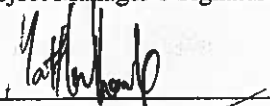


**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION**

501 East State Street, Station Plaza 5, 2nd Floor
P.O. Box 420, Mail Code 501-02A,
Trenton, NJ 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 MAR 27 2017
		Expiration Date MAR 27 2017
Permit Number/s 0400-04-0002.1,CSW110001 WFD110001 WFD110002 FHA110001 FHA110002 FWW110001 FWW110002	Type of Approval/s Coastal Wetlands Permit Waterfront Development Upland Permit Waterfront Development In-water Permit Flood Hazard Area Verification Flood Hazard Area Individual Permit Freshwater Wetlands Individual Permit Freshwater Wetlands Individual Permit Open Water Water Quality Certification	Enabling Statute/s NJSA 13:9A-1 NJSA 12:5-3 NJSA 12:5-3 NJSA 13:1D-1 NJSA 58:10A-1 NJSA 13:9B-1 NJSA 13:9B-1 NJSA 58:16A-50, et. seq.
Applicant NJDOT 1035 Parkway Avenue PO Box 600 Trenton, NJ 08625		Owner (if different from applicant)
Description of Authorized Activities and Limit of Disturbance This permit serves to verify the flood hazard limits of Big Timber Creek, Little Timber Creek, and Little Timber Creek Unnamed Tributary. This permit also authorizes the activities necessary to create a direct mainline connection for Interstate 295 at the interchange of Interstate 295, Interstate 76 and New Jersey State Route 42 in the Boroughs of Bellmawr, Mount Ephraim, and the City of Gloucester, Camden County, as shown on the approved plans. The Freshwater Wetlands Individual Permit authorizes the permanent disturbance permanent disturbance of 1.323 acres of wetlands, 3.653 acres of wetland transition areas, and 0.083 acres of State open waters, and the temporary disturbance of 0.033 acres of wetlands, 0.071 acres of wetland transition areas and 0.027 acres of State open waters. The Waterfront Development Individual Permits authorize 0.076 acres of permanent disturbance to intertidal subtidal shallows and 0.232 acres of temporary disturbance to intertidal subtidal shallows. The Coastal Wetlands permit authorizes 0.532 acres of permanent impacts and 0.090 acres of temporary impacts to mapped coastal wetlands. The impacts to these regulated areas are necessary for the interchange improvements listed above. This permit also authorizes a hardship exception under the Flood Hazard Area Control Act rules to exceed riparian zone vegetation impact limits for new road construction.		
Project Location Intersection of I-295, I-76 and Rt. 42 Boroughs of Bellmawr, Mount Ephraim, and the City of Gloucester, Camden County.		Received by County Clerk
Project Manager's Signature  Matthew Resnick Telephone: (609) 777-0454 Email: Matthew.Resnick@dep.state.nj.us		
This permit is not valid unless authorizing signature appears on the last page.		

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STANDARD CONDITIONS:

1. **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.
2. **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.
3. **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.
4. **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.)
5. **Duty to comply:** The permittee, its contractors and subcontractors shall comply with all conditions of the permit, supporting documents and approved drawings. Any noncompliance with a permit constitutes a violation of this chapter, and is grounds for enforcement action pursuant to N.J.A.C. 7:13-19, as well as suspension and/or termination of the permit.
6. **Duty to reapply:** If the permittee wishes to continue an activity covered by the permit after the expiration date of the permit, the permittee must apply for and obtain a new permit.
7. **Duty to halt or reduce activity:** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
8. **Duty to minimize environmental impacts:** The permittee shall take all reasonable steps to prevent, minimize or correct any adverse impact on the environment resulting from activities conducted pursuant to the permit, or from noncompliance with the permit.
9. **Proper operation and maintenance:** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve compliance with the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The operation of back-up or auxiliary facilities or similar systems is only required when necessary to achieve compliance with the permit. The permittee must also properly execute any approved mitigation compensation and/or restoration proposal designed to mitigate losses caused by the permitted activity. The permittee shall

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maintain the authorized work areas in good condition and in accordance with the permit.

