

Comment 1

Received via email 3/22/2016:

The people at Indiantown gap have lied and tried to deceive the public in the past. I have been at public meetings with their stenographers present, they covered up my personal comments, with regards to stony creek valley munition clean up. Criminal charges should have been filed for falsification of records. This proposal looks like a back door way to try and steal land away from Stony Creek Valley. This FITG money is tax payer money and I do not want my money to go for this scheme. FITG is already flying over Dehart, they should not be in this at all. They claim they are for conservation but all they want is to swap land in Clarks Valley for land in Stony Creek Valley. Don't believe me, look at the first EIS with regards to butterflies. They were going to be sued for trying to file an SEIS under the already passed EIS. These people at the gap need to have their full names posted and quit hiding behind our soldiers. If we find any shenanigans going on here, We will sue you and this time criminal charges will be filed.

Provided receipt of comment 3/29/2016:

Your message to Capital Region Water regarding the DeHart Watershed Property Conservation Proposal was received and will be considered in future deliberations on this matter. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors. Please feel free to contact us in the meantime with additional questions or comments.

Comment 2

Received in-person at the 3/23/2016 Public Hearing:

What impact, if any, will this proposal have on the pipeline easement (i.e.. transmission main) running through a number of residential properties?

Provided response at 3/23/2016 Public Hearing:

The proposal will not have an impact on the transmission main.

Comment 3

Received via email 3/26/2016:

I find some possible contradictions in the writings of the proposal:

Whereas the WHAT'S PROPOSED? states "placing a conservation easement on the DeHart property in Dauphin County" appears to be correct but then in...

TIMELINE:

April 27th: states “DeHart Watershed” Conservation Proposal

And further states:

WHAT PROPERTY WILL THE PROPOSAL CONSERVE?

“will cover the entire Dehart watershed property in Clark’s Valley, Dauphin County”.

I find contradictions of the use of areas, boundaries, and the written statements of such in that there seems to be confusions in your presentations of Capital Region Water DeHart Watershed property (green shaded areas on the map) as compared to the “Dehart Watershed Boundary” (dark red line). Does this red line designate that land of, and or limited to, the conservation easement plan and thusly exclude those acres lying north of that boundary?

Since the statement of “entire DeHart watershed property in Clark’s Valley, Dauphin County” would not necessarily include that portion of CRW property lying north of the top of Peter’s Mountain in Jefferson Township that needs to be clarified.

I am requesting that this acreage be specifically identified as not being part of the “entire DeHart watershed property in Clark’s Valley” as these acres are actually in Jefferson Township and are included in the Powell’s Valley watershed of Powell’s Creek South Fork which never services Clark’s Valley.

If these acres are actually part of the 8,239.4 acres it should stated that those acres not in the Clark’s Valley Watershed not be stated as “entire DeHart watershed property in Clark’s Valley, Dauphin County” then the “Clark’s Valley*” term and or “watershed” should be removed.

The statement “Located in Rush Twp.” may suggest that those acres located in Jefferson Twp are not part of the conservation plan. Please clarify this.

In regard to the CRW “Rights reserved” section the statement “Right to sell, lease, convey the property subject to easement terms” lets open the possibility of CRW eventually selling those acres not in the “Clark’s Valley watershed”. This may create a legal issue for prospective land owners petitioning the court for access rights to this property over other privately owned adjoining properties bounding the public Back Road in Jefferson Township.

We residents of Jefferson Township would want those acres lying in Jefferson Township to be definitely under the same binding conservation agreement and specifically not be availed for sale unless access would be made available over CRW land in Clark’s Valley. We do not want to be encumbered with legal fees in the future caused by CRW’s lack of prudent consideration of this issue.

Therefore I respectfully request that those acres lying north of the top of Peter's Mountain (thusly not being part of the "Clarks's Valley Dehart Watershed) be specifically identified as part of the "entire 8239.4 acres" in the agreement if such is the case. Also clarify that these Jefferson Township acres be specifically listed as part of the CRW Outcomes of " Extinguishment of development rights via conservation easement". I definitely do not want these acres to be opened to development in our township.

I respectfully request that the currently published statements be reviewed and rewritten to eliminate any contradictions within any present or future writings on this easement proposal regarding the "entire DeHart watershed property" to reflect the "entire CRW property containing the DeHart Watershed property in Rush Township and adjoining acreage in Jefferson Township".

*I reserve the right within to use the historically correct possessive written forms "Clark's Valley and Clark's Creek as compared to the various erred versions as Clarks Valley, Clarks Creek, Clark Valley, and Clark Creek, currently used by various governmental agencies and of those which appear in your publication.

If anybody at CRW appreciates the proper use of the possessive usages of the English language I respectfully request that you would do the same.

Respectfully submitted this day, Saturday, March 26, 2016

Provided response to comment 3/30/2016:

Thank you for taking the time to review the DeHart Watershed Property Conservation Proposal materials and submitting your questions and comments. I will attempt to clarify, but please feel free to also call me directly - 717-525-7677. Please also know that any comments received by April 8 will be provided to Capital Region Water's Board of Directors prior to deliberations at the April 27 meeting.

The conservation proposal is for the full 8239.4 acres that Capital Region Water owns in Dauphin County. This is largely within Clarks Valley, but, as you aptly describe, also encompasses acreage in Rush, Jefferson and Middle Paxton Townships. The area of land that drains within the DeHart Watershed and subsequently to CRW's intake is delineated by the bold red line and described as the "DeHart Watershed Boundary". CRW does not own this entire property, but only the parcels depicted in green and labeled as "CRW owned property". I can understand the confusion this creates and will review the online materials accordingly. We did have our second public presentation last evening and clarified this within our comments. The land CRW owns within Jefferson Township would be subject to the same restrictions under the proposed easement terms as the parcels in Rush or Middle Paxton Townships, pending Board approval of the larger proposal. If for some

reason, CRW would sell any portion of this property in the future, the easement terms would remain with the property and a future owner would be forced to comply.

We can also appreciate your comment regarding Clark's compared to Clark or Clarks Valley. We have had this discussion in the past and have also sought to keep consistency among various other entities, including PA DEP. I will raise this in regards to CRW communications.

Received additional comment via email 3/30/2016:

Thank you for the prompt reply and detailed explanation. My intent was to address the points of confusion I noted in that usually a variety of contributors to the text writing of such plans may not have noticed or considered those ambiguities. I trust the rewriting for future printed or website statements will eliminate the confusions I have noted in my first communication.

But my concerns of the selling of the acreage in Jefferson Township remains. In my opinion CRW holds the community and civic responsibility of providing access to that acreage over presently CRW property if it was placed for sale. No current landowner lying between those tracts and Back Road in Jefferson Township should be placed in a legal predicament due to CRW's lack of consideration for the negative results of such a sale to others not currently owning the sited tracts. Thus said, I think it would be best for all parties if that acreage is never placed for sale. I am concerned that because it is not in the direct DeHart Watershed and that its sale would not affect your water quality is not, in my opinion, a justifiable reason to partition off that acreage for sale. The small amount derived from the sale of "no public access land- locked acreage", and or the high cost of construction of such an access road over CRW land would negate your conservation ideals. Besides, the resulting negative publicity and possible lawsuits should, in my opinion, cause CRW to think hard and long on the benefits / negatives of such a sale. The acreage is basically "unknown" to most other than a few "locals" so "out of sight - out of mind" is the best avenue for conservation of these beautiful forested acres.

Human intrusion and potential forest fragmentation of prime Cerulean Warbler ridge-top habitat should these acres be sold, timbered and disturbed is noted. These acres, I believe, are a noted part of Appalachian Forestland Enhancement RCPP - EQIP 2014, NRCS, USDA area designated in Dauphin County. As you may know much of the CRW Clark's Valley acreage is recognized Cerulean Warbler habitat and should be maintained in a perpetual conservation status. My ownership and management of similar habitat on my Forest Stewardship designated active certified Tree Farm one mile west of these acres provides me firsthand knowledge of this conservation issue. This ridge top stocking of tree sizes and diameters provides optimum Cerulean Warbler habitat on the CRW acreage.

I think I hear a Beatles song - "Let It Be" !

Having no personal desire to purchase any of this property I am addressing this issue only as a concerned individual whose desires are to see these tracts kept perpetually in a conservation status. I have walked these acres for over 50 years and cherish the anonymity and solitude therein. Let it be.

Please pass my current thoughts on to the committee.

Provided response to comment 3/31/2016:

Might you be willing to have a short phone call? I want to be sure I understand the extent of any confusion we may have caused and work to rectify within the timeframe. Perhaps I can also clarify the questions related to sale of the property. There are no current plans to sell any of the property CRW owns in Rush, Jefferson or Middle Paxton Twps., but instead place the whole of it under the same easement terms. I'd like to better understand your concern with the property CRW owns in Jefferson Twp. If for any reason the property would be sold in the future, the easement restrictions remain with the property. The Easement is under draft, but below is specific language that relates to your concern. The property is currently open to hunting and hiking per a Cooperative Agreement CRW has with the PA Game Commission. Please consider calling at your convenience as I'd like to ensure we're addressing these questions/comments.

Thank you,

Tanya Dierolf – 717-525-7677

The Protected Property may not be divided, partitioned, or subdivided, nor conveyed except as a whole, except that an entity of the type described in (i) or (ii) of this sentence is permitted to make subdivisions and transfers of portions of the Protected Property to and among (i) "qualified organizations" (as defined in Section 170(h)(3) of the Internal Revenue Code, as amended) or public agencies for purposes of land, forest, water, plant, and biodiversity conservation, or (ii) successor entities of the Grantor, or related entities under the control of the Grantor, who will utilize the Protected Property for the production of potable water. In any event, such subdivisions and transfers of portions of the Protected Property must maintain equivalent or higher levels of natural resource protection as established in this Conservation Easement.

