



**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION**
Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
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." Violation of any term, condition or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>	<p>Approval Date</p>
	<p>Expiration Date</p>

<p>Permit Number:</p> <p>1021-13-0004.1 FHA 1300001 1021-13-0004.1 FHA 1300002 1021-13-0004.1 FWW 1300002 1021-13-0004.1 FWW 1300003</p>	<p>Type of Approval:</p> <p align="center">Flood Hazard Area Verification Flood Hazard Area Individual Permit Freshwater Wetlands General Permit No. 11 Freshwater Wetlands General Permit No. 10A</p>	<p>Enabling Statutes:</p> <p>N.J.S.A. 13:1D N.J.S.A. 58:16A N.J.S.A. 13:9B N.J.S.A. 58:10A-1</p>
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<p>Permittee:</p> <p>New Jersey Department of Transportation 1035 Parkway Avenue, P.O. Box 600 Trenton, NJ 08625-0600</p>	<p>Site Location:</p> <p>Block: NA Lots: NA NJ Route 31 Municipality: Township of Raritan County: Hunterdon County</p>
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Description of Authorized Activities:

This permit grants permission to perform road improvements, including 4-foot shoulder widening, turning and thru lanes, driveway improvements, along Route 31 between Minneakoning Road (Station 1259+36) and approximately 2000 feet southerly of the River Road and Route 31 intersection (Station 1315+70), construct an infiltration basin, and construct a stormwater outfall structure, in the Township of Raritan, Hunterdon County, New Jersey. This authorization includes a Freshwater Wetlands Statewide General Permit No. 11 and 10A for the permanent disturbance of 350 square feet of freshwater wetlands transition areas for the construction of a stormwater outfall structure and for the permanent disturbance of 1,795 square feet of freshwater wetlands transition areas and 156 square feet of State open waters for roadway improvements along Route 31 are included in this permit.

<p>Prepared by:</p> <p><i>Stephen Olivera</i></p> <hr/> <p>Stephen Olivera</p>	<p>Received and/or Recorded by County Clerk</p>
<p>THIS PERMIT IS NOT EFFECTIVE AND NO CONSTRUCTION APPROVED BY THIS PERMIT MAY BE UNDERTAKEN UNTIL THE PERMITTEE HAS SATISFIED ALL PRE-CONSTRUCTION CONDITIONS AS SET FORTH HEREIN.</p>	

This permit is not valid unless authorizing signature appears on the last page.

CONDITIONS APPLICABLE TO ALL LAND USE PERMITS

1. In accordance with applicable regulations, any person who is aggrieved by this permit or any of the conditions of this permit may request a hearing within 30 days after notice of the permit is published in the DEP Bulletin. This request must include a completed copy of the Administrative Hearing Request Checklist. The DEP Bulletin is available through the Department's website at <http://www.nj.gov/dep/bulletin> and the checklist is available through the Division's website at <http://www.nj.gov/dep/landuse/forms/lurpaahr.pdf>. In addition to the hearing request, a request may be filed with the Office of Dispute Resolution to engage in alternative dispute resolution. Please visit www.nj.gov/dep/odr for more information about this process.
2. The permittee, its contractors, and subcontractors shall comply with all conditions of this permit, supporting documents, and approved drawings.
 - i. Plans and specifications in the permit application and conditions imposed by this permit shall remain in full force and effect so long as the proposed development or any portion thereof is in existence, unless modified by the Department in writing;
 - ii. If this permit contains any conditions that must be satisfied prior to the commencement of construction, the permittee must comply with said conditions within the timeframe required by the permit or, if no timeframe is imposed, within six months of the effective date of this permit. If these timeframes cannot be met, then the permittee shall provide evidence satisfactory to the Department that such conditions cannot be satisfied; and
 - iii. Any noncompliance with this permit constitutes a violation and is grounds for enforcement action, as well as suspension and/or termination of this permit. This approval does not in any way affect the right of the State to seek and collect monetary penalties or to take other enforcement action should it be determined that a violation has occurred.
3. It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with any condition of this permit.
4. The permittee shall take any and all reasonable steps to prevent, minimize, or correct any adverse impact on the environment resulting from activities conducted pursuant to this permit and/or from activities conducted that are not in compliance with this permit.
5. The issuance of this permit shall in no way expose the State of New Jersey or the Department to liability for the sufficiency or correctness of the design of any construction, structure, or structures. Neither the State nor the Department shall, in any way, be liable for the loss of life or property which may occur by virtue of the activity of development resulting from any permit.

6. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the permit application or in the conditions of this permit. The Department may, upon discovery of such unanticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit.
7. This permit can be modified, suspended, or terminated for cause. The filing of a request to modify a permit by the permittee, or a notification of planned changes or anticipated noncompliance, does not stay any condition of this permit. Nor does it extend the expiration date of this permit.
8. This permit does not convey any property rights of any sort or any exclusive privilege.
9. A copy of this permit and other authorizing documents, including all approved plans and drawings, shall be maintained at the authorized site at all times and be made available to Department representatives or their designated agents immediately upon request.
 - i. The permittee shall also furnish to the Department within a reasonable time any information that the Department requests to determine compliance with this permit or to determine whether cause exists for suspension or termination of this permit; and
 - ii. The permittee shall also furnish to the Department, upon request, copies of records required to be kept as a result of this permit.
10. The permittee shall allow an authorized representative of the Department, upon notification under current rules and upon the presentation of credentials, to do the following:
 - i. Enter upon the permittee's premises where a regulated activity is located or conducted, or where records must be kept under the conditions of this permit;
 - ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
 - iii. Inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under this permit. Failure to allow reasonable access under this section shall be considered a violation of this permit and the applicable rules and shall subject the permittee to enforcement action; and
 - iv. Sample or monitor at reasonable times for the purposes of assuring compliance with applicable rules.
11. No change in plans or specifications upon which this permit is issued shall be made except with the prior written permission of the Department.
12. The permittee shall provide reports to the Department as follows:
 - i. Monitoring results shall be reported at the intervals specified elsewhere in this permit;

17. While the regulated activities are being undertaken, neither the permittee nor its agents shall cause or permit any unreasonable interference with the free flow of a regulated feature by placing or dumping any materials, equipment, debris, or structures within or adjacent to the regulated area. Upon completion or abandonment of the work, the permittee and/or its agents shall remove and dispose of in a lawful manner all excess materials, debris, equipment, silt fences, and other temporary soil erosion and sediment control devices from all regulated areas. Only clean non-toxic fill shall be used where fill is necessary.
18. All excavated material and dredged spoils shall be disposed of in a lawful manner, outside of any flood hazard area, riparian zone, regulated water, freshwater/coastal wetland, and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.

CONDITIONS APPLICABLE TO FLOOD HAZARD AREA CONTROL ACT RULES

19. This verification establishes the flood hazard area design flood elevation, the floodway limits and the riparian zone limits onsite as shown on the approved plans.
20. In order to protect *warmwater fisheries* within the watercourses in the project area, no grading, construction or clearing is permitted within any watercourse between **May 1** and **June 30** of each year. Furthermore, any activity outside a watercourse, which would likely introduce sediment into the watercourse and/or increase its turbidity, is also prohibited during this period. The Department reserves the right to suspend all regulated activities onsite should it be determined that the applicant has not taken proper precautions to ensure continuous compliance with this condition.
21. All sediment barriers and other soil erosion control measures shall be installed prior to commencing any clearing, grading or construction onsite, and shall be maintained in proper working condition throughout the entire duration of the project.
22. Raw or unset concrete shall not come in contact with any surface waters onsite, since such contact can be toxic to aquatic biota.
23. The riprap proposed within the channel shall be carefully imbedded into the channel substrate and contoured to mimic the original physical characteristics of the channel (such as its shape, slope, thalweg and meander) in order to provide low-flow aquatic passage throughout the entire disturbed area. Furthermore, any void spaces within the riprap shall be filled with native substrate from the channel.
24. Vegetation within 50 feet of the top of the bank shall only be disturbed in the areas specifically shown on the approved drawing/s. No other vegetation within 50 feet of the top of any stream bank onsite shall be disturbed for any reason. This condition applies to all channels onsite regardless of the contributory drainage area.

