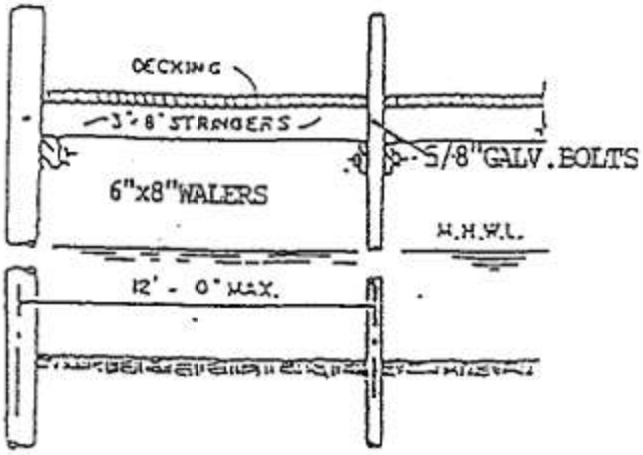
FIELD INSPECTION

APPROVED _____ REJECTED _____ SIGNED _____ DATE

FINAL INSPECTION

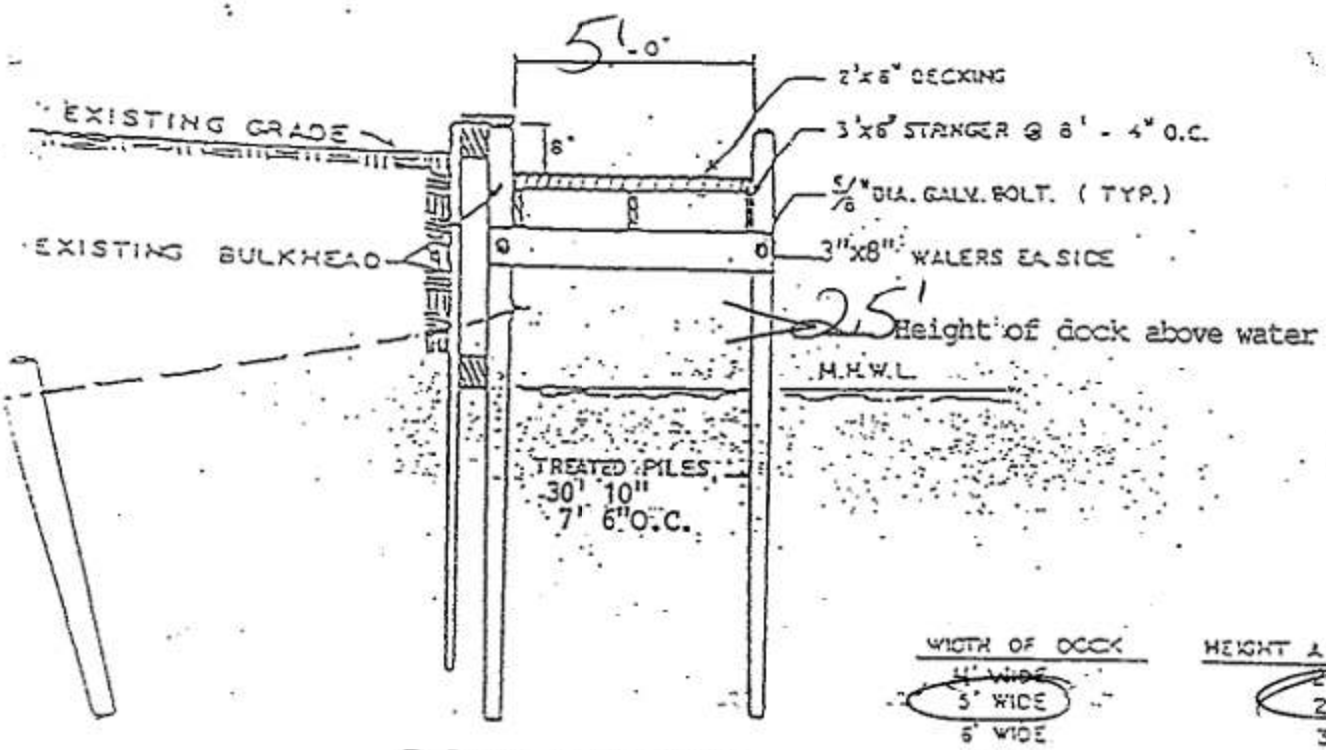
APPROVED _____ REJECTED _____ SIGNED _____ DATE

COMMENTS _____



DOCK SECTION

N.T.S.



