

October 23, 2014

Mr. Jeff Luzenski  
PPL Electric Utilities  
Susquehanna-Roseland Project

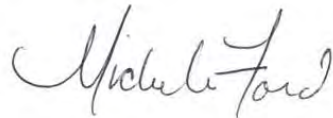
**Project: Root Cause Analysis of Introduced Mile-A-Minute Vine (*Persicaria perfoliata*)  
Section B17 of the Susquehanna-Roseland Project (SRP) Transmission Line Right-of-Way  
Delaware Water Gap National Recreation Area  
East Stroudsburg, PA  
NEE Project #: 14-4505**

Dear Mr. Luzenski:

On August 19 and 20, 2014 New England Environmental, Inc. (NEE) visited the B17 Section of the Susquehanna-Roseland Project (SRP) Transmission Line right-of-way (ROW) located in the Delaware Water Gap National Recreation Area in East Stroudsburg, Pennsylvania as well as topsoil supplier AgChoice, to evaluate existing conditions relative to the invasion of mile-a-minute vine (*Persicaria perfoliata*) in recently constructed/restored areas along the ROW. On October 14, 2014 NEE also visited topsoil supplier Middle Smithfield Properties. The methods, findings and photographs from our site visit and evaluation are included herein. If you have any questions regarding this document or the applications please do not hesitate in contacting me at our office.

Sincerely,

**NEW ENGLAND ENVIRONMENTAL, INC.**



Michelle T. Ford, CWB®, PWS  
Senior Scientist



Scott Fisher  
Vice President – Restoration  
Division/Restoration Specialist



Root Cause Analysis of Introduced Mile-A-  
Minute Vine (*Persicaria perfoliata*)  
Section B17 of the Susquehanna-Roseland  
Project (SRP) Transmission Line Right-of-  
Way

Delaware Water Gap National Recreation Area  
East Stroudsburg, PA

*Submitted:* October 23, 2014

*Prepared for,*

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NEE Project No. 14-4505



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## 1.0 INTRODUCTION

New England Environmental, Inc. (NEE) has been retained by PPL Electric Utilities Corporation (PPL) to evaluate the possible root cause of a mile-a-minute vine (*Persicaria perfoliata*), referred to herein as MAM, infestation in recently restored, post-construction areas along the B17 Section of the Susquehanna-Roseland Project (SRP) Transmission Line right-of-way (ROW) (referred to herein as Site) located in the Delaware Water Gap National Recreation Area in East Stroudsburg, Pennsylvania. Project specific information such as dates, number of MAM plants identified in the project area, project history, etc., has been provided to NEE by a project representative from Burns and McDonnell (BMCD). The goal of NEE's review is to provide an independent, third-party review of site conditions and to evaluate and investigate potential sources from which MAM may have been introduced.

### 1.1 NEE Qualifications

New England Environmental Inc. (NEE) is a full-service environmental consulting firm established in Massachusetts in 1986. NEE is headquartered in Amherst, Massachusetts and has a satellite office located in Middlefield, Connecticut. NEE's staff includes botanists, soil and wetland scientists, wildlife biologists, Certified Professionals in Erosion and Sediment Control, Licensed Site and Environmental Professionals (LSP and LEP), restoration specialists, geologists, landscape architects, ecological designers and licensed pesticide applicators.

NEE has worked in invasive plant identification and management throughout New England, Pennsylvania, New Jersey and New York for over a decade. NEE has identified and developed invasive plant management plans for mile-a-minute vine (MAM) in Connecticut and Pennsylvania. The evaluation was conducted by NEE's Vice President of Restoration Services, Mr. Scott Fisher, and Senior Scientist, Ms. Michelle Ford. Mr. Fisher has over 15 years of experience working with invasive vegetation and has conducted similar evaluations and inspections of sites as well as contractor practices, restoration supply yards and installation techniques for the National Park Service, Green Mountain National Forest and Massachusetts Department of Transportation. Ms. Ford is a Professional Wetland Scientist and Certified Wildlife Biologist® with a variety of experience in native vegetation and wildlife throughout the northeast. Ms. Ford has developed invasive plant management strategies for MAM in Connecticut and is well versed in the plant's identification, biology, and dispersal mechanisms as well as with the construction and restoration practices associated with transmission line projects.

## 2.0 SITE DESCRIPTION

The Site is located in the Town of East Stroudsburg, Pennsylvania and extends along the transmission line ROW south of State Route 209. Within the Site there are eleven (11) designated areas of evaluation, identified as follows:

- Structure B17-1
- Structure B17-2
- National Park Service Lands East of B17-2
- B17-3
- 3-Pole Structure South of Van Auken House
- Access Road to B17-4
- Structure B17-4
- Access Road Between B17-4 and B-17-5

- Structure B17-5
- Access Road Between B17-5 and B-17-6
- Structure B17-6

With the exception of Structures B17-1, B17-2 and B17-3, all impacted areas are located within the Delaware Water Gap National Recreation Area (referred to herein as the Park) which is owned and managed by the National Park Service (NPS). At each area of evaluation within the Site some level of construction and/or restoration on behalf of the project has taken place since September 2013. In general, construction activities included land clearing, removal of old and installation of new transmission line structures, grading, topsoil placement, and seeding. The primary contractor for the project was Harlan Electric Company (Harlan), a subsidiary of MYR Group.

### **3.0 EVALUATION METHODOLOGY**

Prior to visiting the impacted areas at the Site, NEE identified the potential sources of MAM which may have led to its' introduction at the Site. These potential sources included the following:

- Existence within the existing soil/seed bank
- Wildlife
- Construction materials (stone for access roadways)
- Construction, contractor or agency personnel and/or vehicles
- Topsoil Suppliers
- Restoration seed supply
- Straw distributed for soil stabilization

On August 19 and 20, 2014, NEE, accompanied by a representative from BMcD and a biological monitor for the project, visited the 11 impacted areas noted in Section 1.0 in order to evaluate the following:

- The abundance and distribution of MAM within the impacted area;
- Presence/absence of MAM in nearby/adjacent areas which may have served as a seed source
- The differences in plant community composition between disturbed areas where topsoil was applied, disturbed areas where no topsoil was applied, and undisturbed areas.

To date, hand-pulling of individual MAM plants within the impacted areas has taken place and so only a few MAM plants were identified (and removed) during the Site visit. The number of MAM plants pulled at each location was provided to NEE by BMcD and is included in Table 1.0. In addition to visiting the Site, NEE also visited the following:

- Equipment wash down area and gravel quarry which supplied the construction access road stone
- AgChoice Organics Recycling (topsoil provider)
- Bushkill Access (area approximately 3-miles from the Site which is heavily infested with MAM) which is a NPS boat/river access ramp and a non-project location
- Middle Smithfield Materials (topsoil provider for Structures B17-2 and B17-3 (off NPS property)

Since MAM was not found in all areas where straw and seed were placed, at the time of the Site visit, and because laboratory analysis and documentation related to herbicide/weed treatment was provided, NEE did not visit the seed and straw suppliers.

While at the AgChoice supply yard, NEE interviewed with the Site owner and stockpile yard operator regarding the composting process, quality control measures, material sources and general operation procedures. NEE also inspected the stockpile yard and perimeter for MAM and other vegetation identified within topsoiled areas at the Site, such as vegetables (primarily squash, pumpkin, and watermelon) and non-native, ornamental landscape flowers. No representatives were available at the equipment wash down area and gravel quarry which supplied the construction access road stone and so NEE, accompanied by a representative from BMcD, evaluated the areas where the equipment was washed and from where the stone was collected.

On October 14, 2014 NEE visited the Middle Smithfield Materials supply yard to evaluate the soil stockpile areas, presence of MAM as well as Japanese hops, both of which were identified at Structures B17-2 and B17-3, proximal to the NPS park boundary.

## **4.0 EVALUATION RESULTS**

Prior to NEE's involvement in the project, the field representative from BMcD documented Site conditions, construction and restoration activities, significant dates and counts of MAM plants extracted to date. This information is presented in Table 1.0. A summary of NEE's evaluation into the primary vectors of MAM dispersal to the Site is provided below.

### **4.1 Existing Seed Bank**

Mile-A-Minute Vine can be found in many areas throughout the Park, thus making it plausible to consider that a MAM seed bank was present within the soil, and once that soil was disturbed during construction, germinated. Several factors identified during this evaluation make this theory implausible are provided below.

The root masses of all MAM plants identified during the August 19, 2014 Site visit were extracted from the top 1-2 inches of soil. According to the Restoration Plan for the Susquehanna-Roseland Transmission Line Project prepared by PSE&G and PPL (March 31, 2014), "In Pennsylvania, Contractors shall apply/blend a minimum of three (3)-inches of suitable topsoil or suitable native soils to existing material to provide a suitable seedbed of at least four (4) to eight (8) inches." Assuming the purchased topsoil was blended with native subsoil and not simply placed atop the existing soil, the roots of MAM plants would likely be found distributed throughout the upper 8 inches of soil and not only within the upper 1-2 inches. The shallow root zone (upper 1-2 inches) was generally consistent with the BMcD field representative who had conducted all post-construction MAM removal at the Site.

As presented in Table 1.0, there is a significant range in the amount of MAM plants that have been hand-pulled, post-restoration, to date. Only 1, 13 and 14 MAM plants have been identified at the 3-Pole Structure South of the Van AukenHouse, Structure B17-4 and the Access Road between Structure B17-4 and Structure B17-5, respectively. The introduction of such a relatively small number of MAM plants at these locations could have been attributed to a variety of factors, such as contractor or construction vehicles, existing soil, wildlife, etc. However, the significant quantity of MAM plants at B17-2, the access road between Structures B17-5 and B17-6, and Structure B17-6, which ranges from 437 to 1,360 individual plants, implies something beyond the introduction by contractor equipment or wildlife.

