



**U.S. Army Corps
of Engineers**
Pittsburgh District

Public Notice

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. 2011-1193

Date: September 24, 2013

Notice No. 13-41

Closing Date: October 24, 2013

PARTIAL AFTER-THE-FACT

1. **TO ALL WHOM IT MAY CONCERN:** The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act.
2. **APPLICANT:** Sheffield Land & Timber Company
P.O. Box 54
Sheffield, Pennsylvania 16347

AGENT: David See Surveyors
P.O. Box 1704
Warren, Pennsylvania 16365
3. **LOCATION:** Headwaters area of Coon Creek and abutting wetland , approximately 4 miles southwest of Marienville, PA in Jenks Township, Forest County, Pennsylvania..
4. **PURPOSE AND DESCRIPTION OF WORK:** The Baxter Lease of Sheffield Land & Timber Company has a project area of 170.95 acres, with 15 acres of proposed earth disturbance for 33 well sites for oil and gas extraction and associated access roads and gathering lines placed along the edge of access roads. The after-the-fact impacts include: two road stream crossings (30 feet each for a total of 60 feet) and two wetland road crossings (0.12 acre and 0.91 acre for a total of 1.03 acres). Pipeline crossings are also proposed within the shoulders of the after-the-fact road crossings. In addition, there are six proposed road/pipeline stream crossings (a total of 150 feet) and six road/pipeline wetland crossings that are permanent (a total of 0.426 acre). There are 1.03 acres of after-the-fact wetland impacts that will be reduced to 0.92 acre by removing some of the fill. An additional 0.04 acre of temporary wetland impact associated with mitigation wetland construction are proposed. The total wetland replacement area will be a minimum of 4.90 acres on site. Drawing of the project can be found at:
<http://www.lrp.usace.army.mil/Missions/Regulatory/PublicNotices.aspx>
5. **ENCROACHMENT PERMIT:** The applicant must obtain a Water Obstruction and Encroachment Permit which includes 401 Water Quality Certification from the:

Pennsylvania Department of Environmental Protection
Northwest Regional Office
Waterways and Wetlands Section
230 Chestnut Street
Meadville, Pennsylvania 16335

Telephone: 814-332-6860

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project will have no effect on endangered species or threatened species, or result in destruction or adverse modification of habitat of such species which has been determined to be critical. PNDI Project Search ID 20121219383730 indicates no know impacts. While concurrence with this determination is not required, this Public Notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

7. IMPACT ON CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the register which would be directly affected by the proposed work. By letter dated June 1, 2013, the Pennsylvania Historical and Museum Commission, stated the Phase I report that was submitted met their standards and specifications. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership

and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

10. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn Nancy Mullen at the above address, by telephoning (412) 395-7170, or by e-mail at Nancy.J.Mullen@usace.army.mil Please refer to CELRP-OP-F 2011-1193 in all responses.

FOR THE DISTRICT ENGINEER:

//SIGNED//
Scott A. Hans
Chief, Regulatory Branch

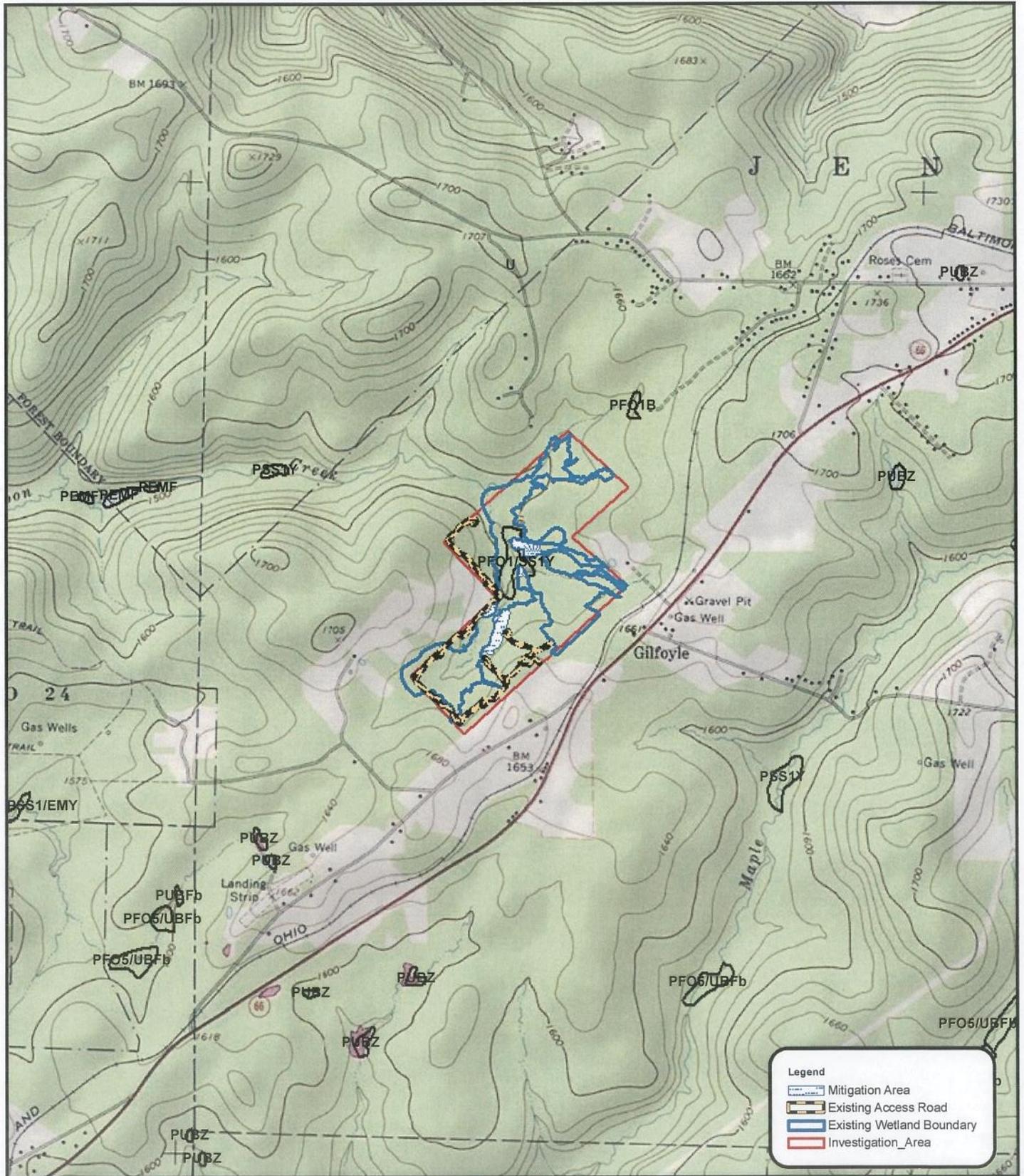


Figure 1: Location and NWI Map for the Baxter Lease Mitigation Plan

Municipality: Jenks Twp. County: Forest

Prepared for:
David See Surveyors

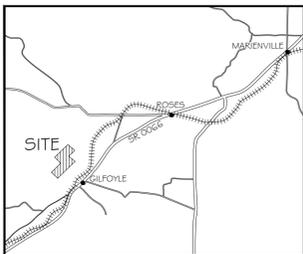
Prepared by:

Source:
USGS: NGS Topo 2D
NWI Quad: Marienville West

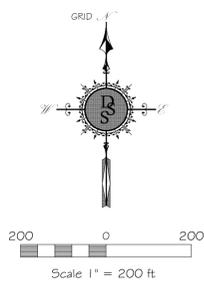
0 2,000 4,000 Feet



BERAN
ENVIRONMENTAL SERVICES
Boyers, PA 724-735-2766

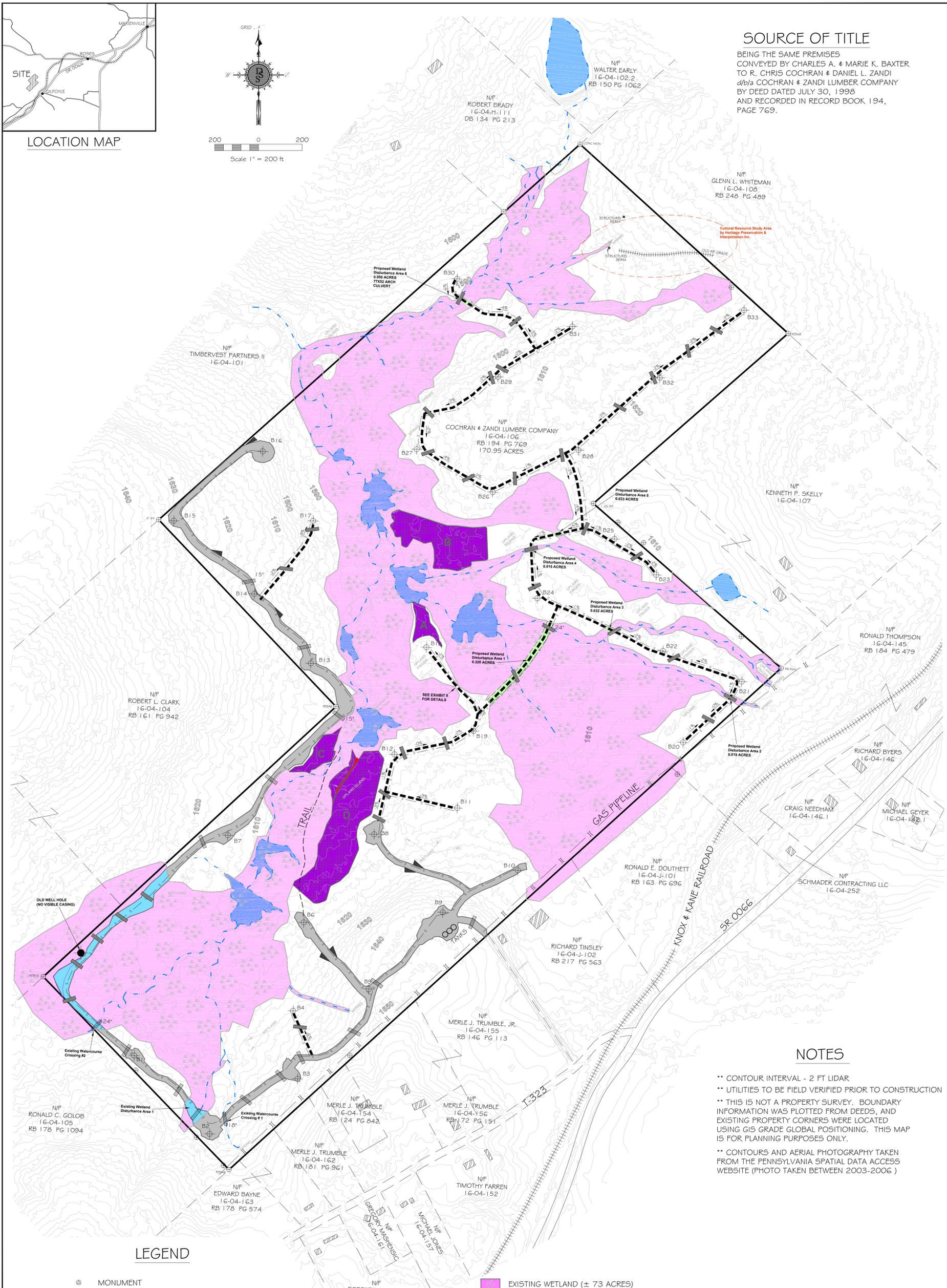


LOCATION MAP



SOURCE OF TITLE

BEING THE SAME PREMISES
 CONVEYED BY CHARLES A. & MARIE K. BAXTER
 TO R. CHRIS COCHRAN & DANIEL L. ZANDI
 d/b/a COCHRAN & ZANDI LUMBER COMPANY
 BY DEED DATED JULY 30, 1998
 AND RECORDED IN RECORD BOOK 194,
 PAGE 769.



