

JOSEPH G. RIPER
EMAIL: joe@rrhc.com



RILEY RIPER HOLLIN & COLAGRECO
ATTORNEYS AT LAW

May 26, 2017

Sent via United Parcel Service, Overnight Delivery
and electronic mail

Robert A. Willig, Senior Deputy Attorney General
Litigation Section
564 Forbes Avenue
Pittsburgh, PA 15219

Re: [REDACTED]

Forestry Operations

Dear Mr. Willig:

Please be advised that this office represents the [REDACTED] Family, the owner of a 23.2 acre parcel of land situate at the corner of [REDACTED] and [REDACTED] in Pennsbury Township ("Property"). The [REDACTED] Family has owned the Property since the late 1950's. The [REDACTED] family engaged Forestry Services Corporation to conduct timbering activities at the Property.

In conjunction with the proposed timbering activities, the [REDACTED] submitted an application with Pennsbury Township ("Township") for a temporary driveway access permit. In response to the driveway access permit application, the Township Engineer, G.D. Houtman & Sons, Inc., issued a letter dated February 23, 2017, advising that the permit would not be issued until several items set forth in the Township Pennsbury Township Zoning Ordinance (including the Natural Resource Protection Standards) and in the Stormwater Management Ordinance have been met. Specifically, Mr. Houtmann advised that the following is required:

1. A Township Land Disturbance Permit with corresponding application fee;
2. A Timber Harvesting Plan that addresses the Natural Resource Protection Standards of the Zoning Ordinance (including addressing the impact of the proposed activity on steep slopes, woodlands, watercourse/riparian buffers, wetlands, and wetland protection areas); and
3. Compliance with the Township Stormwater Management Ordinance.

A copy of Mr. Houtmann's February 23, 2017 letter is attached hereto.

Robert A. Willig
May 26, 2017
Page 2 of 3

The Right to Farm Act (RTFA) precludes a municipality from regulating normal agricultural operations (which includes forestry and forestry products). 3 P.S. § 953, 952. The Agriculture, Communities and Rural Environment Act ("ACRE"), 3 Pa. C.S. §301, *et. seq.* prohibits a municipality from adopting and/or enforcing local zoning regulations prohibited or preempted by state law. 3 Pa. C.S. §§312, 313. In addition, the Pennsylvania Municipalities Code ("MPC") explicitly limits a municipality's authority to regulate forestry activities including timber harvesting. 53 P.S. § 10603(f).

Pursuant to its authority under the Clean Streams Law, 35 P.S. §691.1 *et. seq.* the Pennsylvania Department of Environmental Protection ("DEP") regulates erosion and sediment control and post disturbance stormwater management involving timbering activities. 25 Pa. Code §102.2(a). All timber harvesting activities are required to have a written E&S Plan to establish controls for activities near water sources, 25 Pa. Code §102.4(b). The regulations impose certain requirements with respect to erosion and sedimentation control, inspection reports and monitoring records which are to be maintained and available during all stages of the timbering project. The E&S Plan submitted by Forestry Services Corporation has been approved by the Chester County Conservation District. (A copy of the Conservation District's adequacy letter dated October 17, 2016 is attached.) A complete record set of the information prepared by Forestry Services Corporation and submitted to the Conservation District has been provided to the Township.

In addition, stream crossings and other impacts to watercourses and wetlands associated with timber harvesting operations are regulated by DEP's Dam Safety and Waterway Management Regulations. 25 Pa. Code §105. The regulations do not preclude timber harvesting activities in water sensitive areas, but the amount of buffer zone that DEP will require near water sources depends on many variables, including soil type, slope, vegetative cover and stream character, etc.

We believe the specific requirements of the Natural Resource Protection Standards contained in the Pennsbury Township Zoning Ordinance as well as the Stormwater Management Regulations have been preempted by state regulation. Pursuant to ACRE, the details and requirements of these Pennsbury Ordinance provisions may not be applied or enforced in connection with the proposed timbering activities.

The Pennsylvania Attorney General's office in its review of other matters similar to this has recognized that a municipality does not have authority to establish its own regulatory scheme for timber harvesting that duplicates, exceeds or conflicts with the DEP's Erosion and Sediment Control and Dam Safety and Waterway Management regulatory schemes, MPC, RTFA or ACRE.

The [REDACTED] Family respectfully requests that the Office of the Attorney General formally review the applicable provisions of the Pennsbury Township Zoning Ordinance and Stormwater Management Ordinance (copies of relevant Sections are attached) and confirm that the subject provisions of the Pennsbury Township Zoning Ordinance (coupled with the Township Engineer's review letter) constitute an unauthorized local ordinance which unlawfully restricts

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timbering and harvesting activities on the subject Property, which is a normal agricultural operations under Pennsylvania law.

Please advise of any additional information you may require in connection with the foregoing request.

Very truly yours,

Joseph G. Riper/lal

Joseph G. Riper

JGR/lal

Enclosures

cc: Pennsbury Township, Attn: Township Manager
[REDACTED] Esquire
[REDACTED] Esquire

EDOUARD N. HOUTMANN, C. E.
1928-1994

MATTHEW R. HOUTMANN, P. E.
GUSTAVE N. HOUTMANN, P. E.
REGISTERED PROFESSIONAL
ENGINEERS

G. D. HOUTMAN & SON, INC.

CIVIL ENGINEERS - LAND SURVEYORS
LAND PLANNERS
139 E. BALTIMORE PIKE
MEDIA, PENNSYLVANIA 19063

610-565-6363
FAX 610-585-6976

STEPHEN J. WASYLyszyn
REGISTERED PROFESSIONAL
SURVEYORS

February 23, 2017

[REDACTED]

Re: [REDACTED]
Forestry Operations

Dear [REDACTED]

Pennsbury Township has received an application for a temporary driveway access to the [REDACTED] Property located at the northwest corner of [REDACTED]. It is our understanding that [REDACTED] have been retained by the Property Owners to clear cut a substantial portion of the property. A Pennsbury Land Disturbance Permit will be required for this type activity, whether timber harvesting or clear cutting.

A Timber Harvest Plan shall be submitted conforming to the requirements contained in Section 162-1503.D.2 of the Pennsbury Township Zoning Ordinance.

Furthermore, I bring to your attention that this activity is regulated by other certain provisions of the Pennsbury Township Zoning Ordinance. Section 162-2041 of the Pennsbury Township Zoning Ordinance reads

"A proposed timber harvesting operation shall be in compliance with the applicable provisions or Article XV, Natural Resource protections Standards, the storm water management and erosion control standards of Chapter 138, Subdivision and Land Development, and any other applicable Township, county or state regulation."

The Natural Resource Protection Standards (Article XV of the

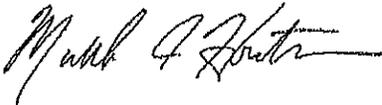
Pennsbury Township Zoning Ordinance) requires a timber harvesting plan to be submitted and approved. The timber harvesting plan shall address the impact of the proposed activity on steep slopes, woodlands, watercourse/riparian buffers, wetlands, and wetland protection areas.

Also, if the intent of the applicant is to clear cut certain areas of the Site, then the applicable provisions of the Pennsbury Township Storm Water Management Ordinance will need to be addressed.

