

1. PROJECT INFORMATION

Project Name: **303 Demi Road Planned Industrial Park**

Date of Review: **6/9/2021 12:46:05 PM**

Project Category: **Development, New commercial/industrial development (store, gas station, factory)**

Project Area: **86.08 acres**

County(s): **Northampton**

Township/Municipality(s): **PORTLAND; UPPER MT BETHEL TOWNSHIP**

ZIP Code:

Quadrangle Name(s): **PORTLAND**

Watersheds HUC 8: **Middle Delaware-Musconetcong**

Watersheds HUC 12: **Allegheny Creek-Delaware River**

Decimal Degrees: **40.910732, -75.100175**

Degrees Minutes Seconds: **40° 54' 38.6347" N, 75° 6' 0.6291" W**

2. SEARCH RESULTS

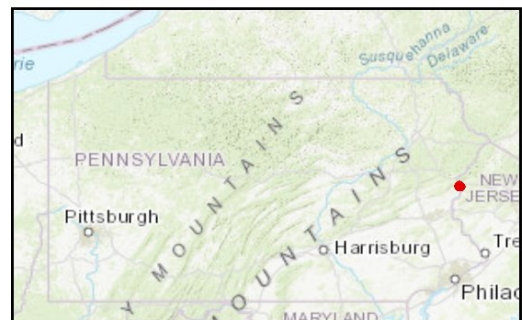
Agency	Results	Response
PA Game Commission	No Known Impact	No Further Review Required
PA Department of Conservation and Natural Resources	Potential Impact	FURTHER REVIEW IS REQUIRED, See Agency Response
PA Fish and Boat Commission	Potential Impact	FURTHER REVIEW IS REQUIRED, See Agency Response
U.S.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

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.

