

DEPARTMENT OF THE ARMY PERMIT

Permittee: City of Bayonne
630 Avenue C
Bayonne, New Jersey 07002
(908) 675-0638

Permit Number: NAN-2020-00580

Date Issued: _____

Issuing Office: U.S. Army Corps of Engineers, New York District

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:

The following activities are authorized by this permit for the construction and installation of a new public ferry terminal at the Peninsula at Bayonne Harbor:

Ferry Terminal: Construct and install a public ferry terminal consisting of a 30-foot wide by 90-foot long floating barge retained by four 36-inch diameter steel pipe piles, and an associated 10-foot wide by 84-foot long aluminum access way.

Additional authorized activities include the installation of eight 24-inch diameter steel monopiles within the terminal mooring area to accommodate three ferry vessels.

All work shall be performed in accordance with the attached drawings and special conditions (A) through (N) which are hereby made part of this permit, and the New Jersey Department of Environmental Protection Permit Number 0901-07-0003.4 LUP200001, dated October 6, 2020, incorporating the Coastal Zone Management Concurrence, which is hereby made a part of this permit.

Project Location: IN: Upper New York Harbor

AT: City of Bayonne, Hudson County, New Jersey

Permit Conditions:

General Conditions:

1. The time limit for completing the work authorized ends on _____ . If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
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 4 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 discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this 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.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. 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 permit.

Special Conditions

- A. 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.**

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- B. The permittee and their designated contractors shall be responsible for, and shall comply with, all the conditions and stipulations contained within the attached New Jersey Department of Environmental Protection Permit Number 0901-07-0003.4 LUP200001, dated October 6, 2020, and all amendments thereto.**
- C. The permittee and their designated contractors shall maintain a copy of this permit on all waterborne vessels engaged in the authorized activities.**
- D. The permittee shall ensure that any vessels used in conjunction with the project must comply with the Port of New York anchorage ground regulations codified in Title 33 Code of Federal Regulations Section 110.155, including paragraph (1) (11) regarding vessels that impede or obstruct vessel movements;**
- E. The permittee shall submit the following items 1 through 12, to the First Coast Guard District for publication in the Local Notice to Mariners at LNM@uscg.mil or faxed to (617) 223-8291, a minimum of fourteen days before implementing the activities authorized by this permit:**
 - i. Date of submission;**
 - ii. Name, phone number, and email address of project point of contact;**
 - iii. Company Name;**
 - iv. Type of Work;**
 - v. Waterway and location where work will be done;**
 - vi. Latitude & Longitude of work area (Degrees, Minutes, Thousandths of seconds);**
 - vii. Work Start & Stop dates and Hours of Operation;**
 - viii. Equipment on scene;**
 - ix. Passing Arrangements/Time to move vessels to not impede navigation;**
 - x. VHF Radio Channel monitored;**
 - xi. Disposal Site (if used); and**
 - xii. NOAA Chart Number for the area.**
- F. The permittee is advised that ferry operations on the East River will be restricted during enforcement of the United Nations and Wall Street Heliport Security Zones. These regulations are codified at 33 CFR Part 165.164.**
- G. The permittee shall contact the Bayonne Golf Club at golfshop@bayonnegolfclub.com or (201) 823-4800, ext. 0, to determine if this proposed new ferry service will impacted by USCG-permitted Private Aids to Navigation (PATON) marking ferry access to the golf club. The ferry channel displayed on the applicant's Location Map appears to differ from the PATON locations marking the golf club ferry route displayed on NOAA Chart 12334 (NEW YORK HARBOR – Upper Bay and Narrows Anchorage Chart).**
- H. The permittee shall notify the National Oceanic and Atmospheric Administration of the**

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project completion and specifications so they may initiate the appropriate chart and Coast Pilot corrections. This must be submitted online at <https://nauticalcharts.noaa.gov/charts/docs/charts-updates/Permit-Public-Notice.pdf> and include a copy of the USACE office.

- I. The permittee shall ensure any current, or future, outdoor lighting is located or shielded so that it is not confused with any aids to navigation and does not interfere with navigation on the adjacent waterway. If installed, the lights must be white and non-flashing.
- J. The permittee shall contact Coast Guard Sector New York's Maritime Transportation Security Act staff at (718) 354-4244 to determine if any security requirements are necessary for the ferry terminal.
- K. The permittee shall contact Coast Guard Sector New York's Chief of Inspections Division (CID) at (718) 354-4222 to determine if the barge being used as a ferry landing requires Coast Guard inspection.
- L. The permittee shall ensure all pile driving activities authorized by this permit are prohibited from January 15 to June 30 of any calendar year to ensure minimal adverse impacts to winter flounder early life stages, and anadromous fish. Turbidity curtains shall be installed during construction and installation activities to minimize impacts to the waterway.
- M. The permittee shall ensure that all waterborne equipment and watercraft remain floating at all stages of the tide.
- N. The permittee shall implement Best Management Practices to minimize turbidity impacts to the waterway and ensure that no construction materials or debris enter the waterway.

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. Code 403).

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

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization:

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

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

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

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability: In issuing this 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 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 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.

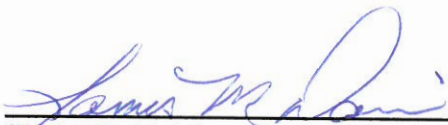
Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance 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

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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.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.




(PERMITTEE)
City of Bayonne
James M. Davis, Mayor

6-3-21

(DATE)

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



(DISTRICT ENGINEER)
FOR AND IN BEHALF OF
Matthew W. Luzzatto
Colonel, U.S. Army
District Engineer

(DATE)

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. A copy of the permit signed by the transferee should be sent to this office.