Table 1.0 Dates of soil and seed installation and count of Mile-A-Minute Vine plants removed to date

|                                  | Str.<br>B17-1 | Str.<br>B17-2                     | NPS Lands<br>East of Str.<br>B17-2 | Str.<br>B17-3                     | 3-Pole Str.<br>South of<br>Van Auken<br>House | Access<br>Road to<br>Str.B17-4 | Str.<br>B17-4      | Access Road<br>Between<br>Str. B17-4 &<br>Str. B17-5 | Str. B17-<br>5   | Access Road<br>Between Str.<br>B17-5 & Str.<br>B17-6 | Str. B17-<br>6   |
|----------------------------------|---------------|-----------------------------------|------------------------------------|-----------------------------------|-----------------------------------------------|--------------------------------|--------------------|------------------------------------------------------|------------------|------------------------------------------------------|------------------|
| Soil Supplier                    | N/A           | Middle<br>Smithfield<br>Materials | N/A                                | Middle<br>Smithfield<br>Materials | AgChoice                                      | AgChoice                       | AgChoice           | AgChoice                                             | AgChoice         | AgChoice                                             | AgChoice         |
| Seed Supplier                    | N/A           | Ernst                             | Ernst                              | Ernst                             | Ernst                                         | Ernst                          | Ernst              | Ernst                                                | Ernst            | Ernst                                                | Ernst            |
| Straw<br>Supplier                | N/A           | East Coast<br>EB                  | East Coast<br>EB                   | East Coast<br>EB                  | East Coast<br>EB                              | East Coast<br>EB               | East Coast<br>EB   | East Coast EB                                        | East Coast<br>EB | East Coast EB                                        | East Coast<br>EB |
| Soil Placed                      | N/A           | April 3, 4,<br>8                  | None                               | April 9-11                        | May 29                                        | June 16,<br>17, 20             | June 10,<br>11, 16 | June 6-10                                            | May 28           | May 20                                               | May 19,<br>20    |
| Seed Placed                      | N/A           | April 14                          | April 14                           | April 17                          | May 30 &<br>June 20                           | June 16,17,<br>20              | June 17, 18        | June 12                                              | May 30           | May 21                                               | May 21           |
| Mile-A-Minute Vine Plants Pulled |               |                                   |                                    |                                   |                                               |                                |                    |                                                      |                  |                                                      |                  |
| June 16                          | 0             | 0                                 | 0                                  | 0                                 | 0                                             | 0                              | 0                  | 0                                                    | 1                | 85                                                   | 531              |
| June 19                          | 0             | 0                                 | 0                                  | 0                                 | 0                                             | 0                              | 0                  | 0                                                    | 0                | 102                                                  | 354              |
| June 20                          | 0             | 0                                 | 0                                  | 0                                 | 0                                             | 0                              | 0                  | 0                                                    | 9                | 56                                                   | 0                |
| June 30                          | 0             | 287                               | 0                                  | 120                               | 0                                             | 0                              | 0                  | 0                                                    | 2                | 95                                                   | 142              |
| July 7                           | 0             | 294                               | 0                                  | 83                                | 0                                             | 0                              | 4                  | 2                                                    | 21               | 72                                                   | 147              |
| July 14                          | 0             | 227                               | 0                                  | 61                                | 0                                             | 0                              | 3                  | 10                                                   | 13               | 59                                                   | 96               |
| July 21                          | 0             | 126                               | 0                                  | 42                                | 0                                             | 0                              | 2                  | 0                                                    | 7                | 40                                                   | 44               |
| July 28                          | 0             | 122                               | 0                                  | 26                                | 0                                             | 0                              | 2                  | 2                                                    | 6                | 9                                                    | 24               |
| August 4                         | 0             | 19                                | 0                                  | 19                                | 0                                             | 0                              | 1                  | 0                                                    | 1                | 1                                                    | 10               |
| August 11                        | 0             | 11                                | 0                                  | 13                                | 1                                             | 0                              | 0                  | 0                                                    | 1                | 1                                                    | 3                |
| August 19                        | 0             | 13                                | 0                                  | 4                                 | 0                                             | 0                              | 0                  | 0                                                    | 1                | 2                                                    | 9                |
| Week of Sept.<br>22              | N/A           | 30                                | 0                                  | 2                                 | 0                                             | 0                              | 0                  | 0                                                    | 0                | 9                                                    | 1                |
| Total MAM<br>Pulled              | 0             | 1,129                             | 0                                  | 370                               | 1                                             | 0                              | 12                 | 14                                                   | 53               | 446                                                  | 1,361            |

Notes: 1. All dates are in 2014

2. Data provided to New England Environmental by Burns & McDonnell

Assuming the seeds were present in the existing soil, and thus present prior to construction and restoration, it is highly likely that the plants would have been identified during pre-construction survey or pre-construction inspections and that MAM would be readily established in areas adjacent to the Site. During the field inspection, no MAM plants were identified in areas adjacent to the ROW or in areas undisturbed by the project. Understanding that MAM is a highly-prolific, rapidly growing and invasive plant, it is therefore highly improbable that if it were present prior to construction, that it would now only be identified within the construction and restoration footprint, and in particular, only in areas where topsoil had been placed.

#### **4.2 Potential Wildlife Sources for MAM Dispersal**

Mile-A-Minute vine seeds provide a nutritious food source for a variety of wildlife and insects and as such, are often consumed by a variety of wildlife such as birds, mammals, such as chipmunks, squirrels, and white-tailed deer. Ants have also been documented dispersing MAM seeds short distances. (Stone, K., 2010). There are two primary methods of dispersal by wildlife: transporting and dropping viable seeds in new areas and excreting viable seeds in scat. In most cases, dispersal by wildlife is through foraging on MAM in one area and excreting the viable seeds elsewhere (Pennsylvania Department of Conservation and Natural Resources, unknown year). Birds are the primary vector for long distance dispersal of MAM (Kumar, V. and DiTommaso, A., 2005).

Understanding that wildlife vectors such as birds, white-tailed deer, chipmunks, various rodents and insects can all be readily found at the Site and that MAM populations exist within the dispersal distance of both birds and deer at the Park, it is plausible to consider wildlife as a potential source for MAM introduction at the Site. During the Site visit, NEE visited the Bushkill Access, located approximately 3 miles from the Site. The Bushkill Access is heavily dominated by MAM and other invasive vegetation which likely serves as a seed source for dispersal by wildlife to adjacent areas. Although 3-miles is a feasible distance for birds, deer or other large wildlife to transport MAM to the Site, the quantity of MAM identified at Structures B17-2, B17-3, the Access Road between B17-5 and B17-6, and at Structure B17-6 make it implausible for wildlife to have transported that quantity of seed directly to the Site. Further, dispersal by wildlife would likely be less specific, e.g. having 1,099 at Structure 2 and 0 at the adjacent NPS Lands East of Structure 2.

Mile-A-Minute vine seeds require cold stratification ranging from 41-51° Fahrenheit (F) for a period of at least 6-8 weeks (Kumar, V. and DiTommaso, A., 2005; Stone, 2010; McCormick and Johnson, 1997). Soil was placed at impacted areas at the Site between April 3 to June 20, 2014 and MAM was first identified at the Site around June 16, 2014. Should a bird, deer or other wildlife have consumed or carried a MAM seed to the Site it would have had to have occurred after the earliest soil placement on April 3, 2014 which, according to temperature records for the area would not have permitted the necessary 6-8 weeks of cold stratification to allow the seeds to germinate. According to [www.weather.com](http://www.weather.com), the average high temperatures for April and May at the Site were 61° and 72° F and thus wouldn't have allowed for that consistently cold temperature needed for successful germination. Even if some seeds were able to germinate in shaded areas subject to lower temperatures (the average low temperature for April and May was 36 and 46° F, respectively), the distribution and abundance in the evaluation areas makes wildlife dispersal highly improbable. In addition, MAM does not typically go to seed until June and as such there would be no seeds available for wildlife to consume and deposit at the Site.

The amount of individual MAM seeds that would need to be distributed by wildlife from evaluation areas B17-2, the access road between Structures B17-5 and B17-6, and Structure B17-6 (a total 2,896 viable seeds) further makes distribution by wildlife highly improbable as the source of MAM.

Lastly, the presence of MAM only within restored areas, and absent from suitable habitat adjacent to the Site, further minimizes the likelihood of wildlife as the primary vector for dispersal.

#### **4.3 Construction Materials (Stone for Access Roadways)**

Prior to the commencement of construction, the contractor created several access roads so that equipment could more readily access the right-of-way and work areas. Existing trees and groundcover vegetation were cleared and 2-3" rip-rap (or similar) stone was installed. Three access roads in which stone was placed were included as part of this evaluation: the access road to B17-4, access road between B17-4 and B17-5, and the access road between B17-5 and B17-6. Each area was restored with topsoil and seed. The stone for the access road came from an off-site quarry.

As presented in Table 1.0, 14 and 437 MAM plants have been identified at the access road between B17-4 and B17-5 and the access road between B17-5 and B17-6, respectively. No MAM plants have been identified at the access road to B17-4.

Construction stone for the access roadways was not the likely cause of the MAM introduction because it was only identified in two of the three areas where the stone was placed and has been identified in significant quantities beyond where stone was not placed. If MAM had been brought to the Site in the construction access road stone, it would likely not be found in higher quantities in areas where the stone was not placed. Further, NEE visited the quarry from which the stone was purchased and staged prior to installation and no MAM plants were identified in the vicinity of where the material was stockpiled.

#### **4.4 Introduction by Construction, Contractor or Agency Personnel and/or Vehicles**

According to the field representative from BMcD, all construction vehicles were rinsed daily at an off-site location prior to entering the Park. Construction vehicles were also inspected prior to entry to ensure they were washed adequately and void of any obvious signs of dirt or debris which may contain invasive vegetation or seed stock. Considering the distribution and quantity of MAM identified and also the fact that MAM was not identified at three sites at which construction and restoration activities occurred, it is unlikely that the construction equipment or personnel were the primary vector of for distribution. A total of 3,344 MAM plants have been identified and removed at the evaluation areas between June 16 and August 19, 2014. Introduction of MAM by construction vehicles at this scale would have had to have been through equipment transporting seeds in contaminated soil adhering to the vehicle prior to entry. Since the equipment was washed daily and, presumably was not transported frequently between contaminated sites and the project area, it is highly improbable that the equipment or personnel carried in this volume of viable seeds.

#### **4.5 Topsoil Suppliers**

In order to comply with the Restoration Plan for the Susquehanna-Roseland Transmission Line Project prepared by PSE&G and PPL (March 31, 2014), "Contractors must provide topsoil that is 100% invasive weed seed free and that does not come from a stockpile source. Soil must be heated to a sufficient temperature and duration to kill invasive seeds and plant material."

With the exception of Structures B17-1, B17-2 and B17-3, which are not located on NPS property, all other areas of evaluation received topsoil from AgChoice Organics Recycling of Andover, New Jersey. New England Environmental visited the AgChoice office and soil stockpile yard on August 20, 2014 to evaluate the composting process and yard conditions.

AgChoice topsoil is a blend of 75% composted materials and 25% sandy loam. The compost used for the topsoil mix is made from any combination of food waste, dredged lake vegetation, municipal leaves, and/or manure, all of which is approved prior to composting by the New Jersey Department of Environmental Protection (NJ DEP). AgChoice does not accept municipal yard waste, public compost, or grass clippings. The mineral component used for the topsoil mix is either sand from a local quarry or overburden material from a limestone operation. According to Mr. Jay Fischer, the owner of AgChoice, the material from the quarry is harvested on average from fresh cuts in the landform and is not taken from stockpiled areas. The material from the limestone operation is the overburden material collected after the material has been processed and dewatered. New England Environmental was not able to inspect the quarries due to OSHA safety constraints and therefore could not evaluate the likelihood of MAM introduction via the mineral component in the topsoil.

Compost material at the AgChoice stockpile yard is composted for anywhere from 8 - 12 weeks on-site and, depending on core temperature within the stockpiles, is turned via bulldozer every one to two weeks. Core temperatures are monitored at the center of each stockpile using a temperature probe to ensure temperatures of 130 – 140° F are maintained. Once the compost has fully degraded, it is placed in a mechanical tumbler which sifts out any debris or large material not suitable for the finished topsoil and then mixed with mineral (sand) component.

According to Mr. Fischer, the stockpile operation was originally located on another property several miles away and only recently began operating at the current location in March 2014. Material was trucked from that previous property to the current operating area in early 2014. All material from the previous operating area was sold and distributed prior to the topsoil placement at the SRP ROW and as such, all topsoil used at the Site was from the current stockyard, manufactured in the spring and summer of 2014. Although it wasn't explicitly described by Mr. Fisher, prior to occupation by AgChoice, the current stockyard was likely used as for agriculture or lie vacant but vegetated similar to the surrounding areas.

