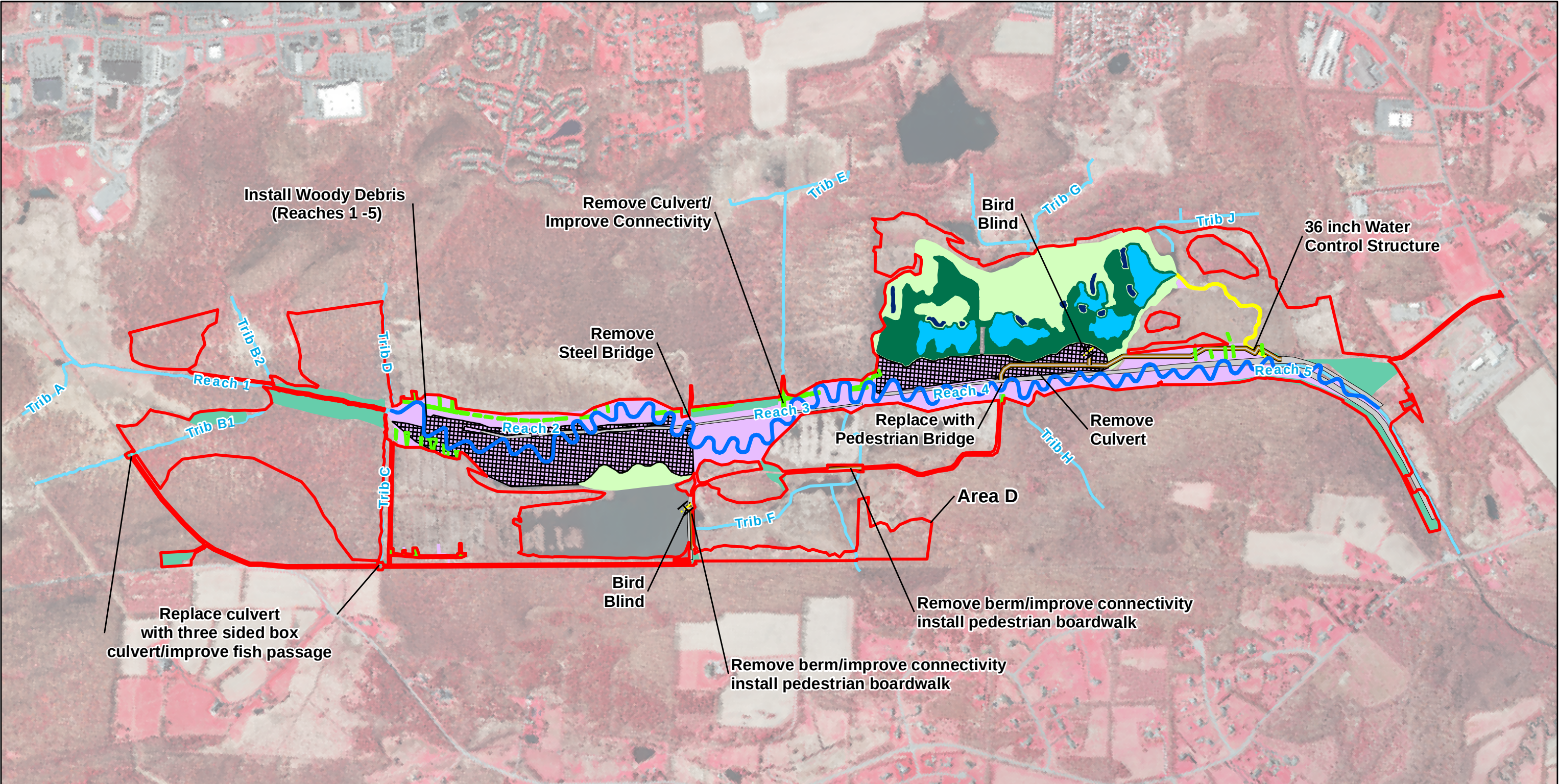
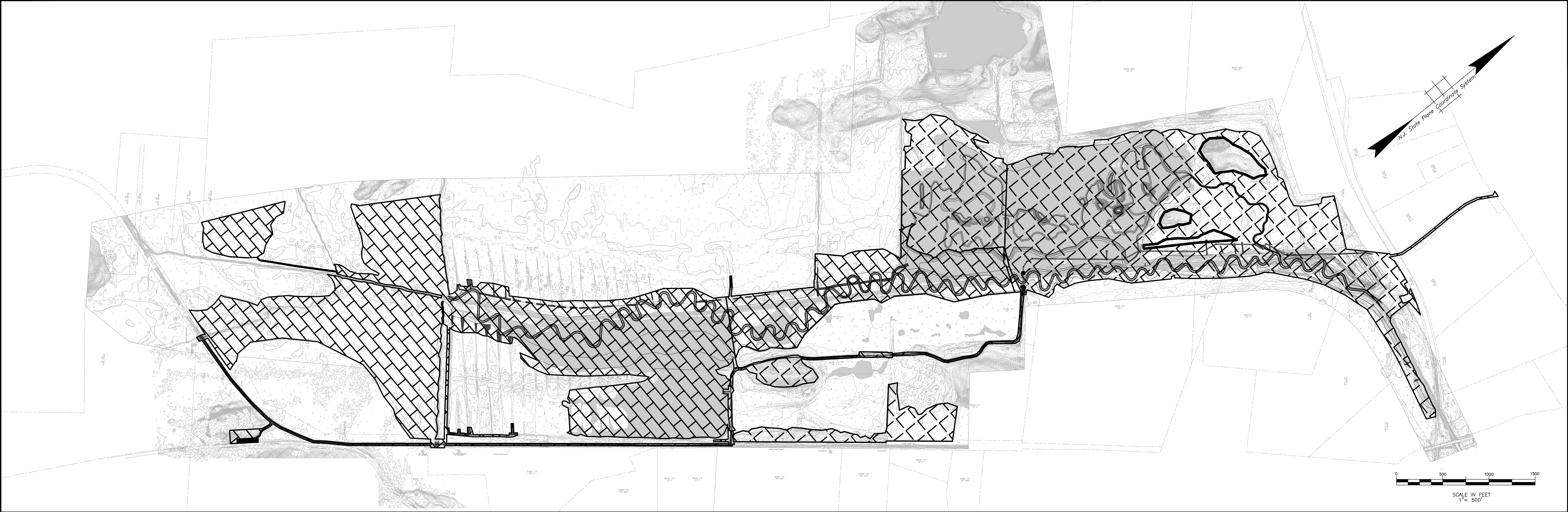




- Bird Blind - Limit of Disturbance - Final_Stream_Alignment_042025 - Ditch Plug - Boardwalk Alignment 36 Inch RCP and Water Control Structure - Deep Water - Impoundment Control Swale	- Berm to be Removed - Riparian Emergent Habitat Fill Area - Riparian Emergent Habitat - Waterfowl Island - Riparian Forest Habitat Establishment - Shallow Marsh - Deep Marsh - Existing Stream	Sources: NJ 2012 Infrared Orthophoto, WSP, 2025. Coordinate System: NJ State Plane Fips 2900 Feet Datum: North American 1983 September 2025		Figure 9 - Final Design Paulinskill River WMA Hyper Humus Restoration Project Town of Newton, Andover, Hampton & Lafayette Townships, Sussex County, NJ 0 1,000 2,000 Feet
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PLOT TIME: 2025-03-31 17:06:57.57

PROJECT PATH: \\corp.pbwan.net\usCentralData\USMMU100\FP\Operations\the nature conservancy (trc)\hyper humus\05 - drawings\bid documents\Permit Plan Submission



PHASE 1 SEQUENCE OF CONSTRUCTION:

1. PERFORM ALL TREE FELLING WITHIN WORK LIMITS BEFORE TIME OF YEAR RESTRICTION (NO CLEARING BETWEEN APRIL 1 AND SEPTEMBER 30). REMOVAL AND REUSE/DISPOSAL TO OCCUR DURING EARTHWORK ACTIVITIES.
2. INSTALL PERIMETER EROSION AND SEDIMENT CONTROL MEASURES.
3. INSTALL TEMPORARY MATTING AND PERFORM UNDERSTORY VEGETATION CLEARING.
4. COMMENCE DEWATERING ACTIVITIES FOR FILL PLACEMENT ACTIVITIES AND STRUCTURE REPLACEMENTS FOLLOWING IN-WATER TIME OF YEAR RESTRICTION LIFTING (STARTING OCTOBER 1).
5. REMOVE AND REPLACE CULVERTS A AND B WITH IMBEDDED BOX CULVERTS.
6. REMOVE AND DISPOSE OFFSITE UPPER STEEL BRIDGE.
7. REMOVE OTHER MISCELLANEOUS DEBRIS AND STRUCTURES WITHIN WORK AREA.
8. PERFORM EARTHWORK AND FILL PLACEMENT ACTIVITIES WITHIN OPEN WATER IMPOUNDMENTS.
9. INSTALL DITCH PLUGS.
10. REMOVE DEWATERING DEVICES AND STABILIZE/REMOVE TEMPORARY MATTING AS NEEDED FOR TIME OF YEAR RESTRICTION WINDOW (NO EARTHWORK OR IN WATER WORK BETWEEN MARCH 15 AND SEPTEMBER 30).
11. INSTALL HERBACEOUS PLUGS AND SEEDING IN PLACED FILL MATERIAL OUTSIDE OF PATHWAY FOR WORK TO COMPLETE STREAM RE-ALIGNMENT ACTIVITIES (SPRING PLANTING).
12. IN-WATER TIME OF YEAR RESTRICTION MARCH 15 TO SEPTEMBER 30.
13. RE-INSTALL TEMPORARY MATTING TO PERFORM STREAM REALIGNMENT ACTIVITIES.
14. COMMENCE DEWATERING ACTIVITIES FOR STREAM REALIGNMENT AND LOG VANE INSTALLATION FOLLOWING IN-WATER TIME OR YEAR RESTRICTION LIFTING.
15. RE-ALIGN STREAM CHANNEL AND BACKFILL/PLUG PREVIOUS CHANNEL.
16. INSTALL LOG VANES.
17. INSTALL TOPSOIL LAYER OVER REMAINING FILL MATERIAL.
18. REMOVE DEWATERING DEVICES AND REMOVE TEMPORARY MATTING.
19. REMOVE TEMPORARY ACCESS ROADS IN UPLANDS AND INSTALL PERMANENT PEDESTRIAN ACCESS PATH.
20. PERFORM FINAL PLANTING AND SEEDING WITHIN WETLANDS, RIPARIAN ZONES AND UPLANDS.
21. INVASIVE VEGETATION MANAGEMENT IN APPROPRIATE SEASONS BY APPROVED APPLICATION METHOD THROUGHOUT DURATION.

PHASE 2 SEQUENCE OF CONSTRUCTION:

1. PERFORM ALL TREE FELLING WITHIN WORK LIMITS BEFORE TIME OF YEAR RESTRICTION (NO CLEARING BETWEEN APRIL 1 AND SEPTEMBER 30). REMOVAL AND REUSE/DISPOSAL TO OCCUR DURING EARTHWORK ACTIVITIES.
2. INSTALL PERIMETER EROSION AND SEDIMENT CONTROL MEASURES.
3. INSTALL TEMPORARY MATTING AND PERFORM UNDERSTORY VEGETATION CLEARING.
4. COMMENCE DEWATERING ACTIVITIES FOR EARTHWORK, FILL PLACEMENT ACTIVITIES AND STRUCTURE REPLACEMENTS FOLLOWING IN-WATER TIME OR YEAR RESTRICTION LIFTING (STARTING OCTOBER 1).
5. REMOVE EXISTING BRIDGE AND OTHER MISCELLANEOUS STRUCTURES AND DEBRIS WITHIN WORK AREA.
6. INSTALL TEMPORARY CROSSINGS REQUIRED FOR WORK.
7. PERFORM EARTHWORK FOR TRAIL REMOVALS SOUTH OF BRIDGE.
8. INSTALL FOUNDATIONS AND PILES FOR BOARDWALK SYSTEMS, SOUTHERN 360° BLIND AND BRIDGE/BRIDGE ABUTMENTS.
9. INSTALL BOARDWALKS AND PERMANENT PEDESTRIAN PATH SOUTH OF BRIDGE.
10. PERFORM EARTHWORK FOR REMOVAL OF UPLAND FILLS/BERM NOT UTILIZED FOR ACCESS.
11. PLACE FILL MATERIAL AND PERFORM GRADING IN IMPOUNDMENTS.
12. INSTALL DITCH PLUGS.
13. REMOVE DEWATERING DEVICES AND STABILIZE/REMOVE TEMPORARY MATTING AS NEEDED FOR TIME OF YEAR RESTRICTION WINDOW (NO EARTHWORK OR IN WATER WORK BETWEEN MARCH 15 AND SEPTEMBER 30).
14. INSTALL HERBACEOUS PLUGS AND SEEDING IN COMPLETED WORK AREAS OUTSIDE OF PATHWAY FOR WORK TO COMPLETE STREAM RE-ALIGNMENT ACTIVITIES (SPRING PLANTING) AND IMPOUNDED AREAS.
15. IN-WATER TIME OF YEAR RESTRICTION MARCH 15 TO SEPTEMBER 30.
16. RE-INSTALL TEMPORARY MATTING TO PERFORM STREAM REALIGNMENT ACTIVITIES.
17. COMMENCE DEWATERING ACTIVITIES FOR STREAM REALIGNMENT AND LOG VANE INSTALLATION FOLLOWING IN-WATER TIME OF YEAR RESTRICTION LIFTING (OCTOBER 1).
18. INSTALL NEW BRIDGE CROSSING.
19. INSTALL WOODY VEGETATION (FALL PLANTING WINDOW) IN COMPLETED WORK AREAS.
20. RE-ALIGN STREAM CHANNEL AND BACKFILL PREVIOUS CHANNEL, INCLUDING REMOVAL OF REMAINING UPLAND AREAS USED FOR ACCESS.
21. INSTALL LOG VANES.
22. EXCAVATE DRAINAGE SWALE, INSTALLING WATER CONTROL STRUCTURE IN THE PROCESS.
23. INSTALL REMAINING TIMBER PILES FOR BOARDWALKS AND 360° BLIND.
24. CONSTRUCT BOARDWALKS AND 360° BLIND.
25. REMOVE DEWATERING DEVICES AND REMOVE TEMPORARY MATTING.
26. PERFORM FINAL PLANTING AND SEEDING WITHIN WETLANDS, RIPARIAN ZONES AND UPLANDS.
27. INVASIVE VEGETATION MANAGEMENT IN APPROPRIATE SEASONS BY APPROVED APPLICATION METHOD THROUGHOUT DURATION.