(TRANSFEE)

(DATE)

PROPOSED FERRY TERMINAL PENINSULA AT BAYONNE HARBOR

TAA #PJ-0023

PORTIONS OF BLOCK 930, LOT 1 & BLOCK 970, LOT 1 CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY



LOCATION PLAN

NOTICE TO CONTRACTOR

"ATTENTION OF THE CONTRACTOR IS DIRECTED TO THE FACT THAT THE APPROXIMATE LOCATIONS OF KNOWN UTILITY STRUCTURES AND FACILITIES THAT MAY BE ENCOUNTERED WITHIN AND ADJACENT TO THE LIMITS OF THE WORK ARE SHOWN ON THE PLANS. THE ACCURACY AND COMPLETENESS OF THIS INFORMATION IS NOT GUARANTEED BY THE ENGINEER, AND THE CONTRACTOR IS ADVISED TO VERIFY IN THE FIELD ALL THE FACTS CONCERNING THE LOCATIONS OF THESE UTILITIES PRIOR TO CONSTRUCTION." THE CONTRACTOR SHALL CONTACT NEW JERSEY ONE CALL (1-800-272-1000 OR LATEST NUMBER) PRIOR TO START OF CONSTRUCTION FOR UTILITY MARKOUT.

UTILITY CONTACTS

CABLE
CABLEVISION
DENNIS HANEY
159 WINDERMERE AVENUE
GREENWOOD LAKE, NY
PHONE: 845-395-0244

ELECTRIC
PSE&G
JAMES LIZER
325 COUNTY AVENUE
SECAUCUS, NJ 07094
PHONE: 201-330-6582

SEWER & WATER
BAYONNE MUNICIPAL UTILITIES
AUTHORITY
TIM BOYLE, EXECUTIVE DIRECTOR
630 AVENUE C
BAYONNE, NJ 07002
PHONE: 201-339-3200

TELEPHONE
VERIZON
SANDRA ROWE
114 PATERSON STREET, FLOOR 3
PATERSON, NJ 07501
PHONE: 973-925-1480

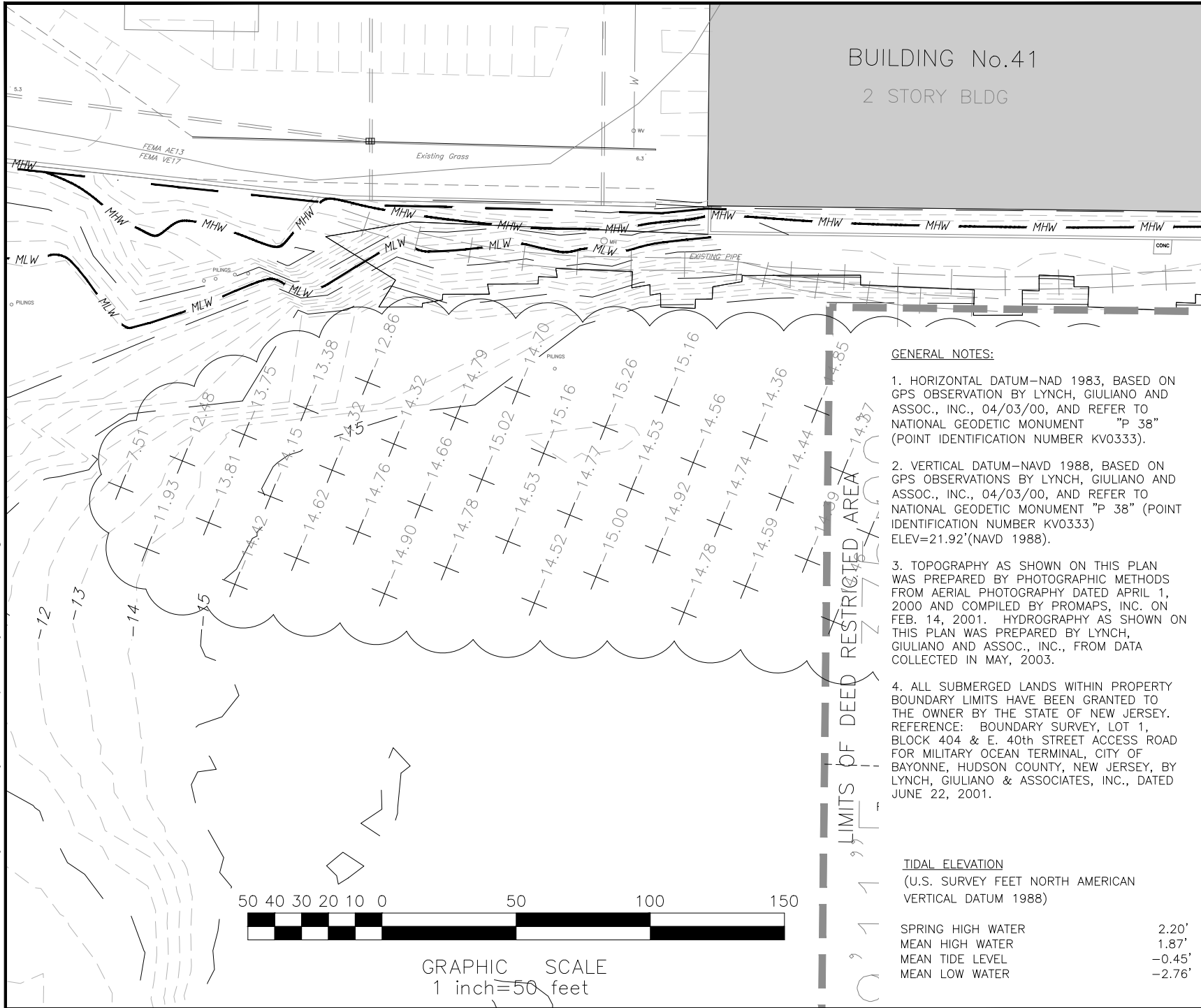
INDEX OF SHEETS

No.	Description
1.	TITLE SHEET
2.	LOCATION MAP
3.	VICINITY MAP
4.	EXISTING CONDITIONS
5.	SITE PLAN
6.	CONSTRUCTION DETAILS
7.	CONSTRUCTION DETAILS
8.	CONSTRUCTION DETAILS
9.	CONSTRUCTION DETAILS

