

## **Appendix B – Regulatory Communications**



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Pennsylvania Field Office  
110 Radnor Road, Suite 101  
State College, Pennsylvania 16801-4850



November 16, 2021

Fernando Fernández  
U.S. Department of Veterans Affairs  
Construction and Facilities Management Office  
Washington D.C.

Andrew Glucksman  
Mabbett & Associates  
40 Old Louisquisset Pike  
North Smithfield, RI 02896

RE: USFWS Project #2021-0077  
PNDI Review # 737860

Dear Messrs. Fernández and Gluckman:

Thank you for your emails of August 12, and October 26, 2021, which provided the U.S. Fish and Wildlife Service (Service) with additional information about the Indiantown Gap National Cemetery Phase 5 Expansion Project, located in Annville, Lebanon County, Pennsylvania. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) to ensure the protection of federally threatened and endangered species. We previously commented on this project by letter dated February 25, 2021.

The Department of Veterans Affairs (DVA) proposes to construct and operate the 5<sup>th</sup> Phase expansion of the Indiantown Gap National Cemetery. Based on the materials provided, the proposed expansion is on a 120-acre parcel, but the actual development will likely be much smaller (about 45 acres) and is located east of the existing developed portion of the cemetery.

The proposed project is located within the range of the federally listed, endangered, Indiana bat (*Myotis sodalis*); and the federally listed, threatened northern long-eared bat (*Myotis septentrionalis*) and bog turtle (*Glyptemys muhlenbergii*).

### Indiana bat and Northern Long-eared bat

In our February 25, 2021, letter, we determined that with DVA's commitment to a seasonal restriction on tree cutting to avoid the direct take of Indiana bats, the effects of the project on the

Indiana bat were insignificant or discountable. We also determined that the project was not located within 0.25 mile of a known northern long eared bat hibernaculum or within 150 feet from a known, occupied maternity roost tree; therefore, we concluded that any incidental take that may occur was in accordance with the Final 4(d) Rule and not in violation of the Endangered Species Act. These determinations included in our February 2021 letter remain unchanged.

### Bog turtle

To determine the potential effects of the proposed project on bog turtles and their habitat, Bridger Thompson, a Qualified Bog Turtle Surveyor (QBTS), conducted Phase 1 bog turtle habitat assessments on October 7 and 8, 2020. According to the report, 18 wetlands extend to within 300 feet of the proposed limit of disturbance. Following the methods described under “*Bog Turtle Habitat Survey*” (Phase 1 survey) of the *Guidelines for Bog Turtle Surveys* (revised 2020), Mr. Thompson determined that the wetland referred to as Wetland INC-W-002 had the combination of soils, vegetation, and hydrology typical of habitat occupied by bog turtles.

In our February 2021 letter, we recommended that DVA retain a QBTS to conduct a Phase 2 survey for the wetlands that were found within 300 feet of the proposed project or avoid wetlands in the project area. Accordingly, to conduct a more detailed and thorough evaluation of these wetlands, Mr. Thompson also completed Phase 2 bog turtle surveys on Wetland INC-W-002 on April 28; May 4, 12, and 19, 2021. According to the survey report, although the site contained suitable bog turtle habitat, and several amphibian and reptile species were observed (green frog, northern dusky salamander, eastern box turtle, grey tree frog), no bog turtles were found in this wetland. Based on our review of this information, including the project description, project location, and anticipated activities; and the failure to locate bog turtles in the subject wetland, we concluded that construction and implementation of the proposed eastern end of the project is not likely to adversely affect the bog turtle.

### Additional Project Area Phase 1 Bog Turtle Survey

Since the Phase 2 survey conducted in April/May 2021, the DVA selected a project design that includes additional project tasks (referred to as Additional Project Area). Work includes repaving existing roadways within the existing developed western portion of the Cemetery; widening existing paved walkways within the mowed and maintained cemetery grounds; installing informational signage along existing roadways; and maintaining existing monuments and bridge structures (non-structural and cosmetic repairs). The DVA is not proposing direct impacts to wetlands or watercourses in the Additional Project Area.

To determine the potential effects of the modified proposed project on bog turtles and their habitat, QBTS Bridger Thompson conducted more Phase 1 bog turtle habitat assessments in the Additional Project Area on June 10, 2021. According to the report, 19 additional wetlands extend to within 300 feet of the proposed limit of disturbance. Following the methods described under “*Bog Turtle Habitat Survey*” (Phase 1 survey) of the *Guidelines for Bog Turtle Surveys* (revised 2020), Mr. Thompson determined that the wetlands referred to as Wetland INC-W-025,

INC-W-026, INC-W-028, INC-W-029 had the combination of soils, vegetation, and hydrology typical of habitat occupied by bog turtles. We concur with these habitat determinations.

Because potential bog turtle habitat was found in the Additional Project Area past the timeline requirements for a 2021 Phase 2 bog turtle survey, the DVA has elected to assume the presence of bog turtles in these additional wetland areas and employ avoidance measures to ensure no adverse effects to bog turtles, in lieu of conducting Phase 2 bog turtle surveys. To avoid adverse effects to bog turtles, the DVA has committed to implementing avoidance and minimization measures for work in the Additional Project Area. Since the project duration for the Additional Project Area is relatively short (maximum of 1 month) the DVA will use 18-inch compost filter socks (CFS) adjacent to the Wetlands INC-W-025, INC-W-026, INC-W-028, INC-W-029, per email of October 26, 2021 (to cause less disturbance within the cemetery) in lieu of traditional exclusionary fencing. The short duration of the project ensures that the CFS would remain as an effective bog turtle barrier, and not be subject to compression, crushing and flattening, thus rendering it ineffective at excluding turtles from the project area. The DVA is committed to including these avoidance measures in an approved Sedimentation and Erosion Control Plan. If all construction is completed between November 1 and March 31 and no excavation in wetlands is proposed, the following measures are not necessary.

- 1) If any exclusionary fencing is entirely erected between November 1 and March 31, it will not be necessary to perform a pre-construction survey.
- 2) During the period between April 1 and October 31, one pre-construction bog turtle clearance search of the proposed project area of effect will be completed prior to any earth disturbance activity, fencing installation, or other construction. The search area will extend to include an area 10 feet beyond the planned Limit of Disturbance and any temporary staging areas. The pre-construction bog turtle clearance search must be performed by a qualified bog turtle surveyor, who will be obtained from the most current list of "U.S. Fish and Wildlife Service and Pennsylvania Fish and Boat Commission Recognized Qualified Bog Turtle Surveyors." The bog turtle clearance search must be completed immediately prior to the installation of the habitat protection fence described below.
- 3) Except as otherwise noted within these avoidance measures, the pre-construction bog turtle clearance search shall be conducted according to the most current survey protocol provided by the U.S. Fish and Wildlife Service and the Pennsylvania Fish and Boat Commission. All Phase 2 survey procedures are applicable except that one pre-construction clearance search per wetland rather than the minimum of four searches per wetland shall be acceptable, and the time of year for performing the search has been extended.
- 4) If the pre-construction bog turtle clearance search occurs after June 15, herbaceous vegetation within the survey area shall be cut to a height of 4 to 6 inches prior to the survey in order to promote search effectiveness. Vegetation shall be cut using a hand-held



trimmer/weed cutter and then carefully raked away from the area to be searched. The qualified surveyor shall conduct the vegetation clearing.

- 5) Immediately following the pre-construction bog turtle clearance search, a 30-inch-high silt barrier fence shall be erected at the edge of the Limit of Disturbance as habitat protection fencing in accordance with the approved Erosion and Sediment Pollution Control Plan. The habitat protection fence shall be constructed in upland habitat between identified suitable bog turtle habitat and the limit of disturbance to deter bog turtles from circumventing the barrier. No other construction activities may begin until installation of this habitat protection fencing is completed. The habitat protection fence will act as a barrier to prevent possible bog turtles from migrating out of wetlands and waterways into the construction area and to prevent construction activity and sediment from entering the wetland and waterway. The habitat protection fencing will be installed as indicated as soon as practicable following the turtle search and clearance by the qualified bog turtle surveyor. The fencing will be installed only after receiving approval to do so from the qualified bog turtle surveyor following completion of their site search for bog turtles.
- 6) Installation of all habitat protection fencing and silt barrier fence for erosion and sediment control shall be the responsibility of the contractor and shall be installed and removed by hand. The qualified bog turtle surveyor shall be present during the erection of the habitat protection fence to ensure that it is properly installed at the correct location and depth. Immediately following the fence installation, it shall be inspected by the qualified bog turtle surveyor to ensure that no trench, which could act as a pit-fall trap to turtles, occurs on either side of the fencing. After installation, the habitat protection fence will be inspected and logged daily by the contractor to ensure that no holes are present that turtles can crawl through. If at any time there are holes in the habitat protection fence, OR any turtle (alive, injured, or dead) is observed within the Limit of Disturbance, construction will stop immediately, and Permit Condition 11 below will be followed.
- 7) All work associated with the project shall be conducted in accordance with the Erosion and Sediment Pollution Control Plan approved by the County Conservation District.
- 8) All equipment and machinery shall avoid wetland/watercourse habitat upstream and downstream of the proposed construction area. Orange construction fence will be installed to delineate these avoidance areas and will act as a visual warning to prevent construction equipment and personnel from entering and disturbing the potential bog turtle habitat outside the Limit of Disturbance. The Township or its designated representative(s) shall identify and clearly delineate all wetlands for the contractor(s) and will either attach the orange construction fence onto the habitat protection fence or install it immediately in front of the habitat protection fence within the Limit of Disturbance.
- 9) No material shall be excavated, deposited, or positioned so as to lower the water table or impede the flow of water to any wetland areas; that is, implementation of the project shall not directly or indirectly affect the water quality and quantity of any wetland areas.

- 10) The qualified bog turtle surveyor shall forward the results of the pre-construction bog turtle survey in writing to the U.S. Fish and Wildlife Service and the Pennsylvania Fish and Boat Commission via mail, facsimile, or e-mail within 48 hours of installation of the habitat protection fence.
- 11) During construction, if any turtle is observed at a location within 100 feet from the Limit of Disturbance, then construction may continue so long as there are no holes in the habitat protection fence. However, if any turtle (alive, injured, or dead) is observed at any time within the Limit of Disturbance, OR if a hole is observed in the habitat protection fence, then construction will cease immediately, and the following steps will be taken:
- a. The contractor will immediately inform the pre-designated site manager who will immediately contact the qualified bog turtle surveyor. The site manager will then immediately implement the following measures:
  - b. If the turtle appears dead or immobile, the turtle will be left where it was initially observed. If the turtle appears to be mobile, efforts will be made to temporarily contain the turtle until the qualified bog turtle surveyor can take possession of it. Temporary containment will consist of placing the turtle in a thoroughly clean bucket that has a depth of more than 18 inches. Less than 1 inch of water should be placed in the bucket with the turtle to keep the animal cool and hydrated. The bucket should be placed in a quiet, well-shaded area, preferably within the wetland. The turtle should be handled as little as possible, and temporary containment must not exceed 6 hours.
  - c. The qualified bog turtle surveyor will identify the species of turtle found and document the location and condition of the turtle. The qualified bog turtle surveyor will also inspect the habitat protection fence and direct any repairs of the fence as needed. If there are holes in the habitat protection fence and/or the turtle is found to be a bog turtle, construction will not resume until the agency consultation procedures described herein are fully implemented, and the habitat protection fence is repaired to re-establish an effective turtle exclusion barrier.
  - d. If the qualified bog turtle surveyor identifies the turtle species as a bog turtle (*Glyptemys muhlenbergii*), then this biologist will immediately notify endangered species biologists at both the U.S. Fish and Wildlife Service and the Pennsylvania Fish and Boat Commission. The elapsed time for contacting both of these jurisdictional agencies from the time of bog turtle discovery should be as soon as possible, but must not exceed 24 hours. Following arrival of the qualified bog turtle surveyor at the project site, the turtle may be handled only by this biologist according to the recommendations of the U.S. Fish and Wildlife Service and/or the Pennsylvania Fish and Boat Commission. The biologist will consult with these agencies concerning safe handling and possible relocation of the turtle. Construction will resume only at the completion of this consultation.

- e. If the qualified bog turtle surveyor identifies the turtle as a species other than the bog turtle, and the turtle appears healthy, then the qualified surveyor will mark the turtle for future identification and release it unharmed no more than 300 feet from the site of discovery to a safe location outside of the Limit of Disturbance. The site manager will be shown how and where to release the turtle if it is again found outside of the Limit of Disturbance. Construction may continue once the turtle is relocated. The site manager must log all turtle relocations.
  - f. If any turtle found appears injured or dead, consult with the U.S. Fish and Wildlife Service and/or the Pennsylvania Fish and Boat Commission concerning safe handling of an injured turtle, and the taking of possession of the specimen, whether injured or dead, by one of the jurisdictional agencies. Only the qualified bog turtle surveyor will handle the turtle. Construction will resume only at the completion of consultation.
- 12) The contractor will remove the habitat protection fencing and all silt barrier fencing by hand immediately upon completion of all construction activities, including stabilization of earth disturbance areas.
- 13) The project proponent, or designated representative(s), will submit a brief final report including bog turtle survey results and a summary of the field construction completed, including color photographs, to the U.S. Fish and Wildlife Service and the Pennsylvania Fish and Boat Commission. The final report will be submitted 30 days after construction is completed and the habitat protection fencing is removed.

With the implementation of DVA's commitment to conduct the work under the supervision and guidance of a QBTS (in combination with the CFS as an exclusionary measure), this project is not likely to adversely affect the bog turtle. If DVA is unable to construct the project under the supervision of a QBTS (with appropriate exclusionary measures like CFS), or project plans change, please contact this office for further coordination.

This response relates only to endangered and threatened species under our jurisdiction based on an office review of the proposed project's location. No field inspection of the project area has been conducted by this office. This determination is valid for 2 years from the date of this letter. If the proposed project has not been fully implemented prior to this, an additional review by this office will be necessary

*To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.*

Please contact Jennifer Kagel of this office at [Jennifer\\_Kagel@fws.gov](mailto:Jennifer_Kagel@fws.gov) if you have any questions or require further assistance regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Sonja Jahrsdoerfer". The signature is written in a cursive style with a large, stylized 'S' and 'J'.

Sonja Jahrsdoerfer  
Project Leader

[Fernando.Fernandez@va.gov](mailto:Fernando.Fernandez@va.gov)

[gluckman@mabbett.com](mailto:gluckman@mabbett.com)



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Pennsylvania Field Office  
110 Radnor Road, Suite 101  
State College, Pennsylvania 16801-4850



February 25, 2021

Fernando Fernández  
U.S. Department of Veterans Affairs  
Construction and Facilities Management Office  
Washington D.C.

Emma Fernandes  
Mabbett & Associates  
40 Old Louisquisset Pike  
North Smithfield, RI 02896

RE: USFWS Project #2021-0077  
PNDI Review # 719137

Dear Mr. Fernández and Ms. Fernandes:

Thank you for your email transmittal of November 16, 2020, which provided the U.S. Fish and Wildlife Service (Service) with information regarding the Indiantown Gap National Cemetery Phase 5 Expansion Project, located in Annville, Lebanon County, Pennsylvania. The following comments are provided pursuant to the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.) to ensure the protection of federally threatened and endangered species.

The Department of Veterans Affairs (DVA) proposes to construct and operate the 5<sup>th</sup> Phase expansion of the Indiantown Gap National Cemetery. Based on the materials provided, the proposed expansion is on a 120-acre parcel, but the actual development will likely be much smaller (about 50 acres).

The proposed project is located within the range of the federally listed, endangered, Indiana bat (*Myotis sodalis*); and the federally listed, threatened northern long-eared bat (*Myotis septentrionalis*) and bog turtle (*Clemmys muhlenbergii*).

### Indiana bat and Northern Long-eared bat

According to information provided by phone and by email (February 22, 2021), to avoid killing or injuring Indiana bats (*Myotis sodalis*), a species that is federally listed as endangered, DVA is committed to cutting trees between October 1 and March 31 as a protective/avoidance measure.

DVA anticipates that about 20 acres of tree removal will occur due to the cemetery expansion project.

Based on a review of the project information, including the size of the project area and the anticipated effects on forest habitat, the Service has determined that the proposed project will not have a significant adverse effect on overall habitat quality or availability for the Indiana bat. Therefore, with DVA's commitment to a seasonal restriction on tree cutting to avoid the direct take of Indiana bats, we have determined that the effects of the project on the Indiana bat are insignificant or discountable. However, if DVA is unable to implement the seasonal restriction on tree cutting, please contact this office for further coordination.

The Service promulgated a Final 4(d) Rule in 2016 establishing measures that were determined to be necessary and advisable for the conservation of the northern long-eared bat. We reviewed your project and determined that it is not located within 0.25 mile of a known northern long-eared bat hibernaculum or within 150 feet from a known, occupied maternity roost tree; therefore, any incidental take that may occur is in accordance with the Final 4(d) Rule and is not in violation of the Endangered Species Act. Because this project is authorized, funded, and/or permitted by a Federal agency (i.e., DVA), consultation under section 7 of the Endangered Species Act is required. The Service completed a nationwide biological opinion that fulfills this requirement, provided the conditions of the Final 4(d) Rule are implemented. The Service created a framework to streamline section 7 consultations when Federal or designated non-Federal representative actions may affect the northern long-eared bat, but do not cause prohibited take. DVA should complete section 7 consultation under the streamlined consultation process by using the Determination Key that is available through our Information for Planning and Consultation (IPaC) website. More information about the framework and instructions for using the online Determination Key are available here:  
<http://www.fws.gov/midwest/endangered/mammals/nleb/s7.html>.

### Bog turtle

To determine the potential effects of the proposed project on bog turtles and their habitat, Bridger Thompson, a Qualified Bog Turtle Surveyor, conducted Phase 1 bog turtle habitat assessments on October 7 and 8, 2020. According to the report, 18 wetlands extend to within 300 feet of the proposed limit of disturbance. Following the methods described under "*Bog Turtle Habitat Survey*" (Phase 1 survey) of the *Guidelines for Bog Turtle Surveys (revised 2020)*, Mr. Thompson determined that the wetland referred to as Wetland INC-W-002 had the combination of soils, vegetation, and hydrology typical of habitat occupied by bog turtles. We concur with this habitat determination.

