

A *ppendices*



APPENDIX A

**Flight 93 National Memorial
Applicable Federal and State Laws,
Regulations and Policies**

Appendix Table A: Applicable Federal and Commonwealth of Pennsylvania Laws and Regulations, and National Park Service Policies, Flight 93 GMP/EIS, 2005

Mandates	Reference	Purpose	Compliance Required
Flight 93 National Memorial Act	P.L. 107-226 (116 Stat. 1345)	Authorizes a national memorial to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, courageously gave their lives thereby thwarting a planned attack on our Nation's Capital, and for other purposes.	National Park Service
National Park Service Organic Act of 1916	16 U.S.C. 1-4, et seq.	Promotes and regulates the use of national parks, monuments, and reservations, by such means and measures as to conserve the scenery and the natural and historic objects and the wildlife therein and provides for the enjoyment of the land in such manner as will leave them unimpaired for the enjoyment of future generations.	National Park Service
National Parks and Recreation Act of 1978	16 U.S.C. 1a-7(b)	Requires the National Park Service to conduct comprehensive general management planning on park units.	National Park Service
Government Performance and Results Act of 1993	P.L. 103-62; 31 U.S.C. 1101	Requires Federal agencies to develop a strategic planning and performance management system establishing goals and reporting results.	Federal agencies
National Parks Omnibus Management Act of 1998	P.L. 105-391; 112 Stat. 3497; 36 CFR 51	Public accommodations, facilities, and services in NPS units shall be limited to those accommodations, facilities and services necessary for public use and enjoyment, and consistent with the preservation and conservation of the resources and values of the unit.	National Park Service
General Authorities Act of 1970, as amended in 1978	(16 U.S.C. 1a-1)	Affirmed that all national park areas, including historic sites, while acknowledged to be "distinct in character," were "united through their interrelated purposes and resources into one national park system, as cumulative expressions of a single national heritage."	National Park Service
National Environmental Policy Act of 1969 (NEPA)	P.L. 91-190, as amended by P.L. 94-52 and P.L. 94-52; 42 U.S.C. 4321-4347	Establishes national policy for protection of the human environment and ensures that decisionmakers taken environmental factors into account. Requires all Federal agencies to analyze alternatives and document impacts resulting from proposed actions that could potentially affect the natural and human environment.	Federal agencies
Council on Environmental Quality Regulations, as amended	40 CFR 1500-1508	Implements NEPA and provides guidance to Federal agencies in the preparation of environmental documents identified under NEPA.	Federal agencies
Administrative Procedures Act of 1979, as amended	5 U.S.C. 551, et seq.	Outlines the forms of administrative proceedings (hearings, adjudication, etc.) and prescribes procedural and substantive limitations thereon. Provides for judicial review of Federal decisionmaking actions.	Federal agencies
National Trust Act of 1949	16 U.S.C. 468c-e	Facilitates public participation in the preservation of sites, buildings, and objects of national significance or interest.	Federal agencies
Historic Sites Act of 1935	16 U.S.C. 461-467; 36 CFR 65	Establishes a national policy to preserve historic sites and objects of national significance for public use.	Federal agencies
National Historic Preservation Act of 1966, as amended; Sec. 106 and Sec. 110	16 U.S.C. 470; 36 CFR 60, 63, 65, 78-79, 800	Protects and preserves districts, sites, and structures and architectural, archaeological, and cultural resources. Sec. 106 requires consultation with the State Historic Preservation Office. Sec. 110 requires that NPS identify and nominate all eligible resources under its jurisdiction to the National Register of Historic Places.	Federal agencies

Appendix Table A: Applicable Federal and Commonwealth of Pennsylvania Laws and Regulations, and National Park Service Policies, Flight 93 GMP/EIS, 2005 *(Continued)*

Mandates	Reference	Purpose	Compliance Required
The Architectural Barriers Act of 1968; the Rehabilitation Act of 1973; and Americans with Disabilities Act of 1990	42 U.S.C. 4157, et seq.; 29 U.S.C. 701, et seq.; 42 U.S.C. 12101, P.L. 101-336, 104 Stat. 327	Requires public buildings constructed, altered, leased, or financed with Federal funds to be accessible to persons with disabilities. Ensures that all facilities and programs are accessible to visitors with disabilities.	All agencies
Clean Water Act (CWA) of 1977, as amended, Sec. 401, Sec. 402, & Sec. 404(b)(1) U.S. Army Corps of Engineers Regulatory Guidance Letter and National Wetlands Mitigation Action Plan, dated 12/24/02	33 U.S.C. 1251, et seq.	Sec. 401 regulates water quality requirements specified under the CWA. Section 402 requires a National Pollutant Discharge Elimination System (NPDES) permit for discharges into waters of the U.S. Sec. 404 requires a permit before dredging or filling wetlands can occur. Clarifies the Bush Administration's policies on wetland loss and mitigation	All agencies
Fish and Wildlife Coordination Act of 1934, as amended	16 U.S.C. 661-666c; 48 Stat. 401	Requires Federal agencies to coordinate with the FWS when any project involves impoundment, diversion, channel deepening or other modification of a stream or water body.	All agencies
Federal Water Pollution Control Act of 1972, as amended	33 U.S.C. 1251-1376, et seq.	Establishes criteria and performance standards for the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters through prevention, reduction, and elimination of pollution.	All agencies
Clean Air Act (CAA) Amendments of 1990, as amended; Sec. 118	42 U.S.C. 7401, et seq. 42 U.S.C. 7609	Establishes standards to protect and improve air quality. Requires project conformity with State Implementation Plan concerning air quality. Sec. 118 requires Federal land managers to protect air quality on Federal land.	All agencies
Endangered Species Act of 1973, as amended	16 U.S.C. 1531-1543	Establishes a policy to protect and restore federally listed threatened and endangered species of flora and fauna.	All agencies
Resource Conservation and Recovery Act, as amended	42 U.S.C. s/s 6901 et seq. (1976)	Authorizes USEPA to control hazardous waste, including the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous wastes. Addresses environmental problems resulting from underground storage tanks. Focuses on active and future facilities, not abandoned or historical sites.	Federal, State and local governments; private industry
Surface Mining Control and Reclamation Act of 1977, as amended	P.L. 95-87	Provides funding for— (1) reclamation and restoration of land and water resources adversely affected by past coal mining, including but not limited to reclamation and restoration of abandoned surface mine areas, abandoned coal processing areas, and abandoned coal refuse disposal areas; (2) sealing and filling abandoned deep mine entries and voids; (3) planting of land adversely affected by past coal mining to prevent erosion and sedimentation; prevention, abatement, treatment, and control of water pollution created by coal mine drainage including restoration of stream beds, and construction and operation of water treatment plants; (4) prevention, abatement, and control of burning Section 522(e) prohibits or restricts surface coal mining operations on certain lands, including, among other areas, units of the National Park System, Federal lands in national forests, and buffer zones for public parks, public roads, occupied dwellings, and cemeteries.	

Appendix Table A: Applicable Federal and Commonwealth of Pennsylvania Laws and Regulations, and National Park Service Policies, Flight 93 GMP/EIS, 2005 (Continued)

Mandates	Reference	Purpose	Compliance Required
Federal Communications Commission Procedures Implementing the National Environmental Policy Act of 1969	47 CFR 1.1301-1.1319	47 CFR 1.1307(a)(4) specifically addresses impacts that proposed antenna structures may have on historical sites and other protected resources.	Federal Communications Commission and cell carriers
Payments In Lieu of Taxes Act (PILOT or PILT), as amended by P.L. 98-63	P.L. 94-565 (31 U.S.C. 6901-6907), recodified at 31 U.S.C. 6907	Provide certain payments from the Federal Government to local governments to compensate for the removal of land from the local real estate tax base and the amount (acres) of certain public lands within the boundaries of local governmental units.	National Park Service
Department of Transportation Act of 1966, section 4(f)	49 U.S.C. 303	Requires the Secretary of Transportation to demonstrate that there is no feasible or prudent alternative to impacting publicly owned land from a park, recreation area, wildlife and waterfowl refuge, or an historic site of national, state or local significance, or any land from an historic site of national, state or local significance, and that all possible planning to minimize harm to such land is incorporated into the proposed transportation project.	U.S. Department of Transportation; PennDOT; FAA
NPS Policies	Reference	Purpose	Compliance Required
Draft Park Planning Program Standards	In progress	Describes the National Park Service framework for park planning and decisionmaking, which includes six discrete kinds of planning, each with its own particularly purpose and standards.	National Park Service
Conservation Planning, Environmental Impact Analyses and Decisionmaking	DO-12 and Handbook for Environmental Impact Analyses	Provides bureau guidance on NEPA compliance consistent with CEQ regulations and on approaches to environmental documentation.	National Park Service
National Park Service Tourism	DO-17	Promotes and supports sustainable, responsible, informed, and manages visitor use through cooperation and coordination with the tourism industry.	National Park Service
Land Protection	DO-25	Articulates the framework for land protection and the process for land acquisition and interests in land within the authorized boundaries of NPS units. The policy includes direction for parks to develop a "Land Protection Plan," which establishes land acquisition priorities.	National Park Service
Special Park Uses	DO-53	Provides supplemental guidance to section 8.6 of NPS Management Policies on permitting special park uses.	National Park Service
Wetlands Protection	DO-77-1	Establishes NPS policies, requirements and standards for implementing Executive Order 11990, "Protection of Wetlands." Recommends park units obtain a parkwide wetland inventory, based on "Classification of Wetlands and Deepwater Habitats of the U.S.," FWS/OBS-79/31	National Park Service
Cultural Resource Management Cultural Resource Management Guideline Release No. 5 Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation; Secretary's Standards for the Treatment of Historic Properties; and Standards for the Treatment of Historic Properties with Guidelines for Cultural Landscapes	DO-28 NPS-28 36 CFR 28 36 CFR 68	Addresses the preservation and treatment of archaeological, cultural, and historic properties and ethnographic resources. Addresses standards and requirements for research, planning, and stewardship of cultural resources, as well as management of archeological resources, cultural landscapes, historic, and prehistoric structures, museum objects, and ethnographic resources.	National Park Service

Appendix Table A: Applicable Federal and Commonwealth of Pennsylvania Laws and Regulations, and National Park Service Policies, Flight 93 GMP/EIS, 2005 *(Continued)*

NPS Policies	Reference	Purpose	Compliance Required
Natural Resource Management Guidelines	NPS-77	To guide the actions of park managers so that natural resource management activities planned and initiated at field areas comply with Federal laws and regulations, and with Department of the Interior and NPS policy.	National Park Service
Accessibility for Park Visitors	DO-42	Ensures that all people have the highest level of accessibility that is reasonable to NPS programs, facilities, and services in conformance with applicable regulations and standards.	National Park Service
Integrated Pest Management Manual and Integrated Pest Management Plan		Describes the biology and management of 21 species or categories of pests. Minimizes the use of toxic pesticides and establishes a strategy for the control of invasive species.	National Park Service
Structural Fire Management	DO-58/RM-58	Supplements the structural fire policy articulated in NPS Management Policies by setting forth the operational policies and procedures necessary to establish and implement structural fire management programs throughout the national park system. Structural fire management is defined as the protection of people, content, structures, resources, and the landscape surrounding the structure from the effects of fire. At the park level, a fully implemented and documented structural fire prevention program is the most effective way to achieve that goal. NPS will employ the most effective concepts, techniques, and equipment to protect cultural resources against theft, fire, vandalism, overuse, deterioration, environmental impacts, and other threats, without compromising the integrity of the resources.	National Park Service
Integrated Solid Waste Management Plan	NPS SD 91-1 and NPS Solid Waste Management Handbook	Identifies strategies for solid waste management and recycling to reduce the generation of solid waste.	National Park Service
Federal Executive Orders	Reference	Purpose	Responsible
Protection of Wetlands	Executive Order 11990	Requires Federal agencies to consider all practicable alternatives to impacting wetlands.	Federal agencies
Off Road Vehicles on Public Lands	Executive Order 11644, as amended by E.O. 11989	Requires public land managers to establish policies and procedures to ensure that the use of off-road vehicles on public lands will be controlled to protect the resources, to promote the safety of all users of those lands and to minimize conflicts among the various uses of those lands.	Federal agencies
Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations	Executive Order 12898	To avoid Federal actions that cause disproportionately high and adverse impacts on minority and low-income populations with respect to human health and environment.	Federal agencies
Invasive Species	Executive Order 13112	Prevents the introduction of invasive species and provides for their control and to minimize the economic and human health impacts that invasive species cause.	Federal agencies

Appendix Table A: Applicable Federal and Commonwealth of Pennsylvania Laws and Regulations, and National Park Service Policies, Flight 93 GMP/EIS, 2005 *(Continued)*

Commonwealth of Pennsylvania Statutes	Reference	Purpose	Compliance required
Clean Streams Law of 1937, as amended in 1945 and 1965	Act 394	Establishes the basic authority Pennsylvania has to protect streams from pollution and the effects of surface coal mining. Defines acid mine drainage as an industrial waste, requiring all mines to treat AMD to specified standards. The provisions of § 93.2 issued under sections 5(b)(1) and 402 of the Clean Streams Law (35 P. S. § 691.5(b)(1) and 691.402); and § 1920-A of The Administrative Code of 1929 (71 P. S. § 510-20).	PaDEP
Air Pollution Control Act	Act 787	Authorizes the State to prevent pollution from sources of air pollution.	PaDEP
Storm Water Management Act	Act 167	Directs counties to prepare storm water management plans.	PaDEP; counties
Safe Drinking Water Act	Act 43	Establishes a program to ensure safe public drinking water supplies.	PaDEP
Pennsylvania Infrastructure Investment Authority Act	Act 16	Creates a program to finance improvements to drinking water and sewage systems.	PaDEP; local governments
Surface Mining Conservation and Reclamation Act of 1945, as amended in 1992 and 1996	Acts 154, 173 and 418	Prevents pollution from surface coal mining, and to comply with minimum Federal standards for preventing pollution from surface coal mining. Improves protection of water supplies; provides incentives for re-mining previously abandoned areas; and encourages the private reclamation of abandoned mine lands through re-mining.	PaDEP
Dam Safety and Encroachments Act	Title 25, Chapter 105	Provides wetland permitting criteria, mitigation and replacement requirements.	PaDEP
Land Recycling Statewide Health Standards	Act 2	Regulates clean fill and establishes limits on contaminated soils.	PaDEP
Environmental Stewardship and Watershed Protection Act (Growing Greener Act)	Act 68	Protects open space, cleans up abandoned mines and restores watersheds, provides funds for recreational trails and local parks, provides upgraded water and sewer systems.	PaDEP
Pennsylvania Sewage Facilities Act	Act 537	Requires municipalities to develop comprehensive plans to resolve existing sewage disposal problems, provide for the future sewage disposal needs of new development.	PaDEP
Game and Wildlife Codes	Title 34 and Title 58, Part II, Subpart B, Chapter 75	Establishes regulations for hunting, fishing and protecting wildlife in Pennsylvania. Amended game law in 1974 to include listings of federally protected species as state protected.	Pennsylvania Game Commission
Wild Resource Conservation Act	Act 170; Pa. Stat. Ann. tit. 32, §5302	Preserves and enhances rare or endangered flora and fauna that are not commonly pursued, killed or consumed either for sport or profit. Creates a special Board to protect endangered plants and animals.	PaDCNR
Land Use Planning	Pa. Executive Order 1999-1	To guide all Commonwealth agencies when making decisions that impact the use of land in Pennsylvania.	Governor's Green Government Council and PaDEP
Endangered Species	7 Pa. Code § 128.102	Provides for the protection of rare and endangered species	PaDCNR

Source: Compiled by Environmental Management Collaboration, Ltd., 2004-2005.

APPENDIX B
Flight 93 National Memorial
Agency Correspondence



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA GAME COMMISSION
2001 ELMERTON AVENUE, HARRISBURG, PA 17110-9797

May 25, 2005

Ms. Joanne Hanley
U.S. Department of Interior
National Park Service
Flight 93 National Memorial
109 West Main Street, Suite 104
Somerset, PA 15501

In re: National Park Service
Flight 93 National Memorial
Shanksville, Somerset County, PA

Dear Ms. Hanley:

This is our response to your letter dated April, 29, 2005, requesting information on the above referenced project.

We have completed an office review of the proposed project and determined that except for occasional transient individuals, the proposed project is not located within an area, which is the habitat of an endangered or threatened species of bird or mammal recognized by the Pennsylvania Game Commission. Furthermore, we do not anticipate any long term adverse impacts to any critical or unique habitats as a direct result of this project.

If project plans change or if additional information becomes available on endangered or threatened species, or impacts to critical or unique habitats, this determination may be reconsidered.

ADMINISTRATIVE BUREAUS:

PERSONNEL: 717-787-7836 ADMINISTRATION: 717-787-5670 AUTOMOTIVE AND PROCUREMENT DIVISION: 717-787-6594
LICENSE DIVISION: 717-787-2084 WILDLIFE MANAGEMENT: 717-787-5529 INFORMATION & EDUCATION: 717-787-6286 LAW ENFORCEMENT: 717-787-5740
LAND MANAGEMENT: 717-787-6818 REAL ESTATE DIVISION: 717-787-6568 AUTOMATED TECHNOLOGY SYSTEMS: 717-787-4076 FAX: 717-772-2411

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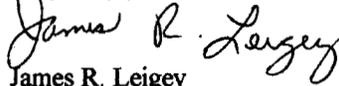
Ms. Joanne Hanley

-2-

May 25, 2005

If you have any questions, please contact me at 717-783-5957.

Very truly yours,



James R. Leigey
Wildlife Impact Review Coordinator
Section Oil/Gas and Mineral Development
Bureau of Land Management

JRL/pfb

Cc: File
Zaffuto



United States Department of the Interior



National Park Service
Flight 93 National Memorial
109 West Main Street, Suite 104
Somerset, PA 15501

In reply refer to:

L7621

April 29, 2005

Mr. Barry S. Zaffuto
Land Management Supervisor
Pennsylvania Game Commission
P.O. Box A
Ligonier, PA 15658

Dear Mr. Zaffuto:

As you are aware, the National Park Service (NPS) has been conducting environmental and engineering studies in support of planning for the Flight 93 National Memorial since 2003. During this period, we have conducted two formal agency scoping meetings and numerous public meetings. We have conducted two natural resource surveys, the most recent of which was completed this month by the Western Pennsylvania Conservancy.

Our consultants and our park staff have continued coordination with applicable Federal and State resource and regulatory agencies. As part of this ongoing coordination, the NPS recently reinitiated Section 7 consultation with the U.S. Fish and Wildlife Service (FWS) in accordance with the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*). The FWS responded to our request on April 5, 2005 (see enclosure) and expressed concern that the Flight 93 NM was within the range of the federally listed, endangered Indiana bat (*Myotis sodalists*). The FWS further express concern that a hibernacula may exist on this site due to the former coal mines.

Our consultant has spoken with Mr. John Weir of PBS Coals, Inc., land manager for this site, and has learned that the mines within the Flight 93 NM boundary were immediately closed and portals and opening sealed after mining activities ceased. These mines were not abandoned for any prolonged period of time. In addition, Mr. Weir and others who worked in the mine explained that bats were never seen in the mine most likely due to the noise and the lights that occurred during mining activities. Bats would not hibernate under these conditions. Further, bats are more likely to occur in abandoned limestone mines rather than in coal mines.

The Western Pennsylvania Conservancy stated in their recent natural resource survey that the Conservancy is not aware of any known occupied summer habitats for the Indiana bat within Somerset County or Pennsylvania's Allegheny Mountains where the Flight 93 NM is located. However, based on PA Natural Heritage Program data, provided by the PA Game Commission,

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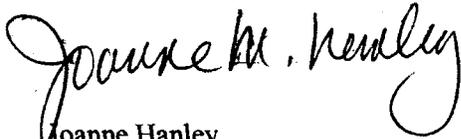
there are two known hibernacula within Somerset County roughly 8 kilometers to 25 kilometers from the site.

Information available from the field studies of this project, site maps and interviews did not reveal winter habitat, or particularly suitable summer habitat on the Flight 93 NM site. This includes no knowledge of open portal deep mines in the area that might serve as a winter hibernacula.

We are requesting your comments on the possible presence of this species and any other known rare or protected species that could occur at the Flight 93 NM. We are enclosing a copy of the recent WPC natural resource survey for your review and information.

Thank you for any information you can provide to help us manage and ensure protection to these important species.

Sincerely,



Joanne Hanley
Superintendent

Enclosures



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, Pennsylvania 16801-4850

August 3, 2005

Ms. Joanna Hanley
U.S. National Park Service
Flight 93 National Memorial
109 West Main Street, Suite 104
Somerset, Pennsylvania 15501

RE: USFWS Project #2005-0929

Dear Ms. Hanley:

This responds to your letter of July 8, 2005, which provided the Fish and Wildlife Service with information regarding the proposed Flight 93 National Memorial, located in Somerset County, Pennsylvania. The proposed project is within range of the Indiana bat (*Myotis sodalis*), a species that is federally listed as endangered. 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 endangered and threatened species.

An assessment of the site's ecological resources was conducted by the Western Pennsylvania Conservancy in 2005. According to this report, no mine openings or caves are known to occur within the project boundaries. Therefore, based on our review of this report, and the fact that tree-clearing will be minimal, we conclude that implementation of the proposed project will not likely affect the Indiana bat. However, if any natural caves or abandoned mines portals are discovered within the project area in the future, or if additional forest removal is proposed, further consultation with this office will be necessary.

This response relates only to endangered or 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. Consequently, this letter is not to be construed as addressing potential Fish and Wildlife Service concerns under the Fish and Wildlife Coordination Act or other authorities.

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

If you have any questions regarding this matter, please contact Jennifer Dombroskie of my staff at 814-234-4090.

Sincerely,

A handwritten signature in black ink, appearing to read "David Densmore", with a long horizontal flourish extending to the right.

David Densmore
Supervisor



United States Department of the Interior

National Park Service
Flight 93 National Memorial
109 West Main Street, Suite 104
Somerset, PA 15501



In reply refer to:

JUL 08 2005

D18

Memorandum

To: David Densmore, Supervisor U.S. Fish and Wildlife Service
Pennsylvania Field Office, State College, PA

From: Superintendent, Flight 93 National Memorial 

Subj: (USFWS Project #2005-0929) Flight 93 National Memorial, Somerset
County, PA

Thank you for your recent comments concerning the Flight 93 National Memorial (NM), which were submitted in response to our consultation initiated pursuant to Section 7 of the Endangered Species Act of 1973 (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*). Your letter, dated April 5, 2005, expressed concern that the Flight 93 NM was within the range of the federally listed, endangered Indiana bat (*Myotis sodalists*), and that a hibernacula may exist on this site due to the presence of former coal mines.

The National Park Service (NPS) has been conducting environmental and engineering studies in support of planning for the Flight 93 National Memorial since 2003. During this period, NPS has conducted two formal agency scoping meetings and two natural resource surveys, the most recent of which was completed this spring by the Western Pennsylvania Conservancy. The Western Pennsylvania Conservancy stated in their study that the Conservancy is not aware of any known occupied summer habitats for the Indiana bat within Somerset County or Pennsylvania's Allegheny Mountains where the Flight 93 NM is located. However, we recognize that based on PA Natural Heritage Program data, provided by the PA Game Commission, two known hibernacula do occur within Somerset County roughly 8 kilometers to 25 kilometers from the Flight 93 NM.

Information available from the field studies conducted for this project, site maps and various interviews did not reveal the presence of winter habitat, or particularly suitable summer habitat on the Flight 93 NM site for the Indiana bat. This includes no known open portal deep mines in the area that might serve as a winter hibernacula for the bat.

Conversations Mr. John Weir of PBS Coals, Inc., land manager for this site, concluded that the mines that were active on the Flight 93 NM site had been immediately closed and portals and



openings sealed immediately in January 2005 after all mining activities had ceased. The mines were not abandoned or left open for any prolonged period of time, and therefore no hibernacula would have been able to establish. Mr. Weir and others who worked in the mines explained that bats were never seen in mining operations most likely due to the noise and the lights that were on continually during mining activities. Bats would not hibernate under these conditions. Further, other resource specialists have informed us that bats are more likely to occur in abandoned limestone mines rather than in active coal mines.