The AgChoice stockyard is a large, open field located in a predominately forested/agricultural area. The yard has one entrance/exit set back approximately 1/2-mile from the nearest main road. The following are some pertinent observations and notes taken while at the AgChoice stockpile yard:

- No vegetation was observed growing on or within any of the compost stockpiles.
- Squash/vegetable plants are common along the perimeter of the stockyard.
- The stockpiles and stockyard are managed daily by an AgChoice employee.
- Except during significant rain events, the stockpiles are left uncovered.
- Topsoil was trucked to the Site via an outsourced trucking company hired by AgChoice.
- Two MAM plants were observed within a drainage ditch located approximately 20-25 feet from active stockpiling. No other MAM plants were observed at or proximal to the stockyard.
- Although soil from AgChoice is tested for organic content, contaminants, and pH and bacteria, it is not tested for weed seed content.

During the visit to the AgChoice stockyard, NEE identified two, individual MAM plants which, based upon their size, appeared to be in the first years' growth. Both plants were located in/near a stormwater

drainage ditch located approximately 20-25' from the active stockpiles and were in seed. The stockyard manager and Mr. Fischer were made aware and were going to remove the plants from the Site that afternoon. No other MAM plants were identified at or adjacent to the stockyard.

According to a letter dated June 22, 2014 from Harlan to Burns & McDonnell, included in Appendix A, Harlan states that, "A site visit to the soil production facility resulted in verification that the suspect invasive species was not present." However, when questioned about this Site visit, neither owners Jay or Jill Fischer, nor the stockyard operator were aware of such a site visit having taken place and did not grant permission for anyone from Harlan or Phillips & Jordan (the restoration sub-contractor under Harlan) to conduct such a visit without supervision. Further, the letter states that, "processed soil stockpiles, that have been stored since last fall, also showed no signs of the suspect invasive species." However, no processed stockpiles from the previous fall would have been available at the AgChoice yard for viewing since they had all been processed and sold prior to distribution of any soil to the SRP project Site.

In total, 3,180 cubic yards of topsoil, delivered by 35 truckloads, was purchased from AgChoice and delivered to the project Site within the NPS property between May 7 and June 10, 2014. Placement of AgChoice soil began on May 19 and continued through June 20 (Table 1). Copies of the invoices and Bills of Lading are provided in Appendix B. No documentation or information related to the cleaning or inspection of the vehicles used to haul the AgChoice soil was available, however it was conveyed to NEE that all vehicles were rinsed at the start of the construction day prior to entering NPS property.

With the exception of the Access Road to Structure B17-4 area, MAM plants were observed growing in all evaluation areas within NPS lands at which topsoil was placed (Table 1). It should be noted that a portion of the Access Road to Structure B17-4 is located within a shady, forested area and although MAM prefers open, sunny locations, it can also readily germinate in shaded areas such as the shaded portion of the Access Road to Structure B17-4. Soil was stockpiled at Structure B17-4 between delivery and placement, i.e. between May 7 and May 19, it is unclear how much soil was placed at each area within the NPS property.

Topsoil was purchased from another vendor, Middle Smithfield Properties, Inc., located off Sand Hill Road, approximately 1.6 driving miles from the nearest site within NPS property, and used at Structures B17-2 and B17-3. New England Environmental conducted a visit to the soil supply yard on October 14, 2014 and met briefly with the yard operator. Since the topsoil was not proposed to be placed within NPS lands it did not need to be certified as 'Weed Free' and thus receives no composting or processing to prevent or reduce invasive seed contamination. Sand is harvested from the existing landscape and mixed with municipal waste and compost to generate the final topsoil product. While at the property an abundance of Japanese hops and MAM was observed along the periphery of the soil harvesting and staging areas (Site Photographs - Appendix D).

Japanese hops has been documented in great numbers (>1,000 plants to date according to BMcD), and to a lesser extent, MAM has also been documented and removed at Structures B17-2 and B17-3. The source of the Japanese Hops and MAM at these structures is consistent with expectations given the proximity of the topsoil operations to existing invasive material found at the Site. The high density of Japanese hops found at Structures B17-2 and B17-3 is significant in that very little, if any, Japanese hops has been documented within the areas of soil placement at the NPS Sites. The presence of dense Japanese hops only at the Structures where Middle Smithfield Materials topsoil was placed and nowhere

else supports the distinction between areas with Middle Smithfield Materials topsoil versus AgChoice material. If Middle Smithfield Materials topsoil was placed at areas within the NPS property, it is likely that it would have been accompanied by significant numbers of Japanese hops, similar to what's been identified and removed at Structures B17-2 and B-17-3.

The idea that topsoil was stockpiled together from the two suppliers is not likely in that soil from Middle Smithfield Materials topsoil was delivered between April 3 and April 9 and placed between April 3 and April 11, nearly one month prior to the first delivery of AgChoice soil. Further, since no vegetables, i.e. tomatillo, squash, cantaloupe, etc., which were common within many of the NPS property areas where AgChoice soil was placed, were observed growing at Structures B17-2 and B17-3, it is doubtful that the soils were ever mixed and that AgChoice material was placed at Sites outside the NPS property.

As previously stated, AgChoice moved to the existing stockyard in March 2014 and sold all topsoil and compost material prior to its use on the SRP project. As such, it can be assumed that all topsoil for the SRP project began composting in March 2014 when AgChoice moved to the current stockyard. Given that the composting process takes 8-12 weeks and the first soil delivery from AgChoice took place on May 5, this would allow roughly 8 weeks in between the start of the composting process to delivery. Although this is the minimum time for composting and assumes the material began composting the first week of March, this is quite feasible. Beginning May 12, the weekly topsoil shipments to the project ranged from 600 to 800 cubic yards, with an additional 225 cubic yards on June 9 and 10. This means that AgChoice had to produce at least 600 cubic yards of topsoil between March and June in order to accommodate the project. The timeframe between the first week in March and the first large delivery of 600 cubic yards of topsoil on May 12 is approximately 10 weeks. Given the size of the stockyard and number of composting piles at the AgChoice facility it is likely that they can accommodate this quantity of topsoil. According to historic weather data for Andover, New Jersey (where AgChoice is located), the average daily temperature was 31°F and 48°F for the months of March and April, 2014 ([www.noaa.gov](http://www.noaa.gov)). Although colder temperatures can reduce microbial activity and thus decomposition, according to the Center for Integrated Agricultural Systems, "if the pile size is increased in winter to 8-12 feet tall and 10-12 feet wide [as the piles generally exist at the AgChoice facility] piles can retain heat and remain active." It should be recognized that with an already shortened composting timeframe (10 weeks as opposed to 12) coupled with seasonally cold temperatures, the full expanse of compost in the piles may not have spent enough time at high enough temperatures adequate to render any invasive seeds within the piles sterile.

The temperatures achieved during composting are ideally maintained between 130 - 140°F for 8-12 weeks. Although this temperature range and duration is suitable to kill many undesirable seeds, little documentation exists as to the specific temperature and duration necessary to render MAM seeds unproductive. The presence of viable squash and various vegetable seeds present after the composting is complete indicates that some seeds can survive the composting process and are thus still viable. According to Donna Ellis, the Senior Extension Education at the University of Connecticut, it is very difficult to determine for certain if MAM seeds are present and/or viable in compost without performing laboratory analysis. In addition, according to Judith Hough-Goldstein, Professor of Entomology at the University of Delaware College of Agriculture and Natural Resources and author of several manuscripts of MAM control and management, it is plausible to consider the survival of MAM seeds in compost if other seeds, such as squash and tomatillos can survive. Mile-A-Minute vine seeds are, beneath the fleshy outer covering, a hard structure which can survive a vast array of conditions. Both Ms. Ellis and Ms. Hough-Goldstein are unfamiliar with any documented studies on the success of composting in

killing viable MAM seeds (D. Ellis and J. Hough-Goldstein, personal communication, September 2, 2014).

Another possibility for the introduction of MAM through the topsoil was that the AgChoice soil was supplemented with non-weed-free topsoil from another vendor. According to the Restoration Plan, “Contractors shall apply/blend a minimum of three (3)-inches of suitable topsoil or suitable native soils to existing material to provide a suitable seedbed of at least 5-inches.” As stated on Sheet R-M-Notes of plan set entitled, “Delaware Water Gap National Recreation Area Restoration Drawings prepared for PPL Electric Utilities Corporation & Public Service Electric and Gas Company for the Susquehanna – Roseland 500 kV Transmission Line Project”, the cubic yards of topsoil required per acre is as follows:

- 3 inch topsoil depth requires 403 cubic yards/acre
- 4 inch topsoil depth requires 537 cubic yards/acre
- 5 inch topsoil depth requires 672 cubic yards/acre

According to a representative from BMCD, the total restored area was approximately 3.71 acres which would have required between 1,495 and 2,493 cubic yards. According to the Bills of Lading and invoices for AgChoice materials, the 3,180 cubic yards delivered should have been more than adequate for at least 5-inches of topsoil cover.

Although MAM plants were identified at the AgChoice stockyard, the origin of the plants cannot be determined. The plants, being in the early stages of growth, could have come from contaminated compost material which arrived at the stockyard or been deposited by birds which are known to forage throughout the stockpiles. The absence of a mature and prolific stand of MAM which would act as a seed source further supports the notion that seeds for the two MAM plants arrived from an off-site location. The presence of MAM, and other invasive plants at the AgChoice stockyard does however suggest that invasive plant management, at least along the periphery of the stockyard, is not taking place. In addition, it is plausible to consider that the invasive vegetation identified along the periphery was present to some extent prior to the occupation of the Site by AgChoice, who began operations at the stockyard in spring of 2014.

#### **4.6 Restoration Seed Supply**

With the exception of Structure B17-1, all evaluation areas were seeded with seed purchased by Seedway, LLC of Hall, New York as a legal vendor for Ernst Conservation Seeds of Meadville, Pennsylvania. In total, 136 pounds distributed between seven different seed mixes were used at the Site. The species contained in each mix are presented in Appendix C along with analytical results for each mix stating the percent other crop, inert matter, and weed seed contained in each mix. For each of the 11 seed mixes used at the Site, the weed seed percent ranged from 0.01% in Mix 1 to 0.13% in Mix 7.

According to a letter from Ernst Conservation Seeds to Seedway, LLC dated June 23, 2014, “All of our seed is tested by a certified seed laboratory and meets common standards. Based on the test results from the certified seed laboratory there is no Mile-A-Minute seed present in any of the seed lots used in these mixes”. The laboratory analysis documenting no MAM seeds were present in the seed mix, the low percentage of any weed seeds in all of the seed mixes and the fact that MAM was not identified in all seeded areas supports the conclusion that the introduction of MAM at the Site was not related to the seed mixes used as part of the restoration efforts.

