



**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED & LAND MANAGEMENT**
Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
www.nj.gov/dep/landuse



PERMIT

<p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the terms, conditions, and limitations listed below and on the attached pages. For the purpose of this document, “permit” means “approval, certification, registration, authorization, waiver, etc.” Violation of any term, condition, or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>		Approval Date August 26, 2024
		Expiration Date August 25, 2029
Permit Number(s): 0000-21-0022.2 LUP240001	Type of Approval(s): Coastal Wetlands-(not SFH/Duplex) TAW - Special Activity Linear Development WFD IP-Commercial/Industrial/Public(Waterward) CAFRA Individual Permit-Commercial/Industry/Public Water Quality Certificate (WQC)	Governing Rule(s): N.J.A.C. 7:7-1.1(a) N.J.A.C. 7:7A-1.1(a)
Permittee: Jennifer Daniels Atlantic Shores Offshore Wind Project 1, LLC Dock 72 Floor 7 Brooklyn, NY 11250	Site Location: Block(s) & Lot(s): See List on page 2 of this Permit Municipality: Atlantic City, Pleasantville City & Egg Harbor Township County: Atlantic	
Description of Authorized Activities: <p>This document authorizes the installation of the electric transmission export cables and associated infrastructure within New Jersey State waters and onshore within CAFRA jurisdiction associated with Atlantic Shores Offshore Wind Project 1. The authorized cable route is depicted on the approved plans referenced on pages 11, 12 & 13 of this Permit. In addition, the construction of a new electrical substation and associated infrastructure on parcels located along Fire Road in Egg Harbor Township, Atlantic County is also authorized.</p> <p>This project is authorized under and in conditional compliance with the applicable Coastal Zone Management Rules (N.J.A.C. 7:7-1.1 et seq.), as amended on October 5, 2021, and Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A-1.1 et seq.), as amended on November 7, 2022, provided that all conditions to follow are met.</p> <p>This authorization includes the issuance of a Water Quality Certificate (WQC).</p> <p><i>The Department has determined that the herein approved activities meet the requirements of the (FHACA/CZM) rules. This approval does not obviate the local Floodplain Administrator’s responsibility to ensure all development occurring within their community’s Special Flood Hazard Area is compliant with the local Flood Damage Prevention Ordinance, and minimum NFIP standards, regardless of any state-issued permits. FEMA requires communities to review and permit all proposed construction or other development within their SFHA in order to participate in the NFIP.</i></p>		
Prepared by: Lindsey J. Davis, Environmental Scientist 3		Received and/or Recorded by County Clerk:
<p>If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee’s acceptance of the permit in its entirety as well as the permittee’s agreement to abide by the requirements of the permit and all conditions therein.</p>		
This permit is not valid unless authorizing signature appears on the last page.		

SITE LOCATION:

State Waters and Onshore

Atlantic Ocean within New Jersey jurisdictional waters off the coast of Atlantic City

- Block: 1 Lots: 53, 54, 55, 56, 57, 58, 59 & 60
- Block: 32 Lots: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11
- Block: 370 Lots: 1, 1.01, 2 & 2.01
- Block: 473 Lot: 3
- Block: 794 Lot: 1
- Block: 795 Lots: 39, 40, 45 & 47
- Block: 797 Lot: 11
- Block: 830 Lots: 1, 5, 6, 7
- Block: 832 Lots: 1 & 2
- Block: 833 Lots: 1, 2, 3, 4 & 7

N/A, N/A – Rights-of-Way (ROWs)

Atlantic City, Atlantic County

- Block: 2117 Lots: 1 & 20
- Block: 2118 Lot: 10
- Block: 2203 Lots: 4, 5, 6, 7, 8, 9, 10, 24, 25, 26 & 27
- Block: 2302 Lots: 10 & 10.01
- Block: 4301 Lot: 17

N/A, N/A – Rights-of-Way (ROWs)

Egg Harbor Township, Atlantic County

N/A, N/A – Rights-of-Way (ROWs)

Pleasantville City, Atlantic County

STATEMENT OF AUTHORIZED IMPACTS:

The authorized activities allow for the permittee to undertake impacts to regulated areas as described below. Additional impacts to regulated areas without prior Department approval shall constitute a violation of the rules under which this document is issued and may subject the permittee and/or property owner to enforcement action, pursuant to N.J.A.C. 7:7-29; N.J.A.C. 7:7A-22.