Consultation with the Pennsylvania Game Commission (PGC) has also been conducted regarding this issue. The PGC has submitted a letter stating that except for occasional transient individuals, no long-term adverse effects to any critical or unique habitat would occur from the Flight 93 NM, and that this site is not located within an area that serves as habitat for an endangered or threatened species recognized by the PGC. As the portals and openings of the PBS Coals, Inc. mines were sealed in January 2005, there is no need to conduct a bat survey of the site.

We are enclosing a copy of the PGC's letter, dated May 25, 2005, and the natural resource survey conducted by the Western Pennsylvania Conservancy for the Flight 93 NM. We trust that this information will assist you in determining no effect regarding the presences of any species under your jurisdiction. We hope this information answers any questions you may have regarding the presence of the Indiana bat or any other protected species on this site. If we can provide any addition information, please contact Jeff Reinbold or me at (814) 443-4557. We look forward to your determination. Thank you.

Enclosures



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, Pennsylvania 16801-4850



April 5, 2005

Ms. Joanna Hanley
U.S. National Park Service
Flight 93 National Memorial
109 West Main Street, Suite 104
Somerset, Pennsylvania 15501

RE: USFWS Project # 2005-0929

Dear Ms. Hanley:

This responds to your letter of March 4, 2005, requesting information about federally listed and proposed endangered and threatened species within the area affected by the proposed Flight 93 National Memorial, located in Somerset 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 endangered and threatened species.

The project area is within the range of the federally listed, endangered Indiana bat (*Myotis sodalis*). Indiana bats hibernate in caves and abandoned mines during the winter months (November through March), and use a variety of upland, wetland and riparian habitats during the spring, summer and fall. Indiana bats usually roost in dead or living trees with exfoliating bark, crevices or cavities. Female Indiana bats form nursery colonies under the exfoliating bark of dead or living trees, such as shagbark hickory, black birch, red oak, white oak, and sugar maple, in upland or riparian areas.

Land-clearing, especially of forested areas, may adversely affect Indiana bats by killing, injuring or harassing roosting bats, and by removing or reducing the quality of foraging and roosting habitat. If impacts to forested habitat are anticipated with the chosen project design, a bat survey of the project area should be conducted between May 15 and August 15 by a qualified, Fish and Wildlife Service-approved biologist (see enclosed list) using the enclosed *Indiana Bat Mist Netting Guidelines*. Survey results should be submitted to the Service for review and concurrence.

In addition, if any natural caves or abandoned mines occur within the project area, it is possible that Indiana bats or other bat species may be using them during hibernation or potentially as summer roost sites. Entrances to these potential hibernacula could be intentionally or inadvertently closed or destroyed during activities such as land-clearing, grading, fill disposal, mining, road construction or building construction. If bats are present within a cave or abandoned mine when this occurs, they will become trapped inside and perish. Even if bats are not present during the closure, they may be adversely affected when they return to their hibernaculum in the fall and find it closed. This will force them to expend energy looking for another suitable hibernaculum during a time when it is crucial that they store up sufficient fat reserves for hibernation. Bats are at an increased risk of mortality when they enter hibernation

with insufficient fat reserves, or are unable to locate a cave/mine with the suite of conditions (e.g., temperature, humidity, air flow) necessary for successful hibernation.

To determine whether this project will affect any potential Indiana bat hibernacula, the project area should be surveyed for cave and mine openings. All openings should be accurately mapped using a GPS unit. If potentially unstable mines (e.g., abandoned coal mines) occur in the project area, the openings of these mines should be evaluated using the enclosed *Protocol for Assessing Abandoned Mines/Caves for Bat Surveys*. The Pennsylvania Game Commission has developed this protocol to determine whether abandoned mines may serve as potentially suitable bat habitat. Following this initial mine opening assessment, a qualified bat surveyor (see enclosed list) should survey each potentially suitable opening, as well as the area in the immediate vicinity of these openings. Surveys should be carried out in accordance with the enclosed survey protocol. Please submit a copy of the survey results to the Service and the Pennsylvania Game Commission for review and concurrence.

Caves or stable hard rock mines (e.g., limestone mines) occurring in the project area should also be surveyed for hibernating bats during the winter. Interior winter hibernacula surveys should be coordinated with the Pennsylvania Game Commission, and survey results submitted to the Service for review and concurrence. If caves or hard rock mines cannot be safely entered, their openings should be surveyed as described above.

Should Indiana bats be found during any survey, further consultation with the Service will be necessary, including the submission of detailed project plans, and an analysis of alternatives to avoid and minimize adverse effects.

This response relates only to endangered or 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. Consequently, this letter is not to be construed as addressing potential Fish and Wildlife Service concerns under the Fish and Wildlife Coordination Act or other authorities.

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

If you have any questions regarding this matter, please contact Jennifer Dombroskie of my staff at 814-234-4090.

Sincerely,



David Densmore
Supervisor

Enclosures

Federally Listed, Proposed, and Candidate Species in Pennsylvania
(revised July 27, 2004)

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status¹</u>	<u>Distribution (Counties and/or Watersheds)</u>
MAMMALS			
Indiana bat	<i>Myotis sodalis</i>	E	Hibernacula: Armstrong, Blair, Fayette, Lawrence, Luzerne, Mifflin and Somerset Co. Maternity sites: Blair Co.
BIRDS			
Bald eagle	<i>Haliaeetus leucocephalus</i>	T	Nesting: Armstrong, Berks, Butler, Centre, Chester, Crawford, Dauphin, Erie, Forest, Huntingdon, Lancaster, Lebanon, Lycoming, Mercer, Monroe, Montgomery, Northumberland, Pike, Tioga, Venango, Warren, Wayne and York Co. Winter: near ice-free sections of rivers, lakes and reservoirs (e.g., Delaware River, Pymatuning Reservoir)
Piping plover	<i>Charadrius melodus</i>	E	Migratory. No nesting in Pennsylvania since 1950s. Designated critical habitat on Presque Isle (Erie Co)
REPTILES			
Bog turtle	<i>Clemmys (Glyptemys) muhlenbergii</i>	T	Adams, Berks, Bucks, Chester, Cumberland, Delaware, Franklin, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill and York Co. [Historically found in Crawford, Mercer and Philadelphia Co.]
E. massasauga rattlesnake	<i>Sistrurus catenatus catenatus</i>	C	Butler, Crawford, Mercer and Venango Co. [Historically found in Allegheny and Lawrence Co.]
MUSSELS			
Clubshell	<i>Pleurobema clava</i>	E	French Creek and Allegheny River (and some tributaries) in Clarion, Crawford, Erie, Forest, Mercer, Venango, and Warren Co.; Shenango River (Mercer and Crawford Co.) [Has not been found recently in 13 streams of historical occurrence in Butler, Beaver, Fayette, Greene, Lawrence, Mercer, and Westmoreland Co.]
Dwarf wedgemussel	<i>Alasmidonta heterodon</i>	E	Delaware River (Wayne Co.) [Has not been found recently in streams of historical occurrence in the Delaware River watershed (Bucks, Carbon, Chester, Philadelphia Co.) or Susquehanna River watershed (Lancaster Co.)]
Northern riffleshell	<i>Epioblasma torulosa rangiana</i>	E	French Creek and Allegheny River (and some tributaries) in Clarion, Crawford, Erie, Forest, Mercer, Venango, and Warren Co. [Has not been found recently in streams of historical occurrence, including: Shenango River (Lawrence Co.), Conewango Creek (Warren Co.)]

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Common Name **Scientific Name** **Status**¹ **Distribution (Counties and/or Watersheds)**

MUSSELS
(continued)

Rayed bean	<i>Villosa fabalis</i>	C	French Creek and Allegheny River (Armstrong, Clarion, Crawford, Erie, Forest, Mercer, Venango, Warren Co.); Cussewago Creek (Crawford Co.). [Has not been found recently in 5 streams of historical occurrence in Armstrong, Lawrence, Mercer and Warren Co.]
Sheepnose	<i>Plethobasus cyphus</i>	C	Allegheny River (Forest and Venango Co.). [Has not been found recently in streams of historical occurrence, including: Allegheny River (Armstrong Co.), Beaver River (Lawrence Co.), Ohio River (Allegheny and Beaver Co.), and Monongahela River (Washington Co.)]

FISH

Shortnose sturgeon ²	<i>Acipenser brevirostrum</i>	E	Delaware River and other Atlantic coastal waters
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PLANTS

Northeastern bulrush	<i>Scirpus ancistrochaetus</i>	E	Adams, Bedford, Blair, Carbon, Centre, Clinton, Columbia, Cumberland, Dauphin, Franklin, Huntingdon, Lackawanna, Lehigh, Lycoming, Mifflin, Monroe, Perry, Snyder, Tioga, and Union Co. [Historically found in Northampton Co.]
Small-whorled pogonia	<i>Isotria medeoloides</i>	T	Centre, Chester, and Venango Co. [Historically found in Berks, Greene, Monroe, Montgomery and Philadelphia Co.]

¹ E = Endangered; T = Threatened; P = Proposed for listing; C = Candidate
² Shortnose sturgeon is under the jurisdiction of the National Marine Fisheries Service

US Fish and Wildlife Service
 315 South Allen Street, Suite 322, State College, Pennsylvania 16801

Commonwealth of Pennsylvania
Pennsylvania Game Commission, Bureau of Wildlife Management
Wildlife Diversity Section
2001 Elmerton Avenue, Harrisburg, PA 17110-9797

Protocol for Assessing Abandoned Mines/Caves for Bat Surveys

In general, openings can be dismissed from bat surveys when:

1. There is only one horizontal opening less than 6 inches in diameter and no or very little airflow is detected.
2. Vertical shafts <1 foot in diameter.
3. Passage continues less than 50 feet and terminates with no fissures that bats can access.
4. Mines that are prone to flooding, collapsed shut and completely sealed, or otherwise inaccessible to bats.
5. Openings, which have occurred recently (within 1 year) due to subsidence.

Additional notes: Bats can access mines via old open buildings such as a fan house. Foliage and other vegetation in front of mine openings do not stop use by bats. They can navigate through foliage. Collapsed entrances with multiple crevices between boulders etc. are accessible to bats and should be sampled. Collapses completely sealed with fine soil are of course inaccessible to bats.

Sampling Dates, Times and Temperature Criteria

1. Spring sampling will be conducted between: April 10 thru May 10
2. Fall sampling will be conducted between: September 15 thru October 31
3. Sampling will start ½ hour before sunset and continue for at least 5 hours.
4. Weather must provide for:
 - a. Temperatures $\geq 50^{\circ}\text{F}$ (10°C) for first 2 hours of sampling and not fall below 35°F (1.6°C) by midnight.
 - b. At least 3 hours free of heavy rain and thunderstorms.
5. Sampling will be conducted on two evenings. If no captures occur and no bat activity is noted with a bat detector on the first evening during acceptable weather conditions, sampling can be suspended for the site.
6. The shining of lights, and noise will be kept to a minimum with no smoking around the sample site. The use of radios, campfires, running vehicles, punk sticks, citronella candles and other disturbances will not be permitted within 300 feet of site during surveys.
7. Before conducting surveys, local residents and/or law enforcement agencies should be informed of the scheduled nighttime activities.

Equipment

No equipment, litter or other debris will be left unattended at site that could result in the capture or entanglement of any animals. Any equipment stored at site between sampling sessions will be clearly labeled with contact information.

Harp Trap: Place in front of opening and block surrounding space with plastic sheeting or bird netting. Traps should be tended at least once per hour. When the catch rate is high (>25 bats per hour) or during inclement weather, traps should be tended more frequently.

Mist Nets: 50 denier, 38mm mesh. Place in front or around opening. Nets need to be monitored closely and checked at least once every 20 minutes. At sites with a heavy bat swarm, the net may need to be monitored continuously.

Bat Detector: A bat detector should be on site to monitor bat activity when trapping or netting. Bat passes should be monitored and tallied for at least one hour after 10pm. Bat tallies should be reported along with the time sampled. Reporting format will be: Start and end time for 1-hour sample period and bat passes for that hour.

Other: In situations where it is too dangerous to approach an entrance, bat detectors and/or night vision/infrared recording devices may be used to monitor and record bat activity to determine bat use of the site. Bat activity in or around the entrance can be monitored by counting bat passes with a bat detector, or night vision/infrared video tapes can be made providing actual counts of bats entering the opening. As with trapping, monitoring should be conducted for 5 hours. Reporting format will be: Start and end time for 1-hour sample period and bat passes for that hour.

Reporting

In addition to reports for the client, the Pennsylvania Game Commission requires copies of the report as part of the vendor's permitting requirement. To simplify data entry, mandatory sampling summary forms are also required by the PA Game Commission for bat surveys within the Commonwealth. If the vendor did not receive a copy of the data form with the permit, they can be obtained by contacting the:

Pennsylvania Game Commission
Bureau of Law Enforcement, Technical Services Division
2001 Elmerton Avenue, Harrisburg, PA 17110-9797
717/787-5740

INTERIOR WINTER HIBERNACULA SURVEYS

Sites that are determined to be safe for entry to conduct winter counts (primarily caves & stable hard rock mines) will be coordinated with the PA Game Commission, Wildlife Diversity Section and scheduled for interior surveys between January 1 and March 10. Contact information for the Wildlife Diversity Section is:

PA Game Commission
Bureau of Wildlife Management, Wildlife Diversity Section
2001 Elmerton Avenue, Harrisburg, PA 17110-9797
(717) 787-5529

INDIANA BAT MIST NETTING GUIDELINES

RATIONALE

A typical mist net survey is an attempt to determine presence or probable absence of the species, it does not provide sufficient data to determine population size or structure. Following these guidelines will standardize procedures for mist netting. It will help maximize the potential for capture of Indiana bats at a minimum acceptable level of effort. Although the capture of bats confirms their presence, failure to catch bats does not absolutely confirm their absence. Netting effort as extensive as outlined below usually is sufficient to capture Indiana bats. However, there have been instances in which additional effort was necessary to detect the presence of the species.

NETTING SEASON

May 15 - August 15

These dates define acceptable limits for documenting the presence of summer population of Indiana bats, especially maternity colonies. Several captures, including adult females and young of the year, indicate that a nursery colony is active in the area. Outside these dates, even when Indiana bats are caught, data should be carefully interpreted: If only a single bat is captured, it may be a transient or migratory individual.

EQUIPMENT

Mist nets - Use the finest, lowest visibility mesh commercially available:

1. In the past, this was 1 ply, 40 denier monofilament - denoted 40/1
2. Currently, monofilament is not available and the finest on the market is 2 ply, 50 denier nylon - denoted 50/2
3. Mesh of approximately 1 ½ (1 ¼ - 1 ¾) in (~38 mm)

Hardware - No specific hardware is required. There are many suitable systems of ropes and/or poles to hold the nets. See NET PLACEMENT below for minimum net heights, habitats, and other netting requirements that affect the choice of hardware. The system of Gardner, *et al.* (1989) has met the test of time.

NET PLACEMENT

Potential travel corridors such as streams or logging trails typically are the most effective places to net. Place the nets approximately perpendicular across the corridor. Nets should fill the corridor from side to side and from stream (or ground) level up to the overhanging canopy. A typical set is seven meters high consisting of three or more nets "stacked" on top one another and up to 20 m wide. (Different width nets may be purchased and used as the situation dictates.)

Occasionally it may be desirable to net where there is no good corridor. Take caution to get the nets up into the canopy. The typical equipment described in the section above may be inadequate for these situations, requiring innovation on the part of the observers.

RECOMMENDED NET SITE SPACING:

Stream corridors - one net site per km of stream.

Non-corridor land tracts - two net sites per square km of forested habitat.

MINIMUM LEVEL OF EFFORT

Netting at each site should consist of:

At least four net-nights (unless bats are caught sooner) (one net set up for one night = one net-night)

A minimum of two net locations at each site (at least 30m apart, especially in linear habitat such as a stream corridor)

A minimum of two nights of netting

Sample Period: begin at sunset; net for at least 5 hr

Each net should be checked approximately every 20 min

No disturbance near the nets, other than to check nets and remove bats

WEATHER CONDITIONS

Severe weather adversely affects capture of bats. If Indiana bats are caught during weather extremes, it is probably because they are at the site and active despite inclement weather. On the other hand, if bats are not caught, it may be that there are bats at the site but they may be inactive due to the weather. Negative results combined with any of the following weather conditions throughout all or most of a sampling period are likely to require additional netting:

- Precipitation
- Temperatures below 10EC
- Strong winds (Use good judgement: moving nets are more likely to be detected by bats.)

MOONLIGHT

There is some evidence that small myotine bats avoid brightly lit areas, perhaps as predator avoidance. It is typically best to set nets under the canopy where they are out of the moon light, particularly when the moon is ½-full or greater.

U.S. FISH AND WILDLIFE SERVICE
Pennsylvania Field Office

QUALIFIED INDIANA BAT SURVEYORS

The following list includes persons known by the U.S. Fish and Wildlife Service to have the skills and experience to conduct surveys for Indiana bats. Any individuals handling or conducting surveys for Indiana bats must first obtain a permit from the Pennsylvania Game Commission. All Indiana bat captures must be reported in writing to the Service and Commission within 48 hours. Indiana bat surveys should be overseen by a qualified surveyor, who should be present in the field at all times during the investigation. Mist-net surveys should be carried out in accordance with the Service's *Indiana Bat Mist Netting Guidelines*. If any female Indiana bats are captured during mist-netting, a surveyor with bat telemetry experience should be prepared to place a transmitter on the bat(s) to identify roost trees and foraging habitat. Various sampling techniques, including mist-netting, Anabat detection, radio-telemetry, harp-trapping and hibernacula surveys, are used to detect and monitor bats. Some individuals on this list may not be qualified to conduct all types of sampling.

This information is not to be construed as an endorsement of individuals or firms by the Service or any of its employees. Persons not on this list, but who have documented experience in conducting scientific studies of, or successful searches for, Indiana bats may submit their qualifications to the Service for review. The submission must include documentation that the requestor has experience successfully locating and identifying Indiana bats in their hibernacula and their summer habitat. Additions to and deletions from this list are at the sole discretion of the Service. This list is subject to revision at any time without prior notice.

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Environmental Solutions &
Innovations
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513-451-3321 (fax)

John Macgregor
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Amy Henry, Russell Romme³
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dwayland@uplink.net



United States Department of the Interior

National Park Service
Flight 93 National Memorial
109 West Main Street, Suite 104
Somerset, PA 15501



In reply refer to:

D18

March 4, 2005

Ms. Carole Copeyon, Chief
Endangered Species Division
U.S. Fish and Wildlife Service
315 South Allen Street, Suite 322
State College, PA 16801-4850

COPY

MAR 11 2005

RE: Flight 93 National Memorial, Section 7 Consultation Initiation

Dear Ms. Copeyon:

The National Park Service is currently preparing a General Management Plan/Environmental Impact Statement (GMP/EIS) for the Flight 93 National Memorial in Somerset County, Pennsylvania. The National Park Service has held two agency scoping meetings on the project, to which your office has been invited, and is now requesting formal consultation pursuant to Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531-1543).

Five final designs have been recently selected in Stage I of the design competition for the memorial. These designs can be viewed online at www.flight93memorialproject.org. The project involves evaluating the five final designs and the No Action Alternative (Existing Conditions), and providing sufficient analysis for a recommendation by the Secretary of the Interior to U.S. Congress by September 2005. The project is located in Somerset County and can be found on the Stoystown and the Central City quads. A copy of the approved boundary map is enclosed. The area in light green composes approximately 1,200 acres and is the core area for the park. The area in dark green is land to be protected in partnership with local residents through less-than-fee means such as scenic easements. In total, the park unit comprises approximately 2,200 acres, including the scenic easements.

In the coming months, the design finalists will proceed with refining their conceptual designs and will provide more detailed information on their various proposals for the site. In the meantime, we have an ambitious schedule to maintain and plan to publish a draft GMP/EIS at the end of May. The National Park Service wishes to initiate section 7 consultation with the U.S. Fish & Wildlife Service and provide you with any information you may need for your determination. A natural resource survey of the site will be conducted as part of this study.

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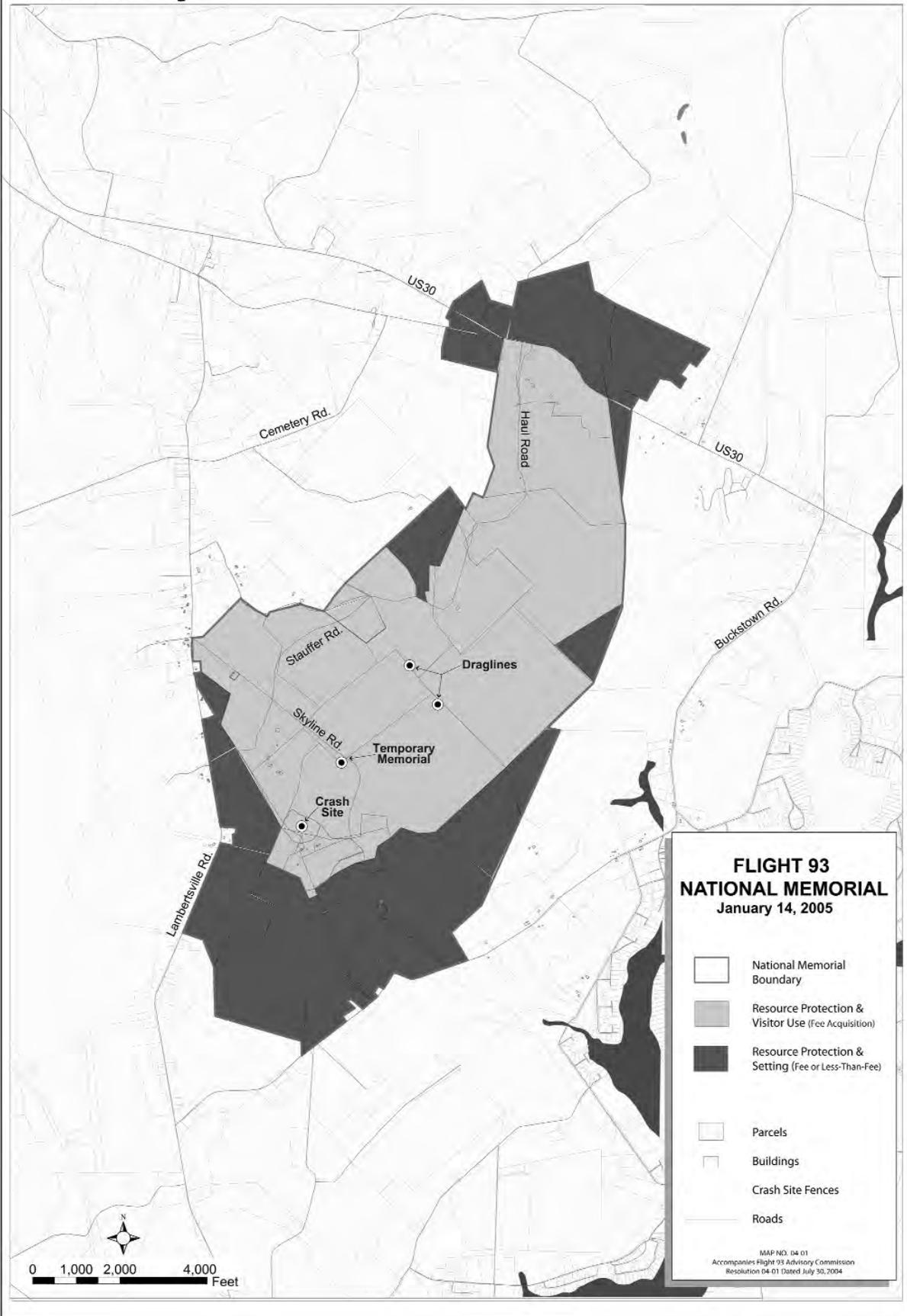
If you have any questions or need further information, please call Jeff Reinbold, Project Planner for Flight 93 National Memorial or me at 814-443-4557. We are requesting your comments by April 4, 2005.

