



**STATE OF NEW JERSEY**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
*(See Issuing Division below)*  
**PERMIT\***



960384-DPE4

The New Jersey Department of Environmental Protection grants this permit in accordance with your application, attachments accompanying same application, and applicable laws and regulations. This permit is also subject to the further conditions and stipulations enumerated in the supporting documents which are agreed to by the permittee upon acceptance of the permit.

Permit No. 1614-02-0007.1 FHA 050001 Application No.

Issuance Date **JUN 01 2005** Effective Date **JUN 01 2005** Expiration Date **JUN 01 2010**

Name and Address of Applicant New Jersey Dept. of Transportation 1035 Parkway Avenue Trenton, NJ 08625	Name and Address of Owner	Name and Address of Operator
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Location of Activity/Facility (Street Address)  Lot _____ Block _____ Township of Wayne, Passaic County Borough of Totowa, Passaic County	Issuing Division  Land Use Regulation Program	Statute(s) NJSA 13:1D-1 NJSA 58:10A-1 NJSA 58:16A-50, et. seq.
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Type of Permit <b>Stream Encroachment</b>	Maximum Approved Capacity, if applicable
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This permit grants permission to:

construct nine stormwater basins, one retaining wall, and one utility crossing, to extend an existing 8' x 6' box culvert along an unnamed tributary to the Passaic River, as well as to conduct grading in association with the realignment and widening of existing roadways in the floodplain of the Passaic River located at the intersections of Routes 46, 23 and Interstate 80, in both the Township of Wayne and the Borough of Totowa, Passaic County, New Jersey.

Prepared By: *Gabriel Mañon*  
 Gabriel Mañon

(See page 5 for Bureau Acting Manager's signature.)

Revised Date	Approved by the Department of Environmental Protection	
	Name (Print or Type) _____	Title _____
	Signature _____	Title _____

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**This permit is subject to the following terms and conditions:**

1. This permit is revocable, or subject to modification or change at any time, pursuant to the applicable regulations, when in the judgement of the Department of Environmental Protection of the State of New Jersey such revocation, modification or change shall be necessary.
2. The issuance of the permit shall not be deemed to affect in any way any action by the Department of Environmental Protection of the State of New Jersey on any future application.
3. The works, facilities, and/or activities shown by plans and/or other engineering data, which are this day approved, subject to the conditions herewith established, shall be constructed and/or executed in conformity with such plans and/or engineering data and the said conditions.
4. No change in plans or specifications shall be made except with the prior written permission of the Department of Environmental Protection of the State of New Jersey.
5. The granting of this permit shall not be construed to in any way affect the title or ownership of property, and shall not make the Department of Environmental Protection or the State a party in any suit or question of ownership.
6. This permit does not waive the obtaining of Federal or other State or local government consent when necessary. This permit is not valid and no work shall be undertaken until such time as all other required approvals and permits have been obtained.
7. A copy of this permit shall be kept at the work site, and shall be exhibited upon request of any person.
8. In cases of conflict, the conditions of this permit shall supersede the plans and/or engineering data.
9. **Limit and Extent of Approval**
  - a. This approval grants permission to the applicant and/or its agents to undertake an activity regulated by the State of New Jersey as described by the text of this permit and as detailed by the herein approved plans. Any construction, grading, removal of vegetation, or other activity at this site within or affecting a regulated flood plain, other than specifically approved by this permit or as detailed by the approved drawings, shall require additional approvals from the Department. The commencement of such regulated activities without the appropriate approvals shall be in violation of State law.
  - b. All activities authorized by this permit shall be completed within five years of the issuance date as listed on the first page of this document. At that time, this approval, if not previously revoked, shall automatically become null and void, and none of the activities referenced herein may commence or continue until a new approval has been granted by the Department.

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10. Method of Construction

- a. All activities approved by this permit shall be performed under the supervision and direction of a Professional Engineer licensed in the State of New Jersey, and shall be undertaken using the best management practices available. Furthermore, the site shall be subject to inspection at any time by representatives of the Department to ensure the continuous application of the provisions of this permit.
- b. During the course of construction, neither the applicant nor its agents shall cause or permit any unreasonable interference with the free flow of the stream by placing or dumping any materials, equipment, debris or structures within or adjacent to the stream corridor. Upon completion or abandonment of the work, the applicant and/or its agents shall remove and dispose of in a lawful manner all excess materials, equipment and debris from the stream corridor and adjacent lands.
- c. All activities authorized by this permit shall be stabilized in accordance with the *Standards for Soil Erosion and Sediment Control in New Jersey* (obtainable from local Soil Conservation District offices), or equal engineering specifications, to prevent eroded soil and sediment from entering adjacent waterways and wetlands at any time during and subsequent to construction. The Department reserves the right to order the suspension of any activity if unacceptable levels of erosion or turbidity result from the same. Furthermore, the applicant shall maintain the stream corridor as shown on the approved drawing/s for either such time as is required for the channel and/or banks to become reasonably stabilized, or for one year after completion of the project (as evidenced by a Certificate of Completion), whichever period of time is longer.

