

**PROGRAMMATIC AGREEMENT
AMONG THE UNITED STATES DEPARTMENT OF
VETERANS AFFAIRS,
THE PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER,
AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION
PURSUANT TO 36 CFR SECTION 800.6(b) (2)
REGARDING THE
WASHINGTON CROSSING NATIONAL CEMETERY PROJECT
UPPER MAKEFIELD TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA**

WHEREAS, the United States Department of Veteran Affairs (VA) is proposing to construct the Washington Crossing National Cemetery in Upper Makefield Township, Bucks County, Pennsylvania, pursuant to the National Cemetery Expansion Act of 2003 [38 U.S.C. §2400]; and

WHEREAS, VA is the lead federal agency pursuant to Section 106 of the National Historic Preservation Act (NHPA) (codified at 16 U.S.C. §470f, and herein "Section 106"); and

WHEREAS, the development and construction of the National Cemetery will be accomplished in six phases between 2009 and 2072, Phase IA and Phase IB of the development and construction of the National Cemetery (undertaking) will take place between 2009 and 2022. A detailed description of all development phases of this project are defined in Exhibit A, attached hereto; and

WHEREAS, VA has established the undertaking's area of potential effect (APE) in consultation with the State Historic Preservation Office (SHPO), as defined at 36 CFR Part 800.16(d) of the regulations implementing Section 106, as shown in Figure 3 of the *Historic Resources Survey and Determination of Eligibility Report* (June 2008) and Figure 2 of the *Phase IB Archaeological Survey Fast-Track Development Area and Portions of the Phase IB Build Out* (November 2008). The APE mapping is presented in Exhibit B, attached hereto; and

WHEREAS, pursuant to 36 CFR Part 800.4(c), VA has determined in consultation with the SHPO that the following properties are eligible for the National Register of Historic Places (NRHP): the Timothy Balderston Farm, the Samuel Merrick Log House, and the John and Timothy Scott Farm, and the following properties are listed in the NRHP: the Dolington Village Historic District and the Makefield Meeting, as described in the *Historic Resources and Determination of Eligibility Report* (June 2008), the *Determination of Effect Report* (January 2009), and a letter from VA to the SHPO dated January 9, 2009; and

WHEREAS, pursuant to 36 CFR Part 800.4(c), VA has determined in consultation with the SHPO that a NRHP eligible rural historic district is not present in the APE; and

WHEREAS, pursuant to 36 CFR Part 800.5(a), VA has determined in consultation with the SHPO that the undertaking will have an adverse effect on the Timothy Balderston Farm, the Dolington Village Historic District, the John and Timothy Scott Farm, and the Samuel Merrick Log House; and

WHEREAS, pursuant to 36 CFR Part 800.5(a), VA has determined in consultation with the SHPO that the undertaking will have no adverse effect on the NRHP listed Makefield Meeting due to the distance between the proposed cemetery and the property, which is located in the western limits of the Act 167 Dolington Village Historic District; and

WHEREAS, a Phase I archaeological identification survey has been completed in the Phase IA development area and a portion of the Phase IB development area as depicted on Figure 3 of the *Phase IB Archaeological Survey Fast-Track Development Area and Portions of the Phase IB Build Out* (November 2008) and as presented in Exhibit C. The Phase IA and Phase IB development areas of the undertaking are presented in Exhibit A; and

WHEREAS, pursuant to 36 CFR Part 800.5(a), as a result of Phase IB archaeological studies conducted for the project, VA has determined in consultation with the SHPO that Phase II archaeological studies are required for Site 36BU0420 and Site 36BU0419 to determine if they are eligible for the NRHP; and

WHEREAS, pursuant to 36 CFR Part 800.5(a), VA in consultation with the SHPO has determined that a Phase II archaeological survey for Site 36BU0420 and Site 36BU0419 will occur during the Phase IA development phase of the undertaking. The Phase IA development phase of the undertaking is presented in Exhibit A. Site 36BU0420 and Site 36BU0419, as defined in the *Phase IB Archaeological Survey Fast-Track Development Area and Portions of the Phase IB Build Out* (November 2008), will be protected during the Phase IA development phase of the project. The Phase II archaeology survey will be conducted to determine the presence of intact cultural resources and the NRHP eligibility of any such resources. If such intact resources are present and are deemed NRHP eligible, a Phase III data recovery plan will be developed in consultation with the SHPO and will be implemented at those locations prior to any ground disturbing construction activities within the defined boundaries of the sites; and