303 Demi Road Planned Industrial Park

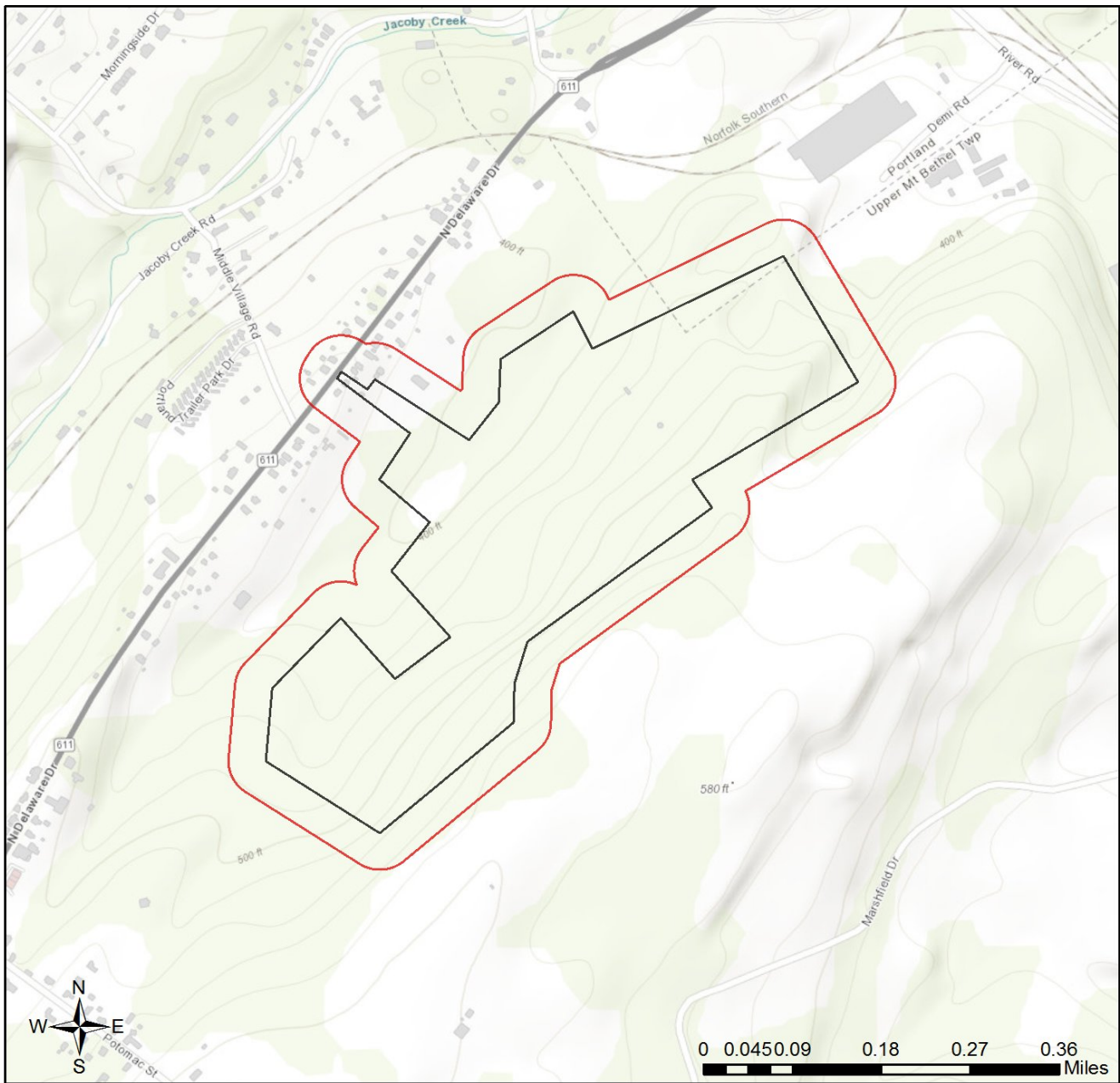


- Project Boundary
- Buffered Project Boundary



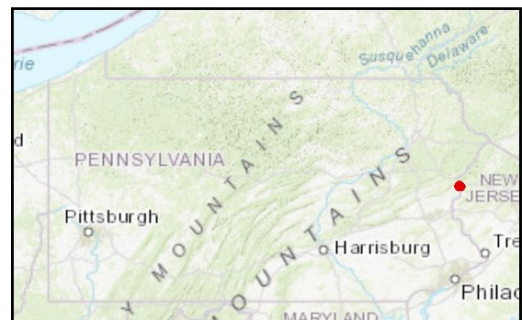
Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China

303 Demi Road Planned Industrial Park



- Project Boundary
- Buffered Project Boundary

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



RESPONSE TO QUESTION(S) ASKED

Q1: Which of the following closest describes the proposed project?

Your answer is: No groundwater extraction (e.g., water supply well, well for irrigation, groundwater pumping to facilitate mining, pump-and-treat operation) is proposed in order to implement or support this project.

Q2: Are there any perennial or intermittent waterways (rivers, streams, creeks, tributaries) in or near the project area, or on the land parcel?

Your answer is: Yes

Q3: Describe how wastewater (effluent) will be handled (select one). For the purpose of this question, wastewater/effluent does not include stormwater runoff. If the project involves solely the renewal or modification of an existing discharge permit (e.g., NPDES permit), select from options 3, 4, 5, or 6 below.

Your answer is: Some or all wastewater/effluent from this project/activity will be discharged on land (e.g., via spray irrigation, drip irrigation, on-lot septic, drain field, leach field), and the discharge will exceed 1000 gallons/day.

Q4: Accurately describe what is known about wetland presence in the project area or on the land parcel by selecting ONE of the following. "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: Someone qualified to identify and delineate wetlands has investigated the site, and determined that NO wetlands are located in or within 300 feet of the project area. (A written report from the wetland specialist, and detailed project maps should document this.)

Q5: 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: The project will affect 1 to 39 acres of forests, woodlots and trees.