DOCK SECTION

N.T.S.

WIDTH OF DOCK	HEIGHT ABOVE M.H.W.L.
~~4' WIDE~~	~~2.0'~~
5' WIDE	2.5'
6' WIDE	3.0'
8' WIDE	4.0'

NOTE: This piling dock detail shall be regarded as our statement of compliance for 4.11(E).

5" planks - ½" gap spacing

There is NO on-site wetlands.

50' Dock

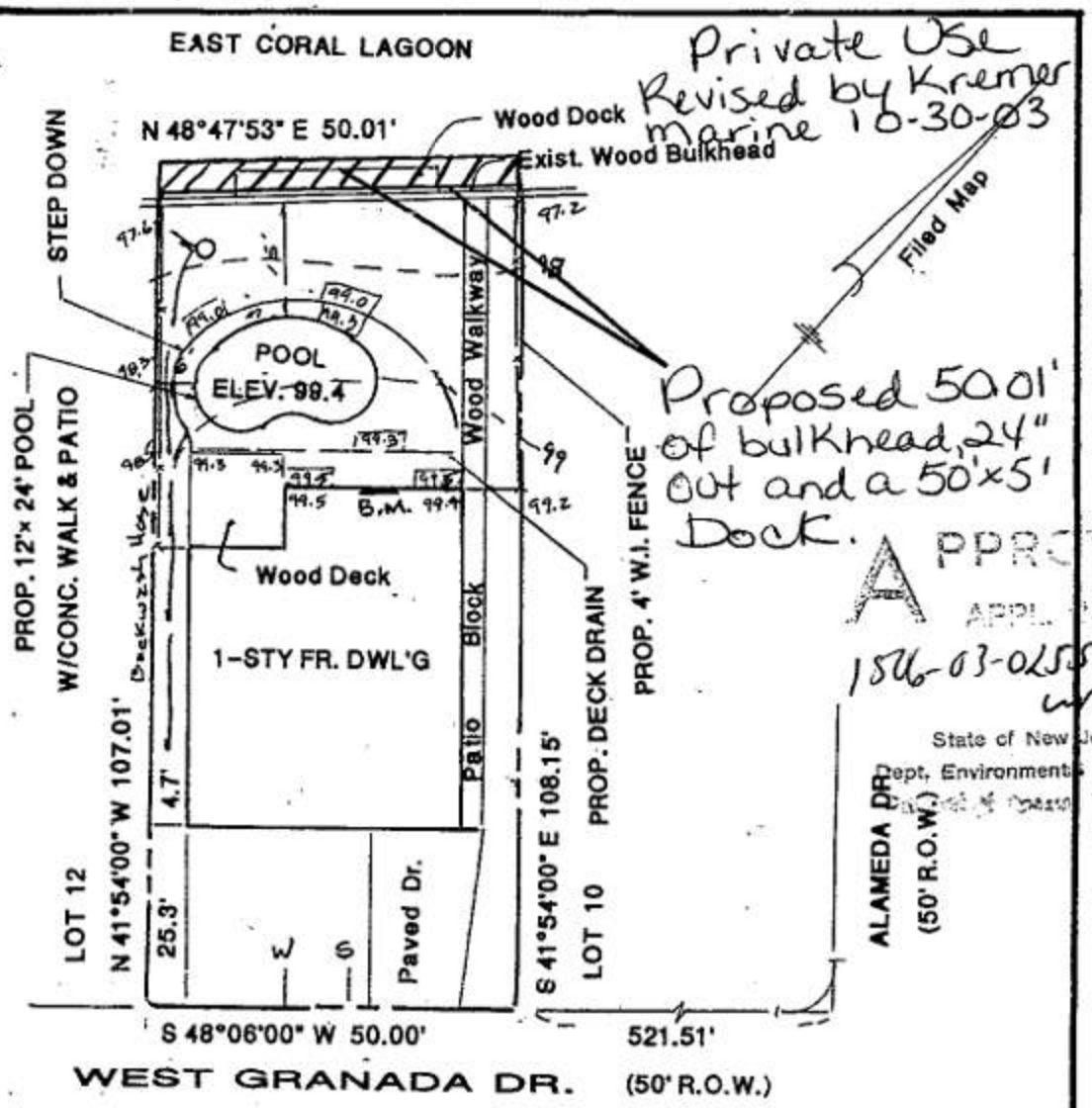
"PILING DOCK ALONG BULKHEAD"

