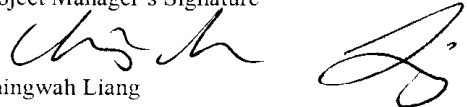




**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION**
501 East State Street, Station Plaza 5, 2nd Floor
P.O. Box 439, Trenton, New Jersey 08625-0439
Fax: (609) 777-3656 or (609) 292-8115
www.state.nj.us/dcp/landuse



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 08 2006
		Expiration Date DEC 08 2011
Permit Number/s 1408-06-0008.1 FHA 060001 SEP	Type of Approval/s Stream Encroachment	Enabling Statute/s NJSA 13:1D-1 NJSA 58:10A-1 NJSA 58:16A-50, et. seq.
Applicant New Jersey Department of Transportation P.O. Box 600 Trenton, NJ 08625	Owner (if different from applicant)	
<p>Description of Authorized Activities and Limit of Disturbance</p> <p align="center">This permit grants permission to construct a pedestrian walkway approach within the flood plain of the Rockaway River, in connection with the construction of a pedestrian bridge over Route 46, located near the intersection of Route 46 and Franklin Road, in the Township of Denville, Morris County.</p>		
Project Location Intersection of Route 46 and Franklin Road Denville Township, Morris County	Received by County Clerk	
Project Manager's Signature  Chingwah Liang Telephone: (609) 984-0194		
This permit is not valid unless authorizing signature appears on the last page.		

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 shall be disposed in a lawful manner and outside 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. 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.
10. Prior to the commencement of site clearing, grading or construction, the permittee must have a silt fence and a construction debris fence erected at the limit of disturbance. These fences shall serve both as a siltation and

debris barrier as well as a physical barrier protecting areas outside of the limit of disturbance from encroachment by construction vehicles or activities. These fences shall be kept in place and maintained through out the duration of construction or until such time that the site is stabilized.

11. All disturbed areas should be planted with a mixture of warm and cool seasonal grasses, containing at least 20% warm season grasses. The use of one of these mixtures will permanently stabilize the soil and enhance the environment. The local soil conservation service can provide information on the appropriate mixture based on the planting date and drainage.
12. The drawings hereby approved are a total of five (5) sheets prepared by French and Parrello Associates, P.A., certified November 30, 2006 and unrevised, unless otherwise noted, entitled:


“NEW JERSEY DEPARTMENT OF TRANSPORTATION, PEDESTRIAN OVERPASS AT ROUTE 46”

“STREAM ENCROACHMENT PERMIT PLAN”, sheet no. 2 of 9,

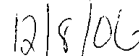
“CROSS SECTIONS FOR FLOOD HAZARD VOLUME CALCULATIONS”, sheet nos. 3 and 4 of 9,

“NEW JERSEY DEPARTMENT OF TRANSPORTATION, GRADING AND DRAINAGE, PEDESTRIAN OVERPASS AT ROUTE 46, CONTRACT NO. 042993000”, Sheet 5 of 9, with no certification date,

“NEW JERSEY DEPARTMENT OF TRANSPORTATION, BUREAU OF STRUCTURAL ENGINEERING, NORTH RAMP PLAN & ELEVATION, ROUTE U.S. 46 AT FRANKLIN ROAD (M.P. 42.53), PEDESTRIAN ACCESS & SAFETY ACCOMMODATIONS, TOWNSHIP OF DENVILLE, MORRIS COUNTY”, sheet no. 6 of 9,



Peter DeMeo, PE
Acting Section Chief
Bureau of Inland Regulation



Date