WHEREAS, pursuant to 36 CFR Part 800.6(a), VA has consulted with the SHPO to resolve the adverse effect of the undertaking on historic properties; and

WHEREAS, pursuant to 36 CFR Part 800.2(b)(1), VA has notified and invited the Advisory Council on Historic Preservation (ACHP) to participate in the Section 106 process for the Washington Crossing National Cemetery Project, and the ACHP has agreed to be a Signatory to this Programmatic Agreement (PA); and

WHEREAS, pursuant to 36 CFR Part 800.6(c), VA has also invited federally recognized Indian Tribes (Tribes) that may attach religious and/or cultural significance to any affected property within the APE pursuant to 36 CFR Part 800.3(f)(2), namely the Absentee-Shawnee Tribe of Oklahoma, the Eastern Shawnee Tribe of Oklahoma, the Delaware Nation, Stockbridge-Munsee Band of the Mohican Nation, and the Shawnee Tribe, to participate as a consulting party for the project. Only the Stockbridge-Munsee Band of the Mohican Nation, the Shawnee Tribe, and Delaware Nation accepted the opportunity to participate as consulting parties; and

WHEREAS, pursuant to 36 CFR Part 800.6(a), VA has consulted with 31 consulting parties (Exhibit D) regarding the effects of the undertaking on historic properties; and

WHEREAS, pursuant to 36 CFR Part 800.6(a), VA has notified the Bucks County Historical Society, Bucks County Office of Commissioners, and Bucks County Community College Historic Preservation Program of the undertaking and the opportunity to participate in consultation, but they either did not respond or declined to participate; and

WHEREAS, a local ordinance historic district, as authorized by the Pennsylvania Historic District Act, Act 167 of 1961 as amended, exists in the APE of this project and Upper Makefield Township has been identified to represent the historic and cultural interests associated with the district; and

WHEREAS, pursuant to 36 CFR Part 800.2(d), VA has sought and considered views of the public and held public display meetings with the public on June 6, June 18, and June 24, 2008. Consulting Party meetings were held on August 26 and December 9, 2008 and January 14, 2009, and the general public was allowed to attend and provide verbal and written comments. The general public was also provided opportunity to submit written comments at any time during the Section 106 review process. Written and verbal comments were collected from the consulting parties during each consulting party meeting; and

WHEREAS, VA has involved and will continue to involve the public, the Tribes, and consulting parties, as stipulated under NHPA as amended [16 U.S.C. §470], and its implementing regulations (36 CFR Part 800) for all future phases of the project development;

NOW, THEREFORE, VA shall ensure that the following stipulations are implemented in order to take into account the adverse effect of the undertaking on historic properties.

STIPULATIONS

VA shall ensure that the following stipulations are carried out:

I. Phase IA Fast Track Construction

By execution of this PA, VA can proceed with the Phase IA fast track cemetery construction, as specified in the bid document entitled Washington Crossing National Cemetery Phase IA – Fast Track Bid Document Submission (12-1-08). Two plan sheets in Exhibit E depict the protection of the B. Lloyd Site and Samuel Merrick Log House through placement of protective fence. The protective fence will be installed at the beginning of Phase IA fast track construction and remain in place and in good condition throughout the construction of the undertaking or until VA determines in consultation with the SHPO that either the B. Lloyd Site or the Samuel Merrick Log House Site are not eligible for the NRHP.

II. Archaeological Resources

A. Identification/Evaluation

VA shall complete a Phase IB archaeological sites identification-level survey for the entire archaeological APE by December 31, 2010. Phase II archaeological sites evaluation surveys will take place if deemed necessary by VA in consultation with SHPO to determine NRHP eligibility as a result of the Phase IB survey and as the development phasing of the undertaking moves forward, as defined in Exhibit A. The surveys will be conducted in a manner consistent with the Secretary of the Interior's Standards and Guidelines for Identification (48 FR 44720-23) and will take into account the National Park Service's publication, *The Archaeological Survey: Methods and Uses* (1978: GPO stock #024-016-00091) and the Bureau for Historic Preservation/Pennsylvania Historical and Museum Commission's *Cultural Resource Management in Pennsylvania: Guidelines for Archaeological Investigations* (July 1991, revised 2008).