N/F
 GLENN L. WHITEMAN
 16-04-103
 RB 248 PG 489

N/F
 ROBERT BRADY
 16-04-111
 DB 134 PG 213

N/F
 TIMBERVEST PARTNERS II
 16-04-101

N/F
 COCHRAN & ZANDI LUMBER COMPANY
 16-04-106
 RB 194 PG 769
 170.95 ACRES

N/F
 KENNETH P. SKELLY
 16-04-107

N/F
 RONALD THOMPSON
 16-04-145
 RB 184 PG 479

N/F
 ROBERT L. CLARK
 16-04-104
 RB 161 PG 342

N/F
 RICHARD BYERS
 16-04-146

N/F
 CRAIG NEEDHAM
 16-04-146.1

N/F
 MICHAEL GEYER
 16-04-146.1

N/F
 RONALD E. DOUTHETT
 16-04-J-101
 RB 163 PG 696

N/F
 SCHMADER CONTRACTING LLC
 16-04-252

N/F
 RICHARD TINSLEY
 16-04-J-102
 RB 217 PG 563

N/F
 MERLE J. TRUMBLE, JR.
 16-04-155
 RB 146 PG 113

N/F
 MERLE J. TRUMBLE
 16-04-154
 RB 124 PG 842

N/F
 MERLE J. TRUMBLE
 16-04-156
 RB 172 PG 151

N/F
 MERLE J. TRUMBLE
 16-04-162
 RB 181 PG 961

N/F
 TIMOTHY FARRIN
 16-04-152

N/F
 EDWARD BAYNE
 16-04-163
 RB 178 PG 574

N/F
 ROBERT DOTTERER
 16-04-160

N/F
 MICHAEL JONES
 16-04-157

LEGEND

- ⊕ MONUMENT
- △ FOUND IRON PIPE / ROD
- △ POINT
- (D) PER DEED DESCRIPTION
- P.O.B POINT OF BEGINNING
- ⊕ PROPOSED WELL (33 @ VARIOUS SPC'G)
- PIPELINE
- EXISTING WELL
- ⊗ PLUGGED WELL
- ▬ PROPOSED CULVERT (18" UNLESS NOTED)
- ▬ TYPICAL TURNOUT (SEE EXHIBIT 27)

- EXISTING WETLAND (± 73 ACRES)
- PROPOSED WETLAND REPLACEMENT AREAS (4.90 ACRES)
- TEMPORARY WETLAND DISTURBANCE
- EXISTING WETLAND DISTURBANCE (1.030 ACRES)
0.92 ACRES TO REMAIN AFTER RESTORATION
- EXISTING DISTURBANCE (7.06 ACRES)
- PROPOSED WETLAND DISTURBANCE (0.426 ACRES)
- EXISTING CULVERT (12" STEEL UNLESS NOTED)
- EXISTING ROAD
- PROPOSED ROAD (9,645 FT)

NOTES

- ** CONTOUR INTERVAL - 2 FT LIDAR
- ** UTILITIES TO BE FIELD VERIFIED PRIOR TO CONSTRUCTION
- ** THIS IS NOT A PROPERTY SURVEY. BOUNDARY INFORMATION WAS PLOTTED FROM DEEDS, AND EXISTING PROPERTY CORNERS WERE LOCATED USING GIS GRADE GLOBAL POSITIONING. THIS MAP IS FOR PLANNING PURPOSES ONLY.
- ** CONTOURS AND AERIAL PHOTOGRAPHY TAKEN FROM THE PENNSYLVANIA SPATIAL DATA ACCESS WEBSITE (PHOTO TAKEN BETWEEN 2003-2006)

PROJECT MAP
SHEFFIELD LAND & TIMBER COMPANY

LOCATION: JENKS TOWNSHIP
 FOREST COUNTY
 PENNSYLVANIA

SCALE: 1" = 200'	DATE: JANUARY 13, 2011
REVISION: 6/22/12; DEC, 2012	PARCEL NO: 16-04-106
REVISION: 8/7/13; 9/5/13	OT # 144607
FIELD BOOK NO:	DRAWN BY: T. HENDRICKS

DAVID SEE SURVEYORS
 www.GEOmetronics.com
 NAT CITY BLDG RM 212 BOX 1704
 WARREN, PENNA. 16365
 (814) 753-7522