



Jurisdictional Determination

DRCC #: 20-5526

DATE: April 7, 2020

PROJECT NAME: NJDOT -- Route 29 Erosion and Drainage Repair

Latest Submission Received: March 17, 2020

Applicant:

New Jersey Department of Transportation (NJDOT)

951 Parkway Avenue

Ewing, NJ 08625

Brendan.Brock@dot.nj.gov

Project Location:

Road	Municipality	County	Block(s)	Lot(s)
State Highway Route No. 29 (River Road)	Ewing Township Hopewell Township	Mercer	N/A	N/A
	West Amwell Township Lambertville City	Hunterdon		

Jurisdictional Determination:

Zone A	Minor	Governmental
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Documents Received: Construction Plans (31 sheets) dated December 18, 2019; Memo dated February 10, 2020, with attachments; prepared by McCormick Taylor, Inc.

PO BOX 539

STOCKTON, NJ 08559

609-397-2000

www.nj.gov/dep/drcc/

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Staff comments continued below.

Existing conditions: The existing site is the northbound and southbound lanes of State Highway Route No. 29 (Route 29) in Ewing and Hopewell townships, Mercer County, and West Amwell Township and Lambertville City in Hunterdon County. Route 29 generally parallels and lies between 30 and 75 feet of the Delaware and Raritan Canal and is located within Commission Review Zone A. This section of Route 29 is also part of the larger Delaware River Scenic Byway, which extends from the Route 29 tunnel in Trenton to the Uhlerstown-Frenchtown Bridge in Frenchtown.

Proposed project: The applicant proposes to address erosion and drainage issues on Route 29 from milepost 9 in the vicinity of Duffield Drive north of Interstate Highway Route No. 295 in Ewing Township, Mercer County, to milepost 18, north of the Firemans Eddy bridge over the Delaware and Raritan Canal near the border of the City of Lambertville, Hunterdon County, within Commission Review Zone A.

The applicant’s submission states that, based on field observations at over 50 locations, there is evidence of severe erosion of the highway and the adjacent embankment of the Delaware and Raritan Canal. The applicant indicates that the primary cause of the erosion is the poor drainage and the sheet flow and concentrated flow from runoff over the umbrella section. In some areas, sinkholes have formed on the tops of existing pipes, and in other areas the existing outfalls are completely buried in sediment.

The NJDOT has proposed a series of erosion countermeasures based on factors such as: hydraulic conditions; durability; constructability and ease of future maintenance. The primary function of the proposed countermeasures is to attain a reduction in velocity and energy dissipation over the embankment to prevent any future erosion and scour. The proposed countermeasures include bioengineering and occasional hard armoring, depending upon velocity, volume of runoff and steepness of the slope.

The applicant notes that bioengineering methods will be used to stabilize the areas of the embankment with less steep slopes at most of the locations. Bioengineering methods will include topsoil stabilization, seeding, landscape timber edging (12-inch-diameter coir fascine) and small deciduous trees with 2.5 to 3 inch caliper. Non-vegetative surface and stabilization matting will be used under the highway guiderails. Silt fencing and turbidity barriers will be used to prevent sediment from entering the Delaware and Raritan Canal.

The applicant proposes that at three locations hard armoring will be used, including stone riprap (native stones) and rock-and-wire (gabion) mattresses. At one location, the applicant proposes the replacement of an existing headwall with a precast concrete wall. The applicant also proposes to construct a “few” inlets, as well as an outfall structure at one location.

Findings: The applicant’s submission indicates that the proposed project is located in Commission Review Zone A. The applicant’s submission indicates the amount of impervious surface associated with the proposed project is 1,890 square feet and will

result in 13,324 square feet (0.31 acres) of total land disturbance. Therefore, Commission staff has determined the project is a “minor project” subject to the Commission’s stormwater runoff and water quality impact review standards at N.J.A.C. 7:45-8.

The applicant is advised that the project may also be subject to stream corridor impact review (N.J.A.C. 7:45-9) and visual, historic and natural quality impact review (N.J.A.C. 7:45-10). Since the applicant has not provided any information regarding these impacts, the Commission reserves judgement on the applicability of these review standards to the proposed project.

The applicant appears to propose activities on property owned by the Department of Environmental Protection (DEP) Division of Parks and Forestry, and may implicate the Washington Crossing State Park in addition to the Delaware and Raritan Canal State Park. Accordingly, the DEP Division of Parks and Forestry and the superintendents of the impacted State parks are copied on this determination.

The applicant appears to propose activities that may impact the prism of the Delaware and Raritan Canal, the maintenance of which pursuant to a 1986 lease agreement is the responsibility of the New Jersey Water Supply Authority (NJWSA). Accordingly, the NJWSA is copied on this jurisdictional determination.

Finally, the applicant appears to propose activities within the Delaware and Raritan Canal Historic District, which encompasses the entire canal bed and all land 100 yards to either side of the center line of the canal. Accordingly, the DEP State Historic Preservation Office (SHPO) is copied on this jurisdictional determination.

Decision: The proposed project is subject to Commission regulation. The applicant proposes a project in Commission Review Zone A which would create more than 800 square feet of impervious surface coverage cumulative to January 11, 1980. The project is therefore a “Minor Project” that is subject to stormwater runoff and water quality impact review pursuant to N.J.A.C. 7:45-8 and visual, historic and natural quality impact review pursuant to N.J.A.C. 7:45-10.

The Commission reserves judgement on the applicability of the stream corridor impact review standards at N.J.A.C. 7:45-9 to the proposed project. The applicant will be required to meet the Commission’s regulatory standards and submit the applicable fees.

Expiration date: April 7, 2025.

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Sincerely,

A handwritten signature in black ink, appearing to read "John Hutchison", with a long horizontal flourish extending to the right.

John Hutchison
Executive Director

- c. Mercer County Planning Board
- Hunterdon County Planning Board
- Ewing Township Planning Board
- Hopewell Township Planning Board
- West Amwell Township Planning Board
- Lambertville City Planning Board
- Patricia Kalleser, Superintendent, Delaware and Raritan Canal State Park
- Neal Ferrari, Superintendent, Washington Crossing State Park
- Marc Brooks, Executive Director, NJWSA
- Michael Sellar, NJWSA Facility Manager, Delaware and Raritan Canal
- Judeth Yeane, Esq., DEP Green Acres Program, Legal Services and Stewardship
- Jesse West-Rosenthal, Ph.D., Historic Preservation Specialist 2, DEP/SHPO