In-person discussion on 4/1/2016 between commentor and CRW staff person, CRW provided acknowledgement of meeting:

I'm glad we were able to meet today and discuss your concerns regarding the DeHart Property Conservation Proposal and corresponding documentation. Thank you again for coming to the CRW office and providing your input as our Board of Directors considers this matter. Your written feedback to date as well as any future correspondence will be reviewed.

Received additional comment via email 04/03/2016:

I was very pleased with your responses to my questions at our meeting. I found all the information that was posted on the website prior to my letter of concern of 03.26.16 is now available for inspection under the four sections of Additional Resources near the bottom of the website. That satisfies my concern that others would not be able to find that information prior to the end of the comments period of April 8th. Thank you for your cooperation in this matter. At this point I am in agreement with the whole of the proposal and trust that the committee will approve the plan for the betterment of all Dauphin County residents and Pennsylvanians. But most of all for the controlled maintenance of our environment and the wildlife species that require and deserve this high quality habitat.

Comment 4

Received via email 3/28/2016:

Often a Conservancy holds a tract of land for several years and offers it for sale with restrictions. Since a large tract of State Game Lands surrounds the Dehart Dam watershed property on all sides is it possible, in the future, for the Pennsylvania Game Commission to obtain all or any portion of the 8,000+ acre tract of land that CRW owns today?

Provided response to comment 3/29/2016:

Thanks for the question and making it out to the presentation last week. CRW will continue to own the entire 8000+ acres under the current proposal; there are no plans to transfer or sell this property. If for some reason, CRW would do this in the future, the easement terms remain with the property. If for example, CRW would sell this to the PA Game Commission, the Game Commission would be required to abide by the easement terms as those restrictions (prohibition on subdivision, resource extraction, wind generation, etc.) are carried with the property in perpetuity. Please feel free to reach out any time with questions.

Comment 5

Received via email 3/25/2016:

This letter is written in support of the DeHart Watershed Conservation Proposal. The proposed plan provides for clean water today and for many more years ahead. Hopefully, that after some of us are gone, our younger generation will find this initiative so beneficial that they will continue the same. I applaud all of the partners involved in this proposed plan. The said partnership is what we need to conserve the natural resources given to us by God. They are meant to last forever. If we continue to support and design these types of initiatives, mother nature will continue to provide for our quality of life. Thank you for the opportunity to provide input. I pray that this plan is approved.

Provided receipt of comment 3/30/2016:

Your message to Capital Region Water regarding the DeHart Watershed Property Conservation Proposal was received and will be considered in future deliberations on this matter. We thank you for taking the time to review the associated materials and provide a comment. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors. Please feel free to contact us in the meantime with additional questions or comments.

Comment 6

Received via telephone 3/23/2016:

Seeking clarification on the impact of the Proposal to public access, specifically availability of property access for fishing. Further inquired regarding CRW's flow obligation to Clark Creek.

Provided response to questions 3/23/2016

Comment 7

Received via telephone 3/23/2016:

Seeking understanding of CRW as a municipal authority and relationship to the City. Wants to ensure high quality water will continue to be provided. Additional questions regarding use of any related revenue for CRW's infrastructure.

Provided response to questions 3/23/2016

Comment 8

Received via telephone 3/29/2016:

Seeking understanding of any additional rights the Proposal could afford FTIG. Wanting to ensure the Easement wouldn't provide for FTIG ground activity and encouraged CRW to seek a written guarantee. Also inquired about any potential easement swap by TNC.

Provided response to questions 3/29/2016

Comment 9

In-person Community Ambassadors Meeting on 3/30/2016:

Provided a brief summary of the DeHart proposal to the Community Ambassadors on 3/30. The ambassadors were generally in support of the proposal and had a few questions including: Will this offset future rate increases? Is it possible to get additional funding? Why weren't permanent protections in place? DeHart Fact Sheets, Proposal Summary, Easement Summary, and Public Comment forms were provided. The questions were adequately answered by staff and the Ambassadors were encouraged to visit our website.

Provided response to questions 3/30/2016

Comment 10

Received via email 3/31/2016:

I support the proposal to conserve the DeHart watershed property. I don't have any concerns with the list of extinguished/prohibited uses. I don't have anything to add to the extinguished/prohibited uses. I don't have any concerns with the rights retained by CRW, or have anything to add to that list. The compensation from the ACUB funds seems to be fair. I felt the presentation on March 29th at Derry St United Methodist Church was very informative.

Provided receipt of comment 3/31/2016:

Your message to Capital Region Water regarding the DeHart Watershed Property Conservation Proposal was received and will be considered in future deliberations on this matter. We thank you for taking the time to review the associated materials and provide a comment. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors. Please feel free to contact us in the meantime with additional questions or comments.

I'd also like to say thanks for your assistance on Tuesday at the Derry St. UMC. CRW appreciated the opportunity to meet at the Church.

Comment 11

Received via email on 4/5/2016:

As owners of the property, we do not wish to voluntarily participate in a conservation easement over our property located in Clarks Valley. We see it as a loss of our property value, and another layer of administrative regulation. There are many permits required by Middle Paxton Township. No follow up is required.

Provided response to comment 4/6/2016:

Your message to Capital Region Water regarding the DeHart Property Conservation Proposal was received and will be considered in future deliberations on this matter. The property proposed for the conservation easement is the property owned by Capital Region Water.

We thank you for taking the time to review the associated materials and provide a comment. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors. Please feel free to contact us in the meantime with additional questions or comments.

Received additional comment via email 4/7/2016:

If I understand your message correctly, my property would not be covered by the proposal. So my property is not effected. Sorry I bothered you. Thank you for your reply.

Comment 12

Received via email on 4/5/2016:

The proposal makes great sense and I appreciate the parties coming together to ensure the wellbeing of Harrisburg's drinking water.

Provided receipt of comment 4/6/2016:

Your message to Capital Region Water regarding the DeHart Property Conservation Proposal was received and will be considered in future deliberations on this matter. We thank you for taking the time to review the associated materials and provide a comment. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors. Please feel free to contact us in the meantime with additional questions or comments.

Comment 13

Received via email 4/5/2016:

I was unavailable to attend the public meetings. If you have the opportunity to reply I have a few basic questions.

To all appearances this sounds like an excellent idea. I am a fan of the Nature Conservancy, and while less familiar with The Ward Burton Wildlife Foundation they also seem like an excellent conservation organization. In general this seems like an obvious good thing.

My questions are:

- If you'll play 'devils advocate' for a moment- What are the possible downsides to the deal? I can only guess that some future collapse in available stewardship funding could possibly jeopardize the watershed's protection. Even so, I would imagine the potential resources of the 'partners' far exceeds that of CRW. Is it irrevocable? Could the military exercise some sort of eminent domain over the watershed in the future?

What, if anything, else could possibly jeopardize the area? (I seriously would appreciate a candid answer.)

- Secondly; What are the plans for the 'income' CRW receives from the transaction? Is it specifically earmarked for anything? My position would be to advocate for using it directly towards stormwater diversion.

I appreciate the approach CRW seems to be taking in improving our water/sewage systems. I also appreciate and encourage the public input.

Provided response to comment 4/6/2016:

Thanks for taking the time to review the materials and provide your feedback. Please feel free to reach out via phone if you'd like to further discuss.

In response to your first question, the obvious downside is a perpetual grant of conservation easement. CRW is permanently restricted from specific land uses that could bring future revenue. For example, subdivision and development. This is not under consideration by current leadership as it is not accepted as compatible to CRW's larger purpose as the steward of the Harrisburg areas water system. The property, per the easement, may not be subdivided or transferred except to a qualified organization (think another land trust or state agency like DCNR or the PA Game Commission). The exceptions to this are for anything related to production of water by CRW or a successor. The property must maintain the natural resource protections inherent to the purpose of the easement.

The easement is perpetual. It only affords the US Army the third-party beneficiary rights as outlined in the easement summary document (e.g., right to protect the conservation values of the property, enforcement to prevent prohibited activity, etc.). In regards to what else could jeopardize the area, that's the big unknown, but this would prevent a host of future possibilities that may not be compatible with a high quality water supply.

The Nature Conservancy is also responsible for providing a stewardship fund for monitoring and enforcement purposes. These activities and costs are in perpetuity, so you bring up a good point about stewardship funding. TNC has budgeted these costs and will receive some ACUB project funds for this purpose.

To your second question regarding the income, per CRW's financing, any revenue gained must be reinvested back into the water revenue fund. We have separate funds for water and wastewater and none of the revenue could be used to offset stormwater improvements. As operating costs are covered by water rates, the project revenue would be used to offset capital improvements. As you might imagine, we have an aging water infrastructure in need of systematic renewal and replacement.

If you would, please also provide your address. All comments will be provided to the Board, prior to deliberation and decision making at the April 27 Regular Meeting of the Board of Directors. We are particularly interested to assess our ability in engaging our customers. Again, please feel free to contact me for additional clarifications or to submit further comment. Thank you for taking this time.

Received additional comment via email 4/8/2016:

Thank you for your responses (and thanks for trying to reach me by phone as well, sorry I wasn't available.) Your timely, personal response is appreciated. Feel free to submit my comments to the board. My address and phone number(s) are included at the bottom.

From an environmental standpoint I most always support the permanent conservation of natural areas. When it applies to a watershed or other area necessary to human health/safety I consider it practically essential. I am very pleased that CRW has found the means to provide such protection to the Dehart Watershed.

It appears this is also a sound financial decision for CRW and its customers; future costs of ongoing conservation stewardship of the area will be provided by TNC and partners, and CWR will receive a substantial remuneration for the easement.