- DOCK DETAIL -

LOT 11 - BLOCK 211.11

TOWNSHIP OF BRICK

OCEAN COUNTY NEW JERS



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2. MAP REFERENCE: "Plan of Survey Block 211.11 Lot 11" prepared by Seneca Survey Co. Inc. dated 6/30/00.
3. Municipal sewer and water service provided thru the front yard as shown.
4. Assumed B.M. 100.0 at the rear door sill.
5. Proposed concrete walk and patio area 4" thick as shown with 6" to 8" step down to existing grade.
6. Proposed 4' Wrought Iron fence with self-closing/locking gate.
7. Proposed deck drain to be connected to existing subsurface downspout drain.
8. Backwash towards W. Granada Dr. via flexible discharge hose.
9. 97.5 denotes existing grade.

   99.3 denotes proposed grade.

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BLOCK 211.11 LOT 11

BRICK TWP., OCEAN CO., N. J.

SCALE: 1" = 20' 8/04/03

DEC 1 1 2003

State of New Jersey

James E. McGreevey
Governor

Department of Environmental Protection
Land Use Regulation Program
P.O. Box 439, Trenton, New Jersey 08625
FAX # (609) 777-3656
Web Site:www.state.nj.us/dep/landuse

Bradley M. Campbell
Commissioner

Authorization for Waterfront Development General Permit and CENAP-OP-R-New Jersey-SPGP-17

Richard Kremer
R. Kremer & Son Marine Contractors
321 Mantoloking Road
Brick Township, NJ 08723

Applicant: Clause Schwochert
LURP File No.: 1506-03-0255.1 wfd 030001
Block: 211.11, Lot: 11
Brick Township, Ocean County

Dear Mr. Kremer:

The Land Use Regulation Program hereby issues a General Permit authorization pursuant to the Coastal Permit Program Rules at N.J.A.C. 7:7-7. In addition, the Department of the Army Permit (CENAP-OP-R-New Jersey-SPGP-17) is hereby issued and attached.

This permit authorizes the construction of 50.01' of vinyl bulkhead 24" in front of existing bulkhead and a 5'x 50' dock on a man-made lagoon.

The approved development is as shown on plans submitted by the applicant with the permit application.

By this permit, the State of New Jersey does not relinquish tidelands ownership or claim to any portion of the subject property or adjacent properties.

Project Specific Conditions

In addition to the conditions noted at N.J.A.C. 7:7-7.2, the activities allowed by this authorization shall comply with the conditions as indicated on the attached sheet. Failure to comply with these conditions shall constitute a violation of the Coastal Area Facility Review Act (N.J.S.A. 13:19-1 et seq.)_and /or the Waterfront Development Law (N.J.S.A. 12:5-3)

Standard Permit Conditions

The following standard conditions apply:

1. This permit is NOT VALID until the **permit acceptance form** has been signed by the applicant, accepting and agreeing to adhere to all permit conditions, and returned to the appropriate regional office within the Land Use Regulation Program

2. This permit, including all conditions listed herein shall be recorded in the office of the County Clerk (the Registrar of Deeds and Mortgages if applicable) in the county or counties wherein the lands included in the permit are located within ten (10) days after receipt of the permit by the applicant. A copy of the recorded permit shall be forwarded to the Land Use Regulation Program immediately thereafter.

