Date 12/9/2019

Name LEHIGH ENGINEERING ASSOCIATES, INC.
Address 499 RIVERVIEW DRIVE
PO BOX 68
WALNUTPORT, PA 18088 c/o BRIAN GASDA

RE: Planning Module for New Land Development
Subdivision THE WATERFRONT PHASE II
RESIDENTIAL/COMMERCIAL 6300 GPD
CITY OF ALLENTOWN, LEHIGH County
DEP Code No: 2-39001226-3

Dear:

In response to your postcard application, enclosed are the applicable planning modules required for the proposed development. Please submit the completed planning module and supporting information to the municipality(ies) in which the project is located. The Department must receive 3 copies. Please answer all questions. Do Not answer "N/A" or "Not Applicable". If you find a question does not apply, explain all reasons to support that answer.

A copy of the letter **MUST** be attached to the planning module when resubmitted through the municipality to the Department. This letter is to be used as a completion checklist and guide to completing the planning modules and does not supersede the rules and regulations found in Chapter 71. The municipality must submit the complete module package to the Department, (see end of letter for certification statement).

Effective December 15, 1995 Act 149 required the Department to assess planning module review fees. This fee is based on the type of development and total equivalent dwelling units proposed. The applicant will be billed upon Department approval or denial of the project.

the following reason(s):

Materials required	Municipal Checklist		DEP Completeness Review
X		Department cover/Checklist letter	
X		Transmittal letter, completed and signed by the Municipal Secretary.	
X		Resolution of Adoption completed and signed by the Municipal Secretary and containing the municipal seal.	
		Component 2-Follow attached guidance.	
X		Component 3-Follow attached guidance.	
		Component 3s-Follow attached guidance.	
X		Component 4a-Municipal Planning Agency Review	
X		Component 4b-County Planning Agency Review	
		Potential Impact(s) has occurred based on your search of the PA Natural Diversity Inventory. These issues must be resolved with each agency before the Department's review of Planning Modules can occur.	
		Sewage management program as per 25 Pa. Code Subsection 71.72	
		Hydrogeologic Study – Analysis of interbasin transfer of water between a Special Protection watershed into a Non-Special Protection watershed.	
		Delaware River Basin Commission Notice of Applications Received (NAR) for projects with sewage flows exceeding 10,000 GPD.	
		Preliminary hydrogeology	
		Permeablity testing, to be determined at site testing	
		Detailed hydrogeologic study	

			Review
		Socio-economic justification	
		If the project is located in a Special Protection Watershed, please submit an Antidegradation Analysis meeting the Requirement of Chapter 93.4(b), 93.4(a) and 93.4c(b)(2)	

In all cases, address the immediate and long range sewage disposal needs of the proposal and comply with 25 Pa. Code, Chapter 71, Subchapter C relating to New Land Development Plan Revisions.

Please note that the Department will return the planning module package if an incomplete revision is submitted.

Sincerely,

Robert T. Corby, Jr.

Robert T. Corby, Jr.
Sewage Planning Specialist
Clean Water Program

CERTIFICATION STATEMENT

I certify that this submittal is complete and includes all requested items. Failure to submit a complete module package will result in return of package.

Municipal Address City of Allentown, 435 Hamilton St
Allentown PA 18101

Municipal Telephone Number 610-437-7611

Signed: Michael P. Hale, Municipal Secretary

List below any individuals and address that should be copied if the planning module is returned to the municipality (if address is not provided, no copy will be sent):

Brian E. Gesda, P.E.
Lehigh Engineering Associates, Inc.
499 Riverview Dr., P.O. Box 68
Walnutport, Pa 18088

3850-FM-BCW0355 Rev. 5/2016

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

TRANSMITTAL LETTER FOR SEWAGE FACILITIES PLANNING MODULE

DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) USE ONLY				
DEP CODE # 2-39001226-3	CLIENT ID #	SITE ID #	APS ID #	AUTH. ID #

TO: Approving Agency (DEP or delegated local agency)
Pennsylvania DEP
4530 Bath Pike
Bethlehem, Pa 18017

Date _____

Dear Sir/Madam:

Attached please find a completed sewage facilities planning module prepared by Brian Gasda, P.E. *(Name)*

Senior Project Engineer *(Title)* for The Waterfront Phase II *(Name)*

a subdivision, commercial ,or industrial facility located in Allentown *(City, Borough, Township)*

Lehigh County.

Check one

☐ (i) The planning module, as prepared and submitted by the applicant, is approved by the municipality as a proposed ☐ revision ☐ supplement for new land development to its Official Sewage Facilities Plan (Official Plan), and is ☐ adopted for submission to DEP ☐ transmitted to the delegated LA for approval in accordance with the requirements of 25 *Pa. Code* Chapter 71 and the *Pennsylvania Sewage Facilities Act* (35 P.S. §750),

OR

☐ (ii) The planning module will not be approved by the municipality as a proposed revision or supplement for new land development to its Official Plan because the project described therein is unacceptable for the reason(s) checked below:

Check Boxes

☐ Additional studies are being performed by or on behalf of this municipality which may have an effect on the planning module as prepared and submitted by the applicant. Attached hereto is the scope of services to be performed and the time schedule for completion of said studies.

☐ The planning module as submitted by the applicant fails to meet limitations imposed by other laws or ordinances, officially adopted comprehensive plans and/or environmental plans (e.g., zoning, land use, 25 *Pa. Code* Chapter 71). Specific reference or applicable segments of such laws or plans are attached hereto.

☐ Other (attach additional sheet giving specifics).

Municipal Secretary: Indicate below by checking appropriate boxes which components are being transmitted to the approving agency.

☐ Resolution of Adoption
☐ Module Completeness Checklist
☐ 2 Individual and Community Onlot Disposal of Sewage
☐ 3 Sewage Collection/Treatment Facilities
☐ 3s Small Flow Treatment Facilities
☐ 4A Municipal Planning Agency Review
☐ 4B County Planning Agency Review
☐ 4C County or Joint Health Department Review

Michael P. Hanton — *Municipal Secretary (print)*

Michael P. Hanton — *Signature*

9/17/2022 — *Date*

3850-FM-BCW0356 Rev. 5/2016

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

DEP Code No.
2-39001226-3

RESOLUTION FOR PLAN REVISION FOR NEW LAND DEVELOPMENT

RESOLUTION OF THE (SUPERVISORS) (COMMISSIONERS) (COUNCILMEN) of Allentown (TOWNSHIP) (BOROUGH) (CITY), Lehigh COUNTY, PENNSYLVANIA (hereinafter "the municipality").

WHEREAS Section 5 of the Act of January 24, 1966, P.L. 1535, No. 537, known as the *Pennsylvania Sewage Facilities Act*, as Amended, and the rules and Regulations of the Pennsylvania Department of Environmental Protection (DEP) adopted thereunder, Chapter 71 of Title 25 of the Pennsylvania Code, require the municipality to adopt an Official Sewage Facilities Plan providing for sewage services adequate to prevent contamination of waters of the Commonwealth and/or environmental health hazards from sewage wastes, and to revise said plan whenever it is necessary to determine whether a proposed method of sewage disposal for a new land development conforms to a comprehensive program of pollution control and water quality management, and

WHEREAS Trestle Redevelopment Partners, LP has proposed the development of a parcel of land identified as
land developer

The Waterfront Phase II, and described in the attached Sewage Facilities Planning Module, and
name of subdivision

proposes that such subdivision be served by: (check all that apply), ☐ sewer tap-ins, ☒ sewer extension, ☐ new treatment facility, ☐ individual onlot systems, ☐ community onlot systems, ☐ spray irrigation, ☐ retaining tanks, ☐ other, (please specify). _____

WHEREAS, Allentown
municipality
finds that the subdivision described in the attached Sewage Facilities Planning Module conforms to applicable sewage related zoning and other sewage related municipal ordinances and plans, and to a comprehensive program of pollution control and water quality management.

NOW, THEREFORE, BE IT RESOLVED that the (Supervisors) (Commissioners) (Councilmen) of the (Township) (Borough) (City) of Allentown hereby adopt and submit to DEP for its approval as a revision to the "Official Sewage Facilities Plan" of the municipality the above referenced Sewage Facilities Planning Module which is attached hereto.

I Michael P. Hahn, Secretary, City of Allentown
(Signature)
Township Board of Supervisors (Borough Council) (City Councilmen), hereby certify that the foregoing is a true copy of the Township (Borough) (City) Resolution # 30039, adopted, 2 September, 20 20 8.

Municipal Address:

City of Allentown
435 Hamilton Street
Allentown, Pa 18101
Telephone 610-439-5999

Seal of Governing Body

3800-FM-BPNPSM0353 Rev. 2/2015
Form

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

Code No.
2-39001226-3

SEWAGE FACILITIES PLANNING MODULE

Component 3. Sewage Collection and Treatment Facilities

(Return completed module package to appropriate municipality)

DEP USE ONLY				
DEP CODE #	CLIENT ID #	SITE ID #	APS ID #	AUTH ID #
2-39001226-3				

This planning module component is used to fulfill the planning requirements of Act 537 for the following types of projects: (1) a subdivision to be served by sewage collection, conveyance or treatment facilities, (2) a tap-in to an existing collection system with flows on a lot of 2 EDU's or more, or (3) the construction of, or modification to, wastewater collection, conveyance or treatment facilities that will require DEP to issue or modify a Clean Streams Law permit. Planning for any project that will require DEP to issue or modify a permit cannot be processed by a delegated agency. Delegated agencies must send their projects to DEP for final planning approval.

This component, along with any other documents specified in the cover letter, must be completed and submitted to the municipality with jurisdiction over the project site for review and approval. All required documentation must be attached for the Sewage Facilities Planning Module to be complete. Refer to the instructions for help in completing this component.

REVIEW FEES: Amendments to the Sewage Facilities Act established fees to be paid by the developer for review of planning modules for land development. These fees may vary depending on the approving agency for the project (DEP or delegated local agency). Please see section R and the instructions for more information on these fees.

NOTE: All projects must complete Sections A through I, and Sections O through R. Complete Sections J, K, L, M and/or N if applicable or marked ☒.

A. PROJECT INFORMATION (See Section A of instructions)

1. Project Name The Waterfront Phase II

2. Brief Project Description Multi-Residential, Commercial, Office, and Warehouse Development

B. CLIENT (MUNICIPALITY) INFORMATION (See Section B of instructions)

Municipality Name	County	City	Boro	Twp
Allentown	Lehigh	X	☐	

Municipality Contact Individual - Last Name	First Name	MI	Suffix	Title
Woodward	Irene			Director of Planning

Additional Individual Last Name	First Name	MI	Suffix	Title
Kimmerly	David			Chief Planner

Municipality Mailing Address Line 1	Mailing Address Line 2
435 Hamilton Street	

Address Last Line -- City	State	ZIP+4
Allentown	PA	18101

Area Code + Phone + Ext.	FAX (optional)	Email (optional)
610-439-5999		

C. SITE INFORMATION (See Section C of instructions)

Site (Land Development or Project) Name
The Waterfront Phase II

Site Location Line 1	Site Location Line 2
Waterfront Drive	North Side of Tilghman Street

Site Location Last Line -- City	State	ZIP+4	Latitude	Longitude
Allentown	Pa	18101	40.619095N	75.458519W

Detailed Written Directions to Site From Tilghman St. and S.R. 145 – East on Tilghman St. for just under 1 mile until Waterfront Drive. Site is on your left.

Description of Site Site is gently sloping and vacant industrial land that will be redeveloped.

Site Contact (Developer/Owner)

Last Name	First Name	Suffix	Phone	Ext.
Jaindl	Zacary		610-774-9511	

Site Contact Title	Site Contact Firm (if none, leave blank)
COO	Jaindl Enterprises
FAX	**Email**
n/a	zjaindl@jaindlenterprises.com
Mailing Address Line 1	**Mailing Address Line 2**
1519 W. Hamilton St.	

