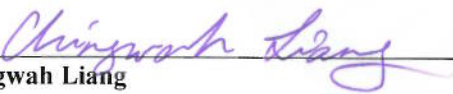




**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION**
Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
www.state.nj.us/dep/landuse



PERMIT

<p>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.</p>		Approval Date AUG 31 2015
		Expiration Date AUG 30 2028
Permit Number(s): 1808-15-0002.1 FHA 150001 IP 1808-15-0002.1 FWW 150001 GP 10A	Type of Approval(s): Flood Hazard Area Individual Permit Freshwater Wetlands General Permit	Enabling Statute(s): NJSA 13:1D NJSA 13:9B NJSA 58:10A NJSA 58:16A
Permittee: New Jersey Department of Transportation Attn: Omar Hameed 1035 Parkway Avenue Trenton, NJ 08625	Site Location: Block(s) & Lot(s): ROW Municipality: Township of Franklin County: Somerset	
Description of Authorized Activities: <p>This permit authorizes the replacement of the Route 518 bridge crossing over the Delaware and Raritan Canal, within the Flood Hazard Area of the Millstone River, in the Township of Franklin, Somerset County. This permit also authorizes the permanent disturbance of 855.6 square feet (0.020 of an acre) of freshwater wetland transition area and the temporary disturbance of 527.5 square feet (0.012 of an acre) of freshwater wetland transition area for the bridge replacement, under General Permit No. 10A.</p>		
Prepared by:  Chingwah Liang	Received and/or Recorded by County Clerk:	
THIS PERMIT IS NOT EFFECTIVE AND NO CONSTRUCTION APPROVED BY THIS PERMIT, OR OTHER REGULATED ACTIVITY, MAY BE UNDERTAKEN UNTIL THE APPLICANT HAS SATISFIED ALL PRE-CONSTRUCTION CONDITIONS AS SET FORTH HEREIN.		
This permit is not valid unless authorizing signature appears on the last page.		

SPECIAL CONDITIONS:

1. **Material Disposal:** 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. 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. Therefore, the Department did not review the project for compliance with these rules.
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. 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.
5. For any excavated area in transition areas and/or State open waters, the excavation shall be backfilled to the preexisting elevation, the uppermost 18 inches of the excavation shall be backfilled with the original topsoil material if feasible, the area above the excavation shall be replanted, in accordance with applicable BMPs, with indigenous wetlands species.
6. In order to protect the general game fish species within the D&R Canal, no grading, construction or clearing is permitted within any watercourse onsite between **May 1st and June 30th** of any calendar 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. If sediment control structures, sheeting, or cofferdams are installed prior to the timing restrictions stated above, construction behind the sediment control structures may proceed during the restricted period(s)
7. No vegetation within 50 feet of the top of the Millstone River shall be disturbed for any reason.
8. 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.
9. **Provisions of the Freshwater Wetland General Permit No. 10B**

This portion of the permit authorizes the disturbance of 855.6 square feet (0.020 of an acre) of freshwater wetland transition area and the temporary disturbance of 527.5 square feet (0.012 of an acre) of freshwater wetland transition area for the reconstruction of Route 518 over the D&R Canal. Any additional disturbance of freshwater wetlands, State open waters and/or transition areas shall be considered a violation of the Freshwater Wetlands Protection Act unless a permit is obtained prior to the start of the disturbances from the Division of Land Use Regulation.

STANDARD CONDITIONS:

10. **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.
11. **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.
12. **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
13. **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.
14. **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.
15. **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.

16. **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.
17. **Transfer of Permit:** This permit may not be not transferable to any person unless the transfer is approved by the Department. Please refer to the applicable rules for more information.
18. **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.
19. **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.
20. **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 eleven (11) sheets, ten (10) of which were prepared by Johnson, Mirmiran & Thompson, undated and unrevised, entitled:

“NEW JERSEY DEPARTMENT OF TRANSPORTATION, COUNTY ROUTE 518 OVER THE D&R CANAL”

“TYPICAL SECTIONS”, sheet 3 of 34

“CONSTRUCTION PLANS”, sheet 5 of 34

“ENVIRONMENTAL & SOIL EROSION & SEDIMENT CONTROL PLANS”, sheets 6 through 8 of 34

“PROFILE”, sheet 9 of 34

“CONSTRUCTION DETAILS”, sheet 16 of 34

“NEW JERSEY DEPARTMENT OF TRANSPORTATION, BUREAU OF STRUCTURAL ENGINEERING, COUNTY ROUTE 518 OVER D&R CANAL, FRANKLIN TOWNSHIP, SOMERSET COUNTY”

“GENERAL PLAN AND ELEVATION”, sheet 18 of 34

“TYPICAL SECTION AND PROFILE”, sheet 19 of 34

“DEMOLITION PLAN”, sheet 20 of 34

And the remaining sheet prepared by Ellis Y. Byeon, PE, undated and unrevised, entitled:

“NEW JERSEY DEPARTMENT OF TRANSPORTATION, ENVIRONMENTAL PLAN, ROUTE 518 OVER D&R CANAL, BRIDGE REPLACEMENT,” unnumbered sheet.

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, Supervisor
Division of Land Use Regulation

8/31/15

Date