



DEPARTMENT OF THE NAVY
NAVAL WEAPONS STATION EARLE
201 HWY 34
COLTS NECK, NEW JERSEY 07722-5001

IN REPLY REFER TO:
5090
Ser 00/212
7 Sep 11



Bob Martin, Commissioner
State of New Jersey
Department of Environmental Protection
P.O. Box 402
Mail Code 401-07
401 East State Street, 7th Floor
Trenton, NJ 08625-0402

Dear Commissioner Martin:

SUBJECT: AGREEMENT BETWEEN THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND NAVAL WEAPONS STATION EARLE

This letter memorializes discussions between Naval Weapons Station Earle (NWSE) and New Jersey Department of Environmental Protection (NJDEP) staff to facilitate the placement of oysters by NY/NJ Baykeeper (Baykeeper) within the Restricted Area around the NWSE Pier Complex, as defined in 33 CFR 334.102.

NWSE understands that before Baykeeper may proceed with oyster placement, they must receive all necessary permits from NJDEP. NWSE reserves the right to decide whether these oysters may be placed in the area identified by the NJDEP within the Restricted Area. If NWSE determines that oyster placement in the identified area is not feasible, NWSE agrees to promptly notify the NJDEP of its determination.

NWSE confirms that the sites where oysters may be placed within the Restricted Area are patrolled at least sixteen times monthly as part of the routine security surveillance conducted at the Pier Complex. NWSE will promptly notify the NJDEP if surveillance drops below this frequency. NWSE will provide quarterly reports documenting this surveillance per the following schedule: April 15th for the period January thru March of each year; July 15th for the period of April thru June of each year; October 15th for the period of July thru September of each year; and January 15th for the period of October thru December of each year. These reports will be mailed to: NJ Division of Fish and Wildlife, Bureau of Law Enforcement, PO Box 418, Port Republic, NJ 08241.

NWSE agrees to provide to the NJDEP, Division of Fish and Wildlife, Bureau of Law Enforcement, notification of any apprehensions made in their security zone of unauthorized attempts to remove oysters within the Restricted Area. This notification shall be made to the NJDEP, Division of Fish and Wildlife, Marine Enforcement Unit Headquarters @ 609-748-2050 within 24 hours of the apprehension.

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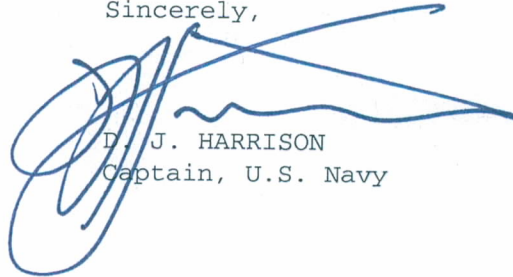
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OFFICE OF THE ASST. COMMISSIONER
WATER RESOURCE MANAGEMENT

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If you have any questions, please contact Ms. Patricia Chizmadia at (732) 866-2254 for further information.

Sincerely,

A large, stylized handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

D. J. HARRISON
Captain, U.S. Navy