We recommend that project proponent design the cemetery to avoid impacts to wetlands on the site. If direct or indirect adverse effects to these wetlands cannot be avoided, a more detailed and thorough survey may be necessary, as described under Phase 2 of the *Guidelines for Bog Turtle Surveys* (<https://www.fws.gov/northeast/pafo/endangered/surveys.html>). Avoidance of direct and indirect effects means no disturbance to or encroachment into the wetlands (e.g., filling, ditching or draining) for project-associated activities such as roads,

sewer lines, utility lines, storm water or sedimentation basins, residences, driveways, parking lots, access roads, staging areas, laydown areas, and other structures. Adverse effects may also be anticipated to occur when lot lines include portions of the wetland, when an adequate upland buffer is not designated around the wetland (recommended buffer is 300 feet wide), or when roads or storm water/sedimentation basins affect the hydrology of the wetland.

Based on the proposed project footprint and activities, it is our recommendation that a Phase 2 survey<sup>1</sup> be conducted as described under Phase 2 of the *Guidelines for Bog Turtle Surveys* in Wetland INC-W-002, to determine presence or probable absence of bog turtles in this wetland. The Phase 2 survey should be conducted by a Qualified Bog Turtle Surveyor (<https://www.fws.gov/northeast/pafo/pdf/BT%20Surveyors%202-3-2020.pdf>). Please submit survey results to the Service for review and concurrence. If project activities might adversely affect bog turtles, please contact the Service for additional coordination.

Please advise this office as to the course of action you intend to pursue regarding bog turtle surveys of, or avoidance of project impacts to, wetlands in the project area. This information and appropriate supporting information (e.g., bog turtle survey results, project plans documenting no encroachment into wetlands) will be necessary before the Service can concur that no federally listed species will be adversely affected by the project.

This response relates only to endangered and threatened species under our jurisdiction based on an office review of the proposed project's location. No field inspection of the project area has been conducted by this office.

*To avoid potential delays in reviewing your project, please use the above-referenced USFWS project tracking number in any future correspondence regarding this project.*

Please contact Jennifer Kagel of my staff at 814-206-7451 if you have any questions or require further assistance regarding this matter.

Sincerely,



Sonja Jahrsdoerfer  
Project Leader

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<sup>1</sup> When suitable habitat for a listed species is present and the project may affect listed species, the Service recommends species surveys to either refute the assumption of presence and the need for formal consultation, or to enable accurate, fact-specific analyses of effects and development of appropriate conservation measures. In some situations, rather than conduct habitat and/or species surveys, a project proponent and action agency may choose to assume presence of the species. Assuming presence, however, usually makes the effects analysis significantly more difficult and time consuming because the specific nature of the species' presence (e.g., number of individuals and life stages present) is crucial to the effects analysis and must still be determined using the best available information. Also, assuming presence can lead to the need for conservation measures that otherwise would not be needed if surveys were to be conducted and show that the species is either not present or not likely to be adversely affected by the proposed action.



[Fernando.Fernandez@va.gov](mailto:Fernando.Fernandez@va.gov)

[fernandes@mabbett.com](mailto:fernandes@mabbett.com)



**DEPARTMENT OF THE ARMY**  
U. S. ARMY CORPS OF ENGINEERS, BALTIMORE DISTRICT  
STATE COLLEGE FIELD OFFICE  
1631 SOUTH ATHERTON STREET, SUITE 101  
STATE COLLEGE, PENNSYLVANIA 16801-6260

December 3, 2021

Operations Division

United States Department of Veterans Affairs  
810 Vermont Avenue NW  
Washington, D.C. 20420  
Attn: Mr. Fernando Fernandez

Dear Mr. Fernandez:

This is in reference to your application, identified by this office as NAB-2021-00178-P12 (Indiantown Gap National Cemetery), for Department of the Army authorization to discharge dredged and/or fill material into an unnamed tributary to Aires Run and wetlands associated with the installation of a 50 foot long by seven foot wide culvert pipe across the unnamed tributary. The proposed Phase 5 expansion area covers approximately 45 acres and is located east of the existing developed portion of the cemetery in Annville, Lebanon County, Pennsylvania, with approximate coordinates of 40.423871, -76.558388. Indiantown Gap National Cemetery is approximately 20-miles northeast of Harrisburg, Pennsylvania.

In accordance with Section 404 of the Clean Water Act, a Department of the Army authorization is required for the discharge of dredged and/or fill material into waters of the United States, including jurisdictional wetlands. Section 10 of the Rivers and Harbors Act also requires Department of the Army authorization for any work in, over, or under a navigable water of the United States.

We have determined that your proposed work, if accomplished in accordance with the enclosed terms and conditions and the information included in your application, is authorized under the Pennsylvania State Programmatic General Permit-6 (PASPGP-6). This PASPGP-6 verification is provided pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. This authorization may be subject to modification, suspension, or revocation if any of the information contained in the application, including the plan(s), is later found to be in error.

The enclosed list of conditions must be followed for purposes of the PASPGP-6 (Enclosure 1). In accordance with General Condition 34 of PASPGP-6 you are required to submit a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. An example of the information that is required is posted on the Baltimore District webpage at:  
<https://www.nab.usace.army.mil/Missions/Regulatory/Permits-PA>.

You and your contractor are also requested to sign, date and return enclosure 2 of this verification letter whereby you are acknowledging and agreeing to comply with the terms and conditions, including the special conditions, of this PASPGP-6 verification. These documents should be submitted to the following email address: [NAB-Regulatory@usace.army.mil](mailto:NAB-Regulatory@usace.army.mil), with the Corps permit number (NAB-2021-00178-P12) included in the subject line. In addition, the following special conditions are incorporated as part of this authorization:

1. All authorized work shall be constructed in accordance with project plans prepared by AE Works, entitled: "U.S. Department of Veterans Affairs – Indiantown Gap National Cemetery Phase 5 Development Section 401 SWQC Plans and Drawings", dated August 10, 2021, sheets G001, VL100, GC200 to GC209, GC500 to GC502, CG100 to CG106, CG260, CT201, CT500, and BR101 to BR103.
2. The authorized work shall result in no more than 100 linear feet of temporary impact to the waterway(s); within which 50 linear feet of permanent impact to the waterway(s) will occur; and 1200 square feet (0.027 acre) of permanent impacts to wetlands.
3. The permittee shall require its contractors and/or agent to comply with the terms and conditions of this permit in the construction and maintenance of this project and shall provide each of its contractors and/or agents associated with the construction or maintenance of this project with a copy of this permit.
4. to avoid killing or injuring Indiana bats (*Myotis sodalis*), a species that is federally listed as endangered, tree cutting will only occur between October 1 and March 31, at any given year, as a protective/avoidance measure.

In accordance with PASPGP-6, Part V, A, 29, state authorization from the Pennsylvania Department of Environmental Protection is required to be obtained prior to commencement of any work authorized by PASPGP-6. A State 401 Water Quality Certification and a Federal Coastal Zone Management Act Consistency Determination (for activities located within the designated Coastal Zone Management Area) issued by Pennsylvania Department of Environmental Protection are required pursuant to PASPGP-6, Part V, A, 30, and must be obtained prior to commencing construction of the project.

This verification is valid for the length of the Pennsylvania Department of Environmental Protection permit, including 401 Water Quality Certification, or until the PASPGP-6 expires (June 30, 2026), is modified, reissued, suspended, or revoked, whichever occurs sooner. You must remain informed of changes to the PASPGP-6. We will issue (a) public notice(s) announcing the changes as they occur.

Activities authorized under PASPGP-6 that have commenced construction or are under contract to commence construction, will remain authorized provided the activity is completed within 12 months of the date of the PASPGP-6 expiration (June 30, 2026), modification, or revocation, or until the expiration date of the project specific PASPGP-6

verification or Pennsylvania Department of Environmental Protection permit, including 401 Water Quality Certification, whichever is less.

Be advised that this verification authorizes the aforementioned work as a single and complete (one time only) activity. If additional work is to be performed, you must notify this office. Subsequent work in this area may require a separate letter of authorization from this office.

This verification does not obviate the need for obtaining other federal, state, or local authorizations, nor does it address or include any consideration for geographic jurisdiction on aquatic resources and shall not be interpreted as such.

In addition, please note, if you sell the property associated with this permit, when the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new property owner(s). Although the construction period for work authorized by this PASPGP-6 is finite, the permit itself, with its limitations, does not expire. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, you must have the transferee (new owner) complete the enclosed permit transfer form (Enclosure 3). The transferee is required to provide a mailing address and telephone number along with their signature and date in the space provided. Please submit to this office by email to [NAB-Regulatory@usace.army.mil](mailto:NAB-Regulatory@usace.army.mil). The Corps permit number (NAB-2021-00178-P12) must be included in the subject line.

This authorization has been sent to the Pennsylvania Department of Environmental Protection Southcentral Regional Office and the Lebanon County Conservation District Office.

If you have any questions concerning this matter, please call Mr. Michael Dombroskie, Project Manager, of this office, at 814-235-0571 or via email at [mike.dombroskie @usace.army.mil](mailto:mike.dombroskie@usace.army.mil).

Sincerely,

Michael Dombroskie  
Project Manager, Pennsylvania Section  
Regulatory Branch

Enclosures

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To identify how we can better serve you, we need your help. Please take the time to fill out our new customer service survey at:

<https://regulatory.ops.usace.army.mil/customer-service-survey/>

**PENNSYLVANIA STATE PROGRAMMATIC GENERAL PERMIT – 6**  
**(PASPGP-6)**  
**July 1, 2021**

**Please note: the full text of the PASPGP-6 may be viewed on the Baltimore District web site at <http://www.nab.usace.army.mil/Missions/Regulatory/PermitTypesandProcess.aspx> or by calling the Corps at 814-235-0570**

**Permittee: United States Department of Veterans Affairs**

**Date of PASPGP-6 Verification: 12/3/2021**

**State Authorization(s):**

**Corps District:**

☒ **Baltimore District**

U.S. Army Corps of Engineers State College Field Office  
1631 South Atherton Street  
Suite 101  
State College, Pennsylvania 16801-6260  
**Email:** [NAB-Regulatory@usace.army.mil](mailto:NAB-Regulatory@usace.army.mil)

☐ **Philadelphia District**

U.S. Army Corps of Engineers  
Wanamaker Building  
100 Penn Square East Regulatory Branch  
Philadelphia, Pennsylvania 19107-3390  
**Email:** [PhiladelphiaDistrictRegulatory@usace.army.mil](mailto:PhiladelphiaDistrictRegulatory@usace.army.mil)

☐ **Pittsburgh District**

U.S. Army Corps of Engineers, Regulatory Branch  
William S. Moorhead Federal Building, 20<sup>th</sup> floor  
1000 Liberty Avenue  
Pittsburgh, Pennsylvania 15222-4186  
**Email:** [Regulatory.Permits@usace.army.mil](mailto:Regulatory.Permits@usace.army.mil)

It has been determined that your proposed project, which includes the discharge of dredged and/or fill material and/or the placement of structures into waters of the United States, including wetlands, qualifies for federal authorization under the provisions of Section 404 of the Clean Water Act and /or Section 10 of the River and Harbor Act of 1899, under the terms and conditions of the PASPGP-6.

**All activities authorized under PASPGP-6 must comply with all conditions of the authorization, including General, Procedural, and Special Conditions. Failure to comply with all the conditions of the authorization, including project special conditions, will constitute a permit violation and may be subject to criminal, civil, or administrative penalties, and /or restoration.**

The authorized activity must be performed in compliance with the following General Conditions to be authorized under PASPGP-6:

**General Conditions:**

1. Permit Conditions: The permittee shall conduct all work and activities in waters of the United States, including jurisdictional wetlands, in strict compliance with the approved authorization/verification including all final maps, plans, profiles, and design specifications.
2. 401 State Water Quality Certification (SWQC) Conditions: The permittee shall comply with the following conditions unless a project specific SWQC is required as identified below:
  - a. Prior to beginning any activity authorized by the Corps under PASPGP-6, the applicant shall obtain from the Department all necessary environmental permits, authorizations or approvals, and submit to the Department environmental assessments and other information necessary to obtain the permits and approvals, as required under state law, including The Clean Streams Law (35 P.S. §§ 691.1—691.1001), the Dam Safety and Encroachments Act (32 P.S. §§ 693.1—693.27), the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.1—1396.19b), the Noncoal Surface Mining Conservation and Reclamation Act (52 P.S. §§ 3301—3326), the Bituminous Mine Subsidence and Land Conservation Act (52 P.S. §§ 1406.1—1406.21), the Coal Refuse Disposal Control Act (52 P.S. §§ 30.51—30.66), the Solid Waste Management Act (35 P.S. §§ 6018.101—6018.1003), the Hazardous Sites Cleanup Act (35 P.S. §§ 6020.101—6020.1305), the Land Recycling and Environmental Remediation Standards Act (35 P.S. §§ 6026.101—6026.908), 58 Pa.C.S. §§ 3201—3274 (related to development), the Air Pollution Control Act (35 P.S. §§ 4001—4015), the Storage Tank and Spill Prevention Act (35 P.S. §§ 6021.101—6021.2104) and the regulations promulgated thereunder, including 25 Pa. Code Chapters 16, 71, 77, 78, 78a, 86—91, 92a, 93, 95, 96, 102, 105, 106, 127, 245 and 260a—299.
  - b. Fill material may not contain any wastes as defined in the Solid Waste Management Act.
  - c. Applicants and projects eligible for the PASPGP-6 must obtain all state permits or approvals, or both, necessary to ensure that the project meets the state's applicable water quality standards, including a project-specific SWQC.

Note: As part of PADEP's issuance of 401 SWQC for PASPGP-6 on February 12, 2021, the following was included to clarify the meaning of this condition:

This 401 SWQC is only available for projects that do not require any federal authorization other than authorization from the Corps under Section 404 of the Act or Section 10 of the Rivers and Harbors Act of 1899. Applicants seeking authorization for activities not eligible for coverage under PASPGP-6, or for activities that require another federal authorization (such as an interstate natural gas pipeline, a gas storage field or a nuclear or hydroelectric project requiring authorization by another federal agency), must submit a request to the Department for a project-specific SWQC. The scope of the issuance of this SWQC is related only to the scope and applicability of the proposed PASPGP-6. Any activity or project requiring the Department to

issue 401 SWQC that is beyond the scope of the proposed PASPGP-6 or other programmatically issued SWQC (e.g. Nationwide Permits) will require the applicant to obtain a project-specific SWQC from the Department. This would include any activity or project requiring a SWQC associated with an authorization, permit or license issued by a federal agency, such as Federal Energy Regulatory Commission or Nuclear Regulatory Commission. Such activities or projects include, but are not limited to, an interstate natural gas pipeline, a gas storage field or a nuclear or hydroelectric project.

3. Terms and Conditions Related to Coastal Zone Management Act (CZMA) Certification: For those projects located within Pennsylvania's Coastal Zones, Non-Reporting Activities have General CZMA consistency determination and Reporting Activities must obtain individual CZMA consistency determination (see General Condition 30(b)).
4. Aquatic Life Movements: No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water. All permanent and temporary crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species. If a bottomless crossing cannot be used, then culverts should be designed, constructed, and appropriately depressed, if possible, below the stream invert to minimize adverse effects to aquatic life movements.
5. Threatened and Endangered Species: By signing the Pennsylvania Natural Diversity Inventory (PNDI) receipt, the permittee has agreed to comply with all avoidance measures identified by the PNDI receipt. The applicant may also agree in writing to comply with all avoidance measures identified in U.S. Fish and Wildlife Service (USFWS) correspondence, including IPaC, as part of the application. To ensure compliance with the Endangered Species Act (ESA), those avoidance measures associated with federally listed, threatened, or endangered species are a condition of the PASPGP-6 verification, unless modified by the Corps.

If an activity is verified under the PASPGP-6, and a federally listed, threatened, or endangered species, or proposed species, is subsequently found to be present, all work must cease, and the Corps and USFWS (or National Marine Fisheries Service (NMFS)) must be notified by telephone immediately (contact information below). The PASPGP-6 verification is automatically suspended without additional notification to the permittee and will not be re-issued until consultation pursuant to Section 7 of the ESA is concluded and adverse effects to federally listed, threatened, endangered, and proposed species are avoided, or incidental take authorization issued.

Furthermore, persons have an independent responsibility under Section 9 of the ESA to avoid any activity that could result in the "take" of a federally listed species.



USFWS:  
Pennsylvania Field Office  
110 Radnor Rd; Suite 101  
State College, PA 16801  
office phone: 814 234-4090  
fax: 814-234-0748 or 814 206-7452

NMFS:  
Ms. Jennifer Anderson  
Assistant Regional Administrator  
Protected Resources Division NOAA Fisheries  
55 Greater Republic Drive  
Gloucester, Massachusetts 01930

6. Spawning Areas: The permittee shall comply with all time-of-year-restrictions (see below) associated with spawning areas as set forth by the Pennsylvania Fish and Boat Commission (PFBC) or other designated agency. Discharges or structures in spawning or nursery areas shall not occur during spawning seasons unless written approval is obtained from the PFBC or another designated agency. In addition, work in areas used for other time sensitive life span activities of fish and wildlife (such as hibernation or migration) may necessitate the use of seasonal restrictions for avoidance of adverse impacts to vulnerable species. Impacts to these areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.

Wild Trout	October 1 - December 31
Class A Wild Trout	October 1 - April 1

List of Trout Streams found at:

<https://www.fishandboat.com/Fish/PennsylvaniaFishes/Trout/Pages/TroutWaterClassifications.aspx>.