In Summary, A Pennsbury Township Land Disturbance Permit Application with corresponding application fee shall be submitted to Pennsbury Township. The Land Disturbance Permit Application shall include a Timber Harvesting Plan that addresses Article XV of the Pennsbury Township Zoning Ordinance (Natural Resource Protection Standards) and the applicable sections of the Pennsbury Township Stormwater Management Ordinance. No timber harvesting or other Site disturbance shall commence until an Approved Land Disturbance Permit has been issued by Pennsbury Township.

Please do not hesitate to call if you have any questions.

Sincerely,



Matthew R. Houtmann, P.E.
Pennsbury Township Engineer

cc: 



CHESTER COUNTY CONSERVATION DISTRICT
688 Unionville Road, Suite 200, Kennett Square, PA 19348
Phone: 610-925-4920 ~ Fax: 610-925-4925
www.chesco.org/conservation

October 17, 2016



RE: Erosion & Sedimentation Control Plan

[Redacted] Timber Harvest- Review I

Pennsbury Township, Chester County, PA

Most Recent Plan Revision Date: 6/12/16 Total Acres: 23.0

Disturbed Acres: 0.5

Receiving Watershed: Bennetts Run

Designation: WWF, MF

To Whom It May Concern:

The above referenced project has been reviewed by the Chester County Conservation District and found to be **adequate**.

The final *approved* Erosion and Sedimentation Pollution Control (E&SPC) plan must be available at the site of the earthmoving activity during construction until the site is permanently stabilized.

The District has reviewed this plan solely to determine whether it is adequate to satisfy the requirements of Chapter 102, Erosion and Sedimentation Control Rules and Regulations.

Should any measures proposed in this plan prove incapable of adequately removing sediment from on-site flows prior to discharge or prior to stabilization of the disturbed areas, or if accelerated erosion is caused downstream or downslope from the site, additional measures must be implemented by the developer to eliminate any and all such problems.

The Chester County Conservation District requires notification of at least 72 hours prior to the commencement of on-site earthmoving activities and will conduct periodic site inspections to determine compliance with Chapter 102 regulations.

Any changes, revisions, or modifications to the approved plans will require resubmission to the Chester County Conservation District for review and approval prior to the beginning of construction.

Questions regarding this matter can be directed to:
Jim Demchak
Resource Conservationist
Chester County Conservation District
(610) 925-4920 ext. 109

Sincerely,

Christian E. Strohmaler

Christian E. Strohmaler Electronic Signature
Director

cc: Pennsbury Twp.
[REDACTED]
Project File

PK-827

Chester County Conservation District
 688 Unionville Road, Suite 200, Kennett Square, PA 19348-1704
 (610) 925-4920 ~ Fax (610) 925-4925 ~ www.chesco.org/conservation
APPLICATION FOR DISTRICT SERVICES - Effective 04.01.2016

RECEIVED
OCT 05 2016
CCCD

- Application will not be accepted unless signed and completed in its entirety.
- Please update the information on this form with each submission.
- Only folded plans will be accepted.

E&SPC Submission:

New Additional Information *2nd Review *Revision to an Approved Plan *Note: Additional Base Fee Due

NPDES Submission:

New Revision **Renewal **Major Modification **Note: Additional NPDES Fee Due

Project Name: Timber Harvest PENNSBURY Date: 5/12/16
 Project Site Location: [Redacted] Municipality: Chadds Ford Tax Parcel ID: [Redacted]
 Project Acres: 23 Total Cumulative Acres Disturbed Over Project Life: Less than 1 acre
 Development Type: Single Residential Residential/Industrial/Commercial/Institutional Timber Harvest Municipal
 Miscellaneous: Small Agricultural Large Agricultural Chapter 105 Pond/Stream Work

Other Info:

Applicant (Owner/Firm): [Redacted] Name: [Redacted]
 Applicant Mailing Address: [Redacted] Email: [Redacted]
 City: Lincoln University State: PA Zip Code: [Redacted] Phone: [Redacted] Fax: [Redacted]
 Plan Designer (Firm): [Redacted] Name: [Redacted]
 Plan Designer Mailing Address: [Redacted] Email: [Redacted]
 City: Lincoln University State: PA Zip Code: [Redacted] Phone: [Redacted] Fax: [Redacted]

E&SPC Fees: Base Fee: \$ 250.00 2nd Review Fee (25% of Original Base Fee): \$ _____
 Tier II Fee: \$ _____ Emergency Review Fee: \$ _____

E&SPC fees are payable to Chester County Conservation District - Submit one check for Base Fee and Tier II, if applicable. Submit one check for the 2nd Review Fee, if applicable. Submit one check for Emergency Review, if applicable.

Refer to District Services Fee Schedule, and check appropriate Tier II:

9% or more slopes deficient infiltration of 2 year storm more than 25% total area disturbance
 less than 150 foot buffer adjacent property discharge

NPDES Fees: Base Fee: \$ _____ Disturbed Acreage Fee: \$ _____

Base Fee is payable to Chester County Conservation District Clean Water Fund
 Disturbed Acreage Fee is payable to Commonwealth of PA Clean Water Fund

Complete the following:

Receiving Stream Name: Brandywine Creek BENNETTS RUN Designation (HQ, BV, etc): EQ, WWF, MF
 Fee Attached Act 2 Site (requires individual NPDES Permit)
 Stormwater Narrative Emergency Prep. Plan
 Stormwater Management E&S Narrative
 Post Construction Stormwater Plans E&S Calculations
 & Details E&S Plans & Details

Incentive BMPs: Green Roof Community Redevelopment

Plan Information: Check if the project contains any of the following

| | | | |
|--------------------|-------------------------------------|----------------|-------------------------------------|
| Stream Crossing | <input type="checkbox"/> | Public Sewer | <input type="checkbox"/> |
| Wetlands | <input checked="" type="checkbox"/> | On Site Septic | <input type="checkbox"/> |
| Flood Plain | <input type="checkbox"/> | Steep Slopes | <input checked="" type="checkbox"/> |
| Water Encroachment | <input type="checkbox"/> | Open Space | <input type="checkbox"/> |

Permits Required: Enclose copies if applicable

| | | | |
|-------------------------|--------------------------|------------------------------|--------------------------|
| NPDES Individual Permit | <input type="checkbox"/> | General Permit (Chapter 105) | <input type="checkbox"/> |
| NPDES General Permit | <input type="checkbox"/> | Water Encroachment | <input type="checkbox"/> |
| | | Joint Permit 401/404 | <input type="checkbox"/> |

Fees and plans showing the required information are to be submitted with this application. Any additional plans or information required by the Chester County Conservation District should be submitted promptly. Emergency plan reviews requests and BMP incentive fee reduction requests require an additional form that can be found on our website. The requests must be submitted with this application. The undersigned agrees to comply with all of the requirements of TITLE 25, CHAPTER 102, BROSION AND SEDIMENTATION CONTROL RULES AND REGULATIONS as set forth by the Pennsylvania Department of Environmental Protection, and further agrees to obtain all necessary permits with the above referenced project. District Service Fees are non-refundable.