Q6: 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 jurisdictional agencies **strongly advise against** conducting surveys for the species listed on the receipt prior to consultation with the agencies.

PA Game Commission

RESPONSE:

No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

PA Department of Conservation and Natural Resources

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).

DCNR 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. After desktop review, if a botanical survey is required by DCNR, we recommend the DCNR Botanical Survey Protocols, available here:

<https://conservationexplorer.dcnr.pa.gov/content/survey-protocols>)

Scientific Name	Common Name	Current Status	Proposed Status	Survey Window
<i>Carex flava</i>	Yellow Sedge	Threatened	Threatened	Fruits June - August
<i>Carex prairea</i>	Prairie Sedge	Threatened	Threatened	Fruits June - July
<i>Carex sterilis</i>	Sterile Sedge	Threatened	Endangered	Fruits early June - late July
<i>Carex tetanica</i>	A Sedge	Threatened	Threatened	Fruits late spring - early summer
<i>Castilleja coccinea</i>	Scarlet Indian-paintbrush	Special Concern Species*	Threatened	Flowers April - June
<i>Eleocharis intermedia</i>	Matted Spike-rush	Threatened	Threatened	Fruits late July - September
<i>Eriophorum viridicarinatum</i>	Thin-leaved Cotton-grass	Threatened	Threatened	Fruits June - mid-July
<i>Juncus arcticus</i> var. <i>littoralis</i>	Baltic Rush	Threatened	Threatened	Flowers / fruits late May - September
<i>Lobelia kalmii</i>	Brook Lobelia	Endangered	Endangered	Flowers August - early October
<i>Panicum flexile</i>	Wiry Witchgrass	Special Concern Species*	Threatened	Flowers August - September
<i>Parnassia glauca</i>	Carolina Grass-of-parnassus	Endangered	Endangered	Flowers August - September
<i>Scleria verticillata</i>	Whorled Nutrush	Endangered	Endangered	Fruits July - September
<i>Solidago uliginosa</i>	Bog Goldenrod	Threatened	Threatened	Flowers August - October
<i>Trollius laxus</i>	Spreading Globeflower	Endangered	Endangered	Flowers April - May

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**		Endangered

U.S. Fish and Wildlife Service

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).

* 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) (see AGENCY CONTACT INFORMATION). 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 (but not USFWS).

*If information was requested by USFWS, applicants must email, or mail, project information to IR1_ESPenn@fws.gov to initiate a review. USFWS will not accept uploaded project materials.

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

PA Fish and Boat Commission

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

U.S. Fish and Wildlife Service

Pennsylvania Field Office
Endangered Species Section
110 Radnor Rd; Suite 101
State College, PA 16801
Email: IR1_ESPenn@fws.gov
NO Faxes Please

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: Stephen Dadio
Company/Business Name: Value Engineering
Address: 1578 State Road
City, State, Zip: Coopersburg, PA 18036
Phone: (215) 435-6545 Fax: ()
Email: stephen@value.engineering

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

06/09/2021

date



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Pennsylvania Field Office
110 Radnor Road, Suite 101
State College, Pennsylvania 16801-4850

August 6, 2020

Michael Torocco
Herpetological Associates, Inc.
1745 Westwood Road
Wyomissing, PA 19610

RE: USFWS Project #2020-0958
PNDI Review #708163

Dear Mr. Torocco:

Thank you for your letter of April 13, 2020, requesting concurrence on the effects of the proposed Demi Road Logistics Center in Upper Mount Bethel and Portland Townships, Northampton County, Pennsylvania. The project area is within the known range of the bog turtle (*Clemmys* [= *Glyptemys*] *muhlenbergii*), a species that is federally listed as threatened. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) to ensure the protection of endangered and threatened species.

The proposed Demi Road Logistics Center project is a new 300,000 square-foot (ft²) building and associated parking, loading, and unloading areas, driveway, stormwater management and conveyance facilities, and other associated improvements on what is currently a primarily forested 67.7-acre property. A portion of the grading associated with the proposed driveway and stormwater management facility, including outfalls from onsite stormwater structures, encroaches within 300 feet of the wetland along the project's western boundary up to a maximum of 75 feet when accounting for construction of the proposed improvements.

