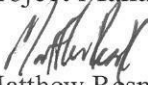


**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION**

Division of Land Use Regulation
Mail Code 501-02A, P.O. Box 420,
Trenton, NJ 08625-0420
Fax # (609) 777-3656

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 3/31/11
		Expiration Date 3/31/16
Permit Number/s 0714-10-0011.1- WFD100001	Type of Approval/s Upland Waterfront Development Individual Permit	Enabling Statute/s N.J.S.A. 12:5-3
Applicant New Jersey Department of Transportation 1035 Parkway Ave, POB 600 Trenton NJ, 08625		Owner (if different from applicant)
<p>This permit grants permission to disturb a total of 31,219 SF (0.72 ac) to the entire site for the construction of a 4 foot by 750 feet linear trail known as the Liberty Gap Water Trail, Newark Section. 5,355.32 SF (0.12 ac) of the proposed disturbance is within Waterfront Development jurisdiction and there is a proposed net new impervious surface of 7979.34 SF (0.183 ac) for the entire project due to the construction of the new trail and minor guiderail improvements.</p> <p>The proposed project is shown on plans in two (2) sheets prepared by Arif R. Malick, PE of Malick & Scherer P.C: New Jersey Department of Transportation, "NJDEP PERMIT PLAN, LIBERTY WATER GAP TRAIL, NEWARK SECTION, CONTRACT NO. 2008PM682P" pp. 10, dated November 22, 2010, unrevised.</p> <p>New Jersey Department of Transportation, "NJDEP PERMIT PLAN, LIBERTY WATER GAP TRAIL, NEWARK SECTION, CONTRACT NO. 2008PM682P" pp.10A, no date and unrevised.</p> <p>This permit is authorized under, and in compliance with, the Rules on Coastal Zone Management, (N.J.A.C. 7:7E-1.1 et seq) and by issuance of this permit, the State of New Jersey does not relinquish tidelands ownership or claim to any portion of the subject property or adjacent properties. The permittee shall allow an authorized Division representative the right to inspect the construction pursuant to N.J.A.C. 7:7E-1.5(b)4.</p>		
Site Location Block and Lot: N/A Municipality: Newark County: Essex		Received by County Clerk
Project Manager's Signature  Matthew Resnick Telephone: 609-292-0060 Email: Matthew.Resnick@dep.state.nj.us		

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

STANDARD CONDITIONS:

1. Extent of approval:

- a. 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 herein. All work must conform to the requirements, conditions and limitations of this permit and all approved drawings.
- b. 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. Approved work may be altered only with the prior written approval of the Department.
- c. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site.

2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety, and the responsibility to comply with the 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*.

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

4. **Notice of Construction:** You must notify the Department in writing at least 7 days before you begin any work approved by this permit.

5. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page unless otherwise extended by the Division. 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 permits may qualify for an extension of the expiration date. Please contact the Department for further information.)

6. Rights of the State:

- a. This permit is revocable and subject to modification by the State with due cause.
- b. Representatives from the State have the statutory authority to enter and inspect

this site to confirm compliance with this permit and may suspend construction or initiate enforcement action if work does not comply with this permit.

- c. This permit does not grant property rights. The issuance of this permit shall not affect any the State a party in any suit or question of ownership.

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:

7. A timing restriction of April 1st through June 30th for the protection of anadromous fish shall apply to in-water work and sediment generating activities within the banks or flood hazard area of the Passaic River unnamed tributary. Silt control structures and any in water cofferdams must be placed prior to or after the timing restriction period.
8. 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.
9. If any geodetic control reference mark is found onsite, the New Jersey Geodetic Control Survey must be contacted at least 60 days prior to its disturbance, and arrangements made to protect its position.
10. Upon completion of the project, all temporarily disturbed areas onsite shall be restored to original topography and replanted with indigenous, non-invasive vegetation.



Charlie Welch, Supervisor
Bureau of Urban Growth & Redevelopment
Division of Land Use Regulation

4/4/11

Date

cc: NJDEP Bureau of Coastal and Land Use Enforcement
Newark City Clerk Office
Newark City Construction Official
Essex County Planning Board