[Redacted Signature]

RECEIVED

OCT 05 2016

3930-FM-WM0185 Rev. 7/2004

Erosion and Sediment Control Plan for a Timber Harvesting Operation

CCCD

1. GENERAL INFORMATION

6/12/16

Date

A. Location Chadds Ford - Pennsylvania

Chester

County

B. Timber sale area = 23,418 acres

C. Landowner [Redacted]

Name

Home Phone

Work Phone

[Redacted]

Street Address

[Redacted]

City

State

Zip Code

[Redacted]

Signature of Landowner

D. Person(s) responsible for construction and maintenance of erosion and sediment control BMPs during earth disturbance activities. (NOTE: If duties are assigned to more than one party, list all others under Section 12 of this plan.)

[Redacted]

Name

Home Phone

Work Phone

[Redacted]

Street Address

[Redacted]

City

State

Zip Code

[Redacted]

Signature of person(s) responsible

E. Erosion and Sediment Control Plan prepared by:

[Redacted]

Name

Phone

[Redacted]

Street Address

[Redacted]

City

State

Zip Code

[Redacted]

Signature of Plan Preparer

2. TOPOGRAPHICAL MAP

The map must include the location of the project with respect to roadways, streams, wetlands, lakes, ponds, floodplains, type and extent of vegetation and other identifiable landmarks. A United States Geologic Service (USGS) quadrangle map may be used to show the existing topographical features of the project site and the immediate surrounding area. The map scale also must be large enough to clearly depict the topographical features of the project. Enlargements of the USGS quadrangle map are sufficient.

The scale and north arrow must be plainly marked. A complete legend of all symbols used on the map must also be included.

3. SOIL MAP

Soils information is available in soil survey reports, published by the USDA Natural Resource Conservation Service in cooperation with Penn State University, College of Agriculture and others. These reports are available for review at the county conservation district offices.

The soils drainage classes must be examined to determine areas with the best drainage for the placement of haul roads and log landings, and to determine proper reclamation treatments.

Provide the following soils information for all disturbed areas.

| Map Symbols | Soil Series | Limiting Characteristics ¹ That May Apply to Timber Harvesting Activities (Check as Appropriate) | | |
|-------------|--------------|-------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------------------|
| | | Erosion Hazards ² | | Seasonably Wet ³ |
| | See Soil Map | Slight | Moderate, severe | |
| | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

¹ Soils with a moderate or severe erosion hazard or seasonably wet are poor choices for log landing and road locations, and, if possible, alternatives should be considered.

² The degree or ease by which soil particles can be detached from the soil surface. Moderate or severe ratings require additional consideration of soil erosion and sediment control BMPs during logging and road construction.

³ Somewhat poorly drained soils remain wet for a longer period after rain and would be susceptible to disturbance. These soils may be hydric, indicating a possible wetland. They may have to be logged during dry seasons, when the profile may be relatively dry, or when the soils are frozen. They are poor choices for log landing and road locations, and, if possible, alternate areas should be considered.

4. SKETCH MAP

The characteristics of the earth disturbance activity. The limits of the harvesting area must be shown on a map(s). Such information as the limits of clearing and grubbing and the areas of cuts and fills for roads and landings, and other proposed disturbances for the timber harvesting area are to be included. Roads, skid roads and landings located within 60 ft. of a stream bank may require a Department Chapter 105 Water Obstruction and Encroachment. The following should be clearly shown on the sketch map:

- Dimensions
- North Arrow
- Landings
- Haul Roads
- Skid Roads
- Wetland Crossings
- Stream Crossings
- Equipment Maintenance/Fueling Areas
- Existing Roads

5. RUNOFF

The amount of runoff from the timber harvest area and its upstream watershed area. You do not have to provide runoff calculations unless you plan to use BMPs different from those described in Section 8. If you use different BMPs, your calculations must include an analysis showing any impact that runoff may have on existing downstream watercourses and their resistance to erosion.

6. RECEIVING WATERS

All streams in Pennsylvania are classified based upon their designated and existing uses and water quality criteria. Designated uses for waters of this Commonwealth are found in 25 Pa. Code §93.9a-z at <http://www.pacode.com/secure/data/025/chapter93/chap93loc.html>. Existing uses of waters of this Commonwealth are found at the DEP Web site www.depweb.state.pa.us. Type the phrase "existing use" in the DEP Keyword box. The county conservation district office can also supply this information. List the bodies of water likely to receive direct runoff within or from the timber harvest area.

| Name | Designated/Existing Use |
|------------------|-------------------------|
| Brandywine Creek | EQ |
| BENNETTS RUN | WWF, MF |
| | |
| | |

7. ESTIMATED DISTURBED AREA

| | Total Length (ft) | Average Width (ft) | Area (sq ft) |
|----------------------|-------------------|--------------------|--------------------------------|
| Haul Roads | 75' | 12' | = 900 |
| Skid Roads | 2000' | 10' | = 20,000 |
| Landings | 100' | 100' | = 1000 |
| Total Area (sq. ft.) | | | = 21,900 + 43,660 sq ft/A = .5 |

Acres disturbed by earth disturbance activities.

If the total area of earth disturbance activities (sum of area disturbed by haul roads, skid roads and landings) consists of 25 acres or more, an Erosion and Sediment Control Permit must be obtained.

Has application been made for required stream crossing permits? Yes No Not Applicable

At all stream crossing locations, runoff must be directed to a sediment removal area, i.e., filter strip, straw bale, silt fence, sump, a trap for treatment. Waterbars and/or broad based dips should be installed and maintained as required on the approaches to the stream crossing.

8. DESCRIPTION OF EROSION AND SEDIMENT CONTROL MEASURES

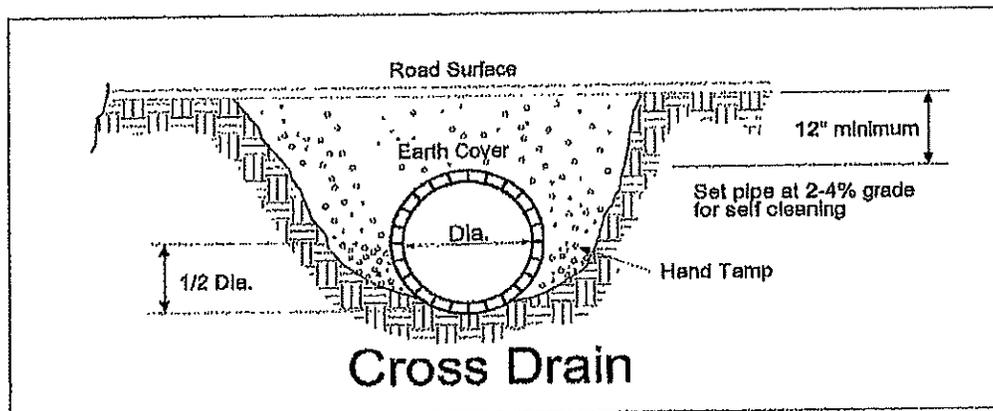
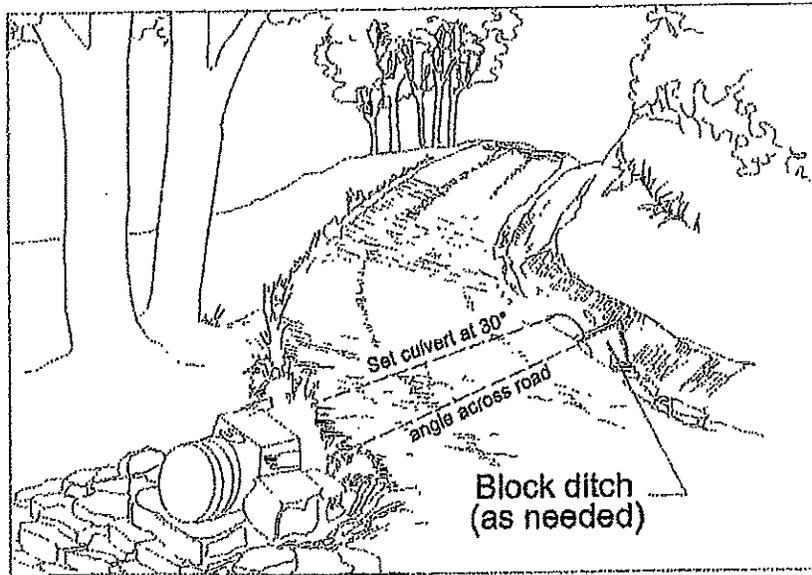
The following standard BMP drawings and recommended spacings (Sections A-H) have been provided to fulfill the requirements of this plan. If you plan to use any of these recommended BMPs, please check the appropriate boxes for Sections A through H. If you plan to use alternative BMPs, you must provide drawings showing the details, specifications and spacing.

