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February 2, 2009

Sent Via Fax: (814) 359-5175 and First Class Mail

Pennsylvania Fish and Boat Commission
Division of Environmental Services
Natural Diversity Section
450 Robinson Lane
Bellefonte, PA 16823-9620

**Re: Valhalla Brandywine - Heim
PNDI Search ID: 20080918159485
Wallace Township, Chester County**

To whom it may concern:

Attached is a PNDI search receipt for the above referenced project. Also attached is a copy of a project narrative and USGS map. Please use this information to determine what potential conflicts must be resolved in order to move forward with this project. Please forward all relevant information to the following:

Teresa M. Amitrone
Amitrone O'Herron, Inc.
P.O. Box 173
Cornwall, PA 17016-0173

If you need any additional information please feel free to call me at 717-277-0587 or e-mail me at tamitrone@msn.com. I look forward to hearing from you.

Sincerely,

Teresa M. Amitrone
Wildlife Biologist

cc: Charles A. Dobson, P.E., Earth Companies
File

Attachments – PNDI Search Receipt w/Project Narrative, Project ID# **20080918159485**

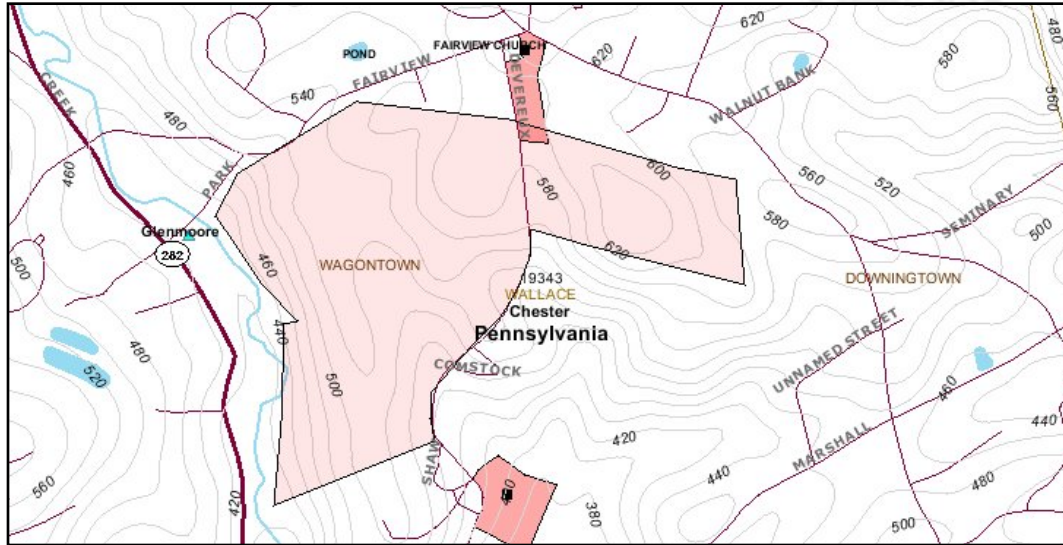
PNDI Project Environmental Review Receipt

Project Search ID: 20080918159485

Project Name: Valhalla Brandywine (Heim)

Date: 9/18/2008 8:20:48 AM

Project Location



Project Name: Valhalla Brandywine (Heim)

On Behalf Of: Private Individual

Project Search ID: 20080918159485

Date: 9/18/2008 8:18:59 AM

of Potential Impacts: 2

Jurisdictional Agency:

Pennsylvania Fish and Boat Commission,

US Fish and Wildlife Service

Project Category: Development, Residential, Subdivision containing more than 2 lots and/or 2 single-family units

Project Location

Decimal Degrees: 40.09108 N, -75.76948 W

Degrees Minutes Seconds: 40° 5' 27.9" N, 75° 46' 10.2" W

Lambert: 626193.26727202, 404539.16478087 ft

ZIP Code: 19343

County: Chester

Township/Municipality: WALLACE

USGS 7.5 Minute Quadrangle ID: 293

Quadrangle Name: WAGONTOWN

Project Area: 287.4 acres

Location Accuracy

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Receipt is solely responsible for the project location and thus the correctness of the Project Review Receipt content.

2 Potential Impacts

Under the Following Agencies' Jurisdiction:
Pennsylvania Fish and Boat Commission,
US Fish and Wildlife Service

Pennsylvania State Programmatic General Permit (PASPGP)

Please note that regardless of PNDI search results, projects requiring a Chapter 105 DEP individual permit or GP 5, 6, 7, 8, 9 or 11 in certain counties (Adams, Berks, Bucks, Chester, Cumberland, Delaware, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York) are required by DEP to comply with the bog turtle habitat screening requirements of the PASPGP.

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Pennsylvania Natural Diversity Inventory (PNDI) records indicate there are potential impacts on special concern species and resources within the project area. If the project is pursued, the jurisdictional agency/agencies indicated require that the instructions below regarding potential impacts and/or avoidance measures be followed in their entirety.