PHASE 1

PHASE 2

BID DOCUMENTS
FOR CONSTRUCTION

WSP

WSP, USA

350 MOUNT KEMBLE AVENUE
MORRISTOWN, NJ 07962-1946

CERTIFICATE OF AUTHORIZATION
24GA28266300

STATE OF NEW JERSEY
NEW JERSEY
No. 0652684
LICENSOR
PROFESSIONAL ENGINEER

MATTHEW D. HOLTHAUS
N.J. PROFESSIONAL ENGINEER
N.J. P.E. LIC. NO. 24GE0588400

REV.	DATE:	DESCRIPTION	BY	APPR.	PAULINSKILL RIVER WILDLIFE MANAGEMENT AREA HYPER HUMUS RESTORATION PROJECT TOWN OF NEWTON, TOWNSHIPS ANDOVER, HAMPTON & LAFAYETTE SUSSEX COUNTY, NEW JERSEY										
					Fish and Wildlife The Nature Conservancy Protecting nature. Preserving life. 										
					PHASING PLAN										
					DRAWN BY: MR/JT			APPROVALS		PROJECT NO.					
					CHECKED BY: MH		APPROVED BY:		TITLE		DATE		SHEET 51 OF 97		
					SCALE: AS SHOWN									DWG. NO. C-08-01	
					DATE: MARCH 2025										

HYPER HUMUS WILDLIFE MANAGEMENT AREA PAULINS KILL RESTORATION PROJEC
SUSSEX COUNTY, NEW JERSEY
THE NATURE CONSERVANCY

Estimate Date: March 31, 2025 - Green Acres Grant Application

		100% DESIGN ENGINEER'S ESTIMATE			
		PHASE 1			
ITEM NO.	DESCRIPTION	UNITS	UNIT PRICE	PHASE 1 QUANTITY	PHASE 1 AMOUNT
1	GENERAL WORK/MOBILIZATION/DEMOBILIZATION	LS	\$ 1,500,000.00	0.16	\$245,000
2	CONSTRUCTION LAYOUT, INTERIM AND AS-BUILT SURVEYS	LS	\$ 200,000.00		\$0
3	TREE AND VEGETATION REMOVAL	ACRE	\$ 5,000.00		\$0
4	DEMOLITION	LS	\$ 150,000.00	0.67	\$100,000
5.1	SILT FENCE	LF	\$ 10.00	8,500.00	\$85,000
5.2	ORANGE CONSTRUCTION FENCE	LF	\$ 8.00	550	\$4,400
5.3	FLOATING TURBIDITY BARRIER	LF	\$ 50.00		\$0
5.4	STABILIZED CONSTRUCTION ENTRANCE	UNIT	\$ 13,000.00	1	\$13,000
5.5	TEMPORARY CHAIN LINK FENCE, 8 FEET HIGH	LF	\$ 33.75		\$0
5.6	CHAIN LINK FENCE GATE, 16 FOOT WIDE, DOUBLE LEAF	EACH	\$ 2,800.00		\$0
5.7	HAY BALES - IF AND WHERE DIRECTED	EACH	\$ 30.00		\$0
5.8	CONCRETE WASHOUT BASIN	EACH	\$ 2,000.00		\$0
5.9	TEMPORARY SEED - IF AND WHERE DIRECTED	ACRE	\$ 5,000.00		\$0
5.10	TEMPORARY ACCESS ROAD MATTING	LS	\$ 9,200,000.00	0.075	\$690,000
6	DEWATERING	LS	\$ 300,000.00	0.75	\$225,000
7.1	EXCAVATION, UNCLASSIFIED MATERIAL	CY	\$ 33.75		\$0
7.2	EXCAVATION, UNCLASSIFIED MATERIAL - OFF SITE DISPOSAL, IF AND WHERE DIRECTED	TON	\$ 28.00		\$0
8.1	FILL MATERIAL - COMMON BORROW	TON	\$ 31.50		\$0
8.2	FILL MATERIAL - COMMON BORROW, IF AND WHERE DIRECTED	TON	\$ 31.50		\$0
8.3	FILL MATERIAL - CLAY DITCH PLUGS	TON	\$ 50.00		\$0
8.4	FILL MATERIAL - VOID FILLED RIPRAP	TON	\$ 125.00		\$0
8.5	UPLAND TRAIL SURFACE COURSE AGGREGATE	SY	\$ 14.50	3,032	\$44,000
8.6	UPLAND TRAIL BASE COURSE AGGREGATE	SY	\$ 12.00	3,032	\$36,400
8.7	FILL MATERIAL - 3/8-INCH CLEAN STONE	SY	\$ 41.00	1,150	\$47,200
11	IMBEDDED CONCRETE BOX CULVERT	UNIT	\$ 140,000.00		\$0
15	LOG VANES	UNIT	\$ 1,300.00		\$0
16	RIPARIAN SEED MIX	ACRE	\$ 11,000.00	8	\$88,000
17.1	WETLAND PLANTINGS - PLUGS	UNIT	\$ 5.00		\$0
17.2	RIPARIAN FOREST PLANTINGS - NO. 3 CONTAINER	UNIT	\$ 62.00	3,308	\$205,100
17.3	LIVE STAKE PLANTINGS	UNIT	\$ 9.00		\$0
18	INTERPRETIVE SIGN	EACH	\$ 3,000.00	2	\$6,000
19	INVASIVE SPECIES TREATMENT	ACRE	\$ 4,635.00	63	\$292,100

Construction Costs (2024 Estimate) \$ 2,081,200

Construction Costs 2027 (4% escalation) \$ 2,341,100

Bid Contingency (10%) \$ 234,110

Construction Administration (TNC) (3%) \$ 70,233

Construction Management (Engineer) \$ 351,165

Total Estimated Construction Costs \$ 2,996,608



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED & LAND MANAGEMENT
Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
www.nj.gov/dep/landuse



PERMIT

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 terms, conditions, and limitations 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.		Approval Date August 14, 2025
		Expiration Date August 13, 2030
Permit Number(s): 1900-24-0001.1 FHA250001 1900-24-0001.1 LUP240001	Type of Approval(s): FHA Minor Technical Modification FWW GP17 Trails/Boardwalks FWW GP10A Very Minor Road Crossings FWW GP1 Maintenance/Repair of Existing Features FWW GP16 Habitat Creation/Restoration/Enhancement Water Quality Certificate	Governing Rule(s): N.J.A.C. 7:13-1.1(b) N.J.A.C. 7:7A-1.1(a)
Permittee: Melissa Woerner New Jersey Fish and Wildlife Assunpink WMA/CRO 1 Eldridge Road Upper Freehold Township, NJ 08691	Site Location: Block(s) & Lot(s): [112; 2] [114; 1, 2, 4, 5] [115; 1, 2] [160.03; 5] / [3603; 26] / [4; 3.02, 6.01, 6.02, 7, 10, 11, 13.01, 25] / [10.01; 9, 10] Municipality: Andover Township / Hampton Township / Lafayette Township / Newton Town County: Sussex	
Description of Authorized Activities: This document authorizes the wetlands and stream restoration activities along with additional recreational improvements, in association with the Hyper Humus Restoration Project in the Paulinskill River Wildlife Management Area on the parcel(s) referenced above. This authorization to conduct activities in wetlands and/or waters includes the issuance of a Water Quality Certificate. This authorization includes a modification of the Department-approved Flood Hazard Area Individual permit issued for the site on September 6, 2024, under File and Activity No. 1900-24-0001.1 LUP240002. This modification includes changes to portions of the project design in order to comply with the threatened and endangered species conditions of the original permit. The site plans and disturbance quantities referenced below supersede those approved under this prior permit. All other conditions approved under the prior authorization remain in effect. <i>The Department has determined that the herein approved activities meet the requirements of the (FHACA/CZM) rules. This approval does not obviate the local Floodplain Administrator's responsibility to ensure all development occurring within their community's Special Flood Hazard Area is compliant with the local Flood Damage Prevention Ordinance, and minimum NFIP standards, regardless of any state-issued permits. FEMA requires communities to review and permit all proposed construction or other development within their SFHA in order to participate in the NFIP.</i>		
Prepared by: Stephen Dench		Received and/or Recorded by County Clerk:
If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.		
This permit is not valid unless authorizing signature appears on the last page.		

STATEMENT OF AUTHORIZED IMPACTS:

The authorized activities allow for the permittee to undertake impacts to regulated areas as described below. Additional impacts to regulated areas without prior Department approval shall constitute a violation of the rules under which this document is issued and may subject the permittee and/or property owner to enforcement action, pursuant to N.J.A.C. 7:7A-22.