DESIGNED BY:	REVIEWED BY:	RELEASED BY:	NO.	DESCRIPTION	DATE	BY	REL.
MATRIXNEWORLD <i>Engineering Program</i> Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C. 1812 State Route 35, Shorewood Essex, New Jersey 07741 Tel: 973-265-2900 Fax: 973-265-1818 www.matrixnewworld.com NEW JERSEY CERTIFICATE OF AUTHORIZATION No. Z46A279220							
ANDREW W. RAICHLER, P.E. NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. GE 41689 DATE _____							
TITLE SHEET PROPOSED FERRY TERMINAL PENINSULA AT BAYONNE HARBOR TAA #PJ-0023 SITUATED IN CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY							
PROJECT NUMBER: 13-454-23							
DATE: 2/7/2019							
SCALE: AS SHOWN							
SHEET 1 OF 10							

Plotted: 6/24/2020 1:47 PM, By: Brian Kenney
 © MATRIXNEWORLD\F:\2013\13-454-Bayonne\13-454-23 - ferry terminal\DWG\Title Sheet.dwg\6.5x11

Plotted: 6/24/2020 2:00 PM, By: Brian Kenney
 © MATRIXNEWORLD\F:2013113-454-bayonne\13-454-23 - ferry terminal\DWG\SuspendedFerry Permit Plain ACOE.dwg\EXIST COND 8.5X11



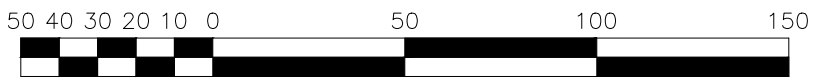
BUILDING No.41
 2 STORY BLDG

GENERAL NOTES:


1. HORIZONTAL DATUM—NAD 1983, BASED ON GPS OBSERVATION BY LYNCH, GIULIANO AND ASSOC., INC., 04/03/00, AND REFER TO NATIONAL GEODETIC MONUMENT "P 38" (POINT IDENTIFICATION NUMBER KV0333).
2. VERTICAL DATUM—NAVD 1988, BASED ON GPS OBSERVATIONS BY LYNCH, GIULIANO AND ASSOC., INC., 04/03/00, AND REFER TO NATIONAL GEODETIC MONUMENT "P 38" (POINT IDENTIFICATION NUMBER KV0333) ELEV=21.92'(NAVD 1988).
3. TOPOGRAPHY AS SHOWN ON THIS PLAN WAS PREPARED BY PHOTOGRAPHIC METHODS FROM AERIAL PHOTOGRAPHY DATED APRIL 1, 2000 AND COMPILED BY PROMAPS, INC. ON FEB. 14, 2001. HYDROGRAPHY AS SHOWN ON THIS PLAN WAS PREPARED BY LYNCH, GIULIANO AND ASSOC., INC., FROM DATA COLLECTED IN MAY, 2003.
4. ALL SUBMERGED LANDS WITHIN PROPERTY BOUNDARY LIMITS HAVE BEEN GRANTED TO THE OWNER BY THE STATE OF NEW JERSEY. REFERENCE: BOUNDARY SURVEY, LOT 1, BLOCK 404 & E. 40th STREET ACCESS ROAD FOR MILITARY OCEAN TERMINAL, CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY, BY LYNCH, GIULIANO & ASSOCIATES, INC., DATED JUNE 22, 2001.

TIDAL ELEVATION
 (U.S. SURVEY FEET NORTH AMERICAN
 VERTICAL DATUM 1988)