#### **4.7 Soil Stabilization Straw & Erosion Control Blankets**

In order to ensure soil stabilized prior to seed establishment, double net straw biodegradable rolled erosion control blankets, provided by East Coast Erosion Blankets of Bernville, PA were installed. The blankets are comprised of biodegradable, woven jute material and agricultural straw held together with biodegradable thread. The agricultural straw used in the blankets was provided to East Coast Erosion Blankets by Aden Brook. It is unclear if erosion control blankets were placed on all restored areas or only in areas where slopes were greater than 3:1.

According to a letter dated June 1, 2014 from Aden Brook, the wheat straw provided for the erosion blankets, "Meets and or exceeds the minimum standards for the ON and NY Noxious Weed Free Forage Program, derived from the North American Weed Free Management Index". According to the letter, the produce was harvested and originated from Aden Brook Farms/Old Fort Farms/Flynn Farms located near Clinton ON, and Kincardine, ON. The letter further states that, "the standing crop was scouted throughout the growing season by crop personnel for weeds and had a total of 2 chemical weed control applications during growth and before harvest. Straw before bailing and in the base at the time of inspection showed no sign of noxious weeds or weeds that had gone to seed head."

The inspection and herbicide application during straw growth and prior to harvest, the fact that MAM has not yet been documented in Ontario, where the straw was grown, and since MAM was not identified in all areas where the erosion control blankets were placed supports the conclusion that the introduction of MAM at the Site was not related to the erosion control blankets used as part of the restoration and soil stabilization efforts.

## **5.0 CONCLUSION**

In order to ascertain the origin of introduced MAM at the restored areas within the NPS property, NEE reviewed project data provided by PPL and BMcD, visited and evaluated the Site as well as several material suppliers in the area. Although the source of the MAM could not be documented with absolute certainty, our evaluation concludes that MAM was most likely introduced from within the topsoil provided by AgChoice. The lack of definitive laboratory testing of the AgChoice topsoil batches placed at the Site, the inability to inspect the mineral component of the topsoil from the quarry sources, the potential for inadequate composting time due to seasonally low temperatures coupled with a reduced composting timeframe, the identification of two, likely first-year MAM plants at the AgChoice facility which may have come from contaminated material delivered to the stockyard for composting, and the lack of data validating that composting at temperatures between 130-140°F will kill MAM seeds, all support the possibility that the MAM at the Site came within topsoil supplied by AgChoice.

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## **APPENDIX A**

Letter Dated June 22, 2014 from Harlan to Burns &  
McDonnell



June 22, 2014

Harlan Electric is submitting this document as the official response to NCN 00011: Invasive Species M.A.M which was transmitted on June 18, 2014.

At the projects direction, the following assessment activities were performed:

- Harlan and its restoration subcontractor contacted our vendors providing restoration related material and put them on notice regarding the presence of the suspect invasive species.
- Harlan has verified that the top soil used in the restoration within the DEWA met NPS requirements. We have reviewed the production of the soil sterilization process (which was approved by The Project and NPS) with the vendor and are confident that the process was followed. A site visit to the soil production facility resulted in verification that the suspect invasive species was not present. Processed soil stockpiles, that have been stored since last fall, also showed no signs of the suspect invasive species. The soil vendor's process is certified for use in organic production and has to meet very strict standards to obtain the certification. The soil was certified as weed free by the Soil vendor, and that verification was submitted to the project on April 29, 2014.
- Harlan and its restoration subcontractor has verified with its seed vendor that Mile a Minute weed is not mixed with any of the seed designs that were utilized on the project.
- Harlan has verified that the suspect invasive species is in fact Mile a Minute weed *Persicaria perfolida*
- Harlan has verified that the "cleanliness protocol "was followed for all of the equipment that was brought on site. ( inspection log attached ) Harlan did not inspect, therefore cannot verify, the cleanliness of Project personnel vehicles, or NPS vehicles.
- The delivery and application of topsoil and seed has been suspended within the DEWA

*Persicaria perfolida* per the attached fact sheet produces seeds that are viable for 6 years. The seeds of this species require temperatures below 10 degrees Celsius (50 degrees F) or below must be maintained for an eight week period to stimulate germination. Based on this germination period, the mile per minute plant would have not had the time or conditions to germinate. The soil utilized within the DEWA was produced in the spring and delivered to the project began on May 7<sup>th</sup> 2014. This timeframe does not present the required eight weeks below 50 degrees. The population of mile of minute weeds discovered on the project appeared predominately on the side slopes, where the native soil had been scarified with the imported topsoil per the Project provided restoration plan Rev 3-31-14. The scarification process



along with the introduction of the fertile composted topsoil potentially agitated the naturally present dormant seeds.

The USDA, The Center for Invasive Species and Ecosystem Health, and the National Park Service have all recognized the infestation of *Persicaria perfolida* in the state of Pennsylvania, and it has been classified as a Pennsylvania –listed noxious weed. Additionally, as evident in the attached article from the official DEWA website, *Persicaria perfolida* has been spreading within the park since at least 2012.

While the project failed to identify which contract clause or exhibit we are non-compliant with, Harlan Electric strongly asserts that all of the Contract processes and procedures were adhered to in regards to prevention of invasive species introduction to the project site and refutes the Project's assertion that Harlan, it's subcontractors, or vendors are responsible for the introduction of the invasive species.

Harlan expects full compensation for the delays associated with the issuance of this Non Compliance Notice

Harlan Electric and Phillips & Jordan will fully cooperative with The Project and NPS staff to develop a mitigation plan to help limit the spread of the infestation.

Regards,

A blue ink handwritten signature, appearing to read 'Danny M. Gessman', is written over a horizontal line.

Danny M .Gessman  
Project Manager, PPL Susquehanna – Roseland Seg B-17A Project  
Harlan Electric Company

Attached: NCN 00011

- AG Choice Soil Certification
- Juke Mat Material submittal
- AgChoice Soil Load Sheets
- Soil Compost Test Results
- Seed Tags
- Bio Stake material submittal
- Straw Weed Free Statement
- Filtrix Sock Documentation
- Vehicle Inspection Log
- DEWA Mile-a Minute weed achieved release

## **APPENDIX B**

### AgChoice Soil Quantities and Invoices

|    | Ag Choice | Load Receipt | CY  | Loads | W/E       |     |
|----|-----------|--------------|-----|-------|-----------|-----|
| 1  | 05/07/14  | 140507-9B    | 30  | 1     | 5/9/2014  | 30  |
| 2  | 05/12/14  | 140512-8B    | 100 | 4     |           |     |
| 3  | 05/12/14  | 140512-8A    | 100 | 4     |           |     |
| 4  | 05/13/14  | 140513-5B    | 100 | 4     |           |     |
| 5  | 05/13/14  | 140513-4A    | 100 | 4     |           |     |
| 6  | 05/15/14  | 140515-6A    | 100 | 4     |           |     |
| 7  | 05/15/14  | 140515-6B    | 100 | 4     | 5/16/2014 | 600 |
| 8  | 05/19/14  | 140519-5A    | 100 | 4     |           |     |
| 9  | 05/19/14  | 140523-6B    | 75  | 3     |           |     |
| 10 | 05/19/14  | 140519-5B    | 25  | 1     |           |     |
| 11 | 05/20/14  | 140520-4B    | 100 | 4     |           |     |
| 12 | 05/20/14  | 140520-4A    | 100 | 4     |           |     |
| 13 | 05/21/14  | 140521-3A    | 100 | 4     |           |     |
| 14 | 05/21/14  | 140521-3B    | 100 | 4     |           |     |
| 15 | 05/22/14  | 140522-4A    | 100 | 4     |           |     |
| 16 | 05/22/14  | 140522-4B    | 100 | 4     | 5/23/2014 | 800 |
| 17 | 05/27/14  | 140527-4B    | 100 | 4     |           |     |
| 18 | 05/27/14  | 140527-4A    | 100 | 4     |           |     |
| 19 | 05/28/14  | 140528-3A    | 100 | 4     |           |     |
| 20 | 05/28/14  | 140528-3B    | 100 | 4     |           |     |
| 21 | 05/29/14  | 140529-3B    | 100 | 4     |           |     |
| 22 | 05/29/14  | 140529-3A    | 75  | 3     |           |     |
| 23 | 05/30/14  | 140530-3A    | 75  | 3     |           |     |
| 24 | 05/30/14  | 140530-3B    | 100 | 4     | 5/30/2014 | 750 |
| 25 | 06/02/14  | 140602-3A    | 100 | 4     |           |     |
| 26 | 06/02/14  | 140602-3B    | 100 | 4     |           |     |
| 27 | 06/03/14  | 140603-3A    | 100 | 4     |           |     |
| 28 | 06/03/14  | 140603-3B    | 100 | 4     |           |     |
| 29 | 06/04/14  | 140603-3A    | 100 | 4     |           |     |
| 30 | 06/04/14  | 140604-3B    | 75  | 3     |           |     |
| 31 | 06/06/14  | 140606-3A    | 100 | 4     |           |     |
| 32 | 06/06/14  | 140606-3B    | 100 | 4     | 6/6/2014  | 775 |
| 33 | 06/09/14  | 140609-3A    | 25  | 1     |           |     |
| 34 | 06/09/14  | 140609-3B    | 100 | 4     |           |     |
| 35 | 06/10/14  | 140610-3B    | 100 | 4     | 6/15/2014 | 225 |

What we have provided shows 3,180 CY delivered to-date. We have projected another 2,880 SY of area still needs topsoil (from the bridge to community drive), @ 4" thick = 320 CY. The breakdown is as follows:

|                        |                |
|------------------------|----------------|
| Topsoil still needed   | 320 CY         |
| Topsoil placed to-date | <u>3180 CY</u> |
| TOTAL                  | 3500 CY        |



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FACILITY ID # 624517 Class C Recycling

3113012 C-65

## Load Receipt

| Date       | Receipt # |
|------------|-----------|
| 05/07/2014 | 140507-9B |

|                                                                                        |
|----------------------------------------------------------------------------------------|
| <b>Customer:</b>                                                                       |
| Jerry Tipton<br>Phillips & Jordan, Inc.<br>10201 Parkside Drive<br>Knoxville, TN 37922 |

|                 |                       |
|-----------------|-----------------------|
| <b>Driver</b>   | <b>Customer Phone</b> |
|                 | 865-603-9276          |
| <b>Time In:</b> | <b>Time Out:</b>      |
|                 |                       |

| Qty ( cu yds) | Item         | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 30            | Bulk Topsoil | <p>Bulk topsoil screened to 3/8" and delivered to job site in National Recreation Area, East Stroudsburg, PA</p> <p>NOTE: Driver must contact Vondale Tipton 828-735-9085 upon arrival. Truck will be inspected before dumping to ensure trucks are not leaking oil.</p> <div><p>Ag Choice compost is made following the U.S. Department of Agriculture National Organic Program (N.O.P.) standards. Ag Choice topsoil is made with 75% compost and 25% sandy loam to create a premium product rich in nutrients and easy to handle. Our products meet or exceed NJ DEP Residential Soil Standards.</p></div> |

Terms:

Received By: \_\_\_\_\_

Date: \_\_\_\_\_

Deliveries inside curblane at customer's own risk. We will not be held responsible for broken sidewalks, driveways, etc.