Sincerely,


Joanne Hanley
Superintendent
Flight 93 National Memorial

Enclosure

Boundary





United States Department of the Interior

FISH AND WILDLIFE SERVICE
Pennsylvania Field Office
315 South Allen Street, Suite 322
State College, Pennsylvania 16801-4850



December 22, 2003

Jeffrey Reinbold, Chief Planner
National Park Service
109 West Main Street, Suite 104
Somerset, PA 15501

Dear Mr. Reinbold:

This responds to your letter of November 28, 2003, requesting information about federally listed and proposed endangered and threatened species within the area affected by the Flight 93 National Memorial located in Somerset 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 endangered and threatened species.

Except for occasional transient species, no federally listed or proposed threatened or endangered species under our jurisdiction are known to occur within the project impact area. Therefore, no biological assessment nor further consultation under the Endangered Species Act are required with the Fish and Wildlife Service. This determination is valid for two 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. Also, should project plans change, or if additional information on listed or proposed species becomes available, this determination may be reconsidered. A compilation of certain federal status species in Pennsylvania is enclosed for your information.

This response relates only to endangered or 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. Consequently, this letter is not to be construed as addressing potential Service concerns under the Fish and Wildlife Coordination Act or other authorities.

Requests for information regarding State-listed endangered or threatened species should be directed to the Pennsylvania Game Commission (birds and mammals), the Pennsylvania Fish and Boat Commission (fish, reptiles, amphibians and aquatic invertebrates), and the Pennsylvania Department of Conservation and Natural Resources (plants).

Please contact Michael Schmaus of my staff at 814-234-4090 if you have any questions or require further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "David Densmore", with a long horizontal flourish extending to the right.

David Densmore
Supervisor

Enclosure

**FEDERALLY LISTED AND PROPOSED SPECIES
THAT NO LONGER OCCUR IN PENNSYLVANIA**

<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>STATUS**</u>	<u>FORMER DISTRIBUTION</u>
<u>MAMMALS</u>			
Canada lynx	<i>Lynx canadensis</i>	PT	north-central PA (Tioga Co.)
Delmarva Peninsula fox squirrel	<i>Sciurus niger cinereus</i>	E	mature forests of southeastern PA (Delaware and Chester Co.)
Eastern cougar	<i>Felis concolor cougar</i>	E	state-wide
Grey wolf	<i>Canis lupus</i>	E	state-wide
<u>MOLLUSKS</u>			
Fanshell*	<i>Cyprogenia stegaria</i>	E	Ohio River drainage
Orange pimpleback*	<i>Plethobasus striatus</i>	E	Ohio River drainage
Pink mucket pearly mussel*	<i>Lampsilis abrupta</i>	E	Ohio River drainage
Ring pink mussel*	<i>Obovaria retusa</i>	E	Ohio River drainage
Rough pigtoe*	<i>Pleurobema plenum</i>	E	Ohio River drainage
<u>INSECTS</u>			
American burying beetle	<i>Nicrophorus americanus</i>	E	state-wide
Karner blue butterfly	<i>Lycaeides melissa samuelis</i>	E	pine barrens, oak savannas (wild lupine habitat) (Wayne Co.)
Northeastern beach tiger beetle	<i>Cicindela dorsalis dorsalis</i>	T	along large rivers in southeastern PA
<u>PLANTS</u>			
Eastern prairie fringed orchid	<i>Platanthera leucophaea</i>	T	wet prairies, bogs (Crawford Co.)
Sensitive joint-vetch	<i>Aeschynomene virginica</i>	T	freshwater tidal marshes of Delaware river (Delaware and Philadelphia Co.)
Virginia spiraea*	<i>Spiraea virginiana</i>	T	along Youghiogeny River (Fayette Co.)
Smooth coneflower	<i>Echinacea laevigata</i>	E	serpentine barrens (Lancaster Co.)

Revised 10/19/00

* It is possible that remnant populations of some of these species (indicated with an *) may still occur in Pennsylvania, however, there have been no confirmed sightings of these species for over 70 years.

** E = Endangered, T = Threatened, PT = Proposed Threatened

The following is a partial list of additional species that no longer occur in Pennsylvania: moose, bison, wolverine, passenger pigeon, Bachman's sparrow, greater prairie-chicken, olive-sided flycatcher, Bewick's wren, eastern tiger salamander, blue pike, butterfly mussel, Diana fritillary butterfly, precious underwing moth, deertoed mussel, marbled underwing moth, cobblestone tiger beetle, mountain clubmoss, crested yellow orchid, red milkweed, American barberry, small white lady's-slipper, etc. etc.

U.S. FISH AND WILDLIFE SERVICE
315 SOUTH ALLEN ST., SUITE 322, STATE COLLEGE, PA 16801

**FEDERALLY LISTED, PROPOSED AND CANDIDATE SPECIES
(in Pennsylvania)**

<u>Common Name</u>	<u>Scientific Name</u>	<u>Status</u> ¹	<u>Distribution</u> (by County and/or Watershed)
<u>FISHES</u>			
Shortnose sturgeon ²	<i>Acipenser brevirostrum</i>	E	Delaware River & other Atlantic coastal waters
<u>REPTILES</u>			
Bog turtle	<i>Clemmys muhlenbergii</i>	T	Current - Adams, Berks, Bucks, Chester, Cumberland, Delaware, Franklin, Lancaster, Lebanon, Lehigh, Monroe, Montgomery, Northampton, Schuylkill, York. Historic - Crawford, Mercer, Philadelphia Co.
Eastern massasauga rattlesnake	<i>Sistrurus catenatus catenatus</i>	C	Current - Butler, Crawford, Mercer and Venango Co. Historic - Allegheny and Lawrence Co.
<u>BIRDS</u>			
Bald eagle	<i>Haliaeetus leucocephalus</i>	T	Suitable habitats across the state. Recent nesting in Butler, Cameron, Centre, Chester, Crawford, Dauphin, Erie, Forest, Huntingdon, Lancaster, Lebanon, Mercer, Northumberland, Pike, Tioga, Venango, Warren, Wayne and York Co. Wintering concentrations occur near ice-free sections of rivers, lakes and reservoirs, including the Delaware River.
Piping plover	<i>Charadrius melodus</i>	E	Migratory. No nesting in Pennsylvania since 1950s. Designated critical habitat on Presque Isle, Erie Co.
<u>MAMMALS</u>			
Indiana bat	<i>Myotis sodalis</i>	E	Winter hibernacula: Armstrong, Blair, Lawrence, Luzerne, Mifflin and Somerset Co.
<u>MOLLUSKS</u>			
Dwarf wedgemussel	<i>Alasmidonta heterodon</i>	E	Current - Delaware River (Wayne Co.). Historic - Delaware River watershed (Bucks, Carbon, Chester and Philadelphia Co.); Susquehanna River watershed (Lancaster Co.)
Clubshell mussel	<i>Pleurobema clava</i>	E	French Creek and Allegheny River watersheds (Clarion, Crawford, Erie, Forest, Mercer, Venango and Warren Co.); Shenango River (Ohio River watershed; Mercer and Crawford Co.)
Northern riffleshell	<i>Epioblasma torulosa rangiana</i>	E	French Creek and Allegheny River watersheds (Clarion, Crawford, Erie, Forest, Mercer, Venango and Warren Co.)
<u>PLANTS</u>			
Northeastern bulrush	<i>Scirpus ancistrochaetus</i>	E	Current - Adams, Bedford, Blair, Carbon, Centre, Clinton, Cumberland, Dauphin, Franklin, Huntingdon, Lackawanna, Lehigh, Lycoming, Mifflin, Monroe, Perry, Snyder and Union Co. Historic - Northampton Co.
Small-whorled pogonia	<i>Isotria medeoloides</i>	T	Current - Centre, Chester and Venango Co. Historic - Berks, Greene, Monroe, Montgomery and Philadelphia Co.

¹ E = Endangered, T = Threatened, PE = Proposed Endangered, PT = Proposed Threatened, C = Candidate Revised 2/27/03

² Shortnose sturgeon is under the jurisdiction of the National Marine Fisheries Service

U.S. FISH AND WILDLIFE SERVICE
315 SOUTH ALLEN ST., SUITE 322, STATE COLLEGE, PA 16801



United States Department of the Interior



National Park Service
Flight 93 National Memorial
109 West Main Street, Suite 104
Somerset, PA 15501

In reply refer to:

L7621

April 29, 2005

Mr. Douglas C. McLearen, Chief
Division of Archaeology & Protection
Bureau for Historic Preservation
400 North Street, 2nd Floor
Harrisburg, PA 17120-0093

Dear Mr. McLearen:

The National Park Service (NPS) is in receipt of your letter dated March 23, 2005, responding to our initial Section 106 consultation request, dated March 4, 2005, concerning preparation of a General Management Plan/Environmental Impact Statement (GMP/EIS) for the Flight 93 National Memorial in Somerset County. The purpose of the GMP/EIS is to guide the long-term development of the Flight 93 National Memorial and to evaluate alternatives to the design of the memorial and assess potential effects on the park's natural, historic and cultural resources. This consultation request was submitted to your office pursuant to Section 106 of the National Historic Preservation Act of 1966 (36 CFR Part 800).

The NPS has been conducting ongoing environmental and technical resource studies at this site for approximately two years. As part of these studies, the NPS Philadelphia Support Office conducted a draft Cultural Landscapes Inventory (CLI) in 2004. The CLI described three log cabins and associated out-buildings located in a hemlock grove just south of the crash site that were constructed during the 1930s. Information on these cabins can be found on p. 32 of the enclosed CLI. The CLI noted that the log cabins were constructed in the 1930s by a member of the locally prominent Lambert family of Stonycreek Township. These cabins may have local significance as examples of vernacular architecture for this region of southwest Pennsylvania. It is also noted that the Flight 93 crash site was listed in the National Register of Historic Places on November 8, 2002.

In March 2005, a small family cemetery, dating from the mid-19th century (1856 through 1892) was discovered on the property. This cemetery, locally referred to as the Sorber Cemetery, is located in Stonycreek Township, south of US Route 30 across the road from the cell tower and about 200 meters southwest of the roadway in a grove of trees. The Sorber Family cemetery is situated on PBS Coals, Inc. property just west of the Camp Allegheny property line. A map and aerial photo showing the location are attached.

Coordination with Ms. Nancy Hallberg, who maintains records of the Stonycreek Township cemeteries, was conducted by our consultant in March and April, and information obtained from

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the grave markers was provided to her. Based on the names on the grave markers and Ms. Hallberg's records, the following family members are believed to be buried in this cemetery:

<u>Name</u>	<u>Dates</u>
Lewis, Rebecca (1 st without Charles of New Jersey)	23Sep1844-08Aug1863
Rebecca	16Mar1863-26Oct1863
Sorber, Daniel, Jr.*	Jul1892 ag 77-4-28
Margaret (Brant)	No dates inscribed
Annie Jane	d-28Dec1856 ag-7-0-3
Charles	d-29Nov1856 ag 3-11-26

*Records of the Stoystown Lutheran Church show Daniel's birthdate as March 1, 1811, and baptism date as September 25, 1812. These dates do not correlate with the age given on his headstone. However, the inscription is very clear with the date shown above.

Ms. Hallberg reports that there are at least three Daniel Sorbers (maybe more) in the Sorber line. Daniel Sorber (first generation) settled in Brother's Valley in 1805. He was born in Northampton County in 1782. [Ed. Note: His headstone shows he was born in 1777, and it was his wife Elizabeth who was born in 1782. He moved to Stoystown, and followed the millwright's trade, helping to build the first mill at Sprucetown. He afterward kept tavern on the turnpike; two and one-half miles east of Stoystown. He died in Shade Township, aged seventy-six. His children were Joseph, Jonathan (deceased), Adam, Daniel, Anna (deceased), Elizabeth (Blough) and Sophia (deceased). Joseph was born in Brother's Valley, in 1805. For 12 years, he was a wagoner on the Pittsburgh Pike. He has been living in Stony Creek for several years. He married Mary Brant, and is the father of Martin, John, William, Daniel W., Orange, Elizabeth, Emeline and Margaret (deceased). Martin was a captain in late war. John was also in the service. William and Daniel W. are farming their father's place.¹

The Sorber cemetery discovered within the Flight 93 National Memorial boundary is the final resting place of the second generation of Sorbers, Daniel Jr.'s family.

- Daniel 1777-1852 and his wife Elizabeth Sivits (1782 - 1851) buried in the Sorber Cemetery in Shade twp.
- Daniel & Elizabeth had a son named Daniel, Jr. who married Margaret Brant on Feb. 21, 1839, another of his sons, Joseph Sorber (1805-1887) was the one who married Mary Brant (the Brant girls were probably sisters, married to brothers) and they had a son named Daniel W. Joseph is buried in the Lambertsville Cemetery.
- Daniel W. Sorber, the youngest child of Joseph & Mary Sorber, was born sometime shortly after 1850. As of 1884, records show Daniel W. was still living on the family farm in Stonycreek Township. Daniel W. married Jane Richardson. (Perhaps this was Annie Jane?)

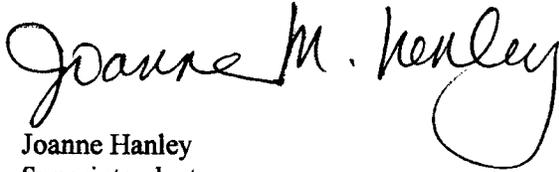
¹Source: History of Bedford, Somerset, and Fulton Counties, 1884. Waterman, Watkins & Co. p. 518.

The National Park Service is in the process of obtaining assistance from Indiana University of Pennsylvania to conduct an archeological survey of undisturbed areas of the site. The NPS will provide your office with the results of this survey when it is completed.

Ms. Hallberg has posted information on the Stonycreek Township website at <http://www.rootsweb.com/~pasomers/stonycreek/cemeteries.html>. A copy of the Sorber Cemetery listing is enclosed for your records. If you have any questions regarding the Sorber Cemetery, please do not to hesitate to contact Jeff Reinbold of this office at (814) 443-4557.

We look forward to your review of this evolving project, and will continue to forward information to you as it becomes available. Please advise us of your office's position on this new information.

Sincerely,

A handwritten signature in cursive script that reads "Joanne M. Hanley". The signature is written in black ink and is positioned to the right of the typed name.

Joanne Hanley
Superintendent

Enclosures



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093
www.phmc.state.pa.us

March 23, 2005

Joanne Hanley
US Department of the Interior
National Park Service
Flight 93 National Memorial
109 West Main Street, Suite 104
Somerset, PA 15501

FOR IMMEDIATE RELEASE
GHP REFERENCE NUMBER

Re: File No. ER 04-0631-111-C
NPS: Flight 93 National Memorial
General Management Plan/
Environmental Impact Statement
Stonycreek Twp., Somerset Co.

Dear Ms. Hanley:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

There may be historic buildings and/or structures eligible for the National Register of Historic Places located in the project area. However, due to the nature of the activity, it is our opinion that there will be no effect on these properties. Should the applicant become aware, from any source, that unidentified historic resources are located at the project site, or that the project activities will have an effect on these properties, the Bureau for Historic Preservation should be contacted immediately.

If you need further information in this matter please consult Ann Safley at (717) 787-9121.

Sincerely,

Douglas C. McLearn, Chief
Division of Archaeology &
Protection

DCM/tmw



United States Department of the Interior

National Park Service
Flight 93 National Memorial
109 West Main Street, Suite 104
Somerset, PA 15501



In reply refer to:

COPY

MAR 11 2005

D18

March 4, 2005

Ms. Jean Cutler, Director
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
400 North Street, Second Floor
Harrisburg, PA 17120-0093

RE: Flight 93 National Memorial, Section 106 Consultation Initiation

Dear Ms. Cutler:

The National Park Service is currently preparing a General Management Plan/Environmental Impact Statement (GMP/EIS) for the Flight 93 National Memorial in Somerset County, Pennsylvania. The National Park Service has held two agency scoping meetings on the project, to which your office has been invited, and is now initiating formal consultation pursuant to Section 106 of the National Historic Preservation Act (36 CFR 800).

Five final designs have been recently selected in Stage I of the design competition for the memorial. These designs can be viewed online at www.flight93memorialproject.org. The project involves evaluating the five final designs and the No Action Alternative (Existing Conditions), and providing sufficient analysis for a recommendation by the Secretary of the Interior to U.S. Congress by September 2005. The project is located in Somerset County and can be found on the Stoystown and the Central City quads. A copy of the approved boundary map is enclosed. The area in light green composes approximately 1,200 acres and is the core area for the park. The area in dark green is land to be protected in partnership with local residents through less-than-fee means such as scenic easements. In total, the park unit comprises approximately 2,200 acres, including the scenic easements. The predominance of the site (the core area) is reclaimed strip mine, but a small family cemetery is located in the northern portion of the site. This cemetery is not expected to be impacted. A second cemetery was initially located on old maps, but we have learned that these graves were relocated several years ago.

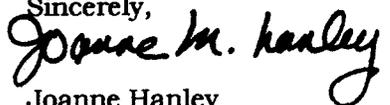
In the coming months, the design finalists will proceed with refining their conceptual designs and will provide more detailed information on their various proposals for the site. In the meantime, we have an ambitious schedule to maintain and plan to publish a draft GMP/EIS at the end of May. The National Park Service wishes to initiate

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section 106 consultation with the Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation, and provide you with any additional information you may need for your determination.

If you have any questions or need further information, please call Jeff Reinbold, Project Planner for Flight 93 National Memorial or me at 814-443-4557. We are requesting your comments by April 4, 2005.

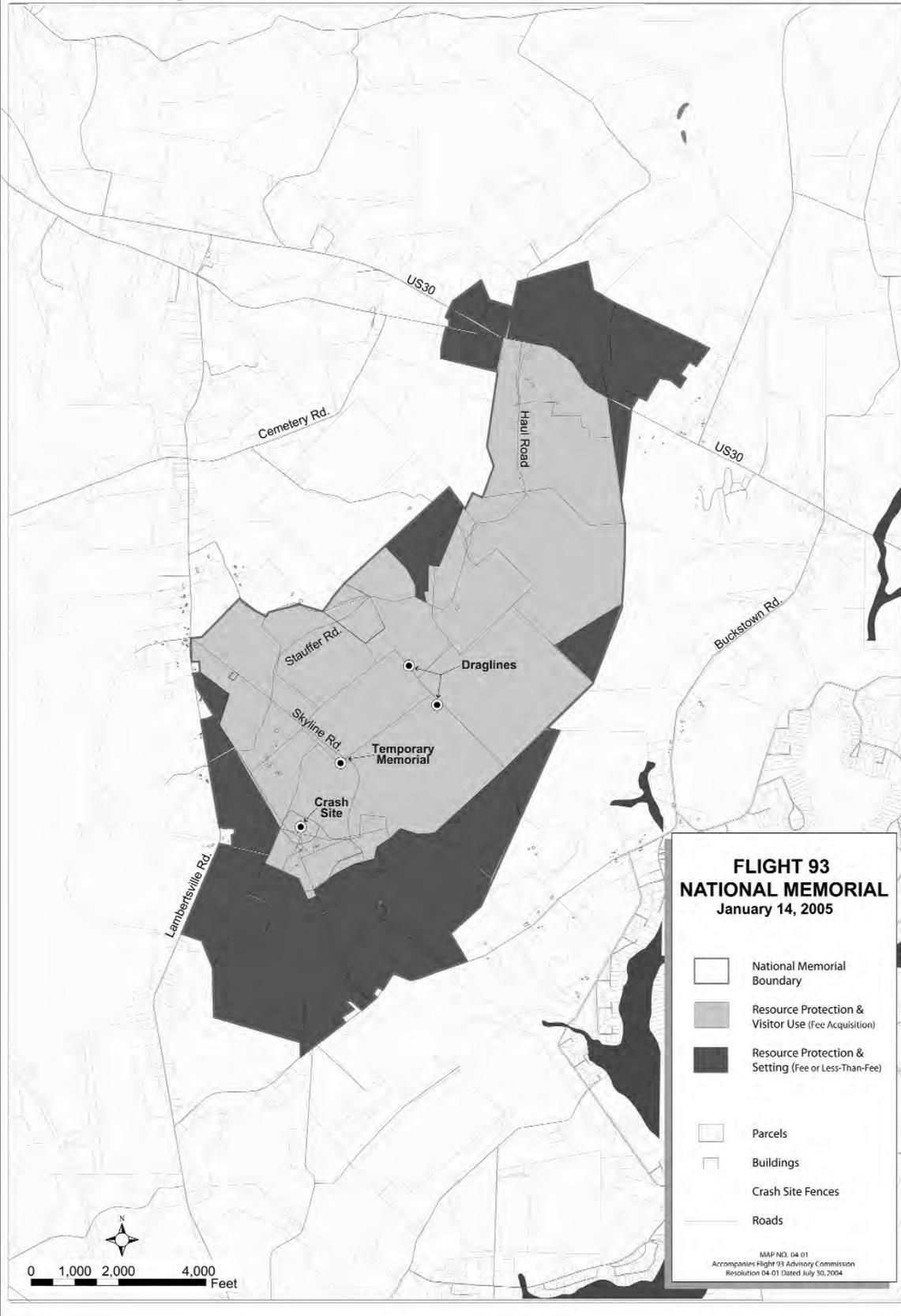
Sincerely,



Joanne Hanley
Superintendent
Flight 93 National Memorial

Enclosure

Boundary





Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093

December 30, 2003

Jeffery Reinbold, Chief Planner
National Park Service
109 West Main Street, Suite 104
Somerset, PA. 15501

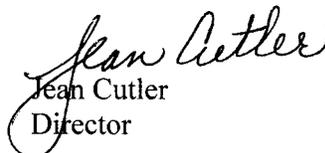
RE: ER# 04-0631-111
Flight 93 National Memorial
Stonycreek Twp., Somerset Co.

Dear Mr. Reinbold:

The Pennsylvania State Historic Preservation Office has reviewed the proposed Flight 93 National Memorial as described in your letter of 11/28/03 in accordance with the National Historic Preservation Act and the regulations of the Advisory Council on Historic Preservation. Although, we do not have specific boundaries for this project, we have a general location and we have been informed that 90% of the proposed project will be located on land reclaimed from surface mining. We have checked both our historic structures files and the Pennsylvania Archaeological Site Survey files. We do not have any resources recorded for the area around the crash site and extending north to Rt. 30. However, there are buildings in the project area and for any structures that are over 50 years old, a Pennsylvania Historic Resources survey form should be completed so that these structures can be reviewed by our National Register committee. Further, we would recommend that all areas beyond the reclaimed land should be evaluated for their archaeological potential. Although, no sites have been recorded, portions of the project area are topographically similar to areas where sites have been recorded in the county. Specifically, there is a high probability for significant prehistoric archaeological resources to be located adjacent to the wetland area just south of the crash site and on the saddle just east of the reclaimed area. If earth disturbing construction activities are planned for these areas, we would recommend that archaeological surveys be conducted during the planning phase.

If we can be of any further assistance, I can be contacted at (717) 705-4035 or at jecutler@state.pa.us.

Sincerely,


Jean Cutler
Director



United States Department of the Interior



National Park Service
Flight 93 National Memorial
109 West Main Street, Suite 104
Somerset, PA 15501

In reply refer to:

D18

August 12, 2005

Federal Preservation Officer
National Park Service
1201 Eye Street, N.W., 8th Floor
Washington, DC 20005

Subject: Flight 93 National Memorial Listing in the National Register of Historic Places

Dear Madam:

On September 24, 2002, Congress enacted the "Flight 93 National Memorial Act," (P.L. 107-226), which authorized "*a national memorial to commemorate the passengers and crew of Flight 93 who, on September 11, 2001, gave their lives thereby thwarting a planned attack on our Nation's Capital...*". As stated, the purpose of this Act is to establish a national memorial to honor the passengers and crew of United Airlines Flight 93. Section 3 of this Act established a memorial at the crash site of United Airlines Flight 93 in Stonycreek Township, Somerset, Pennsylvania.

This Act created the Flight 93 National Memorial (NM), and specifically designated the crash site of Flight 93, located in Stonycreek Township, Somerset County, Pennsylvania, as the site to honor the passengers and crew of Flight 93 and to designate this site a unit of the national park system. Designation of Flight 93 NM as a unit of the national park system by Congress automatically listed the crash site in the *National Register of Historic Places*. This site was officially listed in the National Register on November 8, 2002 (see enclosed listing).