According to the information I have received the easement purchase revenue (\$9 million +/-) will go into the fund for infrastructure capital improvements in the water delivery system- which we undoubtedly need. This will help offset the need for rate adjustments to provide for these costs.

I can find nothing but positive benefits from the proposed easement. I most definitely support it.

Comment 14

Received in-person via 3/29/2016 second public hearing and via email 4/5/2016:

3/29/2016 - I would like to commend all the entities involved; I think it's a great proposal. 4/5/2016 - I would like to commend all entities involved in the Dehart Conservation Proposal. The coalition developed to move this project forward appears to have created a win/win situation for all involved parties. Conserving this breathtakingly beautiful valley is amazing in and of itself. Knowing that this

forested landscape will not only be conserved and protected but also managed for future generations is a reward for those who rely on this area as a water supply and a bonus for those of us who are neighbors of Dehart. I would urge the board to support this proposal at their April meeting and offer my praise and support of those involved in creating this innovative conservation effort.

Comment acknowledged at 3/29/2016 public meeting

Provided receipt of comment 4/6/2016:

Your message to Capital Region Water regarding the DeHart Property Conservation Proposal was received and will be considered in future deliberations on this matter.

We thank you for taking the time to review the associated materials and provide a comment. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors. Please feel free to contact us in the meantime with additional questions or comments.

Comment 15

In-person Source Water Protection Collaborative Meeting on 4/7/2016:

Provided an overview of the DeHart Property Conservation Proposal during a Source Water Protection Collaborative meeting for the DeHart Watershed. Comments were relatively supportive. Clarifying questions were related to next steps, opportunity for private land conservation, forest management, protected air space, and nature of comments received to date.

Provided response to comments 4/7/2016

Comment 16

Received via email 4/6/2016:

Capital Region Water has become the worse neighbor in Rush Township. They refuse to help support the operating expenses of Rush Township and thumb their nose at the approximately 200 neighbors who pick up the entire tax burden of this small township. Capital Region Water has boldly refused to continue the assistance the City of Harrisburg had previously provided to Rush Township since the early 1960s. Besides conservation of their land, you would think Capital Region Water would also want to demonstrate good stewardship in the township where its water is acquired and stored.

Our family has owned land in Rush Township for over three generations, My father worked with the Mayor of Harrisburg back in the 1960s to forge an agreement to provide yearly funding to Rush

Township. I am greatly disappointed that the leadership of Capital Region Water has not embraced the community in which their facility resides and instead has chosen the attitude of big brother dumping on little brother. The Board of Directors of Capital Region Water should be ashamed of themselves and by no means do I consider them leaders. It is ironic that you state on your "Who We Are" web page that you operate "with a community focus", really?

Provided receipt of comment 4/8/2016:

Your message to Capital Region Water regarding the DeHart Property Conservation Proposal was received and will be provided to the Board for consideration during deliberations on this matter. We thank you for taking the time to provide a comment. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors.

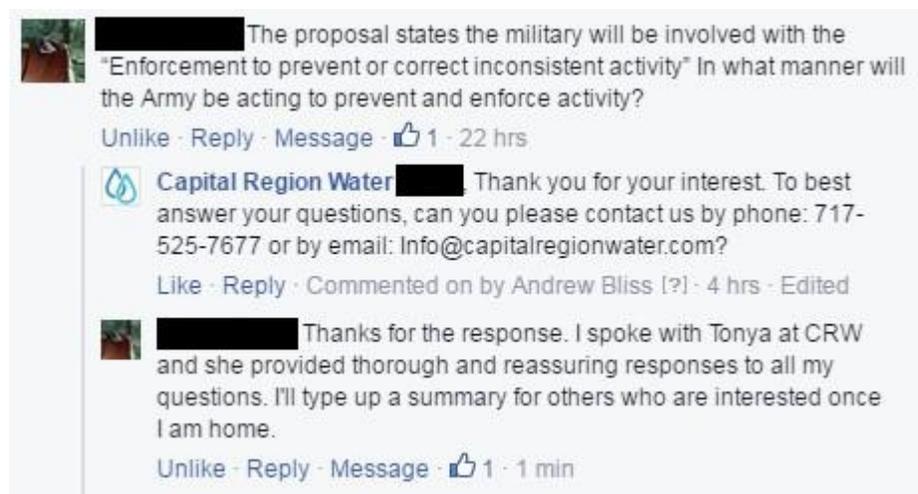
Comment 17

Received via telephone 4/8/2016:

Seeking clarifications in regards to public access, potential implications of future conveyance/sale of the property, and role of FTIG

Provided response to questions 4/8/2016

Note: Inquiry started on Facebook where CRW redirected comments. The exchange is posted below:



Comment 18

Received via email 4/5/2016:

My name is [REDACTED] & I am the president of Dauphin County Woodland Owners Association (DCWOA), we are an organization that works with & in conjunction with DCNR & the PSU School of Forest Resources promoting the PA Forest Stewardship Program. Our mission is educating & providing necessary information to promote 'best management practices' as well as sound management practices available to caretakers & stewards of private woodlands & forests. Our goal is to assure sustainability of our rich diversified renewable natural resources for future generations. Unfortunately, our organization was not aware of all that has recently taken place with this proposed project, but since becoming aware of what is taking place, I feel that I must respond with a favorable reply towards this proposal. The Dehart Dam/Watershed is a 'precious gem' and must be treated as such & be protected. Please see my additional comments on the survey comment section. Please keep us informed of all taking place with this matter as we would like to become involved with helping to preserve this 'gem'.

Provided receipt of comment 4/8/2016:

Thank you for taking the time to provide a comment to Capital Region Water regarding the DeHart Property Conservation Proposal. Your feedback will be considered in future deliberations on this matter. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors.

I'm also appreciative of the interest and offer of involvement with the property. I'll have to also review your survey comments. We have more recently retained a consulting forester to assist with the property and have been working to reestablish our relationship with the DCNR county forester. You likely know Andy Brought. Andy has also been serving on our source water protection advisory team, but I imagine we might also benefit from a DCWOA member working with us in this capacity. I'd be happy to further explore how this might work. I'd also like to invite you or others to consider joining us for a local litter cleanup and DeHart tour on May 7 (more info at capitalregionwater.com/considerthesourceday).

Comment 19

Received via email 4/6/2016:
Sounds like a great idea. I vote YES.

Provided receipt of comment 4/11/2016:

Thank you for taking the time to provide comment to Capital Region Water regarding the DeHart Property Conservation Proposal. Your feedback will be considered in future deliberations on this matter. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors.

Comment 20

Received via email 4/8/2016:

Thank you for the opportunity to respond to the DeHart Conservation Proposal. Here are comments from the Home Builders Association of Metropolitan Harrisburg:

1. Much of the area tributary to the DeHart reservoir complex is owned by the Harrisburg Authority, but there are a number of privately owned properties in this watershed as well. Will the proposed conservation easement affect only the properties owned by Harrisburg Authority? CRW should make a map of the affected area available and extend the public comment period so that concerned parties can review the affected area before commenting. It is understood that a survey of the property is ongoing, but GIS mapping would be adequate for the preparation of this exhibit.
2. Capital Region Water's "Summary of DeHart Conservation Proposal" indicates that the project "encompasses the reservoir, lands below and around the reservoir...." Later the same document indicates that "this property is critical to CRW's mission of providing a high quality water supply to its customers." How is the land below (downstream) of the reservoir critical to CRW's ability to provide high-quality water to its customers?
3. What mechanisms are in place to terminate the conservation easement if the Ward Burton Wildlife Foundation is dissolved or fails to fulfill their maintenance obligations?
4. A state road (SR 325) passes through the affected area and proceeds to the northeast, where it serves privately owned properties in another watershed. Will the conservation easement restrict the ability to upgrade this roadway if and when it becomes necessary to serve developments occurring outside the DeHart watershed? If infrastructure upgrades are not permitted in the conservation easement, it could limit development potential in adjacent watersheds, decreasing property values without compensating the property owners.

Provided response to comment 4/11/2016:

Thank you and the Home Builders Association of Metro Harrisburg for taking the time to provide comments to Capital Region Water regarding the DeHart Property Conservation Proposal. Your feedback will be considered in future deliberations on this matter. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors.

I have also provided response to your questions below. I hope this provides some clarification.

1. Much of the area tributary to the DeHart reservoir complex is owned by the Harrisburg Authority, but there are a number of privately owned properties in this watershed as well. Will the proposed conservation easement affect only the properties owned by Harrisburg Authority? CRW should make a map of the affected area available and extend the public comment period so that concerned parties can review the affected area before commenting. It is understood that a survey of the property is ongoing, but GIS mapping would be adequate for the preparation of this exhibit.

The proposed conservation easement will only impact property owned by Capital Region Water. CRW provided a host on information online, including a presentation and associated slides. At the link below, you can view a map of the area (map on pg. 3 of the slides). The parcels in green are owned by CRW and proposed to be included under the conservation easement.

<http://capitalregionwater.com/wp-content/uploads/2016/03/2016-03-Public-presentation-on-DeHart-conservation-proposal-for-web.pdf>

2. Capital Region Water's "Summary of DeHart Conservation Proposal" indicates that the project "encompasses the reservoir, lands below and around the reservoir...." Later the same document indicates that "this property is critical to CRW's mission of providing a high quality water supply to its customers." How is the land below (downstream) of the reservoir critical to CRW's ability to provide high-quality water to its customers?

The property downstream is not within the lands that drain water to the DeHart Reservoir; however, protections of those lands do provide water quality benefits to Clarks Creek and the Susquehanna. CRW relies on the Susquehanna as a back-up drinking water supply.

3. What mechanisms are in place to terminate the conservation easement if the Ward Burton Wildlife Foundation is dissolved or fails to fulfill their maintenance obligations?

