



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA DISTRICT
WANAMAKER BUILDING, 100 PENN SQUARE EAST
PHILADELPHIA, PENNSYLVANIA 19107-3390

January 12, 2022

Regulatory Branch

SUBJECT: Approved Jurisdictional Determination NAP-2021-00175-91
Project Name: North Arrowhead Drive Lot 84 Block 55 Section 12 MN
Center coordinates (41.164700°, -75.564107°)

Ms. Lesley Gunshenan
3308 Rt. 940 Suite 104-417
Mt. Pocono, Pennsylvania 18344

Dear Ms. Gunshenan:

This Approved Jurisdictional Determination (AJD) is provided in response to your request on April 10, 2021 for a determination of Federal jurisdiction by this office. The study area associated with your request is located directly west of the intersection of North Arrowhead Drive and Pontiac Path, Coolbaugh Township, Monroe County, Pennsylvania.

The findings of this AJD are documented in the enclosed AJD Form. The findings are also depicted on the enclosed plan(s) identified as the "Study Area".

A Department of the Army permit is required for work or structures in "navigable waters of the United States" pursuant to Section 10 the Rivers and Harbors Act (RHA) of 1899 and the discharge of dredged or fill material into "waters of the United States" pursuant to Section 404 of the Clean Water Act (CWA). Any proposal to perform these activities within areas of Federal jurisdiction requires prior approval by this office.

Food Security Act statement: The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

A site inspection was conducted by a representative of this office on the above-mentioned property on April 20, 2021. It was determined that no federally regulated waters, including wetlands, are present within the above-mentioned study area. Therefore, this office has no geographic jurisdiction over the aforementioned study area. As such, a Department of the Army permit is NOT required for the discharge of dredged and/or fill material or to perform work and/or place structures within the aforementioned study area. The basis of our determination of jurisdiction is also provided (Enclosure 1).

This AJD is valid for a period of five (5) years. This AJD is issued in accordance with current Federal regulations and is based upon the existing site conditions and information provided by you in your application. This office reserves the right to reevaluate and modify this AJD at any time should the existing site conditions or Federal regulations change, or should the information provided by you prove to be false, incomplete, or inaccurate.

You may request an administrative appeal of this AJD if you do not accept this determination. Enclosed you will find a combined Notification of Appeal Process (NAP) and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the North Atlantic Division Office at the following address:

Ms. Naomi J. Handell
Regulatory Program Manager (CENAD-PD-OR)
North Atlantic Division, U.S. Army Corps of Engineers
Fort Hamilton Military Community
General Lee Avenue, Building 301
Brooklyn, NY 11252-6700

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5 and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **November 15, 2021.**

If you have any questions regarding this matter, please contact me by phone at 267-284-6563 or by email at glenn.r.weitknecht@usace.army.mil

Sincerely,

Glenn R. Weitknecht
Chief, Application Section II

Enclosures

PADEP, Northeast Region Office
Monroe County Conservation District
Coolbaugh Township

SITE DATA:

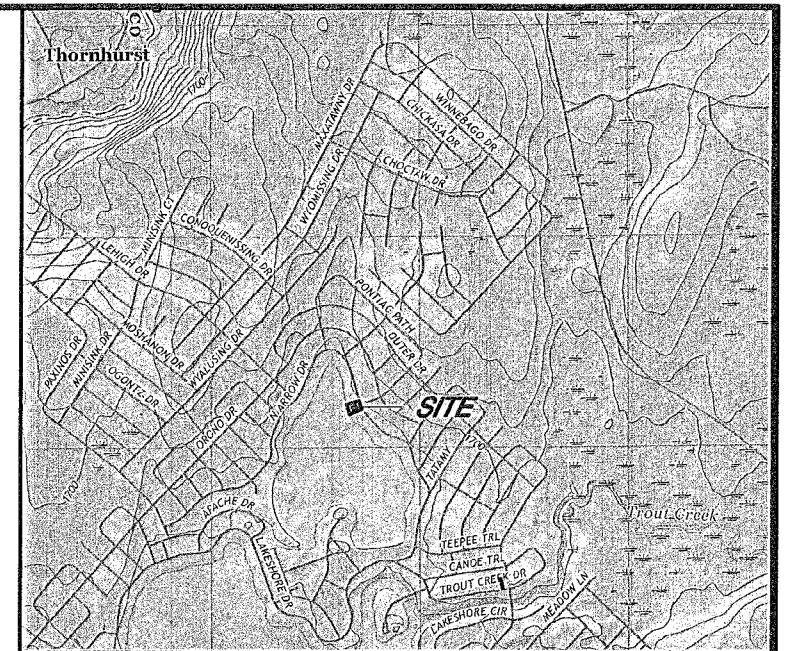
SOURCE OF TITLE: LOT 83 - DB 2133 PG 3432
 PARCEL 03 200 1 25
 PIN 036307117143
 316 NORTH ARROW DRIVE

