

DECLARATION OF COVENANTS
(Stormwater Management)

THIS DECLARATION OF COVENANTS is made this _____ day of _____, 2017, by Curtis E. Shambaugh and Darlene M. Shambaugh (the “Grantors”), with a mailing address of 1541 River Road, Drumore, Pennsylvania, 17518.

WITNESSETH:

WHEREAS, the Grantors are the owner of certain property in Drumore Township, Lancaster County, Pennsylvania, known as 1541 River Road, Parcel Number 1703453400000, and recorded in the Office of the Recorder of Deeds at Deed Book 5703, page 0063 (the “Property”);

WHEREAS, the Property is included within the boundary of an Erosion and Sediment Control Permit issued to Transcontinental Gas Pipe Line Company, LLC (“Transco”) from the Pennsylvania Department of Environmental Protection (E&S Permit No. [REDACTED]), which identifies certain post construction stormwater management best practices (“PCSM BMPs”) on the Property;

WHEREAS, as required by the regulations of the Pennsylvania Department of Environmental Protection at 25 Pa. Code § 102.8, an instrument must be filed with the Office of the Recorder of Deeds to assure disclosure of the PCSM BMPs and the related obligations in the ordinary course of a title search of the Property.

NOW THEREFORE, in consideration of the Department’s regulations, and intending to be legally bound, the Grantors covenant, agree, and declare as follows:

1. Identification of PCSM BMPs. The Property contains post construction stormwater management best management practices. The PCSM BMPs used on the Property include the following:

- a. Infiltration Basin.
- b. Protection of Sensitive and Special Value Features.
- c. Landscape Restoration.
- d. Vegetated Swale.

The location of the PCSM BMPs is depicted on Transco’s PCSM Plan for the Property, an excerpt of which is attached as Exhibit A.

2. Responsibility for and disclosure of obligations related to the long-term operation and maintenance of the PCSM BMPs. From and after the date of this Declaration, Transco or its agent is responsible for the routine inspection, maintenance, repair or replacement of the PCSM BMPs to ensure proper function of the PCSM BMPs. The operation and

maintenance obligations for each PCSM BMP are described in Transco's PCSM Plan Narrative for the Property, an excerpt of which is attached as Exhibit B.

3. Agreement to provide access for long-term operation and maintenance of the PCSM BMPs. The Grantors agree to provide Transco or its agent access to the Property for the long-term operation and maintenance of the PCSM BMPs.

4. Covenant that runs with the land. This declaration is a covenant that runs with the land on which the PCSM BMPs are located. The covenant is binding upon and enforceable by subsequent grantees of the land on which the PCSM BMPs are located.

5. Amendment or termination of this Declaration.

a. This Declaration may be amended or terminated based on a change in the law or regulations governing post construction stormwater management best management practices, or in accordance with Paragraph 5.b or 5.c of this Declaration.

b. This Declaration may be amended or terminated with the approval of the Pennsylvania Department of Environmental Protection or its delegate and the then current owner of the Property.

c. This Declaration will be terminated without further action to the extent that the PCSM BMPs are removed pursuant to a subsequent permit or authorization from the Pennsylvania Department of Environmental Protection or its delegate.

IN WITNESS WHEREOF, the Grantors have caused this Declaration to be signed the date and year first above written.

By: _____
Curtis E. Shambaugh

By: _____
Darlene M. Shambaugh

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____

On this, the ____ day of _____, 20____, before me a Notary Public, personally appeared **Curtis E. Shambaugh**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing document, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF _____