VA shall prepare one comprehensive report on the findings of the Phase IB archaeological survey for the undertaking. A Phase II archaeological survey report will be prepared for each Phase II survey for the undertaking. All documents will be submitted to the SHPO, the interested federally recognized Tribes, and the consulting parties, who will have 30 calendar days to review the documentation and provide comments to VA. VA will consider the comments received in preparing its final Phase IB report.

B. Effect Determination/Mitigation

If NRHP eligible archaeological sites are identified within the APE, VA will make a reasonable and good faith effort to avoid these resources by making modifications to the undertaking's project design. If the NRHP eligible sites cannot be avoided through such modifications, VA will apply the Criteria of Adverse Effect in accordance with 36 CFR Part 800.5 for each NRHP eligible archaeological site identified. If the project will have an adverse effect on identified NRHP eligible sites, VA will ensure that a data recovery plan or a plan for alternative mitigation is developed that is consistent with the *Secretary of the Interior's Standards and Guidelines for Archaeological Documentation* (48 FR 44734-37) and also takes into account the ACHP publication, *Recommended Approach for Consultation on Recovery of Significant Information on Archaeological Sites*. Such data recovery or alternative mitigation plans will be submitted to the SHPO and any interested federally recognized Tribes for review and comment within 30 calendar days. VA will consider the comments received in preparing its final data recovery or alternative mitigation plans.

C. Treatment of Human Remains and Grave-Associated Artifacts

If any unanticipated discoveries of human remains and/or grave-associated artifacts are encountered during the implementation of this undertaking, VA shall suspend work in the area of the discovery, and VA will notify the SHPO, and, if applicable, any such federally recognized Tribes within 24 hours of the discovery. VA, the SHPO, and, if applicable, any such federally recognized Tribes will make a reasonable and good faith effort to meet at the location of the discovery within 72 hours of the initial notification to determine appropriate

treatment of the human remains and/or grave-associated artifacts prior to the resumption of construction activities within the area of the grave. No activities that might disturb or damage the remains will be conducted until all parties have determined whether excavation is necessary and/or desirable. All procedures will follow guidance outlined in the February 2007 ACHP's "Policy Statement Regarding the Treatment of Burial Sites, Human Remains, and Funerary Objects", the Native American Graves Protection and Repatriation Act of 1990 (PL 101-601), and the Pennsylvania Historical and Museum Commission's "Policy for the Treatment of Burials and Human Remains" (1993).

D. Documentation

VA shall ensure that final data recovery reports, if necessary, are provided to the SHPO, the participating federally recognized Tribes, and consulting parties within one (1) year of the completion of the Phase III archaeological fieldwork. The reports will meet professional standards set forth by the Department of the Interior's *Format Standards for Final Reports of Data Recovery Program* (42 FR 5377-79) and will be prepared in accordance with the Bureau for Historic Preservation/Pennsylvania Historical and Museum Commission's *Cultural Resource Management in Pennsylvania: Guidelines for Archaeological Investigations* (July 1991, revised 2008).

E. Curation

All records and materials resulting from the archaeological investigations will be curated in accordance with 36 CFR Part 79 and the curation guidelines developed by the Bureau for Historic Preservation/Pennsylvania Historical and Museum Commission (June 2003). VA will ensure that all recovered artifacts and all resulting documentation are curated at the State Museum of Pennsylvania/Pennsylvania Historical and Museum Commission, Harrisburg following the policies of that institution. VA will be responsible for the curation fee of \$350 per cubic foot. Artifacts may be made available for loan or research by the State Museum as long as VA is credited.

Any human remains or grave-associated artifacts recovered during archaeological investigations or construction of the undertaking will be handled by VA in accordance with the Native American Graves Protection and Repatriation Act of 1990 (PL 101-601).

III. Historic Structures

A. Samuel Merrick Log House

1. Boundary and Protective Fence

To provide for the protection of the immediate setting of the resource, the NRHP boundary for the property is defined as extending 25 feet from the elevations of the log house. If the results of the Phase II archaeology survey for Site 36BU0420 identify NRHP eligible intact cultural resources outside of the 25-foot perimeter, VA will redefine the NRHP boundary for the resource to include any associated NRHP eligible

archaeological site. To further protect the resource and its immediate setting and any associated NRHP eligible archaeological sites, prior to the commencement of Phase IA construction, a protective fence will be erected around the NRHP boundary. The protective fence will be placed approximately 50 feet from the elevation of the log house with the exception of the south side where the fence will be placed along the edge of the existing drainage swale. Temporary access to an existing well located under the existing driveway will be required during Phase IA construction. A plan in Exhibit E depicts the location of the well and protective fence. VA will ensure that the fence remains in place and in good condition throughout the construction of the undertaking.

