

GENERAL PERMIT 1



DRCC #: 25-4468C

DATE: June 5, 2025

PROJECT NAME: Delaware and Raritan Canal State Park -- Five Mile Lock Bridge In-kind Replacement

Latest Submission Received: April 8, 2025

Applicant:

Department of Environmental Protection (NJDEP)
Division of Parks, Forests & Historic Sites
Office of Resource Development
501 East State Street
Trenton, NJ 08625
william.white@dep.nj.gov

Agent:

Brendan K. Brock, MS, PWS, AWB
Section Chief Environmental
Environmental Services & Support Unit
Division of Environmental Resources
New Jersey Department of Transportation
1035 Parkway Avenue
Ewing, NJ 08618
brendan.brock@dot.nj.gov

Project Location:

| Road | Municipality | County | Block(s) | Lot(s) |
|--|----------------------|----------|----------|--------|
| Easton Avenue (Somerset County Route No. 527) | Franklin Township | Somerset | 466 | 10 |

Jurisdictional Determination:

| | | |
|--------|-------|--------------|
| Zone A | Minor | Governmental |
|--------|-------|--------------|

Documents Received: Application received April 8, 2025.

The Delaware and Raritan Canal Commission has reviewed the referenced application for a General Permit authorization pursuant to the requirements of the Regulations for the Review Zone of the Delaware and Raritan Canal State Park at N.J.A.C. 7:45-6.2. The proposed project is authorized by General Permit No.1, which authorizes projects in Zone

PO BOX 539

STOCKTON, NJ 08559

609-397-2000

www.nj.gov/dep/drcc/

DATE: June 5, 2025**PROJECT NAME:** Delaware and Raritan Canal State Park -- Five Mile Lock (cont.)

A that are necessary to carry out the repair, rehabilitation, maintenance or reconstruction of a structure, road, utility line, or stormwater management measure or basin lawfully existing prior to January 1980 or approved under this Chapter by the Commission.

The project authorized under this general permit shall not be put to any use other than as specified in any approval authorizing its original construction. Projects authorized under the general permit shall not visibly change, expand, widen, or deepen the feature, and shall not deviate from any plans of any prior project approvals, except for minor deviations due to changes in materials or construction techniques. Any such deviations must be shown as necessary to fulfill the purpose of the proposed project and must be consistent with the Master Plan.

Description of the authorized project: The project area is a 48.1-acre lot that constitutes a portion of the Delaware and Raritan Canal State Park. Specifically, the project site is the Five Mile Lock public access area located on the easterly side of Easton Avenue in Franklin Township, Somerset County, and within Commission Review Zone A.

The project site is located immediately north of the point where Interstate Highway Route No. 287 crosses the Raritan River from Franklin Township into Piscataway Township. The public access area consists of the former Lock No. 12, which presently serves as part of the canal water transmission complex, a paved parking area, a U.S. Geological Survey (USGS) gaging station, and a steel with wooden rail bridge that spans the lock and provides access to the park multiuse trail located between the canal and the river. The bridge is used by the New Jersey Water Supply Authority (NJWSA), NJDEP, the New Jersey Department of Transportation (NJDOT), and USGS and other maintenance vehicles to access the multiuse trail.



DATE: June 5, 2025**PROJECT NAME:** Delaware and Raritan Canal State Park -- Five Mile Lock (cont.)

The applicant proposes the in-kind replacement of the existing Five Mile Lock Bridge, which has been closed due to significant corrosion of the bridge's steel components. The proposed replacement work would be performed by NJDOT contractors.

An NJDEP State Historic Preservation Office (SHPO) review, dated May 27, 2025, states that a review of historic aerial imagery indicates that the existing bridge was constructed between 1953 and 1956, which is outside of the Delaware and Raritan Canal Historic District's period of significance (1830-1933) and is a noncontributing resource to that district. SHPO determined that the proposed project meets the United States Secretary of the Interior's Standards for Rehabilitation (36 C.F.R. Part 67) and, therefore, pursuant to N.J.A.C. 7:4-7.4(b)2, does not constitute an encroachment on any historic district or property.