A. Cross-drain culvert

Culverts will be installed before the ground freezes. Culverts shall be placed with a slope of 2 to 4 percent and cross the road at a 30-degree downslope angle. Recommend 12" pipe or larger culverts. Will this BMP be used? Yes No Will recommended spacing be used? Yes No

| Road Grade (% Slope) | Recommended Spacing (feet) | Alternative Spacing* (feet) |
|----------------------|----------------------------|-----------------------------|
| 2 | 500 | _____ |
| 3 | 400 | _____ |
| 4 | 350 | _____ |
| 5-6 | 300 | _____ |
| 7-8 | 250 | _____ |
| 9-11 | 200 | _____ |
| 12-13 | 150 | _____ |
| 14+ | 100 | _____ |

*If alternative spacings are used, please make sure reasons for their use are explained.



B. Waterbars

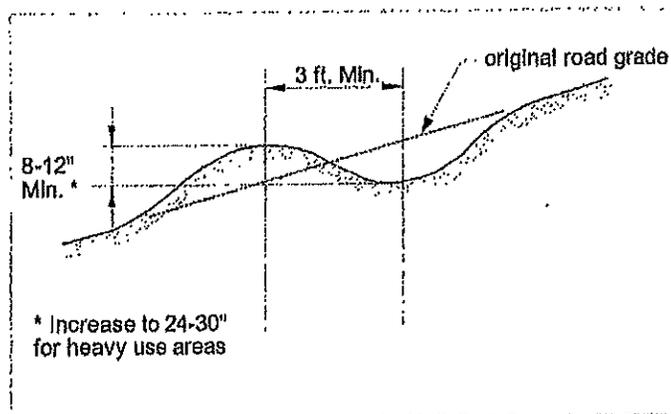
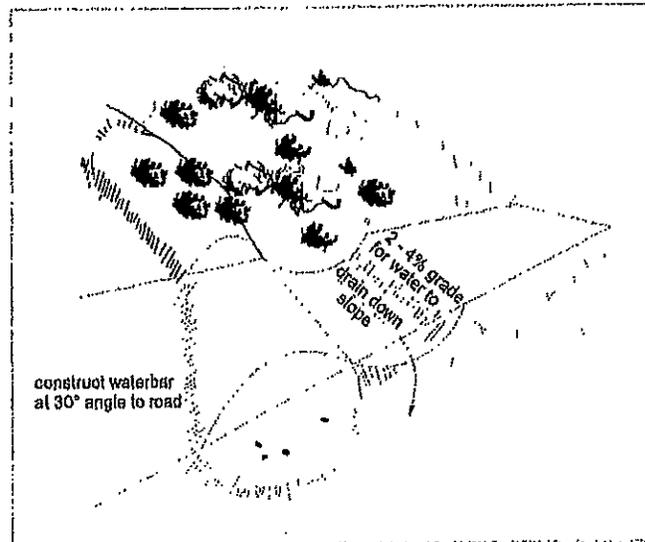
Waterbars on skid roads will be maintained throughout the entire job and installed permanently upon job completion.

Waterbars will be installed before the ground freezes and will be spaced as indicated below.

Will this BMP be used? Yes No Will recommended spacing be used? Yes No

| Road Grade (% Slope) | Recommended Spacing (feet) | Alternative Spacing* (feet) |
|-------------------------|-------------------------------|--------------------------------|
| 2 | 250 | _____ |
| 5 | 135 | _____ |
| 10 | 80 | _____ |
| 15 | 60 | _____ |
| 20 | 45 | _____ |
| 25 | 40 | _____ |
| 30 | 35 | _____ |
| 40 | 30 | _____ |

*If longer spacings are used, please make sure reasons for their use are explained.



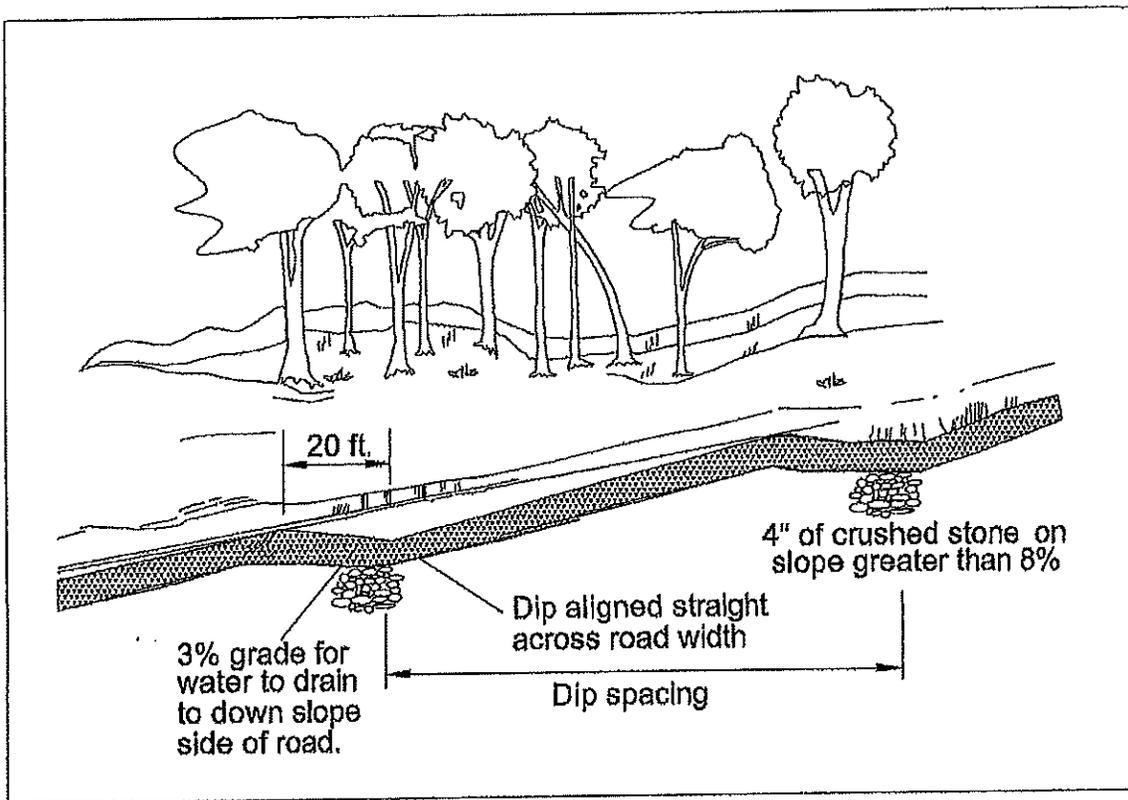
C. Broad-based dips

Broad-based dips will be installed and worked before the ground freezes. Broad-based dips on the road system are planned to be spaced as indicated below.