10. **Proper oversight:** The permittee shall ensure that all approved activities are undertaken using the best management practices available under the supervision and direction of an engineer at all points necessary to ensure compliance with all permit conditions.
11. **Proper site maintenance:** 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 water by placing or dumping any materials, equipment, debris or structures within or adjacent to the channel. 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.
12. **Permit actions:** A permit can be revised, suspended or terminated for cause. The filing of a request by the permittee for a revision, or a notification of planned changes or anticipated noncompliance does not stay any condition of a permit.
13. **Property rights:** A permit does not convey any property rights of any sort, or any exclusive privilege.
14. **Duty to provide information:** A copy of the individual permit and other authorizing documents including all approved plans and drawings shall be maintained at the authorized site at all times and made available to Department representatives or their designated agents immediately upon request. The permittee shall also furnish to the Department within a reasonable time any information that the Department requests to determine compliance with a permit or to determine whether cause exists for suspension or termination of a permit. The permittee shall also furnish to the Department, upon request, copies of records required to be kept by the permit.
15. **Inspection and entry:** The permittee shall allow an authorized representative of the Department, at reasonable times and upon the presentation of credentials, to:
 - 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 the permit;
 - ii. Have access to and copy any records that must be kept under the conditions of the permit; and
 - iii. Inspect any facilities, equipment, practices or operations regulated or required under the permit.

Failure to allow reasonable access under this section shall be considered a violation of this chapter and subject the permittee to enforcement action pursuant to N.J.A.C. 7:13-19.
16. **Reporting requirements:** The permittee shall provide reports to the Department as follows:
 - i. **Planned changes:** The permittee shall give notice to the Department prior to any planned physical alterations or additions to the permitted project or activity;
 - ii. **Transfers:** The permit is not transferable to any person unless the transfer is approved by the Department, pursuant to N.J.A.C. 7:13-14.1;

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- iii. **Noncompliance:** The permittee shall immediately report to the Department by telephone at (877) 927-6337 any noncompliance that may endanger health or the environment. The permittee shall report all other noncompliance to the Division of Land Use Regulation by telephone at (609) 292-0060 within two business days of the time the permittee becomes aware of the noncompliance, and in writing within five business days of the time the permittee becomes aware of the noncompliance. The written notice shall include: a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and, if the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. Such notice shall not, however, serve as a defense to enforcement action if the project is found to be in violation of this chapter; and
 - iv. **Other information:** Where the permittee becomes aware that it failed to submit any relevant facts in an application, or submitted incorrect information in an application or in any report to the Department, it shall promptly submit such facts or information.
17. **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:

1. All necessary local, Federal, and other state approvals must be obtained by the applicant prior to the commencement of the herein-permitted activities. Approvals from the following agencies may be required:
 - U.S. Army Corps of Engineers
2. Prior to the start of any construction activities within Tidelands encumbered properties; the permittee must obtain a Tidelands Instrument from the Bureau of Tidelands Management. Failure to comply with this condition will result in fines up to \$1000 plus \$100 per day, a higher fee for the conveyance and possible prosecution by the Attorney general's Office and pay use and occupancy charges.
3. This permit is issued subject to all permit conditions specified within the Memorandum of Agreement between New Jersey Department of Transportation & State Historic Preservation Office signed October 2008
4. Prior to any construction activities on Green Acres encumbered properties, the permittee must obtain written authorization from the Green Acres Program.
5. In order to protect the *anadromous fishery resources* within Little Timber Creek, Little Timber Creek unnamed tributary, Big Timber Creek, and Big Timber Creek unnamed tributary, any proposed grading or construction activities within the banks or riparian zone of this or any other watercourse on site is prohibited between **March 15 and June 30** of each year. In addition, any activity within the 100-year flood plain or flood hazard area of these watercourses which could introduce sediment into said watercourse or which could cause an increase in the natural level of turbidity is also prohibited during this period. The Department reserves the right to suspend all