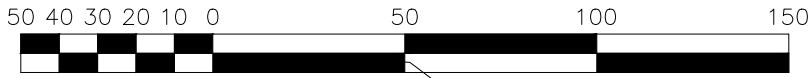
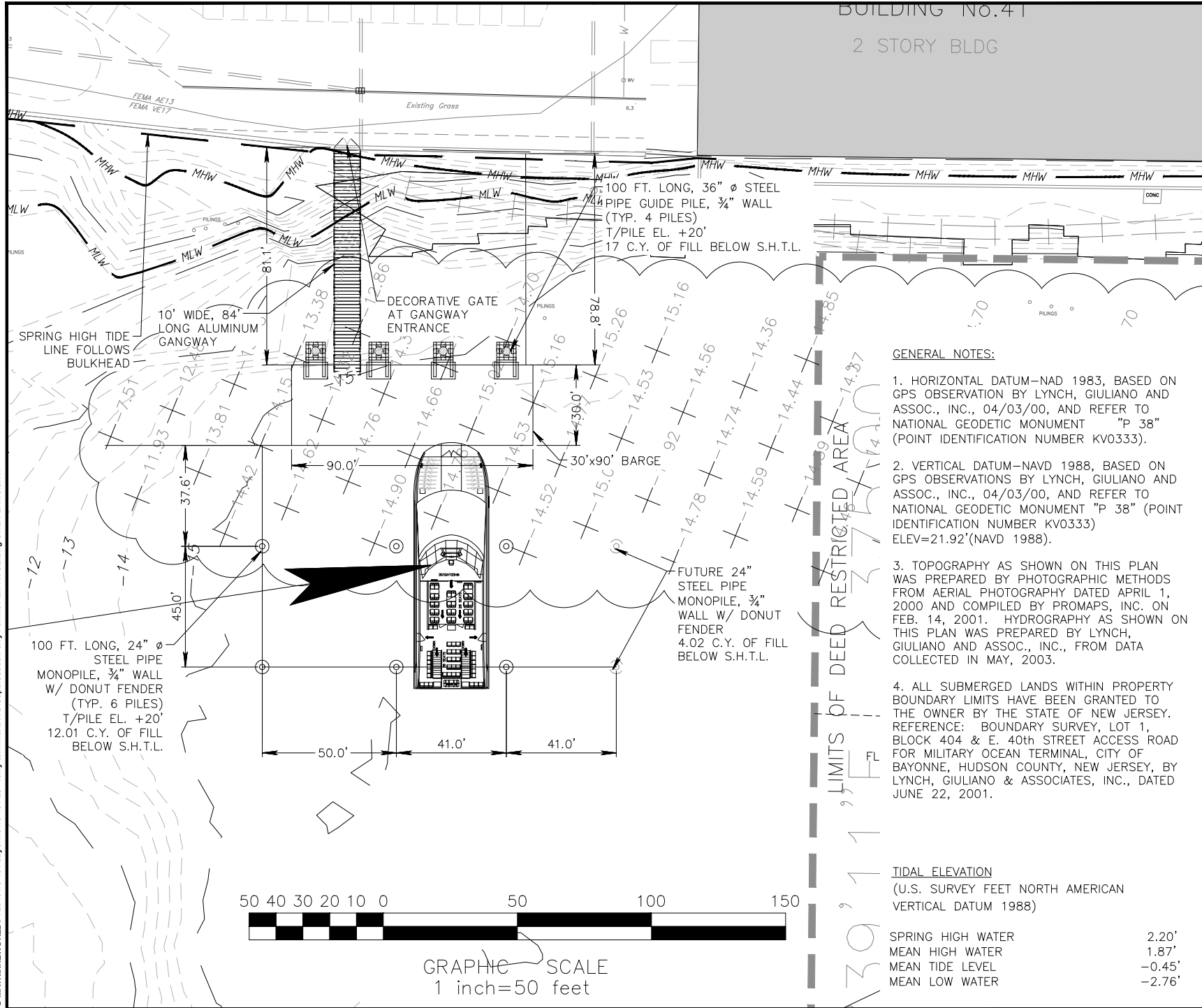
SPRING HIGH WATER	2.20'
MEAN HIGH WATER	1.87'
MEAN TIDE LEVEL	-0.45'
MEAN LOW WATER	-2.76'



GRAPHIC SCALE
 1 inch=50 feet

DESIGNED BY: ANDREW W. RAICHLÉ, P.E. NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. GE 41889		REVIEWED BY:		RELEASED BY:	
DATE:		DATE:		DATE:	
NO.		DESCRIPTION		REVISIONS	
BY: REL.		DATE:		BY: REL.	
DATE		DATE		DATE	
MATRIXNEWORLD Engineering Progress Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C. 442 State Route 35, Second Floor Eatontown, New Jersey 07724 WBE / DBE / SBE NEW JERSEY CERTIFICATE OF AUTHORIZATION No. 24GA0796200		ANDREW W. RAICHLÉ, P.E. NEW JERSEY PROFESSIONAL ENGINEER LICENSE NO. GE 41889 		EXISTING CONDITIONS PROPOSED FERRY TERMINAL PENINSULA AT BAYONNE HARBOR TAA #PJ-0023 ATTACHED IN CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY	
PROJECT NUMBER: 13-454-23					
DATE: 2/7/2019					
SCALE: 1"=50'					
SHEET 4 OF 10					

Plotted: 6/24/2020 2:06 PM, By: Brian Kenney
 © MATRIXNEWORLD\F:2013113-454-bayonne\13-454-23 - ferry terminal\DWG\Supersedes\Ferry Permit Plain ACOE.dwg\SITE PLAN 8.5X11



GRAPHIC SCALE
 1 inch=50 feet

BUILDING NO. 41
 2 STORY BLDG

GENERAL NOTES:

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- ALL SUBMERGED LANDS WITHIN PROPERTY BOUNDARY LIMITS HAVE BEEN GRANTED TO THE OWNER BY THE STATE OF NEW JERSEY. REFERENCE: BOUNDARY SURVEY, LOT 1, BLOCK 404 & E. 40th STREET ACCESS ROAD FOR MILITARY OCEAN TERMINAL, CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY, BY LYNCH, GIULIANO & ASSOCIATES, INC., DATED JUNE 22, 2001.

TIDAL ELEVATION
 (U.S. SURVEY FEET NORTH AMERICAN VERTICAL DATUM 1988)

SPRING HIGH WATER	2.20'
MEAN HIGH WATER	1.87'
MEAN TIDE LEVEL	-0.45'
MEAN LOW WATER	-2.76'

NO.	DESCRIPTION	DATE	BY/REL.

