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DEC 29 2005



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

Division of
 Environmental Resources



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 enunciated in the supporting documents which are agreed to by the permittee upon acceptance of the permit.

Permit No. 1021-05-0016.1 EHA 050001 SEP 1021-05-0016.1 FWW 050001 GP*6 1021-05-0016.1 FWW 050002 GP 10A 1021-05-0016.1 FWW 050003 TWAL	Application No.
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Issuance Date NOV 14 2005	Effective Date NOV 14 2005	Expiration Date NOV 14 2010
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Name and Address of Applicant New Jersey Department of Transportation Attn: Dave Zmoda 1035 Parkway Avenue, 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) Route 202 and Case Boulevard Twp.: Raritan County: Hunterdon County Lot No. N/A Block No.: N/A	Issuing Division Land Use Regulation Program	State(s) NJSA 13:9B-1 NJSA 13:1D-1 NJSA 58:10A-1 NJSA 58:16A-50, et. seq.
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Type of Permit Stream Encroachment Freshwater Wetlands	Maximum Approved Capacity, If applicable
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This permit grants permission to:

construct five (5) stormwater discharge points, each within separate unnamed tributaries to the South Branch of the Raritan River, along Route 202, in connection with the construction of intersection improvements and a new stormwater system, located at the intersection of Case Boulevard and Route 202, approximately 1.5 miles north of the Flemington Circle, in the Township of Raritan, Hunterdon County, New Jersey.

Prepared By: *Christina Liang*
 Christina Liang
 (See page 5 for Section Chief's signature.)

Revised Date	Approved by the Department of Environmental Protection Name (Print or Type) _____ Title _____ Signature _____ Title _____
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DEC 29 2005

1021-05-0016.1 PIA 050001 SEP
1021-05-0016.1 FWW 050001 GP 6
1021-05-0016.1 FWW 050002 CR 10A
1021-05-0016.1 FWW 050003 TR41

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. Trees, shrubs, grasses, and other vegetation within 25 feet from the top of all stream banks on site shall not be disturbed for any reason, except as approved by the Department and as shown on the approved site plans. This condition applies to all streams and waterways on site, regardless of the contributory drainage area.
13. The applicant must make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed water quality measures on this site in accordance with the Department's Best Management Practices Manual. This includes, but is not limited to the cleaning and inspection of all water quality inlets and stormwater management basins at least 4 times a year and after every storm totaling or exceeding 1 inch of rainfall, and the continuous implementation of appropriate soil conservation practices within any basins, grassed swales, stormwater outfall structures and other similar appurtenances throughout the site in order to limit soil erosion and sediment discharge into adjacent waterways.
14. 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.
15. In order to protect the general fishery resource within each of the unnamed tributaries to the South Branch of the Raritan River, any proposed grading or construction activities within the banks of these or any other watercourses on site are prohibited between May 1 and June 30 of each year. In addition, any activity within the 100-year flood plain or flood hazard area of these watercourses that could introduce sediment into said watercourses 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.
16. Any and all precautions are to be taken to prevent raw concrete, which is toxic to fish, from coming in contact with the waters of the tributaries of the South Branch Raritan River.
17. Disturbed stream banks and adjacent areas are to be restored using native plant materials to ensure stabilization of the banks of the channels in the project area.
18. 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.
19. In order to prevent adverse environmental impacts during construction, a silt fence must be installed prior to any clearing, grading or construction on site. This fence shall be maintained until all work on site is complete and all graded areas are properly stabilized.
20. 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 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 shall direct the contractors to locate all staging and storage areas outside of wetlands and wetland buffers not approved for use by this permit.

1021-05-0016.L PEA 050001 SFP
 1021-05-0016.L PWW 050001 GP 6
 1021-05-0016.L PWW 050002 GP 10A
 1021-05-0016.L PWW 050003 TW4L

Terms and Conditions

21. Any discharge of dredged or fill material shall consist of clean, suitable material free from toxic pollutants (see 40 CFR 401) in toxic amounts, and shall comply with all applicable Department rules and specifications regarding use of dredged or fill materials.
22. Provisions of the Freshwater Wetlands Statewide General Permit No. 6 and 10A

This portion of the permit authorizes the filling of 0.014 of an acre of freshwater wetlands for the widening of Route 202 in the vicinity of Case Boulevard under General Permit No. 6. In addition, this permit also authorizes the permanent filling of 0.023 of an acre and the temporary disturbance of 0.005 of an acre of freshwater wetlands for the relocation of an access driveway and widening of Route 202 and Case Boulevard in the vicinity of their intersection under General Permit No. 10A. The authorization of activities under this Freshwater Wetlands Statewide General Permit includes an access waiver that allows encroachment in 0.268 of an acre of the transition area that has been determined by the Department to be necessary to accomplish the regulated activities as shown on the approved plans. Any additional disturbance of freshwater wetlands, transition areas and/or State open waters shall be considered a violation of the Freshwater Wetlands Protection Act unless the activity is exempt or a permit is obtained prior to the start of the disturbance from the Land Use Regulation Program. 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.

23. Provisions of the Freshwater Wetlands Transition Area Special Activities Waiver for Linear Development

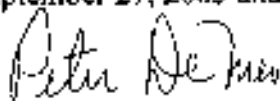
This Transition Area Special Activities Waiver for Linear Development authorizes drainage improvements and minor road widening, not associated with Freshwater Wetlands General Permit 10A activities, to provide deceleration/acceleration lanes and turning movements in the vicinity of Route 202 and Case Boulevard. These activities shall not exceed 0.207 acres of permanent disturbance and 0.030 acres of temporary disturbance to freshwater wetland transition areas.

24. The drawings hereby approved are sixteen (16) sheets, prepared by Parsons Brinckerhoff Quade & Douglas, Inc., dated and last revised as noted, entitled:

"NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE U.S. 202 & CASE BLVD., INTERSECTION IMPROVEMENTS, CONTRACT NO. 012950723"

"STREAM ENCROACHMENT PLANS", sheets 1 through 11 of 16, sheets 1 through 3 and 5 through 11 dated July 1, 2005 and last revised September 28, 2005, sheet 4 dated September 27, 2005 and last revised October 28, 2005

"STREAM ENCROACHMENT DETAILS", sheets 12 through 16 of 16, sheets 12, 13, 15 and 16 dated July 1, 2005 and last revised September 28, 2005, sheet 14 dated September 27, 2005 and last revised October 21, 2005.



for Madhu M. Guru, PE
 Section Chief
 Land Use Regulation


 Date