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- regulated activities on site should it be determined that the applicant has not taken proper precautions to ensure continuous compliance with this condition.
6. Raw or unset concrete shall not come into contact with the waters of Little Timber Creek, Big Timber Creek or any adjoining tidal waterways for any reason.
 7. The existing migration patterns of aquatic life in the watercourse shall not be inhibited as a result of this project. This includes the maintenance and/or creation of a low-aquatic fish passage within the disturbed channel and throughout any proposed in-channel structure wherever possible. In addition, any disturbed areas of the channel shall be restored using native, non-acid producing soils and indigenous, non-invasive vegetation.
 8. 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.
 9. Vegetation within 150 feet of the top of the banks of Little Timber Creek and its associated tributary shall only be disturbed in the areas specifically shown on the approved drawing/s. No other vegetation within 150 feet of the top of any stream bank onsite shall be disturbed for any reason.
 10. Vegetation within 150 feet of the top of the banks of Big Timber Creek and its associated tributary shall only be disturbed in the areas specifically shown on the approved drawing/s. No other vegetation within 150 feet of the top of any stream bank onsite shall be disturbed for any reason.
 11. Upon completion of the project, all temporarily disturbed areas within 150 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. 7:13-10.2(u).
 12. 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.
 13. For any excavated area in freshwater wetlands, transition areas, and/or State open waters, the excavation shall be backfilled to the preexisting elevation, the uppermost 18 inches of the excavation shall be backfilled with the original topsoil material if feasible, the area above the excavation shall be replanted, in accordance with applicable BMPs, with indigenous wetlands species.
 14. Any pipes laid through wetlands, transition areas, or State open waters shall be properly sealed so as to prevent leaking or infiltration, designed so as not to form a path for groundwater to be discharged or drained from the wetland, and placed entirely beneath the pre-existing ground elevation.

15. 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.
16. All excavated material and dredged spoils shall be disposed of in a lawful manner outside of any flood hazard area, riparian zone, open water, freshwater wetland and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.
17. The Department has determined that this project meets the requirements of the Stormwater Management rules at N.J.A.C. 7:8. Any future expansion or alteration of the approved stormwater management system, which would affect water quality, increase the rate or volume of stormwater leaving the site, affect the infiltration capacity on the site, or alter the approved low impact site design, shall be reviewed and approved by the Department prior to construction. This includes any proposed changes to the discharge characteristics of any basin, the construction of new inlets or pipes that tie into the storm sewer network and/or the replacement of existing inlets or pipes with structures of different capacity.
18. 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
19. **Provisions of the Flood Hazard Area Verification**

This portion of the permit establishes the flood hazard area design flood elevation, the floodway limits and the riparian zone limits along Little Timber Creek and Big Timber Creek as shown on the approved plans. The flood hazard area design flood elevation, the floodway limits, and the riparian zone are specifically not verified along the unnamed tributary to Big Timber Creek. Another flood hazard area permit is required prior to undertaking any regulated activity not specifically approved under this permit within the verified flood hazard area or riparian zone onsite.

SPECIAL MITIGATION PERMIT CONDITIONS:

WETLAND MITIGATION PERMIT CONDITIONS:

1. The permittee shall mitigate for the permanent disturbance of 1.158 acres of freshwater forested wetlands, 0.137 acres of freshwater shrub/scrub wetlands, 0.028 acres of freshwater emergent wetlands, 0.076 acres of Intertidal/Subtidal shallows, 0.532 acres of mapped coastal wetlands, and 0.083 acres of State open waters through either an on-site or off-site creation, restoration or enhancement project or with the purchase of credits from a mitigation bank serving the appropriate watershed management area (N.J.A.C. 7:7 E-3B et seq).

