



**August 22, 2017**

Mr. Richard D. Wilson  
Arcadia Tredyffrin, LLC  
114 Forest Avenue, Suite 201  
Narberth, PA 19072

Re: Water Obstruction and Encroachment  
Permit No. E15-855  
The Wayne Glen Residential Development Project  
APS No. 863577, AUTH No. 1060943  
Tredyffrin Township  
Chester County

Dear Mr. Wilson:

Enclosed is your State Water Obstruction and Encroachment Permit. Please review the permit so that you are aware of the extent of authorization and the conditions that apply.

Please be advised this permit does not have Federal authorization for this project and such authorization is required prior to starting your project. We encourage you to contact the U.S. Army Corps of Engineers, 215.656.6728, concerning any Federal permits or approvals you may also need.

Prior to the commencement of construction, the enclosed *Acknowledgment of Notification of Permit Conditions* must be completed and signed by the permittee and an individual responsible for the supervision or control of the construction work acknowledging and accepting the general and special conditions, if any, contained in the permit. Unless the signed *Acknowledgment of Notification of Permit Conditions* is submitted to this office, the permit is void.

Also, a copy of both the permit and the *Acknowledgment of Notification of Permit Conditions* must be available at the work site for inspection upon request by any officer or agent of DEP or any other Federal, State, County, and Municipal agency.

Finally, the Completion Report form must be signed by you and the supervising engineer indicating that the work has been completed as approved. The Completion Report must be submitted to this office within 30 days of the completion of the approved project.

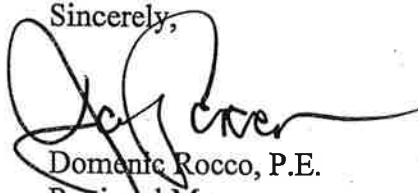
Mr. Richard D. Wilson

- 2 -

August 22, 2017

If you have any questions concerning this matter, please call Mr. Govind Daryani, P.E., at the telephone number located in the first page footer.

Sincerely,

A handwritten signature in black ink, appearing to read "Domenic Rocco", written over the word "Sincerely,".

Domenic Rocco, P.E.  
Regional Manager  
Waterways and Wetlands

Enclosure

cc: U.S. Army Corps of Engineers  
Mr. Kissinger - Pennoni Associates, Inc.  
Mr. Daryani, P.E.  
Mr. Oseredzuk  
Re 30 (GJS17WAW)216-1

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
SOUTHEAST REGIONAL OFFICE  
WATERWAYS AND WETLANDS

**WATER OBSTRUCTION AND ENCROACHMENT PERMIT**

The Department of Environmental Protection ("DEP"), established by the Act of December 3, 1970, P.L. 834 (71 P.S. §§ 510-1 et seq.) and empowered to exercise certain powers and perform certain duties under and by virtue of the Act of November 26, 1978, P.L. 1375, as amended by the Act of October 23, 1979, P.L. 204 (32 P.S. §§ 693.1 et seq.) known as the "Dam Safety and Encroachments Act"; Act of October 4, 1978, P.L. 851 (32 P.S. §§ 679.101 et seq.) known as the "Flood Plain Management Act"; Act of June 22, 1937, P.L. 1987 (35 P.S. §§ 691.1 et seq.) known as the "Clean Streams Law"; and the Administrative Code, Act of April 9, 1929, P.L. 177, as amended, which empowers DEP to exercise certain powers and perform certain duties by law vested in and imposed upon the Water Supply Commission of Pennsylvania and the Water and Power Resources Board, hereby issues this permit to:

**Arcadia Tredyffrin, LLC  
114 Forest Avenue, Suite 201  
Narberth, PA 19072**

**giving its consent to construct and maintain a new roadway culvert of approximate size 36 feet span x 9-foot high conspan culvert system situated along the Unnamed Tributary to Trout Creek (WWF) and measuring approximately 80 feet in length associated with the regional stormwater detention basin for the new residential development project. The project also includes the filling of a small isolated wetland. The proposed detention basin, stream restoration, and jurisdictional dam is approved under Dam Permit (D15-422) by Central Office. The site is located at the southwest corner of Walker and Old Eagle School Roads (Valley Forge, PA, Quadrangle Latitude: 40.0833, Longitude: -75.4189) in Tredyffrin Township, Chester County.**

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

If this work is not completed on or before the **31st day of December A.D. 2020**, this permit, if not previously revoked or specifically extended by DEP, in writing, shall become void without further notification.

