




**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</p>		Approval Date <b>MAY 15 2017</b>
		Expiration Date <b>MAY 14 2022</b>
<b>Permit Number(s):</b>  0301-16-0003.1WFD160001 0301-16-0003.1CSW160001 0301-16-0003.1FWW160001	<b>Type of Approval(s):</b>  In-Water Waterfront Development IP Coastal Wetland Permit Freshwater Wetland GP10B Water Quality Certificate	<b>Enabling Statute(s):</b> NJSA 12:5-3 et seq. WFD; NJSA 13:9A et seq. WA; NJSA 13:9B et seq. FWPA; NJSA 40:55D-93-99 et seq. WQPA; NJSA 58:10A-1 et seq. WPCA;
<b>Permittee:</b> NJ Department Transportation 1035 Parkway Ave Trenton, NJ 08625	<b>Site Location:</b> Block(s) & Lot(s): [N/A, N/A] Municipality: Bass River Twp County: Burlington	
<p><b>Description of Authorized Activities:</b> The replacement of the existing Route 9 bridge over Jobs Creek with a single-span pre-stressed spread box beam type bridge along an offset alignment. The roadway and bridge will undergo minor widening. The deck will accommodate a 12-foot lane and an 8-foot minimum shoulder in each direction. The total deck width will be approximately 45 feet. The entire structure and widened roadway will remain within the existing right-of-way. Retaining walls will be required along the south side of the widened roadway.</p> <p>This letter of authorization to conduct a regulated activity in a wetland or open water includes a Water Quality Certificate for these activities.</p> <p>The authorized project is shown on drawings consisting of six (6) sheets prepared by Anthony M. DiMaggio, Jr., P.E. of McCormick Taylor, Inc., dated 13 December 2016, unless otherwise noted, entitled:</p> <p><b>"NEW JERSEY DEPARTMENT OF TRANSPORTATION NJDEP PERMIT PLANS ROUTE 9, JOBS CREEK BRIDGE CONTRACT NO. 058113680"</b></p> <p>This project is consistent with and in conditional compliance with the applicable Coastal Zone Management Rules (N.J.A.C. 7:7-1.1 et seq.), as amended on June 20, 2016, provided all conditions to follow are met.</p>		
<b>Prepared by:</b>  <hr/> <b>Kevin Burns</b>	<b>Received and/or Recorded by County Clerk:</b>	
<p>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.</p>		
<p><b>This permit is not valid unless authorizing signature appears on the last page.</b></p>		

**SPECIAL CONDITIONS FOR A COASTAL PERMIT:**

1. The authorized activities will result in 0.004 acres of permanent impact, and 0.003 acres of temporary impacts to coastal wetlands.
2. The authorized activities will result in 0.019 acres of temporary impacts to intertidal/subtidal shallows.

**SPECIAL CONDITIONS FOR A FRESHWATER WETLANDS PERMIT:**

1. The total amount of disturbance associated with this authorization shall not exceed 0.018 acres of permanent wetland disturbance, and 0.01 of temporary disturbance to freshwater wetlands. In addition, the authorized activity will result in the permanent disturbance of 0.02 acres of transition area and temporary disturbances to 0.01 acres of transition areas.
2. The wetlands affected by this permit authorization are of Intermediate resource value and the standard transition area or buffer required adjacent to these wetlands is 150 feet. This permit includes a transition area waiver, which allows encroachment only in that portion of the transition area, which has been determined by the Department to be necessary to accomplish the regulated activities. Any additional regulated activities conducted within the standard transition area on-site shall require a separate transition area waiver from the Division. Regulated activities within a transition area are defined at N.J.A.C. 7:7A-2.6. Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules (N.J.A.C. 7:7A-1.1 et seq.) for additional information.
3. If the permittee, before or during the work authorized, encounters a possible historic property, as described at N.J.A.C. 7:7A-12.2(I), that is or may be eligible for listing in the New Jersey or National Register, the permittee shall preserve the resource, and immediately notify the Department and proceed as directed.

**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

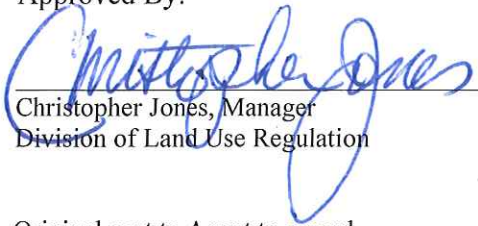
permit shall be recorded within 30 calendar days of receipt by the permittee, unless the permit authorizes activities within two or more counties, in which case the permit shall be recorded within 90 calendar days of receipt. Upon completion of all recording, a copy of the recorded permit shall be forwarded to the Division of Land Use Regulation at the address set forth in the rules.

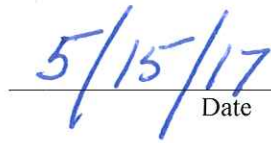
15. If any condition or permit is determined to be legally unenforceable, modifications and additional conditions may be imposed by the Department as necessary to protect public health, safety, and welfare, or the environment.
16. A copy of the permit and all approved site plans and supporting documents 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 the 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 the regulated activity(ies) is being undertaken. Upon completion of the regulated activity(ies), 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. The regulated activity shall not 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.

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:

  
\_\_\_\_\_  
Christopher Jones, Manager  
Division of Land Use Regulation

  
\_\_\_\_\_  
Date

Original sent to Agent to record  
c: Permittee  
Construction Official