2. State-Level Recordation

VA will undertake a state-level recordation of the building to document the resource in its existing setting and context. The state-level recordation will record any construction features that are visible on the exterior and interior prior to the initial mothballing effort outlined in Stipulation III.A.3. The documentation will follow standards for state-level recordation established by the SHPO and will include the preparation of archival quality, 35 mm black-and-white photography keyed to a site plan/map. The documentation package will also include archival copies of relevant existing documentation, including the Historic Resource Survey Form. Within 3 months of the execution of this PA, VA will submit the complete documentation package to the SHPO.

3. Initial Mothballing

Within 4 months of SHPO approval of the state-level recordation to protect the integrity of the building from damage and deterioration, VA will mothball the building. The initial mothballing will protect against deterioration and damage until the measures agreed upon in Stipulation III.A.4 are implemented. As part of the initial mothballing effort, VA will weatherize the building. VA will also secure the building from vandals and develop a monitoring plan for the period in which the property will be vacant. Conditions at the property will be monitored weekly by VA staff. The mothballing will be carried out in accordance with guidance provided in National Park Service Preservation Brief 31: *Mothballing Historic Buildings* and the Secretary of the Interior's Standards for Preservation. The mothballing plan will be prepared in coordination with the SHPO. VA will ensure that the Samuel Merrick Log House is mothballed in a manner that is sensitive to the condition and integrity of the building.

4. Historic Structure Report

Within 9 months of the execution of the initial mothballing plan, VA will provide for intensive-level architectural investigations and the preparation of a historic structure report using the services of a Historic Architect meeting the Secretary of the Interior's Professional Qualifications (36 CFR Part 61). The historic structure report will provide documentary, graphic, and physical information about the property's development and existing condition. The report will also address preservation options for the property, including mothballing, restoration, relocation, and maintenance. As part of the historic

structure report, the twentieth-century additions to the log house will be removed to allow for more detailed investigation of the log core. The additions to the log house will be removed in a manner that is sensitive to the condition and integrity of the building. The twentieth-century barn will also be removed as it does not contribute to the significance of the historic property. During the removal of the additions and barn, photographic documentation will be utilized to record architectural details. The historic structure report will include a detailed discussion of the construction techniques of the log dwelling and will assess the dwelling's architectural significance and associated eligibility for listing in the NRHP under Criterion D for potential to yield information on log construction techniques. The historic structure report will be prepared in accordance with guidance provided in National Park Service Preservation Brief 43: *The Preparation and Use of Historic Structure Reports*. The historic structure report will be provided to the SHPO and the consulting parties for review and comment within 30 calendar days. VA will consider comments received. VA may not proceed with subsequent mothballing, restoration, removal, or demolition of the building pursuant to Stipulations III.A.5 through 8 prior to the SHPO's concurrence with the HSR.

5. Subsequent Mothballing

Within 6 months of SHPO concurrence with the historic structure report, VA will structurally stabilize the building, control pests, and perform additional necessary activities to weatherize the exterior of the building, secure the building from vandals, and provide adequate ventilation to the interior. VA will develop a monitoring plan for the period in which the property will be vacant. Conditions at the property will be monitored weekly by VA staff. VA will follow directions for mothballing presented in the historic structure report. The mothballing will be carried out in accordance with guidance provided in National Park Service Preservation Brief 31: *Mothballing Historic Buildings* and the Secretary of the Interior's Standards for Preservation. VA will ensure that the building is mothballed in a manner that is sensitive to the condition and integrity of the building. The subsequent mothballing will protect against deterioration and damage until the measures agreed upon in Stipulations III.A.6, III.A.7, or III.A.8 are implemented.

6. Restoration

To determine if the Samuel Merrick Log House will be retained in its current location and be restored, the VA will consider the following criteria:

- If the historic structure report deems the property architecturally significant for its construction techniques; and
- If, given the existing condition of the property, the historic structure report deems that restoration is technically feasible; and
- If the cost of restoration is fiscally reasonable and feasible; and
- If a future use for the property can be identified.

Within 4 months of SHPO concurrence with of the historic structure report, VA will document its decision regarding restoration, including a detailed assessment of each of the aforementioned criteria, and provide the restoration determination to the SHPO and consulting parties for review and comment in 30 calendar days. VA will consider the comments received in making a final decision regarding the restoration of the Samuel Merrick Log House.

If VA determines that restoration of the building is reasonable and feasible, VA will solicit proposals (or otherwise legally seek) to procure a contractor to restore the building to its period of significance. VA's request for proposals (or other VA procurement vehicle and process) will include copies of the recordation and historic structure report and will define preservation priorities for the building. The proposal submittals (or other VA procurement vehicle and process) will include a restoration plan for the building, prepared in accordance with the Secretary of the Interior's Standards for Restoration and Preservation Brief 26: *The Preservation and Repair of Historic Log Buildings*. If VA ultimately solicits proposals, VA will review the qualified proposals to restore the building. VA then will to the extent allowable, given VA's obligation to maintain procurement integrity, will consider the input of the SHPO, and will award a contract for restoration. A timeframe for restoration will be determined in consultation with the SHPO.

7. Disposition and Removal

If the historic structure report determines the building is not architecturally significant for its construction techniques or if the historic structure report determines restoration is not feasible, within 6 months of SHPO approval of the historic structure report, VA will pursue the disposition of the building and its removal from the property. The disposition plan will be prepared in consultation with the SHPO and relocation guidance provided in the historic structure report.

After the disposition plan is completed, VA will solicit proposals (or otherwise legally seek) to procure a contractor to dismantle and relocate the building to an appropriate location or relocate the building intact, if feasible. If VA ultimately solicits proposals:

- The request for proposals (or other VA procurement vehicle and process) will include copies of the historic structure report and mothballing plans.
- VA will review the proposals to dismantle and relocate the building, and determine which transfers of ownership of the building are feasible (if any), based on VA's legal requirements regarding the transfer of property.
- From the submitted proposals, VA will provide the SHPO with a list of viable legal transfers (if any), from which VA will, after consulting with the SHPO to the extent allowable given VA's obligation to maintain procurement integrity, select a qualified candidate. VA and the SHPO then will coordinate with the selected candidate, to ensure that the ultimate site for the building is appropriate

to the character of the building. If relocation is feasible, a timeframe for completing the building relocation will be determined in consultation with the SHPO.

Lastly, if a disposition and relocation of the building is deemed viable, VA will, if feasible, execute a transfer document with the recipient of the building. The transfer document will require that after the building's dismantlement and relocation, the recipient will accept title to the building subject to certain restrictions, which will protect the historic appearance, construction techniques, and materials of the building. Should the restrictions not be carried out, the transfer documents and/or title will, to the extent permitted by applicable law, include provisions for penalties. VA, considering the input of the SHPO, will draft the restrictions. The SHPO will be responsible for monitoring compliance with any stipulated restrictions.

8. Demolition

If the historic structure report determines restoration or disposition and relocation of the building is not possible, or if no qualified candidates for disposition and relocation of the building are identified, a demolition plan will be prepared in consultation with the SHPO. A timeframe for completing the demolition will be determined in consultation with the SHPO.

9. Consulting Party Review

VA will provide copies of any documentation prepared for the Samuel Merrick Log House under this PA, including the state-level recordation, mothballing plan, historic structure report, restoration determination, restoration proposal, disposition plan, relocation proposal and/or demolition plan, to the SHPO, Upper Makefield Township, and the consulting parties for review and comment within 30 calendar days. VA will consider the comments received in preparing its final documentation and decisions regarding this historic property.

10. Preservation and Maintenance

If the Samuel Merrick Log House undergoes restoration, VA will make a reasonable and good faith effort to preserve and maintain the Samuel Merrick Log House in accordance with the Secretary of the Interior's Standards for Preservation and the maintenance plan presented in the historic structure report for as long as the structure remains under VA's ownership.

11. Timeframes for Execution

The stipulations for the Samuel Merrick Log House will be carried out within 48 months of the execution of this PA. Refer to Exhibit F for a detailed breakdown of the sequence of events.

B. Timothy Balderston Farm

1. Landscape Buffer

VA will develop a landscape plan for the area along Washington Crossing Road to provide a visual screen between the Timothy Balderston Farm property and the undertaking. Consulting party review of the landscape plan is covered by Stipulation III.F.2 of this document.

2. Educational Materials

Stipulation III.E.2 provides for the development of educational materials for the loss of agricultural land.

3. Lighting

VA will limit light pollution associated with the cemetery, specifically the lighting of the American Flag and pole, by directing light sources away from the Timothy Balderston Farm. Consulting party review of the lighting plan is covered by Stipulation III.F.1 of this document.

- C. John and Timothy Scott Farm

1. State-Level Recordation

VA will undertake a state-level recordation of the buildings to document the resource in its existing setting and context. The state-level recordation will record any construction features that are visible on the exterior and interior of the dwelling and outbuildings. The documentation will follow standards for state-level recordation established by the SHPO and will include the preparation of archival quality, 35 mm black-and-white photography keyed to a site plan/map. The documentation package will also include archival copies of relevant existing documentation, including the Historic Resource Survey Form. Within 3 months of the execution of this PA, VA will submit the complete documentation package to the SHPO.

2. Mothballing

Within 4 months of the SHPO approval of the state-level recordation, to protect the integrity of the buildings from damage and deterioration, VA will mothball the buildings. The mothballing will protect against deterioration and damage until the measures agreed upon in Stipulation III.C.3 are implemented. As part of the mothballing effort, VA will weatherize the buildings and place protective fencing around the porch of the dwelling. VA will also secure the buildings from vandals and begin developing a monitoring plan for the period in which the property will be vacant. Conditions at the property will be monitored weekly by VA staff. The mothballing will be carried out in accordance with guidance provided in National Park Service Preservation Brief 31: *Mothballing Historic Buildings* and the Secretary of the Interior's Standards for Preservation. The mothballing

plan will be prepared in coordination with the SHPO. VA will ensure that the dwelling and outbuildings are mothballed in a manner that is sensitive to the condition and integrity of the buildings.

3. Historic Structure Report

Within 9 months of the execution of the mothballing plan, VA will provide for the preparation of a historic structure report using the services of a historic architect meeting the Secretary of the Interior's Professional Qualifications. The historic structure report will provide documentary, graphic, and physical information about the property's development and existing condition. The report will also address preservation options for the property, including restoration and maintenance. The historic structure report will be prepared in accordance with guidance provided in National Park Service Preservation Brief 43: *The Preparation and Use of Historic Structure Reports*. The historic structure report will be provided to the SHPO and consulting parties for review and comment within 30 calendar days. VA will consider comments received.

4. Lease/Rehabilitation Agreement

If the historic structure report deems preservation and restoration are feasible, within 6 months of the SHPO concurrence with the historic structure report, VA will seek out a tenant for the house and barn. Subject to and in accordance with the statutory limitations in 38 U.S.C. § 2412, VA will execute a lease agreement with the tenant of the buildings, allowing use of the property in return for, either as part of or as full lease consideration, the rehabilitation and maintenance of the buildings, and maintenance of the associated landscape. Subject to and in accordance with the statutory limitations in 38 U.S.C. § 2412, the rehabilitation and maintenance of the buildings will be funded by the lessee. The lease duration, restrictions, and rehabilitation specifications will be drafted by VA in accordance with 38 U.S.C. § 2412, the Secretary of the Interior's Standards for Rehabilitation, and (subject to any procurement integrity restrictions) in coordination with the SHPO. Use of the property for agricultural purposes will not be permitted under the lease agreement. The rehabilitation specifications will take into account the preservation priorities developed in the historic structure report, and will ensure that the rehabilitation efforts convey the buildings' period of significance. VA will ensure that plans for the rehabilitation project, including plans and specifications, are provided to the SHPO and other consulting parties for review and comment within 30 calendar days (plus any additional time that VA and the SHPO may expressly agree) of VA's receipt. VA will consider comments received in negotiating the lease agreement.

If the lessee fails to comply with the lease restrictions and rehabilitation specifications, or if the lessee determines to end the lease, the lease agreement will be terminated, and VA will seek a new lessee.

Should a qualified lessee not be identified by VA within 15 months of SHPO concurrence with the historic structure report, VA will notify the consulting parties and