3. The permittee shall notify, in writing, the NJDEP, Bureau of Coastal & Land Use Enforcement at 1510 Hooper Avenue, Toms River, NJ 08753, three working days prior to the commencement of construction on the site or site preparation

4. The issuance of this permit shall in no way expose the Department to liability for the sufficiency or correctness of the design of any construction or structures. Neither the state nor the Department shall be liable for any loss of life or property, which may occur by virtue of the activity or development resulting from any permit.

5. The permittee shall allow the authorized representatives of the Department free access to the site at all time when construction activity is taking place, and at other times upon notice to the permittee.

6. The activities shown by plans and/or other engineering data, which are this day approved, shall be constructed and/or executed in conformity with such plans and/or engineering data and conditions herein. No change in plans or specifications upon which this permit is issued shall be made except with the prior written permission of the Department, in accordance with NJ-AC. 7:7-4. 1 0.

7. A copy of this permit and approved plans shall be kept at the construction site and shall be exhibited upon request to any person.

8. 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, The Department may, upon discovery of such anticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit, pursuant to N.J.A.C. 7:7-4.11.

9. This permit does not waive the obtaining of any local, State or Federal permits, which may be required. This permit is not valid and no work shall be undertaken until such time as all other required approvals have been obtained.

10. All fill and other earth work on the lands encompassed within this permit authorization shall be stabilized in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey," obtainable from local Soil Conservation District, offices promulgated by the New Jersey State Soil Conservation Committee, pursuant to the Soil Erosion and Sediment Control Act of 1975, N.J.S.A 4:24-42 et seq, and N.J.A.C, 2:90-1,3 through 1, 14. These standards are hereby incorporated by reference.

Duration of Authorization/Notification of Work

This authorization for a General Permit is valid for a term not to exceed five years from the date of receipt from the Department. If the term of this authorization exceeds the expiration date of the general permit issued by rule, and the permit upon which the authorization is based is modified by rule to include more stringent standards or conditions, the permittee must comply with the requirements -of the new regulations by applying for a new General Permit authorization unless construction is already underway. If the General permit is not reissued, the permittee must apply for an individual CAFRA permit unless construction pursuant to the prior General Permit is underway. The expiration date of the General Permits issued by rule is October 16, 2005.

Appeal of Decision

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 decision date 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.

In order to promote inter-governmental cooperation in management of our natural resources, a copy of this decision shall be shared with appropriate local and federal agencies.

If you have any questions regarding this General Permit authorization, please contact the Program at (609) 777-0456. Please reference the permit number in any future communication concerning this action.

Sincerely,

Andrew Gale, Supervisor
Land Use Regulation Program

C. Bureau of Coastal and Land Use Compliance Enforcement
Township Construction Official

CONSTRUCTION CONDITIONS FOR WATERFRONT DEVELOPMENT GENERAL PERMITS

THIS WATERFRONT DEVELOPMENT GENERAL PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:

1. The replacement bulkhead must be constructed within 18" of the original bulkhead alignment for wood or 24" for vinyl as shown on the referenced plans, as measured from the waterward side of the old sheathing to the waterward side of the new sheathing.

2. All backfill material for the proposed bulkhead shall be from an upland source and be free of any toxic contaminants. No dredging shall take place.

3. The proposed dock/pier is not to exceed the dimensions as specified in the above description.

4. The clearance between the proposed dock/pier and the water surface at mean high tide (as measured from the bottom of the stringers) shall be a minimum of one-half the width of the proposed structure. Floating docks are not subject to the height requirement.

5. Space between horizontal planking shall be maximized and the width of the planking shall be minimized. Under normal circumstances a minimum of 3/8", 1/2", 3/4" or 1" spacing is to be provided for 4", 6", 8-10" or 12"+ wide planks respectively.

6. No more than 4 vessels may be moored at this location at any time. All structures and mooring areas shall be within the permittee's property line extension and within the area of the Tideland's instrument.

7. Unless specifically approved in the attached Waterfront Development permit this permit does NOT authorize dredging activities. If dredging is required in the future a new Waterfront Development Application, showing compliance with 7:7E-4.2(f) Maintenance Dredging, will be required to be submitted to this Program.

