

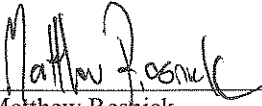


STATE OF NEW JERSEY  
 DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 DIVISION OF LAND USE REGULATION

501 East State Street, Station Plaza 5, 2<sup>nd</sup> Floor  
 P.O. Box 420, Mail Code 501-02A,  
 Trenton, NJ 08625-0439

Fax: (609) 777-3656 or (609) 292-8115  
 www.state.nj.us/dep/landuse



<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."</p>		Approval Date FHA 3/20/13 FWW mod WFD mod 3/27/12
		Expiration Date FHA 3/20/18 FWW mod WFD mod 3/27/17
Permit Number/s 0400-04-0002.1,FHA120001 FWW120001 WFD120001	Type of Approval/s Flood Hazard Area Individual Permit Freshwater Wetlands Individual Permit Modification Waterfront Development Individual Permit Modification Water Quality Certification	Enabling Statute/s NJSA 58:16A-50, et. seq. NJSA 13:9B-1 NJSA 12:5-3
Applicant NJDOT 1035 Parkway Avenue PO Box 600 Trenton, NJ 08625		Owner (if different from applicant)
Description of Authorized Activities and Limit of Disturbance  <p>This flood hazard area permit authorizes the construction of new sanitary sewers and placement of sheeting necessary to stabilize embankments as part of the reconstruction and creation of a direct mainline connection for Interstate 295 at the interchanges of Interstate 295, Interstate 76 and New Jersey State Route 42 in the Boroughs of Bellmawr, Mount Ephraim, and the City of Gloucester, Camden County, that was previously authorized under PI# 0400-04-0002.1.</p> <p>This permit authorization also includes a freshwater wetlands individual permit modification and waterfront development permit modification to authorize additional impacts necessary to address minor changes in reconstruction and access to work areas. The freshwater wetlands individual permit modification authorizes the permanent disturbance of 1.35 acres of freshwater wetlands, 3.74 acres of wetland transition areas, and 0.083 acres of State open waters, and the temporary disturbance of 0.033 acres of freshwater wetlands, 0.071 acres of wetland transition areas and 0.027 acres of State open waters. The Waterfront Development individual permit modification authorizes 0.076 acres of permanent disturbance to intertidal subtidal shallows and 0.232 acres of temporary disturbance to intertidal subtidal shallows. The Coastal Wetlands permit authorizes 0.532 acres of permanent impacts and 0.090 acres of temporary impacts to mapped coastal wetlands. The impacts to these regulated areas are necessary for the interchange connections, ramp realignments and roadway improvements approved under the previous permit.</p>		
Project Location Intersection of I-295, I-76 and Rt. 42 Boroughs of Bellmawr, Mount Ephraim, and the City of Gloucester, Camden County.		Received by County Clerk
Project Manager's Signature  Matthew Resnick Telephone: (609) 777-0454 Email: Matthew.Resnick@dep.state.nj.us		
<b>This permit is not valid unless authorizing signature appears on the last page.</b>		