11. Responsibilities of Applicant

- a. The granting of this permit does not in any way relieve the applicant and/or its agents from the responsibility for damages caused by any construction or activities hereby approved, nor does the Department accept responsibility for any structural designs.
- b. No construction authorized by this permit may begin until the enclosed permit acceptance form has been signed by the applicant and is returned to the Department. By signing and submitting this form, the applicant accepts this permit in its entirety and agrees to adhere to all of its terms and conditions. Please be advised that this permit may be declared null and void should it be determined that adequate measures had not been taken by the applicant and/or its agents to ensure the continuous implementation of these terms and conditions.
- c. Within ten (10) days of the receipt of this permit by the applicant, 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 permit is located. Verified notice of this action shall be forwarded to the Department immediately thereafter.
- d. The enclosed construction notice shall be completed by the applicant or its agent and submitted to the Department at least fourteen (14) days prior to the commencement of the herein approved activities.
- e. The enclosed completion report shall be completed by a Professional Engineer licensed in the State of New Jersey and submitted to the Department within thirty (30) days after completion of the herein approved activities.

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12. All excavated material must be disposed of in a lawful manner outside of 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.
13. If dewatering is necessary for excavated areas to install structural components, or otherwise needed, the applicant shall use a temporary sediment basin for settling suspended particulates prior to discharge. The temporary basin must be properly sized or other filtering methods used to reduce turbidity. The stream area to receive return water discharged from cofferdams must be encompassed by 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. The return water should be discharged in a way that will prevent scour erosion or increased turbidity where the discharge eventually enters nearby regulated areas.
14. Soil erosion controls will be installed prior to construction and maintained for the duration of the disturbance until soils have been stabilized.
15. Any and all precautions are to be taken to prevent raw concrete, which is toxic to fish, from coming in contact with the waters of the tributaries of Passaic River.
16. In order to protect the general fishery resource within the tributaries of Passaic River, grading or construction activities within the State open waters of this or any other stream on site are prohibited between May 1 to June 30 of each year. In addition, any activity which could introduce sediment into said stream or which could cause an increase in the natural level of turbidity is prohibited during this period within the 100-year floodplain or flood hazard area draining to this watercourse or any other watercourse draining the project site. 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.
17. The applicant must make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed water quality measures on site. This includes, but is not limited to, the cleaning and inspection of all water quality inlets at least twice a year and after every major storm, and the continuous implementation of appropriate soil conservation practices within any grassed swales, storm water outfall structures and other similar appurtenances throughout the site in order to limit soil erosion and sediment discharge into adjacent waterways.
18. The drawings hereby approved are seventy-six (76) sheets prepared by Volimer Associates LLP, undated, unrevised, unless otherwise noted, one (1) sheet entitled:

"STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION PLANS OF US RTE 46 / NJ RTE 23 / I-80 INTERCHANGE IMPROVEMENTS TOWNSHIP OF WAYNE PASSAIC COUNTY NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION STREAM ENCROACHMENT PERMIT", sheet no. 1 of 76, dated April, 2005, and

sixty-eight (68) sheets entitled:

"ROUTE 46 CONTRACT NO. 056960384 INTERCHANGE IMPROVEMENTS"

"PHOTO LOCATION PLAN BMP LOCATION PLAN STREAM CROSS SECTION LOCATIONS", sheet nos. 2, 3, 4, and 5 of 76,

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- "PLAN SHEET INDEX", sheet no. 6 of 76,
- "PLAN", sheet nos. 7 thru 22 of 76,
- "CONSTRUCTION DETAILS", sheet no. 26 of 76,
- "CONSTRUCTION DETAILS", sheet no. 27 of 76, last revised May 20, 2005,
- "CROSS SECTIONS", sheet nos. 28 thru 38, 56, 57, and 64 thru 72, and
- "CROSS SECTIONS", sheet nos. 39 thru 55, and 58 thru 63, last revised May 10, 2005, and  
three (3) sheets entitled:
- "BRIDGE 1606-154 BASELINE STATION 91+220 ROUTE 46 CONTRACT NO. 090960384 INTERCHANGE IMPROVEMENTS"
- "STREAM PROFILE", sheet no. 23 of 76, and
- "STREAM CROSS SBCTIONS", sheet nos. 24 and 25 of 76, last revised May 20, 2005,  
and  
four (4) sheets entitled:
- "NEW JERSEY DEPARTMENT OF TRANSPORTATION DIVISION OF BRIDGE DESIGN ROUTE 46 SECTION (43) WAYNE TOWNSHIP PASSAIC COUNTY"
- "CULVERT EXTENSION GENERAL PLAN AND DETAILS", sheet no. 73 of 76,
- "CULVERT EXTENSION SECTION DETAILS - SHEET NO. 1", sheet no. 74 of 76,
- "GENERAL PLAN AND ELEVATION", sheet no. 75 of 76, and
- "SECTION AND DETAILS", sheet no. 76 of 76, and
- one (1) sheet prepared by Schoor Depalma Engineers and Design Professionals, undated,  
unrevised, entitled:
- "NEW JERSEY DEPARTMENT OF TRANSPORTATION PUBLIC SERVICE ELECTRIC & GAS RELOCATION OF GAS FACILITIES PLAN & PROFILE: LITTLE FALLS ROAD ROUTE 46 CONTRACT NO. 056960384 INTERCHANGE IMPROVEMENTS", sheet no. 96 of 849.

for Nabil Andrews  
Richard C. Reilly, Acting Manager  
Bureau of Inland Regulation

6/1/2005  
Date