This permit is issued in response to an application filed with DEP on the **5th day of February A.D. 2015**, and with the understanding that the work shall be performed in accordance with the maps, plans, profiles, and specifications filed with and made a part of the application on **September 28, December 1, 2016, and July 27, 2017**, subject, however, to the provisions of the Dam Safety and Encroachments Act, the Flood Plain Management Act, the Clean Streams Law, the Administrative Code, the Rules and Regulations promulgated thereunder and the following conditions and restrictions:

1. The permittee shall sign the *Acknowledgement of Notification of Permit Conditions* thereby expressly certifying the permittee's acceptance of, and agreement to comply with, the terms and

conditions of this permit. The permittee shall return a signed copy of the *Acknowledgement of Notification of Permit Conditions* to DEP. Unless the *Acknowledgement of Notification of Permit Conditions* form is completed and filed with DEP, this permit is void.

2. DEP, in issuing this permit, has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and DEP may, in addition, institute appropriate legal proceedings.

3. This permit does not give any property rights, either in real estate or material, nor any exclusive privileges, nor shall it be construed to grant or confer any right, title, easement, or interest in, to, or over any land belonging to the Commonwealth of Pennsylvania; neither does it authorize any injury to private property or invasion of private rights, nor any infringement of Federal, State, or Local laws or regulations; nor does it obviate the necessity of obtaining Federal assent when necessary.

4. The work shall, at all times, be subject to supervision and inspection by representatives of DEP, and no changes in the maps, plans, profiles, and specifications as approved shall be made except with the written consent of DEP. DEP, however, reserves the right to require such changes or modifications in the maps, plans, profiles, and specifications as may be considered necessary. DEP further reserves the right to suspend or revoke this permit if in its opinion the best interest of the Commonwealth will be subserved thereby.

5. This permit authorizes the construction, operation, maintenance, and normal repair of the permitted structures conducted within the original specifications for the water obstruction or encroachment, and in accordance with the regulations of DEP and terms and conditions of this permit. Any repairs or maintenance involving modifications of the water obstruction or encroachment from its original specifications, and any repairs or reconstruction involving a substantial portion of the structure as defined by regulations of DEP shall require the prior written approval and permit of DEP.

6. Waste materials, scrap, or excess construction materials may not be disposed of in any watercourse, floodway or body of water, but shall be collected, stored, and disposed of in accordance with the Solid Waste Management Act (35 P.S. §§ 6018.101-6018.1003), the Municipal Waste, Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101-4000.1904), the Clean Streams Law (35 P.S. §§ 691.1-691.1001) and related rules and regulations.

7. There shall be no unreasonable interference with the free discharge of the river or stream or navigation during construction.

8. If, in the future, DEP determines that the water obstruction or encroachment causes unreasonable obstruction to the free passage of floodwaters or navigation, the permittee shall, upon due notice remove or alter the water obstruction or encroachment, without expense to the Commonwealth of Pennsylvania, so as to increase the flood carrying capacity of the channel or render navigation reasonably free, easy, and unobstructed, in such manner as DEP may require. No claim shall be made against the Commonwealth of Pennsylvania on account of any such removal or alteration.

9. The permittee shall notify DEP, in writing, of the proposed time for commencement of work at least 15 days prior to the commencement of construction.

10. If construction work has not been completed within the time specified in the permit and the time limit specified in the permit has not been extended, in writing, by DEP or if a permit has been revoked for any reason, the permittee shall, at his own expense and in a manner that DEP may prescribe, remove all or any portion of the work as DEP requires and restore the water course and floodplain to their former condition.

