



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION

(See Issuing Division below)



PERMIT *

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. 1918-91-0006.7		Application No Same as Permit No.	
Issuance Date JUL 16 1998	Effective Date JUL 16 1998	Expiration Date JUL 16 2003	
Name and Address of Applicant Polina Khaster NJDOT 1035 Parkway Avenue, CN 600 Trenton, NJ 08625	Name and Address of Owner Same as applicant	Name and Address of Operator Same as applicant	
Location of Activity/Facility (Street Address) Route 15, Section 4C and Houses Corner Road Sparta Township Sussex, County Lot _____ Block _____	Issuing Division Land Use Regulation Program	Statute(s) NJSA 13:9B NJSA 58:10A-1 et. seq.	
Type of Permit Freshwater Wetlands Individual Permit Water Quality Certificate	Maximum Approved Capacity, if applicable		N/A

This permit grants permission to:

Fill 2.13 acres of wetlands and State open waters for the reconstruction and realignment of Route 15 and the construction of a new grade separated railroad crossing in Sparta Township, Sussex County. This project is shown on the approved plans entitled "New Jersey Department of Transportation Wetlands Location Map Route 15 and Houses Corner Road Intersection", all prepared by Harold E. Fellow and Associates, Inc., dated October 8, 1997, consisting of sheets W2-W8.

Prepared by: John Kale
John Kale

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See page 3 for signature

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

* The word permit means "approval, certification, registration, etc."

(General Conditions are on the Reverse Side)

This permit is subject to the following general 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 this permit shall not be deemed to affect in any way 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.

Permit Conditions:

1. Any discharge of dredged or fill material shall consist of suitable material, free from toxic pollutants.
2. The permittee must not permanently disturb more than (2.13 acres) of freshwater wetlands and State open waters in conformance with the approved plan. The site plan is entitled "NEW JERSEY DEPARTMENT OF TRANSPORTATION WETLANDS LOCATION MAP PLAN SHEET INDEX ROUTE 15 AND HOUSES CORNER ROAD INTERSECTION" dated October 8, 1997, consisting of sheets W2 through W8 of 8.
3. In order to protect the trout fishery and the warmwater game fish population within the Sparta Junction Brook, any proposed grading or construction activities within the banks of this or any other stream on site are prohibited between March 15 and June 30 of each year. In addition, any activity within the 100 year flood plain or flood hazard area of this watercourse which could introduce sediment into said stream 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.
4. In order to protect the resident trout population within the East Branch of the Paulinskill River, any proposed grading or construction activities within the banks of this or any other stream on site are prohibited between September 15 and March 15 of each year. In addition, any activity within the 100-year flood plain or flood hazard area of this watercourse which could introduce sediment into said stream 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.
5. The permittee shall complete and sign the Department approved conservation easement for the mitigation site (attached to permit). The restriction shall be included on the deed, and recorded in the Office of the County Clerk (the Registrar of Deeds and Mortgages in some counties), in the county wherein the lands of the mitigation project are located.
6. Within 60 days of the permit issuance the permittee shall submit to the Land Use Regulation Program a proposed mitigation plan for review and approval. The plan must mitigate for the loss values and functions of 2.13 acres of freshwater wetlands. Once an approval letter for the mitigation plan is received the applicant must comply with conditions 6, 7, 8, 9, 10, 11, 12, 13, and 14 of this permit.
7. The permittee shall notify the Land Use Regulation Program, in writing, at least 14 days in advance of the start of construction for the wetlands mitigation project. That notice shall include a schedule from initiation to completion of the mitigation project including dated of excavation, planting, fertilization, etc.
8. Immediately following final grading and planting of the wetland mitigation project, the permittee shall notify the Land Use Regulation Program, in writing that the construction of the mitigation project is complete. In addition to the notice, the permittee shall submit photos with a photo location map of the completed project.

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9. If the Program determines that the mitigation project is not constructed in conformance with the approved plans, the permittee will be notified in writing and will have 60 days to submit a proposal to indicate how the project will be corrected.
10. The permittee shall monitor the wetland mitigation project for 5 years for forested mitigation or 3 years for all other types after wetland mitigation project has been constructed. Monitoring reports will be submitted to the Land Use Regulation Program no later than September 15th of each monitoring year (Monitoring report requirements are attached to this permit).
11. The final monitoring will include the following information:
 - a. Documentation to demonstrate that the goals of the wetland mitigation proposal and permit have been satisfied. Documentation will also include a field wetland delineation of the wetland mitigation project based on techniques as specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands (1989).
 - b. Evidence to document 85 percent survival areal coverage of the mitigation plantings.
12. Once the required monitoring period has expired and the permittee has submitted the final monitoring report, the Program will make the finding (in writing and within 60 days of receipt of the monitoring plan report) that the mitigation plan is either a success or a failure. This mitigation project will be considered successful if the permittee demonstrates that the wetlands that have been created has an 85 percent survival and a 85 percent areal coverage or the mitigation plantings and the mitigation site meets the goals as stipulated in the mitigation proposal.
13. If the mitigation project is considered a failure, the permittee is required to submit a revised mitigation plan to rectify the wetland mitigation site. The permittee will have 60 days to submit said plan following receipt of the letter from the Program indicating the wetland mitigation project was a failure.
14. Construction of the mitigation project must begin prior to or concurrent with the disturbance of any wetlands or waters authorized by this permit. Furthermore, the mitigation project must be completed prior to or concurrent with the completion of that portion of the project that involves the filling of wetlands.


Richard H. Kropp, Director
Land Use Regulation Program

7/16/90
Date

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