



**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION**
501 East State Street, Station Plaza 5, 2nd Floor
P.O. Box 439, Trenton, New Jersey 08625-0439
Fax: (609) 777-3656 or (609) 292-8115
www.state.nj.us/dep/landuse



PERMIT

<p>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to the limitations, terms and conditions listed below and on the attached pages. For the purpose of this document, "permit" means "approval, certification, registration, authorization, waiver, etc."</p>		Approval Date DEC 21 2007
		Expiration Date 12/21/2012
Permit Number/s 0200-07-0001.2 FHA070001	Type of Approval/s Stream Encroachment	Enabling Statute/s NJSA 13:1D-1 NJSA 58:10A-1 NJSA 58:16A-50, et. seq.
Applicant NJ Department of Transportation c/o Robert Lee 1035 Parkway Avenue Trenton, NJ 08625-0600		Owner (if different from applicant)
Description of Authorized Activities and Limit of Disturbance This permit grants permission to construct roadway widening and improvements along NJ Route 120, Route 17, Murray Hill Parkway and Gotham Parkway , in the Boroughs of Carlstadt and East Rutherford, Bergen County, New Jersey. Absolutely no construction or staging may start until the applicant has satisfied Conditions 12 and 14 of this permit.		
Project Location Borough of Carlstadt Borough of East Rutherford Bergen County		Received by County Clerk
Project Manager's Signature Gabriel Mahon Telephone: (609) 984-0194 Email: gabriel.mahon@dep.state.nj.us		
<p align="center">This permit is not valid unless authorizing signature appears on the last page.</p>		

STANDARD CONDITIONS:

1. **Extent of approval:** This document grants permission to perform certain activities that are regulated by the State of New Jersey. The approved work is described by the text of this permit and is further detailed by the approved drawings listed below. All work must conform to the requirements, conditions and limitations of this permit and all approved drawings. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site. Approved work may be altered only with the prior written approval of the Department. If you alter the project without prior approval, or expand work beyond the description of this permit, you may be in violation of State law and may be subject to fines and penalties.
2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety and agree to adhere to all terms and conditions. If you do not accept or agree with this document in its entirety, **do not** begin construction. You are entitled to request an appeal within a limited time as detailed on the attached *Administrative Hearing Request Checklist and Tracking Form*. You may also contact the project manager shown on the first page if you have any questions or concerns about this document.
3. **Recording with County Clerk:** You must record this permit in the Office of the County Clerk for each county involved in this project. You must also mail or fax a copy of the front page of this permit to the Department showing the received stamp from each County Clerk within 30 days of the issuance date (or 90 days if multiple counties are involved). The Department's address and fax number are shown on the first page of this permit.
4. **Notice of Construction:** You must notify the Department in writing at least 7 days before you begin any work approved by this permit. The Department's address and fax number are shown on the first page of this permit. Please direct your letter to the project manager shown on the first page.
5. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some coastal permits may qualify for an extension of the expiration date. Please contact the Department for further information.)
6. **Rights of the State:** This permit is revocable and subject to modification by the State with due cause. The State may inspect the work site and may suspend construction if work does not comply with this permit. This permit does not grant property rights. The issuance of this permit shall not affect any action by the State on future applications, nor affect the title or ownership of property, nor make the State a party in any suit or question of ownership.
7. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work. All work must be stabilized in accordance with the *Standards for Soil Erosion and Sediment Control in New Jersey*, and all fill material must be free of toxic pollutants in toxic amounts as defined in section 307 of the Federal Act.

SPECIAL CONDITIONS IN ADDITION TO THE STANDARD CONDITIONS:

8. 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.

9. Soil erosion controls shall be installed prior to construction and maintained for the duration of the disturbance until soils have been stabilized.
10. 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.
11. 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.
12. Prior to the start of construction activities, the applicant must obtain a USACE Nationwide Permit #43 for 0.08 acre of impact to the Murray Hill Parkway infield wetlands.
13. The applicant must make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed stormwater management 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 mechanical units at least 4 times a year and after every major storm equaling 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. The mechanical treatment devices approved under this permit include the Vortech units, Vortsentry units, and Aquashield units as shown on the approved drawings. Within 30 days from the date of this permit, the applicant must submit revised plans to the Department for written review and approval concerning the sizing of each unit. This is because the sizing of the units designated as Water Quality Structure #1 and Water Quality Structure #2 as shown in the stormwater management report contained within the application materials is inconsistent with the designation of Water Quality Structure #1 and Water Quality Structure #2 on the engineering drawings. Failure to submit the corrected engineering drawings within this time frame shall constitute a violation of this permit.
15. The drawings hereby approved are thirteen (13) sheets prepared by EarthTech, undated, unrevised, with a certification date of August 23, 2007, unless otherwise noted, entitled:

"NEW JERSEY DEPARTMENT OF TRANSPORTATION ROUTE 120 CONTRACT NO. 002043262"

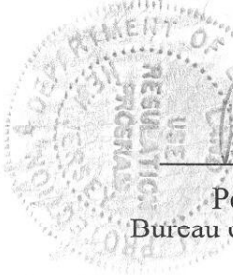
"ENVIRONMENTAL PERMIT PLAN", sheet nos. 2 through 11 of 17, with sheet nos. 2, 6, and 7 certified December 10, 2007,

"CONSTRUCTION DETAILS MANUFACTURED TREATMENT DEVICE ALTERNATE NO. 1", sheet no. 15 of 17, with a certification date of December 10, 2007,

"CONSTRUCTION DETAILS MANUFACTURED TREATMENT DEVICE

ALTERNATE NO. 2", sheet no. 16 of 17, with a certification date of December 17, 2007, and

"CONSTRUCTION DETAILS MANUFACTURED TREATMENT DEVICE ALTERNATE NO. 3", sheet no. 17 of 17, with a certification date of December 10, 2007.



Peter DeMeo

Peter DeMeo, PE, Supervisor
Bureau of Urban Growth and Redevelopment

12/21/07

Date

RECEIVED

FEB 25 2008

Bureau of
Environmental Project Support

RECEIVED

FEB 25 2008

PROJECT MANAGEMENT