Will this BMP be used? Yes No Will recommended spacing be used? Yes No

| Road Grade (% Slope) | Recommended Spacing (feet) | Alternative Spacing* (feet) |
|----------------------|----------------------------|-----------------------------|
| 2 | 300 | _____ |
| 3 | 250 | _____ |
| 4 | 200 | _____ |
| 6 | 180 | _____ |
| 8 | 170 | _____ |
| 7 | 180 | _____ |
| 8 | 160 | _____ |
| 9-10 | 140 | _____ |

*If longer spacings are used, please make sure reasons for their use are explained.



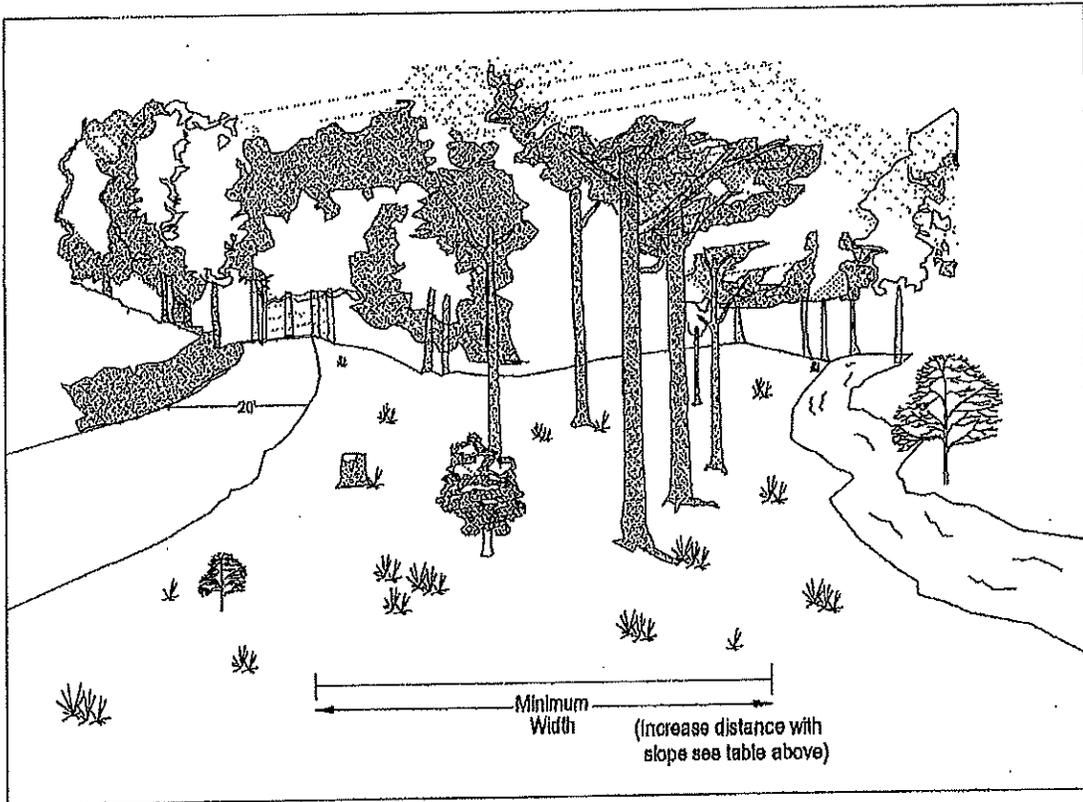
D. Filter strips

Filter strip widths by slope on land between roads and perennial streams.
 The width of the filter strip depends on the slope between the road and the stream.

Will this BMP be used? Yes No

| Slope of Land Between Road and Stream (%) | Minimum width of Filter Strip (feet) + |
|-------------------------------------------|----------------------------------------|
| 0 | 25++ |
| 10 | 45++ |
| 20 | 65 |
| 30 | 85 |
| 40 | 105 |
| 60 | 125 |
| 60 | 145 |
| 70 | 165 |

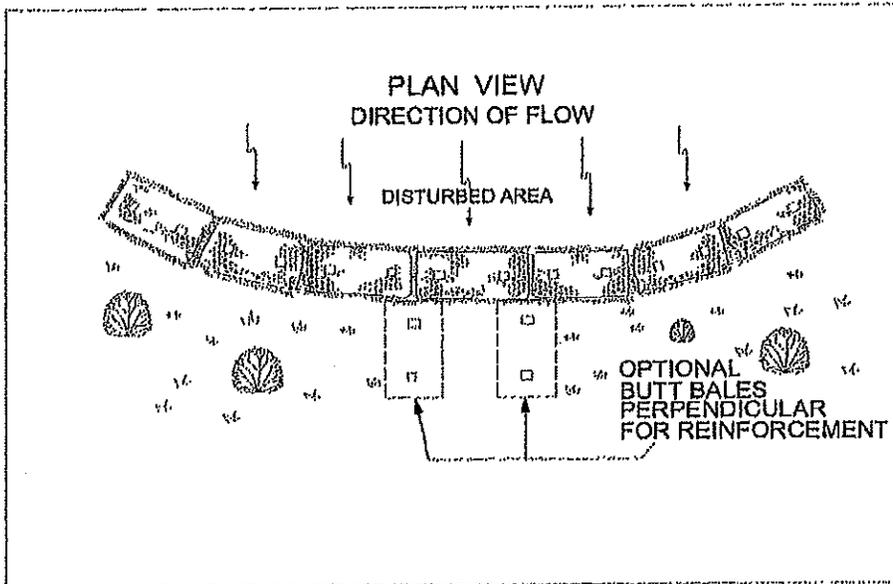
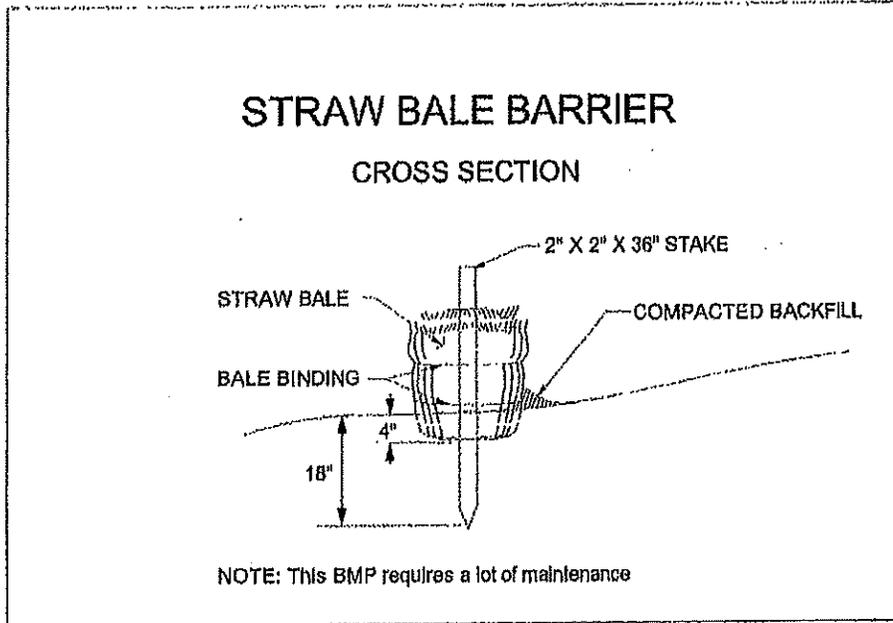
- + Widths should be doubled when the harvesting activity is located where receiving waters have a designated use/existing use of High Quality or Exceptional Value or within a municipal water supply, source water area.
- ++ Earth disturbance 50 feet or less from a stream requires a water obstruction and encroachment permit from the appropriate DEP Regional Office, Soils and Waterways Section.



