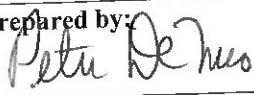




**STATE OF NEW JERSEY**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**DIVISION OF LAND USE REGULATION**  
 Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420  
 Telephone: (609) 777-0454 or Fax: (609) 777-3656  
 www.state.nj.us/dep/landuse



## 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 <b>JUL 27 2018</b>
		Expiration Date <b>JUL 26 2023</b>
<b>Permit Number(s):</b>  0824-18-0001.1 FHA 180001 0824-18-0001.1 FHA 180002 0824-18-0001.1 FWW 180001	<b>Type of Approval(s):</b>  Flood Hazard Area Individual Permit Flood Hazard Area Verification Freshwater Wetlands Statewide General Permit 10A	<b>Enabling Statute(s):</b>  NJSA 58:16A et seq. NJSA 58:10A et seq. NJSA 13:1D-29 et seq. NJSA 13:1D-1 et seq.
<b>Permittee:</b>  Ms. Brenna Fairfax New Jersey Department of Transportation 1035 Parkway Avenue Trenton, NJ 08625	<b>Site Location:</b>  Block & Lot: Routes 322 and 551 Rights-of-Way Municipality: Township of Woolwich County: Gloucester	
<b>Description of Authorized Activities:</b>  <p>This permit authorizes the reconstruction of the intersection of Route 322 with Route 551, including roadway widening along both roadways, the installation of an associated storm sewer collection system partially located within the flood hazard area of an unnamed tributary to Raccoon Creek, and the construction of two associated stormwater management basins, in the Township of Woolwich, Gloucester County, New Jersey. This permit also authorizes the temporary disturbance of 0.022 acres of intermediate value freshwater wetland transition areas under a Freshwater Wetlands Statewide General Permit No. 10A for said project. Finally, this permit verifies the flood hazard area of the unnamed tributary to Raccoon Creek as shown on the approved plans.</p>		
<b>Prepared by:</b>  <hr/> Peter DeMeo	<b>Received and/or Recorded by</b> <b>County Clerk:</b>	
If the permittee undertakes any regulated activity authorized under a permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the permit and all conditions therein.		
<b>This permit is not valid unless authorizing signature appears on the last page.</b>		

**FLOOD HAZARD SPECIAL CONDITIONS:**

1. All excavated material shall be disposed of in a lawful manner outside of any flood hazard area, riparian zone, open water, freshwater wetland, and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.
2. 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.
3. The Department has determined that this project meets the requirements of the Stormwater Management rules at N.J.A.C. 7:8. Any future expansion or alteration of the approved stormwater management system, which would affect water quality, increase the rate or volume of stormwater leaving the site, affect the infiltration capacity on the site, or alter the approved low impact site design, shall be reviewed and approved by the Department prior to construction. This includes any proposed changes to the discharge characteristics of any basin/sand filter, the construction of new inlets or pipes that tie into the storm sewer network and/or the replacement of existing inlets or pipes with structures of different capacity.
4. The permittee shall make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed stormwater management measures onsite. This includes the inspection (and cleaning where necessary) of any and all constructed swales, basins, and inlets at least four times per year and after every major storm totaling 1 inch of rainfall or more, the use of appropriate soil conservation practices onsite, and any other reasonable effort required to maintain the stormwater management system in good working order.
5. 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.
6. Raw or unset concrete shall not come in contact with any surface waters onsite, since such contact can be toxic to aquatic biota.
7. All areas temporarily disturbed by construction shall be restored using indigenous, non-invasive vegetation.

**FRESHWATER WETLANDS SPECIAL CONDITIONS:**

1. Under a Freshwater Wetlands Statewide General Permit 10A, this permit authorizes the temporary disturbance of 0.022 acres of intermediate freshwater wetland transition areas. All temporary disturbances to transition areas shall be restored to the pre-construction condition. No impacts to freshwater wetlands or State open waters are authorized under this permit.

**STANDARD CONDITIONS:**

1. The issuance of a 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 or structure(s). Neither the State nor the Department shall, in any way, be liable for any loss of life or property that may occur by virtue of the activity or project conducted as authorized under a permit.
2. The issuance of a permit does not convey any property rights or any exclusive privilege.
3. The permittee shall obtain all applicable Federal, State, and local approvals prior to commencement of regulated activities authorized under a permit.
4. A permittee conducting an activity involving soil disturbance, the creation of drainage structures, or changes in natural contours shall obtain any required approvals from the Soil Conservation District having jurisdiction over the site.
5. 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.
6. The permittee shall immediately inform the Department by telephone at (877) 927-6337 (Warn DEP Hotline) of any noncompliance that may endanger the public health, safety, and welfare, or the environment. In addition, the permittee shall inform the Division of Land Use Regulation by telephone at (609) 777-0454 of any other noncompliance within two working days of the time the permittee becomes aware of the noncompliance, and in writing within five working days of the time the permittee becomes aware 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. The written notice shall include:
  - a. A description of the noncompliance and its cause;
  - b. The period of noncompliance, including exact dates and times;
  - c. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
  - d. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
7. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the authorized activity in order to maintain compliance with the conditions of the permit.
8. The permittee shall employ appropriate measures to minimize noise where necessary during construction, as specified in N.J.S.A. 13:1G-1 et seq. and N.J.A.C. 7:29.

