

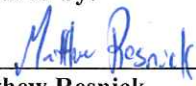


**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF LAND USE REGULATION**

Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
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." Violation of any term, condition or limitation of this permit is a violation of the implementing rules and may subject the permittee to enforcement action.</p>		Approval Date October 9, 2014
		Expiration Date October 9, 2019
Permit Number(s): 0407-13-0001.1 WFD140001 0407-13-0001.1 WFD140002 0407-13-0001.1 CSW140001	Type of Approval(s): IP In Water IP Upland Coastal Wetlands Permit Water Quality Certificate	Enabling Statute(s): NJSA 12:5-3 WFD NJSA 13:9A WA NJSA 40:55D-93-99 WQPA NJSA 58:10A WPCA
Permittee: NJDOT 1035 Parkway Ave Trenton, NJ 08625	Site Location: Block(s) & Lot(s): [N/A, N/A] Municipality: Brooklawn Borough County: Camden	
Description of Authorized Activities: <p>Activities necessary to improve roadway operations and drainage improvements the existing Route 130 Brooklawn Circle, and the immediate local roadway network in the Borough of Brooklawn, Camden County. The activities authorized by this permit include the reconstruction of two existing outfalls, the construction of a new outfall, a median barrier to eliminate left turn movements from Route 47 to Creek Road, closure of Creek Road westbound movements to Route 47, new road signage within Brooklawn Circle's infield areas and approach roadways, and two new Dynamic Message Signs along Route 130. Additionally this permit authorizes improvements at the Old Salem Road and Route 130 intersection and the Old Salem Road and Creek Road intersection necessary to maintain full traffic movements through the local roadways.</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 includes a Water Quality Certificate for in water construction activities. 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>		
Prepared by:  Matthew Resnick	Received and/or Recorded by County Clerk:	
THIS PERMIT IS NOT EFFECTIVE AND NO CONSTRUCTION APPROVED BY THIS PERMIT, OR OTHER REGULATED ACTIVITY, MAY BE UNDERTAKEN UNTIL THE APPLICANT HAS SATISFIED ALL PRE-CONSTRUCTION CONDITIONS AS SET FORTH HEREIN.		
<p align="center">This permit is not valid unless authorizing signature appears on the last page.</p>		

PRE-CONSTRUCTION CONDITIONS:

1. **Timing:** If this permit contains a condition that must be satisfied prior to the commencement of construction, the permittee must comply with such condition(s) within the time required by the permit or, if no time specific requirement is imposed, then within six months of the effective date of the permit, or provide evidence satisfactory to the Division that such condition(s) cannot be satisfied.

SPECIAL CONDITIONS:

2. **Recording of Permit:** This permit shall be recorded in its entirety in the office of the County Clerk or the Registrar of Deeds and Mortgages for each county where this project is located. Verified notice of this action shall be forwarded to the Division immediately thereafter.
3. **Material Disposal:** All excavated material and dredge 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.
4. You must notify the NJDEP, Bureau of Coastal and Land Use Compliance and Enforcement, in writing, at 1510 Hooper Avenue, Toms River, NJ 08753,(or 100 North Road, Chester, NJ 07930) at least three working days prior to beginning any construction on the site or any site preparation.
5. 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
6. In order to protect the *Anadromous Fish Species* within the Big Timber Creek, any proposed grading or construction activities within the banks or riparian zone of this or any other watercourse on site is prohibited between March 1st and June 30th 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 regulated activities on site should it be determined that the applicant has not taken proper precautions to ensure continuous compliance with this condition.
7. This permit authorizes the permanent disturbance of approximately 0.017 of an acre (760 SF) and temporary disturbance of 0.004 of an acre (203 S.F.) of intertidal subtidal shallows for the construction or reconstruction of three outfall structures under this Waterfront Development In Water Individual Permit.
8. If sediment control structures and metal sheeting are installed prior to the timing restrictions stated above, construction behind the sediment control structures or fiberglass forms may proceed during the restricted period(s).
9. No barges or other equipment may be staged within the designated SAV area as shown on the approved plans.
10. Raw or unset concrete shall not come in contact with any surface waters, since such contact can be toxic to aquatic biota.

11. Issuance of this permit includes a Water Quality Certificate for the authorized work.
12. 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.
13. All disturbed stream channels or stream banks shall be restored to pre-construction elevations and shall maintain low-flow fish passage.
14. Upon completion of the project, all temporarily disturbed freshwater wetlands, transition areas, stream channels, flood hazard areas, riparian zones, intertidal subtidal shallows, and tidal waterways must be restored to their original condition using native soils and indigenous vegetation. Said restoration is to be accomplished under the recommendation of the local soil conservation district.
15. Any excavated area shall be backfilled with suitable soil material. The upper 18 inches must be backfilled with the original topsoil material to the pre-existing elevation. This permit does not authorize the filling of wetlands or wetland buffers at any location above pre-existing elevations or contours.
16. Coastal Wetlands Permit Authorization: This Coastal Wetlands Permit authorizes impacts within the coastal wetlands promulgated line to reconstruct two existing outfalls and construct one new outfall. This permit does not authorize impacts to mapped coastal wetland vegetation.
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 at least four times per year and after every major storm totaling 1 inch of rainfall or more, the inspection and cleaning of all manufactured treatment devices per Department certification letters as found on www.njstormwater.org/treatment.html, and the use of appropriate soil conservation practices onsite, and any other reasonable effort required to maintain the stormwater management system in good working order.

