

June 29, 2020

Ms. Lehman,

Our demand to resolve this matter is outlined below. We originally served this demand, with minor changes, to Ms. Krupka on April 13, 2020. Much to our disappointment, PPL, in near complete contradiction to our demand, proceeded to further deface our property under the guise of a second restoration effort the week of April 20, 2020.

### **Restoration of our Property**

Our property must be restored utilizing the same environmental safeguards, standards and practices already employed on National Park Service land to the north and northeast of our property, PPL – NPS Project Number 2004133 037, to include, but not be limited to the following:

1. All blue commercial rock must be removed from our property. Presently, the commercial rock can be found on the access road and scattered the entire width of the ROW. Photograph 1, below, is an example of the commercial rock presently located adjacent to Pole 75, E & S -114 of the PPL/DCCD Erosion and Sediment Control/Restoration Plan. The eroded access road depicted in Photograph 1 is an eyesore, impedes access to our remaining property and is a danger to humans and wildlife. This portion of our property was reportedly outside of the planned area of disturbance in the PPL E & S Plan filed with Dauphin County.
2. All large mountain boulders that have been unearthed and moved by PPL and haphazardly scattered over the property and are too large to be moved manually, example in the photo below, must be moved to a location of our choosing.
3. After commercial stone has been removed, all excavated areas on our property must be returned to their original elevation and covered by 4 inches (after settling) of trucked-in topsoil. In contradiction of the E & S Plan, PPL excavated our property on the west side of the access road to harvest soil to construct crane pads for the installation of poles 76 and 75, E & S Plans 114 and 115.
4. The removal of soil and mountain rock from our land was not authorized by the ROW agreement. (PPL could have, and should have, constructed the crane pads with its own trucked-in materials.) PPL covered the earth that was harvested and removed from our property with great quantities of commercial stone of varying sizes that will never support root development and vegetation. PPL later covered the commercial stone with subsoil and seeded the crane pads. The Crane Pads have not re-vegetated, second photo below, and have eroded badly. The commercial stone has risen above the subsoil, second photo below. During the original excavation PPL made no effort to conserve or segregate native topsoil. Accordingly, none of the current Crane Pad material may be re-excavated and moved onto our property.
5. The unauthorized full scale excavation exterminated **native** vegetation, most notably wild azaleas and blueberry bushes, autumn olive, blackberries, mountain laurel, our

state flower, ferns and grasses. The native vegetation, critical to birds and wildlife, not to mention other environmental benefits, must be replaced.

6. To prevent further erosion during the re-seeding process, PPL must raise the lower elevation portions of crane pads to install a raised lip, possibly sod, to prevent further erosion and storm water degradation of Hartman property; a threat to Primrose Lane homeowners and Clarks Creek.
  
7. Presently, all NPS rainwater run-off barriers direct water flow onto our property. They all flow west. PPL must either construct a water basin between NPS land and our property, or modify the NPS water barriers so that at least half direct water flow away from our property to the east.