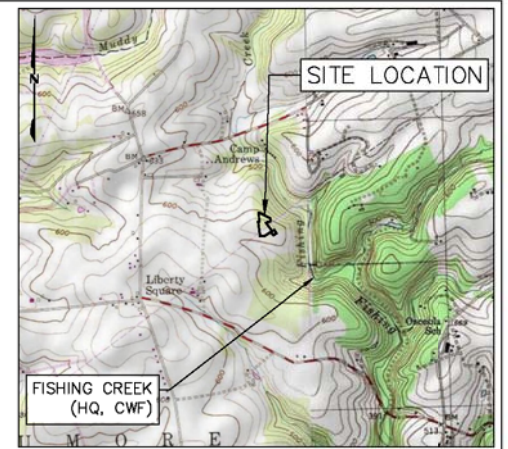
On this, the ____ day of _____, 20____, before me a Notary Public, personally appeared **Darlene M. Shambaugh**, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing document, and acknowledged that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

Notary Public

DRAFT

EXHIBIT A



LOCATION MAP

USGS HOLTWOOD QUADRANGLE
SCALE: 1"=2,000'

SITE SOIL TYPES

CbB	CHESTER SILT LOAM, 3 TO 8 PERCENT SLOPES
GbB	GLENELG SILT LOAM, 3 TO 8 PERCENT SLOPES
GbC	GLENELG SILT LOAM, 8 TO 15 PERCENT SLOPES
MbD	MANOR VERY STONY SILT LOAM, 8 TO 25 PERCENT SLOPES

RECEIVING WATERS

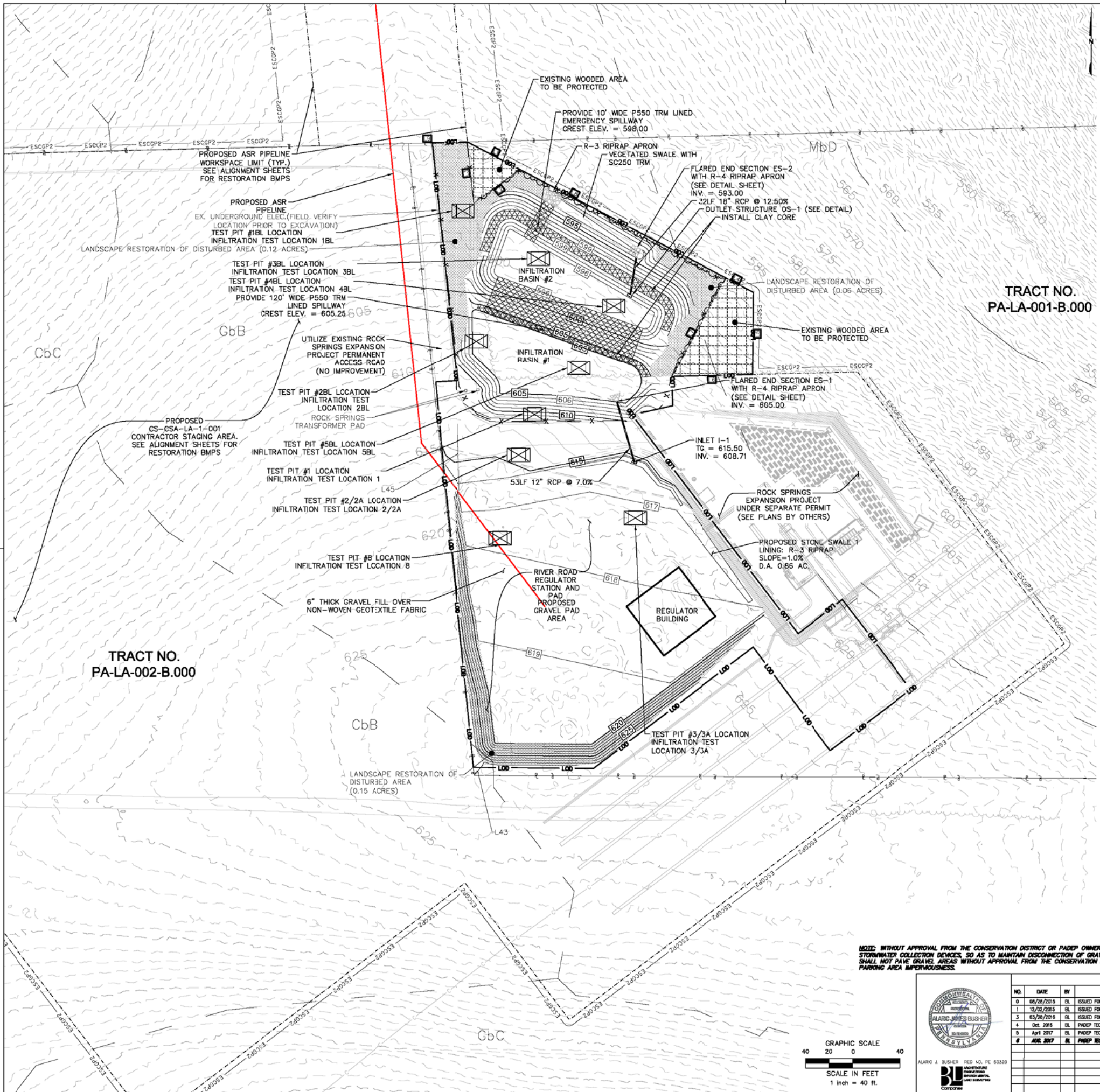
TO FISHING CREEK HQ, CWF
APPROXIMATE DISTANCE FROM SITE TO FISHING CREEK:
±550 FT (EAST)

ESCCP-2 PERMIT TABLE

LIMIT OF PERMIT BOUNDARY/STUDY AREA	2.59
LIMIT OF DISTURBANCE	2.59
AREA OF PROTECTED/SENSITIVE VALUE FEATURES	0.00
AREA OF RIPARIAN FOREST BUFFER PROTECTION	0.00
AREA OF MINIMUM DISTURBANCE/REDUCED GRADING	0.00
IMPERVIOUS AREA (ACCESS ROADS & PAD)	1.07
DISTURBED AREA CONTROLLED BY BMPs	2.40

PROPOSED FEATURES

- PROPOSED MAJOR CONTOUR (5' INTERVAL)
- PROPOSED MINOR CONTOUR (1' INTERVAL)
- LIMIT OF DISTURBANCE (RIVER ROAD REGULATOR STATION)
- LIMIT OF WORKSPACE (OVERALL PIPELINE PROJECT)
- ESCCP-2 PERMIT BOUNDARY
- ORANGE CONSTRUCTION FENCE
- CENTERLINE GAS PIPELINE
- UNDERGROUND DETENTION FACILITY LIMITS
- ROCK OUTLET/RIPRAP APRON
- LANDSCAPE RESTORATION AREA
- WOODLANDS PROTECTED AREA
- TEST PIT LOCATION
- INFILTRATION TEST LOCATION
- EXISTING MAJOR CONTOUR (10' INTERVAL)
- EXISTING MINOR CONTOUR (2' INTERVAL)
- CLAY CORE LIMITS
- TRM LINING
- PROPOSED TREELINE
- SWALE LINING



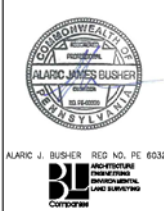
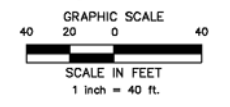
TRACT NO. PA-LA-001-B.000

TRACT NO. PA-LA-002-B.000

PCSM PROTECTED AREA

Line #	Length	Direction
L1	49.98	S62° 15' 56.00"E
L2	48.13	S53° 55' 15.79"W
L3	51.88	N5° 54' 35.31"W
L4	28.64	S62° 15' 56.00"E
L5	69.58	S0° 36' 08.00"W
L6	88.36	S88° 39' 45.24"W
L7	95.15	N28° 33' 56.49"E
L8	195.88	S62° 15' 56.00"E
L9	50.11	N88° 33' 04.00"E

