



NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) DISCHARGES OF STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES RIPARIAN BUFFER MODULE 4

Applicant: Orchard BJK Company, LLC.

Project Site Name: Pocono Mountains Corporate Center
North Warehouse

Surface Water Name(s): Duckpuddle Run

Surface Water Use(s): HQ-CWF, MF

APPLICABILITY INFORMATION

Permit Type: Individual NPDES Permit Erosion and Sediment Control (E&S) Permit

Check the appropriate box if the project is characterized by any of the following exceptions in 25 Pa. Code § 102.14(d)(1):

- Road maintenance activities where any existing riparian buffer will be undisturbed to the extent practicable.
- Repair and maintenance of existing pipelines and utilities where any existing buffer will be undisturbed to the extent practicable.
- Oil and gas, timber harvesting, or mining activities for which site reclamation or restoration is part of the permit authorization in Chapters 78, 86-90 and 102 where any existing buffer will be undisturbed to the extent practicable.
- A single-family home that is not part of a larger common plan of development or sale and the parcel was acquired by the applicant prior to November 19, 2010.
- Activities authorized by a DEP permit under other regulations which contain setback requirements and the activity complies with those setback requirements.

Check the appropriate box if the project is characterized by any of the following allowed or allowable activities in 25 Pa. Code §§ 102.14(f)(2) and (3):

- Activities or practices used to maintain the riparian buffer including the disturbance of existing vegetation, and tree and shrub removal, as needed to allow for natural succession of native vegetation and protection of public health and safety.
- Timber harvesting activities in accordance with the riparian forest buffer management plan as part of the PCSM Plan.
- Passive or low impact recreational activities so long as the functioning of the riparian buffer is maintained.
- Emergency response and other similar activities.
- Research and data collection activities, which may include water quality monitoring and stream gauging.
- Construction or placement of roads, bridges, trails, storm drainage, utilities or other structures that has been or is expected to be authorized by DEP.
- Water obstructions or encroachments that have been or are expected to be authorized by DEP.
- Restoration projects that have been or are expected to be authorized by DEP.

RIPARIAN BUFFER OR RIPARIAN FOREST BUFFER INFORMATION

1. Will earth disturbance activities occur within 150 feet of a perennial or intermittent stream, creek, lake, pond or reservoir with a designated use of High Quality Waters (HQ) or Exceptional Value Waters (EV)?

Yes No

If Yes to question #1, identify the option selected by the applicant to meet the requirements of 25 Pa. Code § 102.14(a)(1) or Act 162 of 2014:

- A 150-foot (min.) riparian buffer or riparian forest buffer will be implemented (*Individual NPDES Permits Only*).
- An equivalency demonstration will be conducted (*Individual NPDES Permits Only*).
- Applicant is seeking a waiver (*E&S Permits Only*).

2. Will the project site exist within 150 feet of a perennial or intermittent stream, creek, lake, pond or reservoir with a designated use of High Quality Waters (HQ) or Exceptional Value Waters (EV) where the use is not being attained (i.e., water is impaired)?

Yes No

If Yes to question #2, identify the option selected by the applicant to meet the requirements of 25 Pa. Code § 102.14(a)(2) or Act 162 of 2014:

- A 150-foot (min.) riparian forest buffer will be implemented (maintained, converted or established).
- An equivalency demonstration to a riparian forest buffer will be conducted (*Individual NPDES Permits Only*).
- Applicant is seeking a waiver (*E&S Permits Only*).

3. Species that will be planted: _____

4. Average minimum widths: Zone 1: _____ ft Zone 2: _____ ft

5. Buffer linear length: _____ ft

6. A riparian forest buffer management plan has been included in the PCSM Plan for the project.

7. The buffer will be protected in perpetuity by: Deed restriction Conservation easement
 Other: _____

EQUIVALENCY DEMONSTRATION

Worksheets 12 and 13 from DEP's Pennsylvania Stormwater BMP Manual (363-0300-002) and Worksheets 14 and 15 from DEP's Riparian Buffer or Riparian Forest Buffer Equivalency Demonstration (310-2135-002) have been completed and are attached to this module and demonstrate that proposed PCSM BMPs will provide equivalent or better pollutant load reductions as a riparian buffer or riparian forest buffer.

The Checklist for Functional Equivalency of Riparian Buffers and Riparian Forest Buffers as contained in DEP's Riparian Buffer or Riparian Forest Buffer Equivalency Demonstration (310-2135-002) is attached to this module.

Will there be any earth disturbance within 100 feet of a surface water (as defined in 25 Pa. Code § 102.1)?

Yes No

If Yes, complete the Riparian Forest Buffer Offset Information section. If No, skip to the Certification section.

RIPARIAN FOREST BUFFER OFFSET INFORMATION

1. Area that must be offset (show on PCSM Plan Drawing): _____ acre(s)

2. Proposed offset area (show on PCSM Plan Drawing): _____ acre(s)

3. Ch. 93 Drainage List of Project Site Waters: _____

4. Ch. 93 Drainage List of Offset Site Waters: _____ Name of Offset Site Waters: _____

5. Offset Property Owner Name and Address: _____

Authorization to implement a new riparian forest buffer at the offset site has been provided and is attached.

A Plan showing the location of the offset site and the buffer extent and an implementation plan are attached.

6. Species that will be planted: _____

7. Average minimum widths: Zone 1: _____ ft Zone 2: _____ ft

8. Buffer linear length: _____ ft

9. A riparian forest buffer management plan has been included in the PCSM Plan for the project.

10. The buffer will be protected in perpetuity by: Deed restriction Conservation easement
 Other: _____

WAIVER INFORMATION

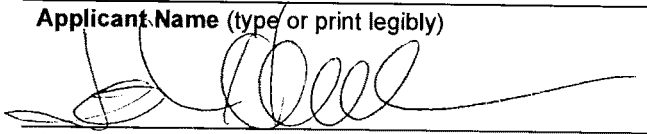
1. The project qualifies for the following waiver(s) under 25 Pa. Code § 102.14(d)(2):
- The project is necessary to abate a substantial threat to public health or safety.
 - The project is a linear project including pipelines, public roadways, rail lines or utility lines.
 - The project is an abandoned mine reclamation activity that will be conducted under a DEP authorization or permit.
 - The project is a redevelopment project which may include brownfields or use of other vacant land and property within a developed area for further construction or development.
 - Compliance with 25 Pa. Code §§ 102.14(a) or (b) is not appropriate or feasible due to site characteristics or existing structures at the project site.
2. An alternatives analysis is attached.
3. Existing riparian buffers will be preserved to the extent practicable.

CERTIFICATION

I certify under penalty of law and subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities) that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

John Herman

Applicant Name (type or print legibly)



Applicant Signature

President

Official Title

12/10/21

Date Signed