STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION

Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
www.state.nj.us/dep/landuse

PERMIT

In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the limitations, terms and conditions listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc." Violation of any term, condition or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.	Approval Date MAY 19 2016 Expiration Date MAY 18 2021

Permit Number:	Type of Approval:	Enabling Statutes:
1107-16-0002.1 FHA 160001 1107-16-0002.1 FWW 160001	Flood Hazard Area Individual Permit Freshwater Wetlands Special Activity Transition Area Waiver for Linear Development	N.J.S.A. 13:1D N.J.S.A. 13:9B N.J.S.A. 58:16A N.J.S.A. 58:10A-1

Permittee:	Site Location:
Tina Shutz NJDOT 1035 Parkway Avenue Trenton, NJ 08625	I-295 Ramps C&G Municipality: Township of Lawrence County: Mercer County

Description of Authorized Activities:

This permit grants permission replace the I-295 Ramps C&G Bridge over Shipetaukin Creek, in connection with the guiderail replacement along I-295 SB and Ramps C & G, in the Township of Lawrence, Mercer County, New Jersey. A Freshwater Wetlands Special Activity Transition Area Waiver for Linear Development authorization for the installation of guiderail with polyester matting is included in this permit.

Prepared by:

Stephen Olivera

Stephen Olivera

THIS PERMIT IS NOT EFFECTIVE AND NO CONSTRUCTION APPROVED BY THIS PERMIT MAY BE UNDERTAKEN UNTIL THE PERMITTEE HAS SATISFIED ALL PRE-CONSTRUCTION CONDITIONS AS SET FORTH HEREIN.

Received and/or Recorded by County Clerk

This permit is not valid unless authorizing signature appears on the last page.

FLOOD HAZARD AREA CONDITIONS:

1. All excavated material and dredge material shall be disposed of in a lawful manner. The material shall be placed outside of any flood hazard area, riparian zone, regulated water, freshwater/coastal wetlands and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.

2. Construction equipment shall not be stored, staged or driven within any channel, freshwater wetland or transition area, unless expressly approved by this permit and/or described on the approved plans.

3. All sediment barriers and other soil erosion control measures shall be installed prior to commencing any clearing, grading or construction onsite, and shall be maintained in proper working condition throughout the entire duration of the project.

4. In order to protect the general game fish within Shipetaukin Creek, no grading, construction or clearing is permitted within any watercourse onsite between May 1st and June 30th of each year. Furthermore, any activity outside a watercourse, which would likely introduce sediment into the watercourse and/or increase its turbidity, is also prohibited during this period. The Department reserves the right to suspend all regulated activities onsite should it be determined that the applicant has not taken proper precautions to ensure continuous compliance with this condition.

5. Vegetation within 50 feet of the top of the bank shall only be disturbed in the areas specifically shown on the approved drawings. No other vegetation within 50 feet of the top of any stream bank onsite shall be disturbed for any reason. This condition applies to all channels onsite regardless of the contributory drainage area.

6. Upon completion of the project, all temporarily disturbed areas within 50 feet of the top of any stream bank onsite shall be restored to original topography and replanted with indigenous, non-invasive vegetation in accordance with N.J.A.C. 10.2(u).

7. For the purposes of this permit, the Department has determined that this project is not a Major Development as defined in the Stormwater Management rules at N.J.A.C. 7:8-1.2.

8. This permit authorizes the permanent disturbance of 938.8 SF (0.022 of an acre) to herbaceous and scrub shrub riparian zone vegetation, and the temporary impact of 31 SF (0.0007 of an acre) to herbaceous riparian zone vegetation for the replacement of exiting guiderails along the I-295 Southbound roadway in Lawrence Township, Mercer County.

FRESHWATER WETLANDS CONDITIONS:

9. Freshwater Wetlands Special Activity Waiver for Linear Development

   This permit authorizes the permanent disturbance of 8,444 square feet (0.197 of an acre) of freshwater wetland transition areas and the temporary disturbance of 13,057 square (0.300 of an acre) of freshwater wetland transition areas for the installation guiderails with polymester matting underneath along I-295 SB and Ramps C & G. The wetlands

transition areas impacted are of intermediate and exceptional resource value classification with a 50-foot and 150-foot transition area limit.

10. Construction activities shall be conducted in such a way that there will be no regulated activities in the transition area or the wetland except any that are authorized by a permit, as defined at N.J.A.C. 7:7A-1.4.

11. The transition area and/or wetland is fenced, using a type of fencing that protects and maintains all functions and values of the resources, prior to construction of the structure (including site preparation), and the fence is permanently maintained, so as to clearly delineate its boundary and to prevent people from entering and/or disturbing the transition area and/or wetland.

STANDARD CONDITIONS:

12. **Responsibilities:**
    a. The permittee, its contractors and subcontractors shall comply with all conditions of this permit, authorizing and/or supporting documents and approved plans and drawings.

    b. A copy of this permit, other authorizing documents, records and information including all approved plans and drawings shall be maintained at the authorized site at all times and made available to Department representatives or their designated agents upon request.

13. **Permit modification:** Plans and specifications in the application and conditions imposed by this permit shall remain in full force and effect so long as the proposed development or any portion thereof is in existence, unless modified by the Department. No change in plans or specifications upon which this permit is issued shall be made except with the prior written permission of the Department. The filing of a request to modify an issued permit by the permittee, or a notification of planned changes or anticipated noncompliance does not stay any condition of this permit.

