

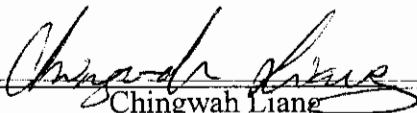


STATE OF NEW JERSEY  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

(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 Nos. 2107-05-0002.1 FHA 050001 SEP 2107-05-0002.1 FWW 050001 GP No. 2 2107-05-0002.1 FWW 050002 GP No. 10A	Application No.	
Issuance Date <b>JAN 20 2006.</b>	Effective Date <b>JAN 20 2006.</b>	Expiration Date <b>JAN 20 2011.</b>
Name and Address of Applicant New Jersey Department of Transportation 1035 Parkway Avenue P.O. Box 600 Trenton, NJ 08625	Name and Address of Owner	Name and Address of Operator
Location of Activity/Facility (Street Address) Route 57 Twp.: Greenwich County: Warren	Issuing Division  Land Use Regulation Program	Statute(s) NJSA 13:1D-1 NJSA 13:9B-1 NJSA 58:10A-1 NJSA 58:16A-50, et. seq.
Type of Permit Stream Encroachment Freshwater Wetlands	Maximum Approved Capacity, if applicable	
<p>This permit grants permission to:</p> <p>construct a 9.14m. (30ft.) span by 13.71m. (45ft.) wide, bridge, along with associated footings, abutments, and wingwalls, to replace an existing bridge, over Merrill Creek, along Route 57, approximately 17m westerly of the intersection of Route 57 and Prospect Street, in the Township of Greenwich, Warren County. In addition, this permit also grants permission to construct one underground gas line utility crossing under Merrill Creek and two stormwater discharge points within the floodplain of said watercourse. This Permit also approves the disturbance of 0.249 of an acre of State open water, freshwater wetland and transition area under General Permit No. 10A for the widening of Route 57 and the disturbance of 0.06 of an acre of State open water, freshwater wetland and transition area under General Permit No. 2 for the installation of the underground utility.</p>		
Prepared By:  Chingwah Liang (See page 6 for Section Chief'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.

## Terms and Conditions

### 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 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.

### Terms and Conditions

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.
13. The decision to approve this permit did not include a review of the proposed infiltration basin, because the project is not a major development as defined by N.J.A.C. 7:8. Nor did it involve a comparative review of any local stormwater management ordinances that may apply to the site. As such, the issuance of this permit should not be construed as an indication that this project meets any municipal or State stormwater management regulations that may apply.
14. In order to protect the resident trout population and their recreational use within Merrill Creek, any proposed grading or construction activities within the banks of this or any other watercourse on site are prohibited between **September 15** to **March 15** of each year. In addition, any activity within the 100-year flood plain or flood hazard area of this watercourse that could introduce sediment into said watercourse or that 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.
15. 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. In order to avoid obstruction of stream flows or fish passage, turbidity barriers must not be placed across the stream channel.
16. No wet open cuts are allowed for the installation of the underground utility line. Dry open cuts or boring are the only permitted method of installation.
17. Any and all precautions must be taken to prevent raw concrete [e.g. footings / abutments] from coming in contact with the waters of Merrill Creek (*raw concrete is toxic to aquatic biota*).
18. Excavation of the streambed area must be restored using native substrate to match the pre-existing stream bottom contours, except where riprap is required for erosion control at the outfall locations as shown on the approved sheets.
19. Areas of temporary excavation must be restored with native, indigenous species. The stream bank 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.
20. Provisions of the Freshwater Wetlands Statewide General Permits Nos. 2 and 10A

This portion of the permit authorizes the disturbance of 0.249 of an acre of State open water, freshwater wetland and transition area for the widening of the Route 57 crossing under General Permit No. 10A. Specifically, the authorized activity under General Permit No. 10A consists of the temporary disturbance of approximately 0.01 of an acre and 0.007 of an acre of freshwater wetlands and/or State open waters and the temporary disturbance of 0.186 of an acre and permanent disturbance of 0.046 of an acre of transition area. In addition this

