



April 19, 2023

VIA EMAIL

Mr. Richard Watson
Project Manager
PennEnergy Resources, LLC
600 Cranberry Woods Drive, Suite 250
Cranberry Township, PA 16066

RE: PennEnergy Resources, LLC
B50 Temporary Aboveground Waterline Joint Permit Application
E0407222-001; APS # 1058722
Technical Deficiency Notice

Dear Mr. Watson,

The Department has reviewed PennEnergy Resources' March 10, 2023 response to the Department's January 10, 2023 deficiency notice and has identified the following outstanding deficiencies. The following list specifies the items which should be included in the resubmittal of your application and/or the submission of additional information.

- 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.
- 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)

- 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

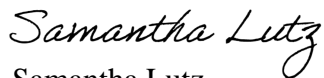
- 4) Update Drawing No. ES04 to include a detail of the flotation support/intake corral that will be utilized to hold the (7) dolphin strainers in formation. §105.13 (e)
- 5) Provide coordination from PFBC's Bureau of Boating that an Aids to Navigation Plan (ATON) is not needed. §105.13 (e)
- 6) Update 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)
- 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)
- 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)
- 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)
- 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)
- 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.
- 12) Update the elevation table on Drawing JP01 to include the pool depth associated with each cross-section and required flow rate.
- 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)

- 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)

- 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.

Please note that this information must be registered within (10) business days from the date of this letter, on or before May 03, 2023, or DEP will consider the registration withdrawn.

Sincerely,



Samantha Lutz
Aquatic Biologist, PA DEP

cc: B. Bailey
K. Scott
J. Reidenbaugh
K. Milcic
M. Stephan
S. Sweder (PennEnergy)
P. Kanouff (CEC)