



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation
Mail Code 501-02A

P.O. Box 420

Trenton, New Jersey, 08625-0420

www.state.nj.us/dep/landuse

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

OCT 02 2012

The Trustees of Princeton University
c/o Michael McKay, V.P. for Facilities
MacMillan Building
Princeton, NJ 08544

RE: Freshwater Wetlands Letter of Interpretation – Line Verification
File No.: 1113-10-0010.2
Activity No.: FWW-FWLI4-120001
Block: 3 Lot(s): 3
West Windsor Township, Mercer County

RECEIVED

OCT -9 2012

VAN NOTE-HARVEY
ASSOCIATES, P.C.

Dear Mr. McKay:

This letter is in response to your request for a Letter of Interpretation to verify the jurisdictional boundary of the freshwater wetlands and waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection, the U.S. Army Corps of Engineers Philadelphia and New York Districts, and the U.S. Environmental Protection Agency, the NJDEP, Division of Land Use Regulation is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retain the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Based upon the information submitted, and upon site inspections conducted on July 24 and September 5, 2012, the Division of Land Use Regulation has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled: **“PLAN SHOWING FRESHWATER WETLANDS & STATE OPEN WATER OVER BLOCK 3, LOT 3, OF PROPERTY OF THE TRUSTEES OF PRINCETON UNIVERSITY, WEST WINDSOR TWP SITUATED IN MERCER CO., N.J.”**, dated May 18, 2012, last revised September 10, 2012, and prepared by Kenneth, R. Raika, P.L.S. of Van Note – Harvey Associates, is accurate as shown.

Any activities regulated under the Freshwater Wetlands Protection Act proposed within the wetlands or transition areas or the deposition of any fill material into any water area, will require a permit from this office unless exempted under the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B-1 *et seq*, and implementing rules, N.J.A.C. 7:7A. A copy of this plan, together with the information upon which this boundary determination is based, has been made part of the Division's public records.

Pursuant to the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A-1 *et seq*), you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter. This letter in no way legalizes any fill, which may have been placed, or other regulated activities, which may have occurred on-site. Also this determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

The freshwater wetlands and waters boundary line(s), as determined in this letter, must be shown on any future site development plans. The line(s) should be labeled with the above DLUR file number and the following note:

“Freshwater Wetlands/Waters Boundary Line as verified by NJDEP”

46554-030-01
Lori Jepsen wj
3 copies approved plan

TOS|JCR|BRT|SWG|MLB

Approved plan filed in
171-A-1

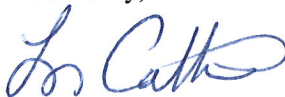
The Department has determined that the wetlands on and adjacent to the site are of Exceptional and Intermediate Resource Value. The Exceptional Resource Value wetlands are noted on the referenced plan by the following wetland points or locations: WZZ14 through WZZ25 and DEP1 through DEP 9. The standard transition area or buffer required adjacent to Exceptional Resource Value wetlands is 150 feet. The wetlands are classified as Exceptional Resource Value because they are associated with threatened or endangered species habitat. The remaining wetlands on-site are classified as Intermediate Resource Value and the standard transition area or buffer required adjacent to these wetlands is 50 feet. The following wetland areas or points have been considered by the Department to be isolated wetlands and not part of a surface water tributary system: DEP 1 through DEP4 and DEP5 through DEP 8. In addition, the Department has identified State open waters on the property, they are noted on the referenced plan by the following points or locations: CXX1 to CXX2, CXX1A to CXX2A, WX-8 to WX-9, and WC-X8A to WC-X13A. Please note that a buffer is not required adjacent to State Open Waters, however, a buffer may be required under the Flood Hazard Area Control Act. Please note pursuant to the Flood Hazard Area Control Act Rules (FHACAR) at N.J.A.C. 7:13, a riparian zone is required along every regulated water with few exceptions (see 7:13-4.1). In order to determine the limits of any riparian zone on site, the applicant may obtain a Flood Hazard Area Verification (see 7:13-6.1) which determined all areas regulated under the FHACAR. These classifications may affect the requirements for an Individual Wetlands Permit (see N.J.A.C. 7:7A-7), the types of Statewide General Permits available for the wetlands portion of this property (see N.J.A.C. 7:7A-5) and the modification available through a transition area waiver (see N.J.A.C. 7:7A-6). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information.

It should be noted that this determination of wetlands classification is based on the best information presently available to the Department. The classification is subject to change if this information is no longer accurate, or as additional information is made available to the Department, including, but not limited to, information supplied by the applicant. Under N.J.S.A. 13:9B-7a(2), if the Department has classified a wetland as exceptional resource value, based on a finding that the wetland is documented habitat for threatened and endangered species that remains suitable for use for breeding, resting or feeding by such species, an applicant may request a change in this classification. Such requests for a classification change must demonstrate that the habitat is no longer suitable for the documented species because there has been a change in the suitability of this habitat. Requests for resource value classification changes and associated documentation should be submitted to the Division of Land Use Regulation, Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420.