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2. The permittee shall mitigate for the temporary disturbance of 0.032 acres of freshwater forested wetlands, 0.001 acres of freshwater shrub/scrub wetlands, 0.232 acres of Intertidal/Subtidal shallows, 0.09 acres of mapped coastal wetlands, and 0.027 acres of State open waters through an on-site restoration project (N.J.A.C. 7:7 E-3B et seq).
3. **All mitigation shall be conducted prior to or concurrent with the construction of the approved project** (N.J.A.C. 7:7A-15.3(a)1 and N.J.A.C. 7:7E-3.27(h)3). Concurrent means that at any given time, the mitigation must track at the same or greater percentage of completion as the project as a whole.
4. If the permittee fails to perform mitigation within the applicable time period the acreage of mitigation required shall be increased by 20% each year after the date mitigation was to begin (N.J.A.C. 7:7A-15.3(b)).
5. **At least 90 days prior to the initiation of regulated activities authorized by this permit**, the permittee shall submit a mitigation proposal to the Division of Land Use Regulation (Division) for review and approval. Activities authorized by this permit shall not begin until the permittee has obtained written approval of a mitigation plan from the Department.
6. If the applicant is considering obtaining land to satisfy a mitigation requirement, the Department strongly recommends that the permittee obtain the Division's conceptual review and approval of any land being considered as a potential mitigation area.
7. If the permittee is considering purchasing credits from a Mitigation Bank to satisfy a mitigation requirement, prior to the initiation of regulated activities authorized by this permit, the permittee shall submit proof of purchase for 2.014 mitigation credits to the attention of the Mitigation Unit Supervisor, NJDEP, Division of Land Use Regulation at Mail Code 501-02A, P.O. Box 420, Trenton, NJ 08625-0420.
 - Willow Grove Lake Wetlands Mitigation Bank – Contact Barbara Brummer, Director, The Nature Conservancy at (908) 879-7262
8. If the permittee is considering conducting a creation, restoration or enhancement project, the following conditions shall apply:
 - a. **Prior to the initiation of regulated activities** authorized by this permit the permittee shall submit a final design of the mitigation project for approval and include all of the items listed on the checklists entitled Checklist for Completeness: Creation, Restoration or Enhancement for a Coastal Wetland Mitigation Proposal and Checklist for Completeness: Creation, Restoration or Enhancement for a Freshwater Wetland Mitigation Proposal located at <http://www.nj.gov/dep/landuse/forms/index.html>.
 - b. The permittee shall obtain a secured bond or other financial surety acceptable to the Division from a firm licensed to provide such services in New Jersey. (N.J.A.C. 7:7A-15.13 and N.J.A.C. 7:7E-3B.3)

- c. **Prior to the completion of the mitigation project**, the permittee shall complete, sign and file with the County Clerk (the Registrar of Deeds and Mortgages in some counties), a conservation restriction that meets the requirements of N.J.A.C. 7:7A-15.14 and N.J.A.C. 7:7E-3.27(h)6. The conservation restriction shall include the wetland and required transition area and conform to the format and content of the Wetlands Mitigation Area model deed conservation restriction that is available at: <http://www.nj.gov/dep/landuse/forms/index.html>. The applicant is required to include a metes and bounds description shown on a map. Within 10 days of filing the conservation restriction, the permittee must send a copy of the conservation restriction to the Mitigation Unit, NJDEP Division of Land Use Regulation for verification. (N.J.A.C. 7:7A-15.14 and N.J.A.C. 7:7E-3.27(h)6)
- d. The permittee shall notify the Mitigation Unit at the Division of Land Use Regulation in writing **at least 30 days prior to the start of construction of the wetland mitigation project** to arrange an on-site pre-construction meeting among the permittee, the contractor, the consultant and the Division.
- e. To ensure the intent of the mitigation design and its predicted wetland hydrology is realized in the landscape, the mitigation designer shall be present on-site during all critical stages of mitigation construction and during the restoration of any temporarily impacted areas. Critical stages of construction include but are not limited to herbicide applications, earthmoving activities, planting, and inspections.
- f. The permittee shall be responsible for ensuring that best management practices are used throughout construction to control the spread and colonization of highly invasive plants. Specifically, all equipment, especially tracks and tires, must be thoroughly cleaned every time equipment or vehicles move from an area containing invasive plants or from off-site to the mitigation area. In addition, soil containing root fragments and above-ground vegetative material from invasive plants shall be carefully managed during earthmoving activities and disposed of at a suitable off site location rather than mulched and reused or stockpiled elsewhere on the site. For information on the specific species that are considered to be invasive, please refer to the Invasive Plant Atlas at <http://www.invasiveplantatlas.org/index.html>.
- g. In the event that changes to the mitigation design are necessary to ensure success of the project as a result of on-site conditions, the mitigation designer shall immediately notify the Division in writing and submit an alternative plan which achieves the proposed wetland conditions. The Division shall review the plan in accordance with N.J.A.C. 7:7A-15.15 and N.J.A.C. 7:7E-3B.4. Any modifications to the plan that are reviewed and approved by the Division must be shown on a signed and sealed revised plan. The As-Built plans required as a part of the Construction Completion Report may serve as the signed and sealed revised plan required to be submitted as part of the construction modification process described above if time constraints warrant such action and have been approved by the Division in writing.
- h. **Within 30 days of final grading of the mitigation site and prior to planting**, the permittee shall notify the Mitigation Unit at the Division of Land Use Regulation in writing to arrange a post-grading construction meeting among the permittee, contractor, consultant and the Division.