F. Straw Bale Barrier

Straw bale barriers shall be placed on contour at the edge of disturbed areas. Both ends of the barrier shall be extended upslope at 45 degrees to the main barrier alignment. Straw bales deteriorate and should be replaced every 3-4 months. They should not be installed in streams, ditches or other areas of concentrated flow.

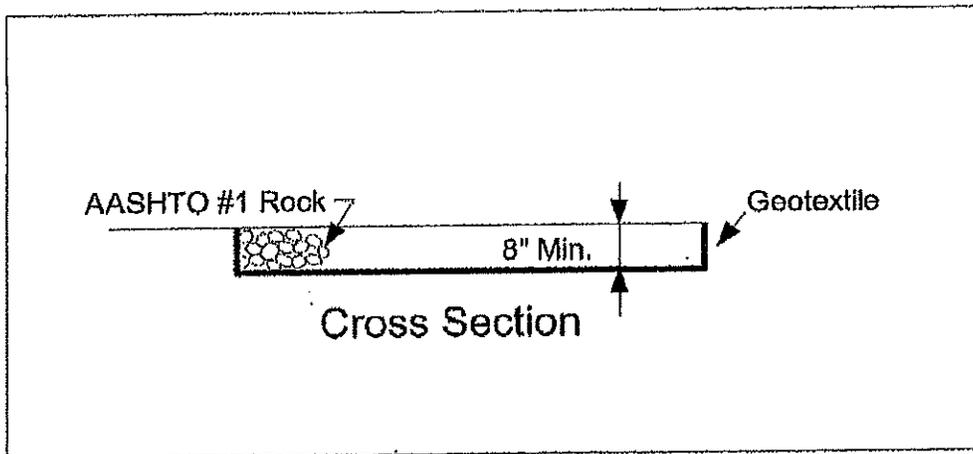
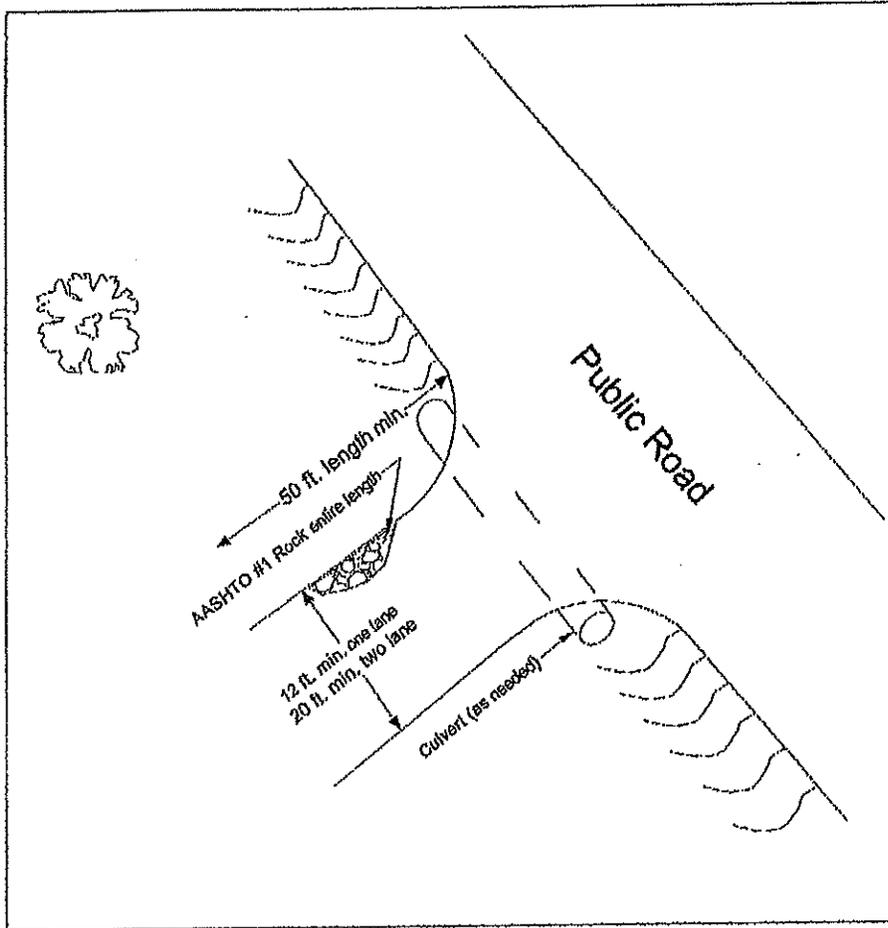
Will this BMP be used? Yes No



G. Stabilized Road Entrance

The purpose is to remove mud from tires and keep it off the road. Construction entrance shall be constantly maintained.

Will this BMP be used? Yes No



H. Disturbed Area Stabilization (check as appropriate)

| | | |
|---------------------------|-------------------------------------|-------------------------------------|
| | Seeding ^{4,5} | Natural Vegetation ⁵ |
| Log Landings ⁶ | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Haul Roads ⁶ | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Skid Roads ⁶ | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Seed mix and seeding rate to be used on critical areas:

Mix b @ 30 Lbs./acre

Suggested Seeding Mixes for Landings, Roads and Critical Areas

| Mixes | Seeding rate (lb/acre) | Mixes | Seeding rate (lb/acre) |
|------------------------|------------------------|------------------|------------------------|
| Permanent | | Temporary | |
| a. Birdsfoot trefoil* | 8 | f. Spring oats | 98 (3 bu) |
| Redtop | 3 | g. Winter wheat | 100 (3 bu) |
| b. Creeping red fescue | 30 | h. Winter rye | 168 (3 bu) |
| Perennial ryegrass | 10 | i. Annual rye | 40 |
| c. Birdsfoot trefoil | 8 | | |
| Timothy | 4 | | |
| d. White clover | 1 | | |
| Kentucky bluegrass | 6 | | |
| Timothy | 2 | | |
| e. Annual ryegrass | 10 | | |
| Redtop | 10 | | |
| Birdsfoot trefoil | 6 | | |

*Recommended for somewhat poor and poorly drained soils in partial shade to full sunlight.