The easement is an agreement between Capital Region Water and The Nature Conservancy, whereas The Nature Conservancy "holds" the easement. The Ward Burton Wildlife Foundation is Fort Indiantown Gap's project partner for the Army Compatible Use Buffer Fund Program.

4. A state road (SR 325) passes through the affected area and proceeds to the northeast, where it serves privately owned properties in another watershed. Will the conservation easement restrict the ability to upgrade this roadway if and when it becomes necessary to serve developments occurring outside the DeHart watershed? If infrastructure upgrades are not permitted in the conservation easement, it could limit development potential in adjacent watersheds, decreasing property values without compensating the property owners.

The proposed easement has no jurisdiction over state roadways.

Comment 21

Received via email 4/8/2016:

We support the proposed plan to conserve the DeHart dam land in partnership with Ward Burton Wildlife Foundation, the Nature Conservancy, and Fort Indiantown Gap.

Provided receipt of comment 4/11/2016:

Thank you for taking the time to provide comment to Capital Region Water regarding the DeHart Property Conservation Proposal. Your feedback will be considered in future deliberations on this matter. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors.

Comment 22

Received via email 4/6/2016:

I have seen the video of the first meeting when Mr Weisnicht said his drones only fly over FITG air space, So why did their drone almost crash into the elementary school in West Hanover township about a year or so ago? It looks like Mr Weisnicht is not telling the truth. How much money is Mr Weisnicht giving to the Ward Burton Foundation? The people that live around here deserve an answer to this question. Mr Weisnicht and whoever else at the gap that supports this needs to understand that this country is broke because of government waste, and this is government waste. It looks like Mr Weisnicht is trying to funnel money to one of his hand picked organizations, he should be investigated for possible government fraud. If the GAP is all about conservation like Mr Weisnicht says they are , then he should put his money where his mouth is and preserve Stony Creek valley along with his government waste proposal. Mr Weisnicht and the Ward Burton foundation need to be thrown off of this proposal. CRW should be able to take care of the water shed just fine without them or tax payer money, you do not need them to preserve this land, PERIOD!

Questions for the CRW board on this proposal

Did CRW approach the GAP for this deal or did Mr Weisnicht approach CRW for this deal? Who approached who for this deal and when?

How much money is Mr Weisnicht giving the Ward Buurton foundation for this deal?

What would happen if JP-5 jet fuel gets into the water? Will the water still be safe to drink? Remember Mr Weisnicht covered up the drone crash at your meeting.

Why would the board of CRW not want to save the tax payers 9 million dollars and just preserve the land by yourselves?

Has CRW contacted the BRACC commission and told them of this government waste, the air space above Dehart Dam is already restricted the GAP has no need for this deal.

In the future, will CRW board help protect Stony Creek valley? After all it is a great natural buffer to protect the water shed and we have 10,000 signatures of the people who live around here who had to fight people like Mr Weisnicht and the rest of the brass at FITG to protect it. Or, will the board be like puppets on a string to the gap? Since they are giving you 9 million dollars of our money. You might be expected to do as they say or else no more money.

Why is the game commission not involved with this? They are the ones that boarder your land.

Since the National Guard is involved with this, we need to hear their comments about Stony Creek Valley, after all it is between both properties.

Does Mr Weisnicht or any body else from the GAP still want try and steal the wilderness area away from the people that live around here?

This needs to be part of the discussion at this proposal. Why is the board of CRW and MR Weisnicht so afraid to talk about this? It looks like the GAP and the Ward Burton foundation are hiding something.

How much money did the Ward Burton foundation get from the Fort Picket deal?

This deal is a complete disaster when it comes down to it. The tax payers lose. The board at CRW will lose because they will have to do as the GAP says or else. Stony Creek Valley will lose because of people like Mr Weisncht and his bought and paid for organization I. E. The Ward Burton Foundation will destroy the integrity of the wilderness area. Last but not least our soldiers will lose because they will have no wild places to return to ,thanks to people like Mr Weisncht and the brass at Fort Indiantown Gap. If the Gap does not have enough room to operate within their 17,000 acres, then they need to be shut down by the BRACC commission.

It will be nice to here back from the board with answers to my public comment questions, You should publish them in the patriot news and have them transparent to the public.

Provided response to comment 4/11/2016:

Thank you for taking the time to provide additional comments to Capital Region Water regarding the DeHart Property Conservation Proposal. Your feedback will be considered in future deliberations on this matter. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors.

I'm also willing to answer questions directed to CRW. I've included a representative of the Ward Burton Wildlife Foundation that may better address questions related to WBWF and FTIG.

The current proposal evolved from a previous offer from The Conservation Fund and the PA Game Commission using ACUB funds to purchase 384 acres of CRW property. After public hearings and public comment of this potential land sale, CRW's Board of Directors did not vote in favor of the sale. CRW heard a desire to keep the property under CRW ownership and control and ensure protection of the property for water quality benefits. CRW was interested in a more comprehensive management approach for the property and was also interested in The Nature Conservancy's Working Woodlands Program. The current partnership formed in March 2015.

Under the current proposal, CRW retains ownership and control of the property. CRW eases or extinguishes specific property uses and The Nature Conservancy holds the easement and right to enforce it. The US Army is named only as a third-party beneficiary, thereby providing monitoring and enforcement of the conservation easement if The Nature Conservancy would fail in their obligations as the easement holder.

Protection of the DeHart property is something CRW has a desire to do for water quality and conservation benefits. CRW also recognizes that a conservation easement is a significant commitment of an asset in perpetuity. ACUB funding potentially provides an opportunity for CRW to be compensated a value for the rights extinguished per a recent property appraisal.

It's also my understanding that the DeHart Property is within protected airspace and a 500 ft. buffer exists between our property and any aircraft. And although we also recognize with the sensitivities regarding flight over a public drinking water supply, this proposal does not provide any further access to CRW property for expansion of a military mission. The purpose of the easement is for conservation value. I've included the "purpose" language directly form the draft easement agreement.

Purpose: *It is the purpose of this Conservation Easement to ensure that the Protected Property will be retained predominantly in its natural, scenic, forested, and open space condition, free of additional forest fragmentation or additional development; to maintain excellent water quality in streams and*

wetlands on the Protected Property; to protect any rare plants, animals, or plant communities on the Protected Property; and to prevent any use of the Protected Property that will significantly impair or interfere with the conservation values or interests of the Protected Property described above. Specifically, this Conservation Easement will assure long-term, professional, independent third-party certified forest management on the Protected Property for the production, management and harvesting of economically valuable timber and related forest products while ensuring the conservation values as described above are protected or enhanced. This Conservation Easement will ensure the protection of forest and other natural resources on the Protected Property and allow for the potential of economic return from the protection, management, maintenance, and improvement of ecosystem services provided by the Protected Property. Ecosystem services include but are not limited to, the protection of water quality and quantity, the protection of wetlands, rare species and natural communities, and carbon sequestration. The Grantor and Grantee intend that this Conservation Easement will confine the use of the Protected Property to such activities as are consistent with the purpose of this Conservation Easement and shall specifically include Grantor's right and ability to manage and operate the Protected Property in order to produce and secure potable drinking water for the customers of Capital Region Water's drinking water system. The restrictions imposed by this Conservation Easement are also intended to prohibit use or development of the Protected Property in a manner that would adversely affect the military mission of Fort Indiantown Gap, including by placing limitations on sources of light pollution that would interfere with nighttime aircraft training. This Conservation Easement shall become effective upon execution by the Grantor and the Grantee (the "Effective Date").

I hope this does provide some clarity. We appreciate all of the public feedback on this matter.

Comment 23

Received via hand delivery 4/8/2016



CAPITAL REGION WATER
ATTN. TANYA DIEROLF
212 LOCUST STREET
SUITE 500
HARRISBURG, PA. 17101

TO WHOM IT MAY CONCERN!
IT HAS JUST BEEN BROUGHT TO MY ATTENTION
THAT YOU ARE CONSIDERING A "CONSERVATION"
EASEMENT DEAL WITH THE U.S. ARMY; FORT
INDIANTOWN GAP, THE SUM OF \$9,000,000 FROM
A "BUFFER" FUND HAS ALSO COME TO MY ATTENTION!
HAVING HAD DEALINGS WITH, F.I.G.M.R., IN THE
PAST; I FIND THEM, EVASIVE AT LEAST, AND
FAR FROM TRUTHFUL!
QUESTION!
WHY WOULD THE U.S. ARMY WANT TO
GET INTO A CONSERVATION EASEMENT?
"SHOW ME!"
THE LAND DOES NOT BORDER THEIR
BOUNDARIES!
\$9,000,000 IN TAX PAYER FUNDS!
SOMETHING HERE "STINKS!"
I SEE THE GAP TRYING TO STEAL PRIVATE
LAND BY EMINENT DOMAIN; AND FOR SOME

IT WILL RUIN THEIR LIVES; AND TAKE A
PART OF A BOY SCOUT RESERVATION; LAND
THAT WAS DONATED FOR YOUTH DEVELOPMENT!
IS THIS A BUFFER TO CONTINUE EXPANSION?
I MAY NOT BE ONE OF YOUR WATER
CUSTOMERS; BUT, I DO NOT LIKE TAXPAYER
MONEY PUT TO BAD USE, OR SOME SLIMY,
MISREPRESENTATION OF CONSERVATION!
THERE ARE MANY, OLD, POOR, HUNGRY, AND
SICK, THAT COULD USE \$9,000,000.

YOUR S TRULY



Comment 24

Received via hand delivery 4/8/2016

April 6, 2016

Capital Region Water
ATTN: Tanya Dierolf
212 Locust Street, Suite 500
Harrisburg, PA 17101

Dear Ms. Dierolf,

Thank you for the opportunity to comment on the "DeHart Watershed Property Proposal."