NOTES: WITHOUT APPROVAL FROM THE CONSERVATION DISTRICT OR PADEP OWNER/OPERATOR SHALL NOT INSTALL INLETS OR OTHER STORMWATER COLLECTION DEVICES, SO AS TO MAINTAIN DISCONNECTION OF GRAVEL AREAS FROM STORM SEWERS. OWNER/OPERATOR SHALL NOT PAVE GRAVEL AREAS WITHOUT APPROVAL FROM THE CONSERVATION DISTRICT OR PADEP, SO AS TO MAINTAIN REDUCED PARKING AREA IMPERVIOUSNESS.



REVISIONS

NO.	DATE	BY	DESCRIPTION	NO.	CHK.	APP.
0	08/28/2015	BL	ISSUED FOR PADEP SUBMITTAL	NO1161509	DAK	AJB
1	12/02/2015	BL	ISSUED FOR PADEP RESUBMITTAL	NO1161509	DAK	AJB
3	03/28/2016	BL	ISSUED FOR PADEP RESUBMITTAL	NO1161509	AJB	AJB
4	Oct. 2016	BL	PADEP TECHNICAL DEFICIENCY RESPONSE #1	NO1161509	AJB	AJB
5	April 2017	BL	PADEP TECHNICAL DEFICIENCY RESPONSE #2	NO1161509	AJB	AJB
6	APRIL 2017	BL	PADEP TECHNICAL DEFICIENCY RESPONSE #3	NO1161509	AJB	AJB

TRANSCONTINENTAL GAS PIPE LINE COMPANY, LLC
ATLANTIC SUNRISE PROJECT- PROPOSED 42" NATURAL GAS PIPELINE
POST CONSTRUCTION STORMWATER MANAGEMENT PLANS
FOR RIVER ROAD REGULATOR STATION
DRUMORE TOWNSHIP, LANCASTER COUNTY, PENNSYLVANIA
POST CONSTRUCTION STORMWATER MANAGEMENT PLAN

William's

DRAWN BY: JEC	DATE: 04/03/15	ISSUED FOR BID:	SCALE: AS NOTED
CHECKED BY: AJB	DATE: 04/03/15	ISSUED FOR CONSTRUCTION:	REVISION: #
APPROVED BY: AJB	DATE: 07/17/15	DRAWING NUMBER: (92-3400)VF-1A-9	SHEET 3 OF 6

WC: 1161509

Drawn By & Date/Time: hthomas Jul 25, 2017 10:16am
Drawing Location & Name: G:\JOB514\14C\14C4909\DWG\020-CP\US\PRS_PCSM14C4909(205)_RIVER.dwg

EXHIBIT B

24. Remove and properly dispose/recycle E&SC BMPs. Remove orange construction fence. repair and permanently stabilize areas disturbed during E&SC BMP removal upon establishment of uniform 70% vegetative cover.

*** indicates a critical stage of PCSM installation to be observed by a licensed professional or designee. Contractor to provide three working days' notice to Design Engineer.**

1.8 Supporting Calculations

Supporting calculations are included in Appendix A.

1.9 Plan Drawings

PCSM/SR Plans, including sensitive resource mapping, are included in **Section 3 of the ESCGP-2 NOI**.

1.10 Long Term Operation and Maintenance Schedule

Monitoring

Transco's personnel (Operations) will perform visual inspections on a regular basis as specified by the individual operation and maintenance schedule described for each BMP after permit closure, by qualified personnel, trained and experienced in PCSM/SR, to ascertain that the BMPs are functioning and operating effectively to ensure River Road Regulator Station are causing no undue burden on the property owner or adjacent owners. Repairs of deficiencies will be initiated within ten business days of discovery. Frequency of inspections will vary by BMP, as indicated, below.

Maintenance

The Contractor will be responsible for the maintenance of the system during construction. After construction, the stormwater management facilities will be owned and maintained by the Permittee.

