



STATE OF NEW JERSEY
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. 0200-05-0009.1 FHA 050001 0200-05-0009.1 FWW 050001 GP # 1 0200-05-0009.1 FWW 050003 GP # 10B	Application No.
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Issuance Date JAN 26 2006	Effective Date JAN 26 2006	Expiration Date JAN 26 2011
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Name and Address of Applicant New Jersey Department of Transportation 1035 Parkway Avenue, P.O. Box 600 Trenton, NJ 08625-0600	Name and Address of Owner
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Location of Activity/Facility (Street Address) Essex Street and Route 17 Boroughs of Lodi & Maywood and Township of Rochelle Park, Bergen County	Issuing Division Land Use Regulation Program	Statute(s) NJSA 13:9B-1 NJSA 13:1D-1 NJSA 58:10A-1 NJSA 58:16A-50, et. seq.
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Type of Permit Stream Encroachment Freshwater Wetlands	Maximum Approved Capacity, if applicable
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This permit grants permission to:

reconstruct Essex Street over Route 17, to widen Route 17 and Essex Street, upgrade the existing drainage system, including extending the box culvert under Route 17, to replace the box culvert under Essex Street and to interconnect adjacent culverts along an unnamed tributary to Saddle River, all in connection with the improvement near Essex street and Route 17, in the in the Boroughs of Lodi & Maywood and Township of Rochelle Park, Bergen County, New Jersey. The permit also includes Freshwater permits 1 & 10B for disturbances of 0.026 & 0.044 of an acre of State open waters, 0.205 of an acre for transition area and 0.029 of an acre of temporary disturbance of wetlands respectively for the above work.

Prepared By: Govind Ramamurthy
Govind Ramamurthy

(See page 5 for Manager's signature.)

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

Terms And Conditions

This permit is subject to the following terms and 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 the 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 or 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.
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

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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 the *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 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 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.

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13. Prior to any regulated work, the applicant must obtain all necessary local, Federal and other State approvals that may be required. Specifically, approvals from the following agencies may be necessary prior to construction:

Bergen County Soil Conservation District.
14. 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.
15. This permit does not authorize the temporary use of any wetlands or transition areas beyond the limits of the proposed work other than specifically approved by this permit or as detailed by approved drawings. Such use of regulated areas applies to the storage or staging of construction materials (including debris/spoil piles), equipment, and workers' vehicles. The applicant shall direct the contractors to locate all staging and storage areas outside of wetlands and wetland buffers not approved for use by this permit.
16. In order to protect the warmwater fishery resources for the State open waters of the tributary streams on the project site, grading or construction activities within the State open waters of this or any other stream on site are prohibited between **April 1 thru June 30** of each year. In addition, any activity within the 100-year floodplain or flood hazard area draining to this watercourse which could introduce sediment into said stream(s) or which could cause an increase in the natural level of turbidity is also prohibited during this period. The Department reserves the right to suspend all regulated activities on site should it be determined that the applicant has not taken proper precautions to ensure continuous compliance with this condition.
17. Any and all precautions are to be taken to prevent raw concrete, which is toxic to fish, from coming in contact with the State open waters in the project area.
18. Disturbed stream banks and adjacent areas are to be restored using native plant materials to ensure stabilization of the banks of the tributary streams in the project area.
19. Dewatering of cofferdams or other construction areas must include properly sized temporary sediment basins or other filtering methods to reduce turbidity. The stream area to receive return water discharged from cofferdams must be encompassed by turbidity barrier. The turbidity barrier must be located parallel to the stream banks and anchored to the shoreline to maintain free flow of the stream center.
20. Freshwater Wetlands General Permit No. 10B

This Freshwater Wetlands General Permit 10B authorizes the filling of 0.044 acres of State open waters and 0.165 acres of transition area for the widening of Route 17 and Essex Street and construction of connecting ramps and the temporary disturbance of 0.029 acres of wetlands. In addition, this Freshwater Wetlands General Permit includes an access transition area waiver for the temporary disturbance of 0.040 acres of wetland transition area for the installation of storm sewer lines. Any additional disturbance of wetlands, transition areas and/or State open waters shall be considered a violation of the Freshwater Wetlands Protection Act unless the activity is exempt or a permit is obtained prior to the start

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of the disturbance from the Land Use Regulation Program. In addition, this permit to conduct a regulated activity in a wetland or open water includes the Department's approval of a Water Quality Certificate for these activities.

21. Any discharge of dredged or fill material shall consist of clean, suitable material free from toxic pollutants (see 40 CFR 401) in toxic amounts, and shall comply with all applicable Department rules and specifications regarding use of dredged or fill material.
22. Areas of temporary excavation must be restored with native, indigenous species. Wetland disturbances must be restored with native vegetation and stabilized with the use of bioengineering materials, such as biologs, fiber matting, etc., except where rip rap is required.
23. The upper-most 18-inches of any temporary trench excavation is backfilled with the original native streambed material, and otherwise with clean suitable material free from toxic pollutants (see 40 CFR 401) in toxic amounts, and shall comply with all applicable Department rules and specifications regarding use of dredged or fill material. Excavations must be backfilled to the preexisting elevation, where feasible. The activity is to be constructed so as not to interfere with the natural hydraulic characteristics of the wetland and watershed by including water-tight pipe joint seals in wetland and wetland transition areas.

24. Freshwater Wetlands General Permit No. 1

This Freshwater Wetlands General Permit No. 1 authorizes the filling of 0.026 acres of freshwater wetlands for the replacement of a box culvert located under Essex Street west of Riverview Avenue.

25. The drawings hereby approved are six (6) sheets was prepared by Taylor Wiseman & Taylor, dated January 2005, last revised June 17, 2005, unless otherwise noted and entitled:

"NEW JERSEY DEPARTMENT OF TRANSPORTATION ROUTE 17 ESSEX STREET OVER NJSH ROUTE 17 BOROUGHES OF LODI & MAYWOOD, TOWNSHIP OF ROCHELLE PARK, BERGEN COUNTY".

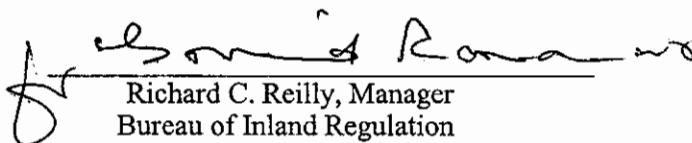
"OVERALL PLAN"; sheet no.2 of 7,

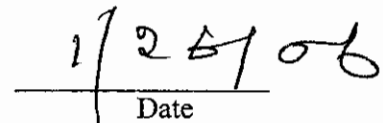
"STREAM ENCROACHMENT PLANS " sheet nos. 3 & 4 of 7,

"CROSS SECTIONS & STREAM PROFILE", sheet no. 5 of 7, unrevised,

"ROAD PROFILE", sheet no. 6 of 7, unrevised and

"DETAILS", sheet no. 7 of 7, unrevised.


Richard C. Reilly, Manager
Bureau of Inland Regulation


Date