We are a military family, both sons enlisted and my son-in-law is also a veteran. One son's time in Iraq, almost certainly, has caused a life-threatening illness. Some have complained about the United States Department of Veterans Affairs. We cannot. We are definitely not anti-military.

Now please let me make a distinction between the women and men in uniform that serve in the Pennsylvania National Guard and those individuals who fill certain positions at Fort Indiantown Gap (FTIG) and the Pennsylvania Department of Military and Veterans Affairs (PADMVA).

I have the upmost respect for the women and men who are sent overseas to engage our enemies. However, I have no respect for certain individuals (FTIG or PADMVA), who are more political hacks than soldiers. I can provide a litany of specious pursuits by these individuals upon request – one in particular bordered on criminality.

I noticed new faces have been added to the payroll at Fort Indiantown Gap. It's quite interesting that the additions are concurrent with the attempt to take private land, possibly by means of eminent domain.

Fort Indiantown Gap is a World War II installation with limited live-firing capability. FTIG has adapted by increasing the training with virtual ops, and challenging controlled live-fire scenarios. I applaud FTIG for that.

FTIG already has restricted air space over the DeHart watershed. Seeking a buffer zone is utter nonsense. Furthermore, the U.S. military already has enough land, with enough training facilities for the Guard without taking more land – both private and public.

Please show me another example of a water authority in Pennsylvania where it has entered into an easement (conservation or otherwise) with the U.S. Army?

In your online presentation, CRW promotes a completed similar project – the Lock Haven Authority and 5,200 acres. That is total deception. I recently spoke with a board member on the Lock Haven Authority and was told the Nature Conservancy is acting as a conduit in an attempt to obtain credits on the carbon market. The Lock Haven Authority retained its own forester who has assisted in certification of the timber.

Is it not the obligation of CRW to do the same and protect the watershed? Period.

Why doesn't CRW enter into a conservation easement with only the Nature Conservancy?



In the "Summary of the DeHart Easement Terms," CRW states, "Conservation value includes ecological, scientific, educational and aesthetic value in addition to utilization for potable water and certified forest management derived forest products. **In this case, there is also a desire to protect the military mission of Fort Indiantown Gap.**" **What? The military mission of Fort Indiantown Gap has nothing to do with protecting the watershed and providing clean, safe drinking water for thousands of consumers.**

It appears that Capital Region Water, Fort Indiantown Gap and the Ward Burton Foundation are **praying that the citizenry will continue to snooze while CRW completes the deal with the U. S. Army for \$9,000,000 of taxpayer money.** I have left the Nature Conservancy out, hoping they are not getting a piece of the pie.

\$9,000,000. Taxpayer money. That's it. Greed. So far this deal sounds like the old Harrisburg Authority and a former, currently indicted, Mayor is still pulling the strings.

Please do the right thing. Stop the deception with the Ward Burton Foundation and the U.S. Army. Enter into a conservation easement with the Nature Conservancy with traditional funding sources and TRANSPARENCY.

CRW will post all comments, before the April 27 meeting. Is that correct?

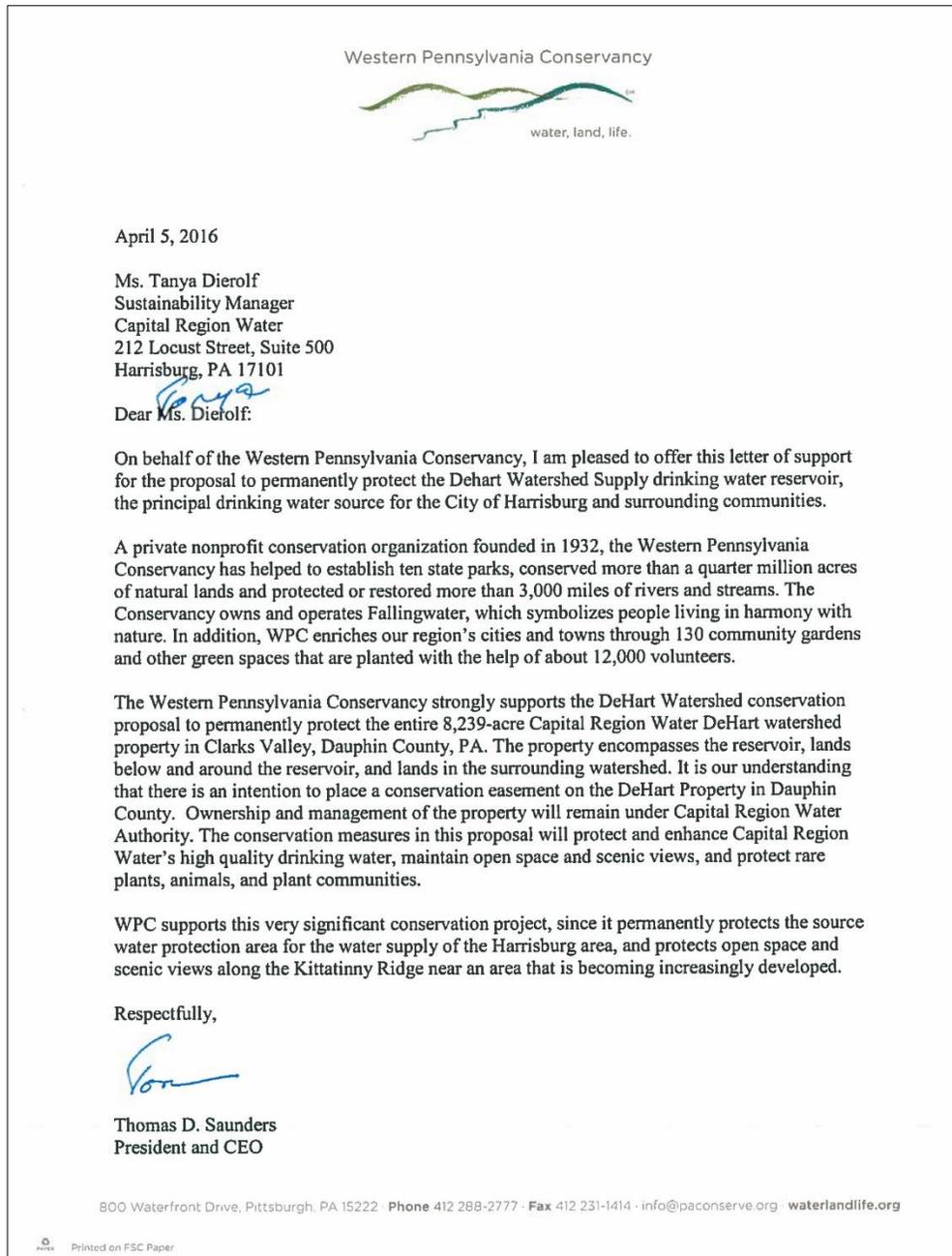
Thank you.



The following 6 organizational comments were provided

Western Pennsylvania Conservancy

Received via email 4/7/2016; US mail 4/11/2016



Provided receipt of comment 4/8/2016:

Thank you and WPC for taking the time to submit this comment to CRW.

Clarks Creek Watershed Preservation Association

Received via hand delivery 4/7/2016



April 6, 2016

The mission of the Clarks Creek Watershed Preservation Association (CCWPA) is to preserve, protect and enhance the environmental integrity of Clarks Creek, and to advocate the conservation and sustainability of its natural resources while promoting restoration and safety within the watershed.

P.O. Box 75
Dauphin, PA 17018
www.ccwpa.org

Officers 2015-2016

Paula Zankel
President

Michael Blum
Secretary

Sherry McLain
Treasurer

Board of Directors

Michael Blum
Term Expires Sept. 2016

Sherry McLain
Term Expires Sept. 2017

John Mimmall
Term Expires Sept. 2017

Arlene Taylor
Term Expires Sept. 2016

Brett Zankel
Term Expires Sept. 2016

Paula Zankel
Term Expires Sept. 2017

Capital Region Water
100 Pine Drive
Harrisburg, PA 17103

To the Board of Directors:

Clarks Creek Watershed Preservation Association wishes to express our strong support for Capital Region Water's proposal to accept US Army ACUB funds and create a conservation easement on its' DeHart watershed property.

We are excited that CRW is seizing the generous offer by Fort Indiantown Gap. The short timeline to complete the transaction during FY16 ensures that all of the required steps to survey and develop the required management plan and to be directed by the conditions of the easement will go into effect within 6 months. Also, the public is sufficiently assured that the prohibitions and allowed practices of the easement are consistent with CRW's existing operations. Partnering with the Nature Conservancy guarantees that the desired sustainable forestry actions are executed properly.

It bears noting that the helicopter training going on at Fort Indiantown Gap will continue to provide increased security for our nation by officially extending the area flyway and providing the required "dark skies" that are so difficult to come by in the 21st century to train our troops.

We appreciate your leadership in conserving the resources on your property and publicly acting on your commitment to a healthy environment. Thank you for this exciting opportunity for our watershed. We look forward to working with you in your continuing effort to protect the source water of your customers.

Yours truly,

Paula Zankel
President
Clarks Creek Watershed Preservation Association

Chesapeake Bay Foundation

Received via email 4/7/2016



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

April 7, 2016

Capital Region Water
212 Locust Street, Suite 500
Harrisburg, PA 17101-7107

To Whom it May Concern:

The Chesapeake Bay Foundation (CBF) supports the Capital Region Water's (CRW's) proposed conservation easement. With over 200,000 members, CBF is the largest conservation organization dedicated solely to protecting Clark's Creek and other rivers and streams throughout the Chesapeake Bay watershed, with almost 23,000 acres in Pennsylvania.

This easement will protect over 8,200 acres of forest into perpetuity. Healthy, thriving forests are critical to keeping our rivers and streams clean and protecting our drinking water. Forests act like giant sponges, capturing rainfall and slowly releasing it later. The deep roots of mature trees hold soil in place, reducing erosion, polluted runoff, and flooding.