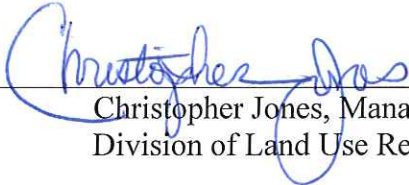
25. Upon completion of the project, all temporarily disturbed areas within, 50 feet of the top of any stream bank onsite shall be restored to original topography and replanted with indigenous, non-invasive vegetation in accordance with N.J.A.C. 10.2(u).
26. The applicant shall make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed stormwater management measures onsite. This includes the inspection (and cleaning where necessary) of any and all constructed swales, basins, inlets, and mechanical treatment devices at least four times per year and after every major storm totaling 1 inch of rainfall or more, the use of appropriate soil conservation practices onsite, and any other reasonable effort required to maintain the stormwater management system in good working order.

CONDITIONS APPLICABLE TO FRESHWATER WETLANDS

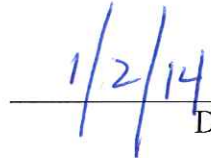
27. Construction equipment shall not be stored, staged or driven within any channel, freshwater wetland or transition area, unless expressly approved by this permit and/or described on the approved plans.
28. Conditions of the Freshwater Wetlands Statewide General Permits:
 - a. This portion of the permit authorizes the permanent disturbance of 0.041 of an acre (1,795 square feet) of freshwater wetlands transition areas and the permanent disturbance of 0.004 of an acre (156 square feet) of State open waters for roadway widening and improvements, under a Freshwater Wetlands Statewide General Permit No. 10A, as depicted on the approved plans.
 - b. This portion of the permit authorizes the permanent disturbance of 0.008 of an acre (350 square feet) of freshwater wetlands transition areas for the construction of stormwater outfalls associated with the roadway improvements, under a Freshwater Wetlands Statewide General Permit #11, as depicted on the approved plans.
 - c. The authorization of activities under Freshwater Wetlands Statewide General Permit Nos. 10A and 11 includes a transition area waiver that allows encroachment only in that portion of the transition area that has been determined by the Division to be necessary to accomplish the authorized activities.
 - d. This permit does not authorize any disturbance to freshwater wetlands. All temporarily disturbed transition areas shall be replanted with indigenous, non-invasive vegetation at the completion of the project.
 - e. This permit to conduct a regulated activity in a State open water includes the Division's approval of a Water Quality Certificate for these activities.
29. The drawings hereby approved are twenty-five (25) sheets prepared by Urban Engineers, Inc., undated, unrevised, certified August 23, 2013, and entitled:

“ROUTE 31 NORTHBOUND MINNEAKONING ROAD TO M.P. 24.92 CONTRACT NO. 024083271”

- CONSTRUCTION PLANS, sheets C-2 thru C-9,
- ENVIRONMENTAL & SOIL EROSION & SEDIMENT CONTROL PLANS, sheets EP-2 thru EP-9, certified December 31, 2013,
- DRAINAGE PLAN, sheets D-1 thru D-7,
- CONSTRUCTION DETAILS, sheet DTL-1, certified August 20, 2013,
- CONSTRUCTION DETAILS, sheet DTL-2, certified August 2, 2013.



Christopher Jones, Manager
Division of Land Use Regulation



Date

C: Municipal Construction Official
Municipal Clerk