DESIGNED BY: _____
 REVIEWED BY: _____
 RELEASED BY: _____

ANDREW W. RAICHLE, P.E.
 NEW JERSEY PROFESSIONAL ENGINEER
 LICENSE NO. GE 41889

AWR

DATE: _____

MATRIXNEWORLD
 Engineering Progress

Matrix New World Engineering, Land Surveying and Landscape Architecture, P.C.
 442 State Route 35, Second Floor
 Eatontown, New Jersey 07724
 WBE / DBE / SBE

Tel: 732-588-2939
 Fax: 732-240-1818
 www.matrixnewworld.com

NEW JERSEY CERTIFICATE OF AUTHORIZATION No. 24GA0796200

FERRY PLAN

**PROPOSED FERRY TERMINAL
 PENINSULA AT BAYONNE HARBOR
 TAA #PJ-0023**

ATTACHED IN
 CITY OF BAYONNE, HUDSON COUNTY,
 NEW JERSEY

PROJECT NUMBER: 13-454-23

DATE: 2/7/2019

SCALE: 1"=50'

SHEET 5 OF 10



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND RESOURCE PROTECTION
 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 10/6/2020
		Expiration Date 10/5/2025
Permit Number(s): 0901-07-0003.4 LUP200001	Type of Approval(s): WFD IP-Commercial/Industrial/Public (Waterward) Water Quality Certificate	Governing Rule(s): N.J.A.C. 7:7-1.1(a)
Permittee: City of Bayonne 830 Avenue C Bayonne, NJ 07002	Site Location: Port Terminal Boulevard Block(s) & Lot(s): [970, 1] Municipality: Bayonne City County: Hudson	
Description of Authorized Activities: <p>This document authorizes the construction of a Ferry Terminal. Components will consist of 10' wide by 84' long aluminum gangway leading to a 153.4' long by 43.3' wide floating dock. The dock will be secured in place with 4, 36" steel pipe piles. Eight, 24" steel pipe monopiles with donut fenders will also be installed to delineate ferry mooring areas. This permit does not authorize any dredging.</p> <p>This authorization includes the issuance of a Water Quality Certificate pursuant to Section 401 of the federal Water Pollution Control Act (33 USC 1251 et seq.).</p>		
Prepared by: Gary Nickerson	Received and/or Recorded by County Clerk:	
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.		
This permit is not valid unless authorizing signature appears on the last page.		

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. 7:7-2.1

SPECIAL CONDITIONS:

1. **Timing:** Pile driving and any other sediment generating activity is prohibited from **January 1** to **June 30** of any given year, to minimize adverse effects to essential fish habitat and sensitive habitat to State-listed species. This combined timing restricted period consists of the following:

Resource	Prohibited Period
Shortnose & Atlantic Sturgeon	March 1 through June 30
Winter Flounder	January 1 through May 31

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 Division of Land Resource Protection 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; and
 - 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.
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 written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, 401 East State Street, 4th Floor, PO Box 420, Mail Code 401-04C, Trenton, NJ 08625, at least three working days prior to the commencement of regulated activities.

APPROVED PLAN(S):

The drawing hereby approved consists of one (1) drawing prepared by Matrix New World Engineering, dated January 31, 2019, last revised August 11, 2020, and entitled:

“FERRY TERMINAL, PENINSULA AT BAYONNE HARBOR, TAA #PJ-0023, FERRY PERMIT PLAN, SITUATED IN CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY,”
drawing 1 of 1, signed by Andrew W. Raichle on July 2, 2020

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 www.nj.gov/dep/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 www.nj.gov/dep/landuse/forms.html). A person requesting an

adjudicatory hearing shall submit the original hearing request to: NJDEP Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7th Floor, Trenton, NJ 08625-0402. Additionally, a copy of the hearing request shall be submitted to the Director of the Division of Land Resource Protection 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 the Division of Land Resource Protection's Technical Support Call Center at (609) 777-0454.

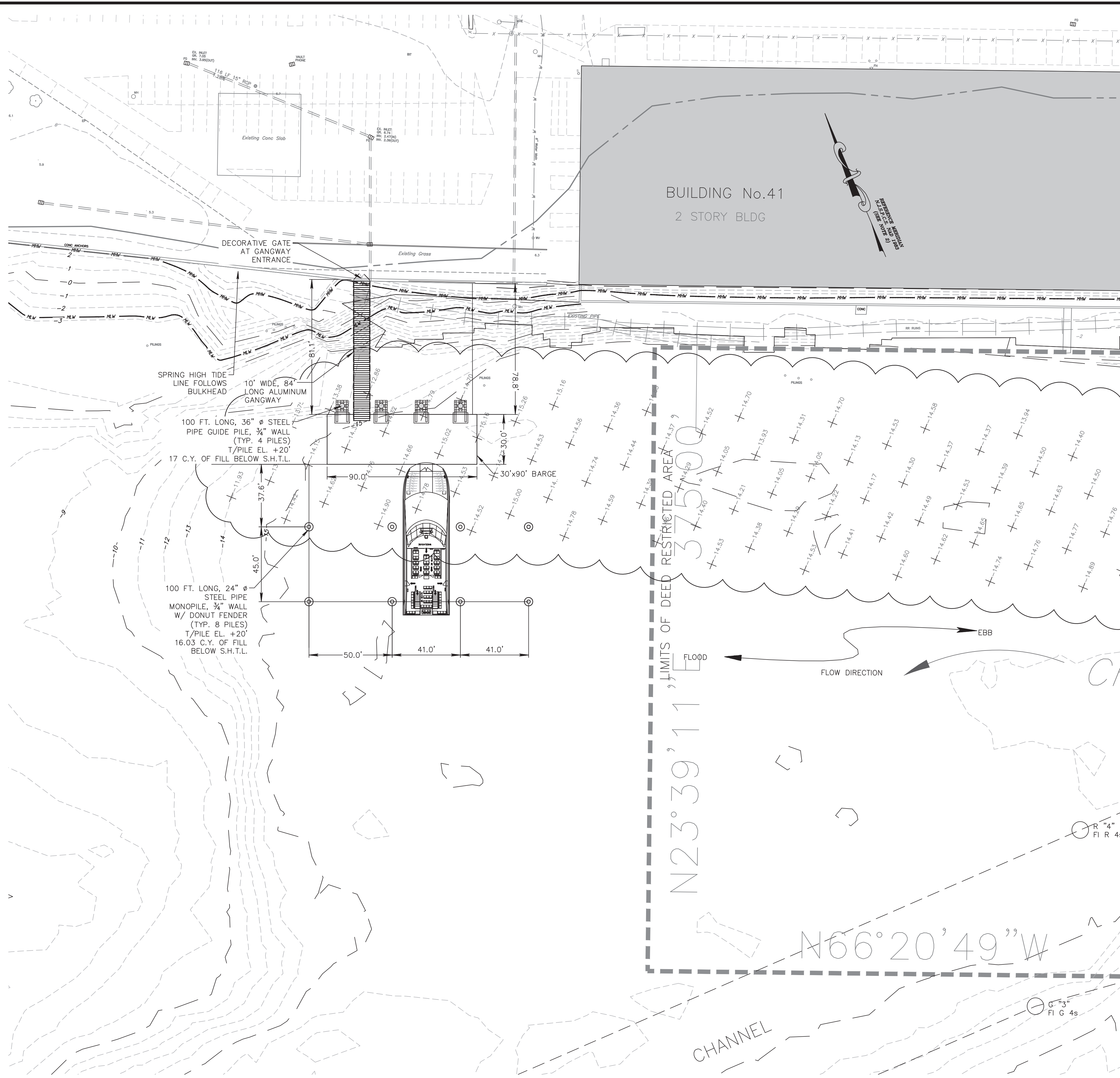
Approved By:

 Digitally signed by Suzanne Biggins
Date: 2020.10.06 08:44:00 -04'00'

Suzanne Biggins
Supervising Environmental Specialist
Division of Land Resource Protection

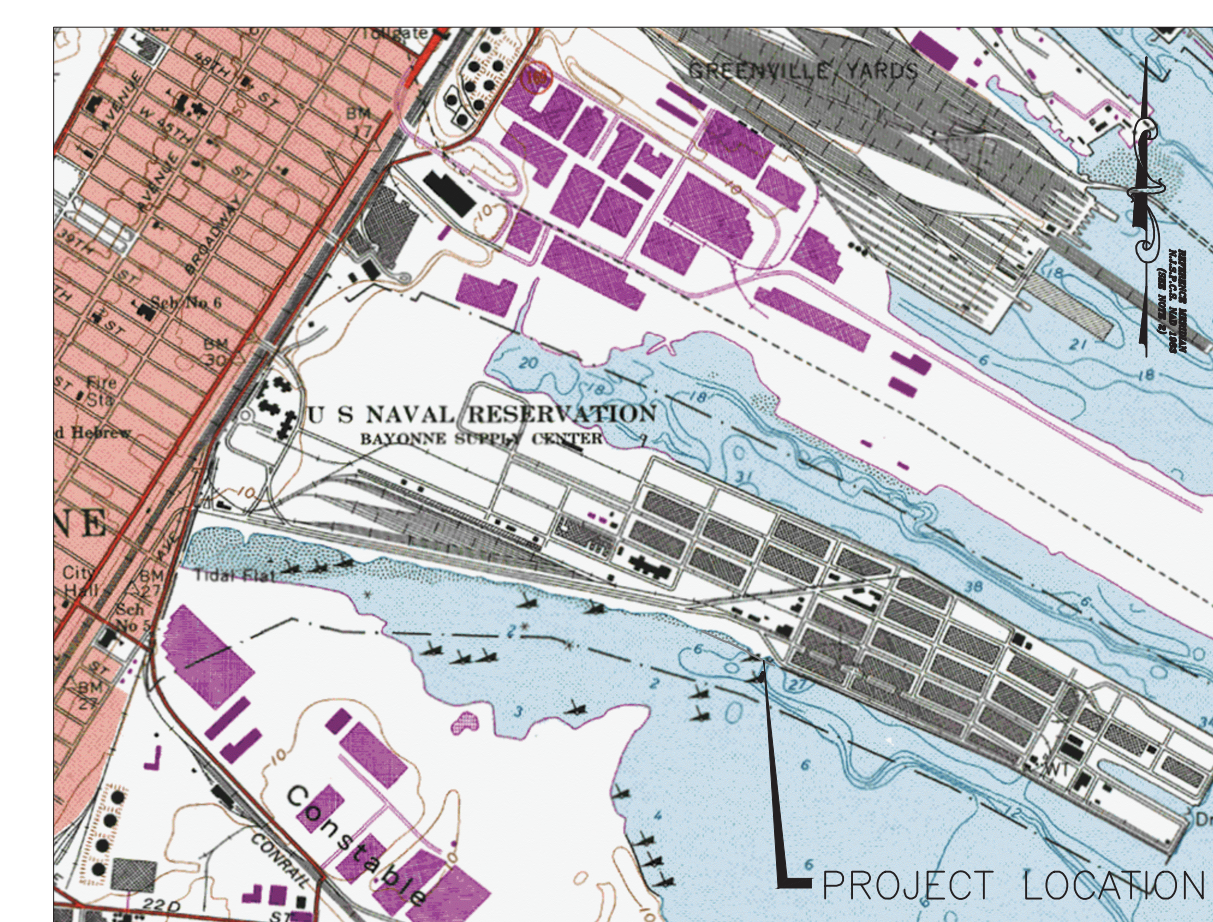
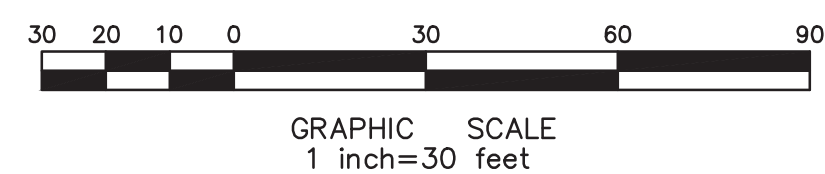
c: Municipal Clerk, Bayonne City
Municipal Construction Official, Bayonne City
Agent (original) – Donna McCormack