LOT 84 - DB 2579 PG 7022
 PARCEL 03 200 1 25
 PIN 036307117210
 VACANT LOT

TOTAL ACREAGE: 0.636 AC.
 NEW LOT NUMBER: LOT 83A
 ADDRESS: 316 NORTH ARROW DRIVE

ZONING DISTRICT: R-3

COOLBAUGH TOWNSHIP
 SETBACKS: FRONT YARD SETBACK - 25 FEET
 SIDE YARD SETBACK - 12 FEET
 REAR YARD SETBACK - 40 FEET



LOCATION MAP
 USGS THORNHURST QUAD MAP
 SCALE: 1" = 2000'
 0 2000 4000
 FEET

GENERAL NOTES:

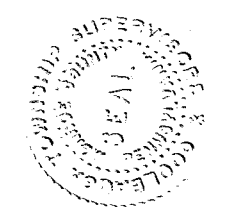
1. THE APPROVAL OF THIS PLAN BY THE BOARD OF SUPERVISORS OF COOLBAUGH TOWNSHIP DOES NOT HAVE THE EFFECT OF ALTERING, REDEFINING OR EXTINGUISHING ANY EASEMENTS OF RECORD ON OR OVER THE SUBJECT PROPERTY.
2. THE LOTS BEING JOINED SHALL NOT BE SUBDIVIDED INTO SMALLER LOTS WITHOUT THE APPROVAL OF COOLBAUGH TOWNSHIP.
3. BY APPROVAL OF THIS PLAN THE TOWNSHIP HAS NOT CONFIRMED THE PRESENCE, ABSENCE AND/OR THE EXTENT OF WETLANDS, WHETHER OR NOT DELINEATED ON THIS PLAN.
4. THE PROPERTY SHOWN ON THIS PLAN IS UNDER AND SUBJECT TO THE COOLBAUGH TOWNSHIP ORDINANCE CHAPTER 400 - ZONING, AS AMENDED.
5. BEARINGS AND DISTANCES SHOWN ARE AS MEASURED.
6. SUBJECT PARCELS ARE PARTIALLY LOCATED IN FLOOD ZONE A (FLOOD HAZARD AREA WITHOUT BASE FLOOD ELEVATIONS) AND ZONE X (AREA OF MINIMAL FLOOD HAZARD) PER FEMA FLOOD PANEL 42082C0066 WITH AN EFFECTIVE DATE OF 5/2/2013.

BOARD OF SUPERVISORS:

AT A PUBLIC MEETING HELD ON August 19, 2021, THE BOARD OF SUPERVISORS OF COOLBAUGH TOWNSHIP REVIEWED AND BY A MOTION DULY ENACTED, APPROVED THE JOINING OF LOTS 83 AND 84 AS ORIGINALLY SHOWN ON THE PLAN TITLED "SECTION 12 ARROWHEAD LAKE" RECORDED IN MONROE COUNTY PLOT BOOK 16 PAGE 77.

[Signatures]

CLARENCE COLEBY
 TOWNSHIP CLERK



APPROVAL/REVIEW BLOCK

REVIEWED BY THE COUNTY PLANNING COMMISSION

[Signature]
 COUNTY PLANNING COMMISSION STAFF PERSON

REVIEWED BY *[Signature]*
 MONROE COUNTY PLANNING COMMISSION
 PURSUANT TO SEC. 533A OF THE EPC
 DATE: 8/19/21

RECORDED OF RECORDS
 MONROE COUNTY
 PENNSYLVANIA
 INSTRUMENT NUMBER: 2022-0201-027
 RECORDED ON: 02/22/2022
 2:44:59 PM
 INSTRUMENT TYPE: 1602-000/012
 FOLDER: 1602-000
 TABLE: Parcel 1

CERTIFIED PROPERTY IDENTIFICATION NUMBERS
 3-2001.1.25 + 3-2001.1.26
 MUNI NAME: Coolbaugh Township
 CERTIFIED: 8/19/2021 BY: *[Signature]*

OWNER'S STATEMENT:

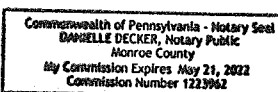
ON THIS DAY OF AUGUST, 2021, BEFORE ME THE UNDERSIGNED OFFICER, PERSONALLY APPEARED MICHAEL GUNSHENAN AND LESLEY GUNSHENAN WHO BEING DULY SWORN, ACCORDING TO LAW, DEPOSES AND SAYS THAT THEY ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAN, AND THAT THE PLAN WAS MADE WITH THEIR KNOWLEDGE AND/OR DIRECTION AND DOES HEREBY AGREE WITH THE SAID PLAN TO THE SUBMISSION OF THE SAME.