## STANDARD CONDITIONS:

1. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety and agree to adhere to all terms and conditions. If you do not accept or agree with this document in its entirety, **do not** begin construction. You are entitled to request an appeal within a limited time as detailed on the attached *Administrative Hearing Request Checklist and Tracking Form*. You may also contact the project manager shown on the first page if you have any questions or concerns about this document.
2. **Recording with County Clerk:** You must record this permit in the Office of the County Clerk for each county involved in this project. You must also mail or fax a copy of the front page of this permit to the Department showing the received stamp from each County Clerk within 30 days of the issuance date (or 90 days if multiple counties are involved). The Department's address and fax number are shown on the first page of this permit.
3. **Notice of Construction:** You must notify the Department in writing at least 7 days before you begin any work approved by this permit. The Department's address and fax number are shown on the first page of this permit. Please direct your letter to the project manager shown on the first page.
4. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some coastal permits may qualify for an extension of the expiration date. Please contact the Department for further information.)
5. **Duty to comply:** The permittee, its contractors and subcontractors shall comply with all conditions of the permit, supporting documents and approved drawings. Any noncompliance with a permit constitutes a violation of this chapter, and is grounds for enforcement action pursuant to N.J.A.C. 7:13-19, as well as suspension and/or termination of the permit.
6. **Duty to reapply:** If the permittee wishes to continue an activity covered by the permit after the expiration date of the permit, the permittee must apply for and obtain a new permit.
7. **Duty to halt or reduce activity:** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
8. **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.
9. **Proper operation and maintenance:** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve compliance with the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The operation of back-up or auxiliary facilities or similar systems is only required when necessary to achieve compliance with the permit. The permittee must also properly execute any approved mitigation compensation and/or restoration proposal designed to mitigate losses caused by the permitted activity. The permittee shall maintain the authorized work areas in good condition and in accordance with the permit.
10. **Proper oversight:** The permittee shall ensure that all approved activities are undertaken using the best management practices available under the supervision and direction of an engineer at all points necessary to ensure compliance with all permit conditions.

11. **Proper site maintenance:** While the regulated activities are being undertaken, neither the permittee nor its agents shall cause or permit 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. Upon completion or abandonment of the work, the permittee and/or its agents 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.
12. **Permit actions:** A permit can be revised, suspended or terminated for cause. The filing of a request by the permittee for a revision, or a notification of planned changes or anticipated noncompliance does not stay any condition of a permit.
13. **Property rights:** A permit does not convey any property rights of any sort, or any exclusive privilege.
14. **Duty to provide information:** A copy of the individual permit and other authorizing documents 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 immediately upon request. The permittee shall also furnish to the Department within a reasonable time any information that the Department requests to determine compliance with a permit or to determine whether cause exists for suspension or termination of a permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by the permit.
15. **Inspection and entry:** The permittee shall allow an authorized representative of the Department, at reasonable times and upon the presentation of credentials, to:
  - i. 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;
  - ii. Have access to and copy any records that must be kept under the conditions of the permit; and
  - iii. Inspect any facilities, equipment, practices or operations regulated or required under the permit.

Failure to allow reasonable access under this section shall be considered a violation of this chapter and subject the permittee to enforcement action pursuant to N.J.A.C. 7:13-19.

16. **Reporting requirements:** The permittee shall provide reports to the Department as follows:
  - i. **Planned changes:** The permittee shall give notice to the Department prior to any planned physical alterations or additions to the permitted project or activity;
  - ii. **Transfers:** The permit is not transferable to any person unless the transfer is approved by the Department, pursuant to N.J.A.C. 7:13-14.1;
  - iii. **Noncompliance:** The permittee shall immediately report to the Department by telephone at (877) 927-6337 any noncompliance that may endanger health or the environment. The permittee shall report all other noncompliance to the Division of Land Use Regulation by telephone at (609) 292-0060 within two business days of the time the permittee becomes aware of the noncompliance, and 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; and
  - iv. **Other information:** 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.

17. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work. All work must be stabilized in accordance with the *Standards for Soil Erosion and Sediment Control in New Jersey*, and all fill material must be free of toxic pollutants in toxic amounts as defined in section 307 of the Federal Act.