Mailing Address Last Line -- City	State	ZIP+4
Allentown	Pa	18102

D. PROJECT CONSULTANT INFORMATION (See Section D of instructions)

Last Name	First Name	MI	Suffix
Gasda	Brian	E	

Title	Consulting Firm Name
Senior Project Engineer	Lehigh Engineering Associates, Inc.
Mailing Address Line 1	**Mailing Address Line 2**
499 Riverview Drive	P.O. Box 68

Address Last Line – City	State	ZIP+4	Country
Walnutport	Pa	18088	USA

Email	Area Code + Phone	Ext.	Area Code + FAX
bgasda@lehighengineering.com	610-767-8545	138	610-767-5798

E. AVAILABILITY OF DRINKING WATER SUPPLY

The project will be provided with drinking water from the following source: (Check appropriate box)

- ☐ Individual wells or cisterns.
- ☐ A proposed public water supply.
- ☒ An existing public water supply.

If existing public water supply is to be used, provide the name of the water company and attach documentation from the water company stating that it will serve the project.

Name of water company: Lehigh County Authority

F. PROJECT NARRATIVE (See Section F of instructions)

☒ A narrative has been prepared as described in Section F of the instructions and is attached.

The applicant may choose to include additional information beyond that required by Section F of the instructions.

G. PROPOSED WASTEWATER DISPOSAL FACILITIES (See Section G of instructions)

Check all boxes that apply, and provide information on collection, conveyance and treatment facilities and EDU's served. This information will be used to determine consistency with Chapter 93 (relating to wastewater treatment requirements).

1. **COLLECTION SYSTEM**

a. Check appropriate box concerning collection system

☐ New collection system ☐ Pump Station ☐ Force Main

☐ Grinder pump(s) ☒ Extension to existing collection system ☐ Expansion of existing facility

Clean Streams Law Permit Number _____

b. Answer questions below on collection system

Number of EDU's and proposed connections to be served by collection system. EDU's 543.3

Connections 6

Name of:

existing collection or conveyance system City of Allentown

owner City of Allentown / LCA Lessee

existing interceptor Jordan Creek Interceptor

owner City of Allentown / LCA Lessee

2. **WASTEWATER TREATMENT FACILITY**

Check all boxes that apply, and provide information on collection, conveyance and treatment facilities and EDU's served. This information will be used to determine consistency with Chapter(s) 91 (relating to general provisions), 92 (relating to national Pollution Discharge Elimination System permitting, monitoring and compliance) and 93 (relating to water quality standards).

a. Check appropriate box and provide requested information concerning the treatment facility

☐ New facility ☒ Existing facility ☐ Upgrade of existing facility ☐ Expansion of existing facility

Name of existing facility Kline's Island WWTP

NPDES Permit Number for existing facility PA 0026000

Clean Streams Law Permit Number _____

Location of discharge point for a new facility. Latitude _____ Longitude _____

b. The following certification statement must be completed and signed by the wastewater treatment facility permitee or their representative.

As an authorized representative of the permittee, I confirm that the Kline's Island WWTP (Name from above) sewage treatment facilities can accept sewage flows from this project without adversely affecting the facility's ability to achieve all applicable technology and water quality based effluent limits (see Section I) and conditions contained in the NPDES permit identified above.

Name of Permittee Agency, Authority, Municipality City of Allentown, LCA - Agent

Name of Responsible Agent Liesel M. Gross

Agent Signature Liesel M Gross Date 3/9/2020

(Also see Section I. 4.)

G. PROPOSED WASTEWATER DISPOSAL FACILITIES (Continued)

3. PLOT PLAN

The following information is to be submitted on a plot plan of the proposed subdivision.

a. Existing and proposed buildings.
b. Lot lines and lot sizes.
c. Adjacent lots.
d. Remainder of tract.
e. Existing and proposed sewerage facilities. Plot location of discharge point, land application field, spray field, COLDS, or LVCOLDS if a new facility is proposed.
f. Show tap-in or extension to the point of connection to existing collection system (if applicable).
g. Existing and proposed water supplies and surface water (wells, springs, ponds, streams, etc.)
h. Existing and proposed rights-of-way.
i. Existing and proposed buildings, streets, roadways, access roads, etc.
j. Any designated recreational or open space area.
k. Wetlands - from National Wetland Inventory Mapping and USGS Hydric Soils Mapping.
l. Flood plains or Flood prone areas, floodways, (Federal Flood Insurance Mapping)
m. Prime Agricultural Land.
n. Any other facilities (pipelines, power lines, etc.)
o. Orientation to north.
p. Locations of all site testing activities (soil profile test pits, slope measurements, permeability test sites, background sampling, etc. (if applicable).
q. Soils types and boundaries when a land based system is proposed.
r. Topographic lines with elevations when a land based system is proposed

4. WETLAND PROTECTION

	YES	NO	
a.	☐	☒	Are there wetlands in the project area? If yes, ensure these areas appear on the plot plan as shown in the mapping or through on-site delineation.
b.	☐	☒	Are there any construction activities (encroachments, or obstructions) proposed in, along, or through the wetlands? If yes, Identify any proposed encroachments on wetlands and identify whether a General Permit or a full encroachment permit will be required. If a full permit is required, address time and cost impacts on the project. Note that wetland encroachments should be avoided where feasible. Also note that a feasible alternative **MUST BE SELECTED** to an identified encroachment on an exceptional value wetland as defined in Chapter 105. Identify any project impacts on streams classified as HQ or EV and address impacts of the permitting requirements of said encroachments on the project.

5. PRIME AGRICULTURAL LAND PROTECTION

YES	NO	
☐	☒	Will the project involve the disturbance of prime agricultural lands? If yes, coordinate with local officials to resolve any conflicts with the local prime agricultural land protection program. The project must be consistent with such municipal programs before the sewage facilities planning module package may be submitted to DEP. If no, prime agricultural land protection is not a factor to this project.
☒	☐	Have prime agricultural land protection issues been settled?

6. HISTORIC PRESERVATION ACT

YES	NO	
☒	☐	Sufficient documentation is attached to confirm that this project is consistent with DEP Technical Guidance 012-0700-001 *Implementation of the PA State History Code* (available online at the DEP website at www.dep.state.pa.us, select "subject" then select "technical guidance"). As a minimum this includes copies of the completed Cultural Resources Notice

(CRN), a return receipt for its submission to the PHMC and the PHMC review letter.

7. **PROTECTION OF RARE, ENDANGERED OR THREATENED SPECIES**

Check one:

☒ The "Pennsylvania Natural Diversity Inventory (PNDI) Project Environmental Review Receipt" resulting from my search of the PNDI database and all supporting documentation from jurisdictional agencies (when necessary) is/are attached.

☐ A completed "Pennsylvania Natural Diversity Inventory (PNDI) Project Planning & Environmental Review Form," (PNDI Form) available at www.naturalheritage.state.pa.us , and all required supporting documentation is attached. I request DEP staff to complete the required PNDI search for my project. I realize that my planning module will be considered incomplete upon submission to the Department and that the DEP review will not begin, and that processing of my planning module will be delayed, until a "PNDI Project Environmental Review Receipt" and all supporting documentation from jurisdictional agencies (when necessary) is/are received by DEP.

Applicant or Consultant Initials BG_____.

H. ALTERNATIVE SEWAGE FACILITIES ANALYSIS (See Section H of instructions)

☒ An alternative sewage facilities analysis has been prepared as described in Section H of the attached instructions and is attached to this component.

The applicant may choose to include additional information beyond that required by Section H of the attached instructions.

I. COMPLIANCE WITH WATER QUALITY STANDARDS AND EFFLUENT LIMITATIONS (See Section I of instructions) (Check and complete all that apply.)

1. **Waters designated for Special Protection**

☐ The proposed project will result in a new or increased discharge into special protection waters as identified in Title 25, Pennsylvania Code, Chapter 93. The Social or Economic Justification (SEJ) required by Section 93.4c. is attached.

2. **Pennsylvania Waters Designated As Impaired**

☐ The proposed project will result in a new or increased discharge of a pollutant into waters that DEP has identified as being impaired by that pollutant. A pre-planning meeting was held with the appropriate DEP regional office staff to discuss water quality based discharge limitations.

3. **Interstate and International Waters**

☐ The proposed project will result in a new or increased discharge into interstate or international waters. A pre-planning meeting was held with the appropriate DEP regional office staff to discuss effluent limitations necessary to meet the requirements of the interstate or international compact.

4 **Tributaries To The Chesapeake Bay**

☐ The proposed project result in a new or increased discharge of sewage into a tributary to the Chesapeake Bay. This proposal for a new sewage treatment facility or new flows to an existing facility includes total nitrogen and total phosphorus in the following amounts: _____ pounds of TN per year, and _____ pounds of TP per year. Based on the process design and effluent limits, the total nitrogen treatment capacity of the wastewater treatment facility is _____ pounds per year and the total phosphorus capacity is _____ pounds per year as determined by the wastewater treatment facility permitee. The permitee has determined that the additional TN and TP to be contributed by this project (as modified by credits and/or offsets to be provided) will not cause the discharge to exceed the annual total mass limits for these parameters. Documentation of compliance with nutrient allocations is attached.

Name of Permittee Agency, Authority, Municipality _____

Initials of Responsible Agent (See Section G 2.b) _____

See *Special Instructions* (Form 3800-FM-BPNPSM0353-1) for additional information on Chesapeake Bay watershed requirements.

☐ J. CHAPTER 94 CONSISTENCY DETERMINATION (See Section J of instructions)

Projects that propose the use of existing municipal collection, conveyance or wastewater treatment facilities, or the construction of collection and conveyance facilities to be served by existing municipal wastewater treatment facilities must be consistent with the requirements of Title 25, Chapter 94 (relating to Municipal Wasteload Management). If not previously included in Section F, include a general map showing the path of the sewage to the treatment facility. If more than one municipality or authority will be affected by the project, please obtain the information required in this section for each. Additional sheets may be attached for this purpose.

1. Project Flows 129,317 _____ gpd
2. Total Sewage Flows to Facilities (pathway from point of origin through treatment plant)

   When providing "treatment facilties" sewage flows, use Annual Average Daily Flow for "average" and Maximum Monthly Average Daily Flow for "peak" in all cases. For "peak flows" in "collection" and "conveyance" facilities, indicate whether these flows are "peak hourly flow" or "peak instantaneous flow" and how this figure was derived (i.e., metered, measured, estimated, etc.).

   a. Enter average and peak sewage flows for each proposed or existing facility as designed or permitted.

   b. Enter the average and peak sewage flows for the most restrictive sections of the existing sewage facilities.

   c. Enter the average and peak sewage flows, projected for 5 years (2 years for pump stations) through the most restrictive sections of the existing sewage facilities. Include existing, proposed (this project) and future project (other approved projects) flows.

   To complete the table, refer to the instructions, Section J.

	a. Design and/or Permitted Capacity ~~(gpd)~~ MGD		b. Present Flows ~~(gpd)~~ MGD		c. Projected Flows in 5 years ~~(gpd)~~ MGD (2 years for P.S.)	
	Average	Peak	Average	Peak	Average	Peak
Collection	Discharges to interceptor					
Conveyance	58	81	30	78 (1)	31	80 (1)
Treatment	40	40	32.3	40	33.4	42

(1) Peak Hourly Flow - Estimated

3. Collection and Conveyance Facilities

   The questions below are to be answered by the sewer authority, municipality, or agency responsible for completing the Chapter 94 report for the collection and conveyance facilities. These questions should be answered in coordination with the latest Chapter 94 annual report and the above table. The individual(s) signing below must be legally authorized to make representation for the organization.

