



DEPARTMENT OF ENVIRONMENTAL PROTECTION
(See Issuing Division below)



PERMIT*

The New Jersey Department of Environmental Protection grants this permit in accordance with your application, attachments accompanying same application, and applicable laws and regulations. This permit is also subject to the further conditions and stipulations enumerated in the supporting documents which are agreed to by the permittee upon acceptance of the permit.

Permit No. 1352-00-0003.1-CAFRA
1352-00-0003.2-SEA Application No.

Issuance Date JUN 13 2000 Effective Date JUN 13 2000 Expiration Date JUN 13 2005

Name and Address of Applicant NJ Department of Transportation
1035 Parkway Avenue, CN 600
Trenton, NJ 08625
Name and Address of Owner
Name and Address of Operator

Location of Activity/Facility (Street Address) Issuing Division Land Use Regulation Program Statute(s) N.J.S.A. 58:16A-50 et seq
N.J.S.A. 13:19-1 et seq
Lot _____ Block _____

Type of Permit Stream Encroachment
CAFRA Maximum Approved Capacity, if applicable

This permit grants permission to:

Construct new inlets along Route 71 and to construct a stormwater outfall structure discharge to Polly Pod Brook, at a location near the intersection of Route 71 and 18th Avenue, in the Township of Wall, Monmouth County, New Jersey.

RECEIVED
McCORMICK, TAYLOR
& ASSOCIATES, INC.

JUN 19 2000

Prepared By: Madhu Guru
Madhu Guru, PE

Christopher Dolphin
Chris Dolphin

(See page 4 for Manager's signature.)

Revised Date Approved by the Department of Environmental Protection
Name (Print or Type) _____ Title _____
Signature _____ Date _____

*The word permit means "approval, certification, registration, etc."

(General Conditions are on the Reverse Side)

This permit is subject to the following general conditions:

1. This permit is revocable, or subject to modification or change at any time, pursuant to the applicable regulations, when in the judgement of the Department of Environmental Protection of the State of New Jersey such revocation, modification or change shall be necessary.
2. The issuance of this permit shall not be deemed to affect in any way action by the Department of Environmental Protection of the State of New Jersey on any future application.
3. The works, facilities, and/or activities shown by plans and/or other engineering data, which are this day approved, subject to the conditions herewith established, shall be constructed and/or executed in conformity with such plans and/or engineering data and the said conditions.
4. No change in plans or specifications shall be made except with the prior written permission of the Department of Environmental Protection of the State of New Jersey.
5. The granting of this permit shall not be construed to in any way affect the title or ownership of property, and shall not make the Department of Environmental Protection of the State a party in any suit or question of ownership.
6. This permit does not waive the obtaining of Federal or other State or local government consent when necessary. This permit is not valid and no work shall be undertaken until such time as all other required approvals and permits have been obtained.
7. A copy of this permit shall be kept at the work site, and shall be exhibited upon request of any person.
8. In cases of conflict, the conditions of this permit shall supersede the plans and/or engineering data.

STREAM ENCROACHMENT PERMIT NO. 1325-00-0003.2

CAFRA 1352-00-0003.1

TERMS AND CONDITIONS:

IN ADDITION TO THE GENERAL CONDITIONS PRINTED ON THE BACK OF PAGE ONE OF THIS PERMIT, THE FOLLOWING CONDITIONS SHALL ALSO APPLY:

9. **Limit and Extent of Approval**

- a. This approval grants permission to the applicant and/or its agents to undertake an activity regulated by the State of New Jersey as described by the text of this permit and as detailed by the herein approved plans. Any construction, grading, removal of vegetation, or other activity at this site within or affecting a regulated flood plain, other than specifically approved by this permit or as detailed by the approved drawings, shall require additional approvals from the Department. The commencement of such regulated activities without the appropriate approvals shall be in violation of State law.
- b. All activities authorized by this permit shall be completed within five years of the issuance date as listed on the first page of this document. At that time, this approval, if not previously revoked, shall automatically become null and void, and none of the activities referenced herein may commence or continue until a new approval has been granted by the Department.

