

FLOOD HAZARD SPECIAL CONDITIONS:

1. This permit does not include the issuance of a Flood Hazard Area Verification and therefore does not verify any flood hazard area, floodway and/or riparian zone of along any watercourse on site.
2. 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. The permittee will be responsible for the installation of a sediment barrier around all disturbed soils, which is sufficient to prevent the sedimentation of the remaining wetlands and transition area.
3. 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.
4. Construction may only be performed in the dry or de-watered conditions. No work may be performed in the wet.
5. De-watering of cofferdams must include properly sized temporary sediment basins or other filtering methods to reduce turbidity. The stream area to receive return water discharged from cofferdams must be encompassed by a turbidity barrier. The turbidity barrier must be located parallel to the stream banks and anchored to the shoreline to maintain free flow of the stream center. In order to avoid obstruction of stream flows or fish passage, turbidity barriers must not be placed across the entire stream channel.
6. Any new, reconstructed, enlarged, or elevated structure within a flood hazard area shall be secured to resist flotation, collapse, and displacement due to hydrostatic and hydrodynamic forces from floodwaters.
7. The regulated activity shall not adversely affect low-flow aquatic passage in any regulated water.
8. The regulated activity shall not expose unset or raw cement to flowing water within any channel or regulated water during construction.
9. All excavated material shall be disposed of in a lawful manner. The material shall be placed outside of any flood hazard area, riparian zone, regulated water, freshwater/coastal wetlands and adjacent transition area, and in such a way as to not interfere with the positive drainage of the receiving area.
10. 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.

FRESHWATER WETLANDS SPECIAL CONDITIONS:

1. This permit authorizes the permanent disturbance of approximately 445 s.f. (0.010 acre) of State open waters and 610 s.f. (0.014 acre) of transition areas and the temporary disturbance of approximately 5,961 s.f. (0.137 acre) of State open waters, 8 s.f. (0.0002 acre) of freshwater wetlands and 610 s.f. (0.014 acre) of transition areas for the bridge replacement under General Permit No. 10A. The wetlands affected by this permit authorization are of Intermediate resource value and the

standard transition area or buffer required adjacent to these wetlands is 50 feet. This general permit includes a transition area waiver, which allows encroachment only in that portion of the transition area, which has been determined by the Department to be necessary to accomplish the regulated activities. Any additional regulated activities conducted within the standard transition area on-site shall require a separate transition area waiver from the Division. Regulated activities within a transition area are defined at N.J.A.C. 7:7A-2.6. Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules (N.J.A.C. 7:7A-1.1 et seq.) for additional information.

2. All temporary disturbances must be permanently discontinued within six months after they are begun, and all temporary disturbed areas must be restored to their original condition.
3. The permittee shall incorporate Best Management Practices to minimize sediment generating aspects of the project.
4. Any additional un-permitted disturbance of freshwater wetlands, State open waters and/or transition areas besides that shown on the approved plans shall be considered a violation of the Freshwater Wetlands Protection Act Rules unless the activity is exempt or a permit is obtained from the Department prior to the start of the proposed disturbance.
5. No project ground disturbing activities shall commence on the project site until the permittee completes review of the project with the Historic Preservation Office, pursuant to the New Jersey Register of Historic Places Act, for the review of potential effects of the project on the New Jersey Register of Historic Places-listed Delaware and Raritan Canal Historic District. The New Jersey Register of Historic Places Act, Chapter 268, Laws of 1970, requires prior written authorization from the Commissioner of the Department of Environmental Protection for any state, county, or municipal, (or any agent thereof), undertaking which may affect properties listed on the New Jersey Register.
6. The permittee shall submit a technically complete and professionally sufficient Application for Project Authorization, pursuant to N.J.A.C. 7:4-7:1.
7. The permittee shall ensure that all phases of the cultural resource survey and reporting shall be in keeping with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation and the archaeological survey and report rules at N.J.A.C. 7:4-8.4 through 8.5. Evaluations to determine the National Register eligibility of archaeological sites should be in keeping with the National Park Service's 2000 National Register Bulletin, Guidelines for Evaluating and Registering Archaeological Properties. The Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation are available on the National Park Services web site: http://www.nps.gov/history/local-law/arch_stnds_0.htm
8. The permittee shall ensure that the individual(s) conducting the work shall meet the Secretary of the Interior's Professional Qualifications Standards for archaeology (48 FR 44738-9).
9. The permittee shall ensure that all artifacts from State and National Register eligible archaeological sites will be analyzed, catalogued, and curated in accordance with the National Park Service Standards, codified as 36 CFR Part 79.
10. The permittee shall ensure that work that does not meet the Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation and the requirements of the Freshwater Wetland Rules, as determined by the Historic Preservation Office, in consultation with Division of