FWW GP1 Maintenance/Repair of Existing Features	Permanent Disturbance (Acres)	Temporary Disturbance (Acres)
Freshwater wetlands	0	0.107 (4,669 SF)
Transition areas	0	0.035 (1,507 SF)
State open waters	0	0.051 (2,217 SF)

FWW GP10A Very Minor Road Crossings	Permanent Disturbance (Acres)	Temporary Disturbance (Acres)
Freshwater wetlands	0	0.01 (430 SF)
Transition areas	0.005 (212 SF)	0.013 (555 SF)
State open waters	0	0

FWW GP16 Habitat Creation/Restoration/Enhancement	Permanent Disturbance (Acres)	Temporary Disturbance (Acres)
Freshwater wetlands	0	194.626 (8,477,914 SF)
Transition areas	0.109 (4,763 SF)	24.779 (1,079,356 SF)
State open waters	1.551 (67,560 SF) *conversion to wetland or transition area*	167.815 (7,310,016 SF)

FWW GP17 Trails/Boardwalks	Permanent Disturbance (Acres)	Temporary Disturbance (Acres)
Freshwater wetlands	0.065 (2,835 SF)	0
Transition areas	0.142 (6,190 SF)	0.019 (830 SF)
State open waters	0.014 (622 SF)	0

Riparian Zone Vegetation	Area of riparian zone (Acres)
Permanent Disturbed	0.197 (8,587 SF)
Temporary Disturbed	183.788 (8,005,816 SF)

PRE-CONSTRUCTION CONDITIONS:

1. **Timing:** If this permit contains a condition that must be satisfied prior to the commencement of construction, the permittee shall comply with such condition(s) within the time required by the permit or, if no time specific requirement is imposed, then the permittee shall comply with such condition(s) within six months of the effective date of the permit, or provide evidence satisfactory to the Division that such condition(s) cannot be satisfied.
2. Prior to site preparation or construction onsite, the permittee shall obtain all necessary consent from any affected offsite and/or easement property owners. No work shall occur without proper permissions.
3. Prior to site preparation or construction onsite, the permittee shall comply with all requirements of the Green Acres Program, including but not limited to the Green Acres procedures for a "Change in Use" under N.J.A.C. 7:36-25.6.
4. The Permittee shall notify the NJDEP Division of Land Resource Protection (Attn: Endangered and Threatened Species Unit, etsu@dep.nj.gov) no less than seven working days before the commencement of regulated activities.
5. Prior to the commencement of site clearing, grading, or construction onsite, the permittee shall install a sediment barrier at the limits of disturbance authorized herein, which is sufficient to prevent the sedimentation of the remaining regulated areas or waters on and/or adjacent to the site and shall serve as a physical barrier protecting these areas from encroachment by construction vehicles or other soil-disturbing activities. All sediment barriers and soil erosion control measures shall be kept in place and maintained throughout the duration of construction, until such time that the site is stabilized.

SPECIAL CONDITIONS:

1. The authorized activities shall comply with the applicable conditions set forth under N.J.A.C. 7:7A-5.7, 7.1, 7.10A, 7.16, 7.17, and 20.2. Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et. seq.). Any additional unpermitted disturbance of freshwater wetlands, State open waters, 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 disturbance.
2. The Department has determined that the freshwater wetlands affected by this permit authorization are of exceptional resource value and the standard transition area or buffer required adjacent to these wetlands is 150 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 onsite 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-2.3. 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) for additional information.
3. Construction equipment shall not be stored, staged, or driven within any regulated areas onsite, unless expressly approved by this permit or described on the approved plans.

4. The permittee shall ensure that all disturbances for the replacement of the two culverts are the minimum necessary to maintain and repair the existing feature as originally designed and/or permitted.
5. The permittee shall ensure that all regulated activities and disturbances to regulated areas is the minimum necessary to accomplish the project, including disturbance to vegetation necessary for equipment access.
6. Prior to entrance into the project location, the permittee shall ensure that all matting material and construction equipment, including tracks and tires, shall be washed, cleaned, and certified as clean by WSP's Environmental Inspector to minimize the spread and colonization of invasive plants and organisms. In addition, soil containing root fragments and above-ground vegetative material from invasive plant species shall be carefully managed during soil-disturbing activities and disposed of at a suitable offsite location rather than mulched and reused or stockpiled elsewhere onsite. For information on the specific species that are invasive, please refer to the Invasive Plant Atlas at <http://www.invasiveplantatlas.org/index.html>.
7. Upon completion of the project, the permittee shall incorporate trail features designed to educate users about the importance of freshwater wetland and open water ecosystems, or other significant environmental features or phenomena.
8. In order to preserve the stream channel and any low-flow characteristics, the pilings of the footbridge shall not be placed within the stream channel
9. The construction of the proposed boardwalks and pedestrian bridges shall use non-polluting wood products to protect the environment from the effects of leaching; no Creosote or CCA treated lumber, or any other preservative susceptible to leaching, shall be used.
10. In order to minimize disturbances to vegetation, the permittee shall incorporate minor deviations in the trail alignment to avoid impacts to mature trees within the work area where feasible.
11. All excess excavated material and construction debris shall be disposed of in a lawful manner offsite and outside of any regulated area or water, and in such a way as to not interfere with the positive drainage of the receiving area.
12. In order to protect the trout maintenance and general game fisheries resource within the Paulins Kill and its tributaries, any proposed grading or construction activities within the banks of this watercourse are prohibited from **March 15 through July 31 of each year**. In addition, any activity which would introduce sediment into said watercourse or which could cause more than a minimum increase in the natural level of turbidity is also prohibited anytime, but especially during this period. The Department reserves the right to require additional soil conservation measures if it becomes evident that additional soil conservation measures are required to protect State regulated resources, or to suspend all regulated activities on-site should it be determined that the permittee has not taken proper precautions to ensure continuous compliance with this condition.
13. The applicant shall adhere to all requirements resulting from the USFWS consultation (2024-0139460). Please contact Thomas Garrido at thomas_garrido@fws.gov with any questions.
14. The permittee shall ensure that all onsite construction activities regulated under the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13 comply with the conditions set forth in the Department-approved Flood Hazard Area Individual permit issued for the site on September 6, 2024, under File

and Activity No. 1900-24-0001.1 LUP240001 and as modified under this authorization. The site plans and disturbance quantities referenced herein supersede those approved under the prior permit. All other conditions approved under the prior permit remain in effect.

15. This authorization is valid for a term not to exceed five years from the date of this permit. If the permittee wishes to continue an activity covered by the permit after the expiration date of the permit, the permittee must apply for and obtain a permit extension or a new permit, prior to the permit's expiration. If the term of the authorization exceeds the expiration date of the permit issued by rule, and the permit upon which the authorization is based is modified by rule to include more stringent standards or conditions, or is not reissued, the applicant must comply with the requirements of the new regulations by applying for a new applicable permit authorization.

THREATENED AND ENDANGERED SPECIES CONDITIONS:

1. The Permittee shall adhere to the provisions of the Rare Plant Compliance Report, reviewed and approved by the Department on 18 March 2025 entitled, "*Rare Plant Compliance Report March 2025 Paulinskill River WMA Hyper Humus Restoration Project Sussex County, New Jersey*" prepared by WSP, USA on behalf of The Nature Conservancy and New Jersey Fish and Wildlife, last revised March 2025.
2. The Permittee shall adhere to the site permitting plan entitled, "PAULINSKILL RIVER WILDLIFE MANAGEMENT AREA HYPER HUMUS RESTORATION PROJECT TOWN OF NEWTOWN, TOWNSHIPS ANDOVER, HAMPTON & LAFAYETTE, SUSSEX COUNTY, NEW JERSEY," Sheet 1 through 125 signed by Matthew D. Holthaus, P.E. in April of 2024, submitted by WSP, USA, last revised March 26th, 2025".
3. If a State Endangered plant is discovered onsite after the permit is issued but before the project is completed, the applicant must immediately notify the Endangered & Threatened Species Unit. Work around the newly discovered State Endangered plant must cease, and the applicant will have 30 days to submit an amendment to the Rare and Endangered Plant Compliance Statement with the necessary information listed above, which will then need to be reviewed and approved by the Division's Endangered and Threatened Species Unit (ETSU) within 60 days.
4. From the time regulated activities begin, and for 5 years following project completion, the applicant shall provide a Natural Heritage Rare Plant Species Reporting Forms annually to the ETSU for all species listed as State Endangered on site. These reports should include an assessment of how the populations are tolerating regulated activities, if there are declines in the population, and if there are any visible signs of degradation to their habitat.
 - i. Annual survey monitoring of State Endangered plant species and subsequent submittal of Rare Plant Species Reporting forms must be completed by a qualified field botanist with considerable experience specifically performing botanical field surveys for rare plant species and who is capable of applying botanical vernacular and using taxonomic manuals to properly identify vascular and/or non-vascular plant species, subspecies, or varieties. Field botanists should be able to identify by sight most common plant species growing in the Northeast, in addition to just the dominant species. Field botanists must also be capable of identifying any plant species found to occur on a particular site using taxonomic manuals and know how to contact an appropriate botanical specialist to confirm identities of plants that are particularly difficult to identify. Field botanists must also be familiar with floristic survey methodologies, the List of Endangered Plant Species and Plant Species of Concern that are tracked by the NJNHP (New