Bog turtles inhabit shallow, spring-fed fens, sphagnum bogs, swamps, marshy meadows, and pastures characterized by soft, muddy bottoms; clear, cool, slow-flowing water, often forming a network of rivulets; and an open canopy. Bog turtles usually occur in small, discrete populations occupying suitable wetland habitat dispersed along a watershed. The occupied "intermediate successional stage" wetland habitat is usually a mosaic of micro-habitats ranging from dry pockets, to areas that are saturated with water, to areas that are periodically flooded. Bog turtles were first identified in the wetland on the proposed Logistics Center property in 2004.

In order to assess the potential effects of the project on bog turtles, Herpetological Associates, Inc. (HA), reviewed the project plan and conducted a site visit on March 24, 2020. HA confirmed the presence of bog turtle habitat, and proposed measures to avoid the risk of take as detailed in the "Bog Turtle Grading Plan" and "Bog Turtle Buffer Modification Letter." These documents consider portions of the proposed project planned within 300 feet of the identified bog turtle habitat. This zone around wetlands occupied by bog

turtles, (sometimes referred to as a 'buffer') is described in the Service's 2001 guidance *Bog Turtle Conservation Zones* (available at <https://www.fws.gov/northeast/pafo/endangered/bogturtle.html>) as an area that may be seasonally occupied by bog turtles and where the consequences of some actions can result in adverse effects to the species.

As proposed, the Logistics Center encroaches within the surrounding conservation zone by 75 feet for a portion of the driveway and stormwater management facilities. This conservation zone was previously diminished by development on adjacent properties. The project proponents assert that, as designed, the proposed action will preserve the hydrology in the wetland and avoid adverse effects to bog turtles. Based on our review of the information provided, including the project description, project plans, and anticipated consequences of construction and operation of the Logistics Center, we concur that the proposed project may affect but is not likely to adversely affect bog turtles or their habitat.

Voluntary Conservation Recommendations

We appreciate the efforts the Logistics Center has taken to avoid adverse effects to bog turtles. Continued development, including additional impervious surface and anticipated increase in traffic on the local roads in proximity to this population present an ongoing conservation threat. We offer the following measures for your consideration. If implemented, these can enhance the conservation of this bog turtle population:

- Place a conservation easement on wetlands, connecting waterways for the long-term preservation of suitable habitat.
- Develop and implement habitat management plans for wetland(s) to reduce the abundance of invasive plant species.
- Maintain the land use surrounding the wetland as a mixed hardwood forest with mature trees and a moderately dense understory.

Finally, the Service has programs available to assist private landowners with endangered or threatened species conservation actions. Please see <https://www.fws.gov/endangered/landowners/index.html> for more information or contact us directly.

The above effect determination is valid for 2 years from the date of this letter. If the proposed project has not been fully implemented prior to this, an additional review by this office is recommended. Should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered.

To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.

Please contact Alison Whitlock of my staff at 814-206-7461 if you have any questions or require further assistance regarding this matter.

Sincerely,



Sonja Jahrstoerfer
Project Leader



Pennsylvania Fish & Boat Commission

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

July 20, 2020

IN REPLY REFER TO
SIR# 52871

Herpetological Associates, Inc.
Quillyn Bickley
1745 Westwood Road
Reading, Pennsylvania 19610

**RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species
PNDI Search No. 708163_1
303 Demi Road Logistics Center
NORTHAMPTON County: Portland Borough, Upper Mount Bethel Township**

Dear Quillyn Bickley:

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.

Based on records maintained in the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files, the bog turtle (*Glyptemys muhlenbergii*, state endangered, federal threatened) is known from the vicinity of the proposed project site.

