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 No. 0817-98-0001.2 – WDA 0817-98-0001.3 – WETIDE, 0817-98-0001.5 – FWGP#10		Application No.
Issuance Date APR 1 0 2001	Effective Date APR 1 0 2001	Expiration Date APR 1 0 2006
Name and Address of Applicant Nick Caiazza New Jersey DOT 1035 Parkway Ave Trenton, NJ 08625-0600	Name and Address of Owner Same as applicant	Name and Address of Operator Same as applicant
Location of Activity/Facility *(Street Address)* Swedesboro/Woolwich Gloucester Lot N/A Block N/A	Issuing Division Land Use Regulation Program	Statute(s) NJSA 12:5-3 NJSA 13:9A -1 NJSA 13:9B-1 NJSA 58:10-1
Type of Permit Waterfront Development, Coastal & Freshwater Wetlands, Water Quality Certificate		Maximum Approved Capacity, if applicable

This permit grants permission to:

Remove and replace the one lane Locke Avenue Bridge (NJDOT structure No. 0805004) over the Raccoon Creek. Construct a 2 lane fixed bridge on approximately the same location. The permit authorizes the filling of .213 acres of freshwater wetlands and .01 acres of tidal wetlands mapped pursuant to the 1970 Wetlands Act.

Construct a 190 foot, temporary, two span steel struss bridge to maintain a telephone conduit and cable that will be impacted with the construction of the Locke Avenue Bridge. The structure will be removed following completion of the bridge.

The work is shown on plans entitled: "NEW JERSEY DEPARTMENT OF TRANSPORTATION, PERMIT PLAN, REPLACEMENT OF LOCKE AVENUE BRIDGE OVER RACCOON CREEK", prepared by Andrew Soccodato, Jr. for Hatch Mott MacDonald.

This permit is authorized due to compliance with the Rules on Coastal Zone Management (N.J.A.C. 7:7E-1.1 et seq.) as amended to December 7, 1998, specifically: Finfish Migratory Pathways (7:7E-3.5), Navigation Channels (7:7E-3.7), Submerged Infrastructure Routes (7:7E-3.12), Intertidal and Subtidal Shallows (7:7E-3.15), Flood Hazard Areas (7:7E-3.25), Wetlands (7:7E-3.27), Wetlands Buffers (7:7E-3.28), Historic and Archaeological Resources (7:7E-3.36), Acceptability Conditions for Uses (7:7E-4.2), Traffic (7:7E-8.14).

Prepared by: David B. Fanz
David B. Fanz

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

*The word permit means "approval, certification, registration, etc."

(General Conditions are on the Reverse Side)

This permit is issued subject to, and provided, the following conditions can be met to the satisfaction of the Land Use Regulation Program. All conditions must be met prior to construction unless otherwise specified. Compliance with Administrative Conditions shall be determined once copies of all specified permits, certifications, plans, agreements, etc. have been received, not less than 30 days prior to construction, and approved by the Land Use Regulation Program. All Physical Conditions are subject to on-site compliance inspection by the Bureau of Coastal and Land Use Enforcement. As per N.J.A.C. 7:7-1.5(b)1, you must notify the Bureau of Coastal and Land Use Enforcement, (Toms River Office-1510 Hooper Avenue, Toms River, NJ 08753), in writing at lease three (3) days prior to commencement of construction or site preparation.

The issuance of this permit is in no way construed as a relinquishment by the State of New Jersey to any tideland right, title or interest in the subject property or in any surrounding land.

The Permittee shall allow an authorized representative of the Department the right to inspect construction pursuant to N.J.A.C. 7:7-1.5(b)4.

Administrative Conditions:

1. This permit shall be recorded in the office of the County Clerk in the county wherein the lands included in the permit are located within ten days of the date that the applicant receives the permit. Verification that the permit is recorded shall be forwarded to the Land Use Regulation Program at P.O. Box 439, Trenton, New Jersey 08625-0439 immediately thereafter.

2. This permit is not valid until the applicant signs and returns a permit acceptance form to the Land Use Regulation Program, agreeing to adhere to the terms and conditions of the permit.