Jersey Natural Heritage Program), and with the Natural Heritage Rare Plant Species Reporting Form.

- ii. Should the ETSU determine that annual botanical surveys are inadequate, additional surveys may be required.
5. If any State Endangered species ceases to exist on site during the duration of the project and up to 5 years following project completion, the applicant must submit an Endangered Plant Species Mitigation Plan to the ETSU proposing mitigation for those species lost.
6. This permit does not authorize the removal and relocation of rare or State Endangered species to a location farther away from regulated activities or proposed disturbances.
7. The Department reserves the right to suspend all regulated activities on site should it be determined that the permittee has not taken proper precautions to ensure continuous compliance with the conditions above.
8. To avoid impacts to Indiana Bat, Northern Long-eared Bat, Tricolored Bat, as well as nesting migratory bird species, the Permittee shall adhere to a seasonal restriction on the clearing of all woody vegetation from April 1 through September 30 of each calendar year.
9. To reduce the risk of direct impact to sensitive habitat for the State-listed Bald Eagle, the Permittee shall adhere to a seasonal restriction on all work within 1000 feet of all bald eagle nests from January 1 through July 31 of each calendar year. Please note that adherence to this seasonal restriction shall be applied if nest building and/or nest occupancy is observed during the months of December and January of the given calendar year of work. (Note: There are at least two active, protected nesting locations on the subject site.)
10. Wood Turtles may be present within the work area. Work activity shall cease where any animals are observed until a qualified herpetologist, who has in their possession a valid Scientific Collecting Permit issued to them by the NJDEP-Fish & Wildlife, can carefully move the animal to safety beyond the project limits. All State-listed (endangered, threatened, special concern) species found must be immediately reported to the NJDEP, Division of Fish and Wildlife, Endangered and Nongame Species Program (<http://www.state.nj.us/dep/fgw/ensp/rprtform.htm>)
11. To reduce the risk of harm to the State-listed freshwater mussel species and potential violation of the NJ Endangered and Nongame Species Conservation Act (E.N.S.C.A.; N.J.S.A. 23:A-1-13), and reduce the risk of direct impacts to sensitive habitat, the Permittee shall adhere to a seasonal restriction on all in water work from May 1 through September 30 of each calendar year.
12. The Permittee shall adhere to the provisions of the Impact Avoidance Plan submitted to, reviewed and approved by the Department November 2024 entitled, "*FRESHWATER MUSSEL IMPACT AVOIDANCE AND MITIGATION PLAN for Paulinskill River Wildlife Management Area Hyper Humus Restoration Project November 2024*" prepared by WSP, USA, last revised November 2024. If activities authorized below the MHWL do not commence within one year of the authorized salvage and relocation that is proposed to take place immediately prior to construction, the Permittee will be required to complete the salvage and relocation effort again, immediately before construction commences.

- i. If activities authorized below the MHWL do not commence within three years of the initial survey work (July 2024), the Permittee is required to conduct freshwater mussel survey work once again at and within 300 meters downstream and 100 meters upstream of the project footprints of disturbance unless otherwise guided by the Department in consultation with the Division of Fish & Wildlife Endangered & Nongame Species Program. Revisions to the Impact Avoidance Plan may be required thereafter additional survey work.
- ii. The Permittee shall install the proposed silt turbidity curtain prior to the commencement of the regulated activity, and, only after the approved salvage and relocation activity has been completed. The silt curtain must be monitored weekly, maintained, and kept in place until project completion to ensure no suspended sediment reaches beyond the project footprint.
- iii. If the Permittee opts to retain a contractor other than that which has been approved by the Department to conduct the subject freshwater mussel habitat impact avoidance activities, the Permittee is required to coordinate with NJ Fish and Wildlife, Endangered and Nongame Species Program. For review and approval, the Permittee shall identify the contractor(s) who will perform the work (i.e. submit a copy of their curriculum vitae, a resume which identifies their experience with freshwater mussels, and a copy of the contractor's valid Scientific Collecting Permit obtained from the NJ Division of Fish and Wildlife).

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 or designee 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 of any unanticipated adverse effects on the environment not described in the application or in the conditions of the 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.
7. The permittee shall immediately inform the Department by telephone at (877) 927-6337 (WARN DEP hotline) of any noncompliance that may endanger public health, safety, and welfare, or the environment. The permittee shall inform the Watershed & Land Management 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:

- i. A description of the noncompliance and its cause;
 - ii. The period of noncompliance, including exact dates and times;
 - iii. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
 - iv. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
8. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action, as well as, in the appropriate case, suspension and/or termination of the permit.
 9. 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.
 10. 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.
 11. 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.
 12. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.
 13. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
 - i. Enter upon the permittee's premises where a regulated activity, project, or development is located or conducted, or where records must be kept under the conditions of the permit;
 - ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit;
 - iii. 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; and
 - iv. Sample or monitor at reasonable times, for the purposes of assuring compliance or as otherwise authorized by the Federal Act, by the Freshwater Wetlands Protection Act, or by any rule or order issued pursuant thereto, any substances or parameters at any location.
 14. 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, project, or development is being undertaken. Upon completion of the regulated activity, project, or development, 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.

15. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit.
16. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect, so long as the regulated activity, project, or development, or any portion thereof, is in existence, unless the permit is modified pursuant to the rules governing the herein approved permits.
17. The permittee shall perform any mitigation required under the permit in accordance with the rules governing the herein approved permits.
18. 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.
19. Any permit condition that does not establish a specific timeframe within which the condition must be satisfied (for example, prior to commencement of construction) shall be satisfied within six months of the effective date of the permit.
20. 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.
21. The permittee shall provide monitoring results to the Department at the intervals specified in the permit.
22. A permit shall be transferred to another person only in accordance with the rules governing the herein approved permits.
23. A permit can be modified, suspended, or terminated by the Department for cause.
24. 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.
25. 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.
26. The permittee shall submit email notification to the Bureau of Coastal & Land Use Compliance & Enforcement at CLU_tomsriver@dep.nj.gov at least 3 days prior to commencement of site preparation and/or regulated activities, whichever comes first. The notification shall include proof of completion of all pre-construction conditions, including proof of recording of permits, approved plans and/or conservation easements, if required. The permittee shall allow an authorized Bureau representative on the site to inspect to ensure compliance with this permit.
27. 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 Watershed & Land Management through the DEP Online

service. The uploaded documents will go directly into the Department's database, and staff will be notified that information has been received. The service can be found at: <https://dep.nj.gov/wlm/eservices/lrp-eservices/>.