9. The issuance of a permit does not relinquish the State's tidelands ownership or claim to any portion of the subject property or adjacent properties.
10. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.
11. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
  - a. Enter upon the permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of the permit;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and
  - c. Inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. Failure to allow reasonable access under this paragraph shall be considered a violation of this chapter and subject the permittee to enforcement action under.
12. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action under, as well as, in the appropriate case, suspension and/or termination of the permit.
13. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect so long as the regulated activity or project, or any portion thereof, is in existence, unless the permit is modified.
14. For Coastal Permits, Flood Hazard Permits and Flood Hazard Verifications, the permittee shall record the permit, including all conditions listed therein, with the Office of the County Clerk (the Registrar of Deeds and Mortgages, if applicable) of each county in which the site is located. The permit shall be recorded within 30 calendar days of receipt by the permittee, unless the permit authorizes activities within two or more counties, in which case the permit shall be recorded within 90 calendar days of receipt. Upon completion of all recording, a copy of the recorded permit shall be forwarded to the Division of Land Use Regulation at the address set forth in the rules.
15. If any condition or permit is determined to be legally unenforceable, modifications and additional conditions may be imposed by the Department as necessary to protect public health, safety, and welfare, or the environment.
16. A copy of the permit and all approved site plans and supporting documents shall be maintained at the site at all times and made available to Department representatives or their designated agents immediately upon request.

17. A permit shall be transferred to another person only in accordance with applicable regulations.
18. A permit can be suspended or terminated by the Department for cause.
19. The submittal of a request to modify a permit by the permittee, or a notification of planned changes or anticipated noncompliance, does not stay any condition of a permit.
20. Where the permittee becomes aware that it failed to submit any relevant facts in an application, or submitted incorrect information in an application or in any report to the Department, it shall promptly submit such facts or information.
21. The permittee shall submit written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, 401 East State Street, 4th Floor, P.O. Box 420, Mail Code 401-04C, Trenton, NJ 08625, at least three working days prior to the commencement of regulated activities.
22. The permittee shall not cause or allow any unreasonable interference with the free flow of a regulated water by placing or dumping any materials, equipment, debris, or structures within or adjacent to the channel while each regulated activity is being undertaken. Upon completion of each regulated activity, the permittee shall remove and dispose of in a lawful manner, all excess materials, debris, equipment, and silt fences and other temporary soil erosion and sediment control devices from all regulated areas.
23. No regulated activity shall destroy, jeopardize, or adversely modify a present or documented habitat for threatened or endangered species, and shall not jeopardize the continued existence of any local population of a threatened or endangered species.

**APPROVED PLANS:**

The drawings hereby approved are nine (9) sheets prepared by Taylor, Wiseman & Taylor, undated, unrevised, certified July 18, 2018, and entitled:

“NEW JERSEY DEPARTMENT OF TRANSPORTATION PLAN SHEET INDEX ROUTE 322 & COUNTY ROUTE 551 (KING’S HIGHWAY) WOOLWICH TOWNSHIP, GLOUCESTER COUNTY”, Sheet 2,

“NEW JERSEY DEPARTMENT OF TRANSPORTATION PERMIT PLAN ROUTE 322 & COUNTY ROUTE 551 (KING’S HIGHWAY) WOOLWICH TOWNSHIP, GLOUCESTER COUNTY”, Sheets 3 through 10, and

And three (3) sheets prepared by Robert Marshall, PE, undated, unrevised, certified July 19, 2018, and entitled:


“NEW JERSEY DEPARTMENT OF TRANSPORTATION CONSTRUCTION DETAILS ROUTE 322 & COUNTY ROUTE 551 (KING’S HIGHWAY) CONTRACT NO. 006048023”, Sheets 47 through 49.

**APPEAL OF DECISION:**

In accordance with the applicable regulations, any person who is aggrieved by this decision or any of the conditions of this permit may request an adjudicatory hearing within 30 calendar days after public notice of the decision is published in the DEP Bulletin. This request must include a completed copy of the Adjudicatory Hearing Request form. The DEP Bulletin is available through the Department's website at <http://www.nj.gov/dep/bulletin> and the form is available through the Division's website at [http://www.nj.gov/dep/landuse/download/lur\\_024.pdf](http://www.nj.gov/dep/landuse/download/lur_024.pdf). In addition to requesting a hearing, a request may be filed with the Department's Office of Dispute Resolution to determine whether the matter is suitable for mediation. Information concerning the dispute resolution process is available at [www.nj.gov/dep/odr](http://www.nj.gov/dep/odr).

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:



Dennis Contois, Supervisor  
Division of Land Use Regulation



Date

c: Municipal Construction Official