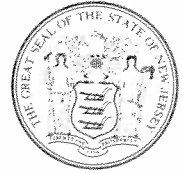




STATE OF NEW JERSEY
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 (See Issuing Division below)



P E R M I T*

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 No. 1345	Application No.
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Issuance Date OCT 29 2010	Effective Date OCT 29 2010	Expiration Date OCT 29 2012
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Name and Address of Applicant New Jersey Dept. of Transportation 1035 Parkway Ave. P.O. Box 600 Trenton, NJ 08625	Name and Address of Owner	Name and Address of Operator
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Location of Activity/Facility (Street Address) Lot _____ Block _____	Issuing Division Natural and Historic Resources Engineering & Construction	Statute(s) NJSA-58:4-1 et seq.
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Type of Permit Dam	Maximum Approved Capacity, if applicable
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This permit grants permission to:

construct a new primary spillway structure, install a permanent steel sheet pile cutoff wall along the length of the embankment, and perform miscellaneous repairs at the Pohatcong Lake Dam; located across the Pohatcong Creek in the Borough of Tuckerton, Ocean County, New Jersey. PROJECT IS SHOWN ON APPROVED DRAWINGS LISTED ON PAGES 6, 7 AND 8 OF THIS PERMIT.

Prepared by: Clint Oman
Clint Oman

See page 8 for signature

Revised Date	Approved by the Department of Environmental Protection Name (Print or Type) _____ Title _____ Signature _____ Date _____
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This permit is subject to the following general 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 this 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.

DAM APPLICATION PERMIT NO. 1345

TERMS AND CONDITIONS

1. Application for approval of plans and permit was filed on June 29, 2010 and was accompanied by the following supplementary papers as part thereof:
 - A. Construction Drawings
 - B. Technical Specifications
2. The action of the Bureau in approving this application and issuing the permit shall not relieve the party constructing the works hereby approved from the responsibility for damage caused by such works; nor does the Bureau accept responsibility for the structural design.
3. The work shall at all times be subject to supervision and inspection by representatives of the Bureau.
4. No changes in the plans and specifications as approved shall be made except with written consent of the Bureau. The Bureau however, reserves the right to require such changes or modifications in the plans and specifications as may be considered necessary in the interest of public safety.
5. A formal construction inspection program (program) shall be required for all permitted construction activities. A copy of the program description is to be submitted and approved by the Bureau prior to the commencement of construction. The program description shall contain detailed information including but not limited to the following items:
 - A. Organization chart of the construction inspection force.
 - B. Number and specialties of inspectors proposed. Information submitted with this item, or item above, should include the number of inspectors proposed for each feature of construction. Where full-time inspection is not proposed, the schedule for part-time inspection should be described.
 - C. Duties, responsibilities, necessary qualifications, and scope of authority of the inspection staff members. This information should be supplemented on a continuing basis by submittal of qualifications of the personnel actually employed.

DAM APPLICATION PERMIT NO. 1345

- D. Field tests to be performed and frequency of testing.
- E. Field laboratory facilities to be provided.
- F. Planned use of commercial testing services.
- G. Planned use of consultants during construction.
- H. Schedule of construction, showing all major features of construction.
- I. Erosion Control and Other Environmental Measures.
- J. Inspection and monitoring of erosion control and other measures that are required for the protection of the environmental integrity of streams and other areas affected by construction.

The information provided should be in sufficient detail to enable the Bureau to assure that the proposed program provides adequate construction quality control. Some items, such as safety requirements and special construction techniques, including a water diversion plan; underground and surface excavation; and production and placement of reinforced concrete work may be included in the contract specifications. If not, these items, especially those that may involve the safety of personnel during construction, should be detailed in the inspection program.