APPROVED PLAN(S):

The drawing(s) hereby approved consist of eighty (80) sheet(s) prepared by Matthew D. Holthaus, PE, WSP, USA, dated April 2024, last revised March 26, 2025, and entitled:

**“PAULINKILL RIVER WILDLIFE MANAGEMENT AREA HYPER HUMUS RESTORATION
PROJECT TOWN OF NEWTON, TOWNSHIPS ANDOVER, HAMPTON & LAFAYETTE
SUSSEX COUNTY, NEW JERSEY”**

“TITLE SHEET”, SHEET 1 OF 125;
“KEY PLAN”, SHEET 4 OF 125;
“EXISTING CONDITION PLAN 1-10”, SHEETS 5-14 OF 125;
“PROPOSED CONDITION PLAN 1-10”, SHEETS 39-48 OF 125;
“CONSTRUCTION NOTES AND DETAILS”, SHEETS 49-50 OF 125;
“TYPICAL CHANNEL SECTIONS”, SHEETS 52-53 OF 125;
“TYPICAL BOARDWALK DETAILS”, SHEET 56-58 OF 125;
“PEDESTRIAN BRIDGE DETAILS”, SHEETS 61-63 OF 125;
“FOUR SIDED CULVERT DETAILS”, SHEETS 64 OF 125;
“PLANTING PLAN 1-10”, SHEETS 66-75 OF 125;
“PLANTING NOTES AND DETAILS”, SHEETS 76 & 77 OF 125;
“SUMMARY REGULATORY AREA IMPACTS”, SHEETS 78 OF 125;
“REGULATORY RIPARIAN AREA IMPACTS PLAN 1-10”, SHEETS 79-88 OF 125;
“REGULATORY WETLAND AREA IMPACTS PLAN”, SHEETS 89-98 OF 125;
“REGULATORY CROSS SECTION PLAN”, SHEET 99 OF 125;
“REGULATORY CROSS SECTIONS”, SHEET 100 OF 125;
“METES AND BOUNDS”, SHEET 114-125;

APPEAL OF DECISION:

Any person who is aggrieved by this decision may submit an adjudicatory hearing request within 30 calendar days after public notice of the decision is published in the DEP Bulletin (available at <https://dep.nj.gov/bulletin/>). If a person submits the hearing request after this time, the Department shall deny the request. The hearing request must include a completed copy of the Administrative Hearing

Request Checklist (available at <https://dep.nj.gov/wlm/forms/>). A person requesting an adjudicatory hearing shall submit the original hearing request to: NJDEP Office of Administrative Hearings and Dispute Resolution, Attention: Adjudicatory Hearing Requests, Mail Code 401-07A, P.O. Box 420, 401 East State Street, 7th Floor, Trenton, NJ 08625-0420. Additionally, a copy of the hearing request shall be submitted to the Director of Watershed & Land Management at the address listed on page one of this permit. 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 www.nj.gov/dep/odr for more information on this process.

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

Approved By:

Ryan J. Anderson, Manager
Watershed & Land Management

c: Municipal Clerk, Andover Twp, Hampton Twp, Lafayette Twp, Newton Town
Municipal Construction Official, Andover Twp, Hampton Twp, Lafayette Twp, Newton Town
Agent (original) – Matthew Holthaus



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERSHED & LAND MANAGEMENT
Mail Code 501-02A, P.O. Box 420, Trenton, New Jersey 08625-0420
Telephone: (609) 777-0454 or Fax: (609) 777-3656
www.nj.gov/dep/landuse



PERMIT

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 terms, conditions, and limitations 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.		Approval Date September 6, 2024
		Expiration Date September 5, 2029
Permit Number(s): 1900-24-0001.1 LUP240002	Type of Approval(s): FHA Individual Permit-Bridge/Culvert/Footbridge/Low Dam FHA Individual Permit-Bank/Channel	Governing Rule(s): N.J.A.C. 7:13-1.1(b)
Permittee: Melissa Woerner New Jersey Fish and Wildlife NJ Fish and Wildlife Assunpink WMA/CRO 1 Eldridge Road Upper Freehold Twp, NJ 08691	Site Location: Block(s) & Lot(s): [112; 2] [114; 1, 2, 4, 5] [115; 1, 2] [160.03; 5] / [3603; 26] / [4; 3.02, 6.01, 6.02, 7, 10, 11, 13.01, 25] / [10.01; 9, 10] Municipality: Andover Township / Hampton Township / Lafayette Township / Newton Town County: Sussex	
Description of Authorized Activities: This document verifies the flood hazard area design flood elevation and limits, and floodway limits along Paulinskill River and adjacent tributaries located at the above referenced locations, as depicted in the plans. This document also authorizes 339,700.26 cubic yards of fill within the floodway of Paulinskill River and adjacent tributaries associated with the restoration of Paulinskill River and adjacent tributaries, construction of a new pedestrian bridge, removal of existing bridge, replacement of two existing pipe culvert with four-sided box culvert, boardwalks, trails, and construction of water control pipe culvert to maintain water levels of the northern ponds, on the parcels referenced above. Note: The permittee shall obtain Department-approved Freshwater Wetlands General Permit Nos. 1, 10A, 16 & 17 prior to the start of any activity authorized by this permit. Any disturbances to freshwater wetlands, transition area, or State open waters prior to obtaining the referenced freshwater wetlands permit(s) from the Division of Land Resource Protection shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et. seq.) and implementing rules (N.J.A.C. 7:7A). <i>The Department has determined that the herein approved activities meet the requirements of the (FHACA/CZM) rules. This approval does not obviate the local Floodplain Administrator's responsibility to ensure all development occurring within their community's Special Flood Hazard Area is compliant with the local Flood Damage Prevention Ordinance, and minimum NFIP standards, regardless of any state-issued permits. FEMA requires communities to review and permit all proposed construction or other development within their SFHA in order to participate in the NFIP.</i>		
Prepared by: Stephen Dench		Received and/or Recorded by County Clerk:
If the permittee undertakes any regulated activity, project, or development authorized under this permit, such action shall constitute the permittee's acceptance of the permit in its entirety as well as the permittee's agreement to abide by the requirements of the permit and all conditions therein.		
This permit is not valid unless authorizing signature appears on the last page.		

STATEMENT OF AUTHORIZED IMPACTS:

The authorized activities allow for the permittee to undertake impacts to regulated areas as described below. Additional impacts to regulated areas without prior Department approval shall constitute a violation of the rules under which this document is issued and may subject the permittee and/or property owner to enforcement action, pursuant to N.J.A.C. 7:13-2.18.

Riparian Zone Vegetation	Area of riparian zone (Acres)
Permanent Disturbed	0.188 (8,179 SF)
Temporary Disturbed	190 (8,267,699 SF)

PRE-CONSTRUCTION CONDITIONS:

1. **This authorization for a Flood Hazard Area permit does not grant permission to impact any freshwater wetlands, transition areas, or State open waters onsite.** The permittee shall obtain Department-approved Freshwater Wetlands General Permit Nos. 1, 10A, 16 & 17 prior to the start of any regulated activities within these areas. At the time of this approval, an application of this type is currently pending under NJ DEP File No. 1900-24-0001.1 LUP240001. Any disturbances to freshwater wetlands, transition area, or State open waters prior to obtaining the appropriate freshwater wetland permits from the Division of Land Resource Protection shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et. seq.).
2. Prior to the commencement of site clearing, grading, or construction onsite, the permittee shall install a sediment barrier at the limits of disturbance authorized herein which is sufficient to prevent the sedimentation of the regulated waters and regulated areas onsite and shall serve as a physical barrier protecting all regulated areas from encroachment by construction vehicles or other soil-disturbing activities. All sediment barriers and soil erosion control measures shall be kept in place and maintained throughout the duration of construction, until such time that the site is stabilized.

