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JON S. CORZINE
Governor

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Natural and Historic Resources
Office of Engineering & Construction



LISA P. JACKSON
Commissioner

MAY 22 2008

Bruce A. Mueller
Mt. Olive Complex Inc.
40 Wolfe Road
Budd Lake, NJ 07828

Re: Morris County YMCA Dam
NJ DEP File No. 25-67

Dear Mr. Mueller:

This letter is in reference to the January 29, 2008 letter and Temporary Breach Plan for a temporary breach of the Morris County YMCA Dam, submitted on your behalf by Christopher S. Adams, P.E., of Civil Dynamics, Inc on your behalf for the Morris County YMCA Dam located in Mt. Olive Township, Morris County.

The proposed breach is intended to lower the permanent water surface elevation of Morris County YMCA Dam on a temporary basis until the structure can be brought into compliance with the New Jersey Dam Safety Standards (N.J.A.C. 7:20).

Based upon a review of the submitted documents, this office grants approval for the 15 foot wide by 8 feet deep cut in the dam structure as proposed provided the following conditions are met:

1. The work shall at all times be subject to supervision and inspection by representatives of the Bureau and no changes in the procedures as described in the submittal shall be made except with written consent of this Bureau. This Bureau, however, reserves the right to require such changes as may be considered necessary in the interest of public safety.
2. All work shall be performed under the direct supervision of a professional engineer, licensed in the state of New Jersey.
3. Construction on the proposed breach of Morris County YMCA Dam must begin within thirty (30) days of the date of this letter and continue until the project is completed in its entirety.

4. A telephone notice shall be provided to this Bureau prior to beginning construction.
5. A completion report must be filed with this section upon completion of the approved work.
6. Notice must be provided to the Bureau upon commencement of the lowering.
7. Notice must be provided to the Bureau upon commencement of cutting into the concrete dam (the breach).
8. All work on the lands encompassed within this approval must be stabilized in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey", so as to prevent eroded soil from entering the waterway at any time during construction.
9. This approval DOES NOT GIVE ANY PROPERTY RIGHTS, in either real or personal property or material, nor any exclusive privileges; neither does it authorize any injury to private property, nor invasion of private rights, nor any infringement of Federal, State or local laws or regulations; nor does it waive the obtaining of Federal or other State or local government consent when necessary.

Although the proposed modification approved by this letter constitutes a modification of the Morris County YMCA Dam, it does not imply that the structure is in full compliance with the Dam Safety Standards. Additional analysis and repairs or modifications will be necessary to satisfy the Dam Safety Standards for the rehabilitation or permanent removal of this structure.

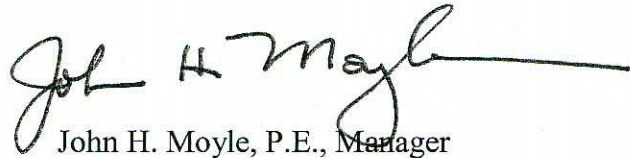
Lowering of the impoundment must be coordinated with the Division of Fish and Wildlife. Please contact the Division of Fish & Wildlife at (908) 236-2118 for a Water Lowering Permit application.

The Mt. Olive Complex Inc., as the owner of this dam, is hereby directed to retain the services of a New Jersey licensed professional engineer experienced in the design and construction of dam to prepare and submit a Dam Repair Permit Application for the permanent removal or rehabilitation of the dam by **December 1, 2008.**

Please note that an application must be filed with this office and a permit issued before any additional repairs or modifications are undertaken.

Should you have any questions regarding this matter, please do not hesitate to contact Jillian M. Lawrence of this office at (609) 984-0859.

Sincerely,

A handwritten signature in black ink that reads "John H. Moyle". The signature is fluid and cursive, with a long horizontal line extending to the right from the end of the name.

John H. Moyle, P.E., Manager
Bureau of Dam Safety and Flood Control

C: Christopher S. Adams, P.E., of Civil Dynamics, Inc.
Mount Olive Township Engineer & Clerk
Morris County Engineering
Lisa Barano, Fish & Wildlife

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