	YES	NO	
a.	☐	☒	This project proposes sewer extensions or tap-ins. Will these actions create a hydraulic overload within five years on any existing collection or conveyance facilities that are part of the system?

   If yes, this sewage facilities planning module will not be accepted for review by the municipality, delegated local agency and/or DEP until all inconsistencies with Chapter 94 are resolved or unless there is an approved Corrective Action Plan (CAP) granting an allocation for this project. A letter granting allocations to this project under the CAP must be attached to the module package.

   If no, a representative of the sewer authority, municipality, or agency responsible for completing the Chapter 94 report for the collection and conveyance facilities must sign below to indicate that the collection and conveyance facilities have adequate capacity and are able to provide service to the proposed development in accordance with both §71.53(d)(3) and Chapter 94 requirements and that this proposal will not affect that status.

   b. Collection System

   Name of Agency, Authority, Municipality City of Allentown, LCA - Agent

   Name of Responsible Agent Liesel M. Gross

   Agent Signature Liesel M. Gross Date 3/9/2020

☐ J. CHAPTER 94 CONSISTENCY DETERMINATION (See Section J of instructions)

c. Conveyance System

Name of Agency, Authority, Municipality City of Allentown, LCA-Agent

Name of Responsible Agent Liesel M Gross

Agent Signature Liesel M Gross

Date 3/9/2020

4. Treatment Facility

The questions below are to be answered by a representative of the facility permittee in coordination with the information in the table and the latest Chapter 94 report. The individual signing below must be legally authorized to make representation for the organization.

	YES	NO	
a.	☒	☐	This project proposes the use of an existing wastewater treatment plant for the disposal of sewage. Will this action create a hydraulic or organic overload within 5 years at that facility?

If yes, this planning module for sewage facilities will not be reviewed by the municipality, delegated local agency and/or DEP until this inconsistency with Chapter 94 is resolved or unless there is an approved CAP granting an allocation for this project. A letter granting allocations to this project under the CAP must be attached to the planning module.

If no, the treatment facility permittee must sign below to indicate that this facility has adequate treatment capacity and is able to provide wastewater treatment services for the proposed development in accordance with both §71.53(d)(3) and Chapter 94 requirements and that this proposal will not impact that status.

b. Name of Agency, Authority, Municipality City of Allentown, LCA-Agent

Name of Responsible Agent Liesel M Gross

Agent Signature Liesel M Gross

Date 3/9/2020

☐ K. TREATMENT AND DISPOSAL OPTIONS (See Section K of instructions)

This section is for land development projects that propose construction of wastewater treatment facilities. Please note that, since these projects require permits issued by DEP, these projects may **NOT** receive final planning approval from a delegated local agency. Delegated local agencies must send these projects to DEP for final planning approval.

Check the appropriate box indicating the selected treatment and disposal option.

☐ 1. Spray irrigation (other than individual residential spray systems (IRSIS)) or other land application is proposed, and the information requested in Section K.1. of the planning module instructions are attached.

☐ 2. Recycle and reuse is proposed and the information requested in Section K-2 of the planning module instructions is attached.

☐ 3. A discharge to a dry stream channel is proposed, and the information requested in Section K.3. of the planning module instructions are attached.

☐ 4 A discharge to a perennial surface water body is proposed, and the information requested in Section K.4. of the planning module instructions are attached.

☐ L. PERMEABILITY TESTING (See Section L of instructions)

☐ The information required in Section L of the instructions is attached.

☐ M. PRELIMINARY HYDROGEOLOGIC STUDY (See Section M of instructions)

☐ The information required in Section M of the instructions is attached.

☐ N. DETAILED HYDROGEOLOGIC STUDY (See Section N of instructions)

☐ The detailed hydrogeologic information required in Section N. of the instructions is attached.

O. SEWAGE MANAGEMENT (See Section O of instructions)

(1-3 for completion by the developer(project sponser), 4-5 for completion by the non-municipal facility agent and 6 for completion by the municipality)

	Yes	No	
1.	☐	☒	Is connection to, or construction of, a DEP permitted, non-municipal sewage facility or a local agency permitted, community onlot sewage facility proposed.

If Yes, respond to the following questions, attach the supporting analysis, and an evaluation of the options available to assure long-term proper operation and maintenance of the proposed non-municipal facilities. If No, skip the remainder of Section O.

2. Project Flows_____ gpd

	Yes	No	
3.	☐	☐	Is the use of nutrient credits or offsets a part of this project?

If yes, attach a letter of intent to puchase the necessary credits and describe the assurance that these credits and offsets will be available for the remaining design life of the non-municipal sewage facility;

(For completion by non-municipal facility agent)

4. Collection and Conveyance Facilities

The questions below are to be answered by the organization/individual responsible for the non-municipal collection and conveyance facilities. The individual(s) signing below must be legally authorized to make representation for the organization.

	Yes	No	
a.	☐	☐	If this project proposes sewer extensions or tap-ins, will these actions create a hydraulic overload on any existing collection or conveyance facilities that are part of the system?

If yes, this sewage facilities planning module will not be accepted for review by the municipality, delegated local agency and/or DEP until this issue is resolved.

If no, a representative of the organization responsible for the collection and conveyance facilities must sign below to indicate that the collection and conveyance facilities have adequate capacity and are able to provide service to the proposed development in accordance with Chapter 71 §71.53(d)(3) and that this proposal will not affect that status.

b. Collection System
Name of Responsible Organization _____
Name of Responsible Agent _____
Agent Signature_____
Date _____

c. Conveyance System
Name of Responsible Organization _____
Name of Responsible Agent _____
Agent Signature _____
Date _____

5. Treatment Facility

The questions below are to be answered by a representative of the facility permittee. The individual signing below must be legally authorized to make representation for the organization.

	Yes	No	
a.	☐	☐	If this project proposes the use of an existing non-municipal wastewater treatment plant for the disposal of sewage, will this action create a hydraulic or organic overload at that facility?

If yes, this planning module for sewage facilities will not be reviewed by the municipality, delegated local agency and/or DEP until this issue is resolved.

If no, the treatment facility permittee must sign below to indicate that this facility has adequate treatment capacity and is able to provide wastewater treatment services for the proposed development in accordance with §71.53(d)(3) and that this proposal will not impact that status.

b. Name of Facility _____

Name of Responsible Agent _____

Agent Signature _____

Date _____

(For completion by the municipality)

6. ☐ The **SELECTED OPTION** necessary to assure long-term proper operation and maintenance of the proposed non-municipal facilities is clearly identified with documentation attached in the planning module package.

P. PUBLIC NOTIFICATION REQUIREMENT (See Section P of instructions)

This section must be completed to determine if the applicant will be required to publish facts about the project in a newspaper of general circulation to provide a chance for the general public to comment on proposed new land development projects. This notice may be provided by the applicant or the applicant's agent, the municipality or the local agency by publication in a newspaper of general circulation within the municipality affected. Where an applicant or an applicant's agent provides the required notice for publication, the applicant or applicant's agent shall notify the municipality or local agency and the municipality and local agency will be relieved of the obligation to publish. The required content of the publication notice is found in Section P of the instructions.

To complete this section, each of the following questions must be answered with a "yes" or "no". Newspaper publication is required if any of the following are answered "yes".

	Yes	No	
1.	☐	☒	Does the project propose the construction of a sewage treatment facility ?
2.	X		Will the project change the flow at an existing sewage treatment facility by more than 50,000 gallons per day?
3.	☐	☒	Will the project result in a public expenditure for the sewage facilities portion of the project in excess of $100,000?
4.	☐	☒	Will the project lead to a major modification of the existing municipal administrative organizations within the municipal government?
5.	☐	☒	Will the project require the establishment of *new* municipal administrative organizations within the municipal government?
6.	☐	☒	Will the project result in a subdivision of 50 lots or more? (onlot sewage disposal only)
7.	☐	☒	Does the project involve a major change in established growth projections?
8.	☐	☒	Does the project involve a different land use pattern than that established in the municipality's Official Sewage Plan?

P. PUBLIC NOTIFICATION REQUIREMENT cont'd. (See Section P of instructions)

9. ☐ ☒ Does the project involve the use of large volume onlot sewage disposal systems (Flow > 10,000 gpd)?
10. ☐ ☒ Does the project require resolution of a conflict between the proposed alternative and consistency requirements contained in §71.21(a)(5)(i), (ii), (iii)?
11. ☐ ☒ Will sewage facilities discharge into high quality or exceptional value waters?

☐ Attached is a copy of:
- ☐ the public notice,
- ☐ all comments received as a result of the notice,
- ☐ the municipal response to these comments.

☐ No comments were received. A copy of the public notice is attached.

Q. FALSE SWEARING STATEMENT (See Section Q of instructions)

I verify that the statements made in this component are true and correct to the best of my knowledge, information and belief. I understand that false statements in this component are made subject to the penalties of 18 PA C.S.A. §4904 relating to unsworn falsification to authorities.

Brian E. Gasda, P.E.	Brian E. Gasda
Name (Print)	Signature
Senior Project Engineer	2/25/2020
Title	Date
499 Riverview Dr., P.O. Box 68, Walnutport, Pa 18088	610-767-8545
Address	Telephone Number

R. REVIEW FEE (See Section R of instructions)

The Sewage Facilities Act establishes a fee for the DEP planning module review. DEP will calculate the review fee for the project and invoice the project sponsor **OR** the project sponsor may attach a self-calculated fee payment to the planning module prior to submission of the planning package to DEP. (Since the fee and fee collection procedures may vary if a "delegated local agency" is conducting the review, the project sponsor should contact the "delegated local agency" to determine these details.) Check the appropriate box.

☐ I request DEP calculate the review fee for my project and send me an invoice for the correct amount. I understand DEP's review of my project will not begin until DEP receives the correct review fee from me for the project.

☒ I have calculated the review fee for my project using the formula found below and the review fee guidance in the instructions. I have attached a check or money order in the amount of $16,200 payable to "Commonwealth of PA, DEP". Include DEP code number on check. I understand DEP will not begin review of my project unless it receives the fee and determines the fee is correct. If the fee is incorrect, DEP will return my check or money order, send me an invoice for the correct amount. I understand DEP review will NOT begin until I have submitted the correct fee.

☐ I request to be exempt from the DEP planning module review fee because this planning module creates **only** one new lot and is the **only** lot subdivided from a parcel of land as that land existed on December 14, 1995. I realize that subdivision of a second lot from this parcel of land shall disqualify me from this review fee exemption. I am furnishing the following deed reference information in support of my fee exemption.

County Recorder of Deeds for _____ County, Pennsylvania

Deed Volume _____ Book Number _____

Page Number _____ Date Recorded _____

R. REVIEW FEE (continued)

Formula:

1. For a new collection system (with or without a Clean Streams Law Permit), a collection system extension, or individual tap-ins to an existing collection system use this formula.

   #324 EDU's Lots (or EDUs) X $50.00 = $16,200

   The fee is based upon:

   - The number of lots created or number of EDUs whichever is higher.
   - For community sewer system projects, one EDU is equal to a sewage flow of 400 gallons per day.