Land Use Regulation, will be rectified by the project archaeological consultant(s). This shall include failure to submit reporting in accordance with the conditional timelines approved under this permit.

11. If, for any reason archaeological fieldwork is not accomplished prior to construction within the defined project area site limits, the project permittee shall be responsible for all investigation, evaluation, survey, salvage, and/or stabilization deemed necessary by the Historic Preservation Office, in consultation the Division Of Land Use Regulation, pursuant to the implementing regulations. Information gathered from such investigation, evaluation, or survey shall be used by the Historic Preservation Office, in consultation with Division of Land Use Regulation, to determine the extent of damage, evaluate the resource, and direct any measures to mitigate impacts from project-related activities, including any actions on the part of the permittee's contractors. Should any archaeological site be entirely destroyed by project-related activities before completion of any of the required phases of archaeological fieldwork are completed, the Historic Preservation Office, in consultation with Division of Land Use Regulation, shall determine other appropriate mitigation (e.g., alternative site excavation, alternative analysis, and/or public outreach activities) and enforcement, commensurate with the impacts which occurred.
12. The permittee shall provide a copy of these cultural resource conditions to the archaeological consultant(s) for the proposed project.

STANDARD CONDITIONS:

1. The issuance of a 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 or structure(s). Neither the State nor the Department shall, in any way, be liable for any loss of life or property that may occur by virtue of the activity or project conducted as authorized under a permit.
2. The issuance of a permit does not convey any property rights or any exclusive privilege.
3. The permittee shall obtain all applicable Federal, State, and local approvals prior to commencement of regulated activities authorized under a permit.
4. A permittee conducting an activity involving soil disturbance, the creation of drainage structures, or changes in natural contours shall obtain any required approvals from the Soil Conservation District having jurisdiction over the site.
5. 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.
6. The permittee shall immediately inform the Department by telephone at (877) 927-6337 (Warn DEP Hotline) of any noncompliance that may endanger the public health, safety, and welfare, or the environment. In addition, the permittee shall inform the Division of Land Use Regulation by telephone at (609) 777-0454 of any other noncompliance within two working days of the time the permittee becomes aware of the noncompliance, and in writing within five working days of the time the permittee becomes aware 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. The written notice shall include:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times;

- c. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
 - d. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
7. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the authorized activity in order to maintain compliance with the conditions of the permit.
8. The permittee shall employ appropriate measures to minimize noise where necessary during construction, as specified in N.J.S.A. 13:1G-1 et seq. and N.J.A.C. 7:29.
9. The issuance of a permit does not relinquish the State's tidelands ownership or claim to any portion of the subject property or adjacent properties.
10. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.
11. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
 - a. 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;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and
 - c. Inspect at reasonable times any facilities, equipment, practices, or operations regulated or required under the permit. Failure to allow reasonable access under this paragraph shall be considered a violation of this chapter and subject the permittee to enforcement action.
12. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action under, as well as, in the appropriate case, suspension and/or termination of the permit.
13. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect so long as the regulated activity or project, or any portion thereof, is in existence, unless the permit is modified.
14. For Coastal Permits, Flood Hazard Permits and Flood Hazard Verifications, the permittee shall record the permit, including all conditions listed therein, with the Office of the County Clerk (the Registrar of Deeds and Mortgages, if applicable) of each county in which the site is located. The permit shall be recorded within 30 calendar days of receipt by the permittee, unless the permit authorizes activities within two or more counties, in which case the permit shall be recorded within 90 calendar days of receipt. Upon completion of all recording, a copy of the recorded permit shall be forwarded to the Division of Land Use Regulation at the address set forth in the rules.
15. If any condition or permit is determined to be legally unenforceable, modifications and additional conditions may be imposed by the Department as necessary to protect public health, safety, and welfare, or the environment.