Plotted: 9/28/2020, 4:06 PM, By: Brian Kenney
 © MATRIXNEWORLD 2013/13-454 Bayonne13-454 Bayonne13-454-23 - Ferry Terminal/DWGS/Superseded/Ferry Permit Plan DEP.dwg(30x42 (2))



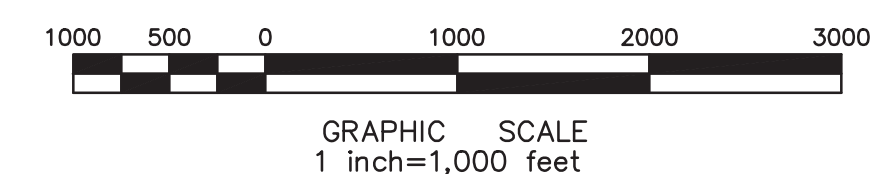
FERRY TERMINAL PLAN

SCALE: 1" = 30'



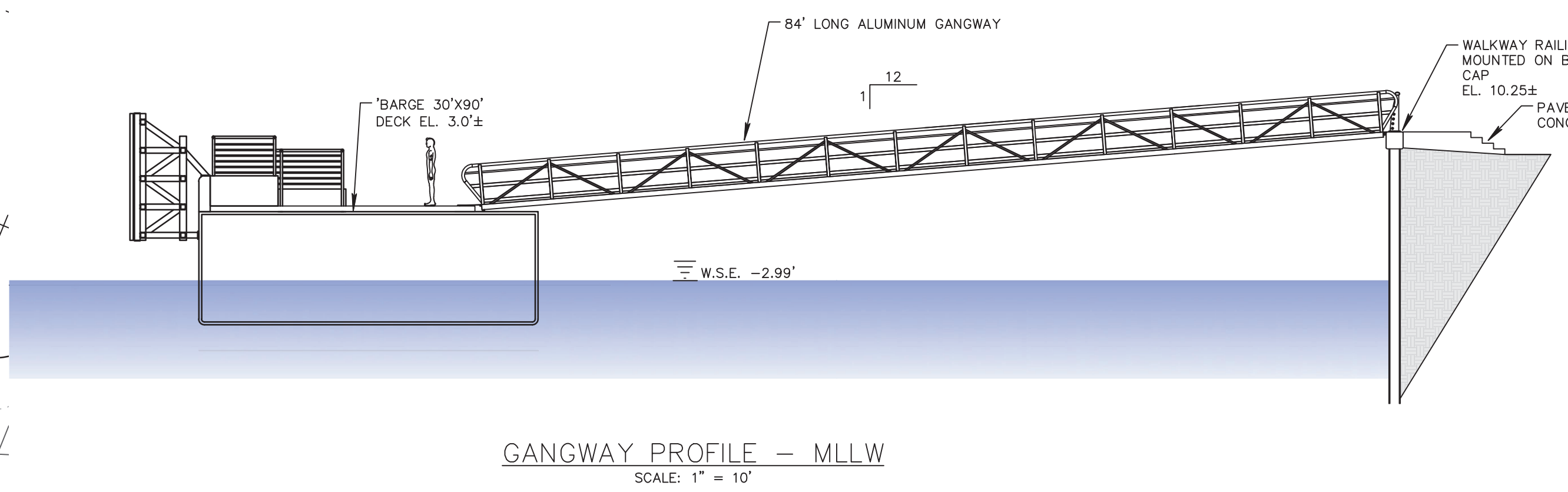
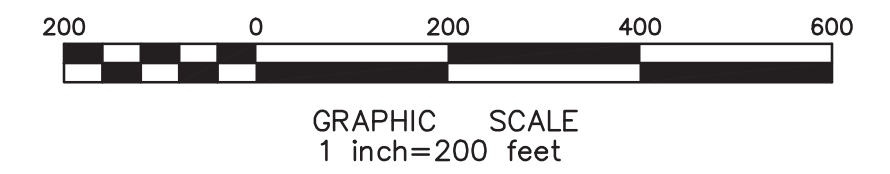
LOCATION MAP

SCALE: 1" = 2000'