10. **Method of Construction**

- a. All activities approved by this permit shall be performed under the supervision and direction of a Professional Engineer licensed in the State of New Jersey, and shall be undertaken using the best management practices available. Furthermore, the site shall be subject to inspection at any time by representatives of the Department to ensure the continuous application of the provisions of this permit.
- b. During the course of construction, neither the applicant nor its agents shall cause or permit any unreasonable interference with the free flow of the stream by placing or dumping any materials, equipment, debris or structures within or adjacent to the stream corridor. Upon completion or abandonment of the work, the applicant and/or its agents shall remove and dispose of in a lawful manner all excess materials, equipment and debris from the stream corridor and adjacent lands.
- c. All activities authorized by this permit shall be stabilized in accordance with Standards for Soil Erosion and Sediment Control in New Jersey (obtainable from local Soil Conservation District Offices), or equal engineering specifications, to prevent eroded soil and sediment from entering adjacent waterways and wetlands at any time during and subsequent to construction. The Department reserves the right to order the suspension of any activity if unacceptable levels of erosion or turbidity result from the same. Furthermore, the applicant shall maintain the stream corridor as shown on the approved drawing/s for either such time as is required for the channel and/or banks to become reasonably stabilized, or for one year after completion of the project (as evidenced by a Certificate of Completion), whichever period of time is longer.

11. **Responsibilities of Applicant**

- a. The granting of this permit does not in any way relieve the applicant and/or its agents from the responsibility for damages caused by any construction or activities hereby

STREAM ENCROACHMENT PERMIT NO. 1325-00-0003.2
CAFRA 1352-00-0003.1

TERMS AND CONDITIONS:

approved, nor does the Department accept responsibility for any structural designs.

- b. No construction authorized by this permit may begin until the enclosed permit acceptance form has been signed by the applicant and is returned to the Department. By signing and submitting this form, the applicant accepts this permit in its entirety and agrees to adhere to all of its terms and conditions. Please be advised that this permit may be declared null and void should it be determined that adequate measures had not been taken by the applicant and/or its agents to ensure the continuous implementation of these terms and conditions.
 - c. Within ten (10) days of the receipt of this permit by the applicant, this permit shall be recorded in its entirety in the office of the County Clerk or the Registrar of Deeds and Mortgages for each county where this permit is located. Verified notice of this action shall be forwarded to the Department immediately thereafter.
 - d. The enclosed construction notice shall be completed by the applicant or its agent and submitted to the Department at least fourteen (14) days prior to the commencement of the herein approved activities.
 - e. The enclosed completion report shall be completed by a Professional Engineer licensed in the State of New Jersey and submitted to the Department within thirty (30) days after completion of the herein approved activities.
12. All excavated material and dredged spoils must be disposed of in a lawful manner outside of any regulated flood plain, open water, freshwater wetlands or adjacent transition areas, and in such a way as to not interfere with the positive drainage of the receiving area.
 13. The applicant must make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed water quality measures on site. This includes, but is not limited to, the cleaning and inspection of all water quality inlets at least twice a year and after every major storm, and the continuous implementation of appropriate soil conservation practices within any grassed swales, stormwater outfall structures and other similar appurtenances throughout the site in order to limit soil erosion and sediment discharge into adjacent waterways
 14. All staging and stockpiling activities are to occur outside of wetlands, wetland buffers and 100 year floodplain.
 15. The drawings hereby approved are eight (8) sheets prepared by McCormick, Taylor & Associates, undated and unrevised unless otherwise noted, and entitled:

STREAM ENCROACHMENT PERMIT NO. 1325-00-0003.2
CAFRA 1352-00-0003.1

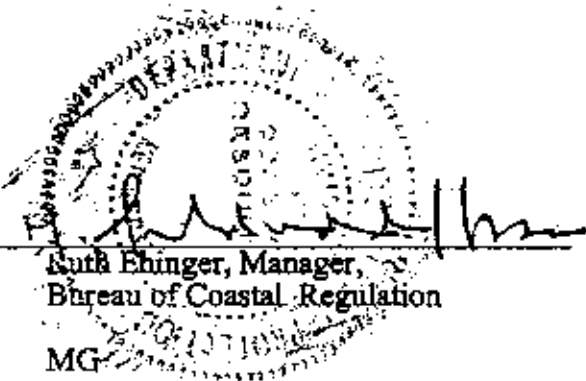
TERMS AND CONDITIONS:

NEW JERSEY DEPARTMENT OF TRANSPORTATION ROUTE 71- M.P. 4.143 TO M.P.
4.531 DRAINAGE IMPROVEMENTS.

"CONSTRUCTION PLAN-1" sheets No. 8,9,10, and 11.

"PROFILES" sheets No. 12,13, and 14.

"CONSTRUCTION DETAILS" sheet No. 20.



Ruth Ehinger, Manager,
Bureau of Coastal Regulation

6/13/00
Date

MG
Ag esa 1



State of New Jersey

Christine Todd Whitman
Governor

Department of Environmental Protection
Environmental Regulation
Land Use Regulation Program
CN 401
Trenton, New Jersey 08625
FAX (609)292-3115

Robert C. Shinn, Jr.
Commissioner

Dear Sir or Madam:

Enclosed, please find an approved construction permit for the application(s) you submitted to our office. Please review this permit and note any conditions which may have been imposed, and promptly complete and return the enclosed permit acceptance form to the Department at the above address. This approval is valid for five years the terms of the permit are detailed within the document.

If a tidelands grant, lease or license is required as noted by conditions of this permit, this permit is not valid until said conveyance has been delivered for the project area by the Bureau of Tidelands Management. You are NOT AUTHORIZED TO BEGIN CONSTRUCTION until you have received a tidelands instrument. If you begin construction beforehand, you are subject to fines of up to \$1000 plus \$100.00 per day pursuant to the Waterfront Development Law. In addition, the cost for the tidelands instrument may be higher since the property claimed will be appraised as improved property. Further, you may be required to remove any structures placed in tidelands claimed areas without proper authorization.

Any interested person who considers himself or herself aggrieved by this permit decision may request a hearing by addressing a written request for such hearing to the following address: Office of Legal Affairs, Department of Environmental Protection, CN 402, Trenton, New Jersey 08625-0402, Attention: Adjudicatory Hearing Requests.

This written request must include a completed copy of the attached Administrative Hearing Request Checklist and all information identified in Section III of that list.

WATERFRONT DEVELOPMENT, COASTAL WETLANDS, CAFRA AND
STREAM ENCROACHMENT PERMITS:

Pursuant to the Coastal Permit Program Rules, specifically N.J.A.C. 7:7-5.1, and the Ninety-Day Construction Permit rules, specifically N.J.A.C. 7:1C-1.9, written appeals must be received by the Department at the above address within 10

days of publication of notice of the final decision in the DEP Bulletin, or within 10 days of publication of notice by the permittee pursuant to N.J.A.C. 7:7-4.8 (b), whichever occurs first.

FRESHWATER WETLANDS PERMITS:

Pursuant to the Freshwater Wetlands Protection Act Rules, specifically N.J.A.C 7:7A-12.7, written request for an administrative hearing must be received by the Department at the above address within 30 -days of the DEP Bulletin publishing date or the date of receipt of the permit decision, whichever is later.

In order to promote inter-governmental cooperation in the management of our natural resources, a copy of this decision shall be shared with appropriate local and federal agencies. If you should have any questions regarding the enclosed permit, please contact the Project Manager identified on the first page of the permit at (609) 292-0060.

Sincerely,


Richard H. Kropp, Director
Land Use Regulation Program

Enclosures:

Permit
Permit Acceptance Form
Construction Notice
Completion Notice
Administrative Hearing Request Checklist