2. For a surface or subsurface discharge system, use the appropriate one of these formulae.

   A. A new surface discharge greater than 2000 gpd will use a flat fee:

   $ 1,500 per submittal (non-municipal)
   $ 500 per submittal (municipal)

   B. An increase in an existing surface discharge will use:

   #_____ Lots (or EDUs) X $35.00 = $ _____

   to a maximum of $ 1,500 per submittal (non-municipal) or $ 500 per submittal (municipal)

   The fee is based upon:

   - The number of lots created or number of EDUs whichever is higher.
   - For community sewage system projects one EDU is equal to a sewage flow of 400 gallons per day.
   - For non-single family residential projects, EDUs are calculated using projected population figures

   C. A sub-surface discharge system that requires a permit under The Clean Streams Law will use a flat fee:

   $ 1,500 per submittal (non-municipal)
   $ 500 per submittal (municipal)

LEHIGH COUNTY AUTHORITY 1053 SPRUCE ROAD * P.O. BOX 3348 * ALLENTOWN, PA 18106-0348
610-398-2503 * FAX 610-398-8413 * www.lehighcountyauthority.org
email: service@lehighcountyauthority.org

March 9, 2020

Irene Woodward
Director of Planning
City of Allentown
435 Hamilton Street
Allentown, PA 18101

RE: The Waterfront – Phase II, Waterfront Drive, City of Allentown
Sewer Module - Chapter 94 Consistency Determination – Appendix A

Dear Mrs. Woodward:

This letter and approval for the attached Sewage Facilities Planning Module is based on the current estimate of available wastewater capacity. This letter does not promise, guarantee or assure any future conveyance or treatment allocation without compliance with all applicable rules and regulations, payment of all necessary fees and availability of the respective allocation at that time.

In accordance with the interim Corrective Action Plan and Connection Management Plan submitted to the Pa. Department of Environmental Protection by the Kline's Island Sewer System municipalities on December 31, 2019 and approved by DEP on January 17, 2020, an amount equal to the property or development's wastewater flow will be allocated from the Connection Management Plan at the time of approval of the Sewage Facilities Planning Module. This property or development's wastewater flow need, as represented in the attached Sewage Planning Module, is 129,317 gallons per day. Therefore, the Connection Management Plan balance will be adjusted as follows:

Connection Management Plan Allocation (gallons per day)	1,500,000
Previously allocated from prior planning module submissions	-493,372
This submission	-129,317
Remaining Allocation in Connection Management Plan	**877,311**

Please contact me if you have any questions about this information.

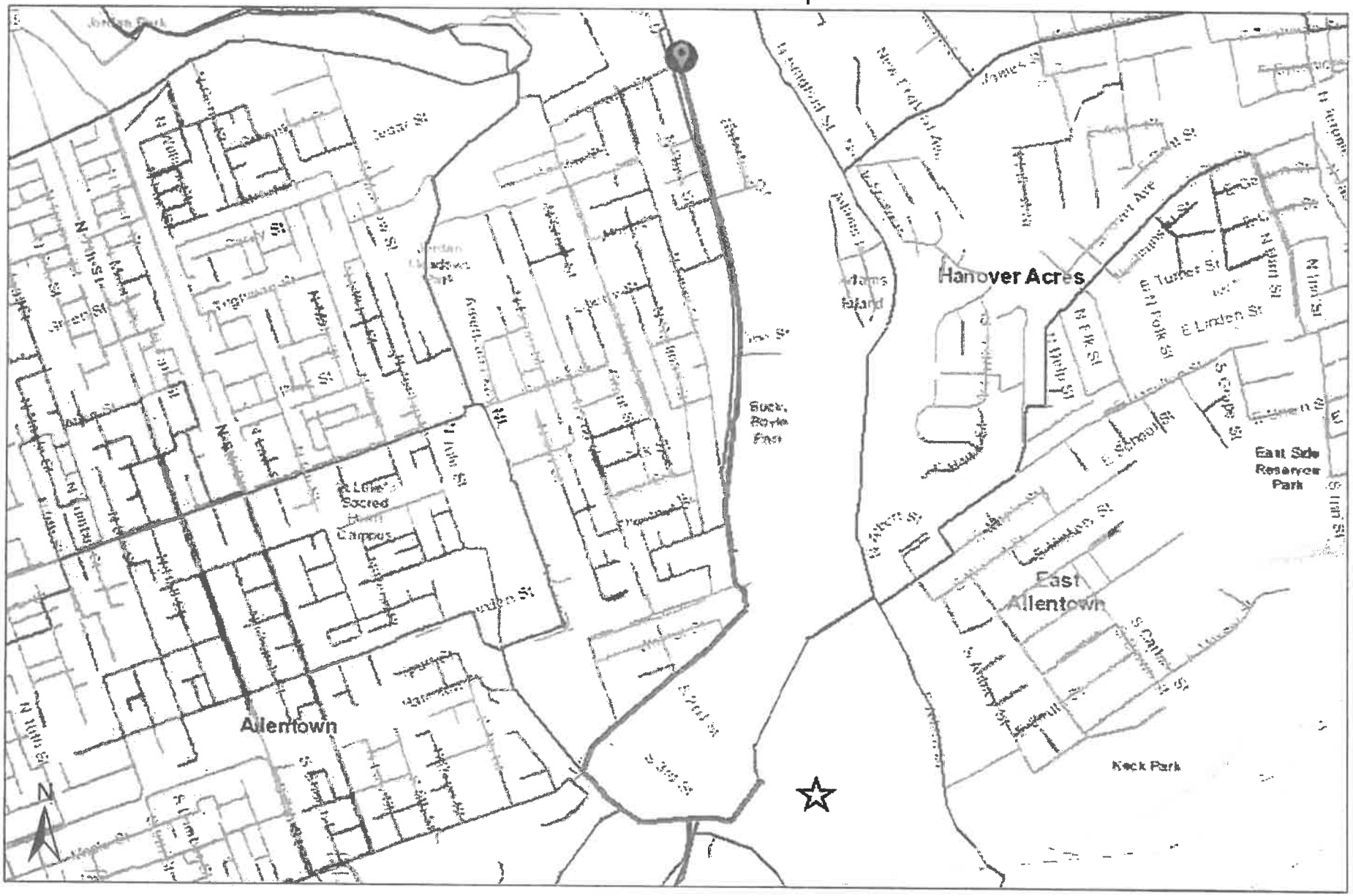
Sincerely,

Liesel M. Gross
Chief Executive Officer

cc: Scott Novatnak, DEP
Robert Corby, DEP
Craig Messinger, COA
Phil Depoe, LCA
Brian Gasda, Lehigh Engineering Associates, Inc

022.20

Waterfront II Flow Map



3/4/2020, 8:23:20 AM

1 inch = 1,505 feet

0 0.275 0.55 mi

Legend

☆ Kline's Island WWTP

Sanitary Mains

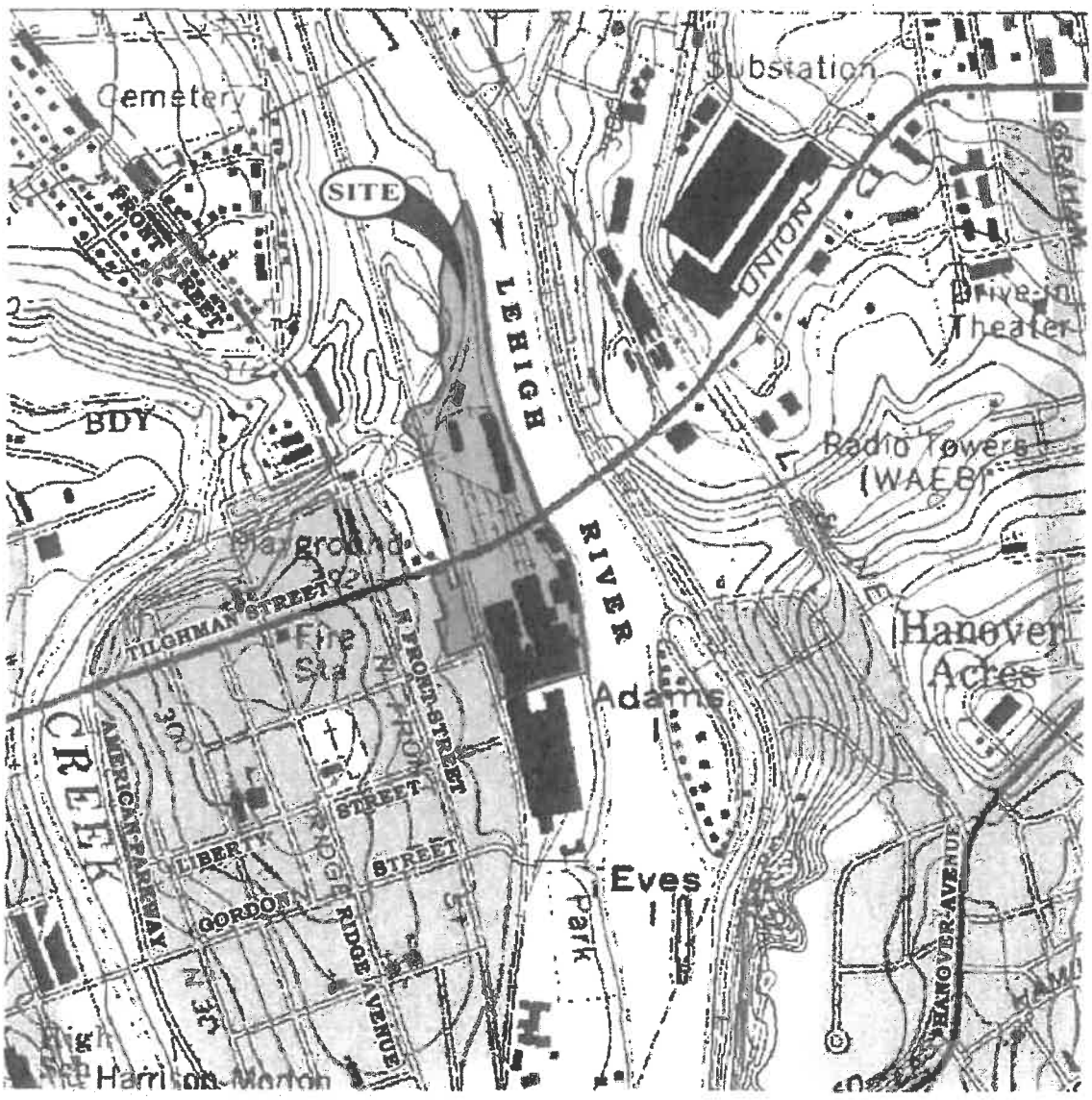
Collector Sanitary Main

Interceptor Sanitary Main

Lehigh County Authority

Bucks County, PA, Lehigh County PA, State of New Jersey, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA |

ALLENTOWN EAST QUADRANGLE
PENNSYLVANIA
7.5 MINUTE SERIES (TOPOGRAPHIC)



N
W E
S

1,000 0 1,000 2,000
GRAPHIC SCALE

LEHIGH ENGINEERING ASSOCIATES, INC.
499 RIVERVIEW DRIVE P.O. BOX 68
WALNUTPORT, PA 18088
610-767-8545, FAX 610 767-5798

CITY OF ALLENTOWN
LEHIGH COUNTY
PENNSYLVANIA

LOCATION MAP FOR:
THE WATERFRONT
PHASE II

DATE: 04/20/18
SCALE: 1"=1,000'
BY: EIS
JOB: 6218

FIGURE I

Project Narrative

Waterfront A, LP is proposing a multi-use land development in the City of Allentown, Lehigh County, Pennsylvania, entitled The Waterfront Phase II. This development is adjacent to The Waterfront Phase I and will include space for residential units, warehouse buildings, restaurants, office, and retail facilities. The site is 14.07 acres in size, located on Waterfront drive, between Tilghman Street, American Parkway, and the Lehigh River. The surrounding properties contain Phase I of The Waterfront Development, vacant land, and industrial properties. Phase II of this development will utilize existing public water and public sewer systems. At this time, the development is expected to generate 129,317 gal/day of sewage (323.3 EDU's). The sewer flows were calculated using the following tabulation:

Residential – 179 units @ 262.5 gpd = 46,988 gpd
Warehouse – 10,474 sf @ 0.03 gpd/sf = 315 gpd
Restaurant – 35,000 sf @ 1.2 gpd/sf = 42,000 gpd
Retail – 37,999 sf @ 0.05 gpd/sf = 1,900 gpd
Office – 423,487 sf @ 0.09 gpd/sf = 38,114 gpd

1. PROJECT INFORMATION

Project Name: **Waterfront Phase 2**
Date of Review: **2/26/2020 08:15:29 AM**
Project Category: **Development, New commercial/industrial development (store, gas station, factory)**
Project Area: **15.24 acres**
County(s): **Lehigh**
Township/Municipality(s): **ALLENTOWN**
ZIP Code: **18102**
Quadrangle Name(s): **ALLENTOWN EAST**
Watersheds HUC 8: **Lehigh**
Watersheds HUC 12: **Lehigh River-Delaware River**
Decimal Degrees: **40.619085, -75.458519**
Degrees Minutes Seconds: **40° 37' 8.7050" N, 75° 27' 30.6683" W**

2. SEARCH RESULTS

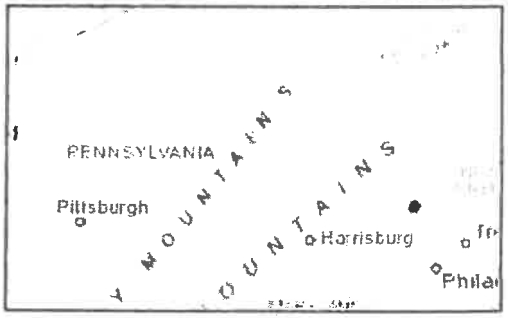
Agency	Results	Response
PA Game Commission	**Potential Impact**	**FURTHER REVIEW IS REQUIRED, See Agency Response**
PA Department of Conservation and Natural Resources	No Known Impact	No Further Review Required
PA Fish and Boat Commission	**Potential Impact**	**FURTHER REVIEW IS REQUIRED, See Agency Response**
U.S. Fish and Wildlife Service	No Known Impact	No Further Review Required

As summarized above, Pennsylvania Natural Diversity Inventory (PNDI) records indicate there may be potential impacts to threatened and endangered and/or special concern species and resources within the project area. If the response above indicates "No Further Review Required" no additional communication with the respective agency is required. If the response is "Further Review Required" or "See Agency Response," refer to the appropriate agency comments below. Please see the DEP Information Section of this receipt if a PA Department of Environmental Protection Permit is required.

Waterfront Phase 2

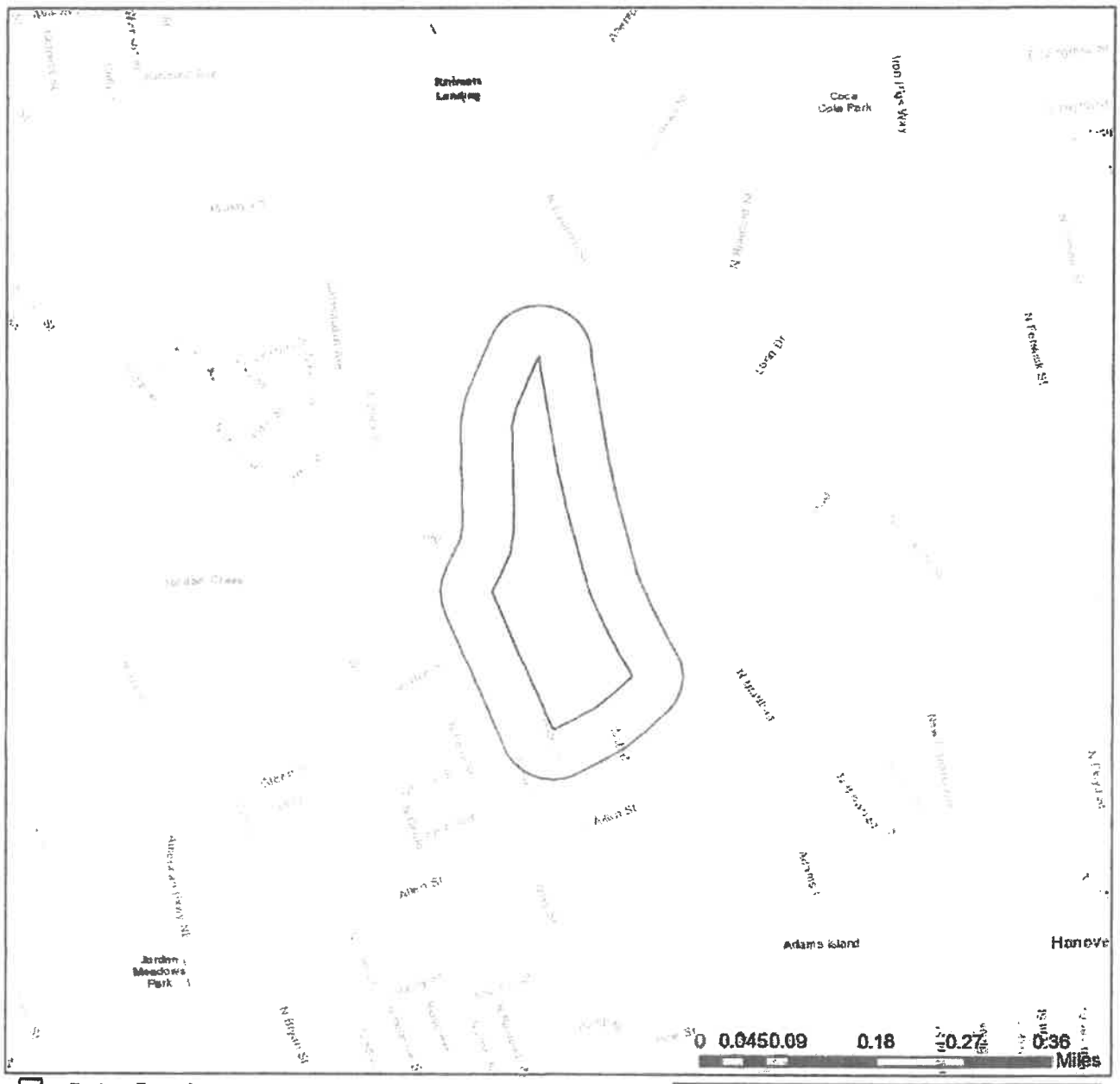
☐ Project Boundary

☐ Buffered Project Boundary



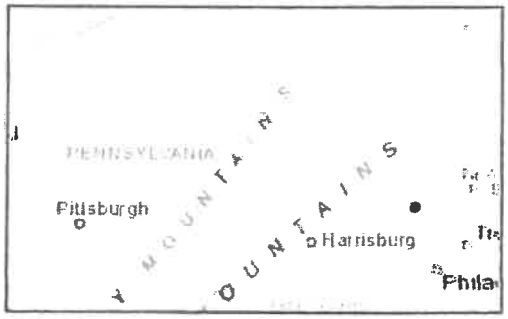
Service Layer Credits: Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, Mapmyindia, © OpenStreetMap contributors, and the GIS User Community
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community

Waterfront Phase 2



☐ Project Boundary

☐ Buffered Project Boundary



Service Layer Credits: Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, Mapmyindia, © OpenStreetMap contributors, and the GIS User Community
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS,

RESPONSE TO QUESTION(S) ASKED

Q1: Accurately describe what is known about wetland presence in the project area or on the land parcel. "Project" includes all features of the project (including buildings, roads, utility lines, outfall and intake structures, wells, stormwater retention/detention basins, parking lots, driveways, lawns, etc.), as well as all associated impacts (e.g., temporary staging areas, work areas, temporary road crossings, areas subject to grading or clearing, etc.). Include all areas that will be permanently or temporarily affected -- either directly or indirectly -- by any type of disturbance (e.g., land clearing, grading, tree removal, flooding, etc.). Land parcel = the lot(s) on which some type of project(s) or activity(s) are proposed to occur.
Your answer is: The entire project will occur in or on an existing building, parking lot, driveway, road, road shoulder, street, runway, paved area, or railroad bed.

Q2: The proposed project is in the range of the Indiana bat. Describe how the project will affect bat habitat (forests, woodlots and trees) and indicate what measures will be taken in consideration of this. Round acreages up to the nearest acre (e.g., 0.2 acres = 1 acre).
Your answer is: No forests, woodlots or trees will be affected by the project.

Q3: Aquatic habitat (stream, river, lake, pond, etc.) is located on or adjacent to the subject property and project activities (including discharge) may occur within 300 feet of these habitats?
Your answer is: Yes

Q4: Is tree removal, tree cutting or forest clearing of 40 acres or more necessary to implement all aspects of this project?
Your answer is: No

3. AGENCY COMMENTS

Regardless of whether a DEP permit is necessary for this proposed project, any potential impacts to threatened and endangered species and/or special concern species and resources must be resolved with the appropriate jurisdictional agency. In some cases, a permit or authorization from the jurisdictional agency may be needed if adverse impacts to these species and habitats cannot be avoided.

These agency determinations and responses are **valid for two years** (from the date of the review), and are based on the project information that was provided, including the exact project location; the project type, description, and features; and any responses to questions that were generated during this search. If any of the following change: 1) project location, 2) project size or configuration, 3) project type, or 4) responses to the questions that were asked during the online review, the results of this review are not valid, and the review must be searched again via the PNDI Environmental Review Tool and resubmitted to the jurisdictional agencies. The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer impacts than what is listed on this PNDI receipt. The jursidictional agencies **strongly advise against** conducting surveys for the species listed on the receipt prior to consultation with the agencies.

PA Game Commission
RESPONSE:

Further review of this project is necessary to resolve the potential impact(s). Please send project information to this agency for review (see WHAT TO SEND).

PGC Species: (Note: The Pennsylvania Conservation Explorer tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below.)

Scientific Name	Common Name	Current Status
Falco peregrinus	Peregrine Falcon	Threatened

PA Department of Conservation and Natural Resources
RESPONSE:
No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

PA Fish and Boat Commission
RESPONSE:
Further review of this project is necessary to resolve the potential impact(s). Please send project information to this agency for review (see WHAT TO SEND).

PFBC Species: (Note: The Pennsylvania Conservation Explorer tool is a primary screening tool, and a desktop review may reveal more or fewer species than what is listed below.)

Scientific Name	Common Name	Current Status
Sensitive Species**		Threatened

U.S. Fish and Wildlife Service
RESPONSE:
No impacts to **federally** listed or proposed species are anticipated. Therefore, no further consultation/coordination under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq. is required. Because no take of federally listed species is anticipated, none is authorized. This response does not reflect potential Fish and Wildlife Service concerns under the Fish and Wildlife Coordination Act or other authorities.

* Special Concern Species or Resource - Plant or animal species classified as rare, tentatively undetermined or candidate as well as other taxa of conservation concern, significant natural communities, special concern populations (plants or animals) and unique geologic features.
** Sensitive Species - Species identified by the jurisdictional agency as collectible, having economic value, or being susceptible to decline as a result of visitation.

WHAT TO SEND TO JURISDICTIONAL AGENCIES

If project information was requested by one or more of the agencies above, upload* or email* the following information to the agency(s). Instructions for uploading project materials can be found here. This option provides the applicant with the convenience of sending project materials to a single location accessible to all three state agencies. Alternatively, applicants may email or mail their project materials (see AGENCY CONTACT INFORMATION).
***Note:** U.S.Fish and Wildlife Service requires applicants to mail project materials to the USFWS PA field office (see AGENCY CONTACT INFORMATION). USFWS will not accept project materials submitted electronically (by upload or email).

Check-list of Minimum Materials to be submitted:
____Project narrative with a description of the overall project, the work to be performed, current physical characteristics of the site and acreage to be impacted.
____A map with the project boundary and/or a basic site plan(particularly showing the relationship of the project to the physical features such as wetlands, streams, ponds, rock outcrops, etc.)
In addition to the materials listed above, USFWS REQUIRES the following
____**SIGNED** copy of a Final Project Environmental Review Receipt

The inclusion of the following information may expedite the review process.
____Color photos keyed to the basic site plan (i.e. showing on the site plan where and in what direction each photo was taken and the date of the photos)
____Information about the presence and location of wetlands in the project area, and how this was determined (e.g., by a qualified wetlands biologist), if wetlands are present in the project area, provide project plans showing the location of all project features, as well as wetlands and streams.