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 after notice of the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, 401 East State Street, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist. If a person submits the hearing request after this time, the Department shall deny the request. The DEP bulletin is available through the Department's website at www.state.nj.us/dep.

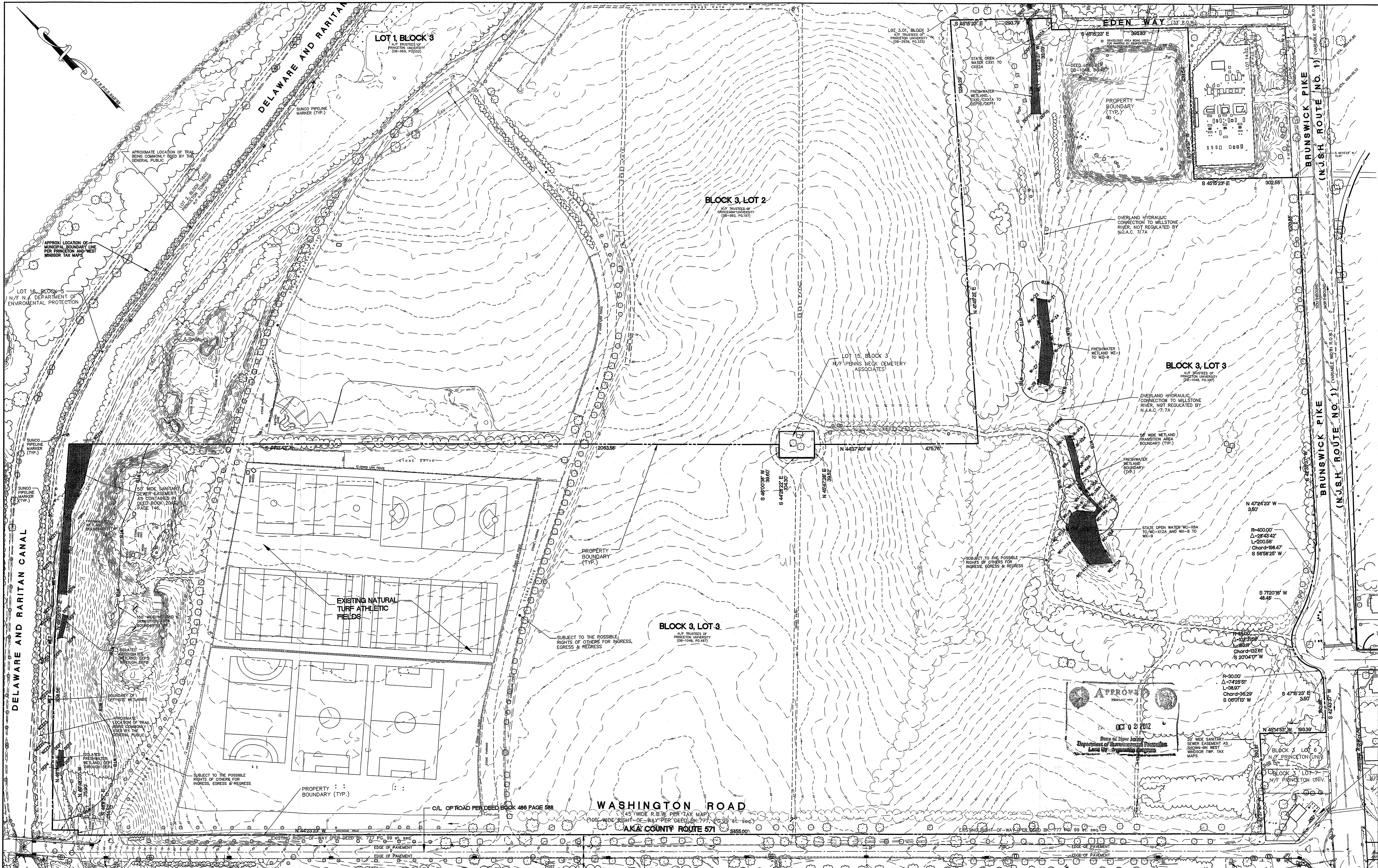
Please contact Patrick Ryan of our staff at (609) 633-6563, should you have any questions regarding this letter. Be sure to indicate the Division's file number in all communication.

Sincerely,



Lou Cattuna, Supervisor
Bureau of Inland Regulation

c: West Windsor Township Municipal Construction Official
West Windsor Township Municipal Clerk
Agent – John C. Ryder (original approval sent to agent to facilitate condition compliance)