### **Financial Compensation**

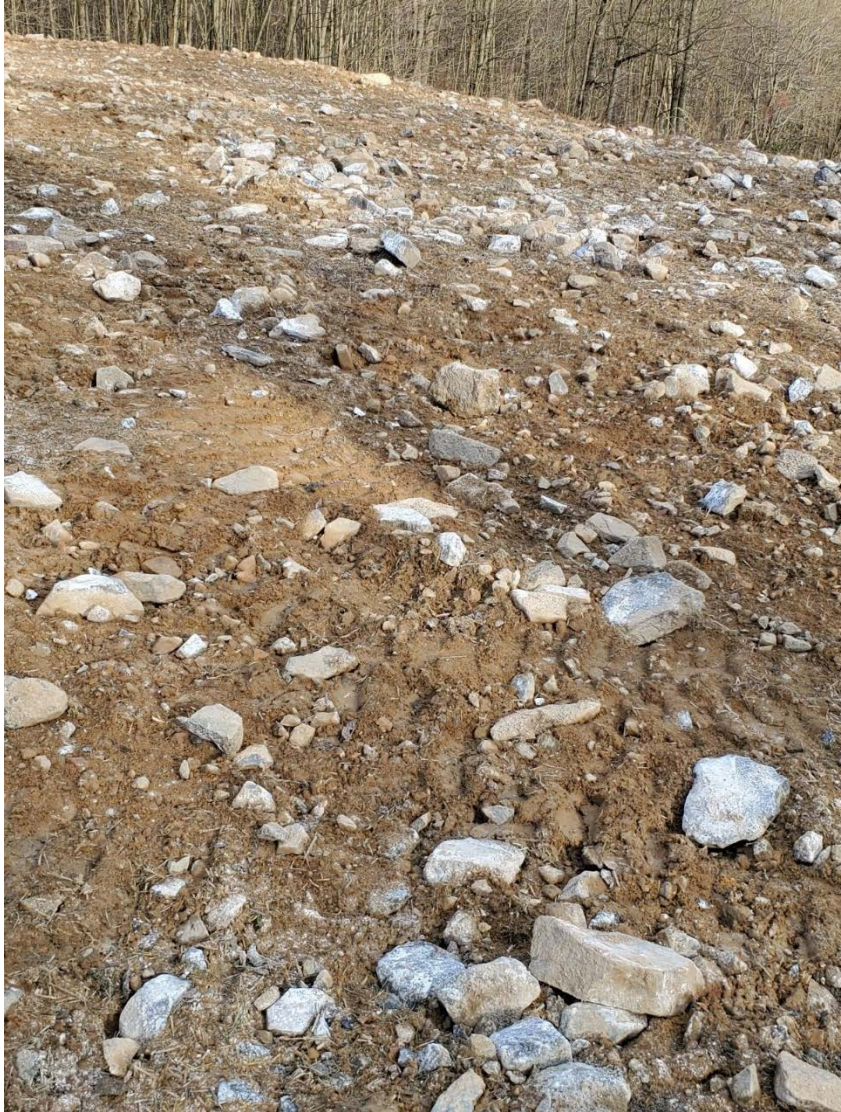
1. During April 2019, Jonathan Scott and I measured the width of the PPL excavation activity at Pole 75. The excavation area measured 110 feet, 60 feet on Hartman property. The entire ROW is 100 feet, 50 feet Hartman and 50 feet Wech. Remarkably, during PPL's first restoration effort following the April 2019 meeting PPL disturbed additional property beyond the ROW. The width of disturbance at Poles 75 and 76 now measures 120 feet and 117 feet, respectively. Accordingly, PPL must compensate us for trespassing and further disturbing our property and native vegetation. The operation of PPL heavy equipment off the ROW, and far from the access road, threatened the root structure and stressed mature hardwood trees on Hartman property west of the access road between Poles 76 and 75. One mature oak tree has already succumbed to the unauthorized trespass. Third photograph below.
  
2. PPL also excavated our property beyond the ROW at pole 76 as evidenced by the decapitated Norway Spruce tree and tread marks off the ROW. Fourth photograph below.
  
3. PPL must compensate us for the loss of use of our property and loss of access to our property the past 18 months. Loss of access resulted from PPL excavation activity that altered the rolling terrain. An existing logging road has been obliterated, and the tractor route along the eastern border of our property from pole 76 to the NPS border has been obstructed by boulders moved by PPL, and the construction of a high wall at Pole 75.
  
4. PPL must compensate us for a new ROW agreement equal to the new agreement and compensation awarded to our neighbors on Primrose Lane incident to the reconstruction.

**Referenced Photos**

**Photograph 1** - Remnants of access road and scattered boulders on Hartman property on the west side of Crane Pad 75. Per the PPL E & S Plans filed with DCCD, the access road should have been constructed on the east (opposite) side of Crane Pad 75 on Wech property, and removed and vegetated at the landowner's preference.



**Photograph 2** - Commercial Stone rising above sub-soil cover on Crane Pad 75 following second restoration and just prior to re-seeding. Similar erosion is evident on Crane Pad 76. Per the DCCD, PPL has to achieve 70% cover, re-vegetation, of all excavated land. On NPS lands, the commercial stone was removed from the Crane Pads, and covered with trucked-in topsoil before seeding.



**Photograph 3** - Excavation and damage off the ROW adjacent to access road and Pole 75 caused root damage to a row of hardwoods situated off the ROW. One mature oak tree has already succumbed to the unauthorized and unwarranted excavation activity to harvest fill for road and crane pad construction.



**Photograph 4** - Decapitated 15 year old retail Norway Spruce and excavation beyond ROW adjacent to access road and Pole 76.



Respectfully yours,

Michael and Sharon Hartman