TAW - Special Activity Linear Development	Permanent Disturbance (Acres)	Temporary Disturbance (Acres)
Freshwater wetlands	0	0
Transition areas	0	0.826
State open waters	0	0

Riparian Zone Vegetation	Area of riparian zone (Acres)
Permanent Disturbed	0
Temporary Disturbed	2.446

COASTAL PERMIT CONDITIONS:

1. This permit is issued subject to compliance with N.J.A.C 7:7-27.2, Conditions that apply to all coastal permits.
2. The Permittee shall obtain all applicable Federal, State, and local approvals prior to commencement of regulated activities authorized under a permit. Approvals include, but are not limited to, authorization from the US Army Corps of Engineers to conduct work below the high tide line and a Section 408 approval.
3. Additional development or other related construction will require either a modification to this permit #0000-21-0022.2 LUP240001 or, a new permit depending on the size and scope of the proposed development as well as the activity status of the existing permit.
4. Prior to any construction or site preparation, the Permittee must receive a new Tidelands license for the electric transmission export cables and the installation of the cables below the mean high water line authorized by this permit. The application for a new Tidelands license is pending under file# 0000-21-0022.2 TDI240001. Failure to comply with this condition will result in fines up to \$1000 plus \$100 per day, a higher fee for the conveyance and possible prosecution by the Attorney General's office to remove unauthorized structures and to pay use and occupancy charge.
5. Prior to the commencement of site preparation, inclusive of site clearing, project staging, onsite storage of materials, pre-construction earth movement, other site disturbance, and all authorized activities, and within 90 days of the issuance of this permit authorization, the Permittee shall complete mitigation for the direct loss of Critical Wildlife Habitat. To the NJDEP Watershed and Land Management Program, Endangered & Threatened Species Unit, the Permittee shall first submit a proposal of mitigation for direct impacts to 16.245 acres of stopover habitat for migratory birds. After the mitigation proposal is accepted by the Division in writing, the Permittee shall then proceed with the placement of a conservation restriction over the approved mitigation site. The Permittee shall record the conservation restriction on the deed and shall file the restriction with the appropriate County Clerk's Office (the Registrar of Deeds and Mortgages). The conservation restriction shall run with the land and be binding upon all successive owners. A copy of the recorded conservation restriction shall be forwarded to and received by the Division. No project site preparation and authorized activities may commence until the required conservation restriction has been recorded and a signed copy has been received by the Division of Land Resource Protection. Any activities undertaken on the site before a copy of the recorded restriction is received by the Division will be considered a violation of the Coastal Area Facility Review Act.
6. To reduce the risk of harm to Northern Long-eared Bat, Tricolored Bat (proposed federal listing), as well as nesting migratory bird species, and potential violation of the NJ Endangered and Nongame Species Conservation Act (ENSCA; N.J.S.A. 23:2a-1-13), and to reduce the risk of direct impacts to sensitive habitat, the Permittee shall adhere to a seasonal restriction on the clearing of all woody vegetation from April 1 through November 15 of each calendar year.
7. To protect sensitive habitat for the State-listed Osprey, the Permittee shall adhere to a seasonal restriction on the use of heavy construction equipment/machinery within 1000 feet of all osprey nests from April 1 through August 31 of each calendar year. The initiation and implementation of work which generates disturbance (e.g., aural, visual) that is out of character with what currently exists at or surrounding the anticipated work area during the restricted time period recommended above may

result in the Permittee being in violation of the “take” clause within State of New Jersey Endangered and Nongame Species Conservation Act (N.J.S.A. 23:2A-1 et seq). Please note that adherence to this seasonal restriction shall be applied if nest building and/or nest occupancy is observed during the months of March and April of the given calendar year of work.

8. If activity of rare beach-nesting shorebird species (i.e. State- or federally listed threatened or endangered species, or migratory shorebird species of special concern), or a State-/Federally listed endangered beach plant population, is discovered at or near the permitted limit of disturbance, work and recreational use of the area shall cease until the Permittee has coordinated with, and guidance on habitat management practices can be issued by, the NJ Department of Environmental Protection and, potentially, the US Fish & Wildlife Service. Please note that this coordination may result in the need for the Permittee’s adherence to provisions as necessary to protect this sensitive habitat (e.g., seasonal restriction on regulated activities). The Department reserves the right to suspend all regulated activities onsite should it be determined that the Permittee has not taken proper precautions to ensure continuous compliance with this condition.
9. To reduce the risk of harm to anadromous fish species such as the federally listed Atlantic sturgeon and Shortnose sturgeon, the Permittee shall adhere to a seasonal restriction on all work below the mean high-water line from March 1 through June 30 of each calendar year. Physical measures that will be utilized to avoid impacts to habitat (e.g., installation of a floating turbidity barrier) shall be implemented prior to the commencement of authorized activities and monitored weekly, maintained in working condition, and kept in place until project completion.
10. Prior to any construction or site preparation and within 60 days of permit issuance, the Permittee shall purchase mobility mats and benches for placement at the beach access points within Atlantic City which are presented in the submitted August 13, 2024 public access proposal and provide the mats and benches to Atlantic City for placement. Proof of purchase of the mobility mats and benches and confirmation of the donation of the mats and benches to Atlantic City must be provided to the Division for review and approval prior to any site preparation or construction and within 60 days of permit issuance, whichever is earlier.
11. Prior to any construction or site preparation, the Permittee shall continue to coordinate with NJDEP on finalizing the design of the offsite public access project proposed by the Permittee. The project presently consists of the construction of a public access project along Annapolis Avenue for back bay public access in Atlantic City, Atlantic County. Should this project not be deemed acceptable by NJDEP, an alternate public access project proposal shall be submitted by the Permittee to NJDEP for review and approval within 90 days of NJDEP’s written response to the Permittee that the proposed project or its project design is deficient or unacceptable.
12. Prior to any construction or site preparation and within 90 days of NJDEP’s written approval of the public access project referenced in #11 above, the Permittee shall submit a draft escrow agreement (for review and approval by NJDEP) between NJDEP, the Permittee, and their attorney for placement of the funds necessary to design, permit and construct the NJDEP approved public access project in escrow. Within 30 days of execution of the escrow agreement, all the public access project funds shall be deposited in escrow in the attorney trust account of a licensed New Jersey attorney. The NJDEP approved public access improvements must be constructed prior to or concurrent with construction of the project authorized under this permit.
13. Prior to the start of the NJDEP approved public access improvements or the start of the project construction, but in no event later than 6 months from the date of issuance of the Permit, the Permittee in conjunction with the property owner shall record a conservation restriction dedicating the

improvements for public access. The permittee shall include the conservation restriction on the deed and shall file the restriction with the Atlantic County Clerk's Office (the Registrar of Deeds and Mortgages). Said restriction shall run with the land and be binding upon the property owner and all successors and assigns. The conservation restriction shall conform, verbatim, to the format and content of the model Declaration of Restriction for Public Access to the Waterfront on the Division's website at www.nj.gov/dep/landuse/forms.html. A complete copy of the recorded conservation restriction shall be emailed to the Division's Project Manager, Lindsey Davis, at Lindsey.Davis@dep.nj.gov within 30 days of recordation of the conservation restriction.

14. If any military munitions and explosives of concern (MECs) or unexploded ordinances (UXOs) are encountered during project construction, the permittee shall immediately notify the United States Coast Guard (USCG) of the munition and its location.
15. Any necessary remediation activities shall be conducted in accordance with all applicable regulations and under the supervision of a Licensed Site Remediation Professional.
16. The Permittee shall coordinate with the NJDEP's Office of Coastal Engineering and the US Army Corps of Engineers regarding construction schedules to minimize construction conflicts with the Brigantine Inlet to Great Egg Harbor Inlet, Absecon Island Federal beach nourishment project.
17. Any modifications of the project which would result in work within the limits of the Brigantine Inlet to Great Egg Harbor Inlet, Absecon Island beach nourishment project inshore of the 2,500-foot limit as measured from project baseline and/or at or above -35 feet NAVD88 within the US Army Corps of Engineers beach and dune design template (including slopes) is subservient to the to the construction, operation, maintenance, repair, rehabilitation and replacement of the Federal beach nourishment project and is subject to removal prior to future Federal beach nourishment project-related construction.
18. The electric transmission export cables shall not be laid within the 500 meter buffer around all NJDEP and US Army Corps of Engineers sand borrow areas as proposed.
19. The Permittee shall monitor vibration levels during electric transmission export cable installations on the outfall pipe located offshore of South California Avenue as proposed.
20. The Permittee shall provide to the NJDEP's Office of Coastal Engineering and the US Army Corps of Engineers cable locations and as-installed surveys post-construction. Cables shall be monitored regularly throughout the operational life of the project and after major storm events as proposed.
21. The electric transmission export cables installed via horizontal directional drill shall be installed a minimum of 55 feet away horizontally and 90' below the seabed in the area of the existing outfall pipe offshore of South California Avenue as proposed.
22. The Permittee shall conduct and provide to the NJDEP pre-construction topographic and bathymetric surveys that capture the entire profile of the existing conditions between the Horizontal Directional Drill ("HDD") entry pit located in the parking lot between South California Avenue and South Belmont Avenue in Atlantic City and the offshore HDD exit pit in the Atlantic Ocean for each HDD installation before commencing construction.
23. The permittee shall conduct and provide to the NJDEP post-construction topographic and bathymetric surveys that capture the entire profile of the existing conditions between the HDD entry pit located in the parking lot between South California Avenue and South Belmont Avenue in Atlantic City and the

- offshore HDD exit pit in the Atlantic Ocean for each HDD installation before commencing construction.
24. No excavation or grading of a beach or dune is authorized by this permit.
 25. No disturbance to dune vegetation or dune fencing is authorized by this permit.
 26. No disturbance to dune crossovers, including but not limited to split rail fencing, subsurface geotextile base matting, compacted I-5 surface, etc., within the City of Atlantic City is authorized by this permit.
 27. Beach berm elevations and widths shall not be lowered or lessened during temporary occupation within the limits of the Federal beach template during construction.
 28. All occupations within the limits of the Federal beach template shall maintain and not alter any public access without the pre-approval of all local, State and Federal agencies including the US Army Corps of Engineers, the NJDEP's Office of Coastal Engineering, and NJDEP's Division of Land Resource Protection.
 29. The permittee shall provide to the NJDEP's Office of Coastal Engineering as-built surveys for the entire length of the electric transmission export cables installed from the HDD entry pit located in the parking lot between South California Avenue and South Belmont Avenue to the State's 3 nautical mile (nm) jurisdictional limit.
 30. Prior to electric transmission cable export installation, the Permittee shall establish a hotline with contact information, including an email and a phone number. Protocols regarding unintended interaction with the electric transmission export cables and proposed nearby construction activities should be included with the hotline information. Coordination of the development of these protocols shall occur with NJDEP's Office of Coastal Engineering, the US Army Corps of Engineers, and the US Coast Guard.
 31. To protect water quality, the Permittee shall adhere to the procedures in the prepared Inadvertent Release Contingency Plan, updated on July 25, 2024, and prepared by BOND Civil & Utility Construction, Inc.
 32. If any geodetic control reference marks must be moved, raised or lowered to accommodate construction, the Permittee shall contact the NJDOT's Geodetic Control Survey at least 60 days prior to disturbance, and arrangements shall be made to protect the position.
 33. Any landscaping of the properties shall be done with native plants to maximum extent practicable. The use of plastic or other impervious material under newly landscaped or gravel areas is prohibited. All sub-surface liners must be made of filter cloth or other permeable material.
 34. Vegetation within a riparian zone shall only be disturbed in the areas specifically shown on the approved drawing(s). No other vegetation within a riparian zone shall be disturbed for any reason.
 35. Upon completion of the project, all temporarily disturbed areas within a riparian zone shall be restored to original topography and replanted with indigenous, non-invasive vegetation in accordance with N.J.A.C. 7:13-11.2(z).
 36. The Permittee shall implement measures to minimize turbidity in the waterway during construction.

37. All excavated material must be lawfully disposed of outside any flood plain, open water, freshwater wetlands or transition area.
38. All areas of temporary disturbance shall be restored to pre-disturbance conditions upon completion of construction.
39. All debris generated from the construction is to be disposed of at an approved disposal site.

FRESHWATER WETLANDS SPECIAL ACTIVITY TRANSITION AREA WAIVER FOR LINEAR DEVELOPMENT CONDITIONS:

1. The authorized activities shall comply with the applicable conditions set forth under N.J.A.C. 7:7A-8.1 and 20.2. Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et. seq.). Any additional un-permitted disturbance of freshwater wetlands, State open waters, or transition areas besides that shown on the approved plans shall be considered a violation of the Freshwater Wetlands Protection Act Rules unless the activity is exempt or a permit is obtained from the Department prior to the start of the disturbance.
2. Prior to the commencement of site clearing, grading, or construction onsite, the permittee shall install a sediment barrier at the limits of disturbance authorized herein, which is sufficient to prevent the sedimentation of the remaining freshwater wetlands and transition areas and shall serve as a physical barrier protecting these areas from encroachment by construction vehicles or other soil-disturbing activities. All sediment barriers and soil erosion control measures shall be kept in place and maintained throughout the duration of construction, until such time that the site is stabilized.
3. This authorization is based upon a Letter of Interpretation Line Verification issued by the Division under File and Activity No. 0000-21-0022.2 LLI240001. The Department has determined that the freshwater wetlands affected by this permit authorization are of exceptional and intermediate resource value and the standard transition area or buffer required adjacent to these wetlands is 150 feet and 50 feet, respectively. Any additional regulated activities conducted within the standard transition area onsite shall require a separate transition area waiver from the Division. Regulated activities within a transition area are defined at N.J.A.C. 7:7A-2.3. Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing Rules (N.J.A.C. 7:7A) for additional information.
4. There shall be no disturbance to any wetlands during construction of the authorized project.
5. The total amount of disturbance to wetlands transition areas associated with this authorization for a Freshwater Wetlands Special Activity Transition Area Waiver for Linear Development shall not exceed 0.826 acres.