Under the provisions of P.L. 107-226, Congress established the Flight 93 Advisory Commission and directed the Advisory Commission and the National Park Service to accomplish three principal tasks by September 2005:

1. Advise the Secretary of the Interior on the boundary of the national memorial;
2. Submit recommendations for the planning, design, and construction of the national memorial; and
3. Develop a management plan for the site.

Boundary Recommendation

On July 30, 2004, the Advisory Commission submitted Resolution 0410 to the Secretary of the Interior, recommending a boundary for the Flight 93 National Memorial. The Secretary approved the boundary on January 14, 2005, as shown on the enclosed map. A notice announcing the Secretary's approval of the boundary was published in the *Federal Register* on March 21, 2005 (see enclosure). Most of the land within the boundary remains in private ownership. The core area of the memorial is comprised of approximately 1,200 acres with another 1,000 acres included around the perimeter to protect the viewshed.

Design Competition

The first stage of an open design competition for a permanent memorial was conducted from September 11, 2004 through January 11, 2005. In February, a jury selected five final designs. These five designs are on public



display through September 25, 2005. A jury met in early August to select the final design. The final design will be announced on September 7, 2005.

General Management Plan/Environmental Impact Statement

The National Park Service is currently preparing a General Management Plan/Environmental Impact Statement (GMP/EIS) to guide the future of the Flight 93 National Memorial. During the scoping process for this project, which began in December 2003, the National Park Service coordinated with the Pennsylvania Bureau for Historic Preservation. The enclosed listing of National Register Properties, dated March 11, 2005, shows the Flight 93 Crash Site listed in the National Register for Historic Places. The Bureau for Historic Preservation has reviewed the project and granted clearance pursuant to Section 106 of the National Historic Preservation Act of 1966.

In 2004, the National Park Service prepared a draft *Cultural Landscapes Inventory* (CLI) for the Flight 93 National Memorial, based on data collected in May 2003. The CLI provides baseline information of the existing conditions, and documents each landscape's location, physical development, condition, significance, and National Register eligibility, as well as other important information for park management. A copy of the draft CLI is enclosed for your files.

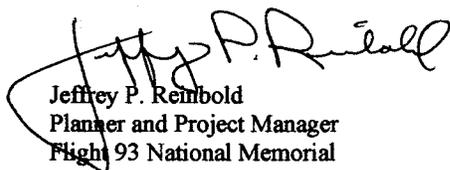
The draft CLI included an inventory of the structures within the boundary. Of these, three log cabins and an ashlar stone cabin located in the hemlock grove south of the crash site were recommended for a historic structures survey in the future. The log cabins were constructed as summer homes some time during the 1930s-1940s. The National Park Service is proposing to retain these cabins if acquired.

The remaining structures within the boundary are industrial buildings formerly used as maintenance and welding shops, mining offices and a shower house. During the investigations that occurred subsequent to the crash, some of these buildings were occupied by the FBI, NTSB and other investigators. None of the buildings within the boundary are either listed in or determined eligible for listing in the National Register of Historic Places.

Some of the final designs propose to remove these structures, and some present minor modifications to the crash site. The final five designs can be reviewed by accessing the project website at <http://www.flight93memorialproject.org>.

If you have any questions, please contact me at 814-443-4557. Thank you for your attention to this important project.

Sincerely,



Jeffrey P. Reinbold
Planner and Project Manager
Flight 93 National Memorial

Enclosures:

Listing of National Register Properties
Boundary Map No 04-01
Federal Register Notice (70 FR 13538-13539)
Cultural Landscapes Inventory-Flight 93 NM



U.S. Department
of Transportation

**Federal Aviation
Administration**

JUN 08 2004

Harrisburg Airports District Office
3911 Hartzdale Drive, Ste. 1100
Camp Hill, PA 17011
(717) 730-2830 phone
(717) 730-2838 FAX

Jeffrey Reinbold, Chief Planner
National Park Service
109 West Main Street, Suite 104
Somerset, PA 15501

Re: Flight 93 Memorial
Environmental Impact Statement
Scoping Comments

Dear Mr. Reinbold:

Thank you for extending the Federal Aviation Administration (FAA) the opportunity to comment on the National Park Service's Flight 93 Memorial planning efforts. We are pleased to participate in this effort to honor our citizen-heroes.

Pursuant to Title 49, United States Code, Section 40103(b), the FAA Administrator is responsible for developing plans and policies for the use of the navigable airspace and assigning, by regulation or order, the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. Accordingly, any plans to regulate the airspace over the memorial must be coordinated with this office and the FAA Eastern Region. The FAA is concerned that a proposed flight restriction may have an adverse effect on the utility of nearby Sommerset County Airport and/or the National Air Transportation System.

Again, thank you for the opportunity to comment. If you have any questions regarding this issue, please contact me at 717-730-2830.

Sincerely,

A handwritten signature in black ink that reads "Wayne Heibeck".

Wayne Heibeck, Manager
Harrisburg Airports District Office

cc: William Flanagan, AEA-600
Tom Felix, AEA-610



Pennsylvania Natural Diversity Inventory

Scientific information and expertise for the conservation of Pennsylvania's native biological diversity

December 16, 2003

717-772-0258
fax 717-772-0271

Bureau of Forestry

Joanne Hanley
US Dept. of Interior/ NPS
109 West Main St.
Somerset, PA 15501

Re: Pennsylvania Natural Diversity Inventory Review of the Proposed Flight 93 National Memorial, Stonycreek Township, Somerset County **PER NO: 15328**

Dear Ms. Hanley:

In response to your request on November 28, 2002 the Pennsylvania Natural Diversity Inventory (PNDI) information system was used to gather information regarding the presence of resources of special concern within the referenced site. PNDI records indicate no occurrences of **plant** species of special concern within the project area, therefore we do not anticipate any impact on endangered, threatened, or rare plant species at this location.

Because of the close proximity of the project to species of special concern outside our jurisdiction, our office recommends that you contact **Bonnie Dreshem** of US Fish & Wildlife Service at **(814) 234-4090** for recommendations on potential impact on endangered animals in the area.

This response represents the most up-to-date summary of the PNDI data files and is applicable for one year. However, an absence of recorded information does not necessarily imply actual conditions on site. A field survey of any site may reveal previously unreported populations. Should project plans change or additional information on listed or proposed species become available this determination may be reconsidered.

Sincerely,

Justin P. Newell
Environmental Review Specialist

Western Pennsylvania Conservancy
209 Fourth Ave.
Pittsburgh, PA 15222
(412)288-2777
www.paconserve.org

Pennsylvania Dept. of Conservation and Natural Resources
Bureau of Forestry
P. O. Box 8552
Harrisburg, PA 17105-8552
(717)787-3444
www.dcnr.state.pa.us

The Nature Conservancy
208 Airport Drive
Middletown, PA 17057
(717)948-3962
www.tnc.org

APPENDIX C

Flight 93 National Memorial Related Plans, Projects and Other Activities

Flight 93 National Memorial Related Plans, Projects and Other Activities

The following information summarizes some of the pertinent plans, projects and other activities in Somerset County that either relate to commemorating Flight 93 or directly affect access to the memorial and management of the memorial's resources.

PENNSYLVANIA TURNPIKE INTERCHANGE IMPROVEMENT PROJECT

The Pennsylvania Turnpike Commission completed major reconstruction on the Somerset interchange in the fall of 2004.

SOMERSET COUNTY COMPREHENSIVE PLAN UPDATE

In July 2003, the Somerset County Planning Commission published a draft county comprehensive plan update. This plan summarizes ten key initiatives proposed to spur new economic opportunities and enhance the quality of life. Initiative #7 addresses zoning and land development. This initiative sets forth a goal "to ensure that new development conserves and maintains the positive character qualities of the county and its landscape and to provide for growth which is consistent with infrastructure investments."

FLIGHT 93 NATIONAL MEMORIAL CORRIDOR PLANNING STUDY

The Somerset County Commissioners, in conjunction with several local jurisdictions, are preparing a planning study of the corridors leading from the turnpike interchange in Somerset to the Flight 93 National Memorial. In January 2005, the following jurisdictions passed a resolution agreeing to participate in the corridor planning study: Somerset Borough and Jenner, Shade, Somerset and Stonycreek townships. The study is being funded through grants from the Commonwealth of Pennsylvania and supported by the National Park Service and the Pennsylvania Environmental Council.

The study will evaluate portions of Routes 281, 219 and U.S. Route 30 and assess the potential for residential, commercial and other development along these corridors and recommend strategies for "encouraging economic development while keeping the rural character of the area intact." The corridor planning study will—¹

- Identify options to preserve the existing rural features along the future corridor, while encouraging economic development;
- Understand the needs and desires of local landowners and business owners;
- Determine the potential for new growth, including what it may be and where it could be located;

- Give options to local officials as to managing new growth and development within the corridor area, including what the new development would include;
- Consider ways in which municipalities and the county can work with each other to address common planning and development options; and
- Identify existing historic and natural assets, including corridor landscapes for protection

THE MONUMENT FOR LIFE AT QUECREEK

In July 2002, nearly one year after the Flight 93 crash on September 11, 2001, the citizens of Somerset County experienced yet another ordeal. A dramatic rescue of nine miners trapped in a nearby flooded deep mine for 77 hours occurred, once again testing the mettle of a shaken community. In July 2004, a memorial dedicated to the dramatic rescue of the Quecreek miners was constructed to "educate the public and preserve for future generations the integrity and details surrounding this miraculous mine rescue." A museum is scheduled to open in the Windber Coal Heritage Center in May 2005 that will tell the tales of the coal miners and their families and teach about their lifestyle. Tours to Flight 93 NM have been linked with those to the Quecreek museum and memorial.

THE LEGACY GROVES

The Legacy Groves of Somerset County are plantings of sugar maples in memory of those killed when Flight 93 crashed near Shanksville and in appreciation of the first responders on the scene. The Legacy Groves, funded through the U.S. Forest Service and the Kiski Basin Initiatives of Johnstown, were planted by students in the Horticulture and Forestry classes at the Somerset County Career Technology Center. A nursery for the Legacy Grove began in 2003. Groves of maple trees are planned throughout Somerset County.

HEROES GARDEN AND MEMORIAL TO FLIGHT ATTENDANTS ON FLIGHT 93

The Garden Club Federation of Pennsylvania is planning to establish a "Heroes Garden" honoring the passengers and crew of Flight 93 during an Arbor Day observance on April 30, 2005, at the Flight 93 Memorial Chapel near Shanksville. The garden will include flower beds and ornamental trees along with two registered "Liberty" elms that were donated to the chapel in 2002 by Westmont Borough. Plans also include walkways constructed of historic paving bricks donated by Patton Borough.

¹Pennsylvania Environmental Council and Somerset Co. Planning Commission information from Flight 93 NM public open house, May 12, 2005.

A subcommittee of the CAUSE Foundation, a support organization for United Airlines flight attendants, is planning a memorial near Shanksville to commemorate the lives of seven crew members who died aboard Flight 93. The monument will include an etching and biographic information of each crew member on seven of its eight sides. The eighth side will be reserved for general information, such as a dedication date. The monument is planned for location at the center of a “Heroes Garden.”

“THUNDER ON THE MOUNTAIN,” UAL FLIGHT 93 MEMORIAL CHAPEL AND THUNDER BELL

“Thunder on the Mountain, UAL Flt 93 Memorial Chapel” is located three miles from the crash site near the town of Shanksville on Stutzmantown-Shanksville Road. The UAL Flt 93 Memorial Chapel is a spiritual memorial and perpetual tribute to honor the Heroes of UAL Flight 93, and all others who perished September 11, 2001. The chapel is secular and non-denominational, and open to all faiths. The chapel will present multi-media programs to the public celebrating the Memory of the Heroes of UAL Flight 93.

The church building, first dedicated in 1902, was previously used for religious services for 70 years. Most recently, the building served as a seed warehouse of the Servos Seed Corporation. The building was purchased privately from the Kurt Servos Family in January 2002 and is currently under reconstruction as the Memorial Chapel.

The Thunder Bell was donated March 11, 2002, by Mr. and Mrs. Harold Knupp to honor Flight 93. Named “Thunder Bell, the Voice of Flight 93,” the bell was transported from storage to the Somerset Foundry where it was cleaned and refurbished. The cast steel bell with wrought cradle, dated 1860, weighs a total of 1,150 pounds. On July 10, 2002, the bell was moved to its current location in front of the UAL Flt 93 Memorial Chapel sanctuary. Thunder Bell, dedicated as the Voice of Flight 93, stands in noble tribute to the Heroes of Flight 93.

NATIONAL PARK SERVICE PLANS

To support the goal of protecting the memorial’s resources and to provide public and interpretive information on the events that occurred on September 11, 2001, the National Park Service is engaged in preparing the following plans, projects and studies:

Flight 93 NM Collections Management Plan—The curatorial items and tributes had been archived and stored at Iron Mountain, north of Pittsburgh, PA. The NPS is currently leasing available space from Somerset County to store tributes and mementos left at the Temporary Memorial. A collections management plan is scheduled for completion in late 2005.

Flight 93 NM Archeological Survey—The National Park Service has entered into an agreement with Indiana University of Pennsylvania to provide an overview of the mining history of the memorial site and a brief overview of any potential archeological and cultural resources within the park boundary. This study is scheduled to begin in 2005.

Flight 93 NM Oral History Study—The Partners of Flight 93 National Memorial are sponsoring an international effort to collect the inclusive story of Flight 93 and its affect on people throughout the nation and around the world. This information will be collected through oral histories and will be available for researchers, interpretation and educational programs at the memorial and for long-term preservation in the National Park Service Archives.

Flight 93 NM Capital Campaign—The Partners of Flight 93 contracted with Ketchum, a marketing and fund raising firm, to prepare a fundraising feasibility strategy. This study concluded that it is possible to raise the private portion of the Federal match to construct a Flight 93 memorial. Ketchum will be implementing a fundraising plan in the future.

Flight 93 NM Land Acquisition Program—Through the Flight 93 NM’s enabling legislation, the National Park Service is authorized to acquire land for the memorial only from willing sellers or from persons wishing to donate or exchange land. PBS Coals, Inc. has donated 29 acres near the crash site to the National Park Service. Another 141 acres have been donated by Consolidation Coal Co. of Pittsburgh and Tim Lambert, a Harrisburg-area resident.

In April 2004, The Conservation Fund acquired the first real property at the Flight 93 NM on behalf of the National Park Service. Two mining draglines were acquired from PBS Coals, Inc. of Friedens, PA. The Fund is also working to acquire 800 acres near the crash site, which include the two draglines and would potentially provide access between the crash site and US 30. In December 2003, the Fund purchased the coal and mineral rights from PBS Coals on land included in the 800 acres.

APPENDIX D

**Flight 93 National Memorial
National Register Sites
Somerset County, PA**

NATIONAL REGISTER LISTED PROPERTIES
Pennsylvania Historical-Museum Commission
Bureau for Historic Preservation

3/11/2005

Page 119 of 136

Somerset County

Municipality	KeyNo	Historic Name	Address	Status	Stat Date
Addison Borough	000842	Petersburg Toll House	Main St. Old Rte. 40	Listed	03/30/1979
Addison Township	096950	Wable/Augustine Tavern	U.S. 40, 1 mile East of Addison	Listed	11/27/1995
Allegheny Township	050848	New Baltimore Covered Bridge	T-812, North of New Baltimore	Listed	12/10/1980
Boswell Borough	101704	Boswell Historic District	Hower Ave., Atkinson Way, Quemahoning Creek	Listed	06/03/1994
Brothersvalley Township	050844	Beechdale Bridge	T-548 Over Buffalo Creek, 2 mile Northeast of Garrett	Listed	12/10/1980
Conemaugh Township	050852	Shaffer's Bridge	T-634, North of Thomas Mills	Listed	12/10/1980
Fairhope Township	050845	Packsaddle Bridge	T-407, 2.5 mile Northwest of Fairhope	Listed	12/10/1980
Jefferson Township	088884	Kooser State Park Family Cabin District	Kooser State Park	Listed	02/12/1987
Jenner Township	000108	Bridge in Jenner Township	L.R. 55125; 1.6 mile Northeast of Boswell	Listed	06/22/1988
Jenner Township	093107	Hair, Matthew, Farm	T-747, 1.5 mile North of Pilltown	Listed	10/24/1996
Lower Turkeyfoot Township	050853	Lower Humbert Bridge	T-393, North of Ursina	Listed	12/10/1980
Meyersdale Borough	089249	Second National Bank of Meyersdale	151 Center St. Formerly 226 Main St.	Listed	02/20/2002
Middlecreek Township	050846	Barron's Mill Bridge	L.R. 55118, in Barronvale	Listed	12/10/1980
Middlecreek Township	050847	King's Bridge	Rte. 653	Listed	12/10/1980
Middlecreek Township	088885	Laurel Hill State Park	4 Miles West of New Centerville & PA Rte. 281 on L.R. 5	Listed	05/18/1987
Middlecreek Township	096262	Miller's Store	Junction of S.R. 3029 & S.R. 3033	Listed	07/24/1992
Paint Borough	096748	Windber Historic District	Somerset, Graham Aves., 15th St.	Listed	11/14/1991
Quemahoning Township	050851	Trostletown Covered Bridge	T-647, We of Kantner	Listed	12/10/1980
Rockwood Borough	089230	Wolf, Penrose, Building	452 W Main St.	Listed	09/13/2002
Shade Township	094516	Cairbrook Historic District	Penn Central RR, McGregor Ave., Windber Ave.	Listed	06/03/1994
Somerset Borough	000843	Somerset County Courthouse	E. Union St. & N. Center Ave.	Listed	06/27/1980
Somerset Borough	100998	Uptown Somerset Historic District	North Kimberly, Main Columbia & West Catherine	Listed	11/07/1995
Somerset Borough	105188	Uptown Somerset Historic District (Boundary Incr	Bounded by W Union St., N Center Ave., W Main St. and	Listed	03/28/1997
Somerset Township	050849	Walter's Mill Bridge	West of Rte. 985, Somerset Historical Center	Listed	12/10/1980
Somerset Township	078952	Zimmerman, Daniel B., Mansion	800 Georgian Place Dr.	Listed	02/24/1995
Stonycreek Township	125785	Flight 93 Crash Site	North of Shanksville, Off Skyline Rd.	Listed	11/08/2002
Stonycreek Township	050850	Glessner Bridge	T-565, Northwest of Shanksville	Listed	12/10/1980
Stoystown Borough	093009	Hite House	121 W Main St.	Listed	11/23/1998
Stoystown Borough	105454	Stoystown Historic District	Bounded by W & E Forbes Rds, E Main St., Meadow St.,	Listed	09/07/2001
Summit Township	000844	Bollman, W. & Company Bridge	T-516 Just off Rte. 219; 1 mile North of Meyersdale	Listed	11/08/1978
Windber Borough	096748	Windber Historic District	Somerset, Graham Aves., 15th St.	Listed	11/14/1991

Totals: *National Historic Landmarks: 0*

National Register Listed: 30

APPENDIX E
Flight 93 National Memorial
Water Quality Data

Appendix Table E. Water Quality Analyses from Streams at and Near Flight 93 National Memorial, 1990

Date	Instantaneous Discharge (cfs)	Water Temperature (° C)	Specific Conductance (umhos/cm)	pH	Total Alkalinity (mg/l as CaCO ₃)	Dissolved Residue at 105° C	Total Inorganic Carbon (mg/l as C)	Total Sulfate (mg/l as SO ₄)
STONYCREEK RIVER AT SHANKSVILLE, STATION 801								
09/01/92	11	16.0	557	6.8	58	532	10	190
07/27/93	11	23.5	740	6.8	100	596	19	220
05/24/94	21	18.0	446	6.4	50	360	11	140
LAMBERTS RUN AT LAMBERTSVILLE, STATION 812								
09/01/92	2.6	14.0	2,330	6.7	28	2,360	5.9	1,500
07/27/93	3.9	20.5	2,550	6.6	14	2,450	3.1	1,800
05/23/94	7.2	18.0	2,350	6.1	30	2,450	6.5	1,800
OVEN RUN AT ROWENA, STATION 815								
09/02/92	0.57	13.0	1,930	2.7	0	2,130	<1.0	1,100
07/27/03	0.55	23.5	2,350	2.8	0	2,740	<1.0	2,000
05/24/94	3.1	12.5	1,320	3.2	0	1,240	<1.0	820
PADEP CHAPTER 93 WATER QUALITY CRITERIA								
				6.0 to 9.0	20 or more			250 max.
Total Fluoride (mg/l as F)	Total Recoverable Iron (ug/l as Fe)	Dissolved Iron (ug/l as Fe)	Total Recoverable Manganese (ug/l as Mn)	Dissolved Manganese (ug/l as Mn)	Total Recoverable Aluminum (ug/l as Al)	Dissolved Aluminum (ug/l as Al)	Total Heated Acidity (mg/l as CaCO ₃)	Mineral Acidity methyl orange (mg/l as CaCO ₃)
STONYCREEK RIVER AT SHANKSVILLE, STATION 801								
<0.2	1,000	83	450	210	820	130	0	0
<0.2	500	40	500	440	330	<100	0	-
<0.2	390	220	820	780	<130	<130	0	-
LAMBERTS RUN AT LAMBERTSVILLE, STATION 812								
<0.2	930	81	1,300	1,200	440	<130	0	0
<0.2	1,800	140	1,500	1,300	1,000	170	0	-
<0.2	3,700	300	3,400	3,100	1,300	250	0	-
OVEN RUN AT ROWENA, STATION 815								
0.8	23,000	23,000	21,000	21,000	26,000	26,000	350	124
0.5	21,000	19,000	39,000	36,000	46,000	42,000	450	136
0.5	15,000	15,000	15,000	15,000	19,000	18,000	190	66
PADEP CHAPTER 93 WATER QUALITY CRITERIA								
2.0 (d.a.)	1,500 (daily avg., 30 days)		1,000 (Note: standards for F, Mn, and Sulfate are for public water supplies.)					

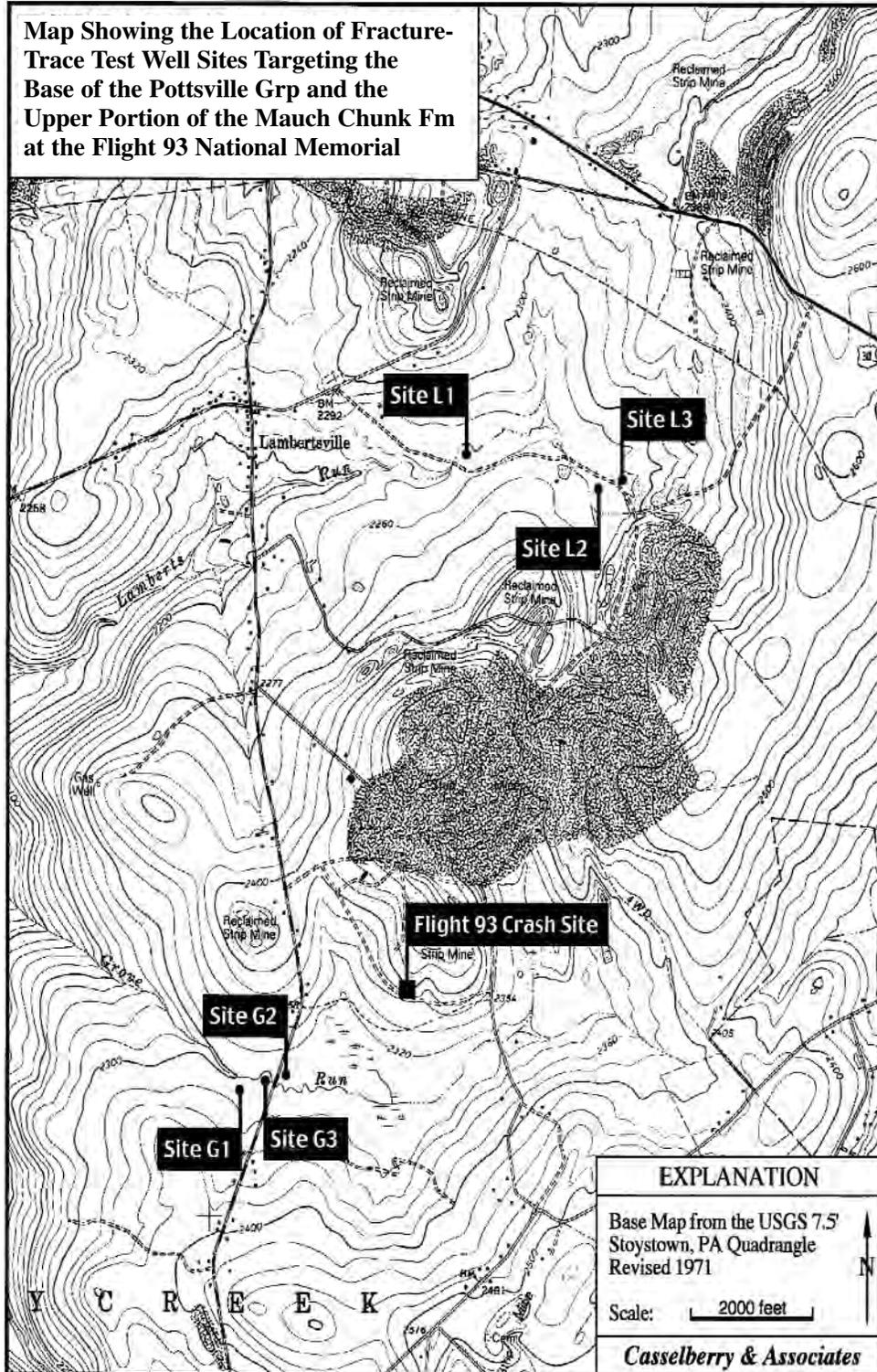
Note: Data from laboratory analyses of samples that characterize surface water quality during the early 1990s in the vicinity of the Flight 93 Memorial study area (Williams, Sams, and Mulkerrin 1996). Station 801 is upstream from the study area. Station 812 is just west of the study area and downstream at Lambertsville Road. Station 815 is downstream from the study area near the mouth of Oven Run.

Source: Schmid & Company and Cahill Associates, Inc., 2004.

APPENDIX F

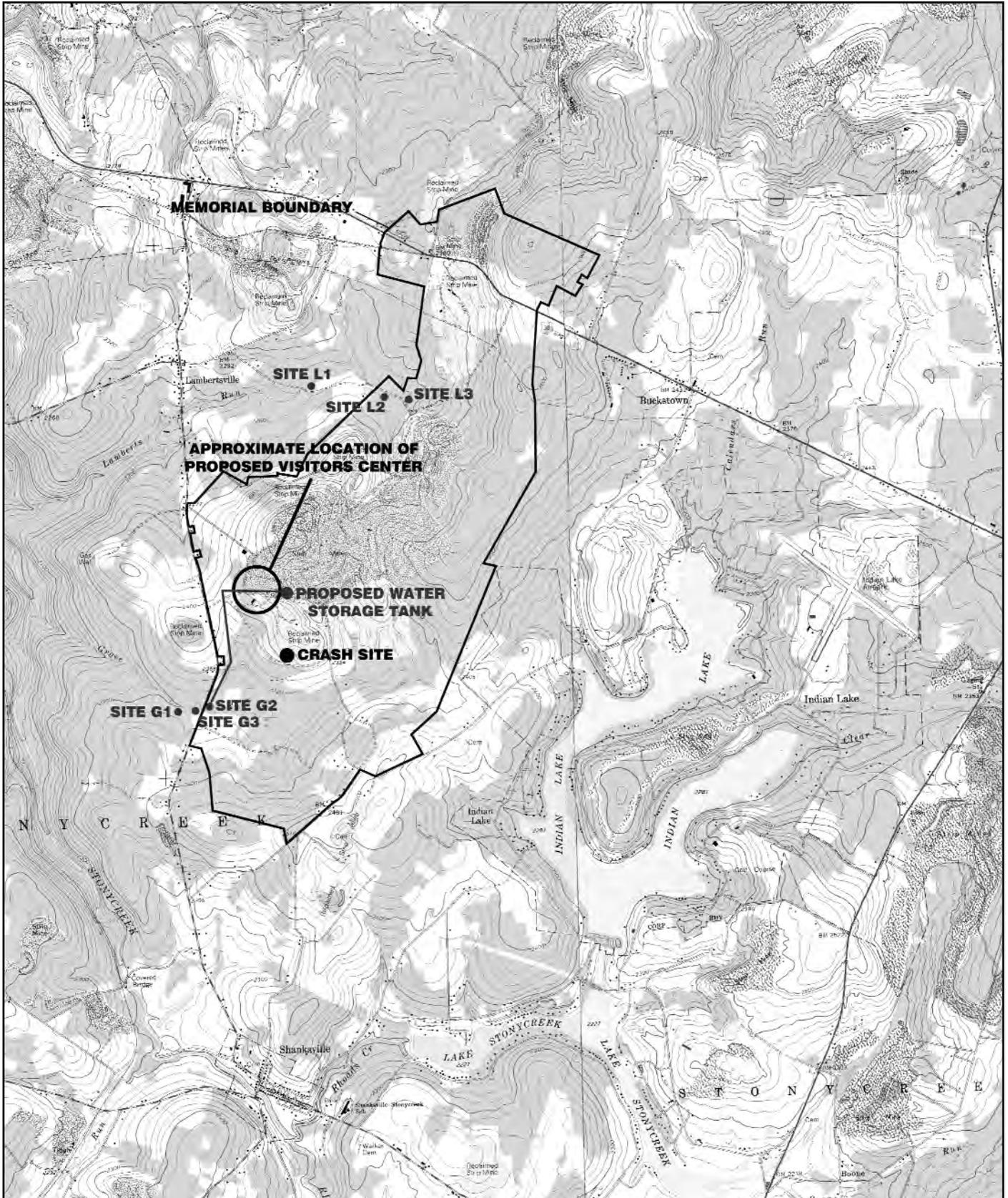
Flight 93 National Memorial Potable Water and Sewage Treatment Options

APPENDIX F-1: PROPOSED TEST WELL SITES FOR POTABLE WATER AT FLIGHT 93 NATIONAL MEMORIAL



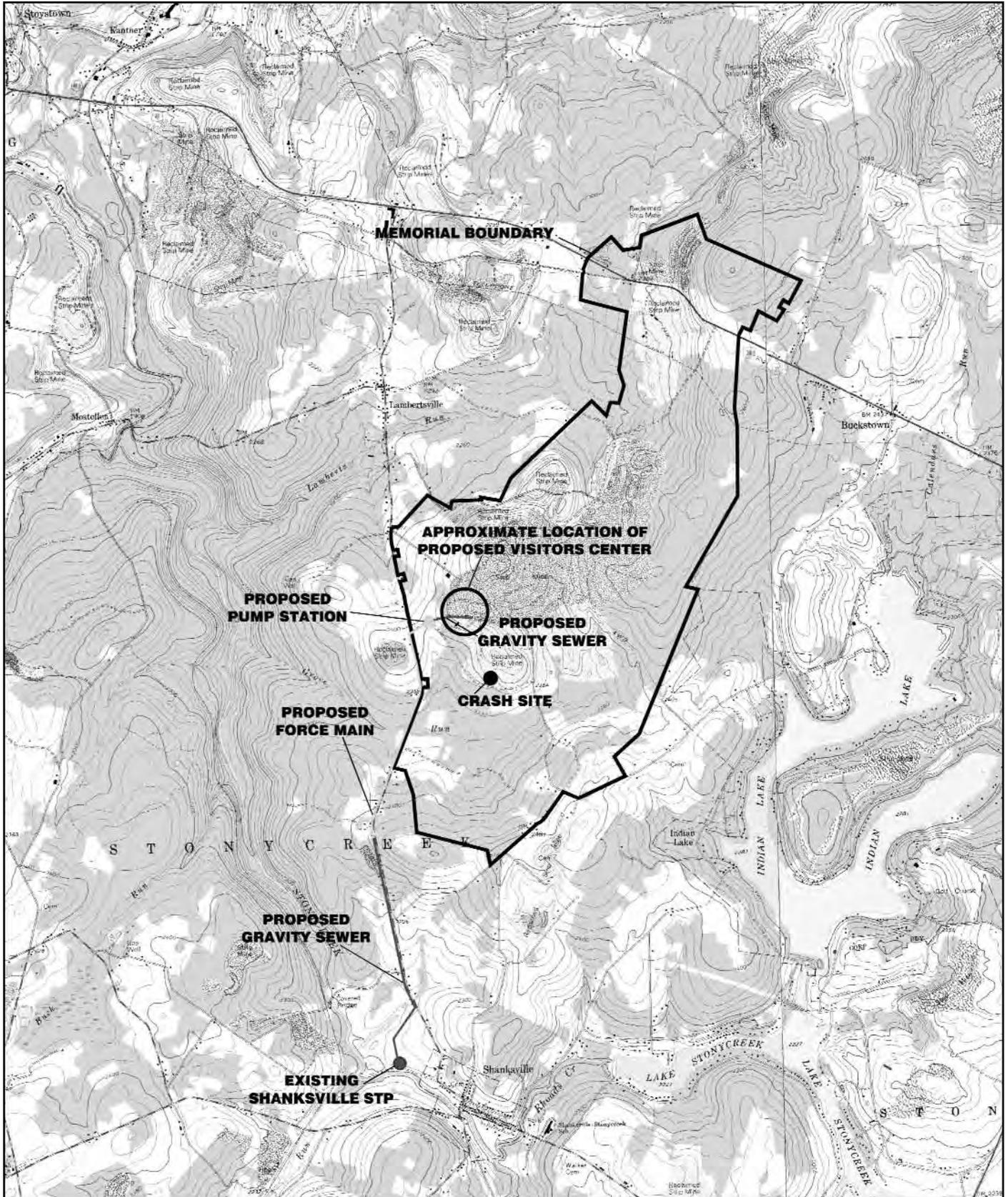
Source: The Eads Group Engineering and Design Services

APPENDIX F-2: POSSIBLE FLIGHT 93 NM ONSITE DEEP WELL OPTIONS



Source: The Eads Group Engineering and Design Services

APPENDIX F-3: PROPOSED CONVEYANCE OF FLIGHT 93 NM SEWAGE TO SHANKSVILLE BOROUGH SEWAGE TREATMENT PLANT



Source: The Eads Group Engineering and Design Services

APPENDIX G
Flight 93 National Memorial
Transportation and Traffic Data

Flight 93 National Memorial Transportation and Traffic Data

APPROACH ROUTE A: PENNSYLVANIA TURNPIKE (EXIT 110) TO PROPOSED SITE ENTRANCE VIA STATE ROUTE 281 (S.R. 0281)/U.S. ROUTE 30.

Two-way average daily traffic (ADT) volumes along S.R. 0281 vary from 4,700 vehicles per day (vpd) during the weekday to 4,200 vpd on Saturdays and 2,900 vpd on Sundays. Truck traffic is high during the average weekday, varying from 10 to 14 percent of the total traffic during the weekday, 5 to 6 percent on Saturdays, and 2 percent on Sundays.

Land uses along S.R. 0281 include a mix of residences, including single-family homes and manufactured-housing communities, several large churches, and a range of small businesses, such as gas stations, storage facilities, etc. Within Somerset Township, this pattern of development is nearly continuous. In Quemahoning Township, similar development patterns occur along the roadway, although at a lower density. Significant establishments located along this road include the Somerset County Airport, Friedens Elementary School, Pennsylvania National Guard Armory and the Friedens Volunteer Fire Station.

A15-mph school zone is designated by flashing beacons and blank-out signs in the vicinity of the Friedens Elementary School. There are three (3) traffic signals located along S.R. 0281 along the route in Somerset Borough. Horizontal and vertical alignments along this roadway are typically good, and provide generally adequate sight distances and moderate grades at numerous locations. Increased traffic along this route could adversely impact the adjacent land uses by increasing congestion, noise and pollution.

Between the Pennsylvania Turnpike (Interstate 70/76) and S.R. 0281, drivers must use Pleasant Avenue (S.R. 4055), which is wide and has a center turn lane. A railroad crossing is located on S.R. 0281 at Pleasant Avenue, as well as a narrow (approximately 20 feet wide) underpass of the Pennsylvania Turnpike. A single traffic light is located at the intersection of S.R. 4055 and S.R. 0281. The speed limit along Pleasant Avenue is posted at 25 miles per hour.

Two-way ADT volumes along U.S. Route 30 range from 3,800 to 4,300 vehicles per day (vpd) during the weekday, 3,300 to 3,800 vpd on Saturdays and 2,800 to 3,200 vpd on Sundays. Truck traffic is particularly high along this roadway during the average weekday, varying from 27 to 33 percent during the weekday, 6 to 8 percent on Saturdays and 5 to 6 percent on Sundays. Passing is permitted in specific locations along this roadway.

Single-family residences and small businesses are scattered along U.S. Route 30, none of which currently generate significant amounts of traffic. Horizontal and vertical alignments are poor at some locations along this roadway, particularly in the vicinity of the memorial. Inadequate sight distances and steep grades occur

at numerous locations. Average travel times for Approach Route A are shown below:

- Average Travel Time to Memorial = 17.3 minutes
- Average Travel Time from Memorial = 18.1 minutes
- One-Way Driving Distance = 14.2 miles

APPROACH ROUTE B: PENNSYLVANIA TURNPIKE (EXIT 110) TO PROPOSED SITE ENTRANCE VIA STATE ROUTE 601 (S.R. 601)/U.S. ROUTE 219/ U.S. ROUTE 30.

S.R. 601 is one of the few roadways in the County that experiences congestion, particularly during evening rush hour. The traffic generated on this regional corridor has taxed the capacity of the roadway which lacks proper facilities to handle the increase in turning movements. Various road segments in the urbanized area of the County are currently at peak capacity, and have high truck volumes, lack of turning lanes, have signalization adjustment needs and induce the spread of commercial development.¹

S.R. 601 was studied in PennDOT's Congested Corridor Improvement Program (CCIP), a pilot program initiated to examine various traffic corridors that exhibit traffic delays. An examination of the future (2013) No Build condition showed that this corridor has a Level of Service (LOS) C at all of the corridor traffic signals except Main Street and Somerset Commons. These areas operate at LOS D or LOS E during some peak periods, especially the weekday evening rush hour.

Traffic counts showed that the average two-way traffic volume on S.R. 601 during the weekday was 17,500 vpd; two-way peak hour counts totaled 1,383 vph. With minimum speeds in the upper teens to lower 20 mph, the overall LOS on SR 601 was between LOS C and LOS D. The Turnpike ramp intersection is the most critical signalized intersection with the S.R. 601 corridor. LOS E and LOS F conditions were shown to occur on S.R. 601 approaches to this intersection, and LOS E conditions were shown at the West Main Street and Lake Road intersections.

Numerous traffic signals and businesses, as well as some single-family residences, are located along S.R. 601. Many of the businesses, such as restaurants, auto dealerships, gas stations, and several large retail developments, are heavy traffic generators. Eleven traffic signals exist between the Pennsylvania Turnpike and U.S. Route 219 that typically involve auxiliary left and right turn lanes. Horizontal and vertical alignments along this roadway are typically good and provide adequate sight distances and minimal grades. The amount of congestion existing in this corridor poses some concern for traffic flow from increased local traffic.

¹Somerset County Comprehensive Plan Update. July 31, 2003, App. B, p. B-67.

Two-way ADT volumes along U.S. Route 219 range from 11,300 vpd during the weekday to 7,900 vpd on Saturdays and 6,700 vpd on Sundays. Truck traffic is high during the average weekday, ranging from 16 to 18 percent during the weekday, from 6 to 7 percent on Saturdays, and from 5 to 7 percent on Sundays. As a limited access highway, direct access to residences and businesses is not provided along U.S. Route 219. Horizontal and vertical alignments along this roadway range from good to fair, and provide adequate sight distances, though grades can be moderate at times.

The characteristics of U.S. Route 30, including ADT volumes and truck traffic, are provided in the description for Approach Route A. Average travel times under Approach Route B are shown below:

- Average Travel Time to Memorial = 23.8 minutes
- Average Travel Time from Memorial = 21.8 minutes
- One-Way Driving Distance = 19.4 miles

APPROACH ROUTE C: PENNSYLVANIA TURNPIKE (EXIT 110) TO PROPOSED SITE ENTRANCE VIA STATE ROUTE 281/U.S. ROUTE 219/U.S. ROUTE 30.

Approach Route C uses roadways that are also described in Approach Routes A and B, with the exception that drivers utilize State Route 281 (S.R. 0281) to access U.S. Route 219 (S.R. 0219) rather than using State Route 601 (S.R. 0601) to U.S. Route 219. For this portion of State Route 281, drivers must also use Pleasant Avenue (S.R. 4055) between the Pennsylvania Turnpike (Interstate 70/76) and S.R. 281. Average travel times under Approach Route C are shown below:

- Average Travel Time to Memorial = 22.6 minutes
- Average Travel Time from Memorial = 21.3 minutes
- One-Way Driving Distance = 19.4 miles

The characteristics of U.S. Route 30, including ADT volumes and truck traffic, are described for Approach Route A.

APPROACH ROUTE D: PENNSYLVANIA TURNPIKE (EXIT 146) TO PROPOSED SITE ENTRANCE VIA U.S. ROUTE 30 EAST OF MEMORIAL – ARRIVING FROM BEDFORD INTERCHANGE (EXIT 146).

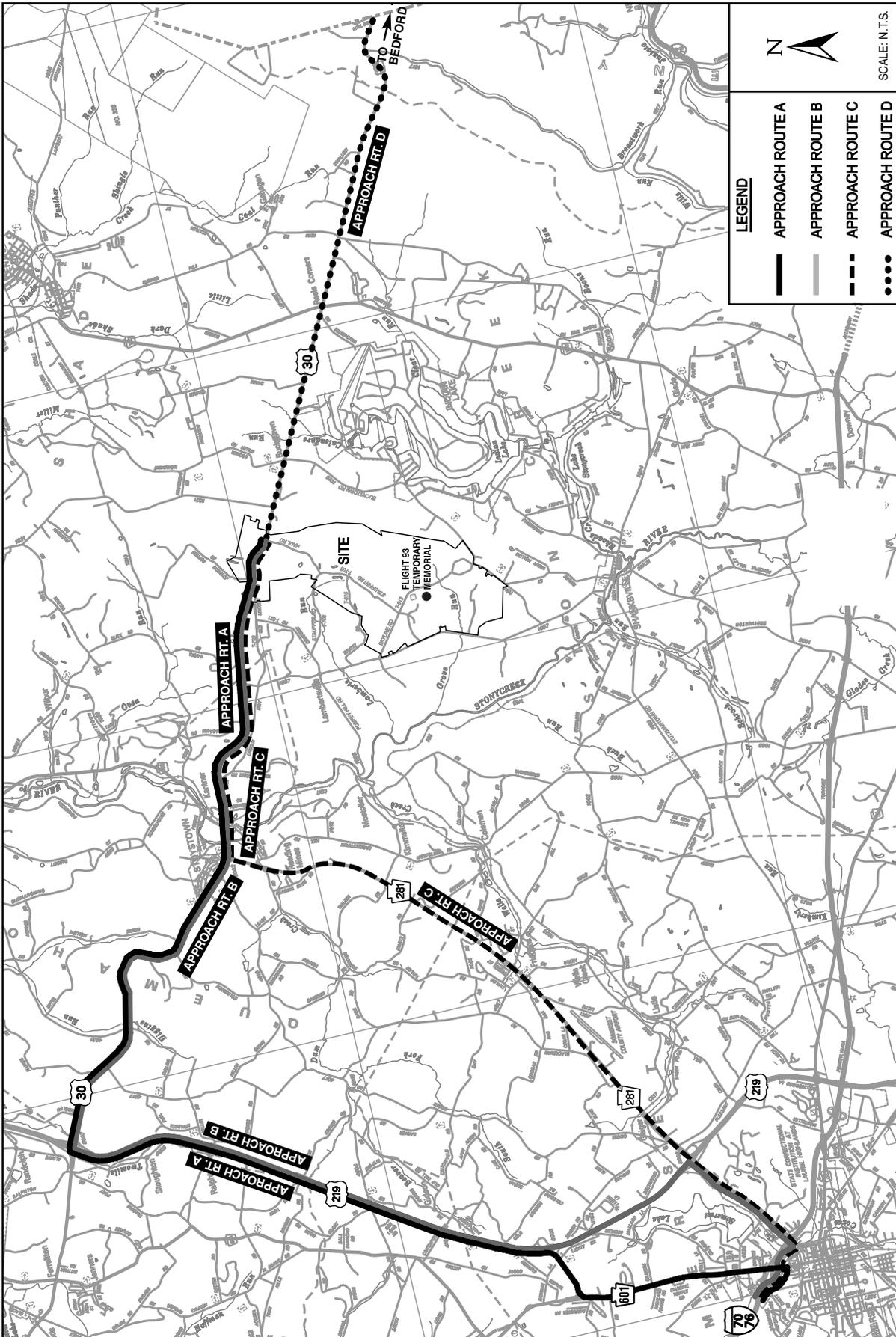
Speed limits along U.S. Route 30 east of the Memorial range from 35 miles per hour within the vicinity of Buckstown and in Schellsburg to 55 miles per hour for passenger vehicles. However, these speed limits are not posted for much of the route and are based on the roadway classification. Truck speeds are down-posted to 20 mph due to grades up to 9 percent for a distance of 6 miles. Advisory signage down-posts speeds for passenger vehicles as low as 20 miles per hour at several very tight bends in the roadway. There are no posted weight restrictions.

Two-way ADT volumes along this roadway range from 3,800 to 4,300 vpd during the weekday, from 3,300 to 3,800 vpd on Saturdays, and from 2,800 to 3,200 vpd on Sundays. Truck traffic is particularly high along this roadway during the average weekday, ranging from 27 to 33 percent during the weekday, from 6 to 8 percent on Saturdays, and from 5 to 6 percent on Sundays. Passing is permitted in certain locations, with truck climbing lanes provided between Schellsburg and Reels Corners. However, passing zones are restricted within the lengthy grade section.

A mix of single-family residences and small businesses is located along this roadway, none of which would generate significant amounts of traffic. Horizontal and vertical alignments are poor, and sight distances are inadequate. Dangerous curves and long, steep grades (up to 9 percent) occur for about 6 miles. Trucks heading eastbound toward Bedford are traveling mainly downhill and must stop at two locations during the extended descent. Average travel times under Approach Route D are shown below:

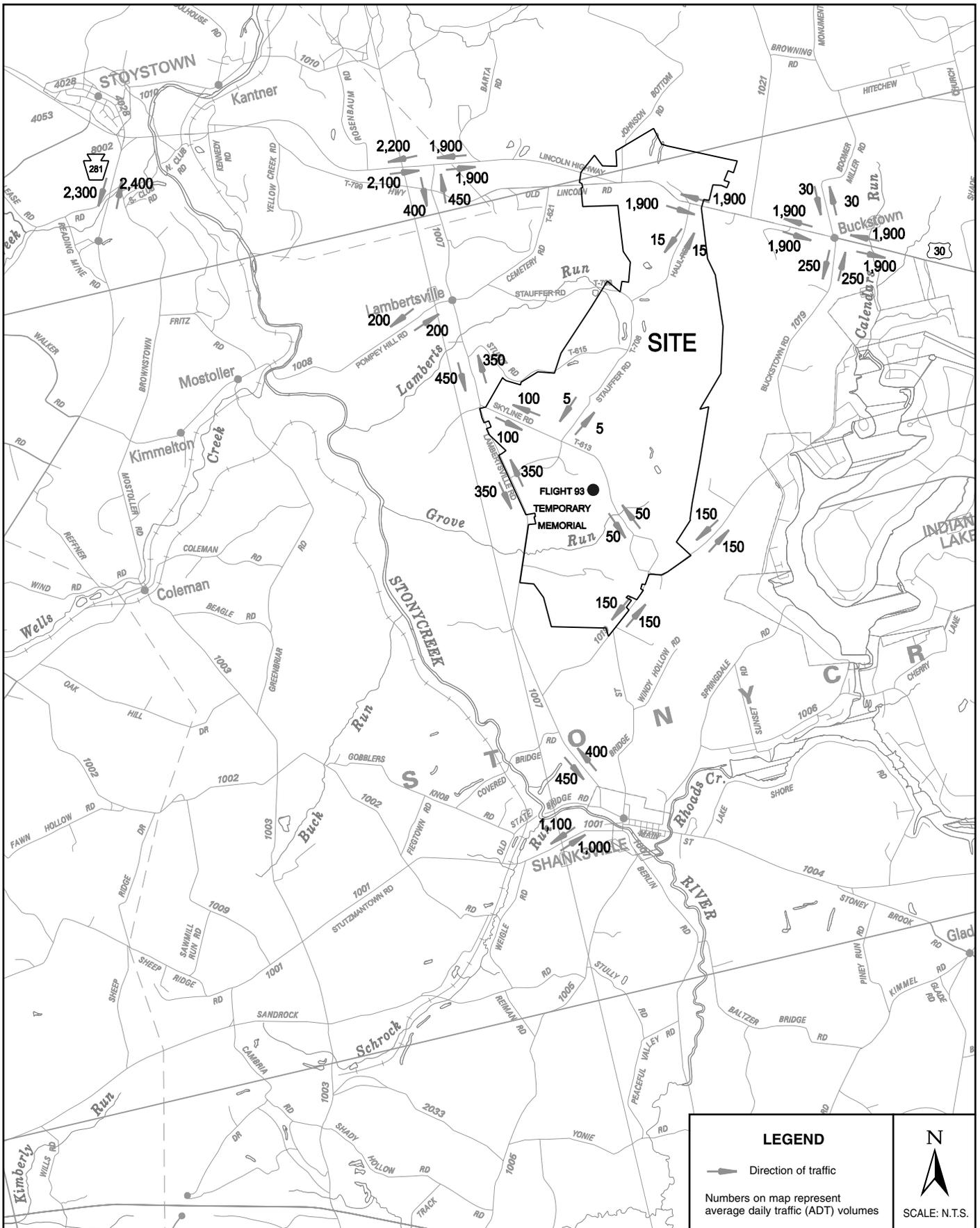
- Average Travel Time to Memorial = 34.1 minutes
- Average Travel Time from Memorial = 34.2 minutes
- One-Way Driving Distance = 25.6 miles

APPENDIX MAP G-1: POTENTIAL ARRIVAL ROUTES TO MEMORIAL, FLIGHT 93 NATIONAL MEMORIAL



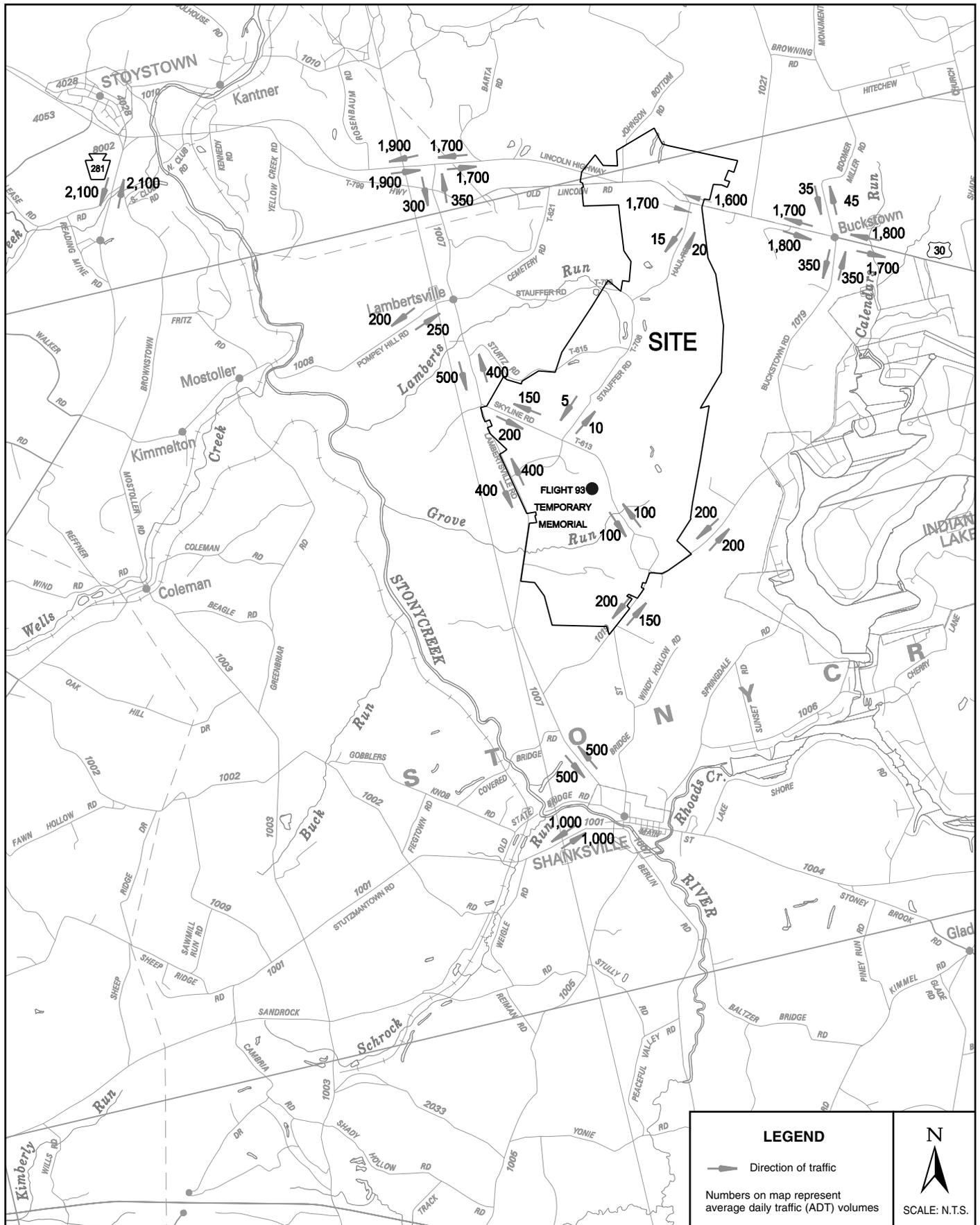
Source: Trans Associates, 2005

APPENDIX MAP G-2: WEEKDAY AVERAGE DAILY TRAFFIC VOLUMES, FLIGHT 93 NATIONAL MEMORIAL



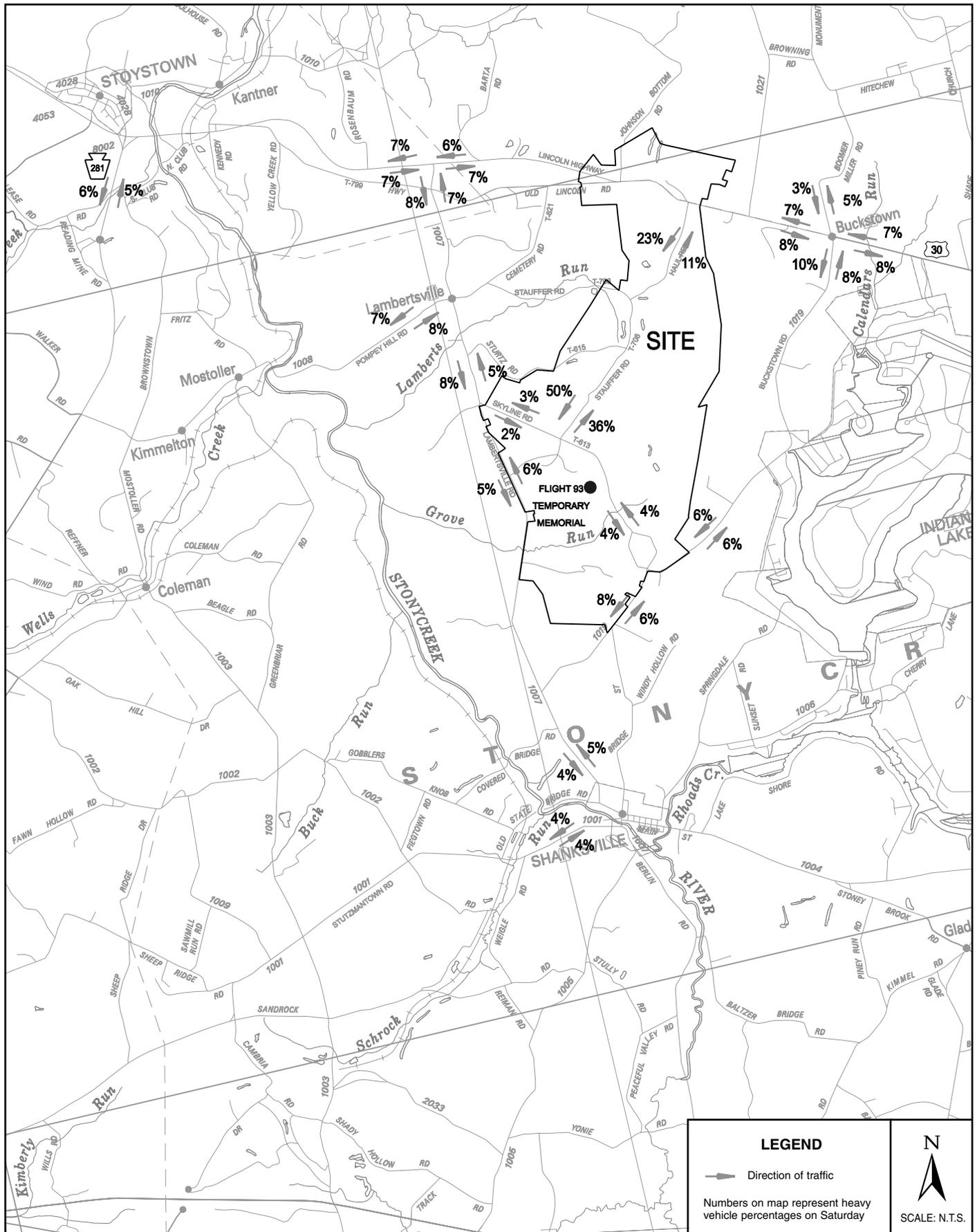
Source: Trans Associates, 2005

APPENDIX MAP G-3: SATURDAY AVERAGE DAILY TRAFFIC VOLUMES, FLIGHT 93 NATIONAL MEMORIAL



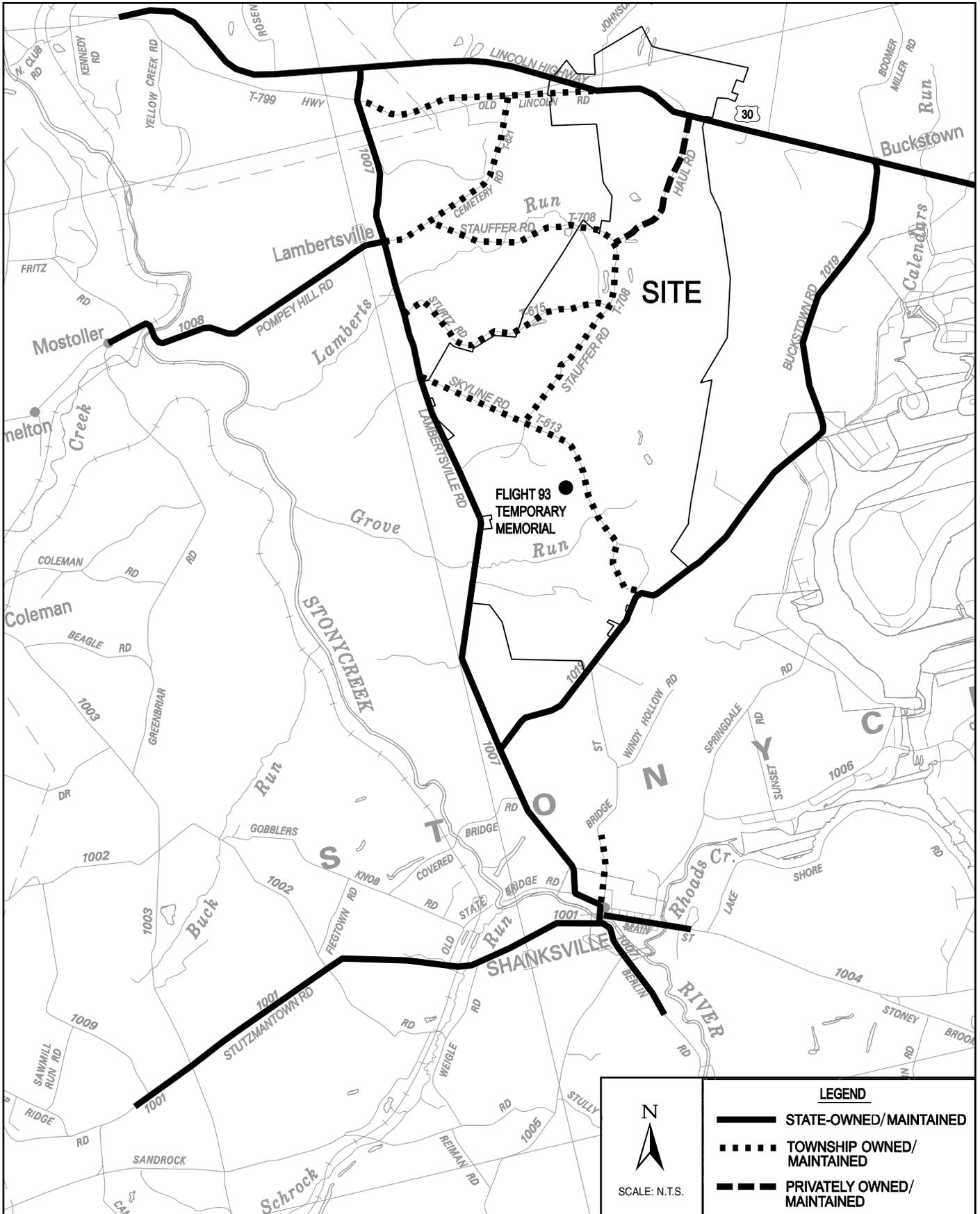
Source: Trans Associates, 2005

APPENDIX MAP G-5: SATURDAY HEAVY VEHICLE PERCENTAGES, FLIGHT 93 NATIONAL MEMORIAL



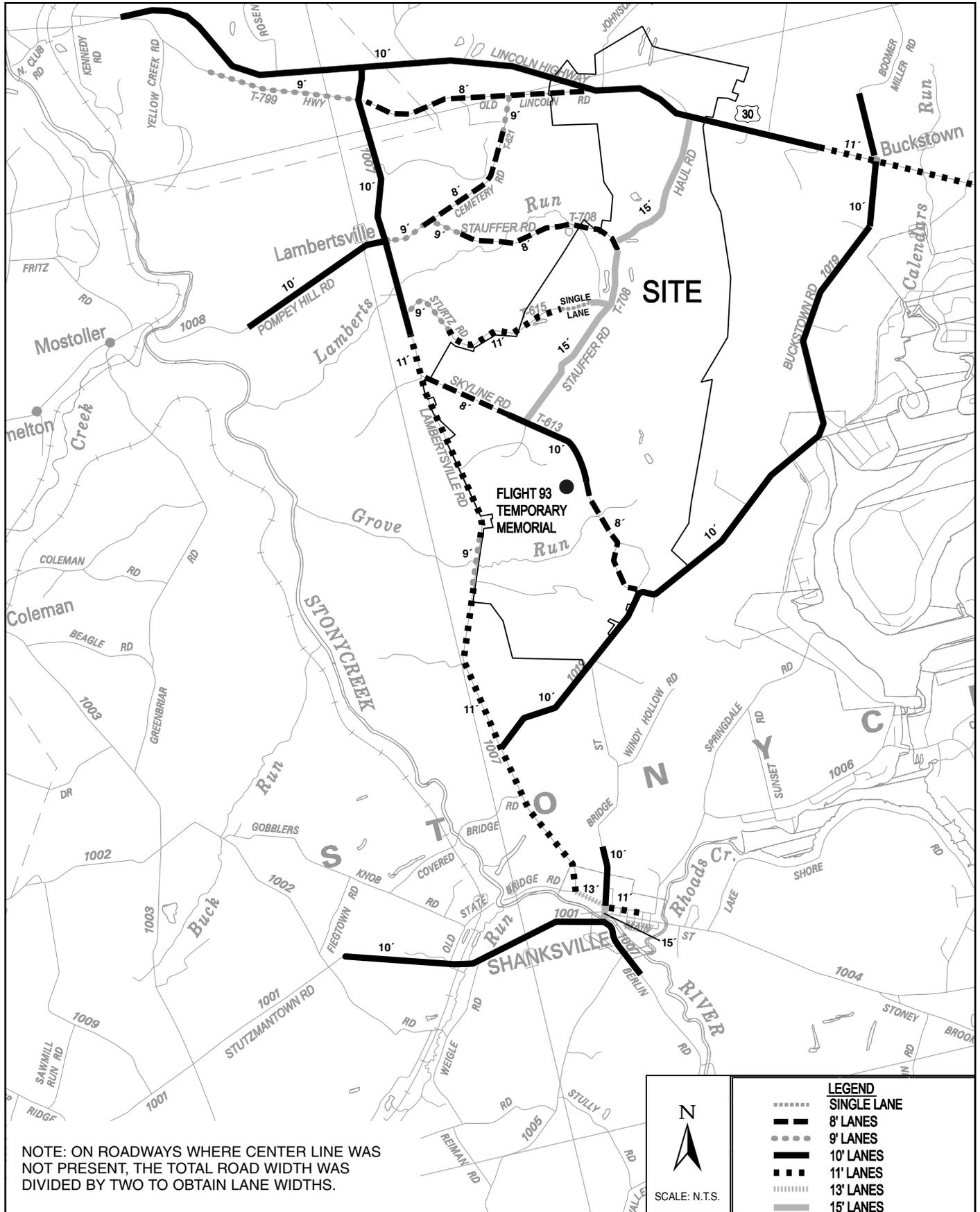
Source: Trans Associates, 2005

APPENDIX MAP G-6: EXISTING ROADWAY OWNERSHIP/MAINTENANCE IN VICINITY OF FLIGHT 93 NATIONAL MEMORIAL



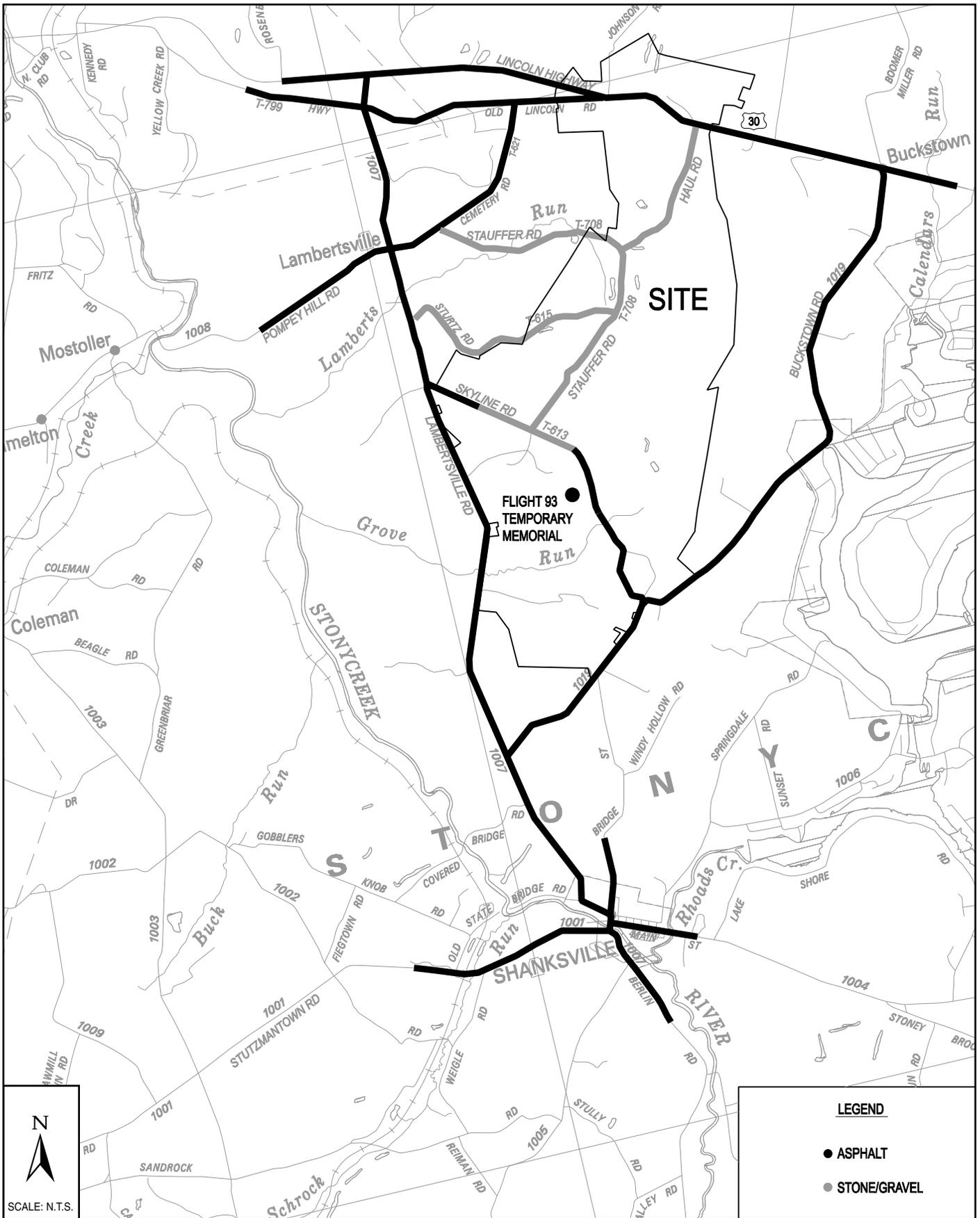
Source: Trans Associates, 2005

APPENDIX MAP G-7: EXISTING ROADWAY LANE WIDTH, FLIGHT 93 NATIONAL MEMORIAL



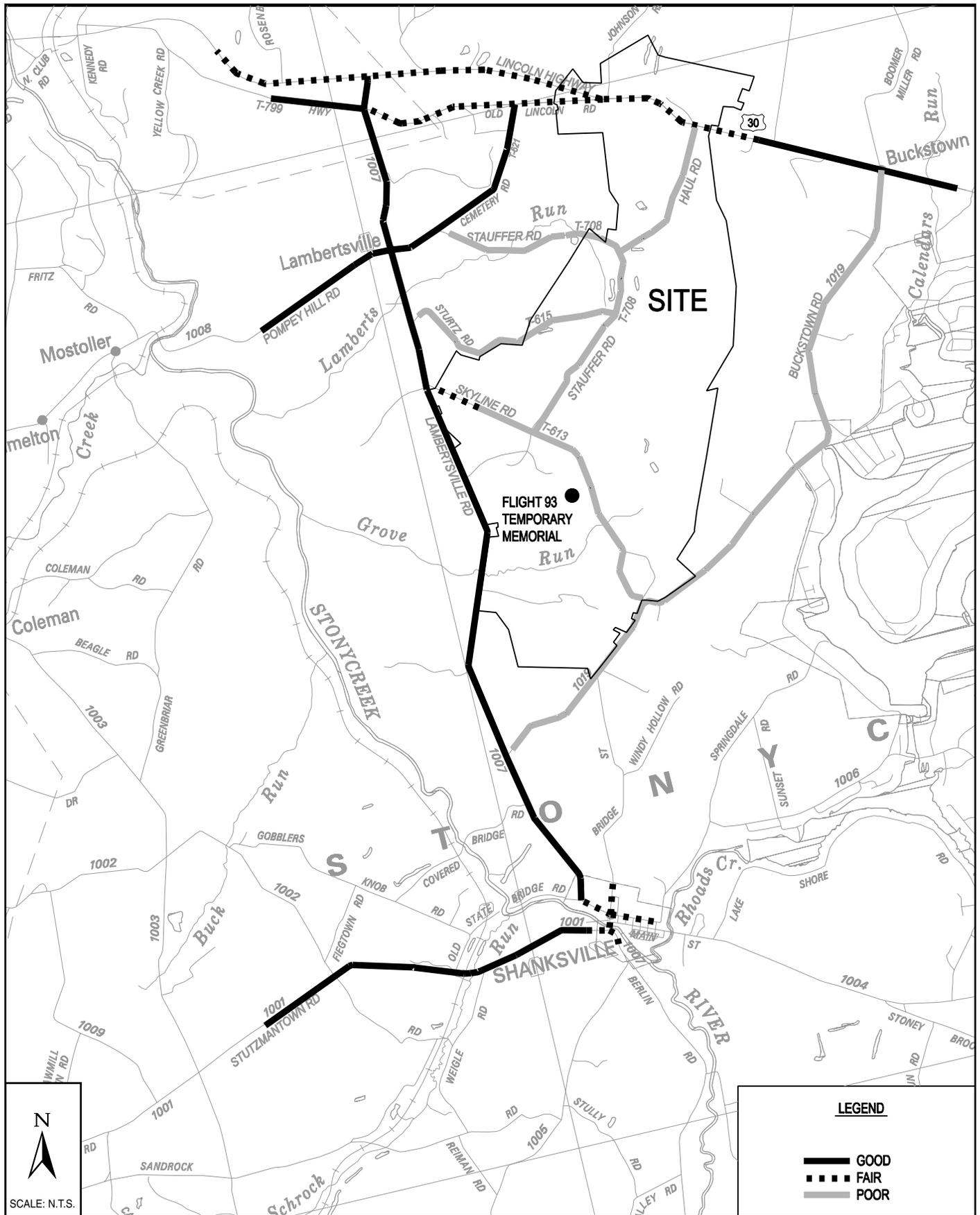
Source: Trans Associates, 2005

APPENDIX MAP G-8: EXISTING ROADWAY SURFACE COMPOSITE, FLIGHT 93 NATIONAL MEMORIAL



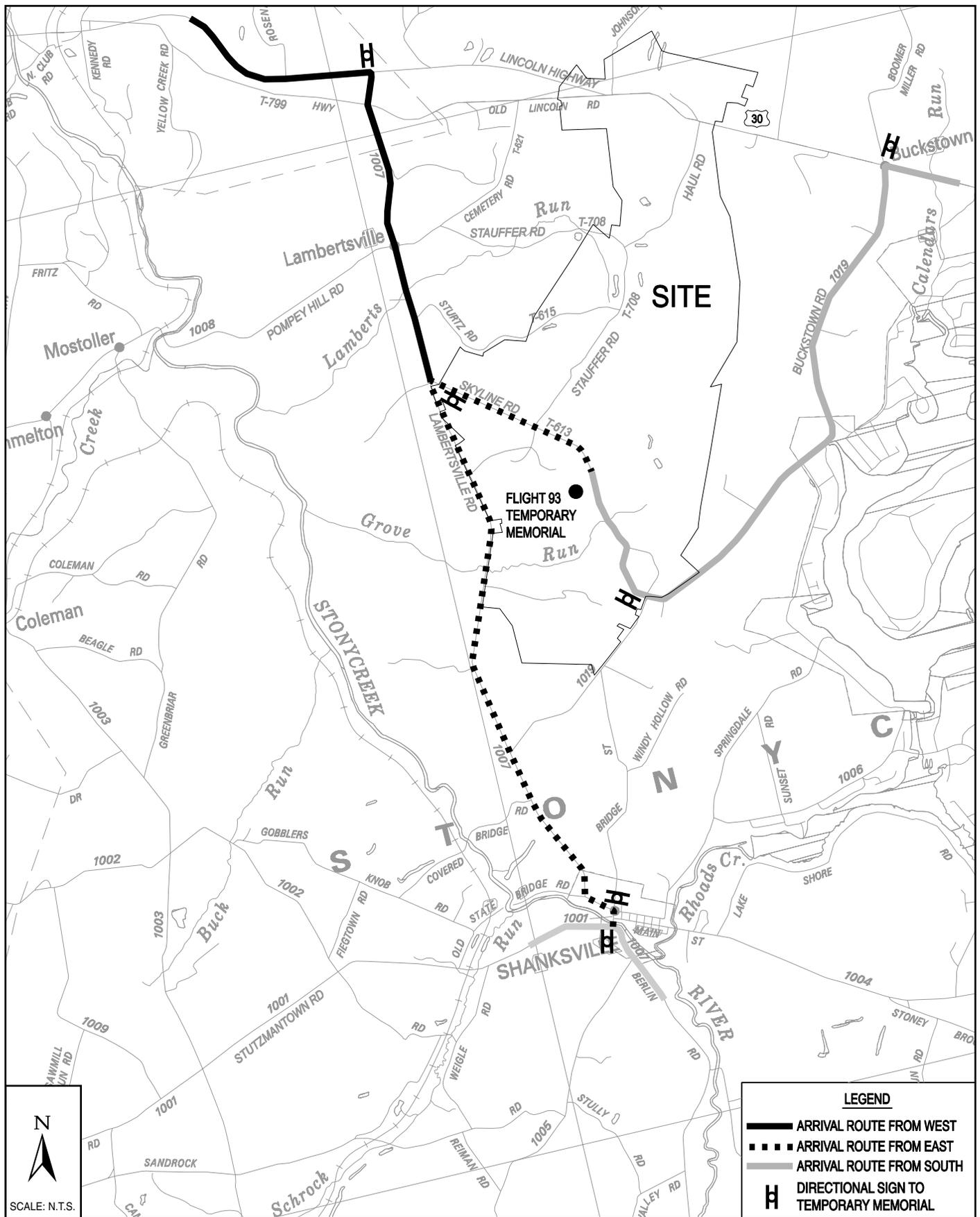
Source: Trans Associates, 2005

APPENDIX MAP G-9: EXISTING OVERALL ROADWAY CONDITIONS, FLIGHT 93 NATIONAL MEMORIAL



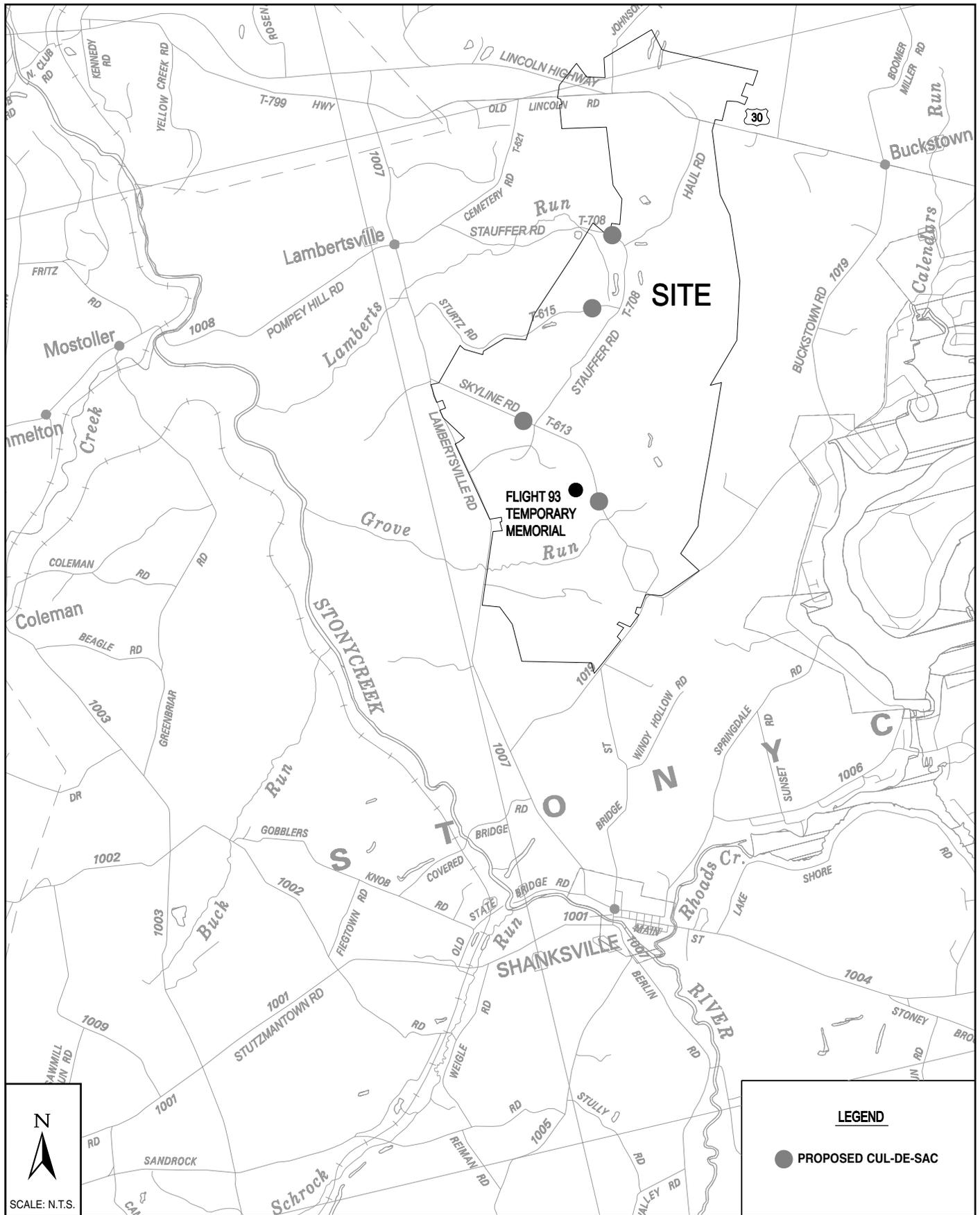
Source: Trans Associates, 2005

APPENDIX MAP G-10: EXISTING SIGNED ROUTES TO THE FLIGHT 93 TEMPORARY MEMORIAL



Source: Trans Associates, 2005

APPENDIX MAP G-11: PROPOSED ROAD CLOSURES AND CUL-DE-SACS, FLIGHT 93 NATIONAL MEMORIAL



Source: Trans Associates, 2005

APPENDIX H
Flight 93 National Memorial
Economic Impact Tables

Economic Impact Tables

Appendix Table H-1: Estimated Annual Impact of Flight 93 National Memorial Operations on the Nine-County Region After Construction is Completed (2011)

Industry	Direct Sales	Secondary Sales	Total Sales	Value Added	Wages	Employment
Ag, Forestry, Fish & Hunting	\$1,071	\$2,844	\$3,915	\$1,423	\$533	0
Mining	\$153	\$7,041	\$7,195	\$4,028	\$929	0
Utilities	\$61,346	\$7,276	\$68,621	\$43,872	\$14,568	0
Construction	\$0	\$5,769	\$5,769	\$2,666	\$1,907	0
Manufacturing	\$16,154	\$18,270	\$34,423	\$11,307	\$7,051	0
Wholesale Trade	\$16,517	\$10,859	\$27,375	\$19,819	\$10,075	0
Transportation & Warehousing	\$10,937	\$16,284	\$27,221	\$15,043	\$11,390	0
Retail trade	\$91,123	\$21,828	\$112,951	\$82,428	\$37,010	2
Information	\$16,679	\$12,544	\$29,223	\$16,392	\$6,692	0
Finance & insurance	\$25,147	\$18,362	\$43,510	\$24,121	\$10,990	0
Real estate & rental	\$10,445	\$12,518	\$22,963	\$15,247	\$2,388	0
Professional- scientific & tech svcs.	\$2,946	\$9,281	\$12,227	\$8,553	\$5,220	0
Management of companies	\$0	\$6,867	\$6,867	\$4,750	\$3,244	0
Administrative & waste services	\$1,837	\$10,278	\$12,115	\$6,540	\$4,671	0
Educational svcs.	\$3,618	\$1,656	\$5,274	\$2,739	\$2,443	0
Health & social services	\$72,544	\$23,185	\$95,729	\$56,710	\$44,361	1
Arts- entertainment & recreation	\$5,266	\$2,136	\$7,402	\$3,612	\$2,132	0
Accommodation & food services	\$29,159	\$10,884	\$40,043	\$16,535	\$12,748	1
Other services	\$19,983	\$10,742	\$30,725	\$15,062	\$11,058	1
Government & non NAICs	\$62,756	\$21,918	\$84,674	\$66,401	\$1,961	0
Institutions	\$293,319	\$0	\$293,319	\$0	\$0	0
NPS Employment				\$800,000	\$800,000	14
TOTAL	\$741,000	\$230,540	\$971,540	\$1,217,251	\$991,371	22

Source: Source: Bruce E. Lord, Ph.D., Final Economic Impacts, Flight 93 National Memorial, May 27, 2005.

Appendix Table H-2: Estimated Annual Impact of Visitors to the Flight 93 National Memorial on the Nine-County Region after Construction and Visitation has Stabilized (2013)

Industry	Direct Sales	Secondary Sales	Total Sales	Value Added	Wages	Employment
Ag, Forestry, Fish & Hunting	\$0	\$44,625	\$44,625	\$13,407	\$4,888	1
Mining	\$129,680	\$66,521	\$196,201	\$112,796	\$22,527	1
Utilities	\$0	\$184,474	\$184,474	\$119,159	\$35,191	0
Construction	\$0	\$82,841	\$82,841	\$39,205	\$28,754	1
Manufacturing	\$194,349	\$345,800	\$540,148	\$161,963	\$114,885	3
Wholesale Trade	\$327,590	\$251,975	\$579,566	\$419,603	\$213,293	5
Transportation & Warehousing	\$277,076	\$243,743	\$520,818	\$259,450	\$180,329	8
Retail trade	\$1,208,786	\$440,009	\$1,648,795	\$1,225,517	\$623,488	38
Information	\$0	\$236,985	\$236,985	\$110,742	\$54,977	2
Finance & insurance	\$0	\$271,006	\$271,006	\$154,015	\$70,629	2
Real estate & rental	\$0	\$211,217	\$211,217	\$141,631	\$21,095	2
Professional- scientific & tech svcs.	\$5	\$149,360	\$149,364	\$105,151	\$64,540	3
Management of companies	\$0	\$122,252	\$122,252	\$84,564	\$57,748	1
Administrative & waste services	\$11	\$164,450	\$164,461	\$81,716	\$58,490	3
Educational svcs.	\$0	\$31,908	\$31,908	\$16,591	\$14,955	1
Health & social services	\$0	\$467,801	\$467,801	\$273,278	\$216,546	7
Arts- entertainment & recreation	\$0	\$45,321	\$45,321	\$21,994	\$13,138	1
Accommodation & food services	\$6,481,000	\$212,558	\$6,693,558	\$4,560,373	\$2,296,485	150
Other services	\$0	\$205,846	\$205,846	\$100,984	\$72,946	4
Government & non-NAICs	\$2,202	\$471,415	\$473,617	\$363,168	\$22,054	1
Institutions	\$743,302	\$0	\$743,302	\$0	\$0	0
TOTAL	\$9,364,000	\$4,250,108	\$13,614,108	\$8,365,307	\$4,186,961	234

Source: Source: Bruce E. Lord, Ph.D., Final Economic Impacts, Flight 93 National Memorial, May 27, 2005.

Appendix Table H-3: Estimated Economic Impact of the Flight 93 National Memorial on the Nine-County Region, 2005-2020

Year	2005-2012	2013	2014	2015	2016	2017	2018	2019	2020	Total
Number of Visitors	1,990,000	230,000	230,000	230,000	230,000	230,000	230,000	230,000	230,000	3,830,000
Visitation Impacts										
Sales	\$ 111,360	\$ 12,871	\$ 12,871	\$ 12,871	\$ 12,871	\$ 12,871	\$ 12,871	\$ 12,871	\$ 12,871	\$ 214,327
Employment	2,027	234	234	234	234	234	234	234	234	3,900
Value Added	\$ 72,378	\$ 8,365	\$ 8,365	\$ 8,365	\$ 8,365	\$ 8,365	\$ 8,365	\$ 8,365	\$ 8,365	\$ 139,301
Construction Impacts										
Sales	\$ 90,268	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 90,268
Employment	1,134	0	0	0	0	0	0	0	0	1,134
Value Added	\$ 46,230	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 46,230
Operations Impacts										
Sales	\$ 2,442	\$ 698	\$ 698	\$ 698	\$ 698	\$ 698	\$ 698	\$ 698	\$ 698	\$ 8,022
Employment	77	22	22	22	22	22	22	22	22	253
Value Added	\$ 4,260	\$ 1,217	\$ 1,217	\$ 1,217	\$ 1,217	\$ 1,217	\$ 1,217	\$ 1,217	\$ 1,217	\$ 13,998
Total Impacts										
Sales	\$204,070	\$13,568	\$13,568	\$13,568	\$13,568	\$13,568	\$13,568	\$13,568	\$13,568	\$312,617
Employment	3,238	256	256	256	256	256	256	256	256	5,287
Value Added	\$122,868	\$ 9,583	\$ 9,583	\$ 9,583	\$ 9,583	\$ 9,583	\$ 9,583	\$ 9,583	\$ 9,583	\$199,529

Source: Source: Bruce E. Lord, Ph.D., Final Economic Impacts, Flight 93 National Memorial, May 27, 2005.

Appendix Table H-4: Distribution of Regional Employment by Wage Rates for the Nine-County Flight 93 Region (2002)

Industry	Average Wages	Wages*	Employment
Ag, Forestry, Fish & Hunting	\$4,761.15	\$51,895	10,900
Arts- entertainment & recreation	\$11,713.12	\$83,626	7,139
Accommodation & food services	\$11,729.72	\$480,590	40,972
Real estate & rental	\$12,101.43	\$110,348	9,119
Administrative & waste services	\$18,302.35	\$331,011	18,086
Other services	\$18,759.02	\$595,840	31,763
Retail trade	\$19,662.42	\$1,376,678	70,016
Low Wage Industries (0-20K)		\$3,029,988	187,994
Educational svcs.	\$20,268.29	\$110,108	5,433
Construction	\$26,985.05	\$868,895	32,199
Health & social services	\$29,827.62	\$1,911,188	64,074
Professional- scientific & tech svcs.	\$30,721.53	\$557,584	18,150
Information	\$34,513.97	\$263,689	7,640
Finance & insurance	\$36,259.81	\$481,651	13,283
Mining	\$37,407.03	\$193,955	5,185
Medium Wage Industries (20-40K)		\$4,387,070	145,964
Wholesale Trade	\$40,211.67	\$636,608	15,831
Transportation & Warehousing	\$40,393.82	\$958,842	23,737
Government & non NAICs	\$43,236.24	\$2,451,938	56,710
Manufacturing	\$45,562.46	\$2,724,961	59,807
Management of companies	\$67,974.95	\$274,341	4,036
Utilities	\$76,884.83	\$165,769	2,156
High Wage Industries (40K+)		\$7,212,459	162,278
TOTAL	\$29,480.95	\$14,629,517	496,236

Appendix Table H-5: Distribution of average annual job impacts by income level for Construction, 2006-2011			
Industry	Average Wages	Wages*	Employment
Ag, Forestry, Fish & Hunting	\$6,324.40	\$4,710	1
Accommodation & food services	\$11,673.68	\$84,921	7
Arts- entertainment & recreation	\$11,841.98	\$16,122	1
Real estate & rental	\$13,680.31	\$26,231	2
Administrative & waste services	\$17,686.99	\$77,970	4
Other services	\$18,627.64	\$104,162	6
Retail trade	\$19,313.17	\$367,929	19
Educational svcs.	\$19,808.59	\$20,137	1
Low Wage Industries (0-20K)		\$702,184	41
Construction	\$26,974.71	\$2,995,074	111
Mining	\$28,044.07	\$5,156	0
Health & social services	\$30,232.00	\$294,357	10
Professional- scientific & tech svcs.	\$33,508.49	\$344,353	10
Information	\$35,455.13	\$49,482	1
Transportation & Warehousing	\$35,490.28	\$125,902	4
Finance & insurance	\$36,681.65	\$101,077	3
Government & non NAICs	\$38,828.22	\$17,739	0
Manufacturing	\$38,884.98	\$159,795	4
Medium Wage Industries (20-40K)		\$4,092,935	143
Wholesale Trade	\$40,211.67	\$128,874	3
Management of companies	\$67,974.95	\$39,591	1
Utilities	\$76,897.72	\$28,511	0
High Wage Industries (40K+)		\$196,976	4
TOTAL	\$26,410.63	\$4,992,094	189

Source: Source: Bruce E. Lord, Ph.D., Final Economic Impacts, Flight 93 National Memorial, May 27, 2005.

Appendix Table H-6: Distribution of annual job impacts by income level, for Memorial operations and visitation after 2012

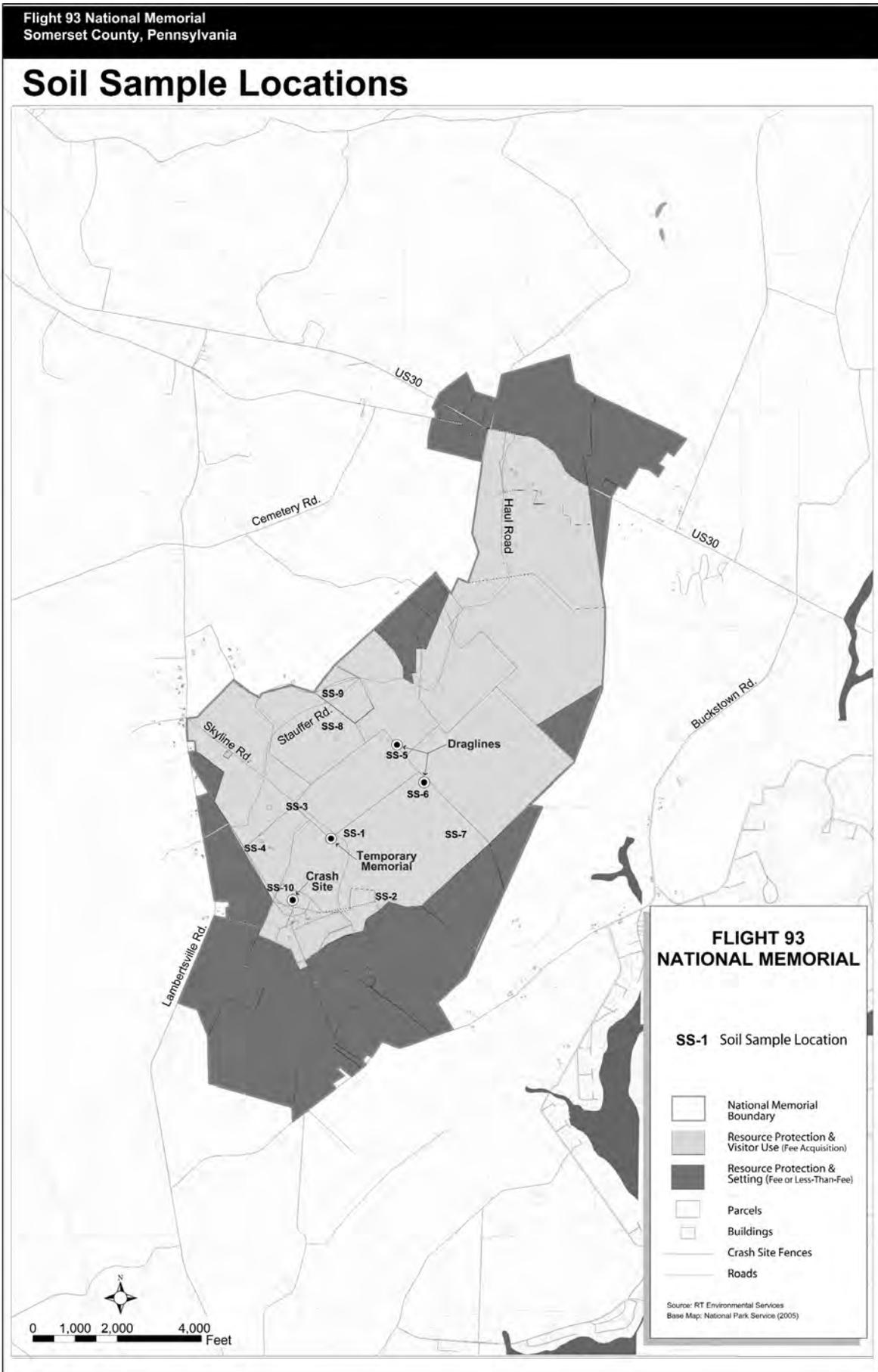
Industry	Average Wages	Wages	Employment
Ag, Forestry, Fish & Hunting	\$4,779	\$5,421	1
Arts- entertainment & recreation	\$10,356	\$15,270	1
Real estate & rental	\$11,141	\$23,484	2
Accommodation & food services	\$15,272	\$2,309,233	151
Retail trade	\$16,506	\$660,499	40
Administrative & waste services	\$17,659	\$63,161	4
Other services	\$18,180	\$84,004	5
Educational svcs.	\$19,811	\$17,398	1
Low Wage Industries (0-20K)		\$3,178,469	205
Mining	\$20,322	\$23,456	1
Transportation & Warehousing	\$22,007	\$191,720	9
Professional- scientific & tech svcs.	\$25,705	\$69,760	3
Construction	\$26,883	\$30,661	1
Health & social services	\$30,441	\$260,908	9
Information	\$32,095	\$61,670	2
Finance & insurance	\$36,739	\$81,619	2
Government & non NAICs	\$38,411	\$24,015	1
Medium Wage Industries (20-40K)		\$743,808	27
Wholesale Trade	\$40,212	\$223,368	6
Manufacturing	\$40,500	\$121,937	3
Management of companies	\$67,975	\$60,991	1
Utilities	\$70,605	\$49,759	1
High Wage Industries (40K+)		\$456,055	10
Total	\$18,074.36	\$4,378,332	242

Source: Source: Bruce E. Lord, Ph.D., Final Economic Impacts, Flight 93 National Memorial, May 27, 2005.