[Signature]
 MICHAEL GUNSHENAN
 316 NORTH ARROW DRIVE
 POCONO LAKE, PA 18347

[Signature]
 LESLEY GUNSHENAN
 316 NORTH ARROW DRIVE
 POCONO LAKE, PA 18347

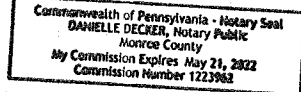
MY COMMISSION EXPIRES May 31, 2025

MY COMMISSION EXPIRES May 31, 2025



[Signature]
 DANIELLE BECKER
 NOTARY PUBLIC

[Signature]
 DANIELLE BECKER
 NOTARY PUBLIC



SURVEYOR'S CERTIFICATION:

"I, DEAN JOSEPH SLOSAKER, A REGISTERED SURVEYOR OF THE COMMONWEALTH OF PENNSYLVANIA DO HEREBY CERTIFY THAT THE PLAN, PREPARED FROM A FIELD SURVEY ON JUNE 23ST AND JULY 13TH, 2021 CORRECTLY REPRESENTS THE RETRACED PROPERTY BOUNDARY OF THE PROPOSED SUBDIVISION OR LAND DEVELOPMENT"

[Signature] 8/19/21
 DEAN JOSEPH SLOSAKER, PLS (SU075362) DATE

REV.	DESCRIPTION	DATE	BY
TAX ID PARCELS: 03 200 1 25, 03 200 1 26	TOTAL AREA: 0.636 AC.	TOTAL LOTS: 2	
DATE: 7/17/21	SCALE: 1"=200'		
PRELIMINARY/FINAL LOT JOINER PLAN LOT 83 AND LOT 84 BLOCK A-55, SECTION 12, ARROWHEAD LAKE COOLBAUGH TOWNSHIP, MONROE COUNTY, PENNSYLVANIA TROUT CREEK, LLC PROFESSIONAL LAND SURVEYING SERVICES 3006 Best Station Road, State College, PA 16801-6538 www.troutcreeksurvey.com			
JOB NO.: 2106024			SHEET NO.: 1 OF 1

93-225

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

- A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD):** *Click here to enter a date.*
- B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** CENAP-OPR 2021-00175 North Arrowhead Drive Lot 84 Block 55 Section 12 MN
- C. PROJECT LOCATION AND BACKGROUND INFORMATION:**
State: Pennsylvania County/parish/borough: Monroe City: Coolbaugh Township
Center coordinates of site (lat/long in degree decimal format): Lat. 41.164700°, Long. -75.564107°
Universal Transverse Mercator: 18
Name of nearest waterbody: Arrowhead Lake
Name of watershed or Hydrologic Unit Code (HUC): 0204010602
- Check if map/diagram of review area is available upon request.
 Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.
- D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**
- Office (Desk) Determination. Date: November 16, 2021
 Field Determination. Date(s): April 20, 2021

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **are no** “*navigable waters of the U.S.*” within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **are no** “*waters of the U.S.*” within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: DATA SOURCES.

- A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):**
- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: *Click here to enter text.*
 Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 Office concurs with data sheets/delineation report.
 Office does not concur with data sheets/delineation report.
 Data sheets prepared by the Corps: Wetland Determination Data Form, April 20, 2021
 U.S. Geological Survey Hydrologic Atlas: *Click here to enter text.*
 USGS NHD data.
 USGS 8 and 12 digit HUC maps.
 U.S. Geological Survey map(s). Cite scale & quad name: *Click here to enter text.*
 USDA Natural Resources Conservation Service Soil Survey. Citation: Web Soil Survey
 National wetlands inventory map(s). Cite name: NWI Online Viewer
 State/Local wetland inventory map(s): *Click here to enter text.*
 FEMA/FIRM maps: *Click here to enter text.*
 100-year Floodplain Elevation is: *Click here to enter text.* (National Geodetic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): *Click here to enter text.*
 or Other (Name & Date): *Click here to enter text.*
 Previous determination(s). File no. and date of response letter: *Click here to enter text.*
 Applicable/supporting case law: *Click here to enter text.*
 Applicable/supporting scientific literature: *Click here to enter text.*
 Other information (please specify): *Click here to enter text.*

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: Representative data point taken. Site can be characterized as upland forest.

¹ This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Ms. Lesley Gunshenan		File Number: CENAP 2021-00175	Date: 1/12/2022
Attached is:			See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
	PROFFERED PERMIT (Standard Permit or Letter of permission)		B
	PERMIT DENIAL		C
X	APPROVED JURISDICTIONAL DETERMINATION		D
	PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/appeals.aspx> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Nathan Fronk
(267) 284-6564, or
Nathan.R.Fronk@usace.army.mil

If you only have questions regarding the appeal process you may also contact:

Mr. James W. Haggerty
Regulatory Program Manager (CENAD-PD-OR)
U.S. Army Corps of Engineers
Fort Hamilton Military Community
301 General Lee Avenue
Brooklyn, New York 11252-6700
Telephone number: 347-370-4650

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number: