

May 1, 2023

Ms. Samantha Lutz
Aquatic Biologist, District Oil and Gas Operations
Pennsylvania Department of Environmental Protection
Southwest Regional Office
400 Waterfront Drive
Pittsburgh, Pennsylvania 15222-4745

Dear Ms. Lutz:

Subject: Response to Technical Deficiency Comments
Joint Permit Application
DEP File No. E0407222-001; APS # 1058722
B50 Temporary Aboveground Waterline
Economy Borough, Beaver County, Pennsylvania
CEC Project 317-457

Civil & Environmental Consultants, Inc. (CEC), on behalf of PennEnergy Resources, LLC (PennEnergy), has prepared the following responses to comments on the Joint Permit Application (JPA) for the proposed B50 Temporary Aboveground Waterline Project located in Economy Borough, Beaver County, Pennsylvania. The comments were provided in a letter from the Pennsylvania Department of Environmental Protection (PADEP) dated April 19, 2023.

Revised information and documents have been included in the revised permit package as indicated in the responses below.

To expedite review, PADEP's comments are provided in bold type followed by PennEnergy's response.

- 1) **Update Table S1-1 of Module S1.B and Table S2-2 of Module S2.B to list the total on-site floodway area as 0.162 acres.**

RESPONSE: Modules S1 and S2 have been updated as requested. The revised modules are included in the revised JPA package.

- 2) **The PNDI Receipt (No. 748039) that was produced on February 24, 2023 was not signed and or dated.**

On March 31, 2023, U.S. Fish and Wildlife Service listed the northern long-eared bat (*Myotis septentrionalis*) as endangered. To ensure the application is in compliance with the Endangered Species Act, the Department request that all pending projects submitted prior to March 31, 2023, be rescreened using the Pennsylvania Natural Diversity Index (PNDI) tool, and an updated PNDI Receipt be submitted. Please ensure that the Project Contact Information and Certification sections are completed on all submitted PNDI Receipts and that any new conservation/avoidance measures and or potential impacts are addressed. §105.13 (e); §105.16; §102.6(a)(2)

RESPONSE: The PNDI receipt for the waterline was updated on April 6, 2023. No potential impacts were identified. Module S2 was revised accordingly. The revised module and the updated receipt are included in the revised JPA package.

- 3) **Update the Fee Calculation Worksheet to adequately account for all impacts, permanent and temporary, associated with the new withdrawal location. The fee calculation worksheet will need to account for 0.2 acres of temporary impact and 0.1 acres of permanent impact. A supplemental payment of \$400.00 will also need provided. §105.13**

RESPONSE: The Fee Calculation Worksheet has been updated as requested. The revised worksheet is located in Section 1 of the revised JPA package. A check for the additional fee of \$400 has been submitted with the hard copy of the revised JPA package.

- 4) **Update Drawing No. ES04 to include a detail of the flotation support/intake corral that will be utilized to hold the (7) dolphin strainers in formation. §105.13 (e)**

RESPONSE: Drawing No. ES04 has been updated with the requested detail. The updated drawing is included in the revised JPA package.

- 5) **Provide coordination from PFBC's Bureau of Boating that an Aids to Navigation Plan (ATON) is not needed. §105.13 (e)**

RESPONSE: CEC received an email from the PFBC's Bureau of Boating on February 27, 2023 stating that an ATON Plan would not be needed for the project. Module S3 was updated to reference the email, and a copy of the email has been inserted into Module S3. The updated module, including a copy of the email correspondence, is included in the revised JPA package.

- 6) **Update the Wetland and Stream Delineation Report to account for the site visit that was conducted on January 25, 2023 to assess the conditions of Big Sewickley Creek at the newly proposed withdrawal location. Additional photographs documenting the current conditions of the stream and surrounding upland areas at the new withdrawal point should also be included. §105.13 (e) (1) (iv)**

RESPONSE: The Wetland and Stream Delineation Report has been revised to include the January 25, 2023 site visit as requested. The updated report is located within Module S2 of the revised JPA package. Photographs of the newly proposed withdrawal location have also been added to the Site Photographs in Module S1, and the photograph locations on Figure 5 - Site Plan have also been updated. The revised documents are included in the revised JPA package.

- 7) **Update the Wetland and Stream Delineation Report to ensure that the correct Sampling Point identification numbers are provided for Sampling Points TS-40 through TS-43, on all Wetland Determination Data Form pages. §105.13 (e); §105.451; §102.11(a)**

RESPONSE: The data forms within the Wetland and Stream Delineation Report have been revised as requested. The updated report is located within Module S2 of the revised JPA package.

- 8) **Update the E&S Plan drawings and PCSM/SR Plan drawings to clearly indicate if the area of earth disturbance within 100 feet of Coony Hollow (approximately Station 34+70 to 35+70) is an area of limited tree clearing and tree replacement similar to Station 2+00 to 4+00, or provide further explanation. §102.8(b)(1), (5), and (8); §102.8(f)(9)**

RESPONSE: Drawings 6 and 10 have been revised to include areas of limited tree clearing adjacent to Coony Hollow near Stations 34+70 to 35+70 where earth disturbance is anticipated. Modules S1 and S3 have been updated to reference limited tree clearing in these areas. The revised drawings and modules have been included in the revised JPA package.

- 9) **In addition to the note added to Drawing RC01 addressing the removal of sediment deposited on Cooney Hollow Road as a result of the open cut road crossing, please also ensure that the E&S Plan drawings and PCSM/SR plan drawings clearly indicate measures to limit the deposition of sediment on Cooney Hollow Road, as well as immediately removing sediment tracked onto Cooney Hollow Road, for other activities (i.e. installation/removal of super truss, timber mat, above-ground waterline, etc.).§102.11(a), §102.4(b)(5)(ix)**

RESPONSE: Drawings 3, 6, 7, 10, and RC01 have been updated to include notes indicating measures to minimize the deposition of sediment and immediate removal of sediment from Cooney Hollow Road during construction activities not associated with the open cut road crossings.

- 10) **Update Drawings JP01 and JP02, to identify the areas where erosion control blanket /slope stabilization will be installed. §102.11(a), §102.4(b)(5)(ix)**

RESPONSE: Drawings JP01 and JP02 have been revised accordingly. The updated drawings are included in the revised JPA package.

- 11) **The elevation table on Drawing JP01 accounts for the full intake size of 19 inches instead of the 10 inches that will be submerged below the water surface within the “Separation from Strainer” column. Please update the table accordingly.**

RESPONSE: Additional dimensions which demonstrate the “separation from strainer” distances listed in the table have been added to the cross sections on Drawing JP01.

- 12) **Update the elevation table on Drawing JP01 to include the pool depth associated with each cross-section and required flow rate.**

RESPONSE: Pool depth information has been added to the table on Drawing JP01.

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13) Update the “Figures” Table of Contents (page 183 of 318) to include Drawings JP02 and ES04. §102.11(a), §102.4(b)(5)(ix)

RESPONSE: The Table of Contents has been updated to reflect the additional figures as well as the additional changes that were made as part of this revision. The updated Table of Contents is included in the revised JPA package.

14) Update Module S3. F: Alternative Analysis to include additional information addressing the constructability of an above-ground waterline within the B50 pipeline ROW and how the cumulative impacts to the Big Sewickley watershed will be avoided and or minimized to the greatest extent possible with the implementation of the B50 well pad system (i.e. B50 pipeline, B50 TWL project and B50 Truck terminal project). §105.1; §105.13(e)(1)(viii); §105.14(b)(7)

RESPONSE: Module S3 has been updated as requested. The updated module is included in the revised JPA package.

15) Please ensure consistency between the Chapter 105 Joint Permit Application and the ESCGP-3 (ESG070422005-00; Auth ID:1419608) application package for the B50 Temporary Above-Ground Waterline project.

RESPONSE: Thank you for the comment. The changes made to the JPA and ESCGP-3 have been coordinated internally to ensure consistence as requested.

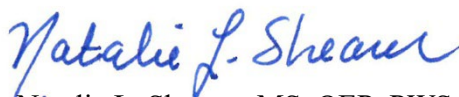
We trust the above responses sufficiently address your comments. However, should you have questions regarding these responses, please contact Natalie Shearer at (724) 327-5200 or nshearer@cecinc.com.

Sincerely,

CIVIL & ENVIRONMENTAL CONSULTANTS, INC.



Sarah V. Parker
Assistant Project Manager



Natalie L. Shearer, MS, QEP, PWS
Project Manager

SVP:NLS/ad

cc: Richard Watson, PennEnergy (PDF)

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