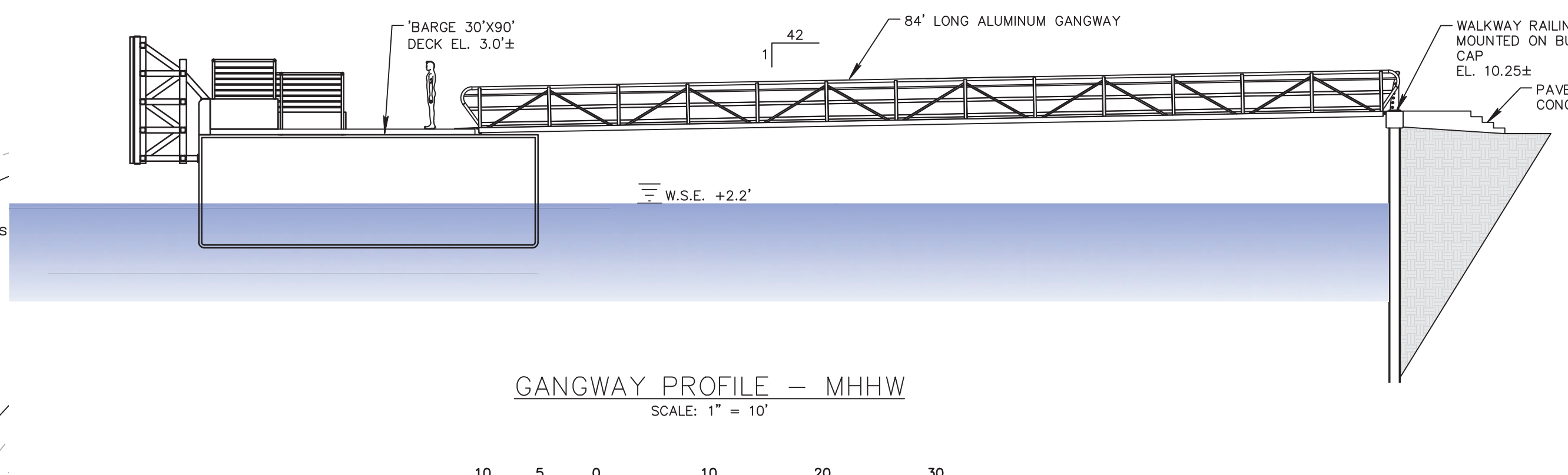
VICINITY MAP

SCALE: 1" = 200'



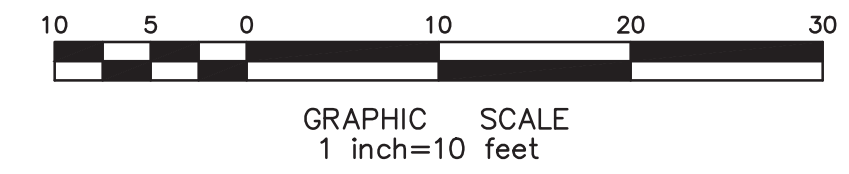
GANGWAY PROFILE - MLLW

SCALE: 1" = 10'



GANGWAY PROFILE - MHHW

SCALE: 1" = 10'



- GENERAL NOTES:
- HORIZONTAL DATUM-NAD 1983, BASED ON GPS OBSERVATION BY LYNCH, GIULIANO AND ASSOC., INC., 04/03/00, AND REFER TO NATIONAL GEODETIC MONUMENT "P 38" (POINT IDENTIFICATION NUMBER KV0333).
 - VERTICAL DATUM-NAVD 1988, BASED ON GPS OBSERVATIONS BY LYNCH, GIULIANO AND ASSOC., INC., 04/03/00, AND REFER TO NATIONAL GEODETIC MONUMENT "P 38" (POINT IDENTIFICATION NUMBER KV0333) ELEV=-21.92'(NAVD 1988).
 - TOPOGRAPHY AS SHOWN ON THIS PLAN WAS PREPARED BY PHOTOGRAPHIC METHODS FROM AERIAL PHOTOGRAPHY DATED APRIL 1, 2000 AND COMPILED BY PROMAPS, INC. ON FEB. 14, 2001. HYDROGRAPHY AS SHOWN ON THIS PLAN WAS PREPARED BY LYNCH, GIULIANO AND ASSOC., INC., FROM DATA COLLECTED IN MAY, 2003.
 - ALL SUBMERGED LANDS WITHIN PROPERTY BOUNDARY LIMITS HAVE BEEN GRANTED TO THE OWNER BY THE STATE OF NEW JERSEY, REFERENCE: BOUNDARY SURVEY, LOT 1, BLOCK 404 & E 40th STREET ACCESS ROAD FOR MILITARY OCEAN TERMINAL, CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY, BY LYNCH, GIULIANO & ASSOCIATES, INC., DATED JUNE 22, 2001.

TIDAL ELEVATION
(U.S. SURVEY FEET NORTH AMERICAN
VERTICAL DATUM 1988)

MEAN HIGH HIGH WATER	2.20'
MEAN HIGH WATER	1.87'
MEAN TIDE LEVEL	-0.45'
MEAN LOW WATER	-2.76'
MEAN LOWER LOW WATER	-2.99'

APPROVED


File No.: 0901-07-0003.1

Activity No.: LUP200001

Date: 10/06/2020

State of New Jersey
Department of Environmental Protection
Division of Land Use & Regulation

DESIGNED BY:		REVIEWED BY:		RELEASED BY:		NO.	DATE	DESCRPTION	REV.
NO.	AWR	NO.	AWR	NO.	AWR				

ANDREW W. RAICHEL, P.E.
 NEW JERSEY PROFESSIONAL ENGINEER
 LICENSE NO. 24GEM188900

 DATE: 7/2/20

MATRIXNEWORLD
 Engineering Progress
 Matrix New World Engineering, Land Surveying
 449 State Route 35, Second Floor
 Eatontown, New Jersey 07724
 WBE / DBE / SBE
 WWW.MATRIXNEWORLD.COM
 NEW JERSEY CERTIFICATE OF AUTHORIZATION No. 24GA07982300

FERRY PERMIT PLAN
FERRY TERMINAL
PENINSULA AT BAYONNE HARBOR
TAA #PJ-0023
 SITUATED IN
 CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY

PROJECT NUMBER: 13-454-23
 DATE: 1/31/19
 SCALE: AS SHOWN
 DWG. NO.: 1 1