



**US Army Corps
of Engineers**
Philadelphia District

Wanamaker Building
100 Penn Square East
Philadelphia, PA 19107-3390
ATTN: CENAP-OP-R

Public Notice

Public Notice No.

Date

CENAP-OP-R-2019-00094-84

Application No.

File No.

**CENAP-OP-R-2019-00094-84/First Pennsylvania Resource LLC Quaker
Mitigation Bank**

In Reply Refer to:

REGULATORY BRANCH

The Philadelphia District Corps of Engineers (Corps) has received a Prospectus to establish a compensatory wetland mitigation bank for Department of the Army permits in accordance with the Federal Rules; "Compensatory Mitigation for Losses of Aquatic Resources"; Final Rule (33 CFR Parts 332 and 40 CFR Part 230) of April 10, 2008.

The purpose of this notice is to solicit comments and recommendations from the public concerning the Prospectus as described below. A full copy of the Prospectus is available for review upon request.

APPLICANT: First Pennsylvania Resource, LLC
33 Terminal Way
Suite W445A
Pittsburgh, PA 15219

PROJECT NAME: Quaker Mitigation Bank

WATERWAY: Maiden Creek, Tributary 02105, Tributary 02108

LOCATION: Latitude 40.657572°, Longitude -75.883285°, TMP 21541800689555,
21541800994597, 21542800095894, 21541800877660, & 21541800869548,
Kempton, Berks County, Pennsylvania (see attachment E-1).

ACTIVITY: The proposed Quaker Mitigation Bank site is located within 5 parcels, privately owned, principally used for agricultural production and cattle pasture. Upon securing necessary site protection, First Pennsylvania Resource would establish and maintain 113 acres of re-established, rehabilitated and preserved stream corridor, wetlands and riparian buffer in accordance with the mitigation design plan (see attachment E4 for an overview).

The area has been subject to use for livestock and crop production dating back at least to 1938 as demonstrated by aerial images from that year. Baseline conditions include incised and denuded stream banks, reaches forced along the toe of slopes, and wetlands with limited vegetative species diversity (existing resources are outlined on E3). Incompatible surrounding land use maintains these conditions and has water quality consequences downstream. Lake Ontelaunne, an impounded reach of Maiden Creek

relied upon for drinking water by Reading and surrounding municipalities, receives the sediment and nutrient load that a protected stream corridor would otherwise attenuate.

The Sponsor intends to establish the bank to provide compensatory mitigation to compensate for unavoidable impacts to Waters of the United States and/or State Waters, including wetlands, occurring in the Lower Delaware River Sub-basin (Pennsylvania State Water Plan Sub-basin #3). The proposed Service Area is depicted on the Service Area Map (E1). This Service Area occupies HUC 02040203 (Schuylkill Watershed) and additional drainage from some of the surrounding counties.

In the service area, the mitigation credits from the bank would be used to mitigate for impacts to wetlands, streams and open water. The use of a mitigation bank to provide credits must be specifically reviewed and approved. The number of credits generated by successful implementation of the bank is based on a quantifiable functional uplift resulting from the restoration work and site protection proposed. The proposed mitigation bank design and construction would potentially result in the generation of 17,121 stream credits and 18 wetland credits as follows:

Resource Type	Restoration Type	Classification	Mitigation Ratio		Proposed Value	Proposed Value Total	Generated Credits	Generated Credits Total
Streams (linear feet)	Relocation	Perennial	1.0	:1	13,415.75	13,415.75	13,415.75	13,415.75
	Rehabilitation	Perennial	1.5	:1	2,376.01	2,802.47	1,584.01	1,868.31
		Intermittent	1.5	:1	426.46		284.31	
	Enhancement	Perennial	2.5	:1	3,032.25	4,593.11	1,212.90	1,837.24
		Intermittent	2.5	:1	1,190.18		476.07	
		Ephemeral	2.5	:1	3,70.68		148.27	
	Grand Totals				20,811.33	20,811.33	17,121.31	17,121.31
Wetlands (acres)	Reestablishment	PEM	1.0	:1	-	7.62	-	7.62
		PSS	1.0	:1	-		-	
		PFO	1.0	:1	7.62		7.62	
	Rehabilitation	PEM	1.5	:1	-	6.71	-	4.47
		PSS	1.5	:1	-		-	
		PFO	1.5	:1	6.71		4.47	
	Enhancement	PEM	2.5	:1	-	15.81	-	6.32
		PSS	2.5	:1	-		-	
		PFO	2.5	:1	15.81		6.32	
	Permanent Impact*	-	1.0	:1	0.01	0.01	(0.01)	(0.01)
Grand Totals					30.14	30.14	17.75	18.41

There is a need for compensatory stream and wetland mitigation site opportunities in the region for impacts associated with Federal and State permitted projects. The proposed mitigation bank is technically feasible, incorporates lessons learned from, and design concepts applied successfully to, other compensatory mitigation sites in the state of Pennsylvania over the past several decades.

The Restoration Development Plan (E4) is consistent with the pursuit of the proposed objectives and anticipated functional gains indicated by the sponsor, which meets the test for ecological suitability. The project includes creation of wide riparian buffers along reestablished reaches of the stream. Upland and wetland forested habitats will be preserved and protected as part of the overall site plan. Specific crossings and points of access are proposed as reserved rights to allow the land owners to move equipment and

continue agricultural production of areas outside the scope of the project. None of those areas are proposed to generate credits and many of the areas that are would be protected from incompatible use by way of fencing, signage, or other means.

Oversight of the Bank would be by an Interagency Review Team (IRT) composed of federal and state representatives and chaired by the Corps. The mitigation bank credits will be available for sale to third parties provided such parties (permittees) have received all necessary Federal and State authorizations requiring compensatory mitigation, and the sale has been approved by the IRT.

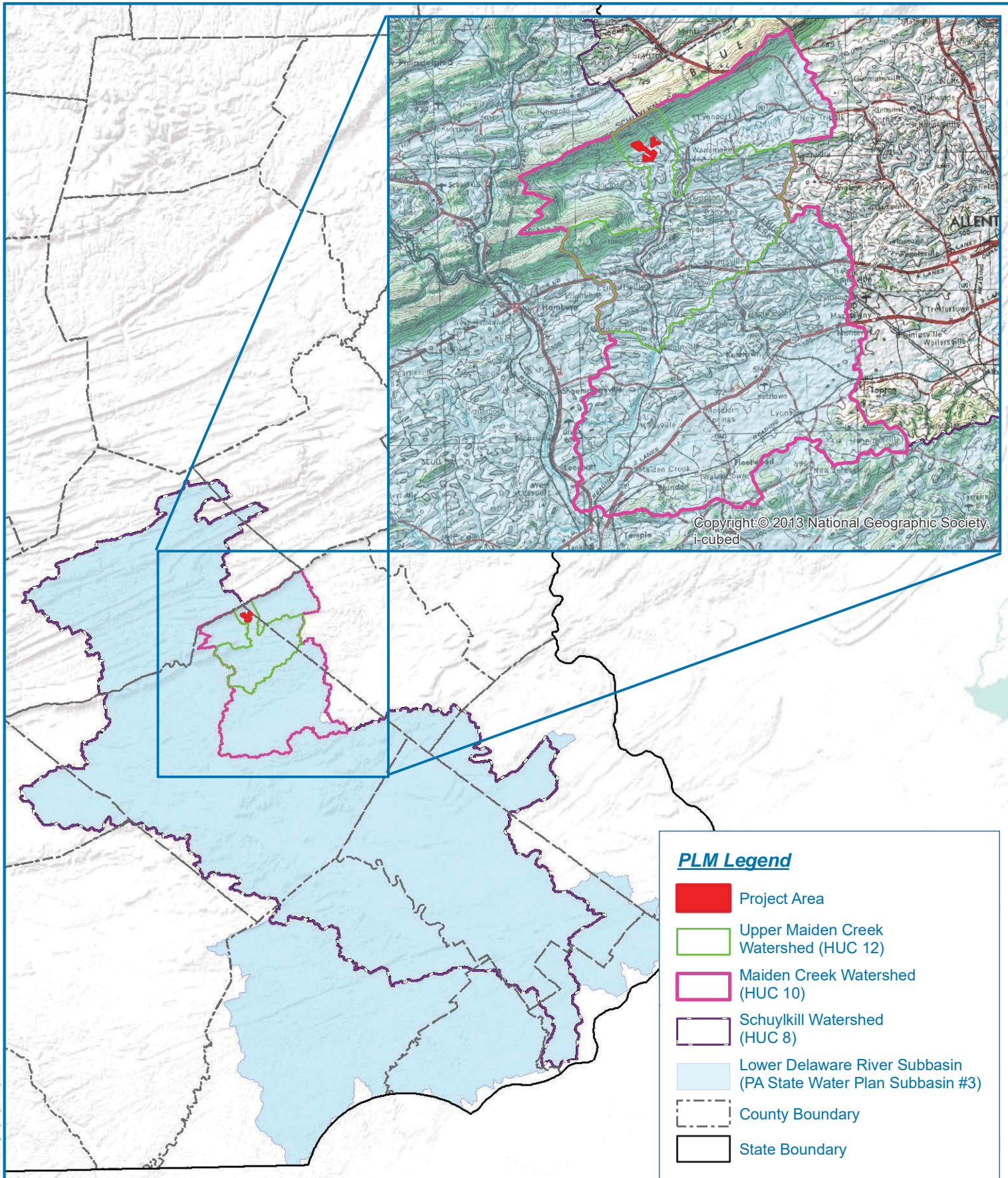
This public notice is issued pursuant to the “Compensatory Mitigation for Losses of Aquatic Resources”; Final Rule (33 CFR Part 332 and 40 CFR Part 230) of April 10, 2008.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the implications for approval of this proposed mitigation bank. Any comments received will be considered by the IRT.

Comments on the proposed bank should be submitted, in writing, within 30 days of the date of this Public Notice to the District Engineer, U.S. Army Corps of Engineers, Philadelphia District, Wanamaker Building, 100 Penn Square East, Philadelphia, Pennsylvania 19107-3390 or via electronic mail to napregulatory@usace.army.mil.

Additional information concerning this permit application may be obtained by calling Mr. Brian Anthony at (215) 656-0542 between the hours of 1:00 and 3:30 p.m. or writing this office at the above address.

Edward E. Bonner
Chief, Regulatory Branch



PLM Legend

- Project Area
- Upper Maiden Creek Watershed (HUC 12)
- Maiden Creek Watershed (HUC 10)
- Schuylkill Watershed (HUC 8)
- Lower Delaware River Subbasin (PA State Water Plan Subbasin #3)
- County Boundary
- State Boundary

Sources: Esri, USGS, NOAA

PROJECT LOCATION



BERKS COUNTY, PA



SERVICE AREA MAP QUAKER MITIGATION BANK



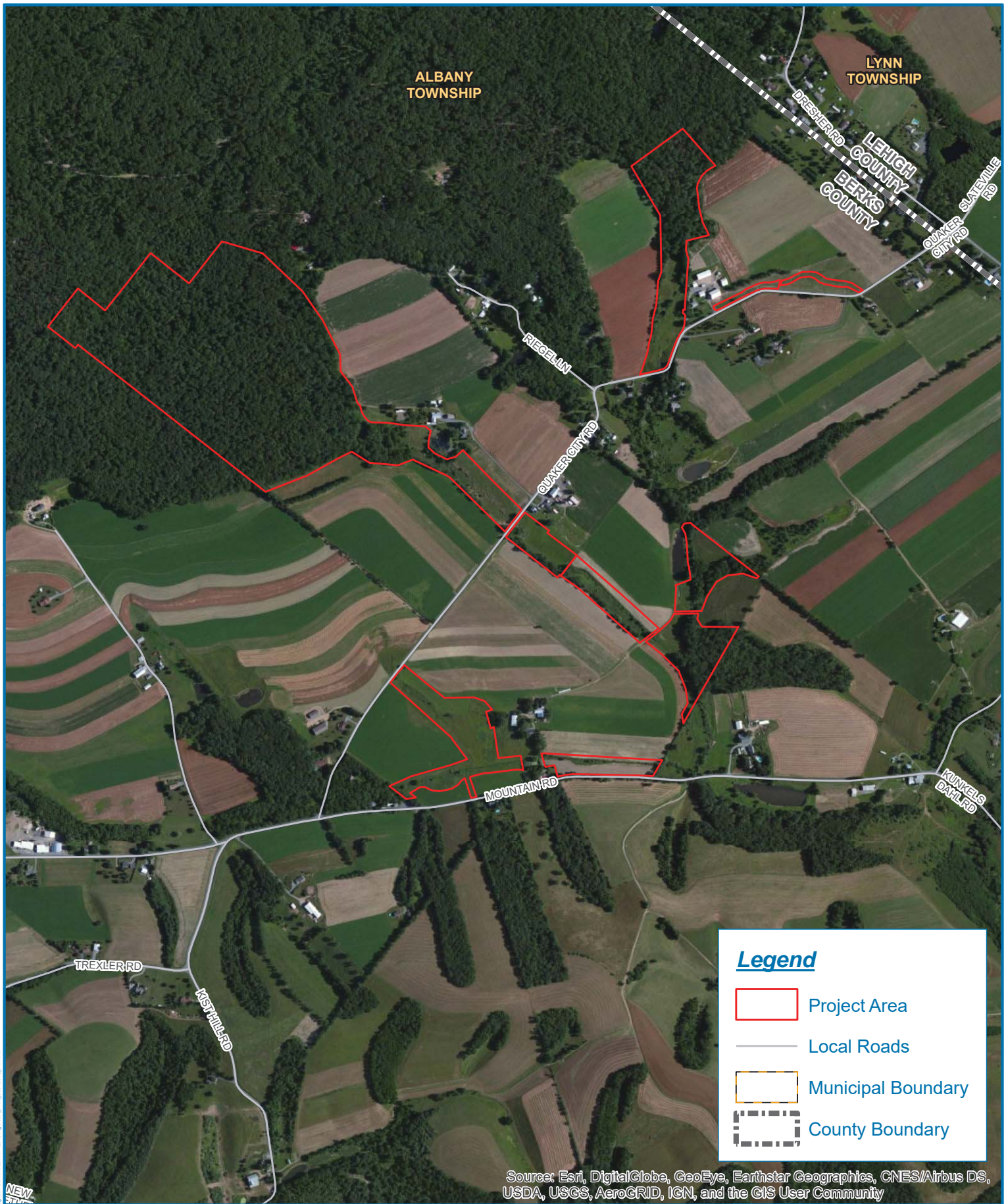
FIGURE 1

Date: 12/18/2018

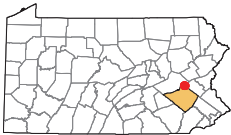
Drawn by: ADS

Checked by: KW





PROJECT LOCATION



BERKS COUNTY, PA



PROJECT AREA MAP QUAKER MITIGATION BANK



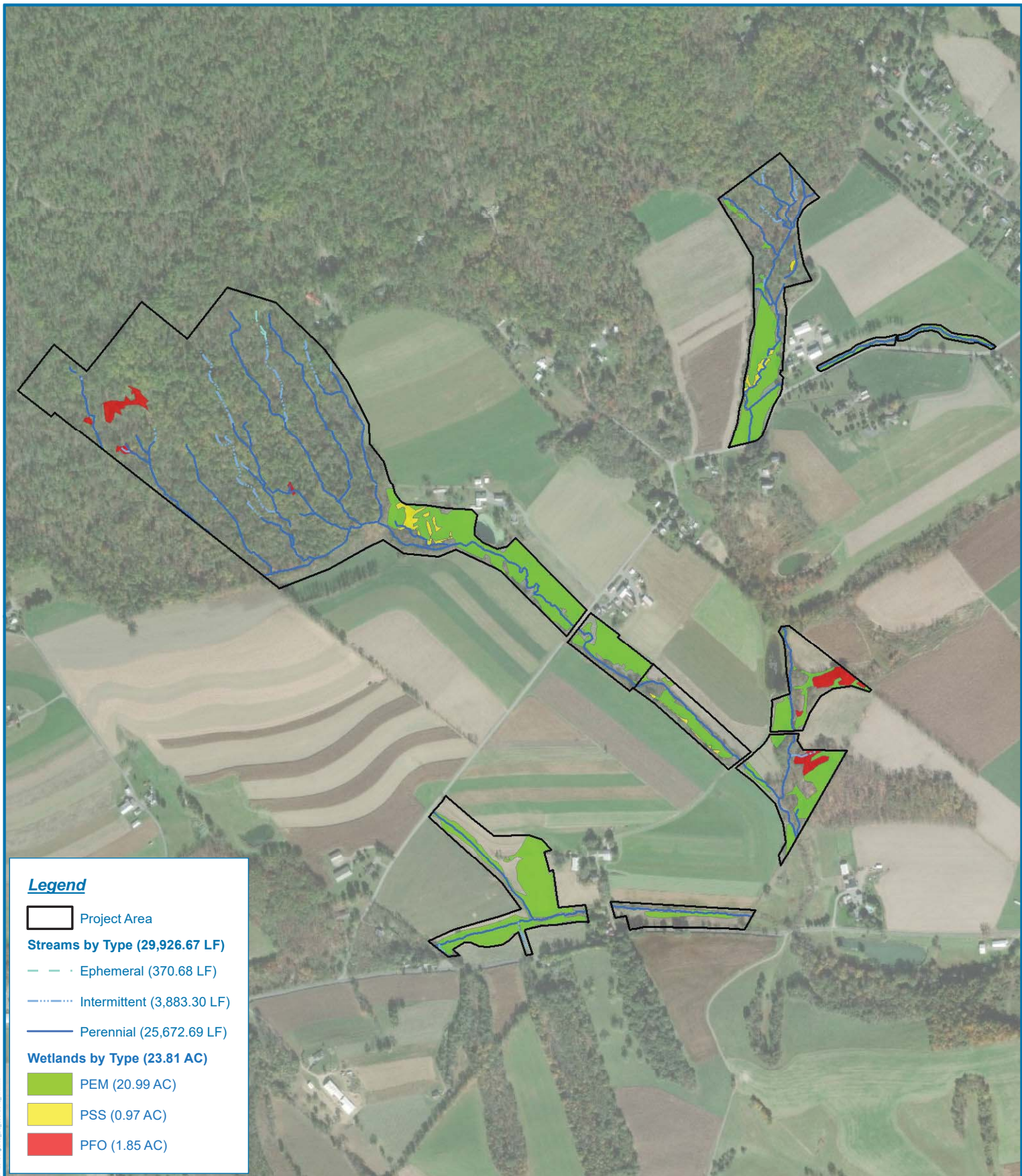
FIGURE 2A

Date: 1/16/2019

Drawn by: ADS

Checked by: KW





Legend

- Project Area
- Streams by Type (29,926.67 LF)**
 - · — · — Ephemeral (370.68 LF)
 - - - - - Intermittent (3,883.30 LF)
 - Perennial (25,672.69 LF)
- Wetlands by Type (23.81 AC)**
 - PEM (20.99 AC)
 - PSS (0.97 AC)
 - PFO (1.85 AC)

Aerial imagery provided by ESRI.
Horizontal Datum is NAD83 Pennsylvania Stateplane South FIPS (3702_US FT).

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

PROJECT LOCATION



BERKS COUNTY, PA



**EXISTING CONDITIONS MAP
QUAKER MITIGATION BANK**



FIGURE 3

Date: 1/16/2019
Drawn by: NDR
Checked by: ADS