7. Shellfish Production: No discharge of dredged and/or fill material and/or the placement of structures may occur in areas of concentrated shellfish production, unless the discharge is directly related to an authorized shellfish harvesting activity.
8. Adverse Effects From Impoundment: If the regulated activity creates an impoundment of water, the adverse effects on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow, including impacts to wetlands, shall be minimized to the maximum extent practicable.
9. Management of High Flows: To the maximum extent practicable, the preconstruction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization, storm water management activities, and temporary and permanent road crossings, except as provided below. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the pre-construction course, condition, capacity,

and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

10. Erosion and Sediment Controls: Appropriate soil erosion and sediment controls, in accordance with state regulations, must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the United States, including jurisdictional wetlands, during periods of low-flow or no-flow, or during low tides.
11. Suitable Material: No activities, including discharges of dredged and/or fill material or the placement of structures, may consist of unsuitable material (i.e., asphalt, trash, debris, car bodies, etc.). No material discharged shall contain toxic pollutants in amounts that would violate the effluent limitation standards of § 307 of the Clean Water Act (CWA).
12. Temporary Fill and Structures: Temporary fill (i.e., access roads and cofferdams) and structures in waters and/or wetlands authorized by PASPGP-6 shall be properly constructed and stabilized during use to prevent erosion and accretion. Temporary fill in wetlands shall be placed on geotextile fabric laid on existing wetland grade, unless such requirement is specifically waived by the Corps. Whenever possible, rubber or wooden mats should be used for equipment access through wetlands to the project area. Temporary fills and structures shall be removed, in their entirety, to an upland site, and suitably contained to prevent erosion and transport to a waterway or wetland. Temporarily impacted areas shall be restored to their preconstruction contours, elevations, and hydrology, and revegetated with a wetland seed mix that contains non-invasive, native species, to the maximum extent practicable. Unless approved by the Corps, the restoration work must be completed within 30 days of the date the temporary fill/structure is no longer needed.
13. Equipment Working in Wetlands: Heavy equipment working in wetlands or mudflats must be placed on mats, or other measures must be taken to minimize soil disturbance.
14. Installation and Maintenance: Any regulated structure or fill authorized by PASPGP-6 shall be properly installed and maintained to ensure public safety.
15. PASPGP-6 Authorization:
  - a. PASPGP-6 expires June 30, 2026, unless suspended or revoked.
  - b. Verifications of PASPGP-6 expire June 30, 2026, unless the PASPGP-6 permit is suspended, revoked, or the PADEP authorization expires, whichever date occurs sooner. Activities authorized under PASPGP-6 that have commenced construction or are under contract to commence construction will remain authorized provided the activity is completed within 12 month of the date of the PASPGP-6 expiration, modification, or revocation; or until the expiration date of the project specific verification, whichever is sooner.

16. One-Time Use: A PASPGP-6 verification is valid to construct the project, or perform the activity, one time only, except for PASPGP-6 verifications specifically issued for reoccurring maintenance activities.
17. Water Supply Intakes: No regulated activity may occur in the proximity of a public water supply intake and adversely impact the public water supply. In order to minimize the effects of intakes on anadromous fish eggs and larvae, and oyster larvae, intake structures should be equipped with screening (with mesh size no larger than 2 mm) of wedge wire or another material of equal or better performance. Where feasible, intakes should be located away from spawning or nursery grounds, or to minimize the impingement on, or entrainment of, eggs or larvae. In addition, intake velocities should not exceed 0.5 ft/sec.
18. Historic Properties: For all activities verified under a PASPGP-6, upon the unanticipated discovery of any previously unknown historic properties (historic or archeological), all work must cease immediately, and the permittee must notify the State Historic Preservation Officer (SHPO) and the Corps. The Corps will contact the tribes with whom they routinely consult, within 24 hours in accordance with each District's tribal consultation process. PASPGP-6 may be re-verified, and special conditions added if necessary, after an effect's determination on historic properties and/or tribal resources is made, in consultation with the SHPO, the tribes and other interested parties. The PASPGP-6 verification may be modified and/or rescinded for the specific activity if an adverse effect on the historic property cannot be avoided, minimized, or mitigated.
19. Tribal Rights: No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
20. Corps Civil Works Projects: The PASPGP-6 does not authorize any work which will interfere with an existing or proposed Corps Civil Works project, or any Corps-owned or managed property or easement (i.e., flood control projects, dams, reservoirs, and navigation projects), unless specifically approved by the Corps in writing. Pursuant to 33 U.S.C 408, a review by, or permission from the Corps is required for activities that will alter or temporarily or permanently occupy or use a Corps federally authorized Civil Works project. Any activity that requires Section 408 permission and/or review is not authorized by PASPGP-6 until the appropriate Corps office issues the Section 408 permission or completes its review to alter, occupy, or use the Corps Civil Works project, and Corps issues a written PASPGP-6 verification.
21. Navigation: No activity verified under PASPGP-6 may cause more than minimal adverse effect on navigation. No attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein. In addition, activities that require temporary causeways that prohibit continued navigational use of a waterway (i.e., temporary causeways extending greater than  $\frac{3}{4}$  the width across the waterway) shall be removed in their entirety upon completion of their use. Any safety lights and signals prescribed by the U.S. Coast Guard (USCG), through regulation or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the United States. The permittee understands and agrees that, if further operations by the United States require the removal, relocation, or other alteration, of the

structure or work herein authorized, or if, in the opinion of the Secretary of the Army or an authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

22. Inspections: The permittee shall allow a District Engineer or an authorized representative(s) to make periodic inspections at any time deemed necessary in order to ensure that the work is being performed in accordance with all the terms and conditions of PASPGP-6. The District Engineer may also require post-construction engineering drawings (as-built plans) for completed work.
23. Modifications of Prior Verifications: Any proposed modification of a previously verified Single and Complete project that results in a change in the verified impact to, or use of waters of the United States, including jurisdictional wetlands, must be approved by PADEP, or the Corps if applicable. Corps written approval is required if the prior verification was reviewed by the Corps, or if the proposed modification is a Reporting Activity under PASPGP-6. Project modifications that cause a Single and Complete Project to exceed 0.5 acre of loss of waters of the United States, including jurisdictional wetlands (except those identified in Part II A.2. a. and b.), or greater than 1,000 linear feet of permanent jurisdictional stream loss (except those identified in Part II A.2. a and b.), are not eligible for PASPGP-6 and will be forwarded to the Corps for review under an alternative permit review procedure.
24. Recorded Conservation Instruments: As per Part III.D.27 and Part III.E.8 of this permit, proposed Draft Conservation Instruments may be submitted by the applicant as part of the permit application package for review and approval. When such proposed Conservation Instruments are submitted by the applicant, proof of the recorded deed restriction, conservation easement, or deed restricted open space area shall be forwarded to the appropriate Corps District and appropriate PADEP offices, prior to the initiation of any permitted work, unless specifically waived by the Corps in writing. Conservation Instrument templates can be found at:  
<http://www.nab.usace.army.mil/Missions/Regulatory/PermitTypesandProcess.aspx>
25. Property Rights: PASPGP-6 does not obviate the need to obtain other federal, state, or local authorizations required by law, nor does the permit grant any property rights or exclusive privileges or authorize any injury to the property or rights of others.
26. Navigable Waters of the United States (Section 10 Waters):

In addition to the other general conditions, the following conditions are applicable for activities in the eligible navigable waters of the United States identified in Appendix B:

- a. For aerial transmission lines, the following minimum clearances are required for aerial electric power transmission lines crossing navigable waters of the United States. These clearances are related to the clearances over the navigable channel provided by the

existing fixed bridges, or the clearances which would be required by the USCG for new fixed bridges, in the vicinity of the proposed aerial transmission line. These clearances are based on the low point of the line under conditions producing the greatest sag, taking into consideration temperature, load, wind, length of span, and type of supports as outlined in the National Electric Safety Code:

Nominal System Voltage (kV)	Minimum Additional Clearance (ft.) Above Clearance Required for Bridges
115 and below	20
138	22
161	24
230	26
350	30
500	35
700	42
750-765	45

- i. Clearances for communication lines, stream gauging cables, ferry cables, and other aerial crossings must be a minimum of ten feet above clearances required for bridges, unless specifically authorized otherwise by the District Engineer.
  - ii. Corps regulation ER 1110-2-4401 prescribes minimum vertical clearances for power communication lines over Corps lake projects. In instances where both regulation and ER 1110-2-4401 apply, the greater minimum clearance is required.
- b. Encasement: The top of any cable, encasement, or pipeline shall be located a minimum of three feet below the existing bottom elevation of the streambed and shall be backfilled with suitable heavy material to the preconstruction bottom elevation. Where the cable, encasement, or pipeline is placed in rock, a minimum depth of one foot from the lowest point in the natural contour of the streambed shall be maintained. When crossing a maintained navigation channel, the requirements are a minimum of eight feet between the top of the cable, encasement, or pipeline and the authorized depth of the navigation channel. For maintained navigational channels, where the utility line is placed in rock, a minimum depth of two feet from the authorized depth of the navigation channel shall be maintained.
- c. As-Built Drawings: Within 60 days of completing an activity that involves an aerial transmission line, submerged cable, or submerged pipeline across a navigable water of the United States (i.e., Section 10 waters), the permittee shall furnish the Corps and National Oceanic and Atmospheric Administration, Nautical Data Branch, N/CS26, Station 7317, 1315 East-West Highway, Silver Spring, Maryland, 20910 with professional, certified as-built drawings, to scale, with control (i.e., latitude/longitude, state plane coordinates), depicting the alignment and minimum clearance of the aerial wires above the mean high water line at the time of survey or depicting the elevations and alignment of the buried cable or pipeline across the navigable waterway.

d. Aids to Navigation: The permittee must prepare and provide for USCG approval, a Private Aids to Navigation Application (CG-2554). The application can be found at: [https://media.defense.gov/2017/Nov/20/2001846135/-1/-1/0/CG\\_2554.pdf](https://media.defense.gov/2017/Nov/20/2001846135/-1/-1/0/CG_2554.pdf). The completed application must be sent to the appropriate USCG office as indicated below:

- i. Baltimore/Philadelphia Districts: Commander Fifth Coast Guard District, 431 Crawford Street, Room 100, Portsmouth, VA 23704-5504, Attn: Mr. Matthew Creelman; by email to [Matthew.K.Creelman2@uscg.mil](mailto:Matthew.K.Creelman2@uscg.mil); or by FAX to (757) 398-6303.
- ii. Pittsburgh District: Eighth Coast Guard District, Sector Ohio Valley, USCGC Osage, 300 McKown Ln, Sewickley, PA 15143; phone (412) 741-1180

Within 30 days of the date of receipt of the USCG approval, the permittee must provide a copy to the appropriate Corps district office.

27. PADEP Waiver: If the Corps determines a specific activity, which is eligible for a PADEP Non-reporting Waiver, has a significant adverse impact on life, property or important aquatic resources, the Corps may require the owner to modify the activity to eliminate the adverse condition or to obtain a Corps Individual Permit. In accordance with 33 CFR 325.7(a), "The District Engineer may reevaluate the circumstances and conditions of any permit, including regional permits, either on his own motion, at the request of the permittee, or a third party, or as the result of periodic progress inspections, and initiate action to modify, suspend, or revoke a permit as may be made necessary by considerations of the public interest. In the case of regional permits, this reevaluation may cover individual activities, categories of activities, or geographic areas."
28. Corps Water Releases: For projects located downstream of a Corps dam, the permittee should contact the appropriate Corps, Area Engineer Office, to obtain information on potential water releases and to provide contact information for notification of unscheduled water releases. It is recommended that no in-water work be performed during periods of high-water flow velocities. Any work performed at the project site is at the permittee's own risk.
29. State Authorization: The activity must receive state authorization. For the purpose of this requirement, any one of the following is considered as a state authorization:
  - a. A PADEP Chapter 105 Water Obstruction and Encroachment Permit, including PADEP approved Environmental Assessment pursuant to 25 Pa. Code § 105.15; or
  - b. A PADEP GP issued pursuant to 25 Pa. Code §§ 105.441-105.449; or
  - c. A PADEP approved Environmental Assessment for activities not otherwise requiring a PADEP permit pursuant to 25 Pa. Code § 105.12; or
  - d. A PADEP Dam Permit, including maintenance or repairs of existing authorized dams, including maintenance dredging; or

- e. A PADEP Emergency Permit issued pursuant to 25 Pa. Code § 105.64; or
  - f. A PADEP permit for the construction of a bridge or culvert which allows for maintenance activities of bridges and culverts; or
  - g. A PADEP Chapter 105 Dam Safety and Encroachment Enforcement Action.
30. Other Authorizations: Additional federal, state, and/or local authorizations or approvals may be required and where applicable must be secured by the applicant, prior to initiating any discharge of dredged and/or fill material, and/or the placement of structures into waters of the United States, including jurisdictional wetlands. These approvals include, but are not limited to:
- a. A project specific 401 SWQC issued by PADEP or considered waived, consistent with Section 401 of the CWA.
- PADEP has issued 401 SWQC for activities authorized by PASPGP-6 with conditions. See General Condition 2 for conditions and for identification when a project specific 401 SWQC or a waiver thereof is required. If the permittee cannot comply with all of the conditions of the 401 SWQC previously issued for PASPGP-6, then the permittee must obtain a project specific 401 SWQC or waiver for the proposed discharge in order for the activity to be authorized by PASPGP-6. The Corps or certifying authority may require additional water quality management measures to ensure that the authorized activity does not result in more than minimal degradation of water quality; and
- b. Reporting Activities located within the designated CZM Areas. Require a CZMA consistency determination issued by PADEP or a presumption of concurrence pursuant to Section 307 of the Federal Coastal Zone Management Act.
- The District Engineer or PADEP may require additional measures to ensure that the authorized activity is consistent with state CAM requirements; and
- c. Fills within the 100-year floodplains. This activity must comply with applicable Federal Emergency Management Agency approved state or local floodplain management requirements.
31. Federal Liability: In issuing this permit and any subsequent activity verification, the federal government does not assume any liability, including but not limited to the following:
- a. Damages to permitted project or users, thereof, as a result of other permitted or unpermitted activities or from natural causes;
  - b. Damages to the permitted project or uses, thereof, as a result of current or future activities undertaken by or on behalf of the United States in the public interest;
  - c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit;

- d. Design or construction deficiencies associated with the permitted work; and
- e. Damage claims associated with any future modification, suspension, or revocation of the PASPGP-6.

32. False and Incomplete Information: The Corps may modify or rescind a previously issued project specific verification, if it determines that the original verification was issued based on false, incomplete and/or inaccurate information; or other information becomes available whereby such action is necessary to ensure compliance with other federal laws and regulations.

33. Anadromous Fish Waters: To protect anadromous fish during their migration and spawning, no work can take place in the following anadromous fish waterways listed in the table below from March 15 to June 30 unless approved in writing by the Corps. Questions on the applicability of this condition should be directed to the Corps, Philadelphia District.

<u>Waterway</u>	<u>Downstream extent</u>	<u>Upstream extent</u>	<u>Upstream Latitude (N)</u>	<u>Upstream Longitude (E)</u>
<u>Delaware River in Pennsylvania (including W. Branch)</u>	<u>Rte. 220 Bridge</u>	<u>PA/NY Border</u>	<u>41.999448</u>	<u>-75.359573</u>
<u>Lehigh River and adjacent canals</u>	<u>confluence with Delaware River</u>	<u>500 feet upstream of the Cementon Dam</u>	<u>40.690275</u>	<u>-75.503800</u>
<u>Little Lehigh Creek</u>	<u>confluence with Lehigh River</u>	<u>500 feet upstream of the lowermost dam</u>	<u>40.596318</u>	<u>-75.475570</u>
<u>Hokendauqua Creek</u>	<u>confluence with Lehigh River</u>	<u>State Route 4014 (West Scenic Drive)</u>	<u>40.793273</u>	<u>-75.439262</u>
<u>Bushkill Creek</u>	<u>confluence with Delaware River</u>	<u>500 feet upstream of the lowermost dam</u>	<u>40.694859</u>	<u>-75.212406</u>
<u>Waterway</u>	<u>Downstream extent</u>	<u>Upstream extent</u>	<u>Upstream Latitude (N)</u>	<u>Upstream Longitude (E)</u>
<u>Brodhead Creek</u>	<u>confluence with Delaware River</u>	<u>500 feet upstream of the Stroudsburg Water Co. Dam</u>	<u>41.018667</u>	<u>-75.201063</u>
<u>Bush Kill</u>	<u>confluence with Delaware River</u>	<u>500 feet upstream of Resica Falls</u>	<u>41.111235</u>	<u>-75.095824</u>
<u>Lackawaxen River</u>	<u>confluence with Delaware River</u>	<u>500 feet upstream of the Woolen Mill Dam</u>	<u>40.984304</u>	<u>-75.191569</u>
<u>Dyberry Creek</u>	<u>confluence with Lackawaxen River</u>	<u>Jadwin Dam</u>	<u>41.612088</u>	<u>-75.263391</u>
<u>Darby Creek</u>	<u>Confluence with Delaware River</u>	<u>500 feet upstream of the confluence of Cobbs Creek and Darby Creek</u>	<u>39.907278</u>	<u>-75.255432</u>



<u>Schuylkill River</u>	<u>Fairmount Dam</u>	<u>500 feet upstream of the</u> <u>Bingaman St. Bridge in</u> <u>Reading, Pennsylvania</u>	<u>40.326411</u>	<u>-75.934417</u>
<u>Neshaminy Creek</u>	<u>Confluence with</u> <u>Delaware River</u>	<u>500 feet upstream of</u> <u>the lowermost dam</u>	<u>40.143369</u>	<u>-74.915828</u>

34. Compliance Certification: Each permittee who receives a written PASPGP-6 verification letter from the Corps must provide a signed certification documenting completion of the authorized activity and implementation of any required compensatory mitigation. This certification should indicate if the success of any required permittee-responsible mitigation was completed in accordance with the permit conditions. If credits from a mitigation bank or in-lieu fee program are used to satisfy the compensatory mitigation requirements, the certification must include the documentation required by 33 CFR 332.3(l)(3) to confirm that the permittee secured the appropriate number and resource type of credits. The signature of the permittee is also required to certify the completion of the activity and mitigation. The completed certification document must be submitted to the District Engineer within 30 days of completion of the authorized activity or the implementation of any required compensatory mitigation, whichever occurs later.
35. Migratory Birds and Bald and Golden Eagles: The permittee is responsible for ensuring that an action authorized by PASPGP-6 complies with the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. The permittee is responsible for contacting the appropriate local office of the USFWS to determine what measures, if any, are necessary or appropriate to reduce adverse effects to migratory birds or eagles, including whether "incidental take" permits are necessary and available under the Migratory Bird Treaty Act or Bald and Golden Eagle Protection Act for a particular activity. The permittee should contact the appropriate local office of the USFWS to determine if such authorizations are required for a particular activity. Information on the conservation of migratory birds and Bald and Golden Eagles can be found at the following USFWS web site:  
<http://www.fws.gov/northeast/pafo/>
36. Migratory Bird Breeding Areas: Activities in waters of the United States, including jurisdictional wetlands, that serve as breeding areas for migratory birds must be avoided to the maximum extent practicable. Recommendations pertaining to the conservation of migratory birds can be found at the following USFWS web site:  
<http://www.fws.gov/northeast/pafo/>

By Authority of the Secretary of the Army:

LITZ.JOHN.THOMAS.1106467079 Digitally signed by LITZ.JOHN.THOMAS.1106467079  
Date: 2021.06.24 16:54:15 -04'00'

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John T. Litz  
Colonel, U.S. Army  
Commander and District Engineer  
Baltimore District

PARK.DAVID.CHON  
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Date: 2021.06.14 10:26:03 -04'00'

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David C. Park  
Lieutenant Colonel, Corps of Engineers  
District Commander  
Philadelphia District



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Andrew J. Short  
Colonel, Corps of Engineers  
District Engineer  
Pittsburgh District

**Acknowledgment and Agreement for Compliance with Terms &  
Conditions of PASPGP-6**

Project Number: NAB-2021-00178-P12

Project Location: The proposed Phase 5 expansion area covers approximately 45 acres and is located east of the existing developed portion of the cemetery in Annville, Lebanon County, Pennsylvania, with approximate coordinates of 40.423871, - 76.558388. Indiantown Gap National Cemetery is approximately 20-miles northeast of Harrisburg, Pennsylvania.

I hereby accept and agree to comply with the terms and conditions, of the PASPGP-6 authorizations, as stated.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

I hereby accept and agree to comply with the terms and conditions, of the PASPGP-6 authorizations, as stated.

\_\_\_\_\_  
Applicant's Contractor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contractor Name (please print)

\_\_\_\_\_  
AREA CODE/TELEPHONE NO.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
ADDRESS

Please return form by email to [NAB-Regulatory@usace.army.mil](mailto:NAB-Regulatory@usace.army.mil). The Corps permit number (NAB-2021-00178-P12) must be included in the subject line.

Enclosure 2

### **Permit Transfer Form**

Project Number: NAB-2021-00178-P12 (Indiantown Gap National Cemetery – Phase 5)

Project Location: The proposed Phase 5 expansion area covers approximately 45 acres and is located east of the existing developed portion of the cemetery in Annville, Lebanon County, Pennsylvania, with approximate coordinates of 40.423871, - 76.558388. Indiantown Gap National Cemetery is approximately 20-miles northeast of Harrisburg, Pennsylvania.

Project Description: The project includes construction of Phase 5 of the existing Indiantown National Cemetery.

\_\_\_\_\_  
TRANSFeree SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
AREA CODE/TELEPHONE NO.

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
ADDRESS

Please return form by email to [NAB-Regulatory@usace.army.mil](mailto:NAB-Regulatory@usace.army.mil). The Corps permit number (NAB-2021-00178-P12) must be included in the subject line.

Enclosure 3



DEPARTMENT OF THE ARMY  
CORPS OF ENGINEERS, BALTIMORE DISTRICT  
2 HOPKINS PLAZA  
BALTIMORE, MD 21201

August 4, 2021

Operations Division

U.S. Department of Veterans Affairs  
810 Vermont Avenue NW  
Washington, D.C. 20420  
Attn: Mr. Fernando Fernandez

Dear Mr. Fernandez:

This is in response to your request dated April 9, 2021, for an approved jurisdictional determination and later modified on April 28, 2021, requesting a preliminary jurisdictional determination (JD) of the presence or indications of the approximate location(s) of waters of the United States, including wetlands within the approximately 24 acre limit of disturbance located at the Indiantown Gap National Cemetery, south of Biddle Drive and west of Indiantown Road in Union and East Hanover Townships, Lebanon County, Pennsylvania. This project is identified by this office as NAB-2021-00178-P12 (Indiantown Gap National Cemetery – Phase 5). This letter supersedes and earlier Preliminary JD letter dated July 27, 2021.

A field inspection was conducted on April 28, 2021, by Bridger Thompson, from Thompson Environmental, and Mr. Michael Dombroskie, of this office. This preliminary JD finds that there "may be" waters of the United States, including wetlands within the review area as indicated by the approximate location(s) of waters of the United States, including wetlands within the review area on the enclosed drawing dated July 27, 2021, and identifies all potential jurisdictional waters and wetlands within the review area (Limit of Disturbance) (Enclosure 1). These areas may be regulated by this office pursuant to Section 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act.

This preliminary JD is based on the information included on the enclosed Preliminary Jurisdictional Determination Form and is not appealable (Enclosure 2). If you do not agree with the extent of waters or wetlands and this preliminary JD, you are hereby advised of your option to request and obtain an approved JD from this office at the address above. An approved JD is an official, written Corps determination stating the presence or absence of jurisdictional waters of the United States and identifies the limits of waters of the United States on a project site. An approved JD can be relied upon for a period of 5 years and can be appealed through the Corps' administrative appeal process set out at 33 CFR Part 331.


You are reminded that any grading or filling of waters of the United States, including wetlands, is subject to Department of the Army authorization. state and local authorizations may be required to conduct activities in these locations. Wetlands under the jurisdiction of the Pennsylvania Department of Environmental Protection (PADEP) may be located on the parcel. You may contact the PADEP at (717) 787-6827 for information regarding jurisdiction and permitting requirements. In addition, the Interstate Land Sales Full Disclosure Act may require that prospective buyers be made aware, by the seller, of the Federal authority over any waters of the United States, including wetlands, being purchased.

In future correspondence and permit applications regarding this parcel, please include the file number located in the first paragraph of this letter.

A copy of this letter will be furnished to Pennsylvania Department of Environmental Protection Southcentral Regional Office for informational purposes.

If you have any questions concerning this matter, please call Mr. Michael Dombroskie, of this office, at 814-235-0571 or via email at [mike.dombroskie@usace.army.mil](mailto:mike.dombroskie@usace.army.mil).

Sincerely,



Michael Dombroskie  
Project Manager, Pennsylvania Section

Enclosures

---

To identify how we can better serve you, we need your help. Please take the time to fill out our new customer service survey at:

<https://regulatory.ops.usace.army.mil/customer-service-survey/>



# Indiantown Gap National Cemetery Expansion (Phase 5)

Existing National Cemetery

Stream 12 (Outlined in **Blue**)  
130 linear feet LOD

Wetland 19 (Outlined in **Green**)  
0.02 acre within LOD

Area outlines in **Red** is  
the limit of disturbance  
and the area of the  
preliminary JD

Dated July 27, 2021

Google Earth

1985

Imagery Date: 3/8/2020 40°25'15.78" N 76°33'30.76" W elev 0 ft eye alt 1569 ft



## Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

### BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PJD: 7/27/2021

B. NAME AND ADDRESS OF PERSON REQUESTING PJD:

U.S. Department of Veterans Affairs  
810 Vermont Avenue NW  
Washington, D.C. 20420  
Attn: Mr. Fernando Fernandez

C. DISTRICT OFFICE, FILE NAME, AND NUMBER: NAB – 2021-00178-P12 (Indiantown Gap National Cemetery)

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:

(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES) The area of investigation is limited to the Limits of disturbance, outlined on the attached map (approximately 24 acres).

State: Pennsylvania County/parish/borough: Lebanon County City:  
Indiantown Gap National Cemetery

Center coordinates of site (lat/long in degree decimal format):

Lat.: 40.421454

Long.: - 76.557399

Universal Transverse Mercator:

Name of nearest waterbody: unnamed tributary to Aires Run

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

X Office (Desk) Determination. Date: 27 April 2021

X Field Determination. Date(s): 28 April 2021

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
Waterway 12	40.421189	-76.557067	130 linear feet	Non-wetland waters, perennial stream	404
Wetland 19	40.421454	-76.557399	0.02 acre	Wetland, Palustrine emergent wetland	404



- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "*may be*" waters of the U.S. and/or that there "*may be*" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

**SUPPORTING DATA. Data reviewed for PJD (check all that apply)**

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

X Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:

Map: Various

X Data sheets prepared/submitted by or on behalf of the PJD requestor.

☐ Office concurs with datasheets/delineation report.

☐ Office does not concur with data sheets/delineation report. Rationale: \_\_\_\_\_

☐ Data sheets prepared by the Corps: \_\_\_\_\_

☐ Corps navigable waters' study: \_\_\_\_\_

☐ U.S. Geological Survey Hydrologic Atlas: \_\_\_\_\_

☐ USGS NHD data.

☐ USGS 8 and 12 digit HUC maps.

X U.S. Geological Survey map(s). Cite scale & quad name: Indiantown Gap \_\_\_\_\_

X Natural Resources Conservation Service Soil Survey. Citation: Lebanon County

☐ National wetlands inventory map(s). Cite name: \_\_\_\_\_

☐ State/local wetland inventory map(s): \_\_\_\_\_

☐ FEMA/FIRM maps: \_\_\_\_\_

☐ 100-year Floodplain Elevation is: \_\_\_\_\_ (National Geodetic Vertical Datum of 1929)


X Photographs: ☒ Aerial (Name & Date): Various.

or ☐ Other (Name & Date): \_\_\_\_\_

☐ Previous determination(s). File no. and date of response letter: \_\_\_\_\_

☐ Other information (please specify): \_\_\_\_\_

**IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.**

  
Signature and date of  
Regulatory staff member  
completing PJD

8/04/2021

FERNANDO L.  
FERNANDEZ  
336237

Signature and date of  
person requesting PJD  
(REQUIRED, unless obtaining  
the signature is impracticable)<sup>1</sup>

Digitally signed by FERNANDO  
L. FERNANDEZ 336237  
Date: 2021.08.09 13:34:47  
-04'00'

<sup>1</sup> Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.





# Pennsylvania State Historic Preservation Office

PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

July 14, 2021

Michael Hornum  
R. Christopher Goodwin & Associates, Inc.  
241 East Fourth St., Suite 100  
Frederick PA 217010000

RE: ER Project # 2021PR03892.003, Proposed Phase 5 Expansion at the Indiantown Gap National Cemetery, Annville, East Hanover Township, Lebanon County, Pennsylvania, Department of Veterans Affairs, East Hanover Township, Lebanon County

Dear Michael Hornum:

Thank you for submitting information concerning the above referenced project. The Pennsylvania State Historic Preservation Office (PA SHPO) reviews projects in accordance with state and federal laws. Section 106 of the National Historic Preservation Act of 1966, and the implementing regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation, is the primary federal legislation. The Environmental Rights amendment, Article 1, Section 27 of the Pennsylvania Constitution and the Pennsylvania History Code, 37 Pa. Cons. Stat. Section 500 et seq. (1988) is the primary state legislation. These laws include consideration of the project's potential effects on both historic and archaeological resources.

## **Archaeological Resources**

*No Archaeological Concerns - Environmental Review - Negative Survey Report/Negative Survey Form*

This report meets our standards and specifications as outlined in Guidelines for Archaeological Investigations in Pennsylvania (SHPO 2017) and the Secretary of the Interior's Guidelines for Archaeological Documentation. We agree with the recommendations of this report, and in our opinion, no further archaeological work is necessary for this project.

For questions concerning archaeological resources, please contact Casey Hanson at [chanson@pa.gov](mailto:chanson@pa.gov).

Sincerely,

Andrea MacDonald  
Director, State Historic Preservation Office



# Pennsylvania State Historic Preservation Office

PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

July 16, 2021

Michael Hornum  
R. Christopher Goodwin & Associates, Inc.  
241 East Fourth St., Suite 100  
Frederick PA 217010000

RE: ER Project # 2021PR03892.004, Proposed Phase 5 Expansion at the Indiantown Gap National Cemetery, Annville, East Hanover Township, Lebanon County, Pennsylvania, Department of Veterans Affairs, East Hanover Township, Lebanon County

Dear Michael Hornum:

Thank you for submitting information concerning the above referenced project. The Pennsylvania State Historic Preservation Office (PA SHPO) reviews projects in accordance with state and federal laws. Section 106 of the National Historic Preservation Act of 1966, and the implementing regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation, is the primary federal legislation. The Environmental Rights amendment, Article 1, Section 27 of the Pennsylvania Constitution and the Pennsylvania History Code, 37 Pa. Cons. Stat. Section 500 et seq. (1988) is the primary state legislation. These laws include consideration of the project's potential effects on both historic and archaeological resources.

## **Above Ground Resources**

*No Above Ground Concerns - Environmental Review - No Adverse Effect Without Conditions - Above Ground*

Thank you for submitting information concerning the above-referenced project. In our opinion and based on the information received, the project as proposed will have no adverse effect on the following historic properties: Fort Indiantown Gap Historic District (Resource # 1997RE00315). Should the scope of the project change and/or should you be made aware of historic property concerns, you will need to notify the PA SHPO at [pashare@pa.gov](mailto:pashare@pa.gov) and provide the revised designs for review and comment.

For questions concerning above ground resources, please contact Emma Diehl at [emdiehl@pa.gov](mailto:emdiehl@pa.gov).

Sincerely,

Andrea MacDonald  
Director, State Historic Preservation Office



# Pennsylvania State Historic Preservation Office

PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

June 15, 2021

Michael Hornum  
R. Christopher Goodwin & Associates, Inc.  
241 East Fourth St., Suite 100  
Frederick PA 217010000

RE: ER Project # 2021PR03892.002, Proposed Phase 5 Expansion at the Indiantown Gap National Cemetery, Annville, East Hanover Township, Lebanon County, Pennsylvania, Department of Veterans Affairs, East Hanover Township, Lebanon County

Dear Michael Hornum:

Thank you for submitting information concerning the above referenced project. The Pennsylvania State Historic Preservation Office (PA SHPO) reviews projects in accordance with state and federal laws. Section 106 of the National Historic Preservation Act of 1966, and the implementing regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation, is the primary federal legislation. The Environmental Rights amendment, Article 1, Section 27 of the Pennsylvania Constitution and the Pennsylvania History Code, 37 Pa. Cons. Stat. Section 500 et seq. (1988) is the primary state legislation. These laws include consideration of the project's potential effects on both historic and archaeological resources.

Sincerely,

Douglas C. McLearn  
Chief Division of Environmental Review





# Pennsylvania State Historic Preservation Office

PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION

March 30, 2018

Mr. W. Edward Hooker, III  
Department of Veterans Affairs, National Cemetery Administration  
425 I Street NW  
Washington, D.C. 20420

RE: ER 2018-0927-075-A; Dead/Diseased Ash Tree Removal, Fort Indiantown Gap National Cemetery, East Hanover Township, Lebanon County

Dear Mr. Hooker, III,

Thank you for submitting information concerning the above referenced project. The Pennsylvania State Historic Preservation Office (PA SHPO) reviews projects in accordance with state and federal laws. Section 106 of the National Historic Preservation Act of 1966, and the implementing regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation, is the primary federal legislation. The Environmental Rights amendment, Article 1, Section 27 of the Pennsylvania Constitution and the Pennsylvania History Code, 37 Pa. Cons. Stat. Section 500 et seq. (1988) is the primary state legislation. These laws include consideration of the project's potential effects on both historic and archaeological resources.

Based on the information received and available within our files, we concur with the findings of the agency that the proposed tree removal will result in an Adverse Effect to the National Register-eligible Indiantown Gap National Cemetery. We concur that the adverse effect has been resolved through the commitment to replace the dead/diseased trees with 3" caliper trees at a 2/3 ratio will minimize and mitigate the adverse effect to historic properties. No additional consultation and coordination is needed unless project plans should change.

For questions concerning this review and/or for future consultation, please contact Emma Diehl at [emdiehl@pa.gov](mailto:emdiehl@pa.gov) or (717) 787-9121.

Sincerely,

Douglas C. McLearn, Chief  
Division of Archaeology and Protection





DEPARTMENT OF VETERANS AFFAIRS  
NATIONAL CEMETERY ADMINISTRATION  
WASHINGTON DC 20420

27 February 2018

Emma Diehl  
Historic Preservation Supervisor  
Bureau for Historic Preservation  
Pennsylvania Historical and Museum Commission  
400 North Street, 2nd Floor  
Harrisburg, PA 17120-0093

Dear Ms. Diehl:

Subject: Section 106 Consultation for Cemetery Expansion, Indiantown Gap National Cemetery, Project Number 813CM3027

Dear Ms. Diehl:

The National Cemetery Administration (NCA) under the United States Department of Veterans Affairs (VA) is proposing to make certain alterations to the Indiantown Gap National Cemetery, located at Indiantown Gap Road, Annville, East Hanover Township, Lebanon County, PA 17003 (see Figure 1). The proposed project includes the following work items:

- Construct a Columbarium Plaza containing 24 Columbaria (2 Phase Project)
- Construct a Crypt Field for approximately 3600 In Ground Cremains
- Construct a new Access Road

Indiantown Gap National Cemetery is a federal property owned by the VA and is eligible for listing in the National Register of Historic Places (NRHP). As such, any planned renovations or new construction work at the cemetery constitutes an undertaking as defined in the Code of Federal Regulations (CFR) Title 36, Part 800.16(y). All planned renovations, preservation and restoration activities at Indiantown Gap National Cemetery will be conducted in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties* and applicable guidelines. The proposed expansion continues to follow the master plan developed in 1981, and will feature design elements and materials currently in use throughout the cemetery.

Project Narrative and Description

Currently the site is undeveloped and sparsely wooded. NCA is proposing to construct a road to provide access to the new columbarium plaza and in-ground cremains crypt field. The columbarium plaza will be constructed in two phases, with Phase 1 providing 12 columbaria and Phase 2 providing 12 columbaria. The wooded perimeter, which is a character-defining feature throughout the cemetery, will be maintained. The columbaria will be constructed with materials matching the existing columbaria. The Area of Potential Effect (APE) has been defined as the property boundary of Indiantown Gap National Cemetery.

Ms. Deihl  
Page 2

Finding of Effect

VA NCA's historical architect applied the criteria in 36 CFR Part 800.4 (d)(1)-(2), 800.5, and 800.6 (i) and determined that a historic property is present and that the proposed scope of work constitutes an undertaking that will have No Adverse Effect on the historic resource.

Agency Contact Information

In compliance with 36 CFR 800.5(b), the NCA respectfully requests your review of the above mentioned undertaking. Please direct all correspondence to me by email at [William.Hooker@va.gov](mailto:William.Hooker@va.gov) . If you have any questions, please contact me at 202-632-6631.

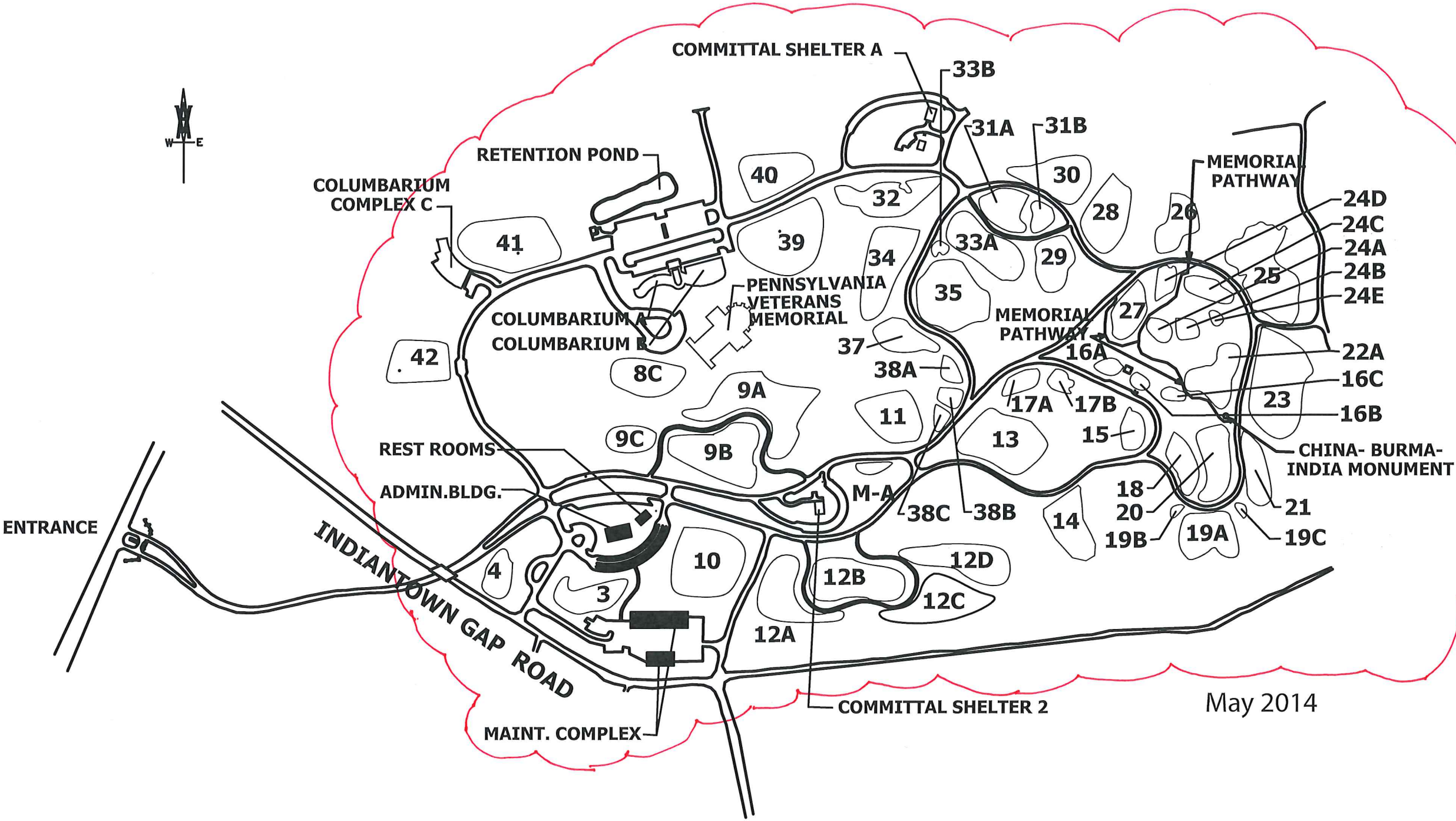
Sincerely,

W. Edward Hooker, III  
Historic Architect, NCA

Boundary  
Enclosures:

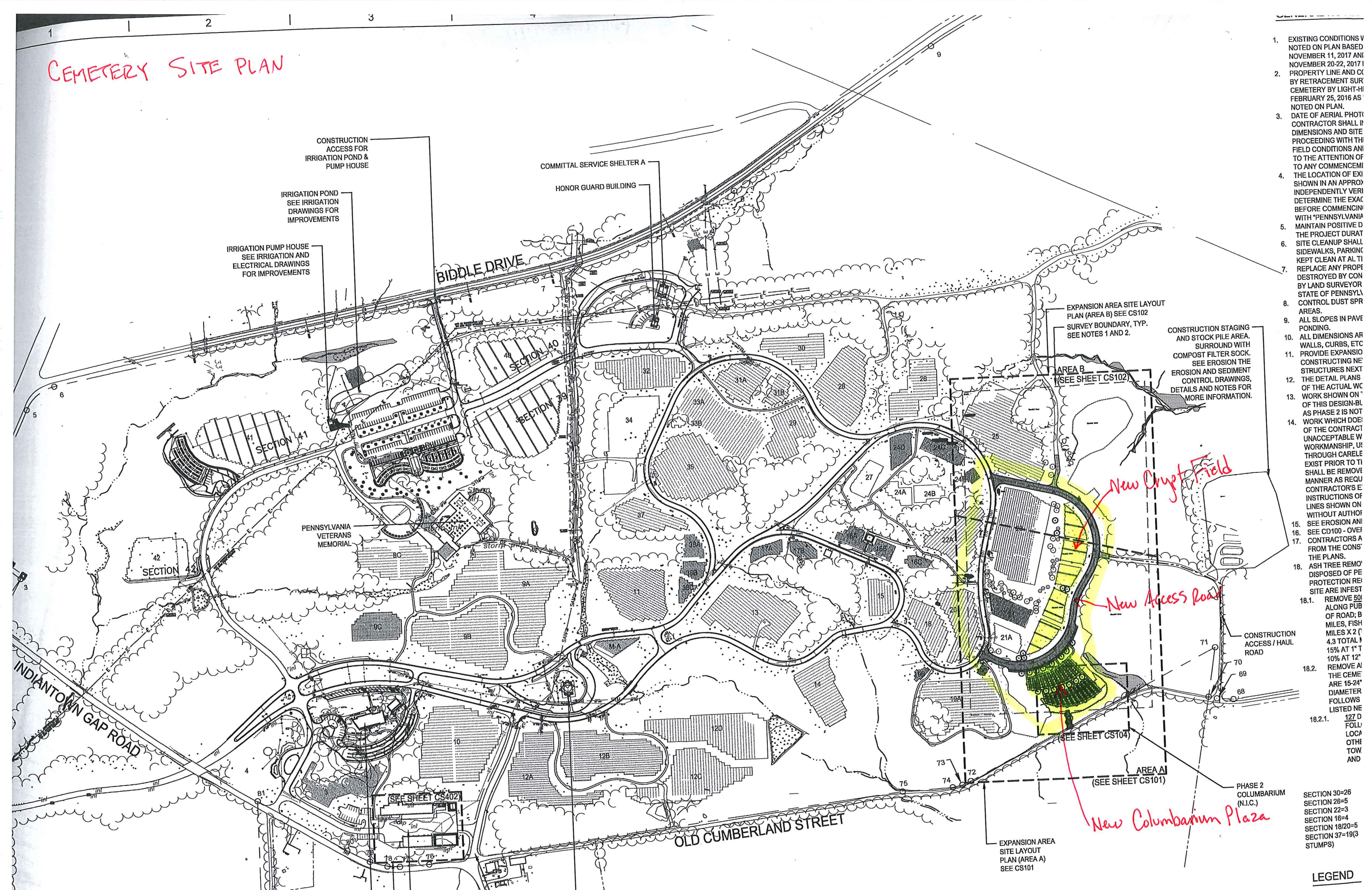
Proposed Area of Potential Effect (APE)  
Cemetery Site Plan  
Project Site Plan  
Project Phase Plan  
Site Photos

Cc: Michael Borgman, NCA Project Manager





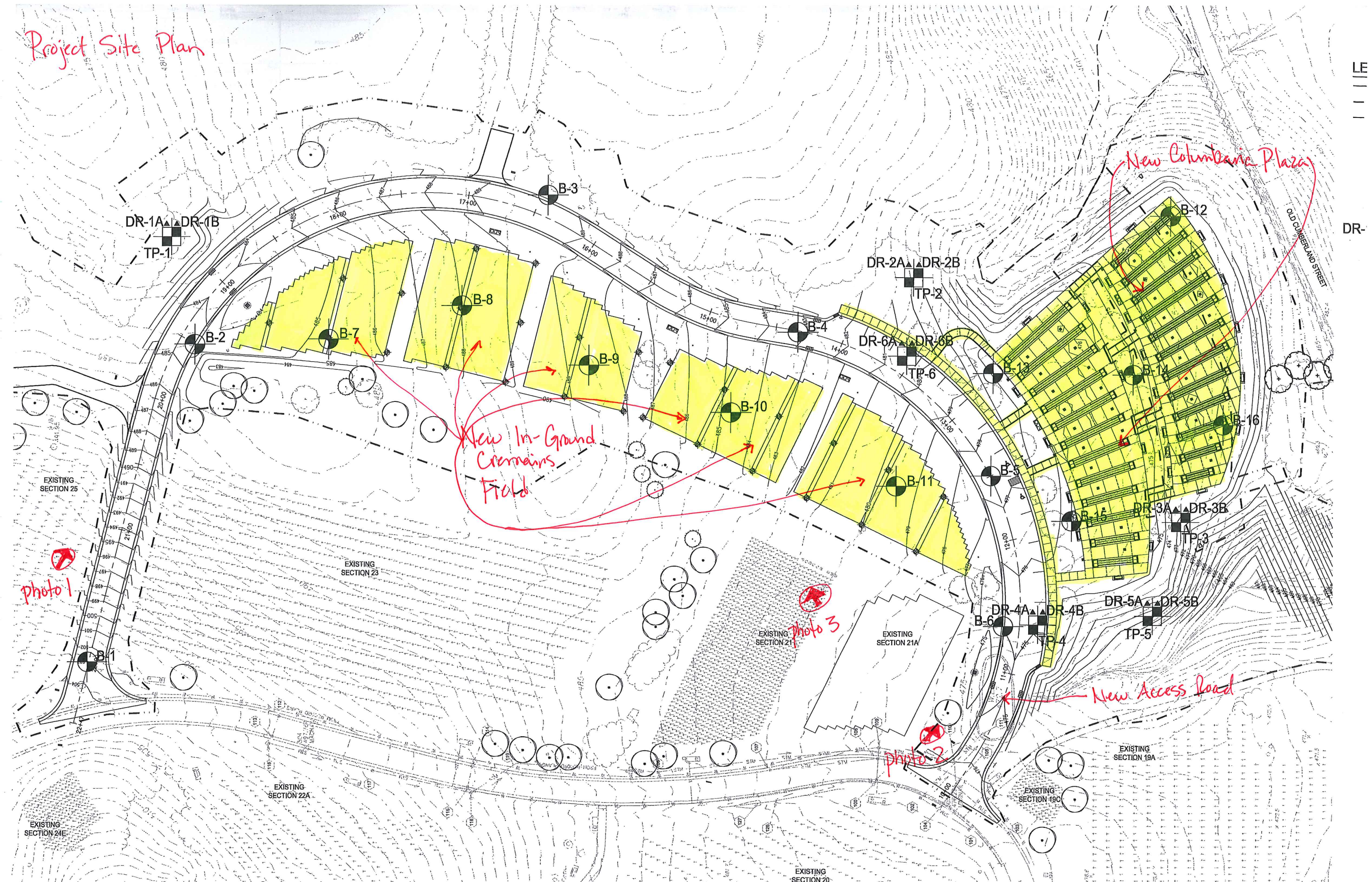
# CEMETERY SITE PLAN



- EXISTING CONDITIONS V NOTED ON PLAN BASED NOVEMBER 11, 2017 AND NOVEMBER 20-22, 2017
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- THE LOCATION OF EXI SHOWN IN AN APPROX INDEPENDENTLY VERI DETERMINE THE EXAC BEFORE COMMENCIN WITH "PENNSYLVANIA
- MAINTAIN POSITIVE D THE PROJECT DURAT
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- CONTROL DUST SPR AREAS.
- ALL SLOPES IN PAVE PONDING.
- ALL DIMENSIONS AR WALLS, CURBS, ETC
- PROVIDE EXPANSIO CONSTRUCTING NE STRUCTURES NEXT THE DETAIL PLANS OF THE ACTUAL WC
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- SEE EROSION ANI
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- CONTRACTORS A FROM THE CONS THE PLANS.
- ASH TREE REMO' DISPOSED OF PE PROTECTION REI SITE ARE INFEST
- 18.1. REMOVE 50' ALONG PUB OF ROAD, B MILES, FISH MILES X 2 ( 4.3 TOTAL 15% AT 1" T 10% AT 12"
- 18.2. REMOVE A THE CEME ARE 15-24" DIAMETER FOLLOWS LISTED NE
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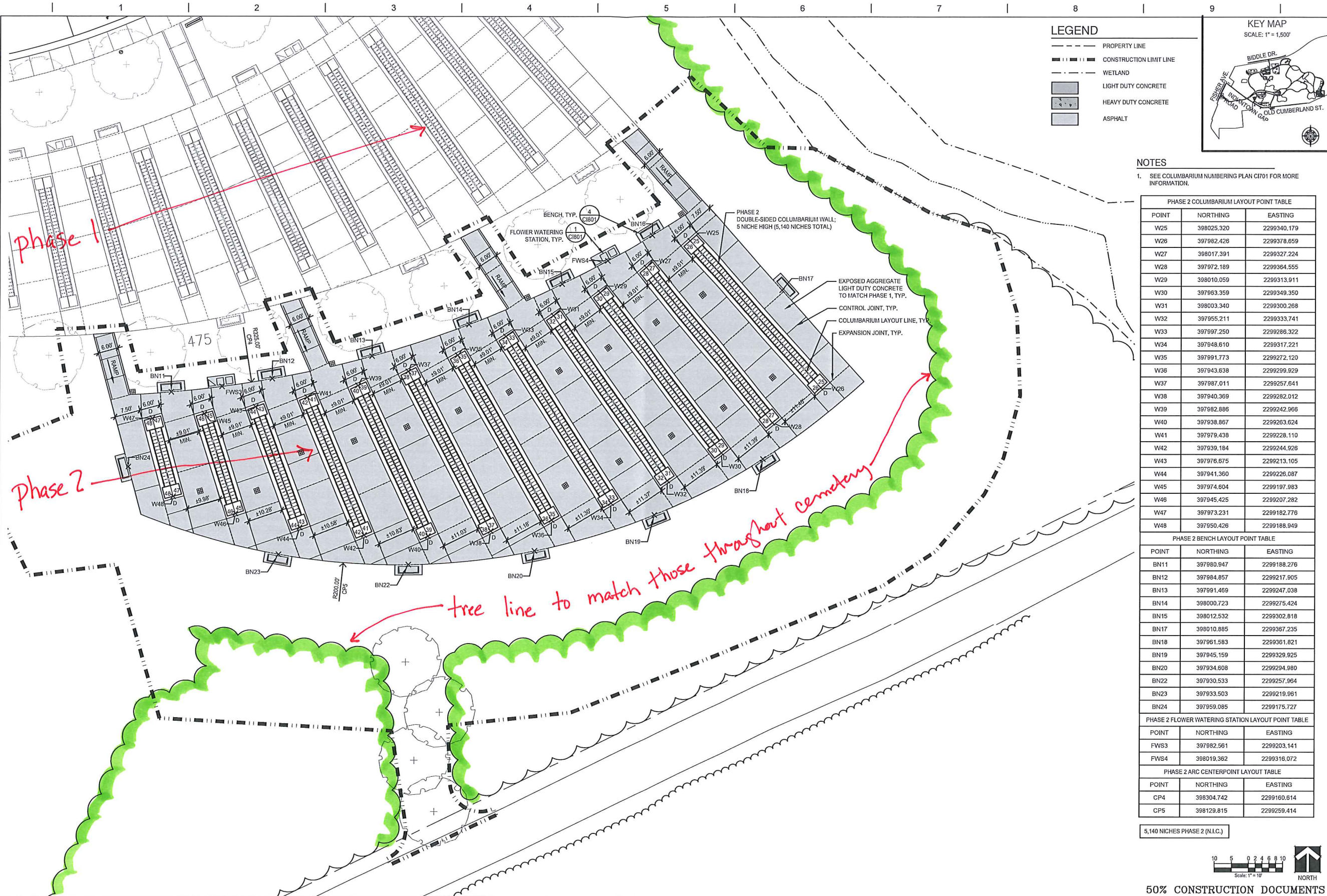


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PROJECT  
PHASE  
PLAN

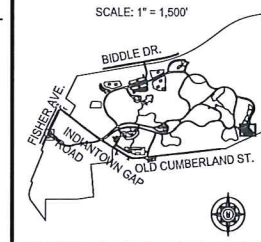


#### LEGEND

- PROPERTY LINE
- CONSTRUCTION LIMIT LINE
- WETLAND
- LIGHT DUTY CONCRETE
- HEAVY DUTY CONCRETE
- ASPHALT

#### KEY MAP

SCALE: 1" = 1,500'



#### NOTES

- SEE COLUMBARIUM NUMBERING PLAN C1701 FOR MORE INFORMATION.

#### PHASE 2 COLUMBARIUM LAYOUT POINT TABLE

POINT	NORTHING	EASTING
W25	398025.320	2299340.179
W26	397982.426	2299378.659
W27	398017.391	2299327.224
W28	397972.189	2299364.555
W29	398010.059	2299313.911
W30	397963.359	2299349.350
W31	398003.340	2299300.268
W32	397955.211	2299333.741
W33	397997.250	2299286.322
W34	397948.610	2299317.221
W35	397991.773	2299272.120
W36	397943.638	2299299.929
W37	397987.011	2299257.641
W38	397940.369	2299282.012
W39	397982.886	2299242.956
W40	397938.867	2299263.624
W41	397979.438	2299228.110
W42	397939.184	2299244.926
W43	397976.675	2299213.105
W44	397941.360	2299226.087
W45	397974.604	2299197.983
W46	397945.425	2299207.282
W47	397973.231	2299182.776
W48	397950.426	2299188.949

#### PHASE 2 BENCH LAYOUT POINT TABLE

POINT	NORTHING	EASTING
BN11	397980.947	2299188.276
BN12	397984.857	2299217.905
BN13	397991.469	2299247.038
BN14	398000.723	2299275.424
BN15	398012.532	2299302.818
BN17	398010.865	2299367.235
BN18	397961.583	2299361.821
BN19	397945.159	2299329.925
BN20	397934.608	2299294.980
BN22	397930.533	2299257.964
BN23	397933.503	2299219.961
BN24	397959.085	2299175.727

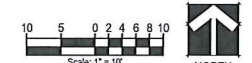
#### PHASE 2 FLOWER WATERING STATION LAYOUT POINT TABLE

POINT	NORTHING	EASTING
FWS3	397982.561	2299203.141
FWS4	398019.362	2299316.072








#### PHASE 2 ARC CENTERPOINT LAYOUT TABLE

POINT	NORTHING	EASTING
CP4	398304.742	2299160.614
CP5	398129.815	2299259.414

5,140 NICHES PHASE 2 (N.I.C.)



50% CONSTRUCTION DOCUMENTS

<div>Revisions</div> <table><tr><th>No.</th><th>Description</th><th>Date</th></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></table>	No.	Description	Date										<div>PREPARED BY:</div> <div> G&amp;C Engineering New Jersey Office: 5 Foster Ln. (Bld. A) • Flemington, New Jersey 08822 New York Office: 1828 Middle Road • Calverton, New York 11933 Phone: 908-782-0526 • Fax: 908-782-4381 • www.GandCEng.com</div>	<div>CONSULTANTS:</div> <div> The LA GROUP Landscape Architecture &amp; Engineering P.C. 40 Long Alley Saratoga Springs, NY 12868 Phone: 518-587-8100 Fax: 518-587-0180 www.thelagroup.com</div>	<div> Gordon 305 N. 11th Street, Suite 1 Charlottesville, VA 22902 Phone: 540-725-8456 www.gordonva.com</div> <div> Aqua Engineering 1000 E. 1st Street, Suite 100 Fort Collins, CO 80504 Phone: 970-225-8888 www.aqua-engineering.com</div>	<div> L.R. Kimball Corporate Headquarters 155 West Highland Avenue Evanston, IL 60201 Phone: 708-477-1000 www.lrkimball.com</div> <div> A.D. MARBLE environmental-cultural-engineering 2200 Renaissance Blvd., Suite 200 King of Prussia, PA 19406</div>	<div> NATIONAL CEMETERY ADMINISTRATION</div>	<div>Drawing Title COLUMBARIUM SITE PLAN ENLARGEMENT (PHASE 2)</div> <div>Approved: _____ Approved: _____</div>	<div>Project Title INDIANTOWN GAP NC COLUMBARIUM DESIGN / BUILD</div> <div>Building Number: _____ Checked: JGS Drawn: JDB</div> <div>Location LEBANON COUNTY, PENNSYLVANIA</div>	<div>Date 02-15-18</div> <div>Project No. 813CM3027</div> <div>DRAWING NO. CS402</div> <div>Dwg. 31 of 108</div>
	No.	Description	Date																	





**FARMLAND CONVERSION IMPACT RATING**

<b>PART I</b> (To be completed by Federal Agency)		Date Of Land Evaluation Request			
Name of Project		Federal Agency Involved			
Proposed Land Use		County and State			
<b>PART II</b> (To be completed by NRCS)		Date Request Received By NRCS		Person Completing Form:	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres:                      %		Amount of Farmland As Defined in FPPA Acres:                      %		
Name of Land Evaluation System Used	Name of State or Local Site Assessment System		Date Land Evaluation Returned by NRCS		
<b>PART III</b> (To be completed by Federal Agency)		Alternative Site Rating			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site					
<b>PART IV</b> (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide Important or Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value					
<b>PART V</b> (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)					
<b>PART VI</b> (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)		Maximum Points	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160			
<b>PART VII</b> (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		100			
Total Site Assessment (From Part VI above or local site assessment)		160			
<b>TOTAL POINTS (Total of above 2 lines)</b>		260			
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

(See Instructions on reverse side)

Form AD-1006 (03-02)



## **STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM**

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at [http://offices.usda.gov/scripts/ndISAPI.dll/oip\\_public/USA\\_map](http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map), or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

## **INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM**

*(For Federal Agency)*

**Part I:** When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

**Part III:** When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

**Part VI:** Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

**Part VII:** In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$
---

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.

# Indiantown Gap National Cemetery

## Proposed Phase 5 Expansion

### Farmland Conversion Impact Rating Supporting Documentation

The following numbered headings support the responses in Part VI in the form above:

**(1) How much land is in nonurban use within a radius of 1.0 mile from where the project is intended?**

The approximate acreage of nonurban land within a 1.0 mile from the intended project site is 785 acres (Figure 1). The approximate acreage of the 1.0-mile radius' area is 2,015 acres. Therefore, approximately 40% of the land within the project site's 1.0-mile radius is nonurban land.

Figure 1



- 90 to 20 percent—14 to 1 point(s) – 5 points

**(2) How much of the perimeter of the site borders on land in nonurban use?**

As depicted by the areas outlined in blue in Figure 2 below, the project site is mainly surrounded by undeveloped forests, which would be considered land in nonurban use. The portions of the study area's perimeter that would be defined as urban are the roads within and surrounding the

cemetery, and subsequently, the project site. The project site has a perimeter of approximately 2.6 miles. The portion of the perimeter that consists of nonurban land is approximately 1 mile. Therefore, approximately 40% of the side borders on land in nonurban use.

Figure 2



- 90 to 20 percent—9 to 1 point(s) – 3 points

**(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than 5 of the last 10 years?**

The project site is predominantly undeveloped woodlands. Therefore, less than 20% of the site has been farmed in the last 5-10 years.

- Less than 20 percent—0 points

**(4) Is the site subject to State or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?**

No, it is owned by the federal government and is not subject to state or local government policies or programs.

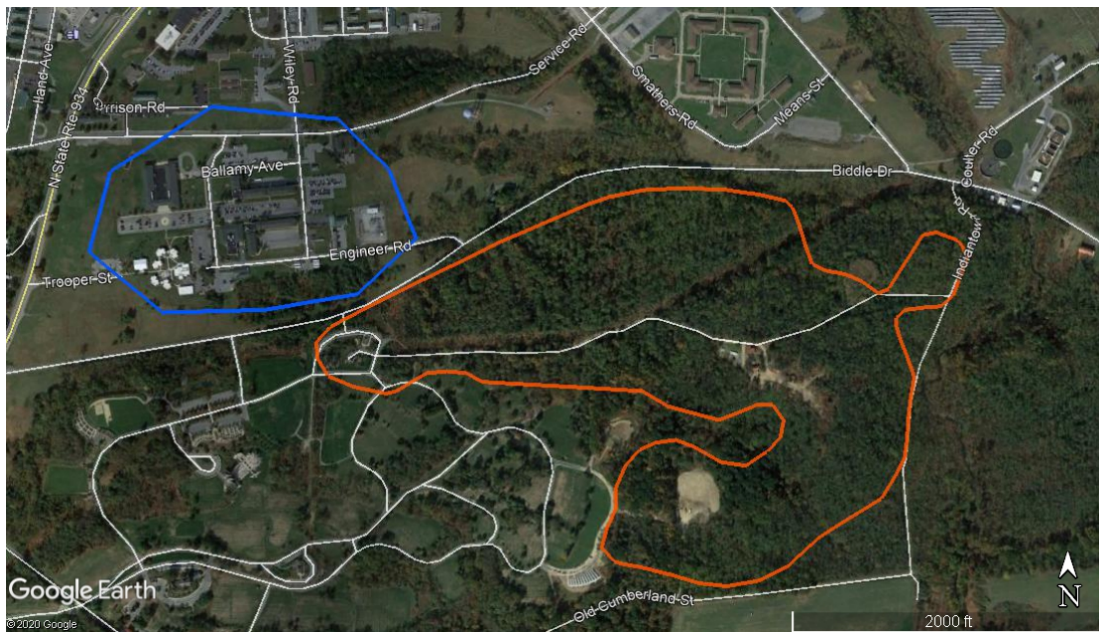
- Site is not protected—0 points



**(5) How close is the site to an urban built-up area?**

The closest urban built-up area to the site is approximately 0.1 miles away, located directly north of the northwestern portion of the project site, and is outlined in blue on Figure 3. This location is part of the Fort Indiantown Gap National Guard Training Facility. An urban built-up site must contain 2,500 in population, and the adjacent Fort Indiantown Gap trains more than 100,000 troops each year (retrieved from <https://mybaseguide.com/installation/fort-indiantown-gap/community/welcome-35/>).

Figure 3

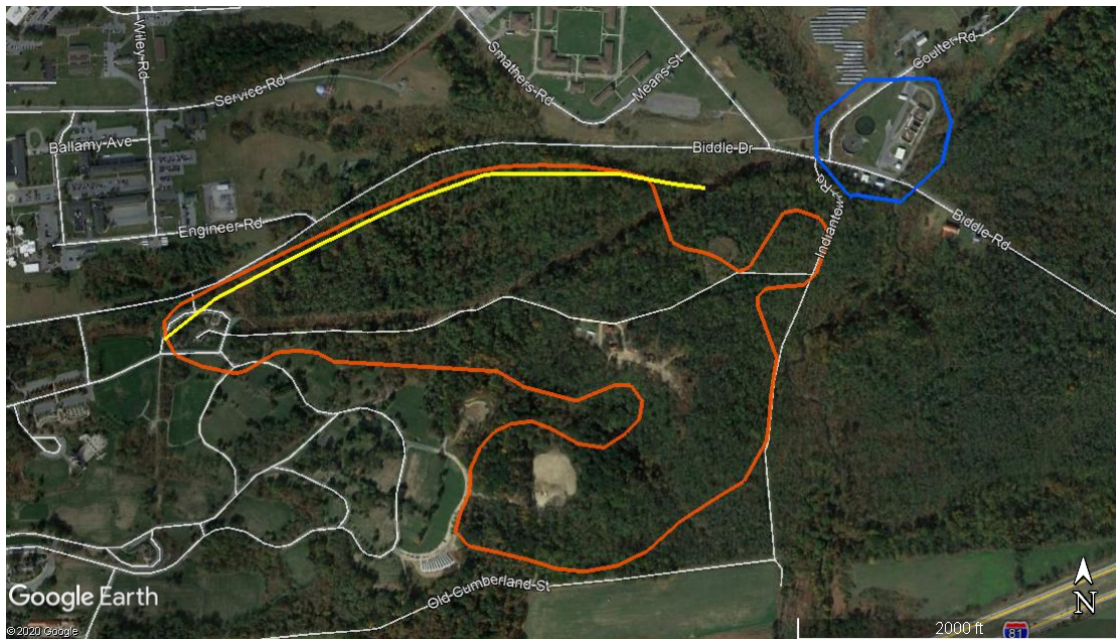


- The site is adjacent to an urban built-up area—0 points

**(6) How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use?**

There is a Lebanon County sewage treatment plant located less than 0.5-miles south of the eastern portion of the project site. Additionally, there is an overhead powerline which transects the project site's northern boundary. On Figure 4, the sewage treatment plant is indicated by the blue outline, and the approximate location of the powerline is indicated by the yellow line. IGNC receives its water from Lebanon County through underground utility lines that connect to IGNC.

Figure 4



- All of the services exist within  $\frac{1}{2}$  mile of the site—0 points

**(7) Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county? (Average farm sizes in each county are available from the NRCS field offices in each State. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with \$1,000 or more in sales.)**

The average size of farms in Lebanon County, PA, is 94 acres (retrieved from [https://www.nass.usda.gov/Publications/AgCensus/2017/Online\\_Resources/County\\_Profiles/Pennsylvania/cp42075.pdf](https://www.nass.usda.gov/Publications/AgCensus/2017/Online_Resources/County_Profiles/Pennsylvania/cp42075.pdf)). Per the farmland data retrieved through the NRCS web soil survey summarized in Table 1 below, approximately 83 acres of the project site are defined as prime farmland or farmland of statewide importance.

Table 1

Soil Map Unit	Soil Map Unit Name	Drainage Class	Hydric (Yes/No)	Prime/Farmland of Statewide Importance	Acres within Study Area
BeB	Bedington shaly silt loam, 3 to 8% slopes	Well drained	No	All areas are prime farmland	7.3
WeB	Weikert channery silt loam, 3 to 8% slopes	Somewhat excessively drained	No	Farmland of statewide importance	7.2
BkB	Berks channery silt loam, 3 to 8% slopes	Well drained	Yes	Farmland of statewide importance	16.4
BkD	Berks channery silt loam, 15 to 25% slopes	Well drained	Yes	Farmland of statewide importance	32.6
CmB	Comly silt loam, 3 to 8% slopes	Moderately well drained	Yes	All areas are prime farmland	18.0
Ho	Holly silt loam	Poorly drained	Yes	Farmland of statewide importance	1.8
BeD	Bedington shaly silt loam 15 to 25% slopes	Well drained	No	Not prime farmland	7.1
WeD	Weikert channery silt loam, 15 to 25% slopes	Somewhat excessively drained	No	Not prime farmland	30.3
<b>Totals</b>					<b>120.6</b>
<b>Total Prime/Farmland of Statewide Importance</b>					<b>83.3</b>

- Below average—deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average—6 points

**(8) If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?**

The project's proposed action will require disturbance of a large portion of the land due to grading, vegetation clearing, and road construction. However, some the undeveloped land will be maintained. Approximately 80% of the land will be converted, while 20% would remain undeveloped.

- Acreage equal to between 25 and 5 percent of the acres directly converted by the project—9 to 1 point(s)—7 points

**(9) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?**

The site is a National Cemetery, so there are no farm support services directly on-site.

- No required services are available—0 points

**(10) Does the site have substantial and well-maintained on-farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?**

The site does have some of these facilities, for example, storage buildings, drainage, irrigation, and waterways. However, these facilities exist for the upkeep of the cemetery grounds, not farmland, and necessary investments for managing farmland are not present.

- Moderate amount of on-farm investment—19 to 1 point(s)—9 points

**(11) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?**

No, the project area exists within the Indiantown Gap National Cemetery boundaries and has remained generally undeveloped in the anticipation of future cemetery development. There would be no reduction in demand for support services if the site is converted.

- No significant reduction in demand for support services if the site is converted—0 points

**(12) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?**

Following the Phase 5 expansion, the surrounding land that could be developed is federally owned property that was purchased with the intention of land conversion to expand the National Cemetery. Since the opening of IGNC, the activities within IGNC have not prevented agricultural use of the surrounding non-federal lands. In emphasis of compatibility, it is noted that a large area of private land adjacent to the IGNC southern border has remained under agricultural production for several decades. The continued development of IGNC has no mechanism to convert farmland to nonagricultural use.

- Proposed project is fully compatible with existing agricultural use of surrounding farmland—0 points





December 8, 2020

Fernando Fernandez, REM  
Environmental Engineer  
US Department of Veterans Affairs  
Construction and Facilities Management Office  
Email: [Fernando.Fernandez@va.gov](mailto:Fernando.Fernandez@va.gov)  
(202)632-5529

Subject: Supplemental Environmental Assessment – Phase 5 Expansion  
Dept. of Veterans Affairs, Indiantown Gap National Cemetery, Annville, Lebanon County, PA

Dear Mr. Fernandez:

Thank you for the opportunity to review the map for the Environmental Report for the above referenced project for the Indiantown Gap National Cemetery in Lebanon County, PA. After completing a review of the project's potential to impact federal actions where NRCS has control or responsibility, no potential for impact has been found for our easements and dams.

Since this project will receive funding from the U.S. Department of Veterans Affairs it is subject to review for the Farmland Protection Policy Act. Attached please find a web soil survey map with an estimated outline of the project area gleaned from the map that you provided. Also, please find attached, an AD1006 form on which NRCS took the liberty to fill out Parts I, II, III, IV, and V. The Relative Value of Farmland to be converted is 25. Please complete parts VI and VII. If the total site assessment score from Part VII is less than 160, no additional action or alternatives are required with regards to the Farmland Protection Policy Act.

If you have additional questions or concerns, please feel free to contact me via telephone at 717-237-2100, or email, [denise.coleman@usda.gov](mailto:denise.coleman@usda.gov)

Sincerely,

Denise Coleman  
State Conservationist, NRCS  
Harrisburg, PA

Attachments: Web soil survey map; AD1006

Cc: Dan Ludwig, NRCS State Resource Conservationist  
Yuri Plowden, NRCS State Soil Scientist

Natural Resources Conservation Service  
359 East Park Drive, Suite 2  
Harrisburg, PA 17111-2747  
Voice: 717-237-2100 | Fax: 855-813-2861  
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**Helping People Help the Land**

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**FARMLAND CONVERSION IMPACT RATING**

<b>PART I</b> (To be completed by Federal Agency)		Date Of Land Evaluation Request <b>10/27/2020</b>			
Name of Project <b>Ft. Indiantown Gap - Phase 5 Expansion</b>		Federal Agency Involved <b>US Dept. Veterans Affairs</b>			
Proposed Land Use <b>Expansion within FIG Nat'l Cemetery</b>		County and State <b>Lebanon County, PA</b>			
<b>PART II</b> (To be completed by NRCS)		Date Request Received By NRCS <b>12/8/2020</b>		Person Completing Form: <b>Yuri Plowden</b>	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? (If no, the FPPA does not apply - do not complete additional parts of this form)		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated	Average Farm Size
					<b>100</b>
Major Crop(s) <b>corn for grain/forage</b>	Farmable Land In Govt. Jurisdiction Acres: <b>72</b> % <b>167,511</b>		Amount of Farmland As Defined in FPPA Acres: <b>62</b> % <b>144,060</b>		
Name of Land Evaluation System Used <b>LESA</b>	Name of State or Local Site Assessment System		Date Land Evaluation Returned by NRCS <b>12/8/2020</b>		
<b>PART III</b> (To be completed by Federal Agency)			Alternative Site Rating		
			Site A	Site B	Site C
A. Total Acres To Be Converted Directly			<b>50</b>		
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site			<b>120</b>		
<b>PART IV</b> (To be completed by NRCS) Land Evaluation Information					
A. Total Acres Prime And Unique Farmland			<b>27</b>		
B. Total Acres Statewide Important or Local Important Farmland			<b>25.6</b>		
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted			<b>&lt;.0001</b>		
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value			<b>67</b>		
<b>PART V</b> (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)			<b>25</b>		
<b>PART VI</b> (To be completed by Federal Agency) Site Assessment Criteria (Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)		Maximum Points	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		<b>160</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>PART VII</b> (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)		<b>100</b>	<b>25</b>	<b>0</b>	<b>0</b>
Total Site Assessment (From Part VI above or local site assessment)		<b>160</b>	<b>0</b>	<b>0</b>	<b>0</b>
TOTAL POINTS (Total of above 2 lines)		<b>260</b>	<b>25</b>	<b>0</b>	<b>0</b>
Site Selected:	Date Of Selection	Was A Local Site Assessment Used?			
		YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

(See Instructions on reverse side)

## **STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM**

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at [http://offices.usda.gov/scripts/ndISAPI.dll/oip\\_public/USA\\_map](http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map), or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

## **INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM** (For Federal Agency)

**Part I:** When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

**Part III:** When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

**Part VI:** Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

**Part VII:** In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

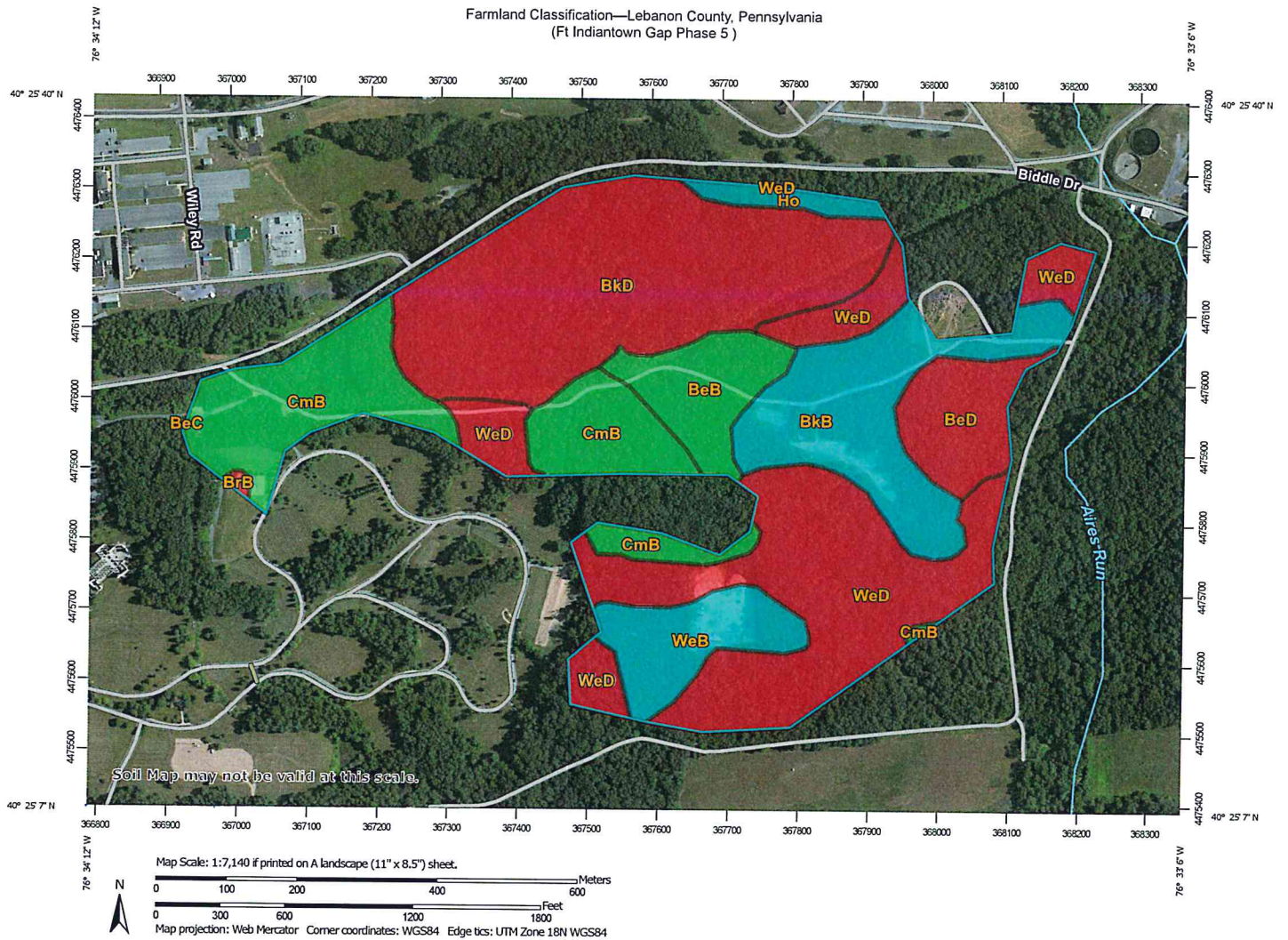
$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$
---

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

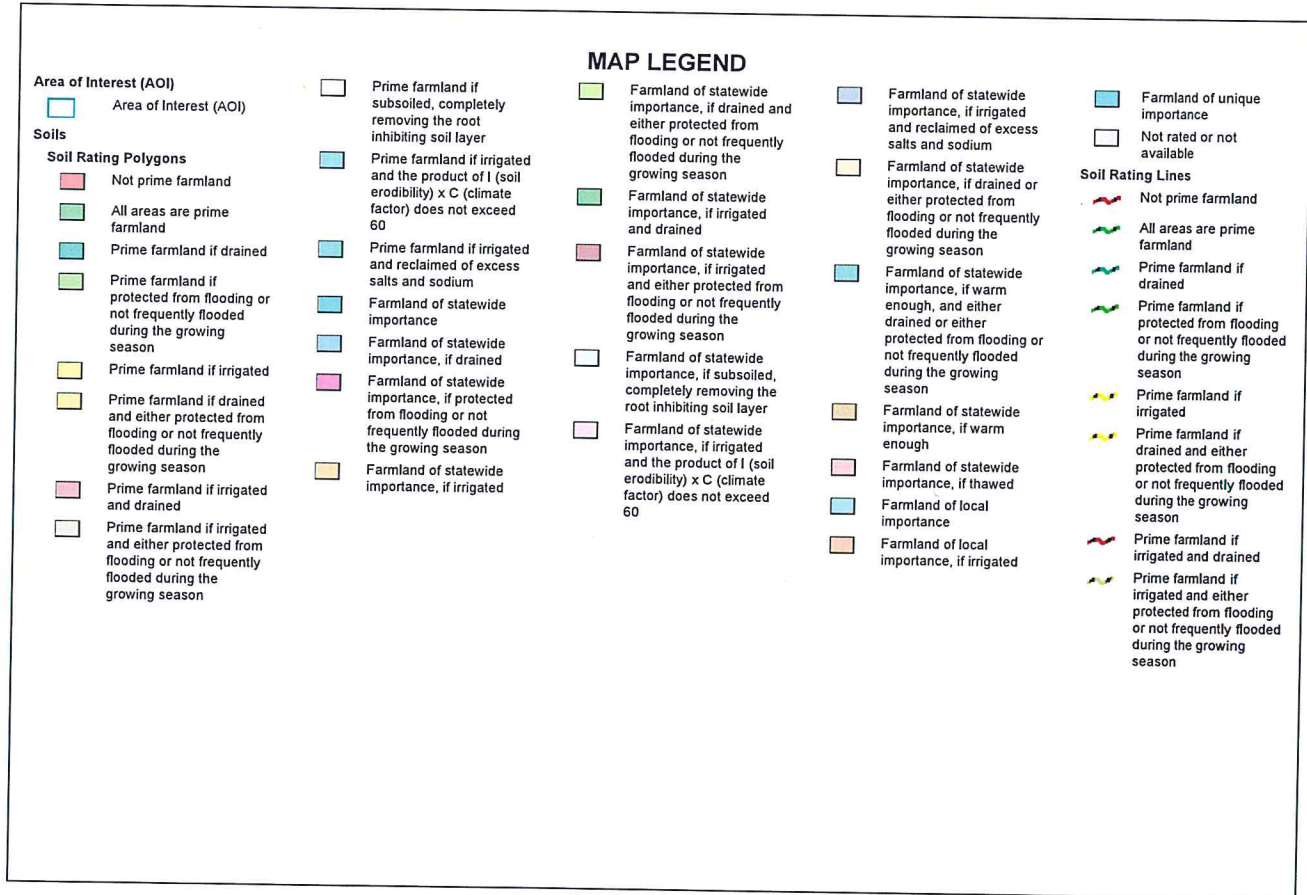
NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.






































Farmland Classification—Lebanon County, Pennsylvania  
(Ft Indiantown Gap Phase 5)



Farmland Classification—Lebanon County, Pennsylvania  
(Ft Indiantown Gap Phase 5)

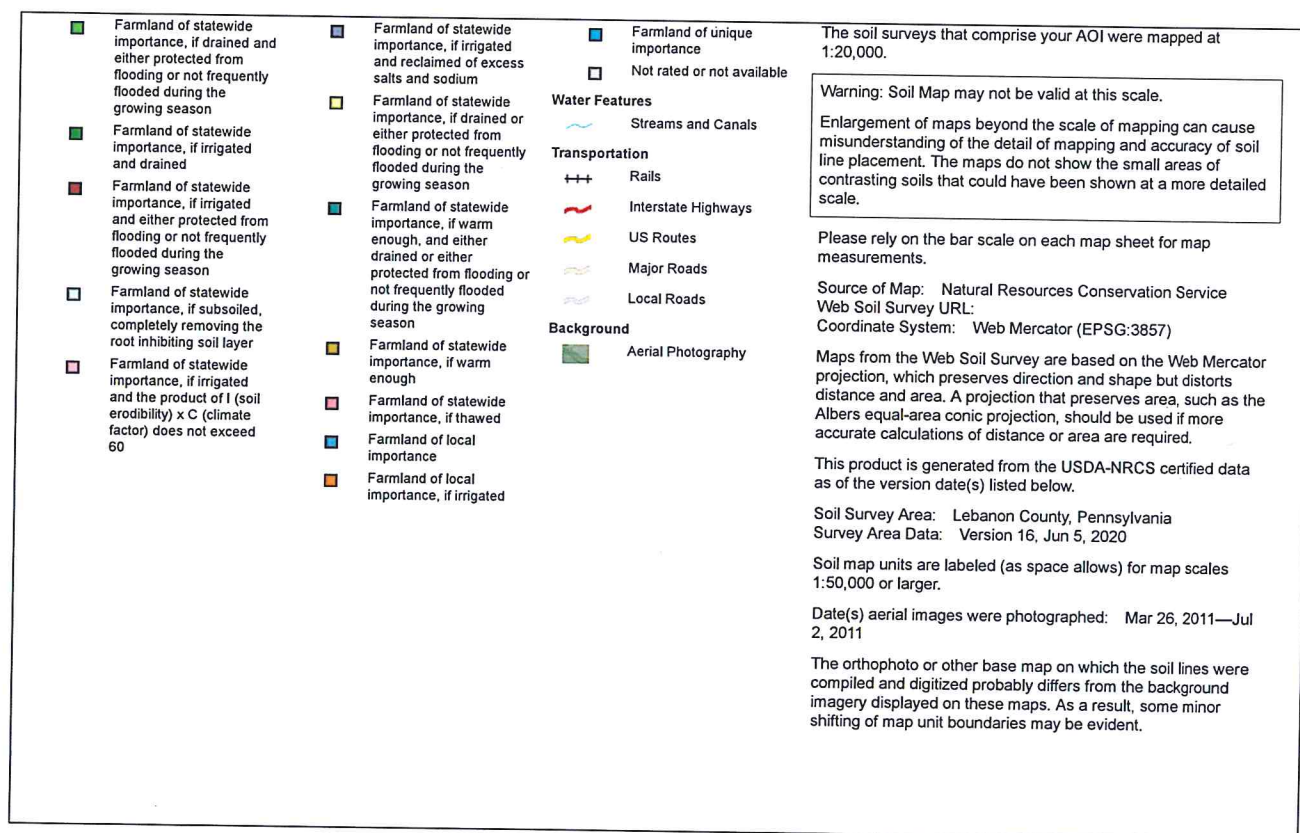


Farmland Classification—Lebanon County, Pennsylvania  
(Ft Indiantown Gap Phase 5)

 Prime farmland if subsoiled, completely removing the root inhibiting soil layer	 Farmland of statewide importance, if drained and either protected from flooding or not frequently flooded during the growing season	 Farmland of statewide importance, if irrigated and reclaimed of excess salts and sodium	 Farmland of unique importance	 Prime farmland if subsoiled, completely removing the root inhibiting soil layer
 Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60	 Farmland of statewide importance, if irrigated and drained	 Farmland of statewide importance, if drained or either protected from flooding or not frequently flooded during the growing season	 Not rated or not available	 Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
 Prime farmland if irrigated and reclaimed of excess salts and sodium	 Farmland of statewide importance, if irrigated and either protected from flooding or not frequently flooded during the growing season	 Farmland of statewide importance, if warm enough, and either protected from flooding or not frequently flooded during the growing season	<b>Soil Rating Points</b>	 Prime farmland if irrigated and reclaimed of excess salts and sodium
 Farmland of statewide importance	 Farmland of statewide importance, if subsoiled, completely removing the root inhibiting soil layer	 Farmland of statewide importance, if warm enough	 Not prime farmland	 Farmland of statewide importance
 Farmland of statewide importance, if drained	 Farmland of statewide importance, if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60	 Farmland of statewide importance, if thawed	 All areas are prime farmland	 Farmland of statewide importance, if drained
 Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season		 Farmland of local importance	 Prime farmland if drained	 Farmland of statewide importance, if protected from flooding or not frequently flooded during the growing season
 Farmland of statewide importance, if irrigated		 Farmland of local importance, if irrigated	 Prime farmland if irrigated	 Farmland of statewide importance, if irrigated
			 Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season	
			 Prime farmland if irrigated and drained	
			 Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season	



Farmland Classification—Lebanon County, Pennsylvania  
(Ft Indiantown Gap Phase 5 )



## Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
BeB	Bedington shaly silt loam, 3 to 8 percent slopes	All areas are prime farmland	7.1	5.5%
BeC	Bedington shaly silt loam, 8 to 15 percent slopes	Farmland of statewide importance	0.0	0.0%
BeD	Bedington shaly silt loam, 15 to 25 percent slopes	Not prime farmland	6.9	5.3%
BkB	Berks channery silt loam, 3 to 8 percent slopes	Farmland of statewide importance	16.2	12.5%
BkD	Berks channery silt loam, 15 to 25 percent slopes	Not prime farmland	35.2	27.2%
BrB	Brinkerton silt loam, 3 to 8 percent slopes	Not prime farmland	0.2	0.2%
CmB	Comly silt loam, 3 to 8 percent slopes	All areas are prime farmland	20.1	15.5%
Ho	Holly silt loam	Farmland of statewide importance	1.9	1.5%
WeB	Weikert channery silt loam, 3 to 8 percent slopes	Farmland of statewide importance	7.5	5.8%
WeD	Weikert channery silt loam, 15 to 25 percent slopes	Not prime farmland	34.5	26.6%
<b>Totals for Area of Interest</b>			<b>129.6</b>	<b>100.0%</b>

## Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

## Rating Options

*Aggregation Method:* No Aggregation Necessary

*Tie-break Rule:* Lower



**DEPARTMENT OF VETERANS AFFAIRS  
CONSTRUCTION AND FACILITIES MANAGEMENT OFFICE  
WASHINGTON DC**

October 27, 2020

U.S. Army Corps of Engineers  
Pittsburgh District  
Regulatory Branch (NEPA Review)  
2200 William S. Moorhead Federal Building, 1000 Liberty Avenue  
Pittsburgh, PA 15222-4186

**Subject: Supplemental Environmental Assessment – Request for Early Input, Phase 5  
Expansion  
Department of Veterans Affairs, Indiantown Gap National Cemetery, Annville,  
Lebanon County, Pennsylvania**

To Whom It May Concern:

The U.S. Department of Veterans Affairs (VA), National Cemetery Administration (NCA) is currently preparing a Draft Supplemental Environmental Assessment (SEA) in accordance with VA policy for compliance with the National Environmental Policy Act (NEPA). The SEA will evaluate the potential physical, biological, cultural, and socioeconomic impacts associated with the Proposed Action to construct and operate the Phase 5 expansion within the Indiantown Gap National Cemetery. To fully evaluate and consider the potential environmental effects of the project, VA is seeking any information from your organization that should be considered as the assessment is done. A 120-acre area (study area) is currently being assessed as the location within which the proposed 50-acre Phase 5 expansion area would be located. A map of the study area is enclosed as Figure 1.

The Indiantown Gap National Cemetery is located approximately 20 miles northeast of Harrisburg, in the Lebanon Valley of central-southern Pennsylvania. Located in Lebanon County and with approximate coordinates of N40°25'18.67"/W76°33'56.34", it originally opened in 1982. Based on current projections, NCA expects gravesite depletion of the cemetery within the next 5-10 years. The Indiantown Gap National Cemetery currently has approximately 420 acres of undeveloped grounds. The 120-acre study area is located immediately east of the existing developed portions of the cemetery. The Phase 5 expansion would require clearing, grading, and construction of new burial areas for both casketed and cremated remains, thereby extending the longevity of the Indiantown Gap National Cemetery for at least another 10 years.



In addition to creating new burial capacity, the Proposed Action would extend roadways connecting existing and new burial areas, extend irrigation lines, create new stormwater management ponds, and include professional landscaping once completed.

A No Action alternative is also considered for the project. However, under the No Action alternative, NCA would not develop new burial areas within the existing National Cemetery, leaving the approximate 32,000 veterans residing in east central Pennsylvania to be underserved by NCA. Thus, the No Action alternative would not comply with the *Servicemembers Civil Relief Act*.

VA appreciates your consideration of the request for input. Please provide comments within 30 days of receipt of this letter. If you have any questions, please do not hesitate to contact Mr. Fernando Fernández at (202) 632-5529 or via email at [Fernando.Fernandez@va.gov](mailto:Fernando.Fernandez@va.gov). Please reference “Indiantown Gap National Cemetery” in all correspondence. Thank you for your attention to this matter.

Sincerely,

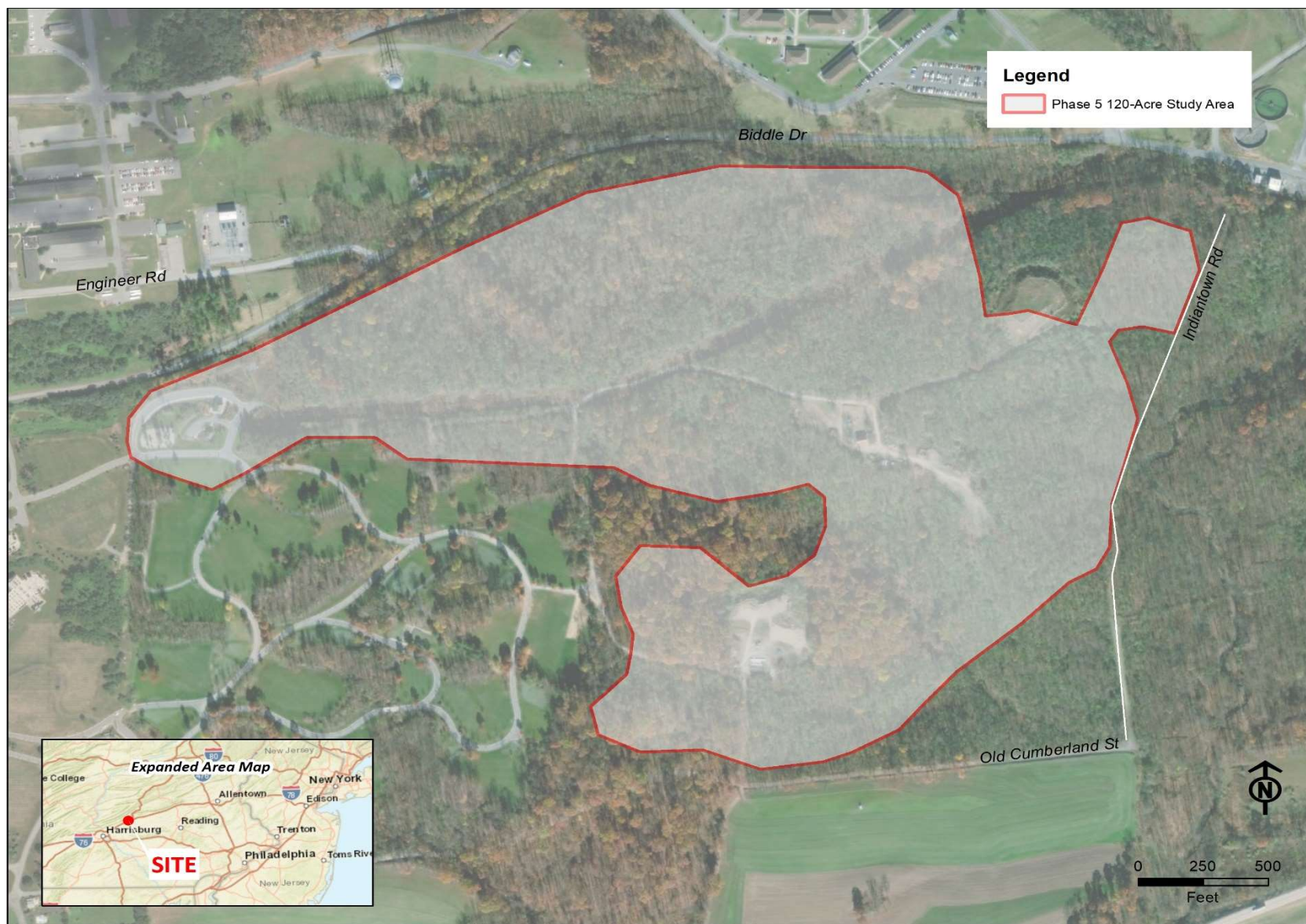
**FERNANDO L.  
FERNANDEZ  
336237**

Digitally signed by  
FERNANDO L. FERNANDEZ  
336237  
Date: 2020.10.28 07:46:26  
-04'00'

Fernando Fernández, REM  
Environmental Engineer  
U.S. Department of Veterans Affairs  
Construction and Facilities Management Office

Enclosures: Figure 1 – Study Area for Proposed Phase 5 Expansion

Figure 1. Study Area for the Proposed Phase 5 Expansion



<b>Tribe Name</b>	<b>Contact Name</b>	<b>Title</b>	<b>Street</b>	<b>City, State Zip</b>
Delaware Nation, Oklahoma	Ms. Nekole Alligood, Director of Cultural Resources & Section 106		PO Box 825	Anadarko, OK 73005
Delaware Nation, Oklahoma	Ms. Deborah Dotson, President		PO Box 825	Anadarko, OK 73006
Delaware Tribe of Indians	Dr. Brice Obermeyer	Historic Preservation	1 Kellog Circle	Emporia, KS 66801
Delaware Tribe of Indians	Ms. Susan Bachor, Preservation Representative (East Coast)		P.O. Box 64	Pocono Lake , PA 18347
Delaware Tribe of Indians	Mr. Chester "Chet" Brooks, Chief		5100 Tuxedo Boulevard	Bartlesville, OK 74006
Eastern Shawnee Tribe of Oklahoma	Ms. Glenna Wallace, Chief		PO Box 350	Seneca, MO 64865
Eastern Shawnee Tribe of Oklahoma	Mr. Brett Barnes, Tribal Historic Preservation Officer		12705 S. 705 Road	Wyandotte, OK
Seneca-Cayuga Nation	Mr. William Tarrant, Tribal Historic Preservation Officer		PO Box 453220	Grove, OK 74345
Seneca-Cayuga Nation	Mr. William Fisher, Chief		PO Box 453220	Grove, OK 74345

Agency	Sub Division	Attention	Street	City, State Zip
U.S. Army Corps of Engineers	Pittsburgh District	Regulatory Branch (NEPA Review)	2200 William S. Moorhead Federal Building	Pittsburgh, PA 15222-4186
U.S. Department of Agriculture, Natural Resources Conservation Service	Pennsylvania State Office (NEPA Review)	Ms. Denise Coleman, State Conservationist	359 East Park Drive, Suite 2	Harrisburg, PA 17111-2747
U.S. Department of Fish & Wildlife	Pennsylvania Field Office (NEPA Review)	Ms. Sonja Jahrsdoerfer	110 Radnor Rd, Suite 101	State College, PA 16801
U.S. Department of Environmental Protection Agency		Region 3 Regulatory Branch (NEPA Review)	1650 Arch Street	Philadelphia, PA 19103-2029
Pennsylvania Department of Conservation and Natural Resources	Bureau of Forestry	NEPA Review/Regulatory Compliance	Rachel Carson State Office Building, 6th Floor P.O. Box 8552	Harrisburg, PA 17105-8552
Pennsylvania Department of Environmental Protection	Bureau of Watershed Management	NEPA Review/Regulatory Compliance	186 Enterprise Road, Moshannon Valley Industrial Park	Philipsburg, PA 16866
Pennsylvania Game Commission	Division of Environmental Planning and Management	Mr. Bruce Metz, Southeast Region Director	253 Snyder Road	Reading, PA 19605
Fort Indiantown Gap	Pennsylvania National Guard Bureau	NEPA Review/Regulatory Compliance	Bldg. 0-11, Fort Indiantown Gap	Annville, PA 17003-5002
Pennsylvania Department of Transportation	PennDOT Engineering District 8	NEPA Review/Regulatory Compliance	2140 Herr Street	Harrisburg PA 17103-1699
Lebanon County Conservation District		NEPA Review/Regulatory Compliance	2120 Cornwall Road, Suite 5	Lebanon, PA 17042-9788
Lebanon County Planning Department		NEPA Review/Regulatory Compliance	400 South 8th Street	Lebanon, PA 17042-6794



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1. Article Addressed to: <div>Delaware Nation, Oklahoma Ms. Deborah Dotson, President PO Box 825 Anadarko, OK 73006</div>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div>R2020041.000</div>	
<div>9590 9402 4770 8344 0341 92</div>		<div>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</div> <div><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</div>	
2. Article Number (Transfer from service label) 7018 2290 0000 3156 0705		2. Article Number (Transfer from service label) 7018 2290 0000 3156 0590	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

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1. Article Addressed to: <div>Lebanon County Planning Dept. NEPA Review/Regulatory Compliance 400 South 8th Street Lebanon, PA 17042-6794</div>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div>R2020041.000</div>	
<div>9590 9402 4770 8344 0342 08</div>		<div>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</div> <div><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</div>	
2. Article Number (Transfer from service label) 7018 2290 0000 3156 0590		2. Article Number (Transfer from service label) 7018 2290 0000 3156 0590	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

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1. Article Addressed to: <div>Eastern Shawnee Tribe of Oklahoma Mr. Brett Barnes, Tribal Historic Preservation Officer 12705 S. 705 Road Wyandotte, OK</div>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div>R2020041.000</div>	
<div>9590 9402 4770 8344 0342 77</div>		<div>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</div> <div><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</div>	
2. Article Number (Transfer from service label) 7018 2290 0000 3156 0606		2. Article Number (Transfer from service label) 7018 2290 0000 3156 0606	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

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1. Article Addressed to: <div>Delaware Tribe of Indians Dr. Brice Obermeyer Historic Preservation 1 Kellogg Circle Emporia, KS 66801</div>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div>R2020041.000</div>	
<div>9590 9402 4188 8121 7975 36</div>		<div>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</div> <div><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</div>	
2. Article Number (Transfer from service label) 7018 2290 0000 3156 0576		2. Article Number (Transfer from service label) 7018 2290 0000 3156 0583	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

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1. Article Addressed to: <div>Delaware Nation, Oklahoma Ms. Nekole Alligood, Director of Cultural Resources &amp; Section 106 PO Box 25 Anadarko, OK 73005</div>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div>R2020041.000</div>	
<div>9590 9402 4770 8344 0343 07</div>		<div>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</div> <div><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</div>	
2. Article Number (Transfer from service label) 7018 2290 0000 3156 0583		2. Article Number (Transfer from service label) 7018 2290 0000 3156 0583	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

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1. Article Addressed to: <div>U.S. Dept. of Environmental Protection Agency Region 3 Regulatory Branch (NEPA Review) 1650 Arch Street Philadelphia, PA 19103-2029</div>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div>R2020041.000</div>	
<div>9590 9402 4770 8344 0385 58</div>		<div>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</div> <div><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</div>	
2. Article Number (Transfer from service label) 7018 2290 0000 3156 0507		2. Article Number (Transfer from service label) 7018 2290 0000 3156 0507	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

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1. Article Addressed to: <div>Delaware Tribe of Indians Mr. Chester "Chet" Brooks, Chief 5100 Tuxedo Boulevard Bartlesville, OK 74006</div>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div>R2020041.000</div>	
<div>9590 9402 4770 8344 0342 60</div>		<div>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</div> <div><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</div>	
2. Article Number (Transfer from service label) 7018 2290 0000 3156 0569		2. Article Number (Transfer from service label) 7018 2290 0000 3156 0613	
PS Form 3811, July 2015 PSN 7530-02-000-9053		Domestic Return Receipt	

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1. Article Addressed to: <div>U.S. Army Corps of Engineers Pittsburgh District Regulatory Branch (NEPA Review) 2200 William S. Moorhead Federal Building, 1000 Liberty Avenue Pittsburgh, PA 15222-4186</div>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div>R2020041.000</div>	
<div>9590 9402 4770 8344 0341 54</div>		<div>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</div> <div><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</div>	
2. Article Number (Transfer from service label) 7018 2290 0000 3156 0613		2. Article Number (Transfer from service label) 7018 2290 0000 3156 0613	
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1. Article Addressed to: <div>Pennsylvania Dept. of Environmental Protection Bureau of Watershed Management NEPA Review/Regulatory Compliance 186 Enterprise Road, Moshannon Valley Industrial Park Phillipsburg, PA 16866</div>		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No <div>R2020041.000</div>	
<div>9590 9402 4770 8344 0342 53</div>		<div>3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</div> <div><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</div>	
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Fort Indiantown Gap  
Pennsylvania National Guard Bureau of Environmental Management  
NEPA Review/Regulatory Compliance  
Bldg. 0-11, Fort Indiantown Gap  
Annville, PA 17003-5002

2. Article Number (Transfer from service label)  
7018 2290 0000 3156 0545

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A. Signature  
X *Dreamar O'Neal* ☐ Agent ☒ Addressee

B. Received by (Printed Name)  
DREAMAR O'NEAL

C. Date of Delivery  
11-10-20

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☒ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

9590 9402 4770 8344 0342 84

R2020041.000

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1. Article Addressed to:

Lebanon County Conservation District  
NEPA Review/Regulatory Compliance  
2120 Cornwall Road, Suite 5  
Lebanon, PA 17042-9788

2. Article Number (Transfer from service label)  
7018 2290 0000 3156 0682

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A. Signature  
X *SAB* ☐ Agent ☒ Addressee

B. Received by (Printed Name)  
240-CA

C. Date of Delivery  
11-7

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

9590 9402 4770 8344 0342 91

R2020041.000

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■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Seneca-Cayuga Nation  
Mr. William Tarrant, Tribal Historic Preservation Officer  
PO Box 453220  
Grove, OK 74345

2. Article Number (Transfer from service label)  
7018 2290 0000 3156 0668

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
X *Cl. Bearpaw* ☐ Agent ☒ Addressee

B. Received by (Printed Name)  
H. Bearpaw

C. Date of Delivery  
11/02/2020

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

9590 9402 4770 8344 0341 47

R2020041.000

PS Form 3811, July 2015 PSN 7530-02-000-9053 Domestic Return Receipt

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SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.  
■ Print your name and address on the reverse so that we can return the card to you.  
■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Pennsylvania Game Commission  
Division of Environmental Planning and Habitat Protection  
Mr. Bruce Metz, Southeast Region Director  
253 Snyder Road  
Reading, PA 19605

2. Article Number (Transfer from service label)  
7018 2290 0000 3156 0644

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
X *BP2019* ☒ Agent ☐ Addressee

B. Received by (Printed Name)  
BP

C. Date of Delivery  
11/6/20

D. Is delivery address different from item 1? ☒ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

9590 9402 4770 8344 0341 61

R2020041.000

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.  
■ Print your name and address on the reverse so that we can return the card to you.  
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1. Article Addressed to:

Pennsylvania Dept. of Transportation  
PennDOT Engineering District 8  
NEPA Review/Regulatory Compliance  
2140 Herr Street  
Harrisburg PA 17103-1699

2. Article Number (Transfer from service label)  
7018 2290 0000 3156 0651

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
X *Christopher M. Kee* ☒ Agent ☐ Addressee

B. Received by (Printed Name)  
Christopher M. Kee

C. Date of Delivery  
11/10/20

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

9590 9402 4770 8344 0342 15

R2020041.000

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1. Article Addressed to:

Eastern Shawnee Tribe of Oklahoma  
Ms. Glenna Wallace, Chief  
PO Box 350  
Seneca, MO 64865

2. Article Number (Transfer from service label)  
7018 2290 0000 3156 0699

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
X *Glenna Wallace* ☒ Agent ☐ Addressee

B. Received by (Printed Name)  
Glenna Wallace

C. Date of Delivery  
11-2-20

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

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1. Article Addressed to:

Seneca-Cayuga Nation  
Mr. William Tarrant, Tribal Historic Preservation Officer  
PO Box 453220  
Grove, OK 74345

2. Article Number (Transfer from service label)  
7018 2290 0000 3156 0514

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
X *Cl. Bearpaw* ☐ Agent ☒ Addressee

B. Received by (Printed Name)  
H. Bearpaw

C. Date of Delivery  
11/02/2020

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

9590 9402 4770 8344 0342 22

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■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

U.S. Dept. of Agriculture, Natural Resources Conservation Service  
Pennsylvania State Office (NEPA Review)  
Ms. Denise Coleman, State Conservationist  
359 East Park Drive, Suite 2  
Harrisburg, PA 17111-2747

2. Article Number (Transfer from service label)  
7018 2290 0000 3156 0538

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
X *Mail Carrier* ☐ Agent ☒ Addressee

B. Received by (Printed Name)  
HARRISBURG, PA 17105-8552

C. Date of Delivery  
NOV 05 2020

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

9590 9402 4770 8344 0343 14

R2020041.000

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■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Pennsylvania Dept. of Conservation and Natural Resources  
Bureau of Forestry  
NEPA Review/Regulatory Compliance  
Rachel Carson State Office  
Building, 6th Floor  
P.O. Box 8552  
HARRISBURG, PA 17105-8552

2. Article Number (Transfer from service label)  
7018 2290 0000 3156 0637

COMPLETE THIS SECTION ON DELIVERY

A. Signature  
X *H. Naik* ☐ Agent ☒ Addressee

B. Received by (Printed Name)  
HARRISBURG, PA 17105-8552

C. Date of Delivery  
NOV 04 2020

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type  
☐ Adult Signature  
☐ Adult Signature Restricted Delivery  
☒ Certified Mail®  
☐ Certified Mail Restricted Delivery  
☐ Collect on Delivery  
☐ Collect on Delivery Restricted Delivery  
☐ Insured Mail  
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®  
☐ Registered Mail™  
☐ Registered Mail Restricted Delivery  
☐ Return Receipt for Merchandise  
☐ Signature Confirmation™  
☐ Signature Confirmation Restricted Delivery

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