## Terms and Conditions

permit also authorizes the disturbance of 0.06 of an acre of State open water, freshwater wetland and transition area for the installation of the underground utility to be located south of Route 57 as shown on the approved sheets under General Permit No. 2. Specifically, the authorized activity under General Permit No.2 consists of the temporary disturbance of approximately 0.02 of an acre of freshwater wetlands and state open waters and the temporary disturbance of 0.04 of an acre of wetland transition area. The authorization of activities under this Freshwater Wetlands Statewide General 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 authorized activities. 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. 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 the 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 must direct the contractors to locate all staging and storage areas outside of wetlands and wetland buffers not approved for use by this permit.
22. **Prior to construction**, workers must survey the project site for the presence of turtles. Any turtles found within the project site must be immediately relocated to a safe area along the Merrill Creek. Immediately following the survey, the construction site must be encompassed by silt fence or other small-meshed fencing to prevent turtles from re-entering the area during construction. Any wood turtles or other rare turtles found must be immediately relocated to a safe area and reported to the NJDEP.
23. NJDOT shall complete a technically and professionally complete nomination for the Stewartsville Historic District to the New Jersey and National Registers of Historic Places. The nomination shall provide all the required documentation including, but not limited to: keyed, archivally stable black and white photographs, a statement of significance, a period of significance, a narrative description, delineation of contributing and non-contributing resources, a list of current property owners, a boundary description, a map of the boundaries, and a boundary justification. NJDOT or it's consultant shall defend the nomination through the State and National Register nomination process.

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24. The proposed bridge parapet design shall be compatible with the character of the Stewartsville Historic District. The parapet shall be a modified Texas Type C411 bridge rail consisting of a solid barrier, broken by shallow, recessed panels, mimicking the railing on the existing bridge, which has vertical rectangle voids. The concrete on the new bridge will be tinted to approximate the color of aged concrete in the existing bridge. The bridge deck shall be a black color, similar to the black color of the asphalt approaches, achieved through the use of asphalt overlay or tinting the bridge deck concrete. Plans and specifications shall be forwarded to the Historic Preservation Office for review and comment.

### Terms and Conditions

25. The drawings hereby approved are twenty (20) sheets prepared by Jenny Engineering Corp., dated and revised as noted, entitled:

"ROUTE 57 SECTION 1B, GREENWICH TOWNSHIP, WARREN COUNTY, NJ – IMPACT CALCULATION WETLAND, STATE OPEN WATER AND TRANSITION AREA", dated January 2006, unrevised

"NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 57 CONTRACT NO. 002960437", undated, unrevised, unless otherwise noted

"KEY", sheet no. 1 of 7, dated August 2005

"MERRILL CREEK CROSS SECTIONS, STA. 203+00 TO STA. 208+00", sheet no. 2 of 7

"MERRILL CREEK CROSS SECTIONS, STA. 209+00 TO UPSTREAM BRIDGE SECTION", sheet no. 3 of 7

"MERRILL CREEK CROSS SECTIONS, STA. 212+21 TO STA. 216+00", sheet no. 4 of 7

"NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 57 CONTRACT NO. 002960437", dated June 2005, unrevised unless otherwise noted

"CONSTRUCTION PLANS", sheet nos 4, 5 and 7 of 19, and sheet no. 6 of 19, revised November 2005

"ENVIRONMENTAL PLANS", sheet no. 8 of 19

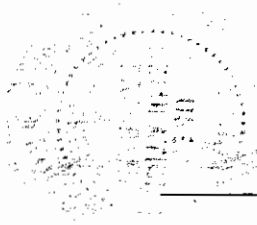
"PROFILES", sheet nos. 9 and 10 of 19, sheet no. 9 last revised January 11, 2006

"CROSS SECTIONS", sheet nos. 11 to 15 of 19

"GENERAL PLAN AND ELEVATION – 1", sheet no. 16 of 19, revised January 18, 2006

"CONSTRUCTION DETAILS DRAINAGE", sheet no. 18 of 19

"GAS LINE CROSSING OF MERRILL CREEK", sheet no. 19 of 19, revised January 16, 2006



*Madhu Guru*

Madhu M. Guru, PE  
Section Chief  
Land Use Regulation

*1/20/06*  
Date