

038051 - DHP 3

Jersey



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

OCT 26 2004  
PROJECT MANAGEMENT  
RECEIVED



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. 0701-04-0002.1 FHLA040001

Application No.

Issuance Date

OCT 18 2004

Effective Date

OCT 18 2004

Expiration Date

OCT 18 2009

Name and Address of Applicant

NJDOT Attn: Percival Gayanilo

Name and Address of Owner

Name and Address of Operator

Location of Activity/Facility (Street Address)

New Jersey State Highway 21, Exit 7

Township of Belleville, Essex County

Issuing Division

Land Use Regulation Program

State(s)

NJSA 13:1D-1  
NJSA 58:10A-1  
NJSA 58:16A-50, et. seq.

Type of Permit

Stream Encroachment

Maximum Approved Capacity, if applicable

This permit grants permission to:

Make improvements to the Terry Street interchange of Route 21 including but not limited to the lengthening of the accelerate and decelerate lanes, in the Township of Belleville, Essex County, New Jersey.

Prepared By:

Nabil Andrews  
Nabil Andrews

(See page 4 for Bureau Manager's signature.)

Revised Date

Approved by the Department of Environmental Protection

Name (Print or Type)

Title

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 any 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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**Terms And Conditions**

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. 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.
14. 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.
15. Any and all precautions are to be taken to prevent raw concretes, which is toxic to fish, from coming in contact with the waters of the Passaic River.
16. Dewatering operations, if necessary, are to include sediment controls with the pumpage of silt-laden water created within the isolated construction area to be filtered using a filter bag membrane or properly sized temporary dewatering basin with return water routed to an area encompassed by turbidity barrier.
17. Prior to construction, a Waterfront Development Permit must be obtained for this project from the NJDEP Land Use Regulation Program.
18. The drawings hereby approved are twenty (20) sheets prepared by New Jersey Department of Transportation, undated, unrevised, entitled:
  - "ROUT 21 AT TERRY STREET CONTRACT NO. 006038051"
  - "CONSTRUCTION PLANS", sheet nos. C-2 of C-6 through C-6 of C-6,
  - "ENVIRONMENTAL PLANS" sheet nos. EP-1 of EP-5 through EP-5 of EP-5,
  - "CROSS SECTIONS", sheet nos. XS-01 of XS-XX through XS-10 of XS-XX.

  
Richard C. Reilly, Acting Manager  
Bureau of Inland Regulation

10/18/04  
Date