- i. **Within 30 days following the final planting of the mitigation project**, the permittee shall submit a Construction Completion Report to the Division detailing as-built conditions (see below) and any changes to the approved mitigation plan that were made during construction (N.J.A.C. 7:7A-15.16 and N.J.A.C. 7:7E-3B.5(b)). The Construction Completion Report shall contain, at a minimum, the following information:
 - i. A completed Wetland Mitigation Project Completion of Construction Form. This form is located at <http://www.nj.gov/dep/landuse/forms/index.html> and certifies that the mitigation project has been constructed as designed and that the proposed area of wetland creation, restoration or enhancement has been accomplished;
 - ii. As-Built plans which depict final grade elevations at one foot contours and include a table of the species and quantities of vegetation that were planted including any grasses that may have been used for soil stabilization purposes; and
 - iii. Photos of the constructed wetland mitigation project with a photo location map as well as the GPS waypoints in NJ state plane coordinates NAD 1983.
- iv. For ISS creation projects only:
 - (1) Documentation that the mitigation site meets the definition of an intertidal subtidal shallow, that it is permanently or twice daily submerged from the Spring high tide to a depth of four feet below mean low water.
- j. **Within 30 days following final planting of the mitigation project**, the permittee shall post the mitigation area with permanent signs which identify the site as a wetland mitigation project and that all-terrain vehicle use, motorbike use, mowing, dumping, draining, cutting and/or removal of plant materials is prohibited and that violators shall be prosecuted and fined to the fullest extent under the law. The signs must also state the name of the permittee, a contact name and phone number, and the Department's permit number.
- k. The permittee is required to monitor the mitigation project according to the following schedule, and to submit monitoring reports to the Division of Land Use Regulation no later than November 15 of each full monitoring year (see N.J.A.C. 7:7E-3B.5(d)):
 - i. The intertidal subtidal portion of the mitigation project shall be monitored for a lunar month after construction until the Department has determined that the project has been successfully completed (see N.J.A.C. 7:7E-3B.5(c)1). If the Department determines that intertidal subtidal shallows mitigation is not successful, then the post construction monitoring shall be repeated the following lunar month (s) until the site has been deemed successful.
 - ii. Other wetland mitigation projects shall for monitored for 5 full growing seasons and emergent wetland or State open water mitigation projects for 3 full growing seasons beginning the year after the mitigation project has been completed.
- l. The monitoring report, required above shall include all of the following information for the intertidal subtidal shallows portion of the project:

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- i. A USGS quad map showing the location of the mitigation site; a county road map showing the location (including lot and block) of the mitigation site; copy of an aerial photograph of the mitigation site. The point(s) of access to the mitigation site must be clearly indicated on all maps;
 - ii. A copy of the permit that included the mitigation requirement;
 - iii. A brief description of the mitigation;
 - iv. Photographs of the mitigation site with a location map indicating the location and direction for each photograph and indicating the tidal stage at the time the photo was taken;
 - v. An assessment of the planted vegetation (if any was required) and any species that are naturally colonizing the site. This assessment shall include data sheets from the sampling points which describe the vegetation present, the percent coverage of the vegetation and the location of the water table;
 - vi. Based on the approved water budget prepared in accordance with N.J.A.C 7:7E-3B.2(a)7, documentation demonstrating that the mitigation site is a wetland or intertidal or subtidal shallows. The documentation shall include, as appropriate, monitoring well data, stream gauge data, photographs and/or field observation notes collected throughout the post-construction monitoring period;
 - vii. Documentation, based on field data, that the approved goals of the mitigation project prepared pursuant to N.J.A.C. 7:7E-3B.2(a), are satisfied;
 - viii. A narrative evaluating the success/failure of the project in accordance with N.J.A.C. 7:7:E-3B.5;
 - ix. In the event that the mitigation is a failure in accordance with N.J.A.C. 7:7:E-3B.5, a narrative description of proposed actions that will permanently rectify the problems.
- m. For the non intertidal subtidal shallows portion of the project, all monitoring reports shall include the standard items identified in the checklists entitled Wetland Mitigation Monitoring Project Checklist and Tidal Wetland Mitigation Monitoring Checklist and the information requested below. The Wetland Mitigation Monitoring Project Checklist and Tidal Wetland Mitigation Monitoring Checklist are located on the Internet at <http://www.nj.gov/dep/landuse/forms/index.html>
- n. Once the required monitoring period has expired and the permittee has submitted the final monitoring report, the Division will make the finding that the mitigation project is either a success or a failure. This mitigation project will be considered successful if the permittee demonstrates all of the following:
- i. That the goals of the wetland mitigation project, including acreage and the required transition area, as stated in the approved wetland mitigation proposal and the permit have been satisfied. The permittee shall submit a field wetland delineation of the