3. The Permittee must receive a Tidelands Grant, lease or license prior to construction. Failure to comply with this condition will result in fines up to $1000 per day, a higher fee for the conveyance and possible prosecution by the Attorney General's office to remove unauthorized structures and to pay use and occupancy charges.

4. This permit is subject to the condition that the applicant obtains all necessary permits pertinent to the proposed project from the United States Army Corps of Engineers.

Physical Conditions:

1. The Permittee shall install all appropriate soil erosion and sediment control measures prior to commencement of site preparation and shall maintain the control measures in good condition until the site has been permanently stabilized.

2. Permittee shall insure that no construction debris enters the wetlands and/or waters of Raccoon Creek.

3. No dredging is approved for this site.

4. In order to protect the anadromous and warm water game fishery resource within the Raccoon Creek , any construction activities which could introduce sediment or cause an increase in the natural level of turbidity are prohibited between February 1 and June 30 of each year.

5. Prior to construction the permittee shall obtain a permit from the U.S. Coast Guard.

6. Prior to construction the permittee must provide a wetland mitigation plan for review and approval, prepared in accordance with N.J.A.C. 7:7E-3B.1. Said mitigation proposal shall provide compensation for the filling of .1 acre of freshwater tidal wetlands at a ratio of 2 acres created for 1 acre disturbed. Consequently the permittee is required to create .2 acres of freshwater tidal wetlands.

Tidelands Conditions:

1. Issuance of this permit in no way relinquishes, and shall not be construed as a relinquishment by the State of New Jersey of any Tidelands right, title ownership / interest in the subject property or in any land surrounding the same.

DATE 4/5/01

Karl Braun, CLA
Bureau of Coastal Regulation

KB/DBF/cms

Disk 3/2001 permits file no. 0817-98-0001.2-.5

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7:7E-3A.4 Standards applicable to the construction of boardwalks

(a) The construction of oceanfront or bayfront boardwalks should address a number of engineering concerns related to structural support, resistance to vertical and horizontal water and wind loads, and scouring. The construction of boardwalks along tidal shoreline is acceptable; in accordance with the following standards:

1. All timber support piles shall be a minimum of eight inches in diameter;

2. Support piles should be driven to a depth of at least -10 feet (mean sea level), for all V-zone locations. In A-zones, the depth of penetration should be at least -five feet (mean sea level);

3. The method for insertion of piles should be a pile driver or drop hammer;

4. All support joists and timber connections should be anchored through the use of hurricane clips or metal plates; and

5. All metal fasteners, including but not limited to bolts, screws, plates, clips, anchors and connectors, shall be hot dipped galvanized.

SUBCHAPTER 3B. INFORMATION REQUIRED IN WETLAND MITIGATION PROPOSALS

7:7E-3B.1 Mitigation proposal requirements

(a) Mitigation proposals based on the disturbance of freshwater wetlands must also conform to the standards found at N.J.A.C. 7:7A-14.4. All mitigation proposals submitted to the Land Use Regulation Program shall include, but not be limited to:

1. An introduction describing the wetland mitigation proposal. The introduction should include the specific goals of the mitigation proposal and a discussion of how the mitigation proposal will satisfy those goals;

2. A description (that is, size, type, vegetation, hydrology, etc.) of the wetlands that are being destroyed or disturbed;

3. Photographs of the proposed mitigation site:

4. The names and addresses of current and proposed owner(s) of the mitigation project site;

5. A description of the existing ecosystem of the mitigation site, including a discussion of the vegetation, soils, and hydrology, wildlife and adjacent land use;

6. A discussion relative to the proposed hydrology of the mitigation site. The discussion should focus on the sources of water for the mitigation project, provide seasonal high water

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table information as well as the projected elevation of final grade of the mitigation project in relation to mean sea level (MSL), along with slope percent;

7. The tidal range of the mitigation site and the salinity range of adjacent inundating waters;

8. The existing soils types with soil borings to document seasonal high water tables, with a discussion relating to the created substrate of the proposed mitigation site, including a description of how the substrate of the site will be prepared, whether the pH is appropriate and any other pertinent factors;

9. A planting scheme of the proposed vegetative community depicted on the mitigation site plans, including spacing of all plantings, stock type (bare root, potted, seed), size, and the source of the plant material;