Forests reduce the need for expensive water treatment. For example, the Environmental Protection Agency estimates that, on average, every \$1 spent on watershed protection will save \$27 in drinking water treatment costs.

The conservation easement will protect the property's natural forest, and provide significant water quality benefits to the region. The permanent easement protection combined with the comprehensive sustainable forest management will maximize the environmental and economic returns to the benefit of Capital Region Water's customers, the forest ecosystem, Clark's Creek and downstream waters, including the Susquehanna River and Chesapeake Bay.

With Fort Indiantown Gap Army Compatible Use Buffer funding, the DeHart Property will be protected in an environmental and fiscally sustainable manner. Water resources will be protected, including springs, tributaries, and wetlands. The Nature Conservancy and the Ward Burton Wildlife Foundation will ensure that the proposed conservation measures will maintain and enhance long-term ecosystem health and viability.

Thank you for your consideration of these comments. Please feel free to contact us if you have any questions or concerns.

Sincerely,

Kelly O'Neill

1426 N 3RD STREET | SUITE 220 | HARRISBURG, PA 17102
717/234-5550 | CBF.ORG

Provided receipt of comment 4/8/2016:

I'm just providing you a receipt of your comments. Thanks for making the time to review this and provide input. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors.

Appalachian Trail Conservancy

Received via email 4/8/2016



April 8, 2016

Capital Region Water
ATTN: Mrs. Tanya Dierolf
212 Locust Street, Suite 500
Harrisburg, PA 17101

Dear Mrs. Dierolf:

There is a statement in the land conservation community that encapsulates why conservation easements and the work of land stewards is so important: **Once It Is Gone, It Is Gone Forever**. This statement sums up the value of easements to the environment and the public at large. If an environmentally significant piece of land such as the DeHart Watershed Conservation Property would otherwise be significantly developed, the greatest engineering practices could never replace the myriad of ecological services that a fully functioning parcel of land can provide in water quality, water and soil retention, diversity of plants and wildlife, and wildlife habitat, for example. Capital Region Water, The Ward Burton Wildlife Foundation, The Nature Conservancy, and Fort Indiantown Gap should be commended for the vision to create the Easement and the forward thinking approach to managing a rich natural resource. When all of the parcels are placed into eased lands, the entire Property will be one of the largest easements in Dauphin County and it will provide untold benefits for future generations.

On behalf of The Appalachian Trail Conservancy's (ATC) 46,000 members, thank you for the opportunity to comment on the 8, 239 acre DeHart Watershed Conservation Proposal (hereinafter referred to as Property). The ATC's mission is to preserve and manage the 2,189 mile Appalachian National Scenic Trail (A.T.) – ensuring that its vast natural beauty and priceless cultural heritage can be shared and enjoyed today, tomorrow, and for centuries to come. The action that Capital Region Water and its partners propose will be one of the greatest and most cost effective ways to ensure the water source for over 67,000 persons will remain protected. And, as habitat fragmentation continues to threaten the survival of many plant and animal species throughout the Commonwealth, the Easement will potentially reverse that trend in this region by tying together over 34,000 contiguous acres of State Game Lands. The ATC supports the DeHart Watershed Conservation Proposal overall, but it believes there could be some improvements made to the Easement language that would improve the experience for the public and A.T. hikers while also protecting the environment.

Symbiosis: The A.T. and the Easement

The southwestern portion of the easement is bisected by the A.T., which for a very short stretch, lies on National Park Service land (See Attachment A). From this point, the A.T. parallels the Property for approximately three miles on State Game Commission Land No. 211 before heading east, away from the Property.¹

Noise and lighting from housing and commercial developments are some of the biggest threats to the A.T. "experience." Since the A.T. bisects the Property and in some cases is directly adjacent to the Property, the ATC strongly supports the proposal because of prohibitions against many of these kinds of activities that are becoming greater concerns to the ATC and A.T. users.

The ATC would like the partners to consider an opportunity to further engage the public in the outdoors by providing for a hiking trail(s) on the Easement that could link with the A.T. The ATC understands if liability issues and direct threats to the reservoir may be part of the rationale for not including public accessibility as one of the permitted uses in the Easement. However, it is the ATC's belief that these issues could be resolved to the satisfaction of all parties. The ATC would like there to be a serious consideration for any or all of the following: hiking trail(s), a connector to the A.T., and possibly a water filling station for hikers.

1

Permitted Uses

The ATC supports a management scheme that incorporates Forest Stewardship Council (FSC) Certified forest management plan as a viable and conservation minded approach to timber harvesting. Similarly, if mining of sand, gravel and rock is to occur for property infrastructure improvements as the Easement permits, we desire to see Best Management Practices implemented at a minimum.

The Easement language permits the construction of solar panels and other forms of renewable energy. While the ATC supports the use of clean and renewable energy generation, the Easement does not stipulate the size of solar array(s) or other types of renewable energy nor does it state an acceptable measurement of land disturbance to support the installation of renewable energy sources. ATC would encourage that the Easement offer more clarification in these areas. ATC respectfully requests that all permitted activities that generate significant amounts of noise occur during off peak times of A.T. use – November through May -- which also coincides with much of the time that the ground is harder and less subject to damage from heavy equipment and soil erosion.

A Hiker's View

A hiker's view along the A.T. in State Game Lands No. 211 near the Property is entirely of forest and there are no scenic vistas. Still, the view that hikers are accustomed to in this area could change if there was an insect infestation or other natural event that damages the trees and "opens" the area. If there was such an event, and because of the proposed language in the Easement, hikers would still be able to experience a view of forested lands. The Easement ensures that the "experience" of wildness along the A.T. would remain for future generations.

Species of Concern

Plants

According to the Pennsylvania Natural Heritage Program (PNHP), which inventories and maintains a list of all plant and wildlife species, plant communities, and geologic features in the Commonwealth of Pennsylvania for which there is conservation concern, there are a number of plant and animal species that merit protection and attention on and in close proximity to the Property.

PNHP has identified two small populations of plant species of concern south of the spillway and on Capital Region Water property that appears to be part of the Easement.ⁱⁱ

The PNHP has identified the Clark Creek Wetlands as containing several plant species of concern: grass-leaved rush (*Juncus biflorus*); Vasey's eupatorium (*Eupatorium godfreyanum*); meadow beauty; and marsh-gentian. These species have been identified as being located approximately two miles southwest of the edge of the Property.ⁱⁱⁱ

Approximately one mile southwest of the property, PNHP has identified a site referred to as Clark Creek Woods. This area consists of two small pools that are vegetated by a mixture of sedges: (*Carex gynandra*, *C. lupulina*, *C. crinita*, *C. intumescens*, *C. lurida*), bulrushes (*Scirpus cyperinus*, *S. polyphyllus*), grasses (*Leesia oryzoides*, *L. virginicus*, *Glyceria melicaria*, *Panicum clandestinum*, *P. agrostoides*, *P. microcarpon*), Iris, cardinal flower and other herbs, and scattered winterberry, highbush blueberry, and buttonbush. In 1997, endangered cattail sedge (*Carex typhina*) was discovered in the pools. To conserve these species, PNHP recommends "protecting the stream and a surrounding buffer of woods."^{iv}

Other Species of Concern

The threatened Allegheny woodrat (*Neotoma magister*) has been found at Peters Mountain and the habitat is within State Game Lands No. 210 located directly north and west of the Property.^v

Surveys taken from Fort Indiantown Gap, located south of the Property, has shown evidence of two plants species of concern and eight animal species of concern. The regal fritillary (*Speyeria idalia*) butterfly population at Fort Indiantown Gap is one of only two known populations that exist east of the Mississippi River. Other invertebrate species of concern include: Leonard's skipper butterfly (*Hesperia leonardus*), frosted elfin butterfly (*Incisalia irus*), hand-maid moth



(*Datana ranacaeps*), Pine barrens Zale moth (*Zale* sp. 1), and the earwig scorpionfly (*Merope tuber*). The hand-maid moth and the earwig scorpionfly are unique in that the hand-maid moth had not been documented in Pennsylvania in decades and the earwig scorpionfly had never been recorded in Pennsylvania.^{vi} The report for this study was written in 2005.

Many populations of the Allegheny woodrat can be found at Fort Indiantown Gap and a northern myotis bat (*Myotis septentrionalis*) was captured at Fort Indiantown Gap, but it was unclear if young bats are in the area or roosting nearby.^{vii}

Clarks Creek: Special Protection Stream

The DeHart reservoir and surrounding lands comprise and define a significant portion of the Clarks Creek Watershed. Water from the reservoir flows south and provides sufficient flow to Clarks Creek throughout the year to sustain the ecosystem. Pennsylvania has designated Clarks Creek as a High Quality – Cold Water Fishery (HQ-CWF) and as a Trout Stocking Fishery (TSF).^{viii} As such, any activities that occur on the Easement must ensure that they will not degrade the designations of Clarks Creek and risk the survival of the aquatic life inhabiting the Creek. Clarks Creek Watershed Preservation Association, an active organization that was formed to preserve and protect the Clarks Creek Watershed, should be consulted about all permitted uses on the Property that may potentially impact the Watershed.^{ix}

Kittatinny Ridge

The Kittatinny Ridge extends from Dauphin and including the land around the Easement, stretches for 185 miles beyond Pennsylvania’s borders to the Delaware River to the Mason-Dixon Line. Each year, tens of thousands of hawks, eagles, falcons, hummingbirds, and butterflies wing through the area annually on their migratory journey. Thousands of birders position themselves at rocky outcroppings along the Ridge and the A.T. with their binoculars pointed to the sky searching for winged migrants. Protecting these lands through a conservation easement adds tremendous value to the Kittatinny Ridge from an environmental, tourism, and educational perspective.^x

Final Thoughts

ATC applauds Capital Region Water, The Ward Burton Wildlife Foundation, The Nature Conservancy, and Fort Indiantown Gap for their time, energy, and deliberate focus on conservation regarding the DeHart Watershed Conservation Proposal. We concur with Capital Region Water that the time to seize this opportunity to lock away one of the greatest natural treasures in Dauphin County is now. To delay the purchase of the Easement creates a risk of development that could alter the character and landscape of the region, threaten Clarks Creek (High Quality Cold Water Fishery and a Trout Stocking Fishery), and significantly risk the A.T. “experience.” The proposed Easement addresses many of the concerns that ATC wrestles with on a daily basis as it strives to maintain the A.T. “experience” for all users whether they be day hikers, through hikers, or a family that wants to experience nature for a few hours on a Saturday. We encourage the partners to give strong consideration to our suggestions that will enhance the hiking experience on the A.T. and perhaps for all users of the Property.