James E. McGreevey
Governor

State of New Jersey

Department of Environmental Protection
Land Use Regulation Program
P.O. Box 439, Trenton, New Jersey 08625
FAX # (609) 777-3656
Web Site: www.state.nj.us/dep/lam.luse

Bradley M. Ca
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Acceptance of Revocable Permit

NJDEP
LAND USE REGULATION
PO BOX 439
TRENTON, NJ 08625

To be filled out by Permittee

Applicant:_____

File:_____

The undersigned hereby accepts the revocable permit issued by the Department of the Environmental Protection, Land Use Regulation, subject to the terms and conditions thereof including but not limited to the right of the State to revoke same with cause and also subject to all provisions of law, rules and regulations of any government agency applicable thereto.

Applicant/Agent Signature:_____

Date:_____

DEPARTMENT OF THE ARMY GENERAL PERMIT
NEW JERSEY-SPGP-17

PERMITTEE AND PERMIT NUMBER: Clarese Schuckert
1506-03-0255.1 WFD0200

CENAP-OP-R-SPGP-17 -

ISSUING OFFICE:

Department of the Army
U.S. Army Corps of Engineers, Philadelphia District
Wanamaker Building - 100 Penn Square East
Philadelphia, Pennsylvania 19107-3390

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

PROJECT DESCRIPTION: This general permit authorizes the construction of structures; performance of work and the discharge of dredged and fill material in substantially developed artificial tidal lagoons and their access channel. The terms "structure" and "work" are defined in Federal regulations contained in 33 CFR 322.2[b] & [c]. The terms "discharge of dredged material", "fill material" and "discharge of fill material" are defined in Federal regulations contained in 33 CFR 323.2[d], [e] & [f]. "Substantially developed" artificial tidal lagoons are those where the surrounding lands are uplands and do not support wetlands other than a narrow band of fringe wetlands along the waterline. Lagoons are defined as artificially created linear waterways sometimes branched, ending in a dead end with no significant upland drainage. A natural waterway, which is altered by activities including, but not limited to, filling, channelizing, or bulkheading shall not be considered a lagoon. A bulkheaded boat slip shall not be considered a lagoon.

PROJECT LOCATION: This general permit is applicable to Waters of the United States in the State of New Jersey located in substantially developed artificial tidal lagoons and their access channel within the geographic boundaries of both the Philadelphia District and the New York District, U.S. Army Corps of Engineers.

TERMS OF AUTHORIZATION:

1. That in order for the construction of structures, performance of work and/or the discharge of dredged and fill material to be approved by this general permit, these activities must be reviewed and receive the approval(s) or waiver of authorization from the New Jersey Department of Environmental Protection (NJDEP), pursuant to N.J.S.A. 12:5-3 (Waterfront Development Permit), N.J.S.A. 13:9A-1 et seq (Wetlands Permit), New Jersey Water Pollution Control Act, N.J.S.A. 58, 10A (Water Quality Certificate), and/or N.J.A.C. 7:7-2.3(d)("Zanes"). Additionally, in order for these activities to be approved under this general permit, you must be furnished a copy of this general permit from the NJDEP at the time you receive your State approval.

2. This general permit is not applicable to activities that are authorized by the State due to failure of the State to make a permit decision within the review period mandated by State Law and/or regulation. This general permit is not applicable when activities are authorized by the State as part of a settlement agreement.

3. This general permit allows for the installation of temporary structures, work and discharges, including cofferdams, necessary for dewatering construction sites/activities authorized by this general permit. All temporary structures, work and discharges must be entirely removed to upland areas following completion of construction activities and the affected areas restored to pre-project conditions.

4. That all activities that the applicant plans to undertake that are reasonably related to the same project and for which a Department of the Army permit would be required shall be included in the same permit application (33 CFR 325[d][2]). The use of more than one SPGP-17 for a single and complete project, by one or more applicants, is prohibited. Projects subject to individual DA authority cannot be issued under this general permit.

5. This general permit will not apply to:

   a) any area named in Acts of Congress or Presidential Proclamations as National Rivers, National Wilderness Areas, National Seashores, National Recreation Areas, National Lakeshores, National Parks, National Monuments, and such areas as may be established under Federal Law for similar and related purposes, such as estuaries and marine sanctuaries; and

   b) any area designated a component of the National Wild and Scenic River System; nor in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status.