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Customer

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

## Load Receipt

Date

5/12/2014

Load Receipt #

140512-8B

On-site Contact

Steve: 570-494-8640

Truck #

#6

Driver

Rodney Ely

| Time    | # of Cu Yds | Item         | Received By |
|---------|-------------|--------------|-------------|
| 7:00 AM | 25 yds      | Bulk Topsoil | Rodney Ely  |
| 11am    | 25 yds      |              | Rodney Ely  |
| 1:30 pm | 25 yds      |              | Rodney Ely  |
| 3:30 pm | 25 yds      |              | Rodney Ely  |
|         |             |              |             |
|         |             |              |             |
|         |             |              |             |
|         |             |              |             |
|         |             |              |             |
|         |             |              |             |

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## Customer

**Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302**

3113012

# Load Receipt

|             |                       |
|-------------|-----------------------|
| <b>Date</b> | <b>Load Receipt #</b> |
| 5/12/2014   | 140512-8A             |

|                        |
|------------------------|
| <b>On-site Contact</b> |
| Steve: 570-494-8640    |

| Truck # | Driver |
|---------|--------|
| #5      | Andy   |

| Time    | # of Cu Yds | Item         | Received By |
|---------|-------------|--------------|-------------|
| 8:30 Am | 25          | Bulk Topsoil | AB          |
| 11am    | 25          |              | AB          |
| 120pm   | 25          |              | AB          |
| 348pm   | 25          |              | AB          |
|         |             |              |             |

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Customer

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@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

3113012  
100 yARD

## Load Receipt

| Date      | Load Receipt # |
|-----------|----------------|
| 5/13/2014 | 140513-5B      |

| On-site Contact     |
|---------------------|
| Steve: 570-494-8640 |

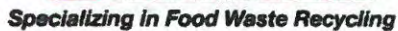
| Truck # | Driver     |
|---------|------------|
| 6       | Rodney Ely |

| Time   | # of Cu Yds | Item         | Received By |
|--------|-------------|--------------|-------------|
| 8:20A  | 25 yds      | Bulk Topsoil | Steve Cloer |
| 10:30A | 25 yds      |              | Steve Cloer |
| 1:00pm | 25 yds      |              | Steve Cloer |
| 3:15pm | 25 yds      |              | Steve Cloer |
|        |             |              |             |
|        |             |              |             |
|        |             |              |             |
|        |             |              |             |
|        |             |              |             |
|        |             |              |             |

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**Customer**

## Load Receipt

|           |                |
|-----------|----------------|
| Date      | Load Receipt # |
| 5/13/2014 | 140513-4A      |

|                        |
|------------------------|
| <b>On-site Contact</b> |
| Steve: 570-494-8640    |

| Truck # | Driver |
|---------|--------|
|         |        |

| Time   | # of Cu Yds | Item         | Received By |
|--------|-------------|--------------|-------------|
| 8:20A  | 25          | Bulk Topsoil | Steve Clark |
| 10:40A | 25          |              | Steve Clark |
| 1:15P  | 25          |              | Steve Clark |
| 3:45   | 25          |              | Don J...    |
|        |             |              |             |

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| Customer                                                                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

3113012

## Load Receipt

| Date                  | Load Receipt # |
|-----------------------|----------------|
| 5/15/2014             | 140515-6A      |
| On-site Contact       | Driver         |
| Vondale: 828-735-9085 | Rodney Ely     |
| Truck #               |                |
| 6                     |                |

| Time  | # of Cu Yds | Item         | Received By    |
|-------|-------------|--------------|----------------|
| 8:05  | 25          | Bulk Topsoil | Vondale Tipton |
| 11:10 | 25          |              | Vondale Tipton |
| 1:20  | 25          |              | Vondale Tipton |
| 4:05  | 25          |              | Vondale Tipton |
|       |             |              |                |
|       |             |              |                |
|       |             |              |                |
|       |             |              |                |
|       |             |              |                |
|       |             |              |                |

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PO Box 1031 \* Andover, NJ \* 07821

PH: 973-786-5176 \* FX: 973-786-6028

FACILITY ID # 624517 Class C Recycling

Customer

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

3113012

## Load Receipt

| Date      | Load Receipt # |
|-----------|----------------|
| 5/15/2014 | 140515-6B      |

| On-site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

| Truck # | Driver     |
|---------|------------|
| Blue #8 | John Bryan |

| Time    | # of Cu Yds | Item         | Received By    |
|---------|-------------|--------------|----------------|
| 8:04 am | 25          | Bulk Topsoil | Vondale Tipton |
| 10:45   | 25          |              | Vondale Tipton |
| 12:55   | 25          |              | Vondale Tipton |
| 3:23    | 25          |              | Vondale Tipton |
|         |             |              |                |
|         |             |              |                |
|         |             |              |                |
|         |             |              |                |
|         |             |              |                |
|         |             |              |                |

Ag Choice topsoil is made with 75% of our high quality humus compost and 25% sandy loam to create a premium product rich in nutrients and easy to handle. Our products meet or exceed NPS and NJ DEP Residential Soil Standards.

Deliveries inside curblane at customer's own risk. We will not be held responsible for broken sidewalks, driveways, etc.

PHONE: 973-786-5176 \* FAX: 973-786-6028 \* EMAIL: info@ag-choice.com \* WEB: www.ag-choice.com



Specializing in Food Waste Recycling

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FACILITY ID # 624517 Class C Recycling

**Customer:**

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

3113012

# Load Receipt

Date

5/19/2014

Receipt #

140519-5A

On Site Contact

Vondale: 828-735-9085

Truck #

Driver

| Time  | # of Cu Yds | Item         | Received By                |
|-------|-------------|--------------|----------------------------|
| 8:15  | 25          | Bulk Topsoil | Delivered Monday 5/19/2014 |
| 10:30 | 25          |              | <i>[Signature]</i>         |
| 1:00  | 25          |              | <i>[Signature]</i>         |
| 3:05  | 25          |              | <i>[Signature]</i>         |
|       |             |              |                            |
|       |             |              |                            |

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PO Box 1031 \* Andover, NJ \* 07821

PH: 973-786-5176 \* FAX: 973-786-6028

FACILITY ID # 624517 Class C Recycling

| Customer:                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

3113012

## Load Receipt

| Date            | Receipt #             |
|-----------------|-----------------------|
| 5/23/2014       | 140523-6B             |
|                 |                       |
| On Site Contact | Vondale: 828-735-9085 |
| Truck #         | Driver                |
|                 |                       |

| Time  | # of Cu Yds | Item         | Received By                                                                         |
|-------|-------------|--------------|-------------------------------------------------------------------------------------|
|       |             | Bulk Topsoil | Delivered Friday 5/23/14                                                            |
| 9:45  | 25          |              |   |
| 12:24 | 25          |              |   |
| 2:48  | 25          |              |  |
|       |             |              |                                                                                     |
|       |             |              |                                                                                     |

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PO Box 1031 \* Andover, NJ \* 07821

PH: 973-786-5176 \* FAX: 973-786-6028

FACILITY ID # 624517 Class C Recycling

**Customer:**

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

3113012

## Load Receipt

Date

5/19/2014

Receipt #

140519-5B

On Site Contact

Vondale: 828-735-9085

Truck #

6

Driver

Rodney Ely

| Time | # of Cu Yds | Item         | Received By                                                                                                      |
|------|-------------|--------------|------------------------------------------------------------------------------------------------------------------|
| 9:45 | 25          | Bulk Topsoil | Delivered Monday 5/19/2014<br> |
|      |             |              |                                                                                                                  |
|      |             |              |                                                                                                                  |
|      |             |              |                                                                                                                  |
|      |             |              |                                                                                                                  |
|      |             |              |                                                                                                                  |

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FACILITY ID # 624517 Class C Recycling

Customer:

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

3113012

## Load Receipt

Date

5/20/2014

Receipt #

140520-4B

On Site Contact

Vondale: 828-735-9085

Truck #

08

Driver

Johnny

| Time  | # of Cu Yds | Item         | Received By                 |
|-------|-------------|--------------|-----------------------------|
| 8:17  | 25          | Bulk Topsoil | Delivered Tuesday 5/20/2014 |
| 10:27 | 25          |              | <i>[Signature]</i>          |
| 1:07  | 25          |              | <i>[Signature]</i>          |
| 3:20  | 25          |              | <i>[Signature]</i>          |
|       |             |              | <i>[Signature]</i>          |

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FACILITY ID # 624517 Class C Recycling

3113012  
Load Receipt

| Date      | Receipt # |
|-----------|-----------|
| 5/20/2014 | 140520-4A |

| On Site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

| Truck # | Driver |
|---------|--------|
| 5       | James  |

|                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Customer:                                                                                                                                       |
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

| Time  | # of Cu Yds | Item         | Received By                 |
|-------|-------------|--------------|-----------------------------|
| 8:02  | 25          | Bulk Topsoil | Delivered Tuesday 5/20/2014 |
| 10:30 | 25          |              | <i>[Signature]</i>          |
| 12:30 | 25          |              | <i>[Signature]</i>          |
| 2:45  | 25          |              | <i>[Signature]</i>          |
|       |             |              |                             |
|       |             |              |                             |
|       |             |              |                             |
|       |             |              |                             |
|       |             |              |                             |
|       |             |              |                             |

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FACILITY ID # 624517 Class C Recycling

**Customer:**

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

3113012

## Load Receipt

Date

5/21/2014

Receipt #

140521-3A

On Site Contact

Vondale: 828-735-9085

Truck #

Driver

| Time     | # of Cu Yds | Item         | Received By                   |
|----------|-------------|--------------|-------------------------------|
| 8:15 AM  | 25          | Bulk Topsoil | Delivered Wednesday 5/21/2014 |
| 11:00 AM | 25          |              | Lighnell Scott                |
| 1:18 PM  | 25          |              | Lighnell Scott                |
| 3:30 PM  | 25          |              | Lighnell Scott                |
|          |             |              | Lighnell Scott                |

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FACILITY ID # 624517 Class C Recycling

|                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Customer:</b>                                                                                                                                |
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

3113012

# Load Receipt

|                        |                  |
|------------------------|------------------|
| <b>Date</b>            | <b>Receipt #</b> |
| 5/21/2014              | 140521-3B        |
| <b>On Site Contact</b> |                  |
| Vondale: 828-735-9085  |                  |
| <b>Truck #</b>         | <b>Driver</b>    |
| 08                     | Johnny           |

| Time | # of Cu Yds | Item         | Received By                    |
|------|-------------|--------------|--------------------------------|
| 0805 | 25          | Bulk Topsoil | Delivered Wednesday 5/21//2014 |
| 1050 | 25          |              | Loughmull Lant                 |
| 1250 | 25          |              | Loughmull Lant                 |
| 330  | 25          |              | Loughmull Lant                 |
|      |             |              | Loughmull Lant                 |

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FACILITY ID # 624517 Class C Recycling

**Customer:**

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

3113012

## Load Receipt

| Date      | Receipt # |
|-----------|-----------|
| 5/22/2014 | 140522-4A |

| On Site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

| Truck # | Driver |
|---------|--------|
|         |        |

| Time     | # of Cu Yds | Item         | Received By                                 |
|----------|-------------|--------------|---------------------------------------------|
| 8:05 AM  | 25          | Bulk Topsoil | Delivered Thursday 5/22/2014<br>Laird Smith |
| 10:45 AM | 25          |              | Laird Smith                                 |
| 1:00 PM  | 25          |              | Laird Smith                                 |
| 3:30 PM  | 25          |              | Laird Smith                                 |
|          |             |              |                                             |

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FACILITY ID # 624517 Class C Recycling

**Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302**

Johnny

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FACILITY ID # 624517 Class C Recycling

**Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302**

## Load Receipt

5/27/2014

140527-4B

**Vondale: 828-735-9085**

5

Andy

Ag Choice topsoil is made with 75% of our high quality humus compost and 25% sandy loam to create a premium finished product, rich in nutrients and easy to handle. Our products meet or exceed NPS and NJDEP Residential Soil Standards.