10. A copy of a conservation restriction which provides that no regulated activities will occur in the mitigation areas or its associated transition area and that it will remain as a natural area in perpetuity. Proof that the conservation restriction has been recorded with the County Clerk (or the Registrar of Deeds and Mortgages if applicable) is required within 60 days following approval of the mitigation proposal;

11. A metes and bounds description of the proposed mitigation site which forms the basis for the conservation restriction. The metes and bounds description shall include the transition area;

12. The New Jersey Wetlands/Tidelands Map number(s) for the development site (and the mitigation site if it is at a different location) as well as block and lot numbers and ownership of the mitigation site;

13. The actual cost estimate of the mitigation proposal. The cost estimate should include the cost of land, site preparation, engineering costs, plantings and any other items incidental to the mitigation proposal;

14. Five folded copies of a site plan for the mitigation project which includes:

i. The project location within the region;

ii. The lot and block number of the mitigation project location;

iii. Existing and proposed elevations and grades of the mitigation site in one foot intervals; and

iv. Plan views and cross sectional views;

15. A copy or photocopy of a portion of the U.S.G.S. 7.5 minute quadrangle map showing the location of the property and its general vicinity, indicating and labeling the location of the proposed mitigation and the property boundaries, and a determination of the State Plane Coordinates for the center of the mitigation site. The accuracy of these coordinates should be within 50 feet of the actual center point. For linear mitigation projects, the applicant shall provide State Plane Coordinates for the endpoints of those projects which are 1,999 feet or

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less, and for those projects which are 2,000 feet and longer, additional coordinates at each 1,000 foot interval; and

16. In accordance with N.J.A.C. 7:7A-14.1, obtain a secured bond or other financial surety acceptable to the Department including an irrevocable letter of credit or money in escrow, that shall be sufficient to hire an independent contractor to complete and maintain the proposed mitigation should the permittee default. The financial surety for the construction of the mitigation project shall be posted in an amount equal to 115 percent of the estimated cost of construction. In addition, the financial surety to assure success of the mitigation shall be posted in an amount equal to 30 percent of the estimated cost of construction. The financial surety will be reviewed annually and shall be adjusted to reflect current economic factors. Mitigation for the loss of freshwater wetlands within the coastal zone shall comply with the Coastal Permit Program Rules at N.J.A.C. 7:7, Rules on Coastal Zone Management at N.J.A.C. 7:7E, and Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A. Mitigation for the loss of tidal wetlands must comply with the Coastal Permit Program Rules at N.J.A.C. 7:7 and the Rules on Coastal Zone Management at N.J.A.C. 7:7E.

SUBCHAPTER 3C. ASSESSING IMPACTS TO ENDANGERED AND THREATENED WILDLIFE SPECIES IN ENVIRONMENTAL IMPACT STATEMENTS

7:7E-3C.1 Performance standards

(a) Performance standards for habitat assessments are as follows:

1. Assessments of endangered or threatened wildlife should begin by contacting the New Jersey Natural Heritage Program to obtain information on the known occurrences of endangered and threatened species on and within the vicinity of the site. This is known as the "Master" species list.

2. An evaluation of habitat including examination of vegetation cover, soils, hydrology and existing land use shall be made for the site and surrounding areas. The site's vegetative analysis shall include an on-site investigation and evaluation. The surrounding areas investigation shall consist of air photos or appropriate cover maps.

3. Based on the assessment of habitat and general habitat associations of species on the "Master" list, a list of endangered, threatened, or other rare species that may be present on the site shall be developed. This is known as the potential species list. The applicant shall be able to justify excluding any species from the master list in developing the list of potential species.

4. A survey shall be performed for all species on the list of potential species unless detailed evaluation of habitat and comparison with individual species habitat requirements suggests that no suitable habitat exists on, or immediately adjacent to, the subject property. The "survey" list is therefore comprised of all species on the potential list except those for which the consultant presents convincing evidence that suitable habitat does not exist. Most of the species on the survey list will be species that could occur based on the presence of suitable habitat and/or known occurrences within the site's vicinity. No survey need be performed for species confirmed to occur on the site according to the Natural Heritage Database. In such a case, the