THREATENED AND ENDANGERED SPECIES PRE-CONSTRUCTION CONDITIONS:

1. The applicant shall submit a "Rare and Endangered Plant Compliance Statement" to the Endangered and Threatened Species Unit (ETSU) no later than November 30, 2024 that includes the undermentioned information. Because this document will contain precise locational information on rare and endangered plant species, it shall be considered confidential and submitted only to the Endangered and Threatened Species Unit at etsu@dep.nj.gov. The ETSU will review the Compliance Statement and respond to the applicant within 60 days with a finding of 1) approved 2) approved with conditions, or 3) denied. Denial will require redesign and resubmission of materials subject to this condition, in order to accommodate the protection of State Endangered Species to comply with DEP rules. The materials shall be submitted in accordance with a Department determined timeframe and any significant redesign must abide by the standards for a modification under N.J.A.C. 7:13-22.5.
2. No regulated activities authorized under this permit shall begin (including any site preparation, clearing, grading or disturbance associated with the authorized project) until the required Rare and

Endangered Plant Compliance Statement has been approved in writing by the ETSU indicating that the permittee is authorized to commence restoration work.

3. The Rare and Endangered Plant Compliance Statement should include a list of all rare or endangered plant species known to occur on site, including those listed in the NHP letter and any additional species where surveys have indicated there are extant populations on site. This list need not include species only documented historically from before peat mining operations. For the purposes of this permit, all species on this list shall be considered “on site”.
4. For each species listed as State Endangered in New Jersey that is listed in the NHP letter or otherwise known to occur on site, the applicant shall provide:
 - i. A description of the species’ life history, including any known information on the environmental conditions or ecological niche that defines the species’ habitat.
 - ii. An assessment of the species’ current status on site. This should include number of individuals, their location on site, the extent of area occupied, a description of the habitat the species occupies on site, and photos showing the habitat or area occupied.
 - iii. A map showing the full and precise distribution of the endangered plant species on site.
 - iv. A description of proposed work that is to occur within and adjacent to the species’ documented habitat on site.
 - v. A detailed threat analysis that explains how proposed activities might adversely affect the population, which is to include not only direct impacts like filling, excavating, and vehicular traffic within the habitat, but also indirect impacts to the areas surrounding documented habitat for State Endangered species (changes to hydrology, erosion, invasive species, etc.).
 - vi. An actionable and specific plan to address each of the issues listed in the threat analysis (i.e., fencing, monitoring, timing restrictions, etc.). For example, if fencing is being proposed, include the type of fencing, the height, the location (with a map), and how the applicant plans to maintain that fence for the duration of the project.
5. If a State Endangered plant is discovered onsite after the permit is issued but before the project is completed, the applicant must immediately notify the Endangered & Threatened Species Unit. Work around the newly discovered State Endangered plant must cease, and the applicant will have 30 days to submit an amendment to the Rare and Endangered Plant Compliance Statement with the necessary information listed above, which will then need to be reviewed and approved by ETSU within 60 days.
6. If a plant species known to occur on site obtains State Endangered status through DEP rulemaking after the permit is issued but before the project is completed, work around the new State Endangered plant must cease, and the applicant will have 30 days to submit an amendment to the Rare and Endangered Plant Compliance Statement with the necessary information listed above, which will then need to be reviewed and approved by ETSU within 60 days.

7. From the time regulated activities begin, and for 5 years following project completion, the applicant shall provide a Natural Heritage Rare Plant Species Reporting Forms annually to the ETSU for all species listed as State Endangered on site. These reports should include an assessment of how the populations are tolerating regulated activities, if there are declines in the population, and if there are any visible signs of degradation to their habitat.
 - i. Annual survey monitoring of State Endangered plant species and subsequent submittal of Rare Plant Species Reporting forms must be completed by a qualified field botanist with considerable experience specifically performing botanical field surveys for rare plant species and who is capable of applying botanical vernacular and using taxonomic manuals to properly identify vascular and/or non-vascular plant species, subspecies, or varieties. Field botanists should be able to identify by sight most common plant species growing in the Northeast, in addition to just the dominant species. Field botanists must also be capable of identifying any plant species found to occur on a particular site using taxonomic manuals and know how to contact an appropriate botanical specialist to confirm identities of plants that are particularly difficult to identify. Field botanists must also be familiar with floristic survey methodologies, the List of Endangered Plant Species and Plant Species of Concern that are tracked by the NJNHP (New Jersey Natural Heritage Program), and with the Natural Heritage Rare Plant Species Reporting Form.
 - ii. Should the ETSU determine that annual botanical surveys are inadequate, additional surveys may be required.
8. If any State Endangered species ceases to exist on site during the duration of the project and up to 5 years following project completion, the applicant must submit an Endangered Plant Species Mitigation Plan to the ETSU proposing mitigation for those species lost.
9. For all other rare plants documented on site (Species of Concern), the applicant shall provide a generalized assessment of how these species will be impacted collectively. The applicant should include area calculations and locations describing which Species of Concern plant habitats will be adversely affected by their proposed work.
10. This permit does not authorize the removal and relocation of rare or State Endangered species to a location farther away from regulated activities or proposed disturbances.
11. Prior to the commencement of site preparation, inclusive of site clearing, project staging, onsite storage of materials, pre-construction earth movement, other site disturbance, and all authorized activities, and within 90 days of the issuance of this permit authorization, the Permittee shall prepare an "Impact Avoidance Plan" proposal that is designed to protect State-listed freshwater mussel species and all available habitat downstream of the project site.
 - i. The "Impact Avoidance Plan" must be designed to protect the identified mussel species which occur both in the project areas as well as all available habitat downstream of the project site.

- ii. The Impact Avoidance Plan must discuss all efforts taken by the Permittee of project redesign and minimization to eliminate the possibility of take of State or Federally listed freshwater mussels and impacts to their habitat.
 - iii. The Impact Avoidance Plan must identify all best management practices (BMP's), such as use of appropriate timing restrictions, coffer dams, sediment barriers or silt curtains, and controls over alterations to water pH within the project area, that will be implemented prior to, during, and following completion of the activities authorized by this permit.
 - iv. This permit does not authorize the movement of freshwater mussels. No relocation of freshwater mussels may occur without written authorization from the NJ DFW-ENSP.
12. The Permittee shall notify the NJDEP Division of Land Resource Protection (Attn: Endangered and Threatened Species Unit, etsu@dep.nj.gov) no less than seven working days before the commencement of regulated activities.
13. The Department reserves the right to suspend all regulated activities on site should it be determined that the permittee has not taken proper precautions to ensure continuous compliance with the conditions above.

SPECIAL CONDITIONS:

1. Within 90 calendar days of the date of this permit, the applicant shall submit the following information to the clerk of each county in which the site is located, and shall send proof to the Department that this information is recorded on the deed of each lot referenced in the verification:
- i. The Department file number for the verification;
 - ii. The approval and expiration dates of the verification;
 - iii. A metes and bounds description of any flood hazard area limit and/or floodway limit approved under the verification;
 - iv. The flood hazard area design flood elevation, or range of elevations if variable, approved under the verification;
 - v. The width and location of any riparian zone approved under the verification; and
 - vi. The following statement: "The State of New Jersey has determined that all or a portion of this lot lies in a flood hazard area. Certain activities in flood hazard areas are regulated by the New Jersey Department of Environmental Protection and some activities may be prohibited on this site or may first require a permit. Contact the Watershed and Land Management Program at (609) 777-0454 for more information prior to any construction onsite."
 - vii. Failure to have this information recorded in the deed of each lot and/or to submit proof of recording to the Department constitutes a violation of the Flood Hazard Area Control Act rules and may result in suspension or termination of the verification and/or subject the applicant to enforcement action pursuant to N.J.A.C. 7:13-24.