Specializing in Food Waste Recycling

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FACILITY ID # 624517 Class C Recycling

**Customer:**

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

3113012

## Load Receipt

Date

5/27/2014

Receipt #

140527-4A

On Site Contact

Vondale: 828-735-9085

Truck #

08

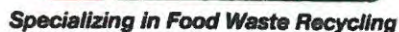
Driver

Johnny

| Time                                                                                                                                                                                                                                      | # of Cu Yds | Item         | Received By                                                                          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------|--------------------------------------------------------------------------------------|
| 8:40                                                                                                                                                                                                                                      | 25          | Bulk Topsoil | Delivered Tuesday 5/27/14                                                            |
| 10:47                                                                                                                                                                                                                                     | 25          |              |    |
| 1:07                                                                                                                                                                                                                                      | 25          |              |    |
| 3:20                                                                                                                                                                                                                                      | 25          |              |   |
|                                                                                                                                                                                                                                           |             |              |  |
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FACILITY ID # 624517 Class C Recycling

**Customer:**

**Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302**

## Load Receipt

Date \_\_\_\_\_

5/28/2014

Receipt #

140528-3A

### On Site Contact

**Vondale: 828-735-9085**

Truck #

#5

Driver

Time

**Deliveries inside curblane at customer's own risk. We will not be held responsible for broken sidewalks, driveways, etc.**



Specializing in Food Waste Recycling

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FACILITY ID # 624517 Class C Recycling

3117012

## Load Receipt

|                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Customer:</b>                                                                                                                                |
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

|             |                  |
|-------------|------------------|
| <b>Date</b> | <b>Receipt #</b> |
| 5/28/2014   | 140528-3B        |

|                        |
|------------------------|
| <b>On Site Contact</b> |
| Vondale: 828-735-9085  |

|                |               |
|----------------|---------------|
| <b>Truck #</b> | <b>Driver</b> |
| 08             | Johnny        |

| Time  | # of Cu Yds | Item         | Received By                                                                        |
|-------|-------------|--------------|------------------------------------------------------------------------------------|
|       |             | Bulk Topsoil | Delivered Wednesday 5/28/14                                                        |
| 7:45  | 25          |              |  |
| 10:20 | 25          |              |  |
| 1:00  | 25          |              | Lighnell Smith                                                                     |
| 3:00  | 25          |              | Lighnell Smith                                                                     |
|       |             |              |                                                                                    |
|       |             |              |                                                                                    |
|       |             |              |                                                                                    |
|       |             |              |                                                                                    |

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### ***Specializing in Food Waste Recycling***

PO Box 1031 \* Andover, NJ \* 07821

PH: 973-786-5176 \* FAX: 973-786-6028

FACILITY ID # 624517 Class C Recycling

## Load Receipt

|           |           |
|-----------|-----------|
| Date      | Receipt # |
| 5/29/2014 | 140529-3B |

|                              |
|------------------------------|
| <b>On Site Contact</b>       |
| <b>Vondale: 828-735-9085</b> |

| Truck # | Driver |
|---------|--------|
| 5       | Joe    |

**Customer.**

**Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302**

| Time  | # of Cu Yds | Item         | Received By                |
|-------|-------------|--------------|----------------------------|
|       |             | Bulk Topsoil | Delivered Thursday 5/29/14 |
| 8:00  | 25          |              | Kenneth W. Redinger        |
| 10:50 | 25          |              | Faighell Smith             |
| 1:00  | 25          |              | Faighell Smith             |
| 3:30  | 25          |              | Faighell Smith             |
|       |             |              |                            |
|       |             |              |                            |

233-9886 Fuel

Ag Choice topsoil is made with 75% of our high quality humus compost and 25% sandy loam to create a premium finished product, rich in nutrients and easy to handle. Our products meet or exceed NPS and NJDEP Residential Soil Standards.

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Specializing in Food Waste Recycling

PO Box 1031 \* Andover, NJ \* 07821

PH: 973-786-5176 \* FAX: 973-786-6028

FACILITY ID # 624517 Class C Recycling

311812  
**Load Receipt**

| Date      | Receipt # |
|-----------|-----------|
| 5/29/2014 | 140529-3A |

| On Site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

| Truck # | Driver |
|---------|--------|
| 08      | Johnny |

| Customer:                                                                                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

| Time  | # of Cu Yds | Item         | Received By                |
|-------|-------------|--------------|----------------------------|
| 12:00 | 25          | Bulk Topsoil | Delivered Thursday 5/29/14 |
| 2:00  | 25          |              | Laighell Smith             |
|       | 25          |              | Laighell Smith             |
|       |             |              |                            |
|       |             |              |                            |
|       |             |              |                            |
|       |             |              |                            |

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FACILITY ID # 624517 Class C Recycling

3113012

## Load Receipt

| Date      | Receipt # |
|-----------|-----------|
| 5/30/2014 | 140530-3A |

| On Site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

| Truck # | Driver |
|---------|--------|
| 5       | James  |

| Customer                                                                                                                                        |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

| Time             | # of Cu Yds   | Item         | Received By                                  |
|------------------|---------------|--------------|----------------------------------------------|
| 8:03             | 25            | Bulk Topsoil | Delivered Friday 5/30/14<br>Lighthouse Smith |
| 10:07            | 25            |              | Lighthouse Smith                             |
| <del>10:08</del> | <del>25</del> |              |                                              |
| 12:36            | 25            |              | Lighthouse Smith                             |
| 2:53             |               |              | Lighthouse Smith                             |

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973-786-5176 \* FAX: 973-786-6028 \* EMAIL: info@ag-choice \* WEB:

### ***Specializing in Food Waste Recycling***

PO Box 1031 \* Andover, NJ \* 07821

PH: 973-786-5176 \* FAX: 973-786-6028

FACILITY ID # 624517 Class C Recycling

## Customer

**Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302**

5/30/2014

Receipt #

140530-3B

### On Site Contact

**Vondale: 828-735-9085**

Truck #

08

**Driver**

облачны

| Time   | # of Cu Yds | Item         | Received By                                 |
|--------|-------------|--------------|---------------------------------------------|
| 8:00A  | 25yds       | Bulk Topsoil | Delivered Friday 5/30/14<br>Laighnell Smith |
| 10:15A | 25yds       |              | Laighnell Smith                             |
| 12:30  | 25yds       |              | Laighnell Smith                             |
| 2:45   | 25yds       |              | Laighnell Smith                             |
|        |             |              |                                             |

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FACILITY ID # 624517 Class C Recycling

Customer:

**Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302**

# Load Receipt

|          |           |
|----------|-----------|
| Date     | Receipt # |
| 6/2/2014 | 140602-3A |

|                       |
|-----------------------|
| On Site Contact       |
| Vondale: 828-735-9085 |

| Truck # | Driver |
|---------|--------|
| 5       | James  |

| Time  | # of Cu Yds | Item         | Received By                                                                                                   |
|-------|-------------|--------------|---------------------------------------------------------------------------------------------------------------|
| 8:17  | 25          | Bulk Topsoil | Delivered Monday 6-2-14<br> |
| 10:28 | 25          |              |                             |
| 12:50 | 25          |              |                            |
| 2:55  | 25          |              |                           |
|       |             |              |                                                                                                               |
|       |             |              |                                                                                                               |
|       |             |              |                                                                                                               |
|       |             |              |                                                                                                               |
|       |             |              |                                                                                                               |
|       |             |              | X                                                                                                             |

Ag Choice topsoil is made with 75% of our high quality humus compost and 25% sandy loam to create a premium finished product, rich in nutrients and easy to handle. Our products meet or exceed NPS and NJDEP Residential Soil Standards.

Deliveries inside curblane at customer's own risk. We will not be held responsible for broken sidewalks, driveways, etc.

PHONE: 973-786-5176 \* FAX: 973-786-6028 \* EMAIL: [info@ag-choice.com](mailto:info@ag-choice.com) \* WEB: [www.ag-choice.com](http://www.ag-choice.com)

***Specializing in Food Waste Recycling***

PO Box 1031 \* Andover, NJ \* 07821

PH: 973-786-5176 \* FAX: 973-786-6028

FACILITY ID # 624517 Class C Recycling

Customer:

**Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302**

## Load Receipt

Date \_\_\_\_\_

6/2/2014

Receipt #

140602-3B

### On Site Contact

Vondale: 828-735-9085

Truck #

08

Driver

to many

| Time  | # of Cu Yds | Item         | Received By             |
|-------|-------------|--------------|-------------------------|
| 4:00  | 25          | Bulk Topsoil | Delivered Monday 6-2-14 |
| 11:18 | 25          |              |                         |
| 1:47  | 25          |              |                         |
| 4:13  | 25          |              |                         |
|       |             |              |                         |

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PH: 973-786-5176 \* FAX: 973-786-6028

FACILITY ID # 624517 Class C Recycling

Customer:

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

# Load Receipt

|          |           |
|----------|-----------|
| Date     | Receipt # |
| 6/3/2014 | 140603-3A |

|                       |
|-----------------------|
| On Site Contact       |
| Vondale: 828-735-9085 |

| Truck # | Driver |
|---------|--------|
| 5       | James  |

| Time  | # of Cu Yds | Item         | Received By              |
|-------|-------------|--------------|--------------------------|
| 8:15  | 25          | Bulk Topsoil | Delivered Tuesday 6-3-14 |
| 10:15 | 25          |              | <i>[Signature]</i>       |
| 12:40 | 25          |              | <i>Laighneil Smith</i>   |
| 3:05  | 25          |              | <i>Laighneil Smith</i>   |
|       |             |              |                          |

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FACILITY ID # 624517 Class C Recycling

|                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Customer:                                                                                                                                       |
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

## Load Receipt

|                       |           |
|-----------------------|-----------|
| Date                  | Receipt # |
| 6/3/2014              | 140603-3B |
| On Site Contact       |           |
| Vondale: 828-735-9085 |           |
| Truck #               | Driver    |
| 08                    | Johnny    |

| Time  | # of Cu Yds | Item         | Received By                                                                                                                                                             |
|-------|-------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8:05  | 25          | Bulk Topsoil | Delivered Tuesday 6-3-14<br><br>Loughmell Smith<br>Loughmell Smith<br>Loughmell Smith |
| 10:30 | 25          |              |                                                                                                                                                                         |
| 1:00  | 25          |              |                                                                                                                                                                         |
| 3:20  | 25          |              |                                                                                                                                                                         |
|       |             |              |                                                                                                                                                                         |
|       |             |              |                                                                                                                                                                         |