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wetland mitigation project based on the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989) which shows the exact acreage of State open waters, emergent, scrub/shrub and/or forested wetlands in the mitigation area;

- ii. The site has an 85 percent survival and 85 percent area coverage of the mitigation plantings or target hydrophytes, which are species native to the area and similar to ones identified on the mitigation planting plan. All plant species in the mitigation area must be healthy and thriving and all trees must be at least five feet in height;
 - iii. The site is less than 10 percent coverage by invasive or noxious species.
 - iv. The site contains hydric soils or there is evidence of reduction occurring in the soil; and,
 - v. The proposed hydrologic regime as specified in the mitigation proposal has been satisfied.
- o. The permittee is responsible for assuming all liability for any corrective work necessary to meet the success criteria established above (N.J.A.C. 7:7A-15.16(f) and N.J.A.C. 7:7A-3B.5(d)9). The Division will notify the permittee in writing if the mitigation project is considered to be a failure. Within 30 days of notification, the permittee shall submit a revised mitigation plan to meet the success criteria identified above for Division review and approval. The financial surety, if required, will not be released by the Division until such time that the permittee satisfies the success criteria as stipulated above.

RIPARIAN ZONE COMPENSATION CONDITIONS

1. **Within 60 days of the issuance of this permit**, the permittee shall submit a proposal to provide 2:1 compensation for the permanent loss of 2.04 acres of forested riparian zone, 0.08 acres of scrub-shrub riparian zone and 2.67 acres of grass riparian zone vegetation. The proposal shall be designed in accordance with the standards at N.J.A.C. 7:13-10.2(t) and (u).
2. The permittee shall provide in-kind restoration for the temporary disturbance of 0.76 acres of grass riparian zone.
3. **The compensation project must be conducted prior to or concurrent with the construction of the approved project.** Concurrent means that at any given time, the compensation must track at the same or greater percentage of completion as the project as a whole.
4. **Prior to the initiation of regulated activities authorized by this permit**, the permittee shall sign a Department approved conservation restriction to protect the compensation area from future development that would remove the vegetation planted. (N.J.A.C. 7:13-10.2(t)3) The conservation restriction shall conform to the format and content of the Riparian Zone Compensation Area model located at <http://www.nj.gov/dep/landuse/forms/index.html>. The restriction shall be included on the deed and recorded in the office of the County Clerk (the Registrar of Deeds and Mortgages in some counties) in the county wherein the lands of the compensation project are located. A metes and bounds description shown on a map must be included within the recorded conservation restriction.

Permit Authorization
0400-04-0002.1 FHA 110001-Verification
FHA 110002-Individual Permit
FWW 110001 Individual Wetlands Permit
FWW 110002 Individual Open Water Permit
CSW110001 Coastal Wetlands Permit
WFD110001 Waterfront Development Individual In-water Permit
WFD110002 Waterfront Development Individual Upland Permit

Within 10 days of filing the conservation restriction, the permittee must send a copy of the conservation restriction to the Department for verification.