4. DEP INFORMATION

The Pa Department of Environmental Protection (DEP) requires that a signed copy of this receipt, along with any required documentation from jurisdictional agencies concerning resolution of potential impacts, be submitted with applications for permits requiring PNDI review. Two review options are available to permit applicants for handling PNDI coordination in conjunction with DEP's permit review process involving either T&E Species or species of special concern. Under sequential review, the permit applicant performs a PNDI screening and completes all coordination with the appropriate jurisdictional agencies prior to submitting the permit application. The applicant will include with its application, both a PNDI receipt and/or a clearance letter from the jurisdictional agency if the PNDI Receipt shows a Potential Impact to a species or the applicant chooses to obtain letters directly from the jurisdictional agencies. Under concurrent review, DEP, where feasible, will allow technical review of the permit to occur concurrently with the T&E species consultation with the jurisdictional agency. The applicant must still supply a copy of the PNDI Receipt with its permit application. The PNDI Receipt should also be submitted to the appropriate agency according to directions on the PNDI Receipt. The applicant and the jurisdictional agency will work together to resolve the potential impact(s). See the DEP PNDI policy at https://conservationexplorer.dcnr.pa.gov/content/resources.

5. ADDITIONAL INFORMATION

The PNDI environmental review website is a preliminary screening tool. There are often delays in updating species status classifications. Because the proposed status represents the best available information regarding the conservation status of the species, state jurisdictional agency staff give the proposed statuses at least the same consideration as the current legal status. If surveys or further information reveal that a threatened and endangered and/or special concern species and resources exist in your project area, contact the appropriate jurisdictional agency/agencies immediately to identify and resolve any impacts.

For a list of species known to occur in the county where your project is located, please see the species lists by county found on the PA Natural Heritage Program (PNHP) home page (www.naturalheritage.state.pa.us). Also note that the PNDI Environmental Review Tool only contains information about species occurrences that have actually been reported to the PNHP.

6. AGENCY CONTACT INFORMATION

PA Department of Conservation and Natural Resources
Bureau of Forestry, Ecological Services Section
400 Market Street, PO Box 8552
Harrisburg, PA 17105-8552
Email: RA-HeritageReview@pa.gov

U.S. Fish and Wildlife Service
Pennsylvania Field Office
Endangered Species Section
110 Radnor Rd; Suite 101
State College, PA 16801
NO Faxes Please

PA Fish and Boat Commission
Division of Environmental Services
595 E. Rolling Ridge Dr., Bellefonte, PA 16823
Email: RA-FBPACENOTIFY@pa.gov

PA Game Commission
Bureau of Wildlife Habitat Management
Division of Environmental Planning and Habitat Protection
2001 Elmerton Avenue, Harrisburg, PA 17110-9797
Email: RA-PGC_PNDI@pa.gov
NO Faxes Please

7. PROJECT CONTACT INFORMATION

Name: Brian E. Gasda, P.E.
Company/Business Name: Lehigh Engineering Associates, Inc.
Address: 499 Riverview Dr., P.O. Box 68
City, State, Zip: Walnutport, Pa 18088
Phone: (610) 767-8545 Fax: (610) 767-5798
Email: bgasda@lehighengineering.com

8. CERTIFICATION

I certify that ALL of the project information contained in this receipt (including project location, project size/configuration, project type, answers to questions) is true, accurate and complete. In addition, if the project type, location, size or configuration changes, or if the answers to any questions that were asked during this online review change, I agree to re-do the online environmental review.

applicant/project proponent signature

2/26/20
date

Pennsylvania Fish & Boat Commission

established 1866

Division of Environmental Services
Natural Diversity Section
595 E Rolling Ridge Dr.
Bellefonte, PA 16823
814-359-5237

March 16, 2020

IN REPLY REFER TO
SIR# 52637

Lehigh Engineering Associates, Inc.
Brian Gasda
499 Riverview Road
Walnutport, Pennsylvania 18088

RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species
PNDI Search No. 697960_1
Waterfront Phase 2
LEHIGH County: Allentown City

Dear Brian Gasda:

This responds to your inquiry about a Pennsylvania Natural Diversity Inventory (PNDI) Internet Database search "potential conflict" or a threatened and endangered species impact review. These projects are screened for potential conflicts with rare, candidate, threatened or endangered species under Pennsylvania Fish & Boat Commission jurisdiction (fish, reptiles, amphibians, aquatic invertebrates only) using the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files. These species of special concern are listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, and the Pennsylvania Fish & Boat Code (Chapter 75), or the Wildlife Code.

An element occurrence of a rare, candidate, threatened, or endangered species under our jurisdiction is known from the vicinity of the proposed project. However, given the nature of the proposed project, the immediate location, or the current status of the nearby element occurrence(s), no adverse impacts are expected to the species of special concern.

This response represents the most up-to-date summary of the PNDI data and our files and is valid for two (2) years from the date of this letter. An absence of recorded species information does not necessarily imply species absence. Our data files and the PNDI system are continuously being updated with species occurrence information. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered, and consultation shall be re-initiated.

If you have any questions regarding this review, please contact Kathy Gipe at 814-359-5186 and refer to the SIR # 52637. Thank you for your cooperation and attention to this important matter of species conservation and habitat protection.

Sincerely,

Christopher A. Urban, Chief
Natural Diversity Section

CAU/KDG/dn

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION
2001 Elmerton Avenue
Harrisburg, PA 17110-9797
Wildlife Habitat Management
717-787-6818

September 29, 2017

Mr. Scott Frack
Lehigh Engineering Associates
499 Riverview Road
Walnutport, PA 18088

Project Search ID: PNDI-640922
PNDI Receipt: *project_receipt_waterfront_640922_FINAL_1.pdf*
Re: The Waterfront
City of Allentown, Lehigh County, PA

Dear Mr. Frack,

Thank you for submitting the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt *project_receipt_waterfront_640922_FINAL_1.pdf* for review. The Pennsylvania Game Commission (PGC) screened this project for potential impacts to species and resources of concern under PGC responsibility, which includes birds and mammals only.

No Impact Anticipated

PNDI records indicate species or resources of concern are located in the vicinity of the project. However, based on the information you submitted concerning the nature of the project, the immediate location, and our detailed resource information, the PGC has determined that no impact is likely. Therefore, no further coordination with the PGC will be necessary for this project at this time.

This response represents the most up-to-date summary of the PNDI data files and is valid for two (2) years from the date of this letter. An absence of recorded information does not necessarily imply actual conditions on site. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered.

Should the proposed work continue beyond the period covered by this letter, please resubmit the project to this agency as an "Update" (including an updated PNDI receipt, project narrative and accurate map). If the proposed work has not changed and no additional information concerning listed species is found, the project will be cleared for PNDI requirements under this agency for two additional years.

This finding applies to impacts to birds and mammals only. To complete your review of state and federally-listed threatened and endangered species and species of special concern, please be sure

that the U.S. Fish and Wildlife Service, the PA Department of Conservation and Natural Resources, and/or the PA Fish and Boat Commission have been contacted regarding this project as directed by the online PNDI ER Tool found at www.naturalheritage.state.pa.us.

Sincerely,

Tracey Librandi Mumma

Tracey Librandi Mumma
Division of Environmental Planning & Habitat Protection
Bureau of Wildlife Habitat Management
Phone: 717-787-4250, Extension 3614
Fax: 717-787-6957
E-mail:tlibrandi@pa.gov

A PNHP Partner

TLM/tlm

3850-FM-BCW0362A 6/2016

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF CLEAN WATER

DEP Code #: 2-39001226-3

SEWAGE FACILITIES PLANNING MODULE
COMPONENT 4A - MUNICIPAL PLANNING AGENCY REVIEW

Note to Project Sponsor: To expedite the review of your proposal, one copy of your completed planning module package and one copy of this *Planning Agency Review Component* should be sent to the local municipal planning agency for their comments.

SECTION A. PROJECT NAME (See Section A of instructions)

Project Name
The Waterfront - Phase II

SECTION B. REVIEW SCHEDULE (See Section B of instructions)

1. Date plan received by municipal planning agency _____
2. Date review completed by agency April 30, 2020

SECTION C. AGENCY REVIEW (See Section C of instructions)

Yes	No		
☑	☐	1.	Is there a municipal comprehensive plan adopted under the Municipalities Planning Code (53 P.S. 10101, *et seq.*)?
☑	☐	2.	Is this proposal consistent with the comprehensive plan for land use? If no, describe the inconsistencies _____
☑	☐	3.	Is this proposal consistent with the use, development, and protection of water resources? If no, describe the inconsistencies _____
☑	☐	4.	Is this proposal consistent with municipal land use planning relative to Prime Agricultural Land Preservation?
☐	☑	5.	Does this project propose encroachments, obstructions, or dams that will affect wetlands? If yes, describe impacts _____
☐	☑	6.	Will any known historical or archaeological resources be impacted by this project? If yes, describe impacts _____
☐	☐	7.	Will any known endangered or threatened species of plant or animal be impacted by this project? See PNDI If yes, describe impacts _____
☑	☐	8.	Is there a municipal zoning ordinance?
☑	☐	9.	Is this proposal consistent with the ordinance? If no, describe the inconsistencies _____
☐	☑	10.	Does the proposal require a change or variance to an existing comprehensive plan or zoning ordinance?
☑	☐	11.	Have all applicable zoning approvals been obtained?
☑	☐	12.	Is there a municipal subdivision and land development ordinance?

SECTION C. AGENCY REVIEW (continued)

Yes	No	
☑	☐	13. Is this proposal consistent with the ordinance? If no, describe the inconsistencies _____
☑	☐	14. Is this plan consistent with the municipal Official Sewage Facilities Plan? If no, describe the inconsistencies _____
☐	☑	15. Are there any wastewater disposal needs in the area adjacent to this proposal that should be considered by the municipality? If yes, describe _____
☐	☐	16. Has a waiver of the sewage facilities planning requirements been requested for the residual tract of this subdivision? n/a
☐	☐	If yes, is the proposed waiver consistent with applicable ordinances? If no, describe the inconsistencies _____

17. Name, title and signature of planning agency staff member completing this section:

Name: Irene Woodward
Title: Director of Planning and Zoning
Signature: Irene Woodward
Date: 4/30/20
Name of Municipal Planning Agency: City of Allentown
Address 435 Hamilton St., Allentown, PA 18101
Telephone Number: 610-437-7611 ext. 2866

SECTION D. ADDITIONAL COMMENTS (See Section D of instructions)

This component does not limit municipal planning agencies from making additional comments concerning the relevancy of the proposed plan to other plans or ordinances. If additional comments are needed, attach additional sheets.

The planning agency must complete this component within 60 days.

This component and any additional comments are to be returned to the applicant.

Lehigh Valley Planning Commission

GREG ZEBROWSKI
Chair

STEVEN GLICKMAN
Vice Chair

PAMELA PEARSON
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

Planning for the Future of Lehigh and Northampton Counties at 961 Marcon Blvd., Ste 310, Allentown, PA 18109 ■ (610) 264-4544 ■ lvpc@lvpc.org ■ www.lvpc.org

March 26, 2020

Mr. Brian Gasda, PE
Lehigh Engineering Associates, Inc.
P.O. Box 68
Walnutport, PA 18088

Re: Act 537 Review - Sewage Facilities Planning Module for The Waterfront Phase 2 Development in the City of Allentown, Lehigh County, DEP Code No. 2-39001226-3

Dear Mr. Gasda:

The Lehigh Valley Planning Commission (LVPC) reviewed the above-referenced planning module according to the requirements of Act 537, the Pennsylvania Sewage Facilities Act. We offer the following comments.

