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cc: Adm
(Frank W. Gs.)
by lcpj - (MHP)

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Coastal and Land Use Compliance and Enforcement
Chester Office
100 North Road
Chester, New Jersey 07930
Telephone: (908) 879-3769 Fax: (908) 879-6797

MARK N. MAURIELLO
Acting Commissioner

JON S. CORZINE
Governor

March 9, 2009



CERTIFIED MAIL/RRR
7007 0220 0002 1039 7352

Julio Santiago & Wendy Canarte
5 Natures Court
Flanders, New Jersey 07836

Re: Notice of Violation
EA ID#: PEA0900001 - 1427-08-0009.1
5 Natures Court, Block 7100, Lot 53.12
Township of Mount Olive, Morris County

Dear Mr. Santiago & Ms. Canarte:

On December 10, 2008, a Representative of the Department's Bureau of Coastal and Land Use Compliance and Enforcement ("Bureau") conducted an inspection of the above referenced property. The inspection revealed that unauthorized activities regulated pursuant to the Flood Hazard Area Control Act (N.J.S.A. 58:16A-1 et seq.) ("FHACA") and the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) ("FWPA") have occurred at the property. Specifically, the clearing of tree and shrub vegetation was observed within approximately 1,800 square feet of a freshwater wetland transition area and the 300' riparian buffer associated with Turkey Brook, a category-one, trout production watercourse.

In accordance with the Regulations implementing the FHACA and FWPA, the above described activities are prohibited and/or regulated in areas within the jurisdiction of the FHACA and FWPA. Additionally, penalties of up to \$25,000 per day can be assessed for conducting unauthorized, State regulated activities, as described above, without the necessary permit authorization from the Department's Division of Land Use Regulation ("DLUR").

No regulated activities such as, but not limited to, the clearing of vegetation, dumping, placing, or filling with any material, disturbance of soil, and/or the placement of structures should be further conducted within flood hazard areas, State open waters, freshwater wetlands and/or freshwater wetland transition area buffers without prior permit authorization from DLUR. In order to correct this disturbance, you are required to stabilize any exposed soil with an annual rye seed mixture, then cover with straw or salt hay, and install indigenous tree and shrub plantings throughout the disturbed area. Provided you implement the aforementioned corrective actions, the Bureau will not pursue additional enforcement action. Please be advised that the Bureau will continue to monitor the site to assure compliance with the FHACA and the FWPA.

Should you have further questions or concerns regarding this matter, please contact David Sumba of my staff at the address or telephone number atop this correspondence.

Sincerely,



Armand Perez, Acting Region Supervisor
Bureau of Coastal and Land Use Compliance and Enforcement

C: Lisa Lashway, Municipal Clerk, Township of Mount Olive, Via Facsimile
Frank Wilpert Jr., Zoning Official, Township of Mount Olive, Via Facsimile
Bureau File