5. The permittee shall monitor the riparian project for at least 3 years beginning the year after the riparian zone compensation project has been completed (N.J.A.C. 7:13-10.2(u)5). **The permittee shall submit monitoring reports to the Division of Land Use Regulation, no later than December 31st of each full monitoring year.**
 - a. All monitoring reports except the final one must include documentation and field data demonstrating that the goals of the riparian zone compensation project will be achieved as stated in the approved riparian zone compensation proposal and the permit requirements will be satisfied. If the permittee is finding problems with the compensation project and does not anticipate the site will be a full success, recommendations on how to rectify the problems shall be included in the report with a time frame in which they will be completed.
 - b. The final monitoring report must include documentation and data demonstrating the following:
 - i. That the goals of the riparian zone compensation project as stated in the approved riparian zone compensation proposal and the permit conditions have been satisfied.
 - ii. That at least 85 percent of the compensation plantings have survived and that at least 85 percent of the compensation area is established with native species similar to ones identified on the compensation planting plan. All plant species in the compensation area must be healthy and thriving. All trees must be at least 5 feet in height; and
 - iii. That the site is less than 10 percent occupied by invasive or noxious species.
6. If the riparian compensation project does not meet the success criteria established above the project shall be considered a failure and the permittee shall submit a revised riparian compensation plan. The revised plan shall be submitted within 60 days of receipt of notification from the Division indicating the riparian compensation project was a failure.
7. If the Division determines that the riparian zone compensation project is not constructed in conformance with the approved plan, the permittee will be notified in writing by the Department and will have 60 days to submit a proposal to indicate how the project will be corrected.

Permit Authorization
0400-04-0002.1 FHA 110001-Verification
FHA 110002-Individual Permit
FWW 110001 Individual Wetlands Permit
FWW 1100002 Individual Open Water Permit
CSW110001 Coastal Wetlands Permit
WFD110001 Waterfront Development Individual In-water Permit
WFD110002 Waterfront Development Individual Upland Permit

APPROVED PLANS:

The drawings hereby approved are 130 sheets collectively entitled, "STATE NEW JERSEY DEPARTMENT OF TRANSPORTATION, PLANS OF RT 295 & 42/I76 DIRECT CONNECTION INTERCHANGE IMPROVEMENTS, FROM WEST CREEK ROAD TO BLACK HORSE PIKE, CONTRACT NO. 026950543, APPLICATION FOR NJDEP FRESHWATER AND COASTAL WETLANDS PERMIT, BOROUGH OF BELLMAWR, BOROUGH OF MOUNT EPHRAIM, BOROUGH OF BARRINGTON, BOROUGH OF HADDON HEIGHTS, BOROUGH OF RUNNEMEDE, CITY OF GLOUCESTER, COUNTY OF CAMDEN, TOWNSHIP OF DEPTFORD, BOROUGH OF WESTVILLE, CITY OF WOODBURY, COUNTY OF GLOUCESTER" dated as noted, and prepared by Eric J. Boschen of Dewberry-Goodkind, INC.

- "TITLE SHEET", sheet 1 of 1, certified, June 17, 2011, last revised September 28, 2011
- "LEGEND AND NOTES", sheet LGD-1 of LGD-1, certified June 17, 2011,
- "PLAN SHEET INDEX", sheets PSI-1 through PSI-6 of PSI-6, certified June 17, 2011
- "FRESHWATER AND COASTAL INDIVIDUAL WETLANDS PERMIT PLANS", sheets WP-1 through WP-4, WP-6 through WP-12, WP-14, WP-20 through WP-32, WP-34, WP-36 through WP-42, WP-45 through WP-47, and WP-49 through WP-52, of WP-52, certified June 17, 2011
- "FRESHWATER AND COASTAL INDIVIDUAL WETLANDS PERMIT PLANS", sheets WP-15, WP-16, and WP-19 of WP-52 revised September 28, 2011
- "FRESHWATER AND COASTAL INDIVIDUAL WETLANDS PERMIT PLANS", sheets WP-5, WP-13, WP-17, WP-18, WP-33, WP-35, WP-43, WP-44, WP-48, of WP-53, last revised February 29, 2012.
- "CONSTRUCTION PLANS", sheets C-1 through C-4, C-6 through C-12, C-14 through C-16, C-21 through C-32, C-34, C-37 through C-42, C-45 through C-47, C-50 through C-52, of C-52, certified June 17, 2011
- "CONSTRUCTION PLANS", sheets C-5, C-13, C-17 through C-20, C-33, C-35, C-36, C-43, C-44, C-48, and C-49 of C-52. Last revised February 29, 2012.
- "STORM BASIN", sheets SB-1, SB-5, SB-7, and SB-8 certified June 17, 2011.
- "STORM BASIN", sheets SB-2 through SB-4, and SB-6, last revised February 29, 2012
- "CONSTRUCTION DETAILS", sheets DTL-1, DTL-2, DTL-4, and DTL-6 through DTL-10, certified June 17, 2011
- "CONSTRUCTION DETAILS", sheets C-3, and C-5, last revised February 29, 2012

