

RESOLUTION 25-30 AUTHORIZING A GRANT OF CONSERVATION RESTRICTION / EASEMENT BETWEEN THE DELAWARE RIVER AND BAY AUTHORITY AND THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION CONCERNING THE WIDENING OF BEACH DRIVE AT THE CAPE MAY FERRY

WHEREAS, the Delaware River and Bay Authority (the “Authority”) is a bi-state Authority of the State of Delaware and the State of New Jersey, created by compact, that operates and maintains the Cape May-Lewes Ferry, including approaches and appurtenances thereto; and

WHEREAS, the Authority is the fee simple owner of certain real property located in the Township of Lower, County of Cape May, New Jersey, designated as Block 740, Lots 1.02, 1.03, 1.04, 1.05 and 2 on the official 2024 Tax Map of the Township of Lower (“the Property”); and

WHEREAS, the State of New Jersey Department of Environmental Protection (NJDEP) is Authorized by N.J.S.A. 13:1 D-9 to formulate comprehensive policies for the conservation of natural resources, to promote environmental protection, and prevent pollution of the environment of the State, and is authorized by N.J.S.A. 13:8B-3 to acquire and enforce conservation restrictions; and

WHEREAS, the Authority has obtained a Coastal Area Facilities Review (CAFRA) Permit (“the Permit”), NJDEP File No. 0505-06-0033.1 CAF 160001, pursuant to the CAFRA Act, N.J.S.A. 13:19-1, and the Coastal Management Rules, N.J.A.C. 7:7, for the widening of Beach Drive on Lots 1.04 and 1.05 of the Property (“the Permit Site”); and

WHEREAS, the Permit is conditioned upon the provision of 2.6833 acres of mitigation lands located within close proximity to the Permit Site to compensate for the loss of critical wildlife habitat associated with this work; and

WHEREAS, the Authority desires to enter into a Grant of Conservation Restriction / Easement with the NJDEP over a portion of Block 740, Lot 1.02, totaling approximately 2.6833 acres to satisfy the mitigation obligation; and

NOW, THEREFORE, BE IT RESOLVED, that the Executive Director is hereby authorized, with the advice and consent of counsel, to finalize the terms and conditions of a Grant of Conservation Restriction/Easement with the NJDEP and, with the advice and consent of counsel, to have such Grant of Conservation Restriction / Easement executed by the Chairperson, Vice Chairperson and Executive Director.

Resolution 25-30 Executive Summary

Resolution: Approving a Grant of Conservation Restriction / Easement between the Delaware River and Bay Authority and the State of New Jersey Department of Environmental Protection Concerning the Widening of Beach Drive Between Lincoln Boulevard and the David Douglass, Sr. Memorial Park.

Committee: Projects

**Committee/
Board Date:** June 17, 2025

Purpose and Background for Resolution:

The Authority has plans to widen and repave a portion of Beach Drive between Lincoln Boulevard and the David Douglass, Sr. Memorial Park (Block 740, Lots 1.04 and 1.05). A portion of this work will impact critical wildlife habitat requiring mitigation of 2.6833 acres of land by conservation easement. The conservation area is located on Authority property in the southwestern corner of Block 740, Lot 1.02 located east of the dredge spoils containment facility.