Note: Birdsfoot trefoil and white clover seed should be properly inoculated.

9. SCHEDULE AND SEQUENCE OF OPERATIONS

Will this schedule be used? Yes No If not, provide additional information in Section 12.

Starting Date 6/1/16

Completion Date 6/1/17

Pre-harvest: Necessary permits will be obtained. Erosion and sediment control BMPs will be installed as specified in this plan. Haul road, landings and skid roads will be constructed.

During harvest: Erosion and sediment control BMPs for haul roads, skid roads and landings shall be maintained. Tops, branches and slash will be removed from ponds, lakes and streams. This plan will be amended or revised to include other BMPs for special or unanticipated circumstances that may occur.

Post harvest: Smooth and reshape roads and landings. Remove culverts and crossings. Install permanent waterbars as specified in this plan. Critical areas will be seeded, fertilized, limed and mulched and garbage/trash removed from the area.

10. MAINTENANCE

BMPs will be inspected on a weekly basis and after each measurable rainfall event.

Culverts will be cleaned out, repaired or replaced as necessary.

Filter strips will be maintained and respected (limber may be harvested in filter strips).

Haul roads and skid roads will be repaired where signs of accelerated erosion are detected.

Seeding and mulching will be repeated in those areas that appear to be failing or have failed.

Other (describe)

⁴ Areas to be seeded may require fertilization and liming. Soil testing will provide individualized recommendations for given sites. Recommendations of 300 lbs. of 10-10-10 fertilizer per acre and 2,000 lbs. of lime per acre should be considered to ensure 70% vegetative cover. Seeded areas will be more successful when mulched with a minimum of 2.5 tons of straw or hay per acre. Describe mulching type and rate in Section 12 when used.

⁵ Stabilization of disturbed areas is important. Disturbed areas shall be protected with such BMPs as straw bale barriers, filter fences, mulch, or filter strips, waterbars and other BMPs until vegetation is established. Critical areas such as: highly erodible soils, approaches to stream crossings and landings require establishment of permanent or temporary cover to ensure that erosion does not occur.

⁶ Indicates treatments for individual landings, haul roads or sections, and skid roads identified on the map.

11. SITE CLEANUP

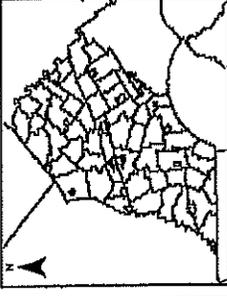
Describe procedures which ensure the proper handling, storage, control, disposal and recycling of timber harvesting materials and waste, including but not limited to fuels, oil, lubricants and other materials brought to the timber harvest site or used in the process of timber harvesting.

- Garbage, fuels or any substance harmful to human, aquatic or fish life, will be prevented from entering springs, streams, ponds, lakes, wetlands or any water course or water body.
- Oils, fuels, lubricants and coolants will be placed in suitable containers and disposed properly.
- All trash and garbage will be collected and disposed properly.
- Other (describe).

12. ADDITIONAL EXPLANATION/COMMENTS (if needed)

Silt fence will be installed on down gradient from driveway to protect small wetland zone, B 1-17 (see map).

COUNTY OF CHESTER
PENNSYLVANIA



Find UPR Information

PARCEL: [REDACTED]
 UPR: [REDACTED]
 Owner: [REDACTED]
 Owner 2: [REDACTED] Mail
 Address 1: [REDACTED]
 Mail Address 2: [REDACTED]
 Mail Address 3: [REDACTED]
 ZIP Code: [REDACTED]
 Dead Book: [REDACTED]
 Dead Record Date: [REDACTED]
 Last Desc: [REDACTED]
 Date: 2/23/4 AC
 Acres: 23.4
 LOC: V-10
 Lot Assessment: [REDACTED]
 Property Assessment: [REDACTED]
 Total Assessment: [REDACTED]
 Assessment Date: [REDACTED]
 Property Address: [REDACTED]
 Municipality: PENNSBURY
 School District: Unionville-Chandlers Ford

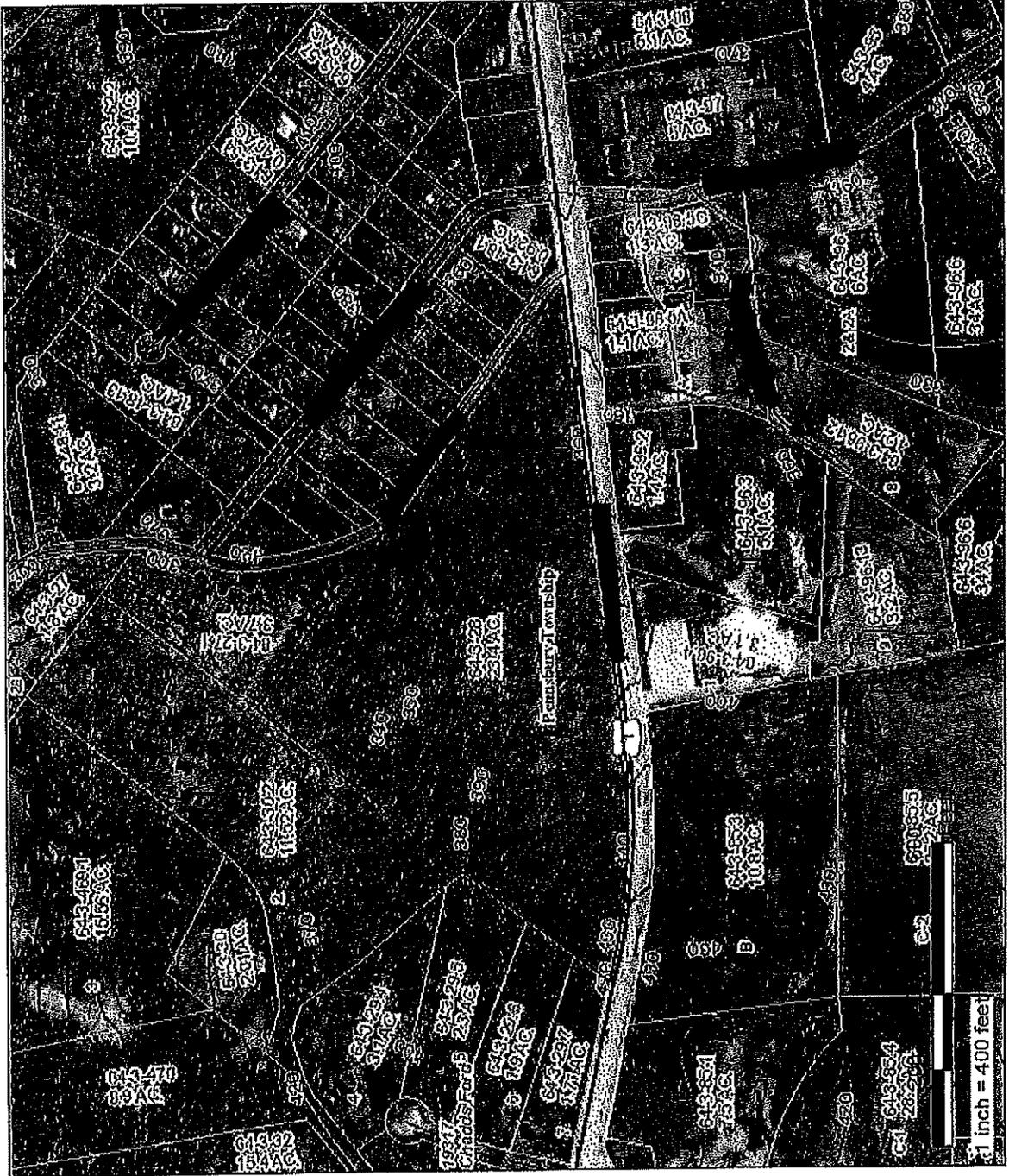
Map Created:
Wednesday, October 05, 2016