Approving the conservation easement will offer far reaching benefits for the public and will help to protect the long term biological and physical integrity of the Clarks Creek Watershed. The ATC’s interest in protecting native plants, wildlife, and the hiker’s experience will benefit significantly by the conservation easement acting as a buffer from encroaching development. Thank you for the opportunity to comment on the DeHart Watershed Conservation Proposal, a gift that has the potential to offer an untold value. ATC looks forward to discussing any of the suggestions to the Easement language, which we believe will add significant benefits for A.T. users and the general public. I can be reached at 717-258-5771 or bmountcastle@appalachiantrail.org, should you wish to discuss any of the suggestions in more detail.

Sincerely,

Brooks Mountcastle
Environmental Planner



cc: Josh Parrish, Working Woodlands Director, The Nature Conservancy
Tom Inge, Project Manager, The Ward Burton Wildlife Foundation
Dave Weisnicht, Fort Indiantown Gap

ⁱ Google Earth Pro

ⁱⁱ <http://www.gis.dcnr.state.pa.us/maps/index.html?nha=true>

ⁱⁱⁱ Ibid.

^{iv} Ibid.

^v *A Natural Areas Inventory of Dauphin County PA Update -2005*, The PA Science Office, The Nature Conservancy

^{vi} Ibid.

^{vii} Ibid.

^{viii} *Clarks Creek Watershed Coldwater Conservation Plan*. Dauphin County Conservation District, Feb. 2012 &

<http://www.ccwpa.org/>

^{ix} <http://www.ccwpa.org/>

^x <http://kittatinnyr ridge.org/explore/about-the-ridge/>



Provided receipt of comment 4/8/2016:

Thank you for taking the time to provide thoughtful and constructive comments to Capital Region Water regarding the DeHart Property Conservation Proposal. Your feedback will be considered in future deliberations on this matter. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors.

Received additional question on 4/8/2016:

Will there be an opportunity for public comment before the Board votes that day or night on 4.27? I was remiss in mentioning Gap training activities and there should be a sensitivity to their timing near the Property. I did not want to miss the 4 p.m. deadline. Thanks for your comments and help. It looks like you are doing good work for CRW and enjoying it, which is most important.

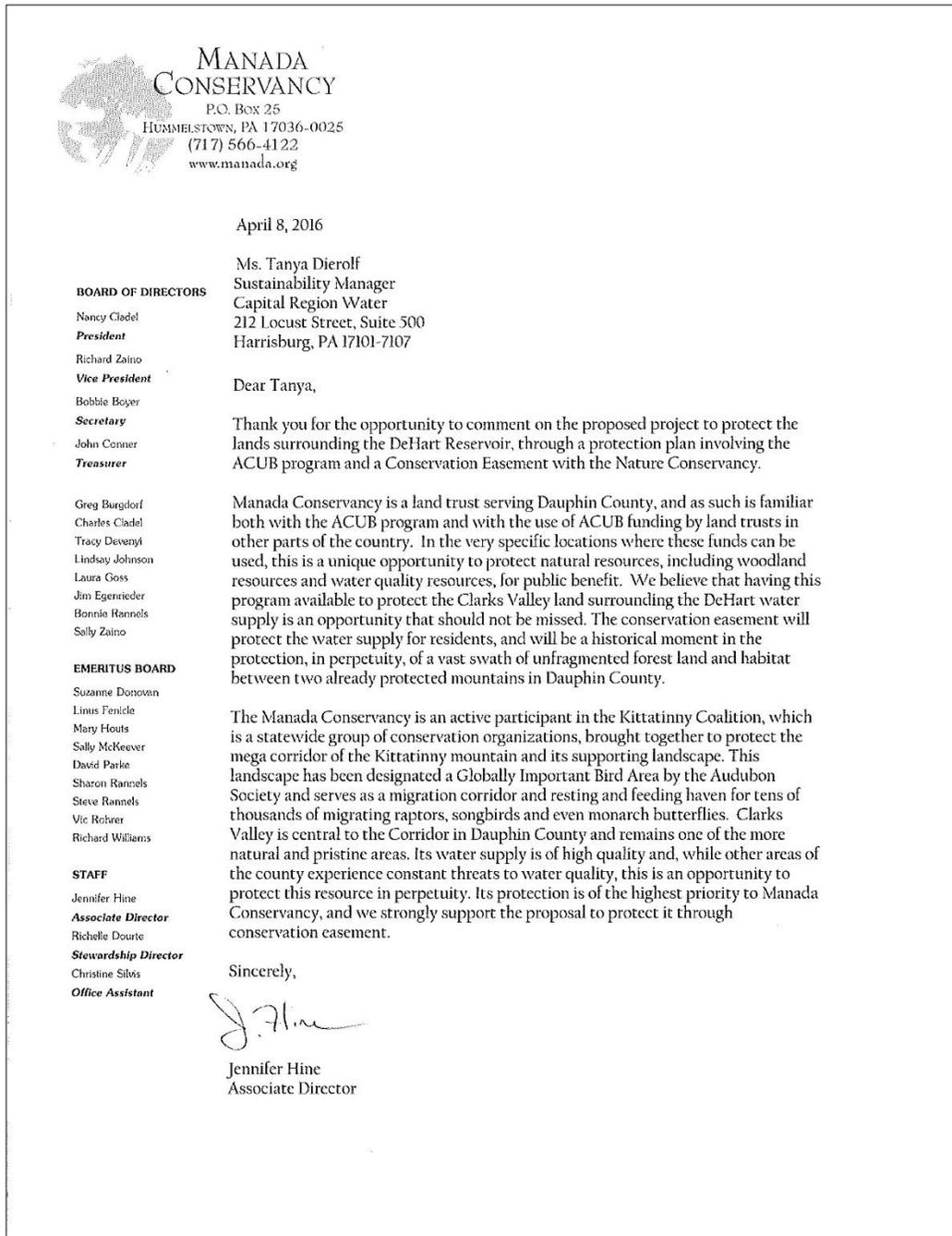
Provided response on 4/8/2016:

We always have a public comment opportunity for agenda (and non-agenda) items at our monthly Board meetings. As there will be a related agenda item on the topic, the opportunity to comment will be early on the 4/27 agenda and prior to deliberation of any new business. Let me know if you'd like further details.

Manada Conservancy

Received via email 4/8/2016; US mail 4/11/2016:

Attached is a letter of support from Manada. Please stay in touch with us as things progress.



Provided receipt of comment 4/8/2016:

We certainly will. And thank you for taking the time to draft and submit this.

Sierra Club

Received via email 4/8/2016; US mail 4/11/2016:



April 8, 2016

Capital Region Water
ATTN: Tanya Dieroff
212 Locust Street, Suite 500
Harrisburg, PA 17101-7107

Dear Capital Region Board members,

The Sierra Club was founded in 1892 to explore, enjoy, and protect our planet. The Sierra Club's 24,000 Pennsylvania members include hunters, anglers, birders, plant lovers, hikers, and ordinary residents who enjoy the outdoors. Nationally and locally, the Sierra Club has been a leader in conservation practices and environmental protection. Pennsylvania is endowed with wonderful natural wildlife, aquatic life, and plant species and we should make the extra effort to protect them. We should protect these creatures and plants because they are part of the complex biology of our region and provide important biologic and ecologic functions, such as controlling insect populations and filtering pollution.

The Governor Pinchot Group includes some 3,000 members who reside in southcentral Pennsylvania. Many of our members take advantage of the opportunities to be outdoors offered on public and private lands. Some of our members live in the Clarks Valley watershed and a far greater number receive drinking water from the DeHart reservoir. On behalf of the Governor Pinchot Group of the Sierra Club, we would like to offer the Group's support for the conservation easement proposed by Capital Region Water. We believe that the concept you have outlined is sound and would provide long term protection of the water resources you manage.

The proposed conservation easement would protect current riparian buffers. Riparian buffers are naturally vegetated areas adjacent to waterways, including streams, ponds, estuaries and wetlands. This natural vegetation protects the land adjoining a waterway by preserving the floodplain, keeping native soils intact, and maintaining the streamside land and streambanks. Vegetative buffers help encourage infiltration of rainfall and runoff, and provide absorption for high stream flows – this sponge like action and infiltration provided by the buffer helps reduce flooding and drought. The vegetative community provides habitat for many species of plants and animals, many of them dependent on riparian habitat features for survival and many of them threatened or endangered species.

The buffer area provides a cushion between upland land use and water, protecting water quality, the hydrologic regime of the waterway and stream structure. The naturally vegetated buffer filters out

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pollutants, captures sediment, regulates stream water temperature and processes many contaminants through vegetative uptake. In this way, buffers efficiently provide water quality benefits and environmental enhancement for waterways and wetlands. Riparian buffers should be kept intact.