14. **Duty to minimize environmental impacts:** The permittee shall take all reasonable steps to prevent, minimize or correct any adverse impact on the environment resulting from activities conducted pursuant to the permit, or from noncompliance with the permit. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of this permit. The Department may, upon discovery of such unanticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit.

15. **Proper site maintenance:** While the regulated activities are being undertaken, neither the permittee, its contractors nor subcontractors shall cause or permit any unreasonable interference with the free flow of a regulated feature by placing or dumping any materials, equipment, debris or structures within or adjacent to the regulated area. Upon completion or abandonment of the work, the permittee, its contractors or subcontractors

shall remove and dispose of in a lawful manner all excess materials, debris, equipment, silt fences and other temporary soil erosion and sediment control devices from all regulated areas. Only clean non-toxic fill shall be used where necessary.

16. **Sediment control:** Development which requires soil disturbance, creation of drainage structures, or changes in natural contours shall conduct operations in accordance with the latest revised version of "Standards for Soil Erosion Sediment Control in New Jersey," promulgated by the New Jersey State Soil Conservation Committee, pursuant to the Soil Erosion and Sediment Control Act of 1975, N.J.S.A. 4:24-42 et seq. and N.J.A.C. 2:90-1.3-1.14.

17. **Rights of the State:**
    a. This permit does not convey any property rights of any sort, or any exclusive privilege.

    b. Upon notification and presentation of credentials, the permittee shall allow Department representatives or their designated agents, to enter upon the project site and/or where records must be kept under the conditions of this permit, inspect at reasonable times any facilities, equipment, practices or operations regulated or required under the permit, and sample or monitor for the purposes of determining compliance. Failure to allow reasonable access shall be considered a violation of this permit and subject the permittee to enforcement action.

    c. The issuance of this permit shall in no way expose the State of New Jersey or the Department to liability for the sufficiency or correctness of the design of any construction, structure or structures. Neither the State nor the Department shall, in any way, be liable for the loss of life or property which may occur by virtue of the activity of development resulting from any permit.

18. **Duty to Reapply:** If the permittee wishes to continue an activity covered by the permit after the expiration date of the permit authorization, the permittee must apply for and obtain a new permit authorization.

19. **Transfer of Permit:** This permit may not be transferable to any person unless the transfer is approved by the Department. Please refer to the applicable rules for more information.

20. **Other Approvals:** The permittee must obtain any and all other Federal, State and/or Local approvals. Authorization to undertake a regulated activity under this permit does not indicate that the activity also meets the requirements of any other rule, plan or ordinance.

21. **Noncompliance:**
    a. Any noncompliance with this permit constitutes a violation, and is grounds for enforcement action, as well as modification, suspension and/or termination of the permit.

b. The permittee shall immediately report to the Department by telephone at (877) 927-6337 any noncompliance that may endanger health or the environment. In addition, the permittee shall report all noncompliance to Bureau of Coastal and Land Use Compliance and Enforcement, 401 E. State Street, 4th Floor, P.O. Box 420, Mail Code: 401-04C, Trenton, NJ 08625, in writing within five business days of the time the permittee becomes aware of the noncompliance. The written notice shall include: a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. Such notice shall not, however, serve as a defense to enforcement action if the project is found to be in violation of this chapter.

22. **Appeal of Permit**: In accordance with the applicable regulations, any person who is aggrieved by this decision or any of the conditions of this permit may request a hearing within 30 days after notice of the decision is published in the DEP Bulletin. This request must include a completed copy of the Administrative Hearing Request Checklist. The DEP Bulletin is available through the Department's website at http://www.nj.gov/dep/bulletin and the Checklist is available through the Division's website at http://www.nj.gov/dep/landuse/download/lur_024.pdf. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information about this process.

APPROVED PLANS:

The drawings hereby approved are sixteen (16) sheets prepared by Arora and Assoc., P.C., undated, unrevised, unless noted otherwise, and entitled:

"NEW JERSEY DEPARTMENT OF TRANSPORTATION I-295 RAMPS C&G/D&R CANAL AND SHIPETAUKIN CREEK CONTRACT NO. 067123590"

- TYPICAL SECTIONS, sheet nos. 4, 5, and 6,
- ENVIRONMENTAL & SOIL EROSION & SEDIMENT CONTROL PLAN, sheet nos. 8, 9, 10, 11, 12, and 13,
- CONSTRUCTION DETAILS, sheet no. 30,
- FLOOD HAZARD AREA AND RIPARIAN ZONE IMPACT PLAN, sheet no. 38,
- WETLAND TRANSITION AREA IMPACT PLAN, sheet no. 39, last revised May 17, 2016,
- POLYESTER MATTING AREAS, sheet no. 40,

"NEW JERSEY DEPARTMENT OF TRANSPORTATION BUREAU OF STRUCTURAL ENGINEERING I-295 RAMP C&G/D&R CANAL AND SHIPETAUKIN CREEK CONTRACT NO. 067123590"

- GENERAL PLAN AND ELEVATION, sheet no. 22,
- TYPICAL SECTIONS, sheet no. 23,
- PROFILE AND WORKING POINTS PLAN, sheet no. 24.

If you need clarification on any section of this permit or conditions, please contact the Division of Land Use Regulation's Technical Support Call Center at (609) 777-0454.

Approved By:

Peter DeMeo

Peter DeMeo, Environmental Engineer 4
Division of Land Use Regulation

5/19/16
Date

C: Municipal Clerk
Municipal Construction Official