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FACILITY ID # 624517 Class C Recycling

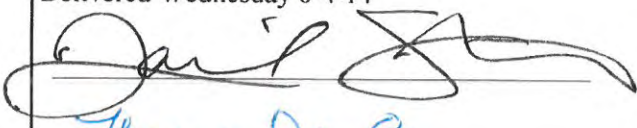
## Load Receipt

| Date     | Receipt # |
|----------|-----------|
| 6/4/2014 | 140604-3A |

| On Site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

|                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Customer:                                                                                                                                       |
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

| Truck # | Driver |
|---------|--------|
| 08      | Johnny |

| Time  | # of Cu Yds | Item         | Received By                                                                        |
|-------|-------------|--------------|------------------------------------------------------------------------------------|
| 8:35  | 25          | Bulk Topsoil | Delivered Wednesday 6-4-14                                                         |
| 11:15 | 25          |              |  |
| 145   | 25          |              | Thomas Davis                                                                       |
|       | 25          |              | Thomas Davis                                                                       |
|       |             |              | Thomas Davis                                                                       |
|       |             |              |                                                                                    |
|       |             |              |                                                                                    |
|       |             |              |                                                                                    |
|       |             |              |                                                                                    |
|       |             |              |                                                                                    |

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FACILITY ID # 624517 Class C Recycling

|                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Customer:                                                                                                                                       |
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

## Load Receipt

|          |           |
|----------|-----------|
| Date     | Receipt # |
| 6/4/2014 | 140604-3B |

|                       |
|-----------------------|
| On Site Contact       |
| Vondale: 828-735-9085 |

|         |        |
|---------|--------|
| Truck # | Driver |
| 5       | Andy   |

| Time  | # of Cu Yds | Item         | Received By                                                                        |
|-------|-------------|--------------|------------------------------------------------------------------------------------|
|       |             | Bulk Topsoil | Delivered Wednesday 6-4-14                                                         |
| 8:35  | 25          |              |  |
| 10:55 | 25          |              | James Dean                                                                         |
| 1:30  | 25          |              | James Dean                                                                         |
|       |             |              |                                                                                    |
|       |             |              |                                                                                    |

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FACILITY ID # 624517 Class C Recycling

## Load Receipt

| Date     | Receipt # |
|----------|-----------|
| 6/6/2014 | 140606-3A |

| On Site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

|                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Customer:                                                                                                                                       |
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

| Truck # | Driver |
|---------|--------|
| 05      | Ray    |

| Time  | # of Cu Yds | Item         | Received By             |
|-------|-------------|--------------|-------------------------|
| 7:25  | 25          | Bulk Topsoil | Delivered Friday 6-6-14 |
| 10:00 | 25          |              | Thomas Davis            |
| 12:00 | 25          |              | Thomas Davis            |
| 1:15  | 25          |              | Thomas Davis            |
|       |             |              | Thomas Davis            |

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FACILITY ID # 624517 Class C Recycling

Customer:

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

## Load Receipt

Date

6/6/2014

Receipt #

140606-3B

On Site Contact

Vondale: 828-735-9085

Truck #

08

Driver

Johnny

| Time | # of Cu Yds | Item         | Received By             |
|------|-------------|--------------|-------------------------|
| 830  | 25          | Bulk Topsoil | Delivered Friday 6-6-14 |
| 1000 | 25          |              | Thomas Dault            |
| 115  | 25          |              | Thomas Dault            |
| 330  | 25          |              | Thomas Dault            |
|      |             |              | Thomas Dault            |

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FACILITY ID # 624517 Class C Recycling

Customer:

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

## Load Receipt

| Date     | Receipt # |
|----------|-----------|
| 6/9/2014 | 140609-3A |

|                       |
|-----------------------|
| On Site Contact       |
| Vondale: 828-735-9085 |

| Truck # | Driver |
|---------|--------|
| A 6     | Andy   |

| Time | # of Cu Yds | Item         | Received By                             |
|------|-------------|--------------|-----------------------------------------|
| 8:35 | 25          | Bulk Topsoil | Delivered Monday 6-9-14<br>Thomas Davis |
|      |             |              |                                         |
|      |             |              |                                         |
|      |             |              |                                         |
|      |             |              |                                         |
|      |             |              |                                         |

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PH: 973-786-5176 \* FAX: 973-786-6028

FACILITY ID # 624517 Class C Recycling

|                                                                                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------|
| Customer:                                                                                                                                       |
| Job for Phillips & Jordan, Inc.<br>@ National Recreation Area<br>Entrance to Fernwood Resort<br>5785 Milford Road<br>East Stroudsburg, PA 18302 |

## Load Receipt

|          |           |
|----------|-----------|
| Date     | Receipt # |
| 6/9/2014 | 140609-3B |

|                       |
|-----------------------|
| On Site Contact       |
| Vondale: 828-735-9085 |

|         |        |
|---------|--------|
| Truck # | Driver |
| 05      | Ray    |

| Time  | # of Cu Yds | Item         | Received By             |
|-------|-------------|--------------|-------------------------|
| 8:00  | 25          | Bulk Topsoil | Delivered Monday 6-9-14 |
| 10:05 | 25          |              | Thomas Davis            |
| 12:20 | 25          |              | Thomas Davis            |
| 2:15  | 25          |              | Thomas Davis            |
|       |             |              | Thomas Davis            |

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FACILITY ID # 624517 Class C Recycling

Customer:

Job for Phillips & Jordan, Inc.  
@ National Recreation Area  
Entrance to Fernwood Resort  
5785 Milford Road  
East Stroudsburg, PA 18302

## Load Receipt

Date \_\_\_\_\_

6/10/2014

Receipt #

140610-3B

### On Site Contact

Vondale: 828-735-9085

Truck #

08

Driver

Johnny

| Time  | # of Cu Yds | Item         | Received By               |
|-------|-------------|--------------|---------------------------|
| 8:20  | 25 yds      | Bulk Topsoil | Delivered Tuesday 6-10-14 |
| 10:40 | 25 yds      |              |                           |
| 1:08  | 25 yds      |              |                           |
| 3:50  | 25 yds      |              |                           |
|       |             |              |                           |

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PO Box 1031 \* Andover, NJ \* 07821  
FACILITY ID # 624517 Class C Recycling

# Invoice

| Date     | Invoice # |
|----------|-----------|
| 5/9/2014 | 140509-12 |

| On-site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

| Alternate Contact   |
|---------------------|
| Steve: 570-494-8640 |

| Customer                                                                               |
|----------------------------------------------------------------------------------------|
| Jerry Tipton<br>Phillips & Jordan, Inc.<br>10201 Parkside Drive<br>Knoxville, TN 37922 |

| Qty (cu yds) | Description                                                                                                                                                                            | Price (per yd) | Amount |
|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|--------|
| 30           | NPS approved topsoil delivered to:<br>National Recreation Area, East Stroudsburg, PA<br>during week of 5/5/14 - 5/9/14<br><br>DELIVERED WED 5/7/2014<br>1 - 30 cu yd load - #140507-9B |                |        |

Terms: Credit Card on File

5/7/14  
30 cu yds

|                  |        |
|------------------|--------|
| Materials Total  | )      |
| Sales Tax (0.0%) | \$0.00 |
| Sub Total        | )      |
| Payments/Credits | )      |
| Total Due        | )      |

We accept American Express, Discover, Visa, MasterCard, Check,  
or Cash. Checks are made payable to Ag Choice.

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EW  
5/12



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PO Box 1031 \* Andover, NJ \* 07821

FACILITY ID # 624517 Class C Recycling

# Invoice

| Date      | Invoice # |
|-----------|-----------|
| 5/16/2014 | 140516-4  |

| On-site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

| Alternate Contact   |
|---------------------|
| Steve: 570-494-8640 |

| Customer                                                                               |
|----------------------------------------------------------------------------------------|
| Jerry Tipton<br>Phillips & Jordan, Inc.<br>10201 Parkside Drive<br>Knoxville, TN 37922 |

| Qty (cu yds) | Description                                                                                                              | Price (per yd) | Amount |
|--------------|--------------------------------------------------------------------------------------------------------------------------|----------------|--------|
|              | NPS approved topsoil delivered to:<br>National Recreation Area, East Stroudsburg, PA<br>during week of 5/12/14 - 5/16/14 |                |        |
|              | MON 5-12-2014                                                                                                            |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 5 #140512-8A                                                                       |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 6 #140512-8B                                                                       |                |        |
|              | TUE 5-13-2014                                                                                                            |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140513-4A                                                                       |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 6 #140513-5B                                                                       |                |        |
|              | THU 5-15-2014                                                                                                            |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 6 #140515-6A                                                                       |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck __ #140515-6B                                                                      |                |        |

Terms: Credit Card on File

5/12/14  
600 cu yds

Materials Total

Sales Tax (0.0%) \$0.00

Sub Total )

Payments/Credits )

Total Due

We accept American Express, Discover, Visa, MasterCard, Check,  
or Cash. Checks are made payable to Ag Choice.

EM 5/21

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Specializing in Food Waste Recycling

PO Box 1031 \* Andover, NJ \* 07821

FACILITY ID # 624517 Class C Recycling

# Invoice

| Date      | Invoice # |
|-----------|-----------|
| 5/23/2014 | 140523-3  |

| Customer                                                                               |
|----------------------------------------------------------------------------------------|
| Jerry Tipton<br>Phillips & Jordan, Inc.<br>10201 Parkside Drive<br>Knoxville, TN 37922 |

| On-site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |
| Alternate Contact     |
| Steve: 570-494-8640   |

| Qty (cu yds) | Description                                                                                                              | Price (per yd) | Amount |
|--------------|--------------------------------------------------------------------------------------------------------------------------|----------------|--------|
|              | NPS approved topsoil delivered to:<br>National Recreation Area, East Stroudsburg, PA<br>during week of 5/19/14 - 5/23/14 |                |        |
|              | MON 5-19-2014                                                                                                            |                |        |
| 25           | 1 - 25 cu yd load of topsoil - Truck 6 #140519-5B                                                                        |                | 0      |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140519-5A                                                                       |                |        |
| 75           | 3 - 25 cu yd loads of topsoil - Truck 5 #140523-6B                                                                       |                |        |
|              | TUE 5-20-2014                                                                                                            |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck ___ #140520-A                                                                      | 0              |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140520-4B                                                                       |                |        |
|              | WED 5-21-2014                                                                                                            |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140521-3A                                                                       |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck ___ #140521-3B                                                                     |                |        |
|              | THU 5-22-2014                                                                                                            |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck ___ #140522-4A                                                                     |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck ___ #140522-4B                                                                     |                |        |

Terms: Credit Card on File

Materials Total

Sales Tax (0.0%) \$0.00

Sub Total

Payments/Credits

Total Due

800 cu yds  
5/19 - 5/23

We accept American Express, Discover, Visa, MasterCard, Check,  
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FACILITY ID # 624517 Class C Recycling

