



c/o Delaware River Greenway Partnership
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Sept. 21, 2021

Ms. Teri Lewis
Township Manager/Treasurer
Tinicum Township
163 Municipal Road
Pipersville, PA 18947

Dear Ms. Lewis:

RE: Land Development Plans Submitted by Spinio Industrial Holdings, LLC for Spinio Tract Warehouses Before Board of Supervisors at the September 21, 2021 Meeting

We appreciate having Tinicum Township as a participating municipal member of the Lower Delaware Wild & Scenic River Management Council (LDWS). As you know, The Lower Delaware is the National Wild and Scenic River System segment, established by Congress on November 1, 2000, as Public Law 106-418, includes 65.6 miles of River segments which form the Pennsylvania and New Jersey border, plus named tributaries. One of those named tributaries is the Tohickon Creek.

We are writing to submit comments in response to the Spinio Tract development proposal as the location falls in the LDWS corridor. There are potential implications of the project to the Lower Delaware River system with the proposed development located adjacent the Tohickon Creek. Because the Creek flows directly into the Delaware River, close examination of impervious cover, the installation of a new septic system, and project grading must ensure that there are no adverse impacts to groundwater or runoff into the waterway during or after construction.

Suggestions

The development has only just come to the attention of the Wild and Scenic River Council and we are still reviewing plans. This letter highlights issues of particular importance to the Wild and Scenic River:

- **Water Quality** - LDWS acknowledges the plans strive to keep the woodlands and wetlands associated with the Tohickon floodplain intact. Deliberate actions should be taken in all construction activities to protect the water quality of the Tohickon Creek. We believe maintaining the strictest water quality designations for all Delaware River tributaries is key to the long-term health of the Delaware River. For your information, water quality is one of the six goals of the Lower Delaware Management [Plan](#).

- **Steep Slope** - With a steep slope between development and the Creek, extra care must be taken to prevent erosion. By coordinating with the appropriate agencies and including specific conditions about sediment erosion control, effective protections for riverine health can be implemented. An erosion and sediment control plan should be developed for the site and remain active for the duration of the project.
- **Drainage** - Additionally, with the increased severity of storms due to climate change, the Lower Delaware corridor is subject to flooding. Adding impervious surfaces upslope of major tributaries has a multiplicative effect on waterways. Therefore, consider possible alternatives to fully impervious driveway material.

The plan set shows a variety of water retention best management plan practices as part of the plans, including vegetated strips in faster flow areas, and a bioretention area. Particular attention should be given to any drainage ways, ditches, and streams that could convey sediment laden water or heated water directly from these areas to the Tohickon. No wastewater should be discharged into the Creek. Flows in the 20-foot-wide drainage easement, located in the southeast corner and outfalls to Tohickon Creek, should be monitored for any increase during and after construction.

- **Vegetation** - Vegetation and seeds should be composed of native species, and special care should be given to avoid invasive species mixing on equipment or in seed mixes. The Environmental Impact Statement (EIS) notes some existing invasives along the edges of the woodland, therefore the area should be further restored. The Council encourages the Township to require treatment of existing invasives and the planting of only native species.
- **Visual Impact** – As noted in the EIS, areas surrounding Lower Delaware Wild and Scenic River, including the three designated tributaries, are highly valued for their historic and scenic character. They are also a recreation destination for biking, hiking, and paddling. Attention should be paid to viewsheds from the Creek, with views considered from specific locations at the time of the near-final designs. Currently, plans show no change to views from the Creek because of the woodland in-between the Creek and the development. The Council recommends testing visual impacts from up and downstream of this location.
- **Protecting Wetlands** - The plans indicate that there will be no disturbance to existing wetlands. We suggest that a requirement is imposed on the developer to identify and fence off the wetlands prior to the start of the project. We also request that Township officials visit the site and approve the location of the fencing before construction begins. Moreover, we recommend the Township Zoning Officer or land use consultant walk the property and verify the accuracy of the applicant's wetlands delineation and to also confirm there are no vernal pools that need be identified.
- **Protecting Woodlands** - The plans indicate that approximately 550 feet of woods will separate the proposed project from the Tohickon Creek. The Council appreciates the protection of this existing woodland, especially given the mention of the area as a "Natural Resource Conservation Area" in the Bucks County Comprehensive Plan. Special care should be taken to protect mature trees, protect the area from any runoff or other construction impacts, and to prevent invasive

species from entering as part of the disturbance. We suggest that prior to approving the plans, a requirement is imposed on the developer to identify and fence off woodland boundaries prior to the start of the project. As with the wetlands, we request that a Township representative visit the site and approve the location of the fencing to guarantee the identified woodlands are not disturbed. Moreover, careful consideration should be given to grading at the edge of the wooded area to protect the drip line of the trees.

The National Park Service (NPS) is responsible for the long-term protection of the Delaware River and administers the Wild and Scenic Rivers Act to ensure the River is “protected and enhanced.” Any work done within a quarter mile of the Creek that involves Federal permitting and/or Federal funding is subject to review by NPS under the Wild and Scenic Rivers Act. Feel free to reach out to National Park Service (NPS) liaison, Sarah Bursky, as a resource. NPS and our Council are willing to share knowledge and ideas. Sarah’s email address can be found below my signature.

For your information, the next virtual meeting of the Lower Delaware Wild & Scenic River Management Council will be held this Thursday, September 23 at 10:00 AM. The meeting notice and agenda will be posted at www.lowerdelawarewildandscenic.org. Tinicum Township staff, consultants, and residents are always encouraged to attend and participate.

Sincerely,

Richard Dodds

Chairman

cc: Sarah Bursky, NPS Liaison (Sarah_Bursky@nps.gov)
Maryann Carroll, Delaware River Greenway Partnership Ex. Dir. (maryann@delawarerivergp.org)