



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation

Mail Code 501-02A, P. O. Box 420

Fax # (609) 777-3656

www.state.nj.us/dep/landuse

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Governor

KIM GUADAGNO
Lt. Governor

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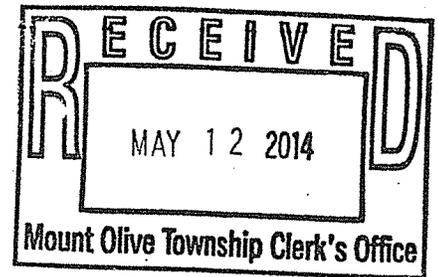
5/12/14 done of Sec. Admin Plan. Eng.

(c)

Fratelli Beretta USA
Simone Bocchini
40 Broad Street
Carlstadt, NJ 07072

MAY 05 2014

RE: Letter of Interpretation: Presence/Absence Determination
File No.: 1427-14-0001.1
Activity Number: FWW140001
Applicant: FRATELLI BERETTA USA
Block(s) and Lot(s): [102, 11 CON4]
Mount Olive Twp, Morris County



Dear Simone Bocchini:

This letter is in response to your request for a Letter of Interpretation from the Division of Land Use Regulation indicating the presence or absence of 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 retains 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 site inspections conducted by the Department on March 21 and March 31, 2014, the Division of Land Use Regulation has determined that **freshwater wetlands and their associated transition areas are present** on and adjacent to the referenced property. The wetlands are generally located within the wooded areas on the property.

Wetlands Resource Value Classification ("RVC")

Intermediate: All wetlands on the property. [50 foot wetland buffer]

RVC may affect requirements for wetland and/or transition area permitting. Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing Freshwater Wetlands Protection Act rules at N.J.A.C. 7:7A-1 et seq. for additional information.

General Information

Wetlands resource value classification is based on the best information available to the Department. The classification is subject to reevaluation at any time if additional or updated information is made available, including, but not limited to, information supplied by the applicant. For exceptional resource value wetland reclassification requests, refer to N.J.A.C. 7:7A-2.4(c).

Regulated activities proposed within a wetland, wetland transition area or water area, as defined by N.J.A.C. 7:7A-2.2 and 2.6 of the Freshwater Wetlands Protection Act rules, require a permit from this office unless specifically exempted at N.J.A.C. 7:7A-2.8. Pursuant to the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A), you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter. The approved plan and supporting jurisdictional limit information are now part of the Division's public records.

This letter in no way legalizes any fill which may have been placed, or other regulated activities which may have occurred on-site. This determination of jurisdiction extent or presence does not make a finding that wetlands or water areas are "isolated" or part of a surface water tributary system unless specifically stated. Furthermore, obtaining this determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

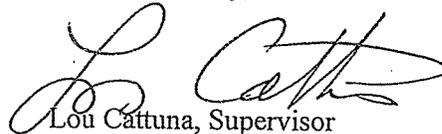
It should be noted that, at the time of issuance for this LOI-P/A determination, there is a pending Freshwater Wetland General Permit 6 to fill said wetlands on this property.

Appeal Process

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 which can be downloaded at www.state.nj.us/dep/landuse/forms. The DEP bulletin is available through the Department's website at www.state.nj.us/dep/bulletin.

Please contact Sue Michniewski of our staff by e-mail at Susan.Michniewski@dep.state.nj.us or (609) 777-1726 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,



Lou Cattuna, Supervisor
Division of Land Use Regulation

c: Mount Olive Township Clerk
Mount Olive Township Construction Official
Agent