The Pennsylvania Fish and Boat Commission has delegated coordination/consultation of joint state/federally listed species impact reviews to the PA Field Office of the U.S. Fish and Wildlife Service. A separate follow-up response from the Pennsylvania Fish and Boat Commission is no longer needed for the review of this project, though the USFWS may request our assistance and participation in their review.

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

Our Mission:

www.fish.state.pa.us

To protect, conserve and enhance the Commonwealth's aquatic resources and provide fishing and boating opportunities.

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 # 52871. Thank you for your cooperation and attention to this important matter of species conservation and habitat protection.

Sincerely,

A handwritten signature in black ink that reads "Christopher A. Urban". The signature is written in a cursive style with a large, prominent initial "C".

Christopher A. Urban, Chief
Natural Diversity Section

CAU/KDG/dn

Herpetological Associates, Inc. - Environmental Consultants - Plant and Wildlife Specialists -

Pennsylvania Field Office
1745 Westwood Road, Wyomissing, PA 19610 • Phone: 610-670-1017
mtorocco@herpetologicalassociates.com • qbickley@herpetologicalassociates.com

January 12, 2021

Alison Whitlock
U.S. Fish and Wildlife Service
110 Radnor Road, Suite 101
State College, PA 16801

Re: Bog Turtle Consultation for 303 Demi Road Logistics Center – Buffer Modification Update
USFWS Project #2020-0958; PNDI Review #708163

Dear Ms. Whitlock:

Herpetological Associates, Inc. (HA) was retained by New Demi Road, LLC to provide bog turtle consultation related to a proposed construction project, referred to as 303 Demi Road Logistics Center, located in Upper Mount Bethel Township, Northampton County, Pennsylvania. This project is adjacent to a wetland occupied by bog turtles as determined by a 2004 Phase II study by Amy S. Greene Environmental Consultants, Inc.

As part of a larger package to request a modification to the 300-ft Bog Turtle Habitat Protection Buffer (hereafter “buffer”), a Bog Turtle Grading Plan detailing several areas of buffer encroachment was submitted to USFWS for review on April 15, 2020. A letter (dated August 6, 2020) was issued by USFWS in response, which detailed the concurrence that the proposed encroachments are not likely to adversely affect the bog turtle or their habitat.

Since that time, changes have been made to the overall development plan and to the buffer encroachments. As indicated in the attached *2021 Bog Turtle Buffer Modification Letter* and *Bog Turtle Buffer Grading Plan*, a new area of permanent impact within the buffer is requested. The new area of proposed impact is needed to accommodate the increase in building size, which requires the use a temporary sediment basin during construction. In order to accommodate the basin, additional grading is needed within the buffer. Though the sediment basin itself is only temporary, all impacts to the buffer are grading in nature and will be permanent changes to the slope. Following construction all impact areas within the buffer will be revegetated to pre-existing conditions by means of reforestation with native species. In review of the proposed changes to the buffer modifications, HA maintains the opinion that these buffer changes are minor and are unlikely to adversely affect the bog turtle or their habitat. This letter is provided as update to the project for which a review is requested.

Sincerely,



Michael Torocco - Pennsylvania Regional Manager/Herpetologist
Herpetological Associates, Inc.

Herpetological Associates, Inc. - Environmental Consultants
- *Plant and Wildlife Specialists* -

Pennsylvania Field Office
1745 Westwood Road, Wyomissing, PA 19610 • Phone: 610-670-1017
mtorocco@herpetologicalassociates.com • qbickley@herpetologicalassociates.com

Attachments:

2021 Bog Turtle Buffer Modification Letter
Bog Turtle Buffer Grading Plan

cc: Chris Urban – Pennsylvania Fish and Boat Commission



7171 Airport Road, Suite 200, Bath, PA 18014 Phone: 610-837-1856 Fax: 484-281-3447

January 5, 2021

Ms. Alison Whitlock
U.S. Fish and Wildlife Service
Pennsylvania Field Office
110 Radnor Road, Suite 101
State College, PA 16801

Re: 303 Demi Road Logistics Center – Bog Turtle Buffer Modification

Dear Ms. Whitlock:

Please accept this letter as an explanation for the requested minor modification to the bog turtle buffer on the above referenced property.