- 1) REFERENCE PLAN: "PLAN OF SURVEY OF LOT 3 BLOCK 3 OF PROPERTY OF PRINCETON UNIVERSITY, WEST WINDSOR TWP., MERCER CO., N.J.", DATED JULY 28, 2011, PREPARED BY VAN NOTE-HARVEY ASSOCIATES, P.C. (VHHA).
- 2) THE FRESHWATER WETLANDS BOUNDARY SHOWN HEREON WAS ESTABLISHED AND FIELD SURVEYED BY VAN NOTE-HARVEY ASSOCIATES, P.C. (VHHA) DURING SITE VISITS IN FEBRUARY, MARCH AND AUGUST 2012, AND ARE SUBJECT TO VERIFICATION BY THE NJDEP.
- 3) THE WETLAND TRANSITION AREA BOUNDARIES SHOWN HEREON ARE SUBJECT TO VERIFICATION BY THE NJDEP.
- 4) TOPOGRAPHY AND PHYSICAL FEATURES SHOWN HEREON PROVIDED BY PRINCETON UNIVERSITY.
- 5) THE PROPERTY BOUNDARY SHOWN HEREON TAKEN FROM REFERENCE PLAN.
- 6) THIS PLAN HAS BEEN PREPARED FOR THE SOLE PURPOSE OF DEPICTING THE FRESHWATER WETLAND STATE OPEN WATER BOUNDARIES ON BLOCK 3, LOT 3, WEST WINDSOR TWP.
- 7) THIS PLAN HAS BEEN PREPARED IN A MANNER CONSISTENT WITH OR EXCEEDING THE LEVEL OF CARE AND SKILL ORDINARILY EXERCISED BY MEMBERS OF THE PROFESSION CURRENTLY PRACTICING UNDER SIMILAR CONDITIONS.
- 8) IF THIS PLAN DOES NOT CONTAIN A RAISED IMPRESSION SEAL OF THE PROFESSIONAL, IT IS NOT AN AUTHORIZED ORIGINAL DOCUMENT AND MAY HAVE BEEN ALTERED.
- 9) HORIZONTAL DATUM IS N.A.D. 1983; VERTICAL DATUM IN N.A.V.D. 1988.
- 10) LOCATIONS OF DATA POINTS SHOWN HEREON ESTABLISHED BY VHHA WITH A HAND HELD GPS GARMIN 60CSX NAVIGATION SYSTEM ON MAY 18, 2012.

LEGEND

• BOLLARD	✕ FIRE HYDRANT
• WOOD POST	✕ WATER VALVE
• RILET	✕ GAS VALVE
• SIGN POST	✕ LIGHT POST
• UTILITY MANHOLE	✕ UTILITY POST
• STORM MANHOLE	✕ MONITORING WELL
• SANITARY MANHOLE	• BLOC. BOLL./ELEC. PANEL
• SANITARY MANHOLE	• CLEANOUT
• TELEPHONE MANHOLE	
• BOLLARD PIPE LINE MARKER	

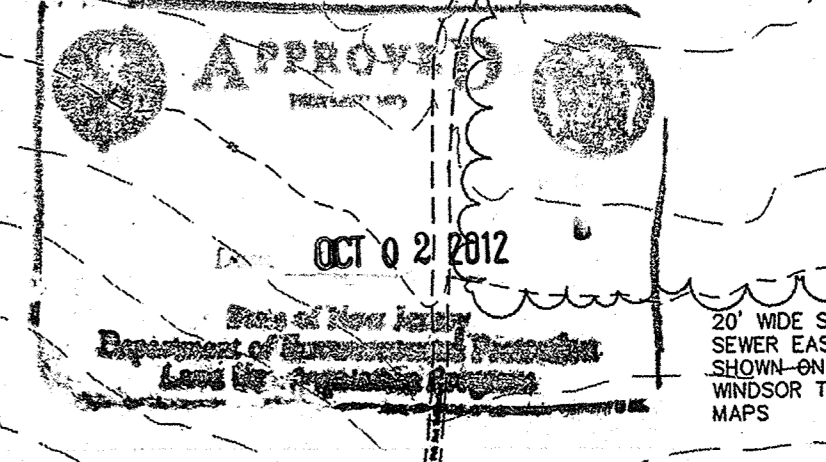
— APPROXIMATE EDGE OF WOODS / HIGH BRUSH
 - - - APPROXIMATE LOCATION / OVERHEAD WIRES

WEST WINDSOR TOWNSHIP TAX MAP REFERENCE

SHEET No. 1.02
 BLOCK No. 3
 P.O. LOT Nos. 1, 2 & 3

GRAPHIC SCALE

(IN FEET)
 1 inch = 100 ft.



KENNETH R. RAIKE
 N.J. PROFESSIONAL LAND SURVEYOR
 LICENSE NO. 36753

DATE OF SIGN: 9/10/12

van note - harvey associates, p.c.
 consulting engineers, planners & land surveyors

777 Alexander Road Princeton, NJ 08540
 1600 Broadway, Ste. 203 Westfield, NJ 07093
 59 East Mill Rd. (Rt.24) Long Valley, NJ 07633
 211 North Main Street Cape May Court House, NJ 08210

PLAN SHOWING FRESHWATER WETLANDS & STATE OPEN WATER

OVER
 BLOCK 3, LOT 3
 OF PROPERTY OF PRINCETON UNIVERSITY
 SITUATED IN MERCER CO., N.J.

SCALE 1" = 100'
 MAY 18, 2012

DRAWN BY:	FIELD BK:	ORDER No.:	FILE No.:	SHEET No.:
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