This sewage facilities planning module is intended for a proposed mixed-use development consisting of apartments, commercial, office, retail and warehouse facilities on approximately 14 acres. The development is proposed to be served by public sewage disposal, with ultimate treatment at the City of Allentown wastewater treatment plant. This sewage facilities planning module is consistent with the County Comprehensive Plan. According to the county plan, the proposed development is located in an area recommended for public sewer service.

Enclosed please find an executed Module Component 4b. Please call me if you have any questions regarding this review.

Sincerely,

Susan L. Rockwell
Senior Environmental Planner

Enclosure

cc: Irene Woodward, AICP, Director of Planning, City of Allentown
Robert Corby, PA Department of Environmental Protection

3800-FM-BPNPSM0362B 1/2013

pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF POINT AND NON-POINT SOURCE MANAGEMENT

DEP Code # 2-3900/226-3

SEWAGE FACILITIES PLANNING MODULE
COMPONENT 4B - COUNTY PLANNING AGENCY REVIEW
(or Planning Agency with Areawide Jurisdiction)

Note to Project Sponsor: To expedite the review of your proposal, one copy of your completed planning package and one copy of this ***Planning Agency Review Component*** should be sent to the existing county planning agency or planning agency with areawide jurisdiction for their comments.

SECTION A. PROJECT NAME (See Section A of instructions)

Project Name

The Waterfront Phase 2 Development

SECTION B. REVIEW SCHEDULE (See Section B of instructions)

1. Date plan received by county planning agency. ----
2. Date plan received by planning agency with areawide jurisdiction March 23, 2020

   Agency name Lehigh Valley Planning Commission
3. Date review completed by agency March 26, 2020

SECTION C. AGENCY REVIEW (See Section C of instructions)

Yes	No		
☒	☐	1.	Is there a county or areawide comprehensive plan adopted under the Municipalities Planning Code (53 P.S. 10101 *et seq.*)?
☒	☐	2.	Is this proposal consistent with the comprehensive plan for land use? See attached Act 247 review letter dated 12/31/19
☒	☐	3.	Does this proposal meet the goals and objectives of the plan? If no, describe goals and objectives that are not met ----
☒	☐	4.	Is this proposal consistent with the use, development, and protection of water resources? If no, describe inconsistency ----
☒	☐	5.	Is this proposal consistent with the county or areawide comprehensive land use planning relative to Prime Agricultural Land Preservation? If no, describe inconsistencies: ----
☐	☒	6.	Does this project propose encroachments, obstructions, or dams that will affect wetlands? If yes, describe impact ----
☐	☐	7.	Will any known historical or archeological resources be impacted by this project? PHMC determination If yes, describe impacts ----
☐	☐	8.	Will any known endangered or threatened species of plant or animal be impacted by the development project? See PNDI results
☐	☒	9.	Is there a county or areawide zoning ordinance?
☐	☐	10.	Does this proposal meet the zoning requirements of the ordinance? N/A If no, describe inconsistencies ----

Yes	No	SECTION C. AGENCY REVIEW (continued)
☐	☐	11. Have all applicable zoning approvals been obtained? N/A
☒	☐	12. Is there a county or areawide subdivision and land development ordinance? Not applicable to the City of Allentown
☐	☐	13. Does this proposal meet the requirements of the ordinance? N/A If no, describe which requirements are not met ----
☐	☐	14. Is this proposal consistent with the municipal Act 537 Official Sewage Facilities Plan? See municipal interpretation If no, describe inconsistency ----
☐	☒	15. Are there any wastewater disposal needs in the area adjacent to this proposal that should be considered by the municipality? If yes, describe ----
☐	☒	16. Has a waiver of the sewage facilities planning requirements been requested for the residual tract of this subdivision?
☐	☐	If yes, is the proposed waiver consistent with applicable ordinances. If no, describe the inconsistencies ----
☒	☐	17. Does the county have a stormwater management plan as required by the Stormwater Management Act?
☒	☐	If yes, will this project plan require the implementation of storm water management measures?

18. Name, Title and signature of person completing this section:

Name: Susan L. Rockwell

Title: Senior Environmental Planner Signature: S. L. Rockwell

Date: March 26, 2020

Name of County or Areawide Planning Agency: Lehigh Valley Planning Commission

Address: 961 Marcon Blvd, Suite 310, Allentown PA 18109

Telephone Number: 610-264-4544

SECTION D. ADDITIONAL COMMENTS (See Section D of instructions)

This Component does not limit county planning agencies from making additional comments concerning the relevancy of the proposed plan to other plans or ordinances. If additional comments are needed, attach additional sheets.

The county planning agency must complete this Component within 60 days.

This Component and any additional comments are to be returned to the applicant.

Lehigh Valley Planning Commission

STEPHEN REPASCH
Chair

GREG ZEBROWSKI
Vice Chair

STEVEN GLICKMAN
Treasurer

BECKY A. BRADLEY, AICP
Executive Director

Planning for the Future of Lehigh and Northampton Counties at 961 Marcon Blvd., Ste 310, Allentown, PA 18109 ■ (610) 264-4544 ■ lvpc@lvpc.org ■ www.lvpc.org

December 31, 2019

Irene Woodward, AICP, Director of Planning & Zoning
City of Allentown
435 Hamilton Street
Allentown, PA 18101

RE: The Waterfront Phase 2 – Land Use of Regional Significance
City of Allentown
Lehigh County

Dear Ms. Woodward:

The Lehigh Valley Planning Commission (LVPC) Comprehensive Planning Committee reviewed the development proposal at its December 17, 2019 meeting as a Land Use of Regional Significance under the *Comprehensive Plan: The Lehigh Valley...2030*.

The proposed development would construct a mixed-use development consisting of 179 apartments, 107,000 square feet of office space, 37,000 square feet of retail space, 35,000 square feet of restaurant space, and 80,000 square feet for a parking deck. The project qualifies as a Land Use of Regional Significance because it surpasses the threshold of 100,000 square feet of office space. The proposed site is located on American Parkway and Jordan Drive along the Lehigh River (parcel number 640746654819 1).

The proposal is generally consistent with the County Comprehensive Plan because it is located in an area designated for Urban Development. The LVPC notes previous reviews of "The Waterfront Phase 1" and reaffirms the comment found in the review letter dating April 1, 2013, regarding development within the floodway. The County Comprehensive Plan supports the redevelopment of the property within the floodway if adequate flood-proofing measures are taken to protect improvements and buildings from future flooding events.

The LVPC offers the following additional comments:

Bicycle and Pedestrian
The LVPC commends the applicant for the inclusion of pedestrian amenities throughout the site, such as sidewalks, crosswalks, and pedestrian signage. The crosswalk paving material will help increase driver awareness of pedestrian crossings and promote pedestrian safety. The plaza design emphasizes pedestrian-oriented access, and the addition of numerous bicycle stations strongly promotes multimodal transportation access to the development.

Landscaping and Active Recreation
The LVPC commends the applicant for incorporating native landscaping throughout the site, and for the inclusion of multiple pedestrian trails that run along the Lehigh River, through the stormwater detention basin, and connect to the sidewalk network and Jordan Drive. These design elements contribute aesthetically to the site, while also providing active recreation opportunities to visitors and residents. The

applicant should ensure seating benches, bump-outs, and other outdoor recreation amenities are included along the trails to further support public use and enjoyment of the trail and scenery.

Stormwater

The project site is located within the Catasauqua Creek watershed. This watershed has a fully implemented Act 167 Stormwater Management Ordinance. The LVPC has received a time extension from the applicant for the review of the project's stormwater management plan. A separate letter containing LVPC stormwater management comments will be sent upon completion of the stormwater review.

This proposal was submitted for review prior to the adoption of *FutureLV: The Regional Plan* – the new Bi-County Comprehensive Plan. Therefore, the review was conducted under the *Comprehensive Plan: The Lehigh Valley…2030. FutureLV* will be used to review the consistency of any future proposed ordinance amendments, subdivisions, developments or other items requiring county-level review under the Pennsylvania Municipalities Planning Code.

Our review does not include an in-depth examination of the plan relative to subdivision design standards or ordinance requirements since these items are covered in the municipal review.

In order to better meet the needs of all involved, the LVPC is now requiring an appointment for plan signings. Please call the office and ask for a Community Planning staff person. Generally, your appointment will be within two business days.

Sincerely,

Jillian Seitz
Senior Community Planner

cc: Craig Messinger, City of Allentown
Larry S. Turoscy, RS, Lehigh Engineering Associates, Inc.
Garrett Cook, Lehigh County Conservation District
Geoffrey Reese, LVPC
Darlene Heller, City of Bethlehem
Michael Gibson, Emmaus Borough
Christopher Bennick, Fountain Hill Borough
Thomas Beil, Lower Macungie Township
Mark Thomas, Hanover Township (LC)
Cynthis Sopka, Salisbury Township
George Kinney, South Whitehall Township
Lee Rackus, Whitehall Township

Public Notification

Waterfront A, LP is proposing a multi-use land development in the City of Allentown, Pennsylvania, entitled The Waterfront Phase II. This development is adjacent to The Waterfront Phase I and will include space for residential units, warehouse buildings, restaurants, office, and retail facilities. The site is 14.07 acres in size, located on Waterfront drive, between Tilghman Street, American Parkway, and the Lehigh River. The surrounding properties contain Phase I of The Waterfront Development, vacant land, and industrial properties. Phase II of this development will utilize existing public water and public sewer systems. At this time, the development is expected to generate 129,317 gal/day of sewage (323.3 EDU's). The reason for this notification is because this development will change the sewer flows to an existing treatment plan by more than 50,000 gallons/day. The public is hereby notified that they have 30 days from this date of publication to review and make comment on the proposed development. The plans and planning module can be reviewed at City Hall, located at 435 Hamilton St, Allentown, Pa 18101. Comments can be sent to the same address.

Please publish the above **"legal notice"** on March 29, 2020 or the next earliest available date. We will require a proof of publication. The bill and proof of publication should be sent to:

Waterfront A, LP
1519 W. Hamilton St
Allentown, Pa 18102
610-774-9511

Also, please forward an electronic copy of the proof of publication to Brian Gasda at bgasda@lehighengineering.com. Please contact either Brian Gasda or David Lear at Lehigh Engineering Associates, Inc. with any questions. Thank you. 610-767-8545

Pennsylvania Fish & Boat Commission

established 1866

Division of Environmental Services
Natural Diversity Section
595 E Rolling Ridge Dr.
Bellefonte, PA 16823
814-359-5237

March 16, 2020

IN REPLY REFER TO
SIR# 52637

Lehigh Engineering Associates, Inc.
Brian Gasda
499 Riverview Road
Walnutport, Pennsylvania 18088

RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species
PNDI Search No. 697960_1
Waterfront Phase 2
LEHIGH County: Allentown City

Dear Brian Gasda:

This responds to your inquiry about a Pennsylvania Natural Diversity Inventory (PNDI) Internet Database search "potential conflict" or a threatened and endangered species impact review. These projects are screened for potential conflicts with rare, candidate, threatened or endangered species under Pennsylvania Fish & Boat Commission jurisdiction (fish, reptiles, amphibians, aquatic invertebrates only) using the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files. These species of special concern are listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, and the Pennsylvania Fish & Boat Code (Chapter 75), or the Wildlife Code.

An element occurrence of a rare, candidate, threatened, or endangered species under our jurisdiction is known from the vicinity of the proposed project. However, given the nature of the proposed project, the immediate location, or the current status of the nearby element occurrence(s), no adverse impacts are expected to the species of special concern.

This response represents the most up-to-date summary of the PNDI data and our files and is valid for two (2) years from the date of this letter. An absence of recorded species information does not necessarily imply species absence. Our data files and the PNDI system are continuously being updated with species occurrence information. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered, and consultation shall be re-initiated.