Q1: Accurately describe what is known about wetland presence in the project area or on the land parcel. "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: **4. Someone qualified to identify and delineate wetlands has investigated the site, and determined that 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.)**

Please initial here signifying that you have provided the most accurate answer to the question as possible.

APPLICANT INITIALS: _____

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: **1. Yes**

Please initial here signifying that you have provided the most accurate answer to the question as possible.

APPLICANT INITIALS: _____

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: **6. 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.**

Please initial here signifying that you have provided the most accurate answer to the question as possible.

APPLICANT INITIALS: _____

Q4: Which of the following closest describes the proposed project?

Your answer is: **5. A well or other groundwater extraction (e.g., groundwater pumping to facilitate mining, pump-and-treat operation) is proposed as part of this project, or in order to support some aspect of the project, and more than 1000 gallons per day will be extracted.**

Please initial here signifying that you have provided the most accurate answer to the question as possible.

APPLICANT INITIALS: _____

AVOIDANCE AND CONSERVATION MEASURES

Pennsylvania Natural Diversity Inventory records indicate there are potential impacts on special concern species and resources within the project area. One or more of these potential impacts may be resolved by following required Avoidance Measures. An Avoidance Measure is an action to be taken or a guideline to be followed during the completion of the project. The intent of an Avoidance Measure is to minimize the impact of the project on ecological resources. Avoidance measures, where indicated, are required by DEP and the jurisdictional agencies in order to avoid further consultation regarding this potential impact.

If the applicant initials this receipt certifying that the avoidance measure will be taken, no contact with the jurisdictional agency is required for that potential impact to be considered resolved.

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If the applicant cannot certify that the avoidance measure can be carried out, the applicant is required by the jurisdictional agency/agencies to contact the agency/agencies. The contact information for each agency is located at the end of the receipt.

Conservation measures are activities recommended by the jurisdictional agencies. Conservation measures are encouraged but not required and may be pursued at the discretion of the DEP program based on their knowledge of the project and site. It is not necessary to initial this receipt for conservation measures.

Listed below are Avoidance Measures and/or Conservation Measures generated by this proposed project.

US Fish and Wildlife Service, Pennsylvania Fish and Boat Commission :

Avoidance Measure: Do not conduct this project/activity within 50 feet of any streams, rivers, creeks, or tributaries. This includes both perennial and intermittent waterways.

To certify that you will carry out the Avoidance Measure listed PLEASE INITIAL HERE : _____ (You do not need to initial for Conservation Measures)

If there are potential impacts listed in the following section, the applicant is required by the jurisdictional agencies to contact each of the listed agencies, regardless of the listed Avoidance and/or Conservation Measures.

These determinations were based on the project-specific information you 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 information you provided does not accurately reflect this project, or if project plans change, DEP and the jurisdictional agencies require that another PNDI review be conducted.

This response represents the most up-to-date summary of the PNDI data files and is good for one(1) year from the date of this PNDI Project Environmental Review Receipt.

1 potential impact

The Applicant should MAIL/FAX a copy of this Project Environmental Review Receipt, a cover letter with project narrative, acreage to be impacted, how construction/maintenance activity is to be accomplished, township/municipality and county where project is located, and a USGS 7.5 minute quadrangle with project boundary and quad name marked on the map.

Natural Diversity Section
Pennsylvania Fish and Boat Commission
Division of Environmental Services
450 Robinson Lane
Bellefonte, PA 16823

Please mail only one (1) copy of the project review request. Do not email the project information. Allow 30 days for completion of the project review from the date of PFBC receipt of the project review request.

1 potential impact

The Applicant should MAIL a copy of this Project Environmental Review Receipt, a cover letter with project narrative, acreage to be impacted, how construction/maintenance activity is to be accomplished, township/municipality and county where project is located, and a USGS 7.5 minute quadrangle with project boundary and quad name marked on the map.

US Fish and Wildlife Service.
Endangered Species Biologist
315 South Allen Street, Suite 322.
State College, PA 16801

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DISCLAIMER

The PNDI environmental review website is a preliminary environmental screening tool. It is not a substitute for information obtained from a field survey of the project area conducted by a biologist. Such surveys may reveal previously undocumented populations of species of special concern. In addition, the PNDI only contains information about species occurrences that have actually been reported to the Pennsylvania Natural Heritage Program.

TERMS OF USE

Upon signing into the PNDI environmental review website, and as a condition of using it, you agreed to certain terms of use. These are as follows:

The web site is intended solely for the purpose of screening projects for potential impacts on resources of special concern in accordance with the instructions provided on the web site. Use of the web site for any other purpose or in any other way is prohibited and subject to criminal prosecution under federal and state law, including but not limited to the following: Computer Fraud and Abuse Act of 1986, as amended, 18 U.S.C. Â§ 1030; Pennsylvania Crimes Code, Â§ 4911 (tampering with public records or information), Â§ 7611 (unlawful use of computer and other computer crimes), Â§ 7612 (disruption of service), Â§ 7613 (computer theft), Â§ 7614 (unlawful duplication), and Â§ 7615 (computer trespass).