County of Chester

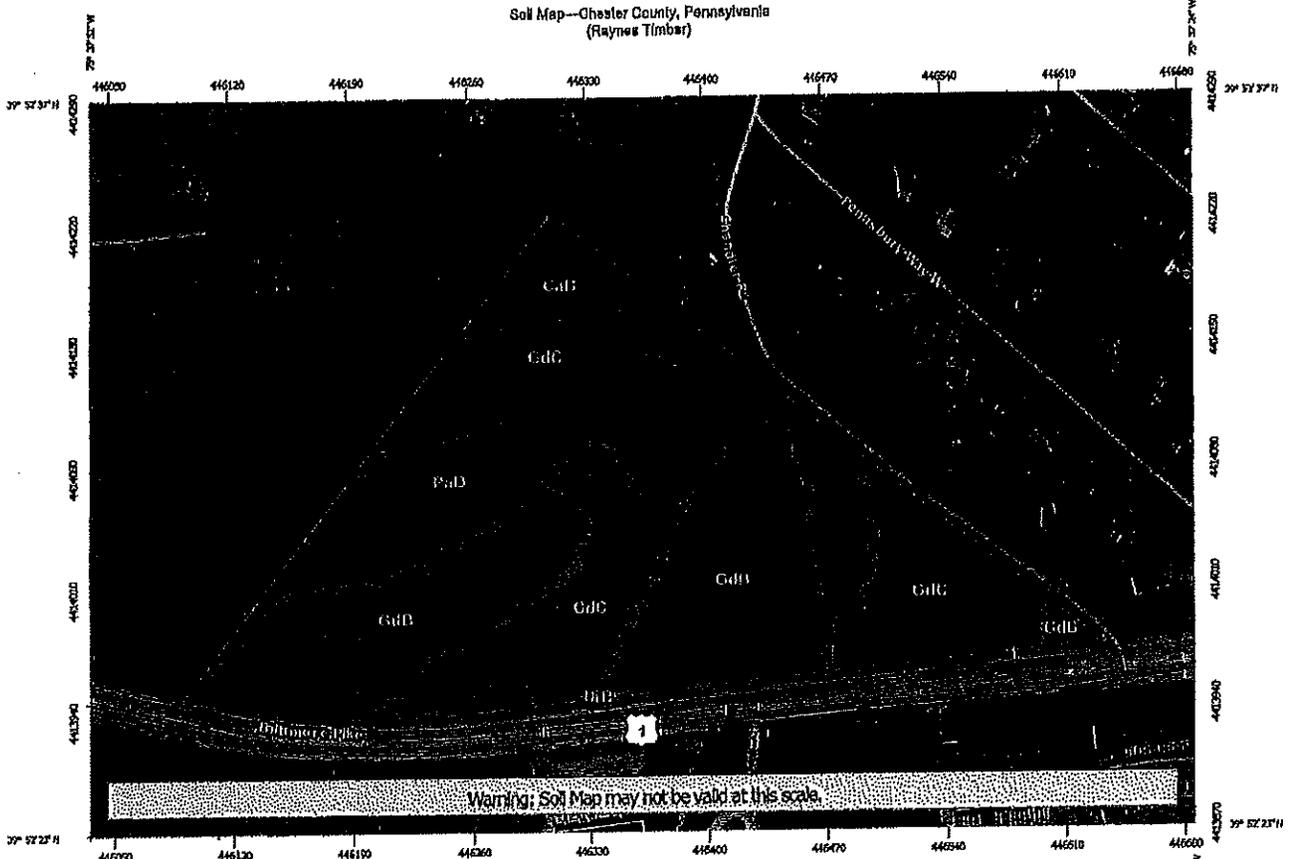


Limitations of Liability and Use:
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Map



Soil Map—Chester County, Pennsylvania
(Raynes Timber)



Map Scale: 1:2,500 if printed on A landscape (11" x 17") sheet
0 40 80 160 240 Meters
0 100 200 400 600 Feet
Map projection: Web Mercator Corner coordinates: WGS84 Edge Dcs: UTM Zone 18N WGS84

Map Unit Legend

| Chester County, Pennsylvania (PA029) | | | |
|--------------------------------------|-------------------------------------------------|--------------|----------------|
| Map Unit Symbol | Map Unit Name | Acres in AOI | Percent of AOI |
| CaB | Carlton loam, 3 to 8 percent slopes | 1.0 | 5.1% |
| GdB | Gladelone gravelly loam, 3 to 8 percent slopes | 8.7 | 34.7% |
| GdC | Gladelone gravelly loam, 8 to 16 percent slopes | 8.8 | 34.9% |
| PaD | Parker gravelly loam, 16 to 26 percent slopes | 5.0 | 25.8% |
| UrB | Urban land, 0 to 8 percent slopes | 0.0 | 0.0% |
| Totals for Area of Interest | | 19.3 | 100.0% |

Soil Map—Chester County, Pennsylvania
(Raynes Timber)

MAP LEGEND

| | | | |
|-------------------------------|------------------------|-----------------------|-----------------------|
| | Area of Interest (AOI) | | Spot Area |
| | Soils | | Stony Spot |
| | Soil Map Unit Polygons | | Very Stony Spot |
| | Soil Map Unit Lines | | Wet Spot |
| | Soil Map Unit Points | | Other |
| Special Point Features | | | Special Line Features |
| | Slowout | Water Features | |
| | Borrow Pit | | Streams and Canals |
| | Clay Spot | Transportation | |
| | Closed Depression | | Rails |
| | Gravel Pit | | Interstate Highways |
| | Gravelly Spot | | US Routes |
| | Landfill | | Major Roads |
| | Lava Flow | | Local Roads |
| | Marsh or swamp | Background | |
| | Mine or Quarry | | Aerial Photography |
| | Miscellaneous Water | | |
| | Perennial Water | | |
| | Rock Outcrop | | |
| | Saline Spot | | |
| | Sandy Spot | | |
| | Severely Eroded Spot | | |
| | Sinkhole | | |
| | Slide or Slip | | |
| | Socks Spot | | |

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Chester County, Pennsylvania
Survey Area Date: Version 7, Nov 16, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 10, 2011—May 7, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.