ENGINEERING CONDITIONS:

1. The Department has determined that this project meets the requirements of the Stormwater Management Rules at N.J.A.C. 7:8. Any future expansion or alteration of the approved stormwater management system, which would affect water quality, increase the rate or volume of stormwater leaving the site, affect the infiltration capacity on the site, or alter the approved low impact site design, shall be reviewed and approved by the Department prior to construction. This includes any proposed changes to the discharge characteristics of any basin, the construction of new inlets or pipes that tie into the storm sewer network and/or the replacement of existing inlets or pipes with structures of different capacity.

2. The Permittee shall make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed stormwater management measures onsite. This includes the inspection (and cleaning where necessary) of any and all constructed swales, basins, inlets, and mechanical treatment devices at least four times per year and after every major storm totaling 1 inch of rainfall or more, the use of appropriate soil conservation practices onsite, and any other reasonable effort required to maintain the stormwater management system in good working order.
3. Prior to the start of any construction onsite, the Permittee/owner shall record a deed notice for all stormwater management measures authorized under this permit which shall be recorded in the Office of the County Clerk or the registrar of deeds and mortgages of the county in which the development, project, project site, or mitigation area containing the stormwater management measure is located. A form of deed notice shall be submitted to the Watershed and Land Management Program (Program) for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at N.J.A.C. 7:8-5.3, 5.4, 5.5, and 5.6 and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to N.J.A.C. 7:8-5.8(d). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the Program. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the Program is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the Program within 180 calendar days of the authorization granted by the Program.

HORIZONTAL DIRECTIONAL DRILL (“HDD”) INSTALLATION CONDITIONS:

1. Prior to any HDD installations, the Permittee shall provide to the NJDEP, for review and approval, information regarding situations where the use of a conductor during horizontal directional drilling installations is appropriate and/or warranted. The Permittee shall implement the use of a conductor in situations agreed upon in writing by the Permittee and the NJDEP.
2. Prior to any HDD installations, the Permittee shall provide to the NJDEP, for review and approval, information regarding why the use of grouting within the boreholes upon completion of the horizontal directional drilling installations is not necessary and/or warranted. The Permittee shall implement the use of grouting of the boreholes in situations agreed upon in writing by the Permittee and the NJDEP.
3. All drill fluid materials utilized for the horizontal directional drill electric transmission export cable installations shall be NSF 60/61 certified as proposed.
4. The Permittee shall maintain sufficient horizontal and vertical setbacks from existing infrastructure during horizontal directional drill installations in order to avoid damage and other potential hazards, such as structural instability, to existing infrastructure.

STANDARD CONDITIONS:

1. The issuance of a permit shall in no way expose the State of New Jersey or the Department to liability for the sufficiency or correctness of the design of any construction or structure(s). Neither

the State nor the Department shall, in any way, be liable for any loss of life or property that may occur by virtue of the activity or project conducted as authorized under a permit.

2. The issuance of a permit does not convey any property rights or any exclusive privilege.
3. The permittee shall obtain all applicable Federal, State, and local approvals prior to commencement of regulated activities authorized under a permit.
4. A permittee conducting an activity involving soil disturbance, the creation of drainage structures, or changes in natural contours shall obtain any required approvals from the Soil Conservation District or designee having jurisdiction over the site.
5. The permittee shall take all reasonable steps to prevent, minimize, or correct any adverse impact on the environment resulting from activities conducted pursuant to the permit, or from noncompliance with the permit.
6. 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 the permit. The Department may, upon discovery of such unanticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit.
7. The permittee shall immediately inform the Department by telephone at (877) 927-6337 (WARN DEP hotline) of any noncompliance that may endanger public health, safety, and welfare, or the environment. The permittee shall inform the Watershed & Land Management by telephone at (609) 777-0454 of any other noncompliance within two working days of the time the permittee becomes aware of the noncompliance, and in writing within five working days of the time the permittee becomes aware of the noncompliance. Such notice shall not, however, serve as a defense to enforcement action if the project is found to be in violation of this chapter. The written notice shall include:
 - i. A description of the noncompliance and its cause;
 - ii. The period of noncompliance, including exact dates and times;
 - iii. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
 - iv. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
8. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action, as well as, in the appropriate case, suspension and/or termination of the permit.
9. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the authorized activity in order to maintain compliance with the conditions of the permit.
10. The permittee shall employ appropriate measures to minimize noise where necessary during construction, as specified in N.J.S.A. 13:1G-1 et seq. and N.J.A.C. 7:29.
11. The issuance of a permit does not relinquish the State's tidelands ownership or claim to any portion of the subject property or adjacent properties.

12. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.
13. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
 - i. Enter upon the permittee's premises where a regulated activity, project, or development is located or conducted, or where records must be kept under the conditions of the permit;
 - ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
 - iii. Inspect, at reasonable times, any facilities, equipment, practices, or operations regulated or required under the permit. Failure to allow reasonable access under this paragraph shall be considered a violation of this chapter and subject the permittee to enforcement action; and
 - iv. Sample or monitor at reasonable times, for the purposes of assuring compliance or as otherwise authorized by the Federal Act, by the Freshwater Wetlands Protection Act, or by any rule or order issued pursuant thereto, any substances or parameters at any location.
14. The permittee shall not cause or allow any unreasonable interference with the free flow of a regulated water by placing or dumping any materials, equipment, debris or structures within or adjacent to the channel while the regulated activity, project, or development is being undertaken. Upon completion of the regulated activity, project, or development, the permittee shall remove and dispose of in a lawful manner all excess materials, debris, equipment, and silt fences and other temporary soil erosion and sediment control devices from all regulated areas.
15. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit.
16. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect, so long as the regulated activity, project, or development, or any portion thereof, is in existence, unless the permit is modified pursuant to the rules governing the herein approved permits.
17. The permittee shall perform any mitigation required under the permit in accordance with the rules governing the herein approved permits.
18. If any condition or permit is determined to be legally unenforceable, modifications and additional conditions may be imposed by the Department as necessary to protect public health, safety, and welfare, or the environment.
19. Any permit condition that does not establish a specific timeframe within which the condition must be satisfied (for example, prior to commencement of construction) shall be satisfied within six months of the effective date of the permit.
20. A copy of the permit and all approved site plans and supporting documents shall be maintained at the site at all times and made available to Department representatives or their designated agents immediately upon request.

21. The permittee shall provide monitoring results to the Department at the intervals specified in the permit.
22. A permit shall be transferred to another person only in accordance with the rules governing the herein approved permits.
23. A permit can be modified, suspended, or terminated by the Department for cause.
24. The submittal of a request to modify a permit by the permittee, or a notification of planned changes or anticipated noncompliance, does not stay any condition of a permit.
25. Where the permittee becomes aware that it failed to submit any relevant facts in an application, or submitted incorrect information in an application or in any report to the Department, it shall promptly submit such facts or information.
26. The permittee shall submit email notification to the Bureau of Coastal & Land Use Compliance & Enforcement at CLU_tomsriver@dep.nj.gov at least 3 days prior to commencement of site preparation and/or regulated activities, whichever comes first. The notification shall include proof of completion of all pre-construction conditions, including proof of recording of permits, approved plans and/or conservation easements, if required. The permittee shall allow an authorized Bureau representative on the site to inspect to ensure compliance with this permit.

Additionally, the permittee shall notify the Department in writing (at the address listed on page one of this permit) within five working days prior to commencement of operation of a CAFRA individual permit. At this time, the permittee shall certify that all conditions of the permit that must be met prior to operation of the development have been met.

27. The permittee shall record the permit, including all conditions listed therein, with the Office of the County Clerk (the Registrar of Deeds and Mortgages, if applicable) of each county in which the site is located. The permit shall be recorded within 30 calendar days of receipt by the permittee, unless the permit authorizes activities within two or more counties, in which case the permit shall be recorded within 90 calendar days of receipt. Upon completion of all recording, a copy of the recorded permit shall be forwarded to Watershed & Land Management through the DEP Online service. The uploaded documents will go directly into the Department's database, and staff will be notified that information has been received. The service can be found at: <https://dep.nj.gov/wlm/eservices/lrp-eservices/>.

APPROVED PLAN(S):

The project authorized by this permit is shown on four (4) sets of plans. The first set of plans is entitled "Atlantic Shores Offshore Wind Project 1 – NJ State Waters", dated July 29, 2024, digitally signed on July 31, 2024, prepared by Tyler R. McArthur, P.E. from Burns & McDonnell Engineering Co, Inc., and further identified as:

- Drawing UG023 – "Alignment Chart Page 1 of 3"
- Drawing UG023 – "Alignment Chart Page 2 of 3"
- Drawing UG023 – "Alignment Chart Page 3 of 3"
- Drawing UG024 – "P1 Plan & Notes Page 2 of 3"
- Drawing UG024 – "P1 Plan & Notes Page 3 of 3"
- Drawing UG026 – "P1 N-Up Plan Page 1 of 3"
- Drawing UG026 – "P1 N-Up Plan Page 2 of 3"
- Drawing UG026 – "P1 N-Up Plan Page 3 of 3"

