970176-DEP1

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

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.

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|---|---|
| Permit No. 0000-03-0036.1 FHA 030001<br>0000-03-0036.1 FWW 030001 (GP2)<br>0000-03-0036.1 FWW 030002 (GP10B)<br>0000-03-0036.1 FWW 030003 (GP11) | Application No. |

| Issuance Date | Effective Date | Expiration Date |
|---|---|---|
| JAN 27 2004 | JAN 27 2004 | JAN 27 2009 |

| Name and Address of Applicant | Name and Address of Owner | Name and Address of Operator |
|---|---|---|
| NJDOT<br>1035 Parkway Avenue<br>PO Box 600<br>Trenton, NJ 08625 | | |

| Location of Activity/Facility *(Street Address)* | Issuing Division | Statute(s) |
|---|---|---|
| Lots: n/a<br>Blocks: n/a<br>Twps.: Hopewell, East Amwell<br>Counties: Mercer, Hunterdon | Land Use Regulation Program | NJSA 13:1D-1<br>NJSA 13:9B-1<br>NJSA 58:10A-1<br>NJSA 58:16A-50, et. seq. |

| Type of Permit | Maximum Approved Capacity, if applicable |
|---|---|
| Stream Encroachment<br>Freshwater Wetlands | |

This permit grants permission to:

replace the existing Route 31 and 518 bridge crossings over Woodsville Brook with wider three-sided structures, to construct five (5) stormwater outfall structures within the flood plain of said watercourse, to relocate one (1) gas line underneath said watercourse, and to remove one (1) footbridge crossing said watercourse, in connection with the reconstruction of the Route 518/31 intersection in the Township of Hopewell, Mercer County and the Township of East Amwell, Hunterdon County, New Jersey. This permit also approves of the disturbance of 0.002 acres of State open waters for the relocation of the gas line under Freshwater Wetlands Statewide General Permit 2, 0.01 acre of freshwater wetlands and 0.20 acres of State open waters for the replacement of the culvert crossings under General Permit 10B, and 0.01 acre of State open waters for the construction of the five (5) stormwater outfall structures under General Permit 11.

Prepared By: Peter DeMeo
Peter DeMeo

(See page 5 for Section Chief's signature.)

| Revised Date | Approved by the Department of Environmental Protection |
|---|---|
| | Name (Print or Type) _____ Title _____<br>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.

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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)

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days after completion of the herein approved activities.

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 applicant must make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed water quality measures on site. This includes, but is not limited to, the continuous implementation of appropriate soil conservation practices within any storm water outfall structures and other similar appurtenances throughout the site in order to limit soil erosion and sediment discharge into adjacent waterways.

14. The gas line to be placed downstream of the Route 518 crossing must be encased in 6 inches of concrete. If the top of pipe is placed 4 feet below the stream invert, the encasement is unnecessary. If an encasement is used, the top of the encasement must be placed no higher in elevation than 3 feet below the watercourse invert.

15. In order to protect both the warm water fisheries and trout-stocked waters within the stream corridor, grading or construction activities within the banks of Woodsville Brook or any other watercourse on site are **prohibited between March 15th through June 30th** 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 would cause an increase in the natural level of turbidity is prohibited during this period. The Department reserves the right to suspend all regulated activities on site should it be determined that the permittee has not taken proper precautions to ensure compliance with this condition.

16. All construction must be conducted in dry conditions. No work may occur directly in the watercourse. No wet open cuts are allowable.

17. All disturbed areas should be planted with a mixture of warm and cool seasonal grasses, containing at least 20% warm season grasses. The use of these mixtures will permanently stabilize the soil and enhance the environment.

18. Discharge of return water to the stream must be through detention basins or through earth filled sediment filter bags. Filter bags shall remain in place until all in-water work is complete. These barriers shall be removed once work is complete.

19. Prior to construction activities, the permittee must receive authorization from the Mercer County Soil Conservation District.

20. No raw concrete shall come into contact with the water. Any grout/concrete that comes in contact with the water must be removed immediately. No pumped water from grout/concrete operations may be discharged directly to the stream corridor. All pumped water shall be discharged to a holding tank and disposed of properly.

21. Provisions of the Freshwater Wetlands Statewide General Permits 2, 10B and 11

    This portion of the permit authorizes the disturbance of a maximum of 0.21 acres of State open water and 0.01 acres of freshwater wetlands. The Freshwater Wetlands Statewide General Permit 2 authorizes the construction of a 6-inch gas line that will result in the disturbance of 0.002 acres of State open waters. The Freshwater Wetlands Statewide

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General Permit 10B authorizes the replacement of the existing bridge(s) and roadway improvements. This will result in a maximum disturbance of 0.01 acres of freshwater wetlands and 0.20 acres of State open waters. The Freshwater Wetlands Statewide General Permit 11 authorizes the construction of five (5) stormwater outfalls this will result in a maximum disturbance of 0.01 acres of State open waters. The authorization of activities under these Freshwater Wetlands Statewide General Permits include a transition area which has been determined by the Department to be necessary to accomplish the authorized activities. In addition, these permits to conduct a regulated activity in a wetland or open water includes the Department's approval of a Water Quality Certificate for these activities.

22. All substrate removed for construction activities must be stockpiled outside freshwater wetlands, transition areas and State open waters. The replaced native substrate must be configured to meet existing stream bottom invert and cross-channel profile as found immediately upstream and downstream of the crossing.

23. The drawings hereby approved are twenty two (22) sheets prepared by Dewberry-Goodkind, Inc., dated August 2003, unrevised, unless otherwise noted, entitled:

"NEW JERSEY DEPARTMENT OF TRANSPORTATION ROUTE 31 & 518 INTERSECTION IMPROVEMENTS TOWNSHIP OF EAST AMWELL, COUNTY OF HUNTERDON TOWNSHIP OF HOPEWELL, COUNTY OF MERCER"

"CONSTRUCTION PLAN", Sheets 2 through 10 of 28, Sheets 3 and 9 last revised January 15, 2004,

"PROFILES", Sheets 11 through 14 of 28,

"ROADWAY CROSS SECTIONS", Sheets 20 through 24 of 28, each sheet dated April 2003, and

"DETAILS", Sheets 25 through 28 of 28, Sheet 26 last revised January 15, 2004.

Madhu Guru

Madhu Guru, PE, Section Chief
Bureau of Inland Regulation

1/27/04
Date