# Invoice

| Date      | Invoice # |
|-----------|-----------|
| 5/30/2014 | 140530-13 |

| On-site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

| Alternate Contact   |
|---------------------|
| Steve: 570-494-8640 |

| Customer                                                                               |
|----------------------------------------------------------------------------------------|
| Jerry Tipton<br>Phillips & Jordan, Inc.<br>10201 Parkside Drive<br>Knoxville, TN 37922 |

| Qty (cu yds) | Description                                                                                                              | Price (per yd) | Amount |
|--------------|--------------------------------------------------------------------------------------------------------------------------|----------------|--------|
|              | NPS approved topsoil delivered to:<br>National Recreation Area, East Stroudsburg, PA<br>during week of 5/26/14 - 5/30/14 |                |        |
|              | MON 5-26-2014 MEMORIAL DAY HOLIDAY                                                                                       |                |        |
|              | TUE 5-27-2014                                                                                                            |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140527-4A                                                                       | )              |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 5 #140527-4B                                                                       | )              |        |
|              | WED 5-28-2014                                                                                                            |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 5 #140528-3A                                                                       | )              |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140528-3B                                                                       | )              |        |
|              | THU 5-29-2014                                                                                                            |                |        |
| 50           | 2 - 25 cu yd loads of topsoil - Truck 8 #140529-3A                                                                       | )              |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 5 #140529-3B                                                                       | )              |        |
|              | FRI 5-30-2014                                                                                                            |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 5 #140530-3A                                                                       | )              |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140530-3B                                                                       | 0              |        |

|                            |                  |        |
|----------------------------|------------------|--------|
| Terms: Credit Card on File | Materials Total  | 0      |
|                            | Sales Tax (0.0%) | \$0.00 |
|                            | Sub Total        |        |
|                            | Payments/Credits |        |
|                            | Total Due        |        |

750 cu yds  
5/26/14 - 5/30/14

We accept American Express, Discover, Visa, MasterCard, Check, or Cash. Checks are made payable to Ag Choice.

em 6/2/14



Specializing in Food Waste Recycling

PO Box 1031 \* Andover, NJ \* 07821

FACILITY ID # 624517 Class C Recycling

# Invoice

| Date     | Invoice # |
|----------|-----------|
| 6/6/2014 | 140606-4  |

| On-site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

| Alternate Contact   |
|---------------------|
| Steve: 570-494-8640 |

| Customer                                                                               |
|----------------------------------------------------------------------------------------|
| Jerry Tipton<br>Phillips & Jordan, Inc.<br>10201 Parkside Drive<br>Knoxville, TN 37922 |

| Qty (cu yds) | Description                                                                                                            | Price (per yd) | Amount |
|--------------|------------------------------------------------------------------------------------------------------------------------|----------------|--------|
|              | NPS approved topsoil delivered to:<br>National Recreation Area, East Stroudsburg, PA<br>during week of 6/2/14 - 6/6/14 |                |        |
|              | MON 6-2-2014                                                                                                           |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 5 #140602-3A                                                                     |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140602-3B                                                                     |                |        |
|              | TUE 6-3-2014                                                                                                           |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 5 #140603-3A                                                                     |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140603-3B                                                                     |                |        |
|              | WED 6-4-2014                                                                                                           |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140604-3A                                                                     |                |        |
| 75           | 3 - 25 cu yd loads of topsoil - Truck 5 #140604-3B                                                                     |                |        |
|              | FRI 6-6-2014                                                                                                           |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 5 #140606-3A                                                                     |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140606-3B                                                                     |                |        |

Terms: Credit Card on File

775 cu yds  
6/2 - 6/6

|                  |        |
|------------------|--------|
| Materials Total  |        |
| Sales Tax (0.0%) | \$0.00 |
| Sub Total        |        |
| Payments/Credits |        |
| Total Due        |        |

We accept American Express, Discover, Visa, MasterCard, Check,  
or Cash. Checks are made payable to Ag Choice.

Em 6-10-14

PHONE: 973-786-5176 \* FAX: 973-786-6028 \* EMAIL: info@ag-choice.com \* WEB: www.ag-choice.com



Specializing in Food Waste Recycling

PO Box 1031 \* Andover, NJ \* 07821

FACILITY ID # 624517 Class C Recycling

# Invoice

| Date      | Invoice # |
|-----------|-----------|
| 6/13/2014 | 140613-4  |

| On-site Contact       |
|-----------------------|
| Vondale: 828-735-9085 |

| Alternate Contact   |
|---------------------|
| Steve: 570-494-8640 |

| Customer                                                                               |
|----------------------------------------------------------------------------------------|
| Jerry Tipton<br>Phillips & Jordan, Inc.<br>10201 Parkside Drive<br>Knoxville, TN 37922 |

| Qty (cu yds) | Description                                                                                                             | Price (per yd) | Amount |
|--------------|-------------------------------------------------------------------------------------------------------------------------|----------------|--------|
|              | NPS approved topsoil delivered to:<br>National Recreation Area, East Stroudsburg, PA<br>during week of 6/9/14 - 6/13/14 |                |        |
|              | MON 6-9-2014                                                                                                            |                |        |
| 25           | 1 - 25 cu yd loads of topsoil - Truck 6 #140602-3A                                                                      | )              | )      |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 5 #140602-3B                                                                      |                |        |
|              | TUE 6-10-2014                                                                                                           |                |        |
| 100          | 4 - 25 cu yd loads of topsoil - Truck 8 #140603-3B                                                                      | )              |        |
| 225 cu yds   |                                                                                                                         |                |        |

|                            |                         |        |
|----------------------------|-------------------------|--------|
| Terms: Credit Card on File | <b>Materials Total</b>  |        |
|                            | <b>Sales Tax (0.0%)</b> | \$0.00 |
|                            | <b>Sub Total</b>        |        |
|                            | <b>Payments/Credits</b> |        |
|                            | <b>Total Due</b>        |        |

**We accept American Express, Discover, Visa, MasterCard, Check,  
or Cash. Checks are made payable to Ag Choice.**

PHONE: 973-786-5176 \* FAX: 973-786-6028 \* EMAIL: info@ag-choice.com \* WEB: www.ag-choice.com

57  
6/16/14

## **APPENDIX C**

### Ernst Conservation Seeds Seed Mixes and Report of Analysis



## ERNST CONSERVATION SEEDS

8884 Mercer Pike  
Meadville, PA 16335  
(800) 873-3321  
(814) 336-2404  
Fax (814) 336-5191  
[www.ernstseed.com](http://www.ernstseed.com)

June 23, 2014

Seedway, LLC  
1734 Railroad Place  
Hall NY 14463

Re: Mile-A-Minute Weed

To Whom It May Concern:

Ernst Conservation Seeds has supplied the following seed mixes to Seedway, LLC. All of our seed is tested by a certified seed laboratory and meets common standards. Based on the test results from the certified seed laboratory there is no Mile-A-Minute seed present in any of the seed lots used in these mixes. Please do not hesitate to contact me if you have further questions.

25 lbs Mix 1  
21 lbs Mix 2  
53 lbs Mix 3  
19 lbs Mix 7  
4 lbs Mix 9  
3 lbs Mix 10  
11 lbs Mix 11

Best regards

Jeannette Arnold  
Sales, Ernst Conservation Seeds

*For your reclamation, wetland and erosion control seed needs.*

## **APPENDIX D**

### Site Photographs



**Photo 1:** Restored, post-construction portion of the transmission right-of-way. Note vegetation is moderately established.



**Photo 2:** Access road between transmission structures showing restored, post-construction area (left) and un-impacted, un-restored area (right).



**Photo 3:** Side slope with exposed dry, stony, native soil where no restoration or topsoil placement has taken place. No MAM identified in these areas to date.



**Photo 4:** Un-restored area along the right-of-way where native vegetation is re-establishing. No MAM identified in these areas to date.



**Photo 5:** Petunia observed growing within a restored area of the right-of way. This is one example of the many non-native, 'cultivars' observed growing within the right-of-way in areas where topsoil had bene placed.



**Photo 6:** Squash plant observed growing within a restored area of the right-of way. This is one example of the many vegetable plants observed growing within the right-of-way in areas where topsoil had bene placed.



**Photo 7:** Mile-A-Minute vine (center) observed growing amongst grasses in a restored area along the right-of-way.



**Photo 8:** Close up of MAM showing plant morphology. Photo taken off-Site within the Park.



**Photo 9:** Photo showing one of several MAM plants with roots establishment in the upper 1-2" of placed topsoil along the right-of-way.



**Photo 10:** Example of plastic and other debris observed within placed topsoil at several locations within the restored areas along the right of way.



**Photo 11:** Dense vegetation growing within a restored area along the right-of-way.



**Photo 12:** Mile-A-Minute vine observed growing within dense vegetation within a restored area along the right-of-way.



**Photo 13:** Dense MAM and other invasive vegetation located along the Delaware River at the Bushkill Access, located approximately 3 miles from the impacted portion of the transmission corridor.



**Photo 14:** Another view of the dense MAM and other invasive vegetation located along the Delaware River at the Bushkill Access.



**Photo 15:** Stone quarry from which stone for the construction access roads was collected.



**Photo 16:** Stone quarry and general equipment washdown area from which stone for the construction access roads was collected.



**Photo 17:** AgChoice compost and topsoil stockyard.



**Photo 18:** Compost rows at various stages of decomposition and processing at the AgChoice stockyard.



**Photo 19:** Manure and other raw compost materials at the AgChoice stockyard.



**Photo 20:** Compost row in the early stages of decomposition and processing. Note the amount of debris and rough material present prior to screening.



**Photo 21:** Stormwater basin and adjacent, unused field (predominantly grasses, ragweed and other common field vegetation) at the AgChoice stockyard. No MAM observed in this area during the site evaluation.



**Photo 22:** Unused field adjacent to the AgChoice stockyard. No MAM observed in this area during the site evaluation.



**Photo 23:** Staging for mixing of mineral (sand) and compost for final topsoil product at the AgChoice stockyard.



**Photo 24:** Raw mineral (sand) from one of two quarries staged prior to mixing with compost at the AgChoice stockyard.



**Photo 25:** Drainage swale along perimeter of AgChoice stockyard.



**Photo 26:** Proximity (~20-30') of drainage swale to active roadway and compost rows at the AgChoice stockyard.



**Photo 27:** Mile-A-Minute vine (center) growing among other vegetation within the drainage swale along the perimeter of the AgChoice stockyard.



**Photo 28:** Closer view of MAM growing within drainage swale and extending through swale toward adjacent forested area.



**Photo 29:** One of two MAM plants observed growing within drainage swale and extending toward the adjacent forested area.



**Photo 30:** Soil staging area at Middle Smithfield Materials. Note abundant debris present prior to screening. Groundcover vegetation abutting area is predominantly Japanese hops.



**Photo 31:** Sand harvesting area for topsoil mixing at Middle Smithfield Materials.



**Photo 32:** Stockpiled raw soil material prior to screening at Middle Smithfield Materials.



**Photo 33:** Japanese hops proximal to soil staging area at Middle Smithfield Materials.



**Photo 34:** Final topsoil, post-screening at Middle Smithfield Materials.



**Photo 35:** Mile-A-Minute Vine proximal to soil stockpiling and mixing area at Middle Smithfield Materials.



**Photo 36:** Processed, screened topsoil. Note the larger vegetation growing within the topsoil is Jimson Weed.



**Photo 37:** Jimson weed observed growing in processed, screened topsoil at Middle Smithfield Materials.