16. A copy of the permit and all approved site plans and supporting documents shall be maintained at the site at all times and made available to Department representatives or their designated agents immediately upon request.
17. A permit shall be transferred to another person only in accordance with the regulations.
18. A permit can be suspended or terminated by the Department for cause.
19. The submittal 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 a permit.
20. 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.
21. The permittee shall submit written notification to the Bureau of Coastal and Land Use Compliance and Enforcement, 401 East State Street, 4th Floor, P.O. Box 420, Mail Code 401-04C, Trenton, NJ 08625, at least three working days prior to the commencement of regulated activities.
22. The permittee shall not cause or allow 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 while the regulated activity(ies) is being undertaken. Upon completion of the regulated activity(ies), the permittee shall remove and dispose of in a lawful manner, all excess materials, debris, equipment, and silt fences and other temporary soil erosion and sediment control devices from all regulated areas.
23. The regulated activity shall not destroy, jeopardize, or adversely modify a present or documented habitat for threatened or endangered species, and shall not jeopardize the continued existence of any local population of a threatened or endangered species.

APPROVED PLANS:

The drawings hereby approved are seventeen (17) sheets prepared by NV5, Inc., dated March 12, 2019, unrevised, unless otherwise noted, entitled:

“NEW JERSEY DEPARTMENT OF TRANSPORTATION ALEXANDER RD, BRIDGE OVER D&R CANAL STRUCTURE NO. 3000-155 CONTRACT NO. 002183120,”

- “ENVIRONMENTAL PERMIT PLAN,” dated December 11, 2018, last revised March 11, 2019, sheet 1 of 11,
- “TYPICAL SECTIONS,” sheet 4 of 67,
- “CONSTRUCTION PLANS,” sheet 7 of 67,
- “UTILITY CONSTRUCTION PLANS,” dated March 21, 2019, sheet 11 of 67,
- “UTILITY PLAN AND PROFILE,” sheets 12 and 13 of 67,
- “PROFILES,” sheet 22 of 67,
- “CROSS SECTIONS,” sheets 30 through 37 of 67, and;

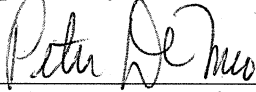
“NEW JERSEY DEPARTMENT OF TRANSPORTATION BUREAU OF STRUCTURAL ENGINEERING GENERAL PLAN, ELEVATION AND NOTES ALEXANDER RD, BRIDGE OVER D&R CANAL STRUCTURE NO. 3000-155 CONTRACT NO: 002183120,” dated March 27, 2019, sheet B2 of B30, and;

“NEW JERSEY DEPARTMENT OF TRANSPORTATION BUREAU OF STRUCTURAL ENGINEERING TYPICAL SECTION, PROFILE AND WORKING POINTS ALEXANDER RD, BRIDGE OVER D & R CANAL CONTRACT NO: 002183120,” dated December 13, 2018, sheet B2 of B.

In accordance with the applicable regulations, any person who is aggrieved by this decision or any of the conditions of this permit may request an adjudicatory hearing within 30 calendar days after public notice of the decision is published in the DEP Bulletin. This request must include a completed copy of the Adjudicatory Hearing Request form. The DEP Bulletin is available through the Department's website at <http://www.nj.gov/dep/bulletin> and the form is available through the Division's website at http://www.nj.gov/dep/landuse/download/lur_024.pdf. In addition to requesting a hearing, a request may be filed with the Department's Office of Dispute Resolution to determine whether the matter is suitable for mediation. Information concerning the dispute resolution process is available at www.nj.gov/dep/odr.

If you need clarification on any section of this permit or conditions, please contact the Division of Land Use Regulation's Technical Support Call Center at (609) 777-0454.

Approved By:



Peter DeMeo, Supervisor
Division of Land Use Regulation

4/17/19
Date



c: Construction Official