The second set of plans is entitled “Atlantic Shores Project 1 Substation 3038 Fire Road Egg Harbor Township Atlantic County New Jersey”, dated March 1, 2024, last revised on August 21, 2024, prepared by Leonard D. Savino, P.E. from Langan Engineering and Environmental Services, LLC, and further identified as:

- Drawing CS002, Sheet 2 of 32 – “General Notes”
- Drawing CS100, Sheet 6 of 32 – “Overall Site Plan”
- Drawing CS101, Sheet 7 of 32 – “Enlarged Site Plan (1 of 2)”
- Drawing CS102, Sheet 8 of 32 – “Enlarged Site Plan (2 of 2)”
- Drawing CG100, Sheet 11 of 32 – “Overall Grading & Drainage Plan”
- Drawing CG101, Sheet 12 of 32 – “Enlarged Grading & Drainage Plan (1 of 2)”
- Drawing CG102, Sheet 13 of 32 – “Enlarged Grading & Drainage Plan (2 of 2)”
- Drawing CG201, Sheet 14 of 32 – “Storm Profiles”, unrevised
- Drawing CU100, Sheet 15 of 32 – “Overall Utility Plan”
- Drawing CU101, Sheet 16 of 32 – “Enlarged Utility Plan (1 of 2)”
- Drawing CU102, Sheet 17 of 32 – “Enlarged Utility Plan (2 of 2)”
- Drawing CE100, Sheet 18 of 32 – “Soil Erosion & Sediment Control Plan”
- Drawing CE101, Sheet 19 of 32 – “Enlarged Soil Erosion and Sediment Control Plan (1 of 2)”
- Drawing CE102, Sheet 20 of 32 – “Enlarged Soil Erosion and Sediment Control Plan (2 of 2)”
- Drawing CE501, Sheet 21 of 32 – “Soil Erosion & Sediment Control Notes & Details”
- Drawing CS502, Sheet 28 of 32 – “Construction Details II”, unrevised
- Drawing CS503, Sheet 29 of 32 – “Construction Details III”, unrevised
- Drawing CS504, Sheet 30 of 32 – “Construction Details IV”
- Drawing CS506, Sheet 32 of 32 – “Construction Details VI”

The third set of plans is entitled “Atlantic Shores Offshore Wind Project 1 – Cardiff Atlantic City, New Jersey”, dated January 26, 2024, last revised on July 25, 2024 unless otherwise noted below, signed on August 22, 2024, prepared by Daniel Cole Byington, P.E. from BOND Civil & Unity, and further identified as:

- Drawing T001 – “AC Landfalls HDD #0-1 Plan and Profile”, unrevised
- Drawing T002 – “AC Landfalls HDD #0-2 Plan and Profile”, unrevised
- Drawing T003 – “AC Landfalls HDD #0-3 Plan and Profile”, unrevised
- Drawing T004 – “AC Landfalls HDD #0-4 Plan and Profile”, unrevised
- Drawing T005 – “AC Landfalls Proposed Gravity Cell Detail”
- Drawing T006 – “Pete Pallitto Field HDD #1-1 Plan and Profile”, unrevised
- Drawing T007 – “Pete Pallitto Field HDD #1-2 Plan and Profile”, unrevised
- Drawing T008 – “Bader Field To Lot 1075 HDD #2-1 Plan and Profile”
- Drawing T009 – “Bader Field To Lot 1075 HDD #2-2 Plan and Profile”
- Drawing T010 – “Lot 1075 to Marina HDD #3-1 Plan and Profile”, unrevised
- Drawing T011 – “Lot 1075 to Marina HDD #3-2 Plan and Profile”, unrevised
- Drawing T012 – “Route 40 Crossing HDD #4-1 Plan and Profile”
- Drawing T013 – “Route 40 Crossing HDD #4-2 Plan and Profile”

The fourth set of plans is entitled “NJDEP Permit Application Permitting Drawings Atlantic Shores Offshore Wind Transmission Line – Atlantic City to Cardiff Substation City of Atlantic City City of Pleasantville Egg Harbor Township”, dated January 15, 2024, last revised on August 21, 2024, prepared by Leonard D. Savino, P.E. from Langan Engineering and Environmental Services, LLC, and further identified as:

- Drawing CS001 – “Cover Sheet”