- 6. All on-site construction activities shall be performed under the direct supervision of a professional engineer, licensed in the State of New Jersey and experienced in the design and construction of dams. The Bureau will not accept an inspection program that provides for quality control to be administered or performed by the contractor.
- 7. The professional engineer responsible for inspecting the construction shall submit a report on the status of construction with color photographs to the Bureau on the first day of each month until the work has been completed.
- 8. A construction notice on a prescribed form shall be prepared and submitted to the Bureau two weeks prior to construction beginning. No material shall be placed on any portion of the foundation of the embankment or spillway until such portion of the foundation has been approved in writing by a representative of the Bureau.

DAM APPLICATION PERMIT NO. 1345

9. The work shall be started within one (1) year from the date of this permit and completed within two (2) years from said date, otherwise, this permit, if not previously revoked or specifically extended, shall cease and be null and void.
10. A copy of the dam permit and one set of drawings and specifications approved by the Bureau must be available at the project site during construction.
11. All construction activities must be undertaken in accordance with N.J.A.C. 7:20-1.10 of the Dam Safety Standards entitled: "Construction."
12. All construction work on the lands encompassed within this dam permit shall be **STABILIZED** in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey" (obtainable from local Soil Conservation District Offices), or equal engineering specifications, so as to prevent eroded soil therefrom entering the waterway at any time during and after construction.
13. This permit **DOES NOT GIVE ANY PROPERTY RIGHTS**, in either real or personal property or material, nor any exclusive privileges; neither does it authorize any injury to private property, nor invasion of private rights, nor any infringement of Federal, State or local laws or regulations; nor does it 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.**
14. No trees or brush shall be allowed to grow on the dam structure and, the dam embankment, spillway and appurtenances shall be maintained as described on the approved drawings.
15. After the construction of the dam has been completed, inspection reports shall be submitted to the Bureau in accordance with N.J.A.C. 7:20-1.11 of the Dam Safety Standards entitled: "Dam operating requirements and inspections, new and existing dams."
16. No flashboards or other obstruction shall be placed or permitted to remain on the crest of the spillway.
17. A complete set of 'as-built' designs, plans and specifications must be submitted to the Section upon completion of the project.

18. The professional engineer who has inspected the construction shall submit a written certification on the prescribed form that the structure has been constructed in conformance with the approved drawings and specifications.
19. The NJ Bureau of Freshwater Fisheries (BFF) has the Tuckerton Creek, through the project area, classified as FW2-NT/SE1, which would receive a timing restriction for any sediment generating activities from March 1 to June 30 to protect anadromous species spawning activities. At present, the Lake above the dam carries a timing restriction from April 1 to June 30 to protect Warm-water species spawning activities.
20. For any manipulation of the water level in Pohatcong Lake, a current and valid Water Lowering Permit must be obtained from the Bureau of Freshwater Fisheries (BFF) [see N. J. S.A. 23:5-29]; call: 908-236-2118 for an application and / or consultation; additional timing constraints, rates of lowering / refilling and fish / aquatic biota salvage requirements, if applicable, are found in this permit; preliminary consultation with the BFF is highly recommended to avoid delays or complications with a Water Lowering Permit.
21. All materials which come into contact with the waters of the State of NJ should be non- toxic and non-polluting.
22. BMP's must be used to prevent any sediment movement downstream during dam removal, stabilization and storm events. All sediment retaining structures/devices must be maintained for function.
23. A revised emergency action plan including required inundation mapping must be submitted to the Bureau of Dam Safety and Flood Control (Bureau) prior to the start of construction.
24. Design calculations demonstrating an adequate safety factor for the articulated concrete block revetment system on the downstream slope at the existing primary spillway outlet must be submitted for review and approval prior to installation.
25. Consideration should be given to modifying the existing primary spillway sluice opening to provide a more permanent structure as the operation of the gates will no longer be required once the new spillway is in place. Plans for modification to this structure must be provided to the Bureau for review and approval prior to construction.