6. That the District Engineer retains discretionary authority to require on a case-by-case basis submission of an Individual Department of the Army permit application for proposed work when it is determined that such a review would be in the public interest (i.e., potential for significant impact on environmental resources, effect on navigation, etc.) or the impacts of the project are more than minimal.

7. This General Permit will expire on December 31, 2007. At that time, this General Permit may be re-issued/extended. In the event that this General Permit is re-issued/extended, any activity which has been authorized under the terms and conditions of this General Permit will remain authorized until such time that the required State permit/authorization issued with the general permit expires, provided the authorized activity complies with any subsequent re-authorization or modification of this general permit.

8. The replacement or repair of an existing bulkhead may not extend more than 18 inches channelward of the existing bulkhead unless the NJDEP, Land Use Regulation in accordance with New Jersey "Structural Shore Protection" regulations [NJAC 7:7E-7.11(e)(2)], determines that the additional encroachment is necessary. In order to maintain safe navigability of the lagoons, any subsequent replacement or repair of the bulkhead shall be in place.

9. This general permit is applicable only for work, structures and fill in substantially developed artificial tidal lagoons within the State of New Jersey previously authorized by the Corps of Engineers. It is also applicable to work, structures and fill in substantially developed artificial tidal lagoons within the State of New Jersey that were constructed prior to December 18, 1968 and do not interfere with navigation. Work, structures and fill in all other waters of the United States do not qualify under this general permit and require separate Department of the Army authorization.

10. That this general permit does not authorize the construction of dams and/or dikes. An individual Department of the Army permit application must be submitted to the appropriate Corps of Engineers District (Philadelphia or New York) for such work.

11. Maintenance dredging, by mechanical and hydraulic methods, is authorized subject to the following:
    a) That this general permit authorizes maintenance dredging of previously authorized lagoons and access channels only. Any new dredging will require submission of an individual Department of the Army permit application and approval by the District Engineer, Corps of Engineers;
    b) Access channels are defined, for purposes of this permit, as those channels connecting the mouth of the substantially developed artificial tidal lagoon to a navigable channel. Dredging within access channels shall be limited to a maximum length of 500' and the generation of no more than 1,000 cubic yards of dredged material;
    c) That dredging performed under the authority of this general permit shall not exceed the controlling depth of adjacent waters or the original dimensions of the previously authorized lagoon or access channel whichever is less;
    d) This general permit does not authorize dredging in wetlands. Additionally, the proposed slope from the waterward edge of any wetlands to the nearest edge of the dredged area shall not exceed three feet horizontal to one foot vertical; and
    e) That the discharge of dredged or fill material associated with the construction of a disposal facility in waters of the U.S. is not authorized by this general permit. The entire disposal facility shall be located in an upland/non-wetland area.

12. This general permit does not authorize discharges of dredged or fill material in wetlands. Work which involves the discharge of dredged and/or fill material in wetlands shall require a separate Department of the Army authorization.

13. When lagoons are to be crossed by submarine cables and pipelines, the cables and pipelines shall be suitably buried to a depth of at least four feet below the existing bottom or authorized dredging depth of the lagoon whichever is deeper.

14. This general permit authorizes the burial of submarine cables and pipelines by trenching or directional drilling/boring or similar jacking methods. For directional drilling/boring installations, the entry and exit ports shall be located in upland areas. For trenching installations, all excavated material must be removed from the waterway. As soon as the cable is installed, appropriate new or previously excavated backfill material shall be placed in the trench and the area restored to its pre-construction condition. All excess dredged and/or excavated material not used as backfill shall be disposed on an upland, non-wetland areas and shall be suitably retained so as to prevent its escape or return into any waterway or wetlands.

15. This general permit authorizes the construction of aerial power lines. The following minimum clearances are required for aerial electric power transmission lines crossing navigable waters of the United States. These clearances are related to the clearances over the navigable channel provided by existing fixed bridges, or the clearances which would be required by the U.S. Coast Guard for new fixed bridges, in the vicinity of the proposed power line crossing. The clearances are based on the low point of the line under conditions which produce the greatest sag, taking into consideration temperature, load, wind, length of span, and type of supports as outlined in the National Electric Safety Code.

