



State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
 NEW LISBON, NJ 08064
 (609) 894-7300
 www.nj.gov/pinelands



Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

General Information: Info@njpines.state.nj.us
 Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

August 29, 2013

Amber Cheney
 New Jersey Department of Transportation
 P.O. Box 600
 Trenton, NJ 08625

Re: Freshwater Wetland Statewide General Permit Nos. 10B & 11
 Pinelands Application No.: 2007-0350.002
 NJDEP File No.: 0110-13-0002.1 PIN 130001 GP10
 NJDEP File No.: 0110-13-0002.1 PIN 130002 GP11
 Applicant: New Jersey Department of Transportation
 Project: Improvements to US Route 322 and NJ Route 54 Intersection
 US Route 322
 NJ Route 54
 Borough of Folsom

Dear Ms. Cheney:

Pursuant to a Memorandum of Agreement between the New Jersey Pinelands Commission and the New Jersey Department of Environmental Protection (NJDEP), the Pinelands Commission has reviewed the above-referenced application for Freshwater Wetlands Statewide General Permit No. 10B and No. 11 authorizations pursuant to the requirements of the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A.

Statewide General Permit No. 10B

General Permit 10B authorizes activities in freshwater wetlands, transition areas, and/or State open waters, for the expansion, widening or upgrading of one or more existing paved or unpaved roads, including attendant features such as shoulders, sidewalks and embankments.

Statewide General Permit No. 11

General Permit 11 authorized activities in freshwater wetlands, transition areas, and State open waters necessary for the construction of a stormwater outfall structure.

General Permit authorizations to conduct regulated activities in a wetland or open water include NJDEP's approval of a Water Quality Certificate for the specified activities.

The authorized activities involves the disturbance of 0.20 acre of wetlands for proposed road improvements and improvements to two existing stormwater outfall structures as shown on the approved plan, containing seven sheets, prepared by Arora and Associates, P.C. and all sheets dated May 8, 2013.

Any additional disturbance of freshwater wetlands, State open waters or transition areas 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 Pinelands Commission.

Permit Conditions

The activities allowed by this authorization shall comply with the conditions noted in N.J.A.C. 7:7A-4.3, 5.10B and 5.11. Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 *et. seq.*). In addition to the above referenced conditions, the following general conditions must be met for the activity authorized under this Statewide General Permit:

1. All fill and other earth work on lands encompassed within this permit authorization shall be stabilized in accordance with “Standards for Soil Erosion and Sediment Control in New Jersey” to prevent eroded soil from entering adjacent waterways or wetlands at any time during and subsequent to construction.
2. The project shall be developed consistently with the approval granted by the Pinelands Commission on June 13, 2013 (App. No. 2007-0350.001).
3. To protect the fishery resource and/or the spawning of the fish population, any activity which may introduce sediment into any stream is prohibited between Ice Out and June 30 of each year.
4. This permit is revocable in accordance with New Jersey Department of Environmental Protection regulations and State law.
5. The issuance of this permit shall not be deemed to affect in any way other actions by the Pinelands Commission on any future application.
6. The activities shown on the approved plan shall be constructed and/or executed in conformity with any notes and details on said plan and any conditions stipulated herein.
7. No change in plan or specifications shall be made except with the prior written permission of the Pinelands Commission.
8. The granting of this authorization shall not be construed to in any way affect the title or ownership of the property, and shall not make the Pinelands Commission or the State a party in any suit or question of ownership of the property.
9. This permit is not valid and no work shall be undertaken pursuant to this authorization until all other required federal, state, and local approvals, licenses and permits necessary for commencement of work onsite have been obtained.

10. A complete, legible copy of this permit shall be kept at the work site and shall be exhibited upon request of any person.
11. The permittee shall allow the Pinelands Commission the right to inspect the construction site and also shall provide the Pinelands Commission written notification seven days prior to the start of the authorized work.
12. This authorization is valid for five years from the date of this letter unless more stringent standards are adopted by rule prior to this date.

Appeal of Decision

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days after notice of the decision is published in the NJDEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, 401 East State Street, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist. The NJDEP bulletin is available through the Department's website at www.state.nj.us/dep.

If you have any questions regarding these determinations, please contact Ernest Deman of our staff at (609) 894-7300. Please reference the Pinelands application number.

Sincerely,



Charles M. Horner, P.P.

Director of Regulatory Programs

c: Secretary, Borough of Folsom Planning Board
Borough of Folsom Environmental Commission
Atlantic County Department of Regional Planning and Development
Mary Vickers, NJDEP Land Use Regulation Program
Carlo Popolizio, USFWS
April Fijalkowski