In 2004, a Bog Turtle Phase II Visual Survey was performed by Amy S. Greene Environmental Consultants during which two (2) bog turtles were found in a wetland located on, and adjacent to the west of, the project parcel. Because of this, a 300-foot habitat protection buffer (hereafter 'buffer') was established from the wetlands where the bog turtles were found, except for a small portion of an entrance road being located within it (see attached letters dated February 5, 2007 & May 9, 2012 - USFWS Project No. 2007-0509; and April 10, 2007 - PAFBC SIR #24839). In addition, an on-site (piped) stormwater discharge to a rip rap apron was previously permitted as part of Township and Chapter 102 (NPDES) approvals.

In 2005, on an adjacent property to the north (Parcel ID C11 26 15D 0131), the Pennsylvania Fish and Boat Commission (PAFBC) recommended a 100-foot-wide travel corridor buffer be placed on the stream and wetlands given the proximity and connectivity to the site having a known bog turtle occurrence in 2004 (see attached February 28, 2005 letter - PAFBC SIR# 15226). In 2009, following a field visit by representatives of the US Fish and Wildlife Service (USFWS) and the PAFBC, this travel corridor buffer area was reduced from 100-feet to 50-feet (see attached letters dated December 1, 2009 - USFWS Project No. 2009-1230; and December 3, 2009 - PAFBC SIR #31960). This reduction in the travel corridor buffer area assisted in the approval and subsequent construction of an industrial development.

In 2020, a maximum reduction of 75 feet in the bog turtle buffer area was requested to facilitate proposed construction of a new 300,000 sq. ft. building and associated parking, loading and unloading areas, driveway, stormwater management and conveyance facilities, and other associated improvements (see attached letters dated August 6, 2020 – USFWS Project No. 2020-0958 and July 20, 2020 – PAFBC SIR #52871).

303 Demi Road Logistics Center
Bog Turtle Buffer Modification
January 5, 2021

Currently, the 303 Demi Road Logistics Center project proposes the construction of a new 420,000 sq. ft. building and associated parking, loading and unloading areas, driveway, stormwater management and conveyance facilities, etc. One significant change to the development plan is the temporary erosion control sedimentation basin (Basin 1). This facility encroaches within the margins of the 300-foot buffer up to a maximum of 0.2 acres. The attached plans illustrate the proposed project and the minor impact it has to the buffer area.


It is our opinion that temporary Basin 1 will not impact the bog turtle habitat for the following reasons:

- The minimum amount of fill required within the buffer is not anticipated to impact the subsurface groundwater flows.
- In lieu of two stormwater management basin direct discharge points located outside the buffer area, level spreaders are proposed for both basins and for basin bypass runoff collected along the access drive.
- The use of the three proposed level spreaders (over a +/-800' length) promotes a sheet flow type of discharge along the entire width of the development parcel and more accurately mimics the existing drainage patterns on site.
- The use of level spreaders allows surface water infiltration to be closely maintained in a condition similar to pre-development conditions.
- The minor encroachment area will be restored to previous conditions utilizing native vegetation.
- The remaining buffer will not be disturbed. The existing tree canopy will remain to provide shade to address any possible thermal impacts from the development, and the forested floor will slow any runoff to promote infiltration into the underlying Hydrologic Soil Group 'A' soils that exist there.

As stated above, it is our opinion that the proposed encroachment will not impact the bog turtle habitat and will closely maintain the hydrology of the site as it exists today. Therefore, we are requesting a maximum 0.2-acre encroachment in the required buffer as shown on the attached plans. This will allow the sedimentation basin to capture any eroded/disturbed soil during construction and protect the quality of the wetlands and stream.