Clearances for communication lines, stream gauging cables, ferry cables, and other aerial crossings are required to be a minimum of ten feet above clearances required for bridges. Greater clearances will be required if the public interest so indicates.

Minimum Additional Clearance (Feet)

Nominal System Voltage, KV	Above Clearance Required for Bridges
115 and below	20
138	22
161	24
230	26
350	30
500	35
700	42
750 to 765	45

PERMIT CONDITIONS:

General Conditions:

1. The time limit for completing the work authorized by this general permit ends on December 31, 2007. However, term of authorization 7 specifically addresses those circumstances where this time limit may be extended beyond December 31, 2007.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 3 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you sell the property associated with this general permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

4. If a conditioned water quality certification has been issued for your project by NJDEP, you must comply with conditions specified in the certification as special conditions to this general permit.

5. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your general permit.

6. Damage to structures/vessels: That the permittee hereby recognizes the possibility that the structures permitted may be subject to damage by wave wash from passing vessels. The issuance of this general permit does not relieve the permittee from taking all proper steps to insure the integrity of the structures permitted and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

7. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration. (This special condition is applicable to Corps of Engineers permits that provide authorization under Section 10 of the Rivers and Harbors Act of 1899.)

Special Conditions:

1. When the activity authorized by this General Permit is a submerged cable or pipeline, the permittee shall notify in writing the National Oceanic and Atmospheric Administration, National Ocean Service, Nautical Data Branch, N/CS 26, Station 7230, 1315 East/West Highway, Silver Spring, Maryland 20910-3282, of the commencement and completion dates of the authorized work. A copy of the notification letter shall be forwarded to the Corps of Engineers District Office for inclusion in the permit application file. Upon completion of the authorized work, the permittee shall furnish this office with certification that the submerged cable or pipeline has been installed in compliance with the approved plans. The certification shall include a survey, conducted by a licensed surveyor, which clearly shows the elevation of the cable or pipeline below mean low water at both edges and at the centerline of the channel and at fifty (50) foot intervals from its entrance into the waterway.

2. When the activity authorized by this General Permit is an aerial wire or cable crossing, the permittee shall, upon completion of the authorized work, furnish the Corps of Engineers and the National Oceanic and Atmospheric Administration, National Ocean Service, Nautical Data Branch, N/CS 26, Station 7230, 1315 East/West Highway, Silver Spring, Maryland 20910-3282 with certification that the aerial wire/cable has been installed in compliance with the approved plans. The certification shall include a survey, conducted by a licensed surveyor, which clearly shows the minimum clearance of the aerial crossing above the mean high water line at the time of the survey. The certification shall also include a statement by the permittee that the clearance of the wires, at maximum sag conditions, shall never be less than the clearance shown on the approved plans.

3. The applicant must notify the District Engineer if the authorized activity may affect any historic properties listed, or determined to be eligible, or which the applicant has reason to believe may be eligible for listing on the National Register of Historic Places, and shall not begin the activity until notified by the District Engineer that the requirements of National Historic Preservation Act have been satisfied and that the activity is authorized. Furthermore, that if the permittee before or during prosecution of the work authorized encounters a historic property that has not been listed or determined eligible for listing on the National Register but which may be eligible for listing in the National Register, he shall immediately notify the District Engineer.

4. Any archeological artifacts discovered during the performance of work under the authorization of this general permit must be adequately protected and their discovery promptly reported to the District Engineer.

5. No activity authorized under this General Permit shall adversely affect any federally-listed threatened or endangered species, as identified under the Endangered Species Act of 1973, or result in the destruction or adverse modification of critical habitat of such species. If the activity may affect listed species or critical habitat, or is likely to jeopardize proposed species, or likely to result in the adverse modification of proposed critical habitat, the Corps shall initiate and complete a Section 7 consultation or conference, as appropriate, in accordance with the Endangered Species Act of 1973 prior to authorization of the activity under this General Permit.

6. That prior to commencing any work under this general permit, the permittee should contact the various utility authorities and companies (i.e., electric, gas, water, sewage, etc.) in order to prevent personal injury and/or damage to property during construction of work.

