



UPC # 048030

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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GOVERNOR

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NOV 05 2009

JoAnn Asadpour
New Jersey Department of Transportation
1035 Parkway Avenue
PO Box 600
Trenton, NJ 08625

RE: Route 52 Causeway Replacement Project - Modification
LUR File #0000-04-0017.1, CAF090001, WFD090001 & CSW090001
Applicant: New Jersey Department of Transportation
City of Somers Point and Township of Egg Harbor, Atlantic County
City of Ocean City, Cape May County

Dear Ms. Asadpour:

In response to your request of August 27, 2009, and in accordance with the 90-Day Construction Law, you are hereby granted approval of a "Permit Modification" for the subject work as follows.

This permit authorizes reconstruction of the Route 52 causeway, including the construction of piers (bridge supports), bulkheads, scour protection, dredging (including release of return water) and realignment of the State navigation channel in Ship Channel and the New Jersey Intracoastal Waterway (NJ-ICWW) through Beach Thorofare, temporary trestles and temporary fill for loading areas and construction access, recreational public fishing piers, bulkheaded areas for recreational public fishing access, and shoreline stabilization activities throughout the Rainbow Islands. The project site is located along the existing Route 52 causeway, between Route 9 in the City of Somers Point, Atlantic County, and Bay Avenue in Ocean City, Cape May County, New Jersey. The existing (and proposed) roadway crosses Ship Channel, Elbow Thorofare, Rainbow Channel and Beach Thorofare (within Great Egg Harbor Bay). The applicant's stated purpose is to replace deficient structures, as well as to improve roadway safety and traffic operations in the project area.

The original coastal permits (0000-04-0017.1, CAF040001, WFD040001 and CSW040001) authorized on May 20, 2005 shall be amended as described below:

1. Design revisions to the pier layout (bridge supports). Shorter span lengths (159 linear feet maximum) will be utilized which decreases the size and number of piers and reduces impacts to regulated resources.
2. Refinement of the designs for scour protection at the existing Ocean City abutment, and slope stabilization along the proposed boat ramp at the Somers Point abutment.
3. Modify the construction access on the south end of Garrets Island to permit access from the west side of the existing causeway.
4. Construct a temporary rock causeway along Temporary Ramp 2 to facilitate its removal within the off-season.
5. Redesign the construction access trestles as a result of the modifications to the pier configuration.

Conditions:

1. This permit is issued in accordance with U.S. Army Corps of Engineers permit CENAP-OP-R-2004-902-24, dated October 28, 2009.
2. All temporary impacts must be restored immediately upon completion of the project.

Further, Condition #6 of the original permit authorization shall be amended to read as follows:

To protect the anadromous fish run during migration and spawning a timing restriction of April 1 to June 30, prohibiting in-water construction activities, is imposed to reduce the possibility of increases in turbidity according to the following criteria:

- a. No pile installation during the restricted period for Piers 2-5 and 53-55.
- b. Piles and sheet piles for Piers 1, 6-10, 19-21, 43-52, 56, and 68-73 may be installed during the restricted period under the following conditions:
 - i. Steel sheet pile for bulkhead and cofferdam construction and steel piles are primarily vibrated in place. It is understood and accepted that the steel piles would have to be driven for the last several feet to set the pile.
 - ii. Driving of concrete or steel piles using an impact hammer is performed within a cofferdam or a similarly tightly sealed form or cell to reduce turbidity.
 - iii. Pile jetting of concrete or steel piles is performed within a cofferdam or a similar tightly sealed form or cell to reduce turbidity.
- c. Installation of piles for Piers 11-13, 22-23, 29-42, and 57-67 and for the bridge abutments is not subject to anadromous fish timing restrictions.
- d. Removal of cofferdam and temporary sheeting is prohibited in Elbow Thorofare during the restricted period.

- e. Activities involving in-water excavation that would result in increased turbidity such as certain demolition activities, foundation excavation, shoreline grading, or placement of scour countermeasures are prohibited during the restricted period unless performed within a cofferdam or a similar tightly sealed form or cell to reduce turbidity.
- f. Dewatering of cofferdams must include properly sized temporary sediment basins or other filtering methods to reduce turbidity.
- g. Should turbidity barriers be utilized, they must be located parallel to the shoreline and anchored to the shoreline to maintain free flow of water between the islands. In order to avoid obstruction of tidal flows or fish passage, turbidity barriers must not be placed across the channel between islands. For clarification on restricted activities, contact Charlie Welch at NJDEP Division of Land Use Regulation at 609-292-0060 or by email at Charlie.welch@dep.state.nj.us.

The authorized activities are shown on the following plans prepared by the New Jersey Department of Transportation, cover sheet entitled "PLANS OF ROUTE 52 (1933) CAUSEWAY FROM US ROUTE 9 TO WEST AVENUE, PERMIT PLANS", dated July 2, 2004 and revised through October 9, 2009:

- "PERMIT PLANS NJ ROUTE 52 (1) CAUSEWAY REPLACEMENT & SOMERS POINT CIRCLE ELIMINATION PROJECT CONTRACT NO. 000048030", Sheets PP-5 through PP-7 last revised October 9, 2009, Sheet PP-11 last revised August 7, 2009, and Sheets PP-12 through PP-13 last revised October 9, 2009.
- "CONSTRUCTION PLANS NJ ROUTE 52 (1) CAUSEWAY CONTRACT NO. 000048030", Sheets C-1 through C-5 last revised July 20, 2009, Sheet C-6 last revised August 25, 2009, Sheets C-7 and C-8 last revised July 20, 2009, Sheet C-9 last revised August 25, 2009, and Sheets C-10 through C-23 last revised July 20, 2009.

Please be advised that all other conditions of the original permit and subsequent modifications are to remain in force. A copy of this permit modification shall be appended to the original permits (#0000-04-0017.1, CAF040001, WFD040001 and CSW040001). Failure to comply with any or all of the permit conditions may result in appropriate enforcement action, or suspension and revocation of the permit.

If you have any questions regarding this authorization, please contact Janet Stewart of my staff in writing at the above address, by e-mail at janet.stewart@dep.state.nj.us or by telephone at (609) 777-0454. Please reference the above file number in any communication.

Sincerely,



Christopher Jones
Manager
Bureau of Urban Growth & Redevelopment

- c: City of Somers Point Construction Official
- Egg Harbor Township Construction Official
- City of Ocean City Construction Official
- US Army Corps of Engineers, Philadelphia District, attn: James Boyer