



June 27, 2023

River Pointe Logistics Center, LLC
c/o Louis Pektor
559 Main Street
Bethlehem, PA 18018-5862

Re: Incompleteness Review
River Pointe Logistics Center
DEP Application No. E4802223-003
APS ID No. 1090775
AUTH ID No. 1443857
Upper Mount Bethel Township, Northampton County

Dear Mr. Pektor:

The Department of Environmental Protection (DEP) has reviewed the above referenced application package and has determined that it is incomplete. The following list specifies the items missing from the submission which must be included in the resubmittal of your application and/or the submission of additional information. The items are based on applicable laws and regulations, and the guidance sets forth DEP's preferred means of satisfying the applicable regulatory requirements.

Please note that this information must be received within sixty (60) calendar days from the date of this letter, on or before **August 27, 2023**, or DEP will consider the application withdrawn.

Items Missing from Submission

1) Regulated Activates – Information and Fees §105.13.

- A) As per §105.13(e)(1)(i), please revise the submitted drawings entitled "*Waters and Wetlands Impact Exhibit*" to include additional information concerning all proposed wetlands fills. As presented, it is difficult to determine the location of each wetland fill (in relation to the proposed development) due to the fact that impacted wetlands are only shown in "existing" conditions. Please revise the drawings to include a depiction of each wetland impact overlain with the proposed conditions as well as the wetland impact (in acres) that will occur.
- B) As per §105.13(e)(1)(i), please revise the submitted drawings entitled "*Waters and Wetlands Impact Exhibit*" to include additional information concerning all proposed outfalls adjoining streams or located within the floodway of streams. As presented, it is difficult to determine which outfalls are regulated due to the fact that the floodway is not listed on the drawings and "proposed" conditions are not depicted. Please depict each outfall in proposed conditions along with a plan drawing, a cross-sectional drawing, the material type and diameter of each outfall pipe, and the characteristics of each riprap apron.

- C) As per §105.13(e)(1)(i), please revise the submitted drawings entitled “*Waters and Wetlands Impact Exhibit*” to include additional information concerning all proposed stream crossings. Please depict each stream crossing in proposed conditions along with a plan drawing, a cross-sectional drawing, the material type, length, width, diameter, and hydraulic opening.
- D) As per §105.13(e)(1)(i), please revise the submitted drawings entitled “*Waters and Wetlands Impact Exhibit*” to include additional information concerning all proposed utility line crossings of streams and wetlands. Please depict each utility line crossing in proposed conditions along with a plan drawing, a cross-sectional drawing, the method of crossing (aerial, subsurface, etc.), and the material type and diameter of each utility.
- E) As per §105.13(e)(1)(i), please revise the submitted drawings entitled “*Waters and Wetlands Impact Exhibit*” to include additional information concerning all proposed fill areas within the floodway of streams. Please depict each floodway fill area in proposed conditions along with a plan drawing, a cross-sectional drawing, and the total quantity of floodway fill (in ft³) proposed as part of each impact.
- F) As per §105.13(e)(1)(iii), please provide a Project Description detailing all of the proposed impacts encroaching upon Chapter 105-regulated areas.
- G) As per §105.13(e)(1)(iv), please provide Color Photographs at the location of each of the proposed impacts encroaching upon Chapter 105-regulated areas. As submitted, only photographs of the wetland impacts have been included.
- H) As per §105.13(e)(1)(iii)(C), please provide a hydrologic and hydraulic analysis specific to each proposed stream crossing and area in which fill is proposed within the floodway of a stream.

You may request a time extension, in writing, before **August 27, 2023** to respond to the deficiencies beyond the sixty (60) calendar days. Requests for time extensions will be reviewed by DEP and considered. You will be notified in writing of the decision either to grant or deny, including a specific due date to respond if the extension is granted. Time extensions shall be in accordance with 25 Pa. Code §105.13a(b).

DEP has developed a standardized review process and processing times for all permits or other authorizations that it issues or grants. Pursuant to its Permit Review Process and Permit Decision Guarantee Policy (021-2100-001), DEP guarantees to provide permit decisions within the published time frames, provided applicants submit complete, technically adequate applications/registrations that address all applicable regulatory and statutory requirements, in the first submission. Since you did not submit a complete and/or technically adequate application, DEP’s Permit Decision Guarantee is no longer applicable to your application.

As stipulated in 25 Pa. Code §105.13a of DEP’s Chapter 105 Rules and Regulations (regarding Complete applications) information requested by this office must be received within sixty (60) calendar days from the date of this letter, on or before **August 27, 2023**, or DEP will consider the application/registration to be withdrawn by the applicant and no further action will be taken on the application/registration. Fees are not refunded when an application/registration is considered to be withdrawn.

If you have questions about your application, please contact Justin Dresch at (570) 830-3040 or by email at: jdresch@pa.gov and refer to Application No. E4802223-003, Authorization No. 1443857.

Sincerely,

Pamela Kania

for

Robert J. Jevin III, P.E.
Environmental Group Manager
Waterways and Wetlands Program

Enclosures:

cc: Dynamic Engineering Consultants, P.C. (swalsh@dynamiccec.com)
PA Fish & Boat Commission, Division of Environmental Services (clgood@pa.gov)
Northampton County Conservation District (DCampbell@norcopa.gov)
Army Corps of Engineers, Philadelphia District (Glenn.R.Weitknecht@usace.army.mil)

bcc:

J. Buczynski

P. Dobbins

J. Dresch

File (2)

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WP:

H: , T(F):

Traditions of America
c/o David Biddison
201 King of Prussia Road
Radnor, PA 19087

Pennonni Associates
c/o Laura Eberly, PE
2041 Avenue C, Suite 100
Bethlehem, PA 18107

PA Fish & Boat Commission, Division of Environmental Services
450 Robinson Lane
Bellefonte, PA 16823

Lehigh County Conservation District
Lehigh County Ag. Center
Suite 102
4184 Dorney Park Road
Allentown, PA 18104-5728

Army Corps of Engineers, Philadelphia District
Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390