Please review the above and, if you have any questions, please feel free to contact our office at 610-837-1856. Thank you.

Sincerely,



Michael A. Sodl, P.E.
Senior Project Engineer

Attachments

Cc: Michael Torocco

PNDI # _____ USFWS Project # _____

U.S. FISH AND WILDLIFE SERVICE
110 Radnor Road, Suite 101, State College, PA 16801

This responds to your inquiry about a PNDI Internet Database search that resulted in a potential conflict with a federally listed, proposed or candidate species.

PROJECT LOCATION INFORMATION

County: _____
Township: _____

MISC INFORMATION

Date received by FWS: _____
 ACTIVE ARCHIVE

USFWS COMMENTS

EMAILED MAILED

Email: _____

To: _____

Affiliation: _____

SPECIFIC PROJECT: _____

FISH AND WILDLIFE SERVICE COMMENT(s):

_____ ***NOT LIKELY TO ADVERSELY AFFECT***

The federally listed _____ occurs or may occur in or near the project area. However, based on our review of the information provided, including the project description and location (_____),

no adverse effects to this species are likely to occur. If there is any change in the location, scale, scope, layout or design of the project, further consultation or coordination with the Service will be necessary.

The above determination is valid for two years from the date of this letter. In addition, this response relates only to federally listed, proposed, and candidate species under our jurisdiction, based on an office review of the proposed project's location and anticipated impacts. No field inspection of the project area has been conducted by this office. Consequently, comments on this form are not to be construed as addressing other Service concerns under the Fish and Wildlife Coordination Act or other authorities. *Please reference the above PNDI # and USFWS Project # in any future correspondence regarding this project.*

This review was conducted by the biologist listed below. He/she can be contacted at 814-206-(Extension).

Melinda Turner (x7449)
Richard Novak (x7477)

Nicole Ranalli (x7455)
Alison Whitlock (x7461)

Jennifer Kagel (x7451)
Pamela Shellenberger (x7459)

SIGNATURE: _____

Supervisor, Pennsylvania Field Office



Pennsylvania Fish & Boat Commission

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

May 12, 2021

IN REPLY REFER TO
SIR# 54476

Value Engineering
Stephen Dadio
513 Buttonwood Street
Perkasie, Pennsylvania 18944

RE: Species Impact Review (SIR) – Rare, Candidate, Threatened and Endangered Species
PNDI Search No. 733305_1
303 Demi Road Planned Industrial Park
NORTHAMPTON County: Portland Borough, Upper Mount Bethel Township

Dear Stephen Dadio:

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.

Blue-spotted Salamander (*Ambystoma laterale*, Endangered)

The Blue-Spotted Salamander is the rarest of the “mole” salamanders that occur in Pennsylvania. There are only three documented populations in the Commonwealth. Like the other mole salamanders (Spotted, Marbled, Jefferson), Blue-Spotted Salamanders live the majority of their lives underground, except during the breeding season, when they are observed moving to and from ephemeral/vernal pools. Blue-Spotted Salamanders are generally associated with lowland swamps and marshes and surrounding uplands with sandy or loamy soils.

Although this project has been reviewed many times over the past several years, each project submittal has altered the outline of the PNDI project search area, and the current boundary is significantly larger than any previous iterations. There are wetlands apparent on aerial photographs adjacent to the project area that may need to be considered in this review. **If wetlands, vernal pools, open water areas, streams, or ponds or the area within 300ft of these water features are to be disturbed from the project activity**, we will need to conduct a more thorough evaluation of the potential adverse impacts to the species of concern. We request completion of a **habitat assessment** to characterize and determine if

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To protect, conserve and enhance the Commonwealth's aquatic resources and provide fishing and boating opportunities.

potential habitat exists within the vicinity of the proposed project area. A qualified biologist, who possesses the necessary Scientific Collector's Permit issued by the Pennsylvania Fish and Boat Commission, must conduct this habitat assessment. A list of biologists recognized as qualified by the Pennsylvania Fish and Boat Commission to perform this assessment is enclosed. If our staff are available, we may be able to conduct the habitat assessment. However, please be aware that because of the time demands on our staff, it is likely that we will not be able to visit your site for several months. Follow-up information may be uploaded to the PA Conservation Explorer site PNDI project file. Pending the review of information, a survey targeting the presence of the species of concern may be warranted.