The drawings hereby approved are 179 sheets collectively entitled, "STATE NEW JERSEY DEPARTMENT OF TRANSPORTATION, PLANS OF RT 295 & 42/I76 DIRECT CONNECTION INTERCHANGE IMPROVEMENTS, FROM WEST CREEK ROAD TO BLACK HORSE PIKE, CONTRACT NO. 026950543, APPLICATION FOR NJDEP FLOOD HAZARD AREA INDIVIDUAL PERMIT AND WATERFRONT DEVELOPMENT PERMIT, BOROUGH OF BELLMAWR, BOROUGH OF MOUNT EPHRAIM, BOROUGH OF BARRINGTON, BOROUGH OF HADDON HEIGHTS, BOROUGH OF RUNNEMEDE, CITY OF GLOUCESTER, COUNTY OF CAMDEN, TOWNSHIP OF DEPTFORD, BOROUGH OF WESTVILLE, CITY OF WOODBURY, COUNTY OF GLOUCESTER" dated as noted, and prepared by Eric J. Boschen of Dewberry-Goodkind, INC.

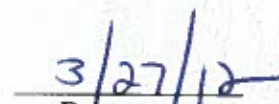
- "TITLE SHEET", sheet 1 of 1, certified, September 9, 2011, last revised October 28, 2011
- "LEGEND AND NOTES", sheet LGD-1 of LGD-1, certified September 9, 2011

Permit Authorization
0400-04-0002.1 FHA 110001-Verification
FHA 110002-Individual Permit
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WFD110002 Waterfront Development Individual Upland Permit

- "PLAN SHEET INDEX", sheets PSI-1 through PSI-6 of PSI-6, certified September 9, 2011
- "FLOOD HAZARD AREA PERMIT PLANS", sheets FHA-1 through FHA-4, FHA-6, FHA-7, FHA-10 through FHA-12, FHA-14, FHA-20, FHA-21, FHA-23 through FHA-31, FHA-34, FHA-37 through FHA-42, FHA-45 through FHA-47, FHA-50 through FHA-52 of FHA 52, certified September 9, 2011
- "FLOOD HAZARD AREA PERMIT PLANS", sheets FHA-5, FHA-13, FHA-17, FHA-18, FHA-33, FHA-35, FHA-43, and FHA-48, last revised October 28, 2011
- "FLOOD HAZARD AREA PERMIT PLANS", sheets FHA-8, FHA-9, FHA-15, FHA-16, FHA-19, FHA-22, FHA-32, FHA-36, FHA-44, and FHA-49 last revised February 29, 2012
- "WATERFRONT DEVELOPMENT PERMIT PLANS", sheets WFD-1, WFD-2, WFD-5 through WFD-8, of WFD-8, certified September 9, 2011
- "WATERFRONT DEVELOPMENT PERMIT PLANS", sheets WFD-3 and WFD-4, of WFD-8, last revised, February 29, 2012
- "WATERWAY PLANS, PROFILES & SECTIONS", sheets W-1 through W-38 of W-38, certified September 9, 2011
- "STREAM CLEANING PROFILE & SECTIONS", Sheets SC-1 through SC-5, of SC-5, certified September 9, 2011
- "CULVERTS & WALLS – GENERAL PLANS AND ELEVATIONS", sheets 183 through 188 of 264, certified September 9, 2011
- "CULVERTS & WALLS – GENERAL PLANS AND ELEVATIONS", sheet 182 of 264, last revised October, 28, 2011



Christopher Jones, Manager
Bureau of Urban Growth and Redevelopment



Date

Cc: NJDEP Enforcement
Borough of Bellmawr, Construction Official, Clerks Office,
Borough of Mount Ephraim, Construction Official, Clerks Office
Borough of Barrington, Construction Official, Clerks Office,
Borough of Haddon Heights, Construction Official, Clerks Office,
Borough of Runnemede, Construction Official, Clerks Office,
City of Gloucester, Construction Official, Clerks Office,
Township of Deptford, Construction Official, Clerks Office,
Borough of Westville, Construction Official, Clerks Office,
City of Woodbury, Construction Official, Clerks Office
Eric Boschen, Agent, Dewberry-Goodkind