2. The Division has determined that the riparian zone required adjacent to The Paulins Kill and its tributaries is 300 feet. Please note that **any unapproved clearing of trees or other vegetation in the riparian zone is prohibited.**
3. In order to protect the trout maintenance and general game fisheries resource within The Paulins Kill and its tributaries, any proposed grading or construction activities within the banks of this watercourse are prohibited from **March 15 through July 31 of each year.** In addition, any activity which would introduce sediment into said watercourse or which could cause more than a minimum increase in the natural level of turbidity is also prohibited anytime, but especially during this period. The Department reserves the right to require additional soil conservation measures if it becomes evident that additional soil conservation measures are required to protect State regulated resources, or to suspend all regulated activities on-site should it be determined that the permittee has not taken proper precautions to ensure continuous compliance with this condition.
4. To avoid impacts to Indiana Bat, Northern Long-eared Bat, Tricolored Bat, the Permittee shall adhere to a seasonal restriction on the clearing of all woody vegetation from April 1 through September 30 of each calendar year.
5. To reduce the risk of direct impact to sensitive habitat for the State-listed Bald Eagle, the Permittee shall adhere to a seasonal restriction on all work within 1000 feet of all bald eagle nests from January 1 through July 31 of each calendar year. Please note that adherence to this seasonal restriction shall be applied if nest building and/or nest occupancy is observed during the months of December and January of the given calendar year of work.
6. To reduce the risk of harm to the State-listed freshwater mussel species and potential violation of the NJ Endangered and Nongame Species Conservation Act (E.N.S.C.A.; N.J.S.A. 23:A-1-13), and reduce the risk of direct impacts to sensitive habitat, the Permittee shall adhere to a seasonal restriction on all in water work from May 1 through September 30 of each calendar year.
7. The permittee shall ensure that all disturbances for reconstruction of the existing box culverts are the minimum necessary to maintain and repair the existing feature as originally designed and/or permitted.
8. The permittee shall ensure that all regulated activities and disturbances to regulated areas is the minimum necessary to accomplish the project, including disturbance to vegetation necessary for equipment access.
9. Upon completion of the project, the permittee shall incorporate trail features designed to educate users about the importance of freshwater wetland and open water ecosystems.
10. **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, unless otherwise approved in this permit, and in such a way as to not interfere with the positive drainage of the receiving area.
11. This authorization for a General Permit is valid for a term not to exceed five years from the date of this permit. If the permittee wishes to continue an activity covered by the permit after the expiration date of the permit, the permittee must apply for and obtain a permit extension or a new permit, prior to the permit's expiration. If the term of the authorization exceeds the expiration date of the general permit issued by rule, and the permit upon which the authorization is based is modified by rule to

include more stringent standards or conditions, or is not reissued, the applicant must comply with the requirements of the new regulations by applying for a new GP authorization or an Individual permit.

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 or designee 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 of any unanticipated adverse effects on the environment not described in the application or in the conditions of the 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.
7. The permittee shall immediately inform the Department by telephone at (877) 927-6337 (WARN DEP hotline) of any noncompliance that may endanger public health, safety, and welfare, or the environment. The permittee shall inform the Watershed & Land Management 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:
 - i. A description of the noncompliance and its cause;
 - ii. The period of noncompliance, including exact dates and times;
 - iii. If the noncompliance has not been corrected, the anticipated length of time it is expected to continue; and
 - iv. The steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
8. Any noncompliance with a permit constitutes a violation of this chapter and is grounds for enforcement action, as well as, in the appropriate case, suspension and/or termination of the permit.

9. 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.
10. 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.
11. 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.
12. The issuance of a permit does not relinquish public rights to access and use tidal waterways and their shores.
13. The permittee shall allow an authorized representative of the Department, upon the presentation of credentials, to:
 - i. Enter upon the permittee's premises where a regulated activity, project, or development is located or conducted, or where records must be kept under the conditions of the permit;
 - ii. Have access to and copy, at reasonable times, any records that must be kept under the conditions of the permit; and
 - iii. 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.
14. 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, project, or development is being undertaken. Upon completion of the regulated activity, project, or development, 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.
15. The permittee and its contractors and subcontractors shall comply with all conditions, site plans, and supporting documents approved by the permit.
16. All conditions, site plans, and supporting documents approved by a permit shall remain in full force and effect, so long as the regulated activity, project, or development, or any portion thereof, is in existence, unless the permit is modified pursuant to the rules governing the herein approved permits.
17. The permittee shall perform any mitigation required under the permit in accordance with the rules governing the herein approved permits.
18. 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.
19. Any permit condition that does not establish a specific timeframe within which the condition must be satisfied (for example, prior to commencement of construction) shall be satisfied within six months of the effective date of the permit.

20. 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.
21. The permittee shall provide monitoring results to the Department at the intervals specified in the permit.
22. A permit shall be transferred to another person only in accordance with the rules governing the herein approved permits.
23. A permit can be modified, suspended, or terminated by the Department for cause.
24. 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.
25. 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.
26. The permittee shall submit email notification to the Bureau of Coastal & Land Use Compliance & Enforcement at CLU_tomsriver@dep.nj.gov at least 3 days prior to commencement of site preparation and/or regulated activities, whichever comes first. The notification shall include proof of completion of all pre-construction conditions, including proof of recording of permits, approved plans and/or conservation easements, if required. The permittee shall allow an authorized Bureau representative on the site to inspect to ensure compliance with this permit.
27. 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 Watershed & Land Management through the DEP Online service. The uploaded documents will go directly into the Department's database, and staff will be notified that information has been received. The service can be found at: <https://dep.nj.gov/wlm/eservices/lrp-eservices/>.

APPROVED PLAN(S):

The drawing(s) hereby approved consist of eighty-three (63) sheets prepared by Matthew D. Holthaus, PE, WSP, USA, dated April 2024, last revised September 5, 2024, unless otherwise noted, and entitled:

**“PAULINSKILL RIVER WILDLIFE MANAGEMENT AREA HYPER HUMUS
RESTORATION PROJECT TOWN OF NEWTON, TOWNSHIPS ANDOVER,
HAMPTON & LAFAYETTE SUSSEX COUNTY, NEW JERSEY”**

“TITLE SHEET”, SHEET 1 OF 125;

“KEY PLAN”, SHEET 4 OF 125;

“EXISTING CONDITION PLAN 1-10”, SHEETS 5-14 OF 125;

“PROPOSED CONDITION PLAN 1-10”, SHEETS 39-48 OF 125;
“CONSTRUCTION NOTES AND DETAILS”, SHEETS 49 OF 125;
“TYPICAL BOARDWALK DETAILS”, SHEETS 56 & 58 OF 125;
“PEDESTRIAN BRIDGE DETAILS”, SHEET 61 OF 125;
“FOUR SIDED CULVERT DETAILS”, SHEET 64 OF 125;
“PLANTING PLAN 1-10”, SHEETS 66-75 OF 125;
“PLANTING NOTES AND DETAILS”, SHEETS 76 & 77 OF 125;
“REGULATORY RIPARIAN AREA IMPACTS PLAN 1-10”, SHEETS 79-88 OF 125;
“REGULATORY CROSS SECTION PLAN”, SHEET 99 OF 125;
“REGULATORY CROSS SECTIONS”, SHEETS 1000F OF 125, and
“METES AND BOUNDS”, SHEETS 114- 125 OF 125.

APPEAL OF DECISION:

Any person who is aggrieved by this decision may submit an adjudicatory hearing request within 30 calendar days after public notice of the decision is published in the DEP Bulletin (available at <https://dep.nj.gov/bulletin/>). If a person submits the hearing request after this time, the Department shall deny the request. The hearing request must include a completed copy of the Administrative Hearing Request Checklist (available at <https://dep.nj.gov/wlm/forms/>). A person requesting an adjudicatory hearing shall submit the original hearing request to: NJDEP Office of Administrative Hearings and Dispute Resolution, Attention: Adjudicatory Hearing Requests, Mail Code 401-07A, P.O. Box 420, 401 East State Street, 7th Floor, Trenton, NJ 08625-0420. Additionally, a copy of the hearing request shall be submitted to the Director of Watershed & Land Management at the address listed on page one of this permit. 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 www.nj.gov/dep/odr for more information on this process.

If you need clarification on any section of this permit or conditions, please contact Watershed & Land Management’s Technical Support Call Center at (609) 777-0454.

Approved By:

Patrick Ryan, Assistant Director
Watershed & Land Management

c: Municipal Clerk, Andover Twp
Municipal Construction Official, Andover Twp
Agent (original) – Matthew Holthaus