Drawing CS002 – “General Notes”
Drawing CU119 – “NJDEP Permitting Plan – Tiles 32-33”
Drawing CU120 – “NJDEP Permitting Plan – Tile 34”
Drawing CU121 – “NJDEP Permitting Plan – Tile 35”
Drawing CU122 – “NJDEP Permitting Plan – Tile 36”
Drawing CU123 – “NJDEP Permitting Plan – Tile 37”
Drawing CU124 – “NJDEP Permitting Plan – Tile 38”
Drawing CU125 – “NJDEP Permitting Plan – Tile 39”
Drawing CU126 – “NJDEP Permitting Plan – Tile 40”
Drawing CU127 – “NJDEP Permitting Plan – Tiles 41-42”
Drawing CU128 – “NJDEP Permitting Plan – Tile 43”
Drawing CU129 – “NJDEP Permitting Plan – Tile 44”
Drawing CU130 – “NJDEP Permitting Plan – Tiles 45-46”
Drawing CU131 – “NJDEP Permitting Plan – Tiles 47-48”
Drawing CU132 – “NJDEP Permitting Plan – Tiles 49-50”
Drawing CU133 – “NJDEP Permitting Plan – Tiles 51-52”
Drawing CU134 – “NJDEP Permitting Plan – Tiles 53-54”
Drawing CU135 – “NJDEP Permitting Plan – Tiles 55-56”
Drawing CU136 – “NJDEP Permitting Plan – Tiles 57-58”
Drawing CU137 – “NJDEP Permitting Plan – Tiles 59-60”
Drawing CU138 – “NJDEP Permitting Plan – Tiles 61-62”
Drawing CU139 – “NJDEP Permitting Plan – Tiles 63-64”
Drawing CU140 – “NJDEP Permitting Plan – Tiles 65-66”
Drawing CU141 – “NJDEP Permitting Plan – Tile 67”
Drawing CU142 – “NJDEP Permitting Plan – Tile 68”
Drawing CU143 – “NJDEP Permitting Plan – Tile 69”
Drawing CU144 – “NJDEP Permitting Plan – Tile 70”
Drawing CU145 – “NJDEP Permitting Plan – Tile 71”
Drawing CU146 – “NJDEP Permitting Plan – Tile 72”
Drawing CU147 – “NJDEP Permitting Plan – Tiles 73-74”
Drawing CU148 – “NJDEP Permitting Plan – Tile 75”
Drawing CU149A – “NJDEP Permitting Plan – Tile 76A”
Drawing CU150A – “NJDEP Permitting Plan – Tile 77A”
Drawing CU151A – “NJDEP Permitting Plan – Tile 78A”
Drawing CU152A – “NJDEP Permitting Plan – Tile 79A”
Drawing CU149B – “NJDEP Permitting Plan – Tile 76B”
Drawing CU150B – “NJDEP Permitting Plan – Tile 77B”
Drawing CU151B – “NJDEP Permitting Plan – Tile 78B”
Drawing CU152B – “NJDEP Permitting Plan – Tile 79B”
Drawing CU153 – “NJDEP Permitting Plan – Tile 80”
Drawing CU154 – “NJDEP Permitting Plan – Tile 81”
Drawing CU155 – “NJDEP Permitting Plan – HDD #2 Exit”
Drawing CU156 – “NJDEP Permitting Plan – HDD #3 Entry”
Drawing CU157 – “NJDEP Permitting Plan – HDD #4 Exit”
Drawing CU501 – “Construction Details I”
Drawing CU502 – “Construction Details II”
Drawing CU503 – “Construction Details III”
Drawing CU504 – “Construction Details IV”
Drawing CE501 – “Soil Erosion and Sediment Control Notes and Details”

APPEAL OF DECISION:

Any person who is aggrieved by this decision may submit an adjudicatory hearing request within 30 calendar days after public notice of the decision is published in the DEP Bulletin (available at <https://dep.nj.gov/bulletin/>). If a person submits the hearing request after this time, the Department shall deny the request. The hearing request must include a completed copy of the Administrative Hearing Request Checklist (available at <https://dep.nj.gov/wlm/forms/>). A person requesting an adjudicatory hearing shall submit the original hearing request to: NJDEP Office of Administrative Hearings and Dispute Resolution, Attention: Adjudicatory Hearing Requests, Mail Code 401-07A, P.O. Box 420, 401 East State Street, 7th Floor, Trenton, NJ 08625-0420. Additionally, a copy of the hearing request shall be submitted to the Director of Watershed & Land Management at the address listed on page one of this permit. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see www.nj.gov/dep/odr for more information on this process.

If you need clarification on any section of this permit or conditions, please contact Watershed & Land Management staff by phone at (609) 777-0454.

Approved By:

Janet L. Stewart, Bureau Chief
Division of Land Resource Protection
Watershed & Land Management Program

c: Municipal Clerk, Atlantic City, Pleasantville City & Egg Harbor Township
Municipal Construction Official, Atlantic City, Pleasantville City & Egg Harbor Township
Agent (original) – Scott McBurney