STANDARD CONDITIONS:

19. **Responsibilities:**
 - a. The permittee, its contractors and subcontractors shall comply with all conditions of this permit, authorizing and/or supporting documents and approved plans and drawings.

- b. A copy of this permit, other authorizing documents, records and information 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 upon request.
20. **Permit modification:** Plans and specifications in the application and conditions imposed by this permit shall remain in full force and effect so long as the proposed development or any portion thereof is in existence, unless modified by the Department. No change in plans or specifications upon which this permit is issued shall be made except with the prior written permission of the Department. The filing of a request to modify an issued permit by the permittee, or a notification of planned changes or anticipated noncompliance does not stay any condition of this permit.
21. **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. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of this permit. The Department may, upon discovery of such unanticipated adverse effects, and upon the failure of the permittee to submit a report thereon, notify the permittee of its intent to suspend the permit
22. **Proper site maintenance:** While the regulated activities are being undertaken, neither the permittee, its contractors nor subcontractors shall cause or permit any unreasonable interference with the free flow of a regulated feature by placing or dumping any materials, equipment, debris or structures within or adjacent to the regulated area. Upon completion or abandonment of the work, the permittee, its contractors or subcontractors 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. Only clean non-toxic fill shall be used where necessary.
23. **Sediment control:** Development which requires soil disturbance, creation of drainage structures, or changes in natural contours shall conduct operations in accordance with the latest revised version of "Standards for Soil Erosion Sediment Control in New Jersey," promulgated by the New Jersey State Soil Conservation Committee, pursuant to the Soil Erosion and Sediment Control Act of 1975, N.J.S.A. 4:24-42 et seq. and N.J.A.C. 2:90-1.3-1.14.
24. **Rights of the State:**
- a. This permit does not convey any property rights of any sort, or any exclusive privilege.
- b. Upon notification and presentation of credentials, the permittee shall allow Department representatives or their designated agents, to enter upon the project site and/or where records must be kept under the conditions of this permit, inspect at reasonable times any facilities, equipment, practices or operations regulated or required under the permit, and sample or monitor for the purposes of determining compliance. Failure to allow reasonable access shall be considered a violation of this permit and subject the permittee to enforcement action.
- c. The issuance of this 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, structure or structures. Neither the State nor the Department shall, in any

way, be liable for the loss of life or property which may occur by virtue of the activity of development resulting from any permit.

21. **Duty to Reapply:** If the permittee wishes to continue an activity covered by the permit after the expiration date of the permit authorization, the permittee must apply for and obtain a new permit authorization.
22. **Transfer of Permit:** This permit may not be transferable to any person unless the transfer is approved by the Department. Please refer to the applicable rules for more information.
23. **Other Approvals:** The permittee must obtain any and all other Federal, State and/or Local approvals. Authorization to undertake a regulated activity under this permit does not indicate that the activity also meets the requirements of any other rule, plan or ordinance.
24. **Noncompliance:**
 - a. Any noncompliance with this permit constitutes a violation, and is grounds for enforcement action, as well as modification, suspension and/or termination of the permit.
 - b. The permittee shall immediately report to the Department by telephone at (877) 927-6337 any noncompliance that may endanger health or the environment. In addition, the permittee shall report all noncompliance to Bureau of Coastal and Land Use Compliance and Enforcement, 401 E. State Street, 4th Floor, P.O. Box 420, Mail Code: 401-04C, Trenton, NJ 08625, 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.
25. **Appeal of Permit:** In accordance with the applicable regulations, any person who is aggrieved by this decision or any of the conditions of this permit may request a hearing within 30 days after notice of the decision is published in the DEP Bulletin. This request must include a completed copy of the Administrative Hearing Request Checklist. The DEP Bulletin is available through the Department's website at <http://www.nj.gov/dep/bulletin> and the Checklist is available through the Division's website at http://www.nj.gov/dep/landuse/download/lur_024.pdf. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information about this process.

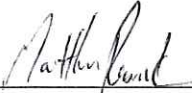
0407-13-0001.1 Route 130 Brooklawn Circle Improvements
WFD140001 Waterfront Development Individual Upland Permit
WFD140002 Waterfront Development Individual In Water Permit
CSW140001 Coastal Wetlands Permit

APPROVED PLANS:

The drawings hereby approved are twelve sheets (12), dated April 9, 2014, last revised September 30, 2014, prepared by Kenneth R. Burkhardt of McCormick Taylor, Inc and collectively entitled;

New Jersey Department of Transportation "NJDEP PERMIT PLANS ROUTE 130 BROOKLAWN CIRCLES CONTRACT NO. 025993120" sheet nos. PP-1 through PP-12

Reviewed By:



Matthew Resnick, Environmental Specialist
Bureau of Urban Redevelopment,
Roads and Infrastructure Unit
Division of Land use Regulation

Date

10/9/14

Approved By:



Charlie Welch, Supervisor
Bureau of Urban Redevelopment,
Roads and Infrastructure Unit
Division of Land use Regulation

Date

10/9/14

Original sent to Agent to record
c: Permittee