7. All work performed under the authorization of this general permit must be consistent with approved coastal zone management program. The applicant must include a statement with the permit application indicating that, "The proposed activity complies with and will be conducted in a manner that is consistent with the approved State Coastal Zone Management (CZM) Program", specifically New Jersey Coastal Resource and Development Policies (N.J.A.C. 7:7E-1.1 et seq).

8. No discharge of dredged, excavated or fill material or structures may consist of unsuitable material or solid waste (e.g., asphalt, trash, debris, car bodies, etc.) and all material discharged must be free from toxic pollutants in toxic amounts pursuant to Section 307 of the Clean Water Act.

9. That all work identified and authorized herein shall be consistent with the terms and conditions of this general permit. The Corps may impose additional special conditions on a project authorized pursuant to SPGP-17 when it is determined necessary to minimize adverse environmental effects or based upon any other factor of the public interest. Any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit and may result in the removal of the structures and/or the institution of such legal proceedings as the United States Government may consider appropriate.

10. The applicant shall notify the appropriate Corps District at least 10 days prior to the commencement of authorized work by completing and signing the enclosed Notification/Certification of Work Commencement Form (Enclosure 1). The applicant shall notify the appropriate Corps District within 10 days of the completion of the authorized work by completing and signing the enclosed Notification/Certification of Work Completion/Compliance Form (Enclosure 2). All notifications required by this condition shall be in writing and shall be transmitted to this office by registered mail. Oral notifications are not acceptable. Similar notification is required each time maintenance work is to be done under the terms of this Corps of Engineers permit.

11. That the best management practices listed below shall be followed to the maximum extent practicable:

    a) Discharges of fill material into previously authorized substantially developed artificial tidal lagoons shall be avoided or minimized through the use of other practical alternatives;

    b) Discharges shall not restrict or impede the movement of aquatic species indigenous to the waters or the passage of normal or expected high flows or cause the relocation of the water (unless the primary purpose of the fill is to impound waters);

    c) Heavy equipment working in wetlands shall be placed on mats; and

    d) Discharges into breeding areas for migratory waterfowl shall be avoided.

12. That the permittee shall not perform maintenance dredging of previously authorized access channels outside of the lagoon between January 1 and May 31 of any given year to protect Winter Flounder (*Pseudopleuronectes americanus*) utilizing the area for spawning.

13. That the applicant shall notify this office 30 days before any subsequent maintenance dredging takes place. The notification shall include the location of the proposed dredging, existing and proposed dimensions of the area to be dredged, the amounts of dredged material to be generated and the location of the dredged material disposal facility.

14. Pipelines used for hydraulic dredging shall be marked in accordance with U.S. Coast Guard regulations/specifications and shall rest on the channel bottom where it crosses a navigation channel or submerged to a sufficient depth to protect navigation. Buoyant or semi-buoyant pipelines used outside of the navigation channels shall be marked in accordance with U.S. Coast Guard regulations/specifications.

15. Dredged material, other than return water from hydraulic dredging, shall not be discharged into waters of the U.S. All dredged material shall be placed in a disposal facility and contained in such a manner as to preclude its escape into waters or wetlands. The return water from a contained disposal facility is administratively defined as a discharge of dredged material by Federal regulations contained in 33 CFR 323.2(d).

FURTHER INFORMATION:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

   (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

   (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this authorization.

   a) This general permit does not obviate the need to obtain other Federal, State, or local authorizations required by law.

   b) This general permit does not grant any property rights or exclusive privileges.

   c) This general permit does not authorize any injury to the property or rights of others.

   d) This general permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this general permit, the Federal Government does not assume any liability for the following:

   a) Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

   b) Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

   c) Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

   d) Design or construction deficiencies associated with the permitted work.

   e) Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this general permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

   a) You fail to comply with the terms and conditions of this general permit.

   b) The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c) Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(District Engineer)
Frank J. Cianfrani, Chief, Regulatory Branch

12/31/02
(DATE)

For Thomas C. Chapman, Lieutenant Colonel
Corps of Engineers, District Engineer

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below and send to Philadelphia District or New York District.

_____ _____

(TRANSFEREE) DATE)

_____

_____

_____

Address