It is critical that riparian buffers not be intruded upon by concentrated flow from upland use, as is recommended by the Natural Resources Conservation Service in Conservation Service Practice Standard Code 390, "Riparian Herbaceous Cover".¹ Vegetated buffers intercept the diffuse flow of runoff from adjacent land, slowing the velocity and reducing the volume of the flow. They also turn would-be pollutants into a resource for the plants and trees in the buffer, protecting the waterway's water quality. Sediment and particulates are trapped by the structure of the forest floor and other naturally vegetated communities. Riparian buffer vegetation and organic litter slow the flow of runoff, allowing a greater opportunity for sediment and particulates to settle out before entering a stream or other waterway. Plants, via their root systems, take up pollutants, especially nitrogen and phosphorus that are essential for plant growth.² Vegetation is one way of cleaning water before water enters our drinking water system. The Clarks Valley watershed is a vital source of drinking water for the Harrisburg region. We recognize that keeping the water clean is your highest priority.

For these reasons, the Sierra Club discourages large scale land clearing, including clear cutting trees as a means of harvesting wood and fossil fuel pipeline construction. These practices introduce silt and other pollutants into streams and degrade water quality. We hope the proposed conservation easement will prohibit these and other pollution causing practices and that your land use policies will similarly discourage pollution.

Your efforts to take these steps to protect your water resources is commendable. Thank you for the opportunity to comment.

Sincerely,

Thomas Y. Au
Conservation Chair
Governor Pinchot Group

¹ <ftp://ftp-fc.sc.egov.usda.gov/NHQ/practice-standards/standards/390.pdf>

² DNREC and Brandywine Conservancy, [Conservation Design for Stormwater Management: A Design Approach to Reduce Stormwater Impacts from Land Development and Achieve Multiple Objectives Related to Land Use](#), September, 1997, p. 1-25

Provided receipt of comment 4/8/2016:

Thank you and the Sierra Club for taking the time to provide thoughtful and constructive comments to Capital Region Water regarding the DeHart Property Conservation Proposal. Your feedback will be considered in future deliberations on this matter. We intend to be back in touch with updates on this matter as it is likely the Board will take action on the Proposal during the April 27 Regular Meeting of the Board of Directors.

An additional 32 responses* were received in response to the survey form (31 online, 1 hard copy):

*2 of these respondents also submitted comments via email

After reviewing on the proposal materials, do you support the proposal to conserve our 8,200 acre DeHart Watershed Property in Dauphin County by easement in partnership with the Ward Burton Wildlife Foundation, The Nature Conservancy, and Fort Indiantown Gap?

Yes: 31

No: 1

After reviewing the list of extinguished / prohibited uses above, do you have any concerns about what will be expressly extinguished / prohibited under this proposed easement? If Yes, please explain:

Yes: 0

No: 26

No response: 6

Comments: 4

1. I don't under the restriction stated 'inclusion of property not subject to easement terms for purposes of other land use or density needs'. As written is seems to allow for exemption of terms to allow for residential, commercial, or industrial development, thus I would oppose this proposed restriction. Perhaps I'm not interpreting it correctly.
2. Although there may be concerns about wind energy development at this time, it is short sighted to prohibit it in perpetuity. Technology, social concerns, & scientific research could all play a role in future consideration of wind energy.
3. No, I am not the against the proposal, but was interested in seeing what the list of "(exemptions made below)" consists of. I am the president of the Dauphin County Woodland Owners Association and unfortunately we have not been on top of this(newswise) situation, but now since we are & have reviewed your proposal, we feel very strongly about preserving this forested watershed 'gem'. We are dedicated to woodsand & forest sustainability by using 'best management practices'. Please keep us informed of all that is going on with this projected proposal as we would like to join in on making it successful.
4. Wind generation for electricity to reduce costs for the City of Harrisburg and the water authority. Such an exemption fill fulfill the ideals of this proposal and will continue forever.

After reviewing the list of extinguished / prohibited uses above, do you have any other uses that you would like to see prohibited under this proposed easement?

No: 5

No response: 18

Comments: 9

1. Given the water quality goals of the easement, fracking should be specifically prohibited. Also, I would want a restriction to prevent a gas or oil pipeline from going through, or under, any surface water on the property. Note, I'd suggest to permit gas and oil pipelines where lines do not cross water course and in such areas, require that the cleared areas be vegetated with the appropriate a mixture of native wildflowers and that where appropriate serve as a trail.
2. Fort Indiantown Gap wants this area as a buffer between the public & its training operations. There should be a prohibition on them ever using this area as part of their operations, especially as a target area.
3. local republicans want to be able to chop all vegetation following creeks for their builder friends !!! please stop them !!! so tired of backhanded greed .. this state is a COMMONWEALTH .. that means protections for all both human beings and gods creatures... I think this will be secure .. Natures Conservancy is honest .. so far so good and I enjoy our water and proud of it !!!! dont mind spending more and feeling secure in its purity
4. Any outdoor lighting should be fully shielded to project light below the horizontal.
5. NO CAMP FIRES
6. Hunting and fishing
7. Clear cut timbering unless needed as fire break in extreme droughts.
8. I would like it clear that other land disturbances (e.g., clear cutting, large parking areas) are prohibited.
9. Not that I can think of

After reviewing the list rights reserved by Capital Region Water above, do you have any concerns about what rights will be retained by Capital Region Water under this proposed easement? If Yes, please explain:

No: 25

No Response: 7

Comments: 4

1. Just as there are specific conditions on their right to manage the forest, there should be conditions on their control of public access. There is no mention of the public's right to free access to the high quality hiking trails and fishing on this property, and adequate parking for those users.
2. PLEASE.....NO SELLING OF COMPANY TO FOREIGNERS.
3. I am not in favor of the right to sell this property.
4. I am expecting CRW to do anything in keeping with environmental concerns. I have optimism that you will.

After reviewing the list of rights reserved by Capital Region Water above, do you suggest any other rights that should be reserved under this proposed easement?

No: 4

No response: 25

Comments: 3

1. ONLY A LOCAL COMPANY CONTROLS THE CITY'S WATER SUPPLY
2. I would like to see some hiking trails put in
3. Seems pretty comprehensive

Under the proposal, Capital Region Water will receive approximately \$9 million (\$1,125 / acre) through the Fort Indiantown Gap Army Compatible Use Buffer program to grant a conservation easement limiting development on the property. Do you feel that this is fair compensation for granting the proposed easement to The Nature Conservancy? If no, please explain.

Yes: 27

No response: 5

Comment:

1. I'm not really sure if this is enough or not enough.

Please provide any other comments or questions that you may have:

No response: 13

Comments: 19

1. Great work, Capital Region Water. This reservoir and watershed is vital to Harrisburg and I am glad you are doing something creative to secure the future viability of the watershed while harnessing it for present infrastructure improvements.
2. After attending the 1st Public meeting in Harrisburg on the DeHart Conservation Proposal & reviewing the information that was presented, this Conservation Easement Proposal is much better than the previous proposal which involved the PA Game Commission , a year ago. This Conservation Easement will ensure that all CRW's DeHart property, the reservoir and forest land, 8,200 acres in Rush Township, Dauphin County, will be fully protected under the watchful eye of TNC from any type of encroachment such as development of homes, wind farms, etc. Plus, (I like this the most) CRW continues to retain ownership of its property. The \$9-million ACUB funds from FITG should only be used by CRW for infrastructure improvements to the DeHart Dam /Reservoir, Robert B. Young filtration plant, 26-mile aqueduct line and replacement of pipes throughout the city. These funds are not to be used for any of Harrisburg's other failed projects. Therefore, I encourage the CRW Board to vote for this Conservation Easement.
3. This sounds like a creative, responsible solution to multiple concerns. Hope it goes through.
4. While I'm not in the service area of Capital Region, businesses I support and family and friends are, so I feel it is valid for me to share my comments and express that it's important that we take action now to protect current and future water quality. I'm glad to see the collaboration of groups attempting to make this reality.

5. I think it's imperative to protect sources of drinking water and this proposal is a sensible way to do that.
6. The overall concept is good, but it should not become a preserve out of reach to those who enjoy its vast natural values & beauty.
7. this is a great idea...I support it. It is important
8. This is a great idea to protect our water source.
9. Dauphin County Woodland Owners Association is involved with the PA Forest Stewardship Program & works along with DCNR & the PSU School of Forest Resource to promote proper forest stewardship for sustainability of our vast & diverse renewable natural resources for future generations.
10. Given the hideous records of water safety , or lack thereof, in Flint MI and long ago in the Love Canal, I think this is a wise move to safeguard the area from the current lust of developers for " lakeside" properties.
11. Please review previous comment so we as a community may obtain the benefits and savings of wing generation.
12. This is a better idea than the previous proposal to sell the property. It is great prohibiting the possibility of gas extraction or wind development. I strongly support the idea of having all timber harvesting on the property being subject to FSC standards.
13. It's vital to protect our water supply, and maintaining forest buffers is crucial to achieving that goal. I hope this proposal goes far enough.
14. I would like to see the continued management of the property through the conservation easement continue to be an open and transparent process -- such that CRW regularly provides information to its customers and citizens in the region to both inform and, when appropriate, engage on decisions being made such as things like Sustainable Forest Management and recreation and other public-use opportunities on the property as well as dos and don'ts for public use.
15. As a private citizen, a Board Member for the Dauphin County Woodland Owners Association, and a member of the Manada Conservancy, I fully support the Dehart Watershed Property Conservation Proposal.
16. I think this proposal will help preserve the land in its current rural status.
17. Very good stewardship of this beautiful area. I appreciate it very much!



18. This proposal will provide a significant benefit to Capital Region Water customers, while protecting the forest ecosystem and the watershed.
19. I would love to know more about what the money would be spent on. I think this would really help to sell this project.