11. The permittee shall fully inform the engineer or contractor, responsible for the supervision and conduct of work, of the terms, conditions, restrictions, and covenants of this permit. Prior to the commencement of construction, the permittee shall file with DEP in writing, on a form provided by DEP, a statement signed by the permittee and an individual responsible for the supervision or conduct of the construction work acknowledging and accepting the general and special conditions contained in the permit. Unless the acknowledgment and acceptance have been filed, the permit is void. A copy of the permit and the acknowledgment shall be available at the work site for inspection upon request by an officer or agent of DEP or another Federal, State, County, or Municipal Agency.

12. The permittee shall operate and maintain the structure or work authorized herein in a safe condition in accordance with the permit terms and conditions and the approved maps, plans, profiles, and specifications.

13. This permit may not be transferred without prior written approval from DEP, such approval being considered upon receipt of the properly executed "Application of Transfer of Permit" form.

14. If and when the permittee desires to discontinue use or abandon the activity authorized herein, he must remove all or part of the structure or work authorized and take other actions as are necessary to protect safety and the environment in accordance with a permit issued by DEP.

15. If the use of explosives in any waterways is required, the permittee shall secure the prior written permit from the Pennsylvania Fish and Boat Commission, pursuant to the Pennsylvania Fish and Boat Code, Act 1980-175 Title 30 Pennsylvania Consolidated Statutes, Section 2906. Requests should be directed to the Pennsylvania Fish and Boat Commission, Division of Environmental Services, 450 Robinson Lane, Bellefonte, Pennsylvania 16823-9616, Telephone: 814.359.5140.

16. Permittee shall implement and monitor the Erosion and Sedimentation Control Plan prepared in accordance with Chapter 102, so as to minimize erosion and prevent excessive sedimentation into the receiving watercourse or body of water.

17. The project site shall, at all times, be available for inspection by authorized officers and employees of the Pennsylvania Fish and Boat Commission. Prior to commencement and upon completion of the work authorized by this permit, the permittee shall notify the Pennsylvania Fish and Boat Commission's Southeast Regional Office, P.O. Box 8, Elm, Pennsylvania 17521, Telephone: 717.626.0228.

18. The project site shall, at all times, be available for inspection by authorized officers and employees of the County Conservation District. Prior to commencement and upon completion of the work authorized by this permit, the permittee shall notify the following:

Chester County Conservation District  
688 Unionville Road  
Suite 200  
Kennett Square, PA 19348  
Telephone: 610.925.4920

19. **Work may not commence until a signed copy of the *Acknowledgement of Notification of Permit Conditions* is received by DEP.** Any work authorized by this permit conducted prior to DEP's receipt of a signed copy of the *Acknowledgement of Notification of Permit Conditions* is a violation of the Dam Safety and Encroachments Act and the Clean Streams Law, and you may be subject to fines and penalties pursuant to those Acts.

**SPECIAL CONDITIONS**

- A. Streambank disturbance shall be kept to a minimum and stabilized with indigenous vegetation within 20 days of final earthmoving to prevent erosion and provide cover, shading, and food source for aquatic life.
- B. All disturbed areas are to be restored to the original contours and shall be replanted with indigenous plant species. Any excess fill material must be removed from the wetland and not spread on-site.
- C. A regularly scheduled inspection of the structure(s) shall be made to provide for continued operation and maintenance during the lifetime of the facility.
- D. Upon discovery of significant changes that could compromise the integrity of the project, the permittee shall immediately notify DEP and the Chester County Conservation District.
- E. The permittee shall maintain the structure herein authorized free of flood debris and silt deposits. When removal of silt and debris is necessary, it shall be accomplished in accordance with DEP's "Standards for Channel Cleaning at Bridges and Culverts."

F. This permit is not to be considered an approval of the structural analysis, the engineering specifications or the construction methods utilized during construction of this facility.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**



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Domenic Rocco, P.E.  
Regional Manager  
Waterways and Wetlands

**August 22, 2017**

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Issue Date

Re 30 (GJS17WAW)216-1a