If you have any questions regarding this review, please contact Kathy Gipe at 814-359-5186 and refer to the SIR # 52637. Thank you for your cooperation and attention to this important matter of species conservation and habitat protection.

Sincerely,

Christopher A. Urban, Chief
Natural Diversity Section

CAU/KDG/dn

Pennsylvania State Historic Preservation Office
PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

July 24, 2020

Mr. Zachary Jaindl
Waterfront Allentown, LP
1519 West Hamilton Street
Allentown, PA 18102

RE: ER 2020-1421-077-B; DEP: The Waterfront Phase 2; Allentown, Lehigh County; Additional Information

Dear Mr. Jaindl,

Thank you for submitting information concerning the above referenced project. The Pennsylvania State Historic Preservation Office (PA SHPO) reviews projects in accordance with state and federal laws. Section 106 of the National Historic Preservation Act of 1966, and the implementing regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation, is the primary federal legislation. The Environmental Rights amendment, Article 1, Section 27 of the Pennsylvania Constitution and the Pennsylvania History Code, 37 Pa. Cons. Stat. Section 500 et seq. (1988) is the primary state legislation. These laws include consideration of the project's potential effects on both historic and archaeological resources.

Archaeological Resources
Based on the information provided and available within our files, it is our opinion that no archaeological resources will be affected by the proposed project.

Above Ground Resources
Thank you for providing the information requested in our letter dated May 6, 2020. We understand that this review is specific to Phase 2 of the development project. We will address the items requested specific to Phase 1 in a separate letter (ER No. 2014-0398-077-L). Based on the additional information received, it is our opinion that the proposed project, which is specific to Phase 2 of the Waterfront Development, will not affect any above-ground historic buildings, structures, districts, and/or objects.

For questions concerning regarding archaeological resources, please contact Mark Shaffer at mshaffer@pa.gov or (717) 783-9900. If you need further information concerning above ground resources, please contact Emma Diehl at emdiehl@pa.gov or (717) 787-9121.

Sincerely,

Douglas C. McLearen, Chief
Division of Environmental Review

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION
2001 Elmerton Avenue
Harrisburg, PA 17110-9797
Wildlife Habitat Management
(717) 787-6818

August 25, 2020

Mr. Brian Gasda
Lehigh Engineering Associates, Inc.
499 Riverview Drive
P.O. Box 68
Walnutport, Pennsylvania 18088
bgasda@lehighengineering.com

PNDI Receipt File: *project_receipt_waterfront_phase_2_697960_FINAL_1.pdf*
Re: Waterfront Phase 2
City of Allentown, Lehigh County, Pennsylvania

Dear Mr. Gasda,

Thank you for submitting Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt *project_receipt_waterfront_phase_2_697960_FINAL_1.pdf* for review. The Pennsylvania Game Commission (PGC) screened this project for potential impacts to species and resources of concern under PGC responsibility, which includes birds and mammals only.

Potential Impact Anticipated
PNDI records indicate species or resources of concern are located in the vicinity of the project. The PGC has received and thoroughly reviewed the information that you provided to this office, as well as PNDI data, and has determined that potential impacts to the following threatened, endangered, and species of special concern birds and mammals may be associated with your project. Therefore, additional measures may be necessary to avoid potential impacts to the species listed below.

Scientific Name	Common Name	PA Status
Falco peregrinus	Peregrine Falcon	THREATENED

Next Steps

The PNDI review revealed the presence of a peregrine falcon nest located adjacent to the project area. Therefore, the following seasonal restriction should be incorporated into the project plans to ensure that impacts to the nesting pair are avoided:

- All project-related activities that are located within 1,000' of the Tilghman Street Bridge should occur outside of peregrine falcon nesting season, between August 1 and February 14. No activities are to be completed between February 15 through July 31. If this cannot

be incorporated into the project plans, additional coordination with the PGC will be required.

This response represents the most up-to-date summary of the PNDI data files and is valid for two (2) years from the date of this letter. An absence of recorded information does not necessarily imply actual conditions on site. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered.

Should the proposed work continue beyond the period covered by this letter, please resubmit the project to this agency as an "Update" (including an updated PNDI receipt, project narrative and accurate map). If the proposed work has not changed and no additional information concerning listed species is found, the project will be cleared for PNDI requirements under this agency for two additional years.

This finding applies to impacts to birds and mammals only. To complete your review of state and federally-listed threatened and endangered species and species of special concern, please be sure that the U.S. Fish and Wildlife Service, the PA Department of Conservation and Natural Resources, and/or the PA Fish and Boat Commission have been contacted regarding this project as directed by the online PNDI ER Tool found at www.naturalheritage.state.pa.us.

Sincerely,

Olivia A. Braun
Environmental Planner
Division of Environmental Planning & Habitat Protection
Bureau of Wildlife Habitat Management
Phone: 717-787-4250, Extension 73128
Fax: 717-787-6957
E-mail: Olbraun@pa.gov

A PNHP Partner

Pennsylvania Natural Heritage Program

OAB/oab

cc: Schnupp
Brauning
Murphy
Barber
Librandi Mumma

McMorris
Metz
Morgan
File

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION
2001 Elmerton Avenue
Harrisburg, PA 17110-9797
Wildlife Habitat Management
(717) 787-6818

August 25, 2020

Mr. Brian Gasda
Lehigh Engineering Associates, Inc.
499 Riverview Drive
P.O. Box 68
Walnutport, Pennsylvania 18088
bgasda@lehighengineering.com

PNDI Receipt File: *project_receipt_waterfront_phase_2_697960_FINAL_1.pdf*
Re: Waterfront Phase 2
City of Allentown, Lehigh County, Pennsylvania

Dear Mr. Gasda,

Thank you for submitting Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt *project_receipt_waterfront_phase_2_697960_FINAL_1.pdf* for review. The Pennsylvania Game Commission (PGC) screened this project for potential impacts to species and resources of concern under PGC responsibility, which includes birds and mammals only.

Potential Impact Anticipated

PNDI records indicate species or resources of concern are located in the vicinity of the project. The PGC has received and thoroughly reviewed the information that you provided to this office, as well as PNDI data, and has determined that potential impacts to the following threatened, endangered, and species of special concern birds and mammals may be associated with your project. Therefore, additional measures may be necessary to avoid potential impacts to the species listed below.

Scientific Name	Common Name	PA Status
Falco peregrinus	Peregrine Falcon	THREATENED

Next Steps

The PNDI review revealed the presence of a peregrine falcon nest located adjacent to the project area. Therefore, the following seasonal restriction should be incorporated into the project plans to ensure that impacts to the nesting pair are avoided:

- All project-related activities that are located within 1,000' of the Tilghman Street Bridge should occur outside of peregrine falcon nesting season, between August 1 and February 14. No activities are to be completed between February 15 through July 31. If this cannot

be incorporated into the project plans, additional coordination with the PGC will be required.

This response represents the most up-to-date summary of the PNDI data files and is valid for two (2) years from the date of this letter. An absence of recorded information does not necessarily imply actual conditions on site. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered.

Should the proposed work continue beyond the period covered by this letter, please resubmit the project to this agency as an "Update" (including an updated PNDI receipt, project narrative and accurate map). If the proposed work has not changed and no additional information concerning listed species is found, the project will be cleared for PNDI requirements under this agency for two additional years.

This finding applies to impacts to birds and mammals only. To complete your review of state and federally-listed threatened and endangered species and species of special concern, please be sure that the U.S. Fish and Wildlife Service, the PA Department of Conservation and Natural Resources, and/or the PA Fish and Boat Commission have been contacted regarding this project as directed by the online PNDI ER Tool found at www.naturalheritage.state.pa.us.

Sincerely,

Olivia A. Braun
Environmental Planner
Division of Environmental Planning & Habitat Protection
Bureau of Wildlife Habitat Management
Phone: 717-787-4250, Extension 73128
Fax: 717-787-6957
E-mail: Olbraun@pa.gov

A PNHP Partner

Pennsylvania Natural Heritage Program

OAB/oab

cc: Schnupp
Brauning
Murphy
Barber
Librandi Mumma

McMorris
Metz
Morgan
File

Pennsylvania State Historic Preservation Office
PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

July 24, 2020

Mr. Zachary Jaindl
Waterfront Allentown, LP
1519 West Hamilton Street
Allentown, PA 18102

RE: ER 2020-1421-077-B; DEP: The Waterfront Phase 2; Allentown, Lehigh County; Additional Information

Dear Mr. Jaindl,

Thank you for submitting information concerning the above referenced project. The Pennsylvania State Historic Preservation Office (PA SHPO) reviews projects in accordance with state and federal laws. Section 106 of the National Historic Preservation Act of 1966, and the implementing regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation, is the primary federal legislation. The Environmental Rights amendment, Article 1, Section 27 of the Pennsylvania Constitution and the Pennsylvania History Code, 37 Pa. Cons. Stat. Section 500 et seq. (1988) is the primary state legislation. These laws include consideration of the project's potential effects on both historic and archaeological resources.

Archaeological Resources
Based on the information provided and available within our files, it is our opinion that no archaeological resources will be affected by the proposed project.

Above Ground Resources
Thank you for providing the information requested in our letter dated May 6, 2020. We understand that this review is specific to Phase 2 of the development project. We will address the items requested specific to Phase 1 in a separate letter (ER No: 2014-0398-077-L). Based on the additional information received, it is our opinion that the proposed project, which is specific to Phase 2 of the Waterfront Development, will not affect any above-ground historic buildings, structures, districts, and/or objects.

For questions concerning regarding archaeological resources, please contact Mark Shaffer at mshaffer@pa.gov or (717) 783-9900. If you need further information concerning above ground resources, please contact Emma Diehl at emdiehl@pa.gov or (717) 787-9121.

Sincerely,

Douglas C. McLearen, Chief
Division of Environmental Review

Pennsylvania Fish & Boat Commission

established 1866

Division of Environmental Services
Natural Diversity Section
595 E Rolling Ridge Dr.
Bellefonte, PA 16823
814-359-5237

March 16, 2020

IN REPLY REFER TO
SIR# 52637

Lehigh Engineering Associates, Inc.
Brian Gasda
499 Riverview Road
Walnutport, Pennsylvania 18088

RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species
PNDI Search No. 697960_1
Waterfront Phase 2
LEHIGH County: Allentown City

Dear Brian Gasda:

This responds to your inquiry about a Pennsylvania Natural Diversity Inventory (PNDI) Internet Database search "potential conflict" or a threatened and endangered species impact review. These projects are screened for potential conflicts with rare, candidate, threatened or endangered species under Pennsylvania Fish & Boat Commission jurisdiction (fish, reptiles, amphibians, aquatic invertebrates only) using the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files. These species of special concern are listed under the Endangered Species Act of 1973, the Wild Resource Conservation Act, and the Pennsylvania Fish & Boat Code (Chapter 75), or the Wildlife Code.

An element occurrence of a rare, candidate, threatened, or endangered species under our jurisdiction is known from the vicinity of the proposed project. However, given the nature of the proposed project, the immediate location, or the current status of the nearby element occurrence(s), no adverse impacts are expected to the species of special concern.

This response represents the most up-to-date summary of the PNDI data and our files and is valid for two (2) years from the date of this letter. An absence of recorded species information does not necessarily imply species absence. Our data files and the PNDI system are continuously being updated with species occurrence information. Should project plans change or additional information on listed or proposed species become available, this determination may be reconsidered, and consultation shall be re-initiated.

If you have any questions regarding this review, please contact Kathy Gipe at 814-359-5186 and refer to the SIR # 52637. Thank you for your cooperation and attention to this important matter of species conservation and habitat protection.

Sincerely,

Christopher A. Urban, Chief
Natural Diversity Section

CAU/KDG/dn