Where maintenance of the storm system after acceptance by the Owner will primarily consist of routine cleaning of accumulated sediment and debris by facility staff or private contractors, the specific maintenance steps and schedule are listed below:

1. Infiltration Facility - Items removed during maintenance activities will be disposed of in a manner consistent with the ESCGP-2 requirements. Compaction of the basin bottom shall be prevented.
 - Annually - Inspect and correct problems, damage to vegetation, and inspect for sediment and debris accumulation, if found, remove debris and restore to design grades. Inspect grass along side slopes for erosion, rills, or gullies, & correct if observed. Mow and trim vegetation to ensure safety or to suppress weeds and invasive vegetation. Inspect for pools of standing water; if found dewater & discharge to an approved location, restore to design grade. Inspect for uniformity in cross-section & longitudinal slope, correct as needed. Inspect soil & repair settled areas to design grade, remove litter and debris.
 - Annually or after a rainfall event of 1" or more – Monitor drawdown. If drawdown exceeds 72 hours, contact design engineer to initiate corrective action.
 - As needed - Inspect outlet control devices after every major rainfall event (>1 in.) to ensure free flow. If outfall is blocked, remove debris.
2. Landscape Restoration
 - At all times – Restrict vehicle access. Assign responsibilities for watering, weeding, mowing and maintenance.
 - Annually – Inspect area for growth and potential problems. Mow, weed and reseed as needed for meadow establishment.
3. Vegetated Swale
 - As needed
 - Plant alternative grass species in the event of unsuccessful establishment
 - Reseed bare areas; install appropriate erosion control measures when native soil is exposed or erosion channels are forming
 - Water during dry periods, fertilize and apply pesticide only when absolutely necessary
 - Annually and within 48 hours of a rainfall event of 1" or more
 - Inspect and correct erosion problems, damage to vegetation and sediment and debris accumulation
 - Inspect vegetation on side slopes for erosion and formation of rills or gullies, correct as needed
 - Inspect for pools of standing water; dewater and discharge to an approved location and restore to design grade
 - Mow and trim vegetation to ensure safety, aesthetics, proper swale operation or to suppress weeds and invasive vegetation; dispose of

- cuttings in a local composting facility; mow only when swale is dry to avoid rutting.
 - Inspect for litter; remove prior to mowing
 - Inspect for uniformity in cross-section and longitudinal slope, correct as needed.
 - Inspect swale inlet and outlet for signs of erosion or blockage, correct as needed
 - Annually-Spring
 - Inspect swale immediately after the spring melt, remove residuals (e.g. sand) and replace damaged vegetation without disturbing remaining vegetation
 - If roadside or parking lot runoff is directed in the swale, mulching and/or soil aeration/manipulation may be required in the spring to restore soil structure and moisture capacity and to reduce the impacts of deicing agents
 - Use nontoxic, organic deicing agents, applied either as blended, magnesium chloride-based liquid products or as pretreated salt.
 - Use salt-tolerant vegetation in swales
4. Protect Sensitive/Special Value Features
- Biannually – Inspect and ensure protected areas remain undisturbed after construction activities cease.
5. Annual Records of Maintenance Procedures

The facility shall maintain a checklist whenever the BMPs are inspected and cleaned. An annual list of inspections and major cleaning operations and repairs (pumping, sweeping parking lots, cleaning catch basin, etc.) shall be maintained. The local CCD or enforcement officials shall have access to those records.

6. ESCGP-2

The facility Owner and Operator shall ensure compliance with ESCGP-2 requirements by meeting all ongoing record, keeping maintenance, and other applicable ESCGP-2 and PADEP permit conditions including long term operation and maintenance requirements listed on sheets 4 and 6 of the PCSM plan drawings.

1.11 Material Recycling and Disposal

Transco has prepared a Spill Plan for Oil and Hazardous Materials to assist in prevention of any spills that may occur at the Site and to respond to any spills that do