26. The existing permanent normal pool elevation with Lake Pohatcong must be maintained following the construction on the new primary spillway. Calculations demonstrating such much be submitted to the Bureau prior to construction and must consider expected base flow.
27. A detailed inspection of the auxiliary spillway culvert must be performed by a NJ Professional Engineer to determine if conditions necessitate repair as part of this project. The results and recommendation from the inspection must be provided to the Bureau along with proposed rehabilitation measures for review and approval prior to construction.
28. The drawings hereby approved are twenty eight (28) sheets prepared by Taylor – Wiseman & Taylor, signature dated August 12, 2010 except as noted and unrevised except as noted, entitled:

“NEW JERSEY DEPARTMENT OF TRANSPORTATION ROUTE 9
POHATCONG LAKE DAM CONTRACT NO. 063950216”,

“TYPICAL SECTIONS”, sheet no. 4,

“CONSTRUCTION PLAN”, sheet no. 7, signature dated October 27, 2010,

“CONSTRUCTION PLAN”, sheet no. 8,

“ENVIRONMENTAL & SOIL EROSION & SEDIMENT CONTROL
PLAN”, sheet no. 11, signature dated October 27, 2010,

“PROFILES”, sheet no. 14,

“GRADES”, sheet no. 16,

“CONSTRUCTION DETAILS”, sheet no. 29,

“CONSTRUCTION DETAILS”, sheet no. 31,

“NEW JERSEY DEPARTMENT OF TRANSPORTATION BUREAU OF
STRUCTURAL ENGINEERING ROUTE 9 POHATCONG LAKE DAM
CONTRACT NO. 063950216 BOROUGH OF TUCKERTON OCEAN COUNTY”,

“KEY PLAN OF STRUCTURES”, sheet no. 43, signature dated October 27,
2010, last revised October 26, 2010,

“CULVERT REHABILITATION PLAN”, sheet no. 45, signature dated
October 27, 2010, last revised October 26, 2010,

“GENERAL PLAN”, sheet no. 46,

“ELEVATION & PROFILE”, sheet no. 47, signature dated October 27, 2010, last revised October 26, 2010,

“STAKEOUT PLAN & QUANTITIES”, sheet no. 48, signature dated October 27, 2010, last revised October 26, 2010,

“CONSTRUCTION STAGE 2”, sheet no. 49,

“CONSTRUCTION STAGE 3”, sheet no. 50,

“PILE PLAN”, sheet no. 51, signature dated October 27, 2010, last revised October 26, 2010,

“SPILLWAY FOOTING & PILE CAP PLAN”, sheet no. 52,

“SPILLWAY FOOTING REINFORCEMENT PLAN”, sheet no. 53,

“SPILLWAY FOOTING & PILE CAP DETAILS”, sheet no. 54, signature dated October 27, 2010, last revised October 26, 2010,

“SPILLWAY PLAN”, sheet no. 55, signature dated October 27, 2010, last revised October 26, 2010,

“NORTH WALL DETAILS”, sheet no. 56,

“SOUTH WALL DETAILS”, sheet no. 57,

“BAR SCHEDULE”, sheet no. 58,

“RAILING & GRATE DETAILS”, sheet no. 59,

“CULVERT TYPICAL SECTION & DETAILS”, sheet no 60, signature dated October 27, 2010, last revised October 26, 2010,

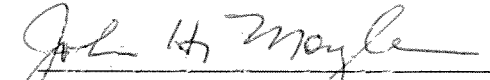
“FISH LADDER DETAILS”, sheet no. 61,

“INLET & FISH LADDER DETAILS”, sheet no. 62,

“PEDESTRIAN BOARDWALK & BRIDGE DETAILS”, sheet no. 63,

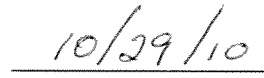
and construction specifications prepared by Taylor-Wiseman & Taylor, entitled:

“SPECIAL PROVISIONS ROUTE 9 POHATCONG LAKE DAM FROM THE VICINITY OF GREAT BAY BOULEVARD TO THE VICINITY OF SOUTH GREEN STREET CONTRACT NO. 063950216 STRUCTURES, GRADING & PAVING FEDERAL PROJECT NO. NHS-C000S(101)



John H. Moyle, P.E., Manager

Bureau of Dam Safety and Flood Control



Date