The PNHP reserves the right at any time and without notice to modify or suspend the web site and to terminate or restrict access to it.

The terms of use may be revised from time to time. By continuing to use the web site after changes to the terms have been posted, the user has agreed to accept such changes.

This review is based on the project information that was entered. The jurisdictional agencies and DEP require that the review be redone if the

project area, location, or the type of project changes. If additional information on species of special concern becomes available, this review may be reconsidered by the jurisdictional agency.

PRIVACY and SECURITY

This web site operates on a Commonwealth of Pennsylvania computer system. It maintains a record of each environmental review search result as well as contact information for the project applicant. These records are maintained for internal tracking purposes. Information collected in this application will be made available only to the jurisdictional agencies and to the Department of Environmental Protection, except if required for law enforcement purposesâ€”see paragraph below.

This system is monitored to ensure proper operation, to verify the functioning of applicable security features, and for other like purposes. Anyone using this system consents to such monitoring and is advised that if such monitoring reveals evidence of possible criminal activity, system personnel may provide the evidence to law enforcement officials. See Terms of Use.

In order for this project to be considered for subsequent review, a signed and initialed copy of this receipt is required by the agency or agencies indicated. DEP requires that a signed and initialed copy of this receipt, along with any required documentation from jurisdictional agencies concerning resolution of potential impacts, be submitted in applications for permits requiring PNDI review. See DEP PNDI policy at www.naturalheritage.state.pa.us or visit the following websites for further information.

Regional Offices

<http://www.dep.state.pa.us/dep/deputate/fieldops/map.pdf>

District Mining Operations

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[Http://www.dep.state.pa.us/dep/deputate/minres/Districts/homepage/Default.htm](http://www.dep.state.pa.us/dep/deputate/minres/Districts/homepage/Default.htm)

Oil and Gas Management

[Http://www.dep.state.pa.us/dep/deputate/minres/OILGAS/CustomerNeeds.htm](http://www.dep.state.pa.us/dep/deputate/minres/OILGAS/CustomerNeeds.htm)

City, State, Zip: _____

Phone: _____

Email: _____

Print this Project Review Receipt using your Internet browser's print function and keep it as a record of your search.

The following contact information is for the agencies involved in this Pennsylvania Natural Diversity Inventory environmental review process. Please read this entire receipt carefully as it contains instructions for how to contact these agencies for further review of this particular project.

Signature: _____

Date: _____

Project applicant on whose behalf this search was conducted:

Natural Diversity Section
Pennsylvania Fish and Boat Commission
Division of Environmental Services
450 Robinson Lane
Bellefonte, PA 16823

APPLICANT

Contact Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

Email: _____

US Fish and Wildlife Service.
Endangered Species Biologist
315 South Allen Street, Suite 322.
State College, PA 16801

PERSON CONDUCTING SEARCH (if not applicant)

Contact Name: _____

Address: _____

Project Narrative

Valhalla Brandywine (Heim) – Golf Course, Spa and Residential Community Wallace Township, Chester County

Project Overview

Valhalla Brandywine (Heim) is a proposed Golf Course and Spa and residential community proposed in Wallace Township, Chester County, PA. The project will consist of an 18 hole golf course and a clubhouse, spa, restaurant and banquet facility covering approximately 200,000 SF. The golf course and associated facilities will be located on approximately 260 acres of property. Additionally there will be a residential portion of the project that will contain up to 175 residential dwellings located on a tract of ground covering approximately 60 acres. These two parcels of ground are located adjacent to one another and combined make up a total project land area of approximately 288 acres.

The project will be connected to, and entirely serviced by an existing off-site community water delivery and supply system and a community sewage disposal system. The wastewater discharge effluent from the project will be discharged on land via spray irrigation system from a lagoon treatment process nearby.

Description of Environment

The project consists of 2 parcels of property totaling approximately 288 acres. The first parcel of property is approximately 228 acres and will be used for the construction of the golf course and clubhouse/spa facility. This property is an old dairy farm that has not been actively used for more than 50 years. The land is covered with a mixture of open fields, emergent woodlands and mature woodlands. There is a small unnamed tributary on the northern portion of this property that flows into the East Branch of the Brandywine Creek. The East Branch of the Brandywine Creek is located to the west of the property. There are also a few existing structures and a few small ponds located on the property as well. A wetland delineation is ongoing at the time of this PNDI search. Wetlands have been identified along the unnamed tributary and ponds located on the site.

The second parcel of land is approximately 60 acres and will be used for the residential portion of the project. The property is an abandoned quarry that has not been used for several years. The property is covered with a mixture of disturbed land, emergent fields, scrub shrub and emergent woodlands. Other than the abandoned quarry, there are no other bodies of water located on the property.