## **SPECIAL CONDITIONS IN ADDITION TO THE STANDARD CONDITIONS:**

18. All of the Special Conditions of the original Flood Hazard Area, Waterfront Development Permits, Freshwater Wetlands Permits and Transition Area Waiver remain in effect. In addition, this approval is subject to the following new or revised conditions:
19. Limit of Authorized Disturbance - The authorized activity involves the total permanent disturbance of **1.35 acres** to freshwater wetlands, **3.74 acres** to freshwater wetland transition areas, and **0.083 acres** to State open waters. This permit also authorizes temporary impacts of **0.033 acres** to freshwater wetlands, **0.071 acres** to wetland transition areas and **0.027 acres** to State open waters. 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.
20. In order to protect the *anadromous fishery resources* within Little Timber Creek, Little Timber Creek unnamed tributary, Big Timber Creek, and Big Timber Creek unnamed tributary, any proposed grading or construction activities within the banks or riparian zone of this or any other watercourse on site is prohibited between **April 1st and June 30th** of each year. In addition, any activity within the 100-year flood plain or flood hazard area of these watercourses which could introduce sediment into said watercourse 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. **This timing restriction period does not apply to the unnamed tributary to Big Timber Creek from its origin point at the southwest corner of Dewey and Colonial roads, to the discharge point immediately west of Essex Roads. Best Management Practices and sediment control structures are still required to prevent sediment and construction debris from entering the downstream portions of the Unnamed Tributary to Big Timber Creek.**
21. 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, 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.
22. The applicant 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, inlets, and mechanical treatment devices 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.
21. The rip-rap proposed at sign structure number 3 must be constructed at or below existing grade. No rip-rap or other fill may protrude above existing grade within the top of banks of the adjacent watercourse.

**SPECIAL MITIGATION PERMIT CONDITIONS:**

**Revised Wetland Mitigation Permit Conditions:**

- a. The permittee shall mitigate for the permanent disturbance of 1.173 acres of freshwater forested wetlands, 0.137 acres of freshwater shrub/scrub wetlands, 0.04 acres of freshwater emergent wetlands, 0.076 acres of Intertidal/Subtidal shallows, 0.534 acres of mapped coastal wetlands and 0.083 acres of State open waters through either an on-site or off-site creation, restoration, or enhancement project or with the purchase of credits from a mitigation bank serving the appropriate watershed management area (N.J.A.C. 7:7 E-3B et seq).
- b. The permittee shall mitigate for the temporary disturbance of 0.032 acres of freshwater forested wetlands, 0.001 acres of freshwater shrub/scrub wetlands, 0.232 acres of Intertidal/Subtidal shallow, 0.091 acres of mapped coastal wetlands and 0.027 acres of State open waters through an on-site restoration project (N.J.A.C. 7:7E-3B et seq).
- c. The permittee has submitted confirmation of a credit purchase for this project in the amount of 2.4 credits from the Willow Grove Mitigation Bank. Based on the impacts authorized herein, 2.043 credits are necessary for this project. It is the Department's understanding that the purchase of mitigation credits is to provide mitigation prior to or concurrent with the impacts, and that a proposal for an on-site mitigation project is forthcoming. If and when an on-site mitigation project is approved by the Department and construction of the project is successfully completed, the Department will authorize the use of these credits to offsite mitigation requirements for other projects within the service area of the bank.

**Revised Riparian Zone compensation Conditions:**

- d. Within 60 days of the issuance of this permit, the permittee shall submit a proposal to provide 2:1 compensation for the permanent loss of 2.057 acres of forested riparian zone, 0.08 acres of scrub-shrub riparian zone and 2.67 acres of grass riparian zone vegetation. The proposal shall be designed in accordance with the standards at N.J.A.C. 7:13-10.2(t) and (u).

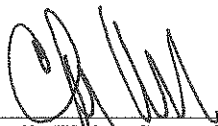
**APPROVED PLANS:**

The drawings hereby approved are fifteen (15) sheets collectively entitled, "STATE NEW JERSEY DEPARTMENT OF TRANSPORTATION, PLANS OF RT 295 & 42/I76 DIRECT CONNECTION INTERCHANGE IMPROVEMENTS, FROM WEST CREEK ROAD TO BLACK HORSE PIKE, CONTRACT NO. 026950543, APPLICATION FOR NJDEP FRESHWATER AND COASTAL WETLANDS PERMIT, BOROUGH OF BELLMAWR, BOROUGH OF MOUNT EPHRAIM, BOROUGH OF BARRINGTON, BOROUGH OF HADDON HEIGHTS, BOROUGH OF RUNNEMEDE, CITY OF GLOUCESTER, COUNTY OF CAMDEN, TOWNSHIP OF DEPTFORD, BOROUGH OF WESTVILLE, CITY OF WOODBURY, COUNTY OF GLOUCESTER", Certified December 17, 2012, last revised as noted, and prepared by Eric J. Boschen of Dewberry-Goodkind, INC.