However, if wetlands, vernal pools, or water bodies or the area within 300ft of these water features are not to be disturbed in any way by the proposed activity, and provided that best management practices are employed and strict erosion and sedimentation measures are maintained, I do not foresee any adverse impacts to the Blue-spotted Salamander (*Ambystoma laterale*) from the proposed project.

Additionally, based on records maintained in the Pennsylvania Natural Diversity Inventory (PNDI) database and our own files, the Bog Turtle (*Glyptemys muhlenbergii*, state endangered, federal threatened) is known from the vicinity of the proposed project site. The Pennsylvania Fish and Boat Commission has delegated coordination/consultation of joint state/federally listed species impact reviews to the PA Field Office of the U.S. Fish and Wildlife Service. A separate follow-up response from the Pennsylvania Fish and Boat Commission is no longer needed for the review of this project with respect to the Bog Turtle, though the USFWS may request our assistance and participation in their review.

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 # 54476. 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

Cc: A. Whitlock, USFWS

June 7, 2021

PNDI Number: 733305

Version: Final_1; 4/27/21

Stephen Dadio

Value Engineering

513 Buttonwood Street

Perkasie, PA 18944

Email: stephen@value.engineering (hard copy will not follow)

**Re: 303 Demi Road Planned Industrial Park
Portland, Upper Mt. Bethel Township, Northampton County, PA**

Dear Mr. Dadio,

Thank you for the submission of the Pennsylvania Natural Diversity Inventory (PNDI) Environmental Review Receipt Number **733305 (Final_1)** for review. PA Department of Conservation and Natural Resources screened this project for potential impacts to species and resources under DCNR's responsibility, which includes plants, terrestrial invertebrates, natural communities, and geologic features only.

No Impact Anticipated with Conservation Measure

PNDI records indicate species or resources under DCNR's jurisdiction are located in the vicinity of the project. This project site is located just east of the Mt. Bethel fen complex and many associated listed plant populations. As such it is requested that measures are taken to minimize the impact of this development on the hydrology of these fens, and thus the sensitive plant populations. These measures include implementing runoff/rain management systems and use of permeable pavement in sections of the development with high runoff potential.

In addition, it is recommended that any wetland habitat on the property is avoided and suitable buffered from development activities, and that measures are taken to minimize the introduction and spread of invasive species to the project area. These measures are outlined below.

With compliance to these conservation measures, DCNR has determined that no impact is likely. No further coordination with our agency is needed for this project.

Recommended Actions:

- Clean boot treads, construction equipment, and vehicles thoroughly (especially the undercarriage and wheels) before they are brought on site. This will remove invasive plant seeds and invasive earthworms/cocoons that may have been picked up at other sites.
- Do not transport unsterilized leaves, mulch, compost, or soil to the site from another location.
- Do not use seed mixes that include invasive species. Please also use weed-free straw or hay mixes. More information about invasive species in Pennsylvania can be found at the following link:
<http://www.dcnr.pa.gov/Conservation/WildPlants/InvasivePlants/Pages/default.aspx>
- Use habitat appropriate seed mixes. For example, when reseeding along a waterway, utilize a riparian seed mix. The Bureau of Forestry Planting & Seeding Guidelines can be found here for recommendations:
http://www.docs.dcnr.pa.gov/cs/groups/public/documents/document/dcnr_20031083.pdf

This response represents the most up-to-date review of the PNDI data files and is valid for two (2) years only. If project plans change or more information on listed or proposed species becomes available, our determination may