Permit Conditions: The project allowed by this authorization shall comply with the following conditions. Failure to comply with these conditions shall constitute a violation of the "Delaware and Raritan Canal State Park Law of 1974" (N.J.S.A. 13:13A-1 et seq.).

1. This authorization is valid for five years from the date of this letter unless more stringent standards are adopted by rules prior to this date.
2. The project as described shall be constructed and/or executed in conformity with the application.
3. No change in plans or specifications shall be made except with prior written permission from the Commission.
4. The permittee shall allow the Commission the right to inspect the construction site and shall provide the Commission with written notification 7 days prior to the start of the authorized work.
5. A complete, legible copy of this permit shall be kept at the work site and shall be exhibited upon request of any person.
6. The issuance of this permit shall not be deemed to affect in any way other actions by the Commission on any future application.
7. The Delaware and Raritan Canal is used as a raw water source for several water companies downstream and, as such, water quality and flow shall be maintained.
8. If work in the canal is required, the NJDOT shall follow any recommendation by the NJWSA that such work shall be conducted during times of low flow through the canal.
9. During the work, the contractor shall ensure that no debris, soil or vegetation from the work shall fall, drop, be placed or dumped in the canal. The applicant shall ensure that a boom or other method is employed to contain any debris in the canal and remove any debris from the water.
10. It shall be the contractor's responsibility to ensure that all debris caused by the work is removed from the canal.
11. The contractor shall not pierce or puncture the clay liner or the bed of the canal.
12. The NJDOT shall periodically inform and update the NJWSA on the status of the work schedule for the project.
13. Access to the canal, towpath, and adjacent NJWSA buildings for NJWSA personnel shall be maintained.

DATE: June 5, 2025

PROJECT NAME: Delaware and Raritan Canal State Park -- Five Mile Lock (cont.)

14. Any damage to the canal caused by the contractor or any subcontractor shall be repaired to the satisfaction of the NJWSA.
15. The NJDOT shall obtain a Right-of-Entry Agreement from the Superintendent of the Delaware and Raritan Canal State Park.
16. The contractor shall obtain general liability insurance in the amount of \$1 million, which shall list the State of New Jersey, the NJDEP, the Division of Parks, Forests & Historic Sites, the State Park Service and the NJWSA as additionally insured.
17. When available, NJDOT shall provide the name of the contractor undertaking the project to the Commission, NJWSA, and the State Park Superintendent.
18. The contractor shall assume all risk of and responsibility for, and agrees to indemnify, defend and save harmless the State of New Jersey, the NJDEP, the NJWSA and any of their divisions, councils, bureaus, or other agencies or subdivisions, and their officers, directors, trustees, employees and contractors, as the case may be, from and against any and all claims, demands, suit, actions, recoveries, judgments, costs and expenses in connection therewith on account of the loss of life, property or injury or damage to the person, body, or property of any person or persons whatsoever, which shall arise from or result directly or indirectly from work performed in connection with this permit. The indemnification obligation is not limited by, but is in addition to, the insurance obligation contained in this permit.

Expiration Date: June 5, 2030

Appeal of Decision: In accordance with N.J.A.C. 7:45- 7.1, any person who is aggrieved by this decision may request a hearing within 30 days of the date of decision.

If you have any questions regarding this authorization, please contact the Commission at (609) 397-2000 and reference the above file number.

Sincerely,



John Hutchison
Executive Director

- c. Michael Sellar, Facility Manager, Delaware & Raritan Canal, NJWSA
Julie Shelley, Property & Permit Administrator, NJWSA
Maggie Mitchell-Strehl, Superintendent, Delaware & Raritan Canal State Park
Jesse West-Rosenthal, Ph.D., Program Specialist 3, CIER-Historic Preservation Office