- "TITLE SHEET", sheet 1 of 1, , last revised October 22, 2012
- "FRESHWATER AND COASTAL INDIVIDUAL WETLANDS PERMIT PLANS", sheets WP-3, WP-13 through WP-18, WP-32, WP-34, WP-35, WP-40, WP-41, and WP-44, last revised October 22, 2012
- "CONSTRUCTION DETAILS", sheets DTL-5, certified and last revised February 13, 2013

And the following thirty seven (37) sheets collectively entitled, "STATE NEW JERSEY DEPARTMENT OF TRANSPORTATION, PLANS OF RT 295 & 42/I76 DIRECT CONNECTION INTERCHANGE IMPROVEMENTS, FROM WEST CREEK ROAD TO BLACK HORSE PIKE, CONTRACT NO. 026950543, APPLICATION FOR NJDEP FLOOD HAZARD AREA INDIVIDUAL PERMIT AND WATERFRONT DEVELOPMENT PERMIT, BOROUGH OF BELLMAWR, BOROUGH OF MOUNT EPHRAIM, BOROUGH OF BARRINGTON, BOROUGH OF HADDON HEIGHTS, BOROUGH OF RUNNEMEDE, CITY OF GLOUCESTER, COUNTY OF CAMDEN, TOWNSHIP OF DEPTFORD, BOROUGH OF WESTVILLE, CITY OF WOODBURY, COUNTY OF GLOUCESTER" certified December 17, 2012, last revised as noted, and prepared by Eric J. Boschen of Dewberry-Goodkind, INC.

- "TITLE SHEET", sheet 1 of 1, last revised October 22, 2012
- "FLOOD HAZARD AREA PERMIT PLANS", sheets FHA-3, FHA-13 through FHA-18, FHA-32, FHA-34, FHA-35, FHA-40, FHA-41, and FHA-44, last revised October 22, 2012(14)
- "WATERFRONT DEVELOPMENT PERMIT PLANS", sheets WFD-1 through WFD-4, and WFD-7 last revised October 22, 2012(19)
- "CONSTRUCTION PLANS", sheets C-3, C-13 through C-18, C-32, C-34, C-35, C-40, C-41 and C-44, last revised October 22, 2012(32)
- "CONSTRUCTION PLANS", sheets C-20, certified March 7, 2013, last revised March 5, 2012
- "STORMWATER BASIN PLAN, BASIN NO.1", sheets SB-1, last revised October 22, 2012
- "STORMWATER BASIN PLAN, BASIN NO.3", sheets SB-3, last revised October 22, 2012
- "STORMWATER BASIN PLAN, BASIN NO.4", sheets SB-4, certified March 7, 2013, last revised March 5, 2013
- "STORMWATER BASIN PLAN, BASIN NO.7", sheets SB-7, last revised October 22, 2012



Charlie Welch, Supervisor  
Bureau of Urban Growth and Redevelopment  
Division of Land Use Regulation

3/20/13

Date

Cc: NJDEP Enforcement  
Borough of Bellmawr, Construction Official, Clerks Office,  
Borough of Mount Ephraim, Construction Official, Clerks Office  
Borough of Barrington, Construction Official, Clerks Office,  
Borough of Haddon Heights, Construction Official, Clerks Office,  
Borough of Runnemede, Construction Official, Clerks Office,  
City of Gloucester, Construction Official, Clerks Office,  
Township of Deptford, Construction Official, Clerks Office,  
Borough of Westville, Construction Official, Clerks Office,  
City of Woodbury, Construction Official, Clerks Office  
Eric Boschen, Agent, Dewberry-Goodkind