APPENDIX I

**Flight 93 National Memorial
Hazardous Materials Investigation
Soil Sample Locations**

APPENDIX MAP I-1: SOIL SAMPLE LOCATIONS, FLIGHT 93 NATIONAL MEMORIAL



APPENDIX J

**Flight 93 National Memorial
Public Hearing, Comments
and Responses**

Public Hearing, Comments and Responses

INTRODUCTION

During the development of the General Management Plan/ Environmental Impact Statement (GMP/EIS), the Partners—the Flight 93 Advisory Commission, the Families of Flight 93, the Flight 93 Memorial Task Force, and the National Park Service — were committed to an open and transparent process with an inclusive and broad-reaching public participation program. Ideas, suggestions and concerns were solicited from interested parties across the nation using a wide range of venues. Additional time was spent understanding the concerns of local residents who would be directly impacted by the creation of a new national memorial.

Formal planning for the memorial was initiated on December 10, 2003, with the publication of a Notice of Intent in the *Federal Register*, followed by a series of agency and public scoping meetings that were conducted during 2003-2005. The planning and public involvement process is described in Chapter I. This process culminated in the publication of the Draft GMP/EIS in June 2006, a 60-day public review period, and a public hearing that was conducted on July 20, 2006, at the Shanksville-Stonycreek School in Shanksville, Pennsylvania. The purpose of the public comment period and public hearing was to provide agencies and the public with an opportunity to submit comments on the technical accuracy and adequacy of the Draft GMP/EIS.

Appendix J summarizes the comments received on the Draft GMP/EIS at the public hearing and during the 60-day public review period. Responses to substantive questions and issues are included. Although many comments were received expressing support for or opposition to the design that was selected during the design competition, it is important to note that these comments are not germane to the adequacy of the EIS and do not address the technical aspects of the document. These comments are included in the compendium of comments.

PUBLIC COMMENT PERIOD

After publication of the Draft GMP/EIS and before preparation of the Final GMP/EIS, the NPS solicited comments from the public; from non-profit organizations, and from Federal, State and local agencies having jurisdiction or an interest in the project.

On June 16, 2006, a “Notice of Availability” announcing the public comment period for the draft Flight 93 National Memorial GMP/EIS was published in the *Federal Register* (71 FR 34964). This public review period extended from June 16 to August 15, 2006. In addition to the *Federal Register* announcement, media announcements were released, and a newsletter was widely distributed that announced availability of the document and explained the public review process. Broad electronic messaging through email and through the Flight 93 National Memorial project website was conducted to alert the public and agencies

about the availability of the document and the 60-day public comment period. The document was posted on the project website and was accessible to anyone wishing to view it online and download it. Copies of the document were also available upon request.

PUBLIC HEARING

A public hearing in the format of an open house workshop was conducted on July 20, 2006, at the Shanksville-Stonycreek School in Shanksville, Pennsylvania. Approximately 70 to 80 people attended. The public was offered the following opportunities through which they could submit comments:

- Comment forms were available at the public hearing on which people could submit written comments and either deposit them into a comment box or mail them to the National Park Service;
- A “graffiti wall” was established on which large sheets of paper were taped onto a wall enabling people to write their comments about the project and view the comments of others;
- A video camera was set up in a private setting where persons wishing to give oral testimony could verbally express comments about the project;
- Staff persons and consultants were available for the public to talk with one-on-one; and
- The public could submit comments by mail, email or online at www.flight93memorialproject.org.

The following tabulation compares the relative number of comments received through each comment venue.

Comment Venue	Number of Comments
Comment Forms	11
Graffiti Wall	7
Video-taped Comments	16
Written Correspondence	9
Website Comments	1,367
Email Comments ^a	42

^aEmail comments were directed to people who were associated with the project and were not received through the specified comment process noted in the *Federal Register* or the publications announcing the availability of the Draft GMP/EIS. These email comments were considered.

The following section summarizes the comments that were germane to the technical data presented in the Draft EIS. Immediately following **Appendix Table J-1**, other non-technical comments are summarized. These comments had no relation to the technical accuracy or merits of the GMP or the EIS analysis. These comments appear in their entirety in a separate compendium of comments that may be obtained upon request from the National Park Service.

SUMMARY OF NEPA-RELATED COMMENTS

The Council on Environmental Quality instructs that comments on an EIS be specific, substantive and address either the technical adequacy of the DEIS and/or the merits of the alternatives (§1503.3). Federal agencies with jurisdiction by law or special expertise with respect to resources or regulations, and agencies that are authorized to develop and enforce environmental standards, are directed to comment on the EIS within their jurisdiction, expertise or authority. Written comments were received from the following Federal and State agencies:

- U.S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- Pennsylvania Historical and Museum Commission, Bureau for Historic Preservation (the State Historic Preservation Officer)
- Pennsylvania Department of Transportation

- Pennsylvania Department of Conservation and Natural Resources, Bureau of Forestry
- Pennsylvania Boat and Fish Commission

None of these agencies expressed concerns or identified significant impacts that potentially could result from the proposed action. Subsequent to its review, EPA assigned the project a rating of “LO,” which means Lack of Objections and the agency has not identified any potential environmental impacts requiring substantive changes to the preferred alternative.

Three environmental organizations, Stonycreek Conemaugh River Improvement Project (SCRIP), Somerset Conservation District and Western Pennsylvania Watershed Program provided specific comments on the document. **Appendix Table J-1** summarizes the NEPA-related comments received and provides agency responses to these comments. These letters are provided at the end of this appendix.

Appendix Table J-1: Summary of Comments and Responses, Flight 93 National Memorial

Commenter	Summary of Comment	Response
AGENCY COMMENTS		
U.S. Environmental Protection Agency (EPA)	EPA assigned the DEIS a rating of “LO” (Lack of Objections), which indicates there are no objections to the proposal. EPA fully supports the NPS in its work on the creation of the memorial.	Comment noted.
U.S. Fish & Wildlife Service (FWS)	This report complies with the Fish and Wildlife Coordination Act (48 Stat. 401, as amended). No significant adverse effects on fish and wildlife are expected to result from the proposed action and FWS has no objection to the project.	The Flight 93 National Memorial project was reviewed and cleared by FWS pursuant to section 7 of the Endangered Species Act of 1973 (87 Stat. 884, as amended, 16 U.S.C. 1531 <i>et seq.</i>) in August 2005 (see FWS correspondence in Appendix B).
PA Historical and Museum Commission, Bureau of Historic Preservation (State Historic Preservation Officer)	The project will have no effect on historic buildings, structures, objects, or districts (Section 106 of the National Historic Preservation Act of 1966, as amended). However, the Section 106 process has not been completed in regards to archeological investigations. The SHPO looks forward to continued consultation on effects to archeological resources.	An archeological assessment is proposed for undisturbed areas of the site in 2007. The National Park Service will consult with the SHPO on the results of this assessment.
PA Dept. of Transportation (PennDOT)	PennDOT offered no comments at this time. However, should Federal or State transportation funds be allocated to improve U.S. Route 30 in the future, separate environmental documentation will be required.	Comment noted. The National Park Service continues to meet with PennDOT representatives and recognizes that separate environmental compliance and documentation will be required when improvements are made to US 30.
PA Dept. of Conservation and Natural Resources (DCNR)	DCNR reviewed the project for species of concern and provided a PNDI review. No project impacts are anticipated as a result of the development of Flight 93 NM.	Comment noted.
NON-PROFIT ORGANIZATIONS		
Western Pennsylvania Watershed Program	Improve symbols and legend on Fig. III-3; Existing Infrastructure Map.	Legend has been corrected and improved.
	Will increased traffic impact Somerset County's current EPA 8-hour compliance?	Projected traffic to the memorial is not expected to affect the county's overall 8-hour ozone compliance mainly because traffic will be dispersed over time. Peak periods are expected to occur, particularly during the first few years after the memorial is constructed and during milestone commemoration ceremonies, such as the 10th anniversary.

Appendix Table J-1: Summary of Comments and Responses, Flight 93 National Memorial (continued)

Commenter	Summary of Comment	Response
NON-PROFIT ORGANIZATIONS (cont.)		
Western Pennsylvania Watershed Program (cont.)	Southern Alleghenies Resource Conservation and Development Areas should be corrected to read Southern Alleghenies Resource Conservation and Development "Council."	Comment noted and correction made.
	There is an inconsistency in describing the size of the crater on p. III-24.	The <i>Final Closure Report for Flight 93</i> , dated Sept. 3, 2002, states that the crater was approximately 85 feet by 85 feet with a maximum depth of 27 feet. The reference to a 30-foot depth was a rounded estimate.
	Transformers should have serial numbers to determine production date and PCB content.	Prior to land acquisition by NPS, transformers will be removed and PCB contamination will be remediated.
	Consideration should be given to partnering with the Somerset Conservation District and involving their Hybrid Poplar Initiative.	Information regarding the Hybrid Poplar Initiative is appreciated and consideration will be given to discussing this project with the Somerset Conservation District during development of the memorial.
	Funding is available for the Heinemeyer Mine discharge through the Abandoned Mine Lands Fund.	The National Park Service acknowledges that funding is available from the Abandoned Mine Lands Fund. According to sec. 403 (30 U.S.C. 1233), expenditures for publicly owned parkland are rated a fifth priority after protection of public health and safety from the effects of coal mining.
	No reference is made regarding the impact that a deep well would have on base flow to Lamberts Run or to Grove Run.	Based on information provided by DEP, PBS Coals is currently pumping about 1,500 to 1,800 gallons of water per minute at the site without causing draw down or impacts to surface streams. Projections for water demand at the memorial show that the park would require a maximum of approximately 15,000 gallons per day, which is significantly less than the amount of water currently being pumped. Should a deep well be drilled on site, it would be constructed using several hundred feet of well casing sealed with concrete grout. The well would be drilled several hundred feet below the surface mining and the area where deep mining occurred. Consultation with DEP's regional geologist concluded that there would be no impacts to surface waters under this proposal.
	Western Pennsylvania Watershed Program should be listed as a partner as WPWP funds were used for Lamberts Run evaluations.	The National Park Service looks forward to future cooperation with WPWP, but the term "Partners" as used in the document, refers to the four groups central to the planning process and identified in the <i>Flight 93 National Memorial Act</i> . WPWP funds were not used in the preparation of this GMP/EIS.
	The EIS should demonstrate additional involvement and more direct interaction in finding a solution to the AMD pollution in concert with the creation of the national memorial.	The proposed Federal action associated with this EIS directly relates to the management and development of the Flight 93 National Memorial. Although AMD is a serious issue within the region, treatment of the AMD is not a central issue in this EIS.

Appendix Table J-1: Summary of Comments and Responses, Flight 93 National Memorial (continued)

Commenter	Summary of Comment	Response
NON-PROFIT ORGANIZATIONS (cont.)		
Somerset Conservation District	<p>There should be strong recommendations in the EIS that National Park Service will assist in the planning and funding for AMD abatement. No liability should be accepted, but the responsibility could be shared with many other partners and should be formally pursued.</p>	<p>The responsibility for the AMD treatment and abatement lies with the polluter (the coal company). By law, the National Park Service cannot commit to remediating the AMD onsite because it is not the responsible party. However, the National Park Service will continue to explore partnership opportunities and be an advocate for improving water quality at the site.</p>
	<p>The EIS should accurately portray the current status of the Lamberts Run watershed. The EIS attempts to describe the Stonycreek watershed's improving water quality and the efforts that have accomplished that task. The creation of the Stonycreek-Conemaugh River Improvement Project (SCRIP) through the efforts of the Somerset and Cambria County Conservation Districts, PA DEP, NRCS, and Congressman John Murtha are largely responsible for the past and present AMD abatement efforts in the watershed. These nationally recognized water quality improvements were accomplished because of shared responsibility and commitment from all entities associated with the land and water in the watershed.</p>	<p>During the planning process, coordination was conducted with NRCS and the Somerset Conservancy and valuable information was provided by these groups in the preparation of the EIS. Information was also obtained by conducting an online search for data from SCRIP's website. Appropriate credit and reference of this material has been cited. Comments and credits for the ongoing efforts to abate AMD in the Stonycreek River watershed are acknowledged.</p> <p>NPS recognizes the accomplishments of SCRIP, PA DEP, NRCS, the Somerset Conservancy, and the county conservation districts, as well as support from State and local elected officials who have worked to remediate the region's AMD.</p>
	<p>The Somerset Conservation District was a partner with SCRIP, PA DEP, Southern Alleghenies Conservancy, and Trout Unlimited in preparing the "AMD in the Upper Lambert's Run Watershed and Potential Solutions," which was published in January 2006 should be noted in the EIS.</p>	<p>The "AMD in the Upper Lambert's Run Watershed and Potential Solutions" report was published in January 2006 after technical studies had been completed and the Draft GMP/EIS was nearing completion. NPS was unaware of the preparation of this document until the Conservation District submitted this report with their comments on the Draft GMP/EIS. Consequently, this report was not available and is not listed in the References for the Draft GMP/EIS.</p>
	<p>The construction of the Flight 93 NM provides a unique opportunity to establish environmental and economic assets in the region.</p>	<p>Comment noted.</p>
Stonycreek Conemaugh River Improvement Project	<p>SCRIP understands that NPS will not and should not assume liability for the AMD nor should NPS shoulder the entire burden for its remediation since the impacts extend far beyond the boundaries of the park. However, the EIS stops short of sharing the responsibility for the AMD impacts and its abatement.</p>	<p>The National Park Service cannot and will not assume liability for damages that have occurred for any mining discharge. However, the National Park Service will participate to the extent possible and continue to be an advocate for the clean up of AMD.</p>
	<p>The EIS should be more direct in making a commitment to assist in locating long-term funding. SCRIP views the AMD abatement as a concurrent development process during the creation and implementation of the National Memorial and not as an issue that stands independent or outside the scope of the project.</p>	<p>The National Park Service is limited legally and by departmental policy from making any commitments toward either participating in or funding the abatement of AMD at the site.</p>

Appendix Table J-1: Summary of Comments and Responses, Flight 93 National Memorial (continued)

Commenter	Summary of Comment	Response
<p>NON-PROFIT ORGANIZATIONS (cont.)</p>		
<p>Stonycreek Conemaugh River Improvement Project (cont.)</p>	<p>The information on Lamberts Run water quality as presented in the GMP/EIS stops short of painting the real picture of the stream as it currently exists. The EIS states that trout were stocked twice in Lamberts Run but only one such stocking occurred upstream of Lamberts Run Falls in 2000. These fish, as well as those below the falls, were lost as water quality levels degraded after the closing of the Longview mine. Heavy deposits of iron and low pH have impacted fish and other aquatic life. Although the water chemistry has now improved, the stream is still heavily laden with iron sediment, and the EIS describes the stream as impaired. The EIS states progress has been made but fails to delineate the regression of that progress. The EIS is selling itself and the citizens short if it does not project the current status and future threats to water quality emanating from the upper Lamberts Run watershed.</p>	<p>The information used in the Draft GMP/EIS was the best available information at the time the Draft GMP/EIS was written. Close coordination with DEP and NRCS was conducted during the preparation of the document. NRCS provided updated information on the water quality and the monitoring of the treatment system on the site. New information developed on Lamberts Run by Hedin Environmental became available after preparation of the Draft GMP/EIS was nearly completed. This information was not used in the Draft GMP/EIS because NPS did not know that it was being developed.</p> <p>Although the figures for iron, phosphorus, alkaline, manganese, sulfate, and acidity reported in the Hedin report are more recent, the context of the site remains the same. The Hedin report evaluates the potential treatment of the Heinemeyer mine discharge, the effects and potential treatment of artesian discharges in a natural wetland, located on the south side of the town road.</p>
	<p>The EIS states that the water quality in the Stonycreek River watershed has improved because of "improved management practices." The actual reason is the creation of SCRIP in 1990 through the efforts of the Somerset and Cambria County Conservation Districts, PA DEP and NRCS with assistance from Congressman Murtha's office. The efforts aimed at Lamberts Run are a continuation of the long-term successful collaborations that SCRIP implemented and the AMD abatement projects that have occurred in the watershed to date.</p>	<p>NPS recognizes the accomplishments of SCRIP and also acknowledges the important contributions that the elected officials and other groups and agencies have made in addressing the issue of AMD in the region and throughout the State.</p>
	<p>Information from the "AMD in the Upper Lamberts Run Watershed and Potential Solutions" should be included in the EIS.</p>	<p>This report was published and made available after the preparation of the Draft GMP/EIS.</p>
	<p>The following should be added to the Consultants and Contributors: Stonycreek-Conemaugh River Improvement Project; Southern Alleghenies Conservancy; Wells Creek Watershed Association, Thurman Korns, President; Wells Creek Watershed Association, Carl Jones, Watershed Specialist; Somerset Conservation District; Len Lichvar, Chairman, SCRIP. These entities are referenced in the text but are omitted from the contributors list.</p>	<p>The listing of consultants and contributors is comprised of those individuals, groups, and agencies that were primarily responsible for preparing the EIS, including components of the EIS. Agency personnel who wrote basic components of the EIS or contributed significant background material are also identified. NRCS and the Somerset County Conservancy prepared water quality graphs that were used in the EIS. Because they contributed directly to the water quality analysis, these groups were listed under project contributors. Much information was collected from many sources during the preparation of the GMP/EIS.</p> <p>Data used in the EIS and the respective sources are appropriately footnoted and are listed under References. Data and information provided during the public review period for the EIS are treated as comments.</p>

OTHER COMMENTS

In addition to NEPA-related comments, other comments were also received on the Draft GMP/EIS. None of these responses is considered a substantive comment based on the technical merits or adequacy of the Draft EIS or the accuracy of the material presented in the draft document. A separate compendium of all comments has been prepared.

General Public Support for or Opposition to the Project. Comments were received from the public that expressed support for the design and the memorial project, as well as the process used during design selection. Through the NEPA process and the EIS, the selected design was evaluated under Alternative 2 in terms of potential impacts to the resources on the site and the area environment. General support for or opposition to the design itself is a subjective opinion and was not considered substantive nor did it have relevancy to the technical adequacy and accuracy of the document.

Public Opinion Concerning Selected Memorial Design. The Partners agreed that an open, professionally managed international design competition would be the most inclusive, transparent, and democratic way to solicit a wide range of ideas for the new memorial. The Flight 93 National Memorial design competition, which began on September 11, 2004, was conducted in two stages, both of which were independently juried. The intent of Stage I was to solicit a broad range of concepts for the new memorial. In response, the Partners received more than 1,000 design concepts in January 2005. These design concepts were placed on public exhibit in Pennsylvania and on the project website for public review and comment. On February 4, 2005, the Stage I jury, composed of nine design professionals, national leaders and family members, evaluated all the entries and recommended five final design concepts that best represented the spirit of the memorial's Mission Statement, showed an understanding of the physical landscape, and addressed the public comments made during the exhibition. These five concepts advanced to Stage II of the competition where they were further developed and refined. These design concepts were exhibited in Somerset, Pennsylvania, and were posted on the project website from July 1 until September 25, 2005, for public review and comment.

An independent Stage II design jury, composed of 15 design and art professionals, family members and local and national leaders evaluated the five final designs and considered public comments submitted on the designs. Based on this input, the Stage II jury recommended the design presented by the team of Paul Murdoch Architects as the design that they judged best embodies the spirit of the Mission Statement. Each of the project Partners reviewed the public comments and the jury reports, and they concurred with the Stage II jury recommendation. The selected design was publicly announced on September 7, 2005. A more detailed description of the competition can be found in Chapter I.

After public announcement of the final design, the National Park Service received comments criticizing the design's principal landscape feature, a curved allée or pathway lined with red maple trees. To these individuals, the curved walkway resembled an Islamic crescent symbol. Others, however, understood that the designers' intent was to reflect the natural contours of the land that encircle the crash site and "embrace" the final resting place of the passengers and crew.

In the fall of 2005, the Partners met with the architect to discuss a variety of issues, including perceptions that the design contained Islamic symbolism. This meeting was the first opportunity the Partners had to speak directly with the architect about the design because communication with all of the design finalists had been prohibited during the competition. Over the next few months, the architect refined the design in response to public comments received during and after the competition, as well as to conversations with the Partners, the Stage II jury comments, and specific issues that surfaced during the General Management Plan/EIS analysis. The refinements to the design were disclosed and again presented to the public through the project website and a newsletter published in November 2005.

The design refinements were well-received by the public, and, in particular, visitors to the Temporary Memorial. However, a sector of the public continued to assert that the design contained Islamic symbolism, and launched an email and targeted blog campaign against the design. In response, the Partners met with religious scholars, design professionals, and other family members and toured the site with the principal critic of the design. At the conclusion of these activities and consultations, the Partners determined that the perceptions of religious symbolism in the design had been adequately addressed by the architect and that the details of the design do not affect the GMP/EIS. The Partners were satisfied that the design properly honors the passengers and crew and that the refinements showed the architects' sensitivity and responsiveness to public comments. Certain design details, including the specific locations of memorial features and the selection of finish materials, will evolve as more detailed site information, such as survey and geotechnical data, becomes available and as funding priorities are established.

The National Park Service, as the Federal agency responsible for NEPA compliance in association with the General Management Plan/Environmental Impact Statement for the Flight 93 National Memorial, conducted a total of 13 public meetings throughout the GMP process. These included agency and public scoping meetings, four public meetings, seven open Advisory Commission meetings and a public open house hearing on the Draft GMP/EIS. The Draft GMP/EIS was available for public review and comment for 60 days from June 16-August 15, 2006. Comments received during the public comment period on the Draft General Management Plan/EIS are included in the compendium.

Request for Attribution of the Selected Design. During the Draft GMP/EIS comment period, two Stage I design competition participants, along with approximately 13 supporters, submitted claims that the modifications made by Paul Murdoch Architects to the selected design comprised specific features similar to a design they submitted during Stage I of the competition. Consequently, these two design professionals have requested attribution of the selected design along with Paul Murdoch Architects. The Partners reviewed these comments and agreed that attribution for the design is not a NEPA issue, and should not be addressed in the GMP/EIS. The Partners unanimously agreed that attribution of the final design remains solely with Paul Murdoch Architects.

National Park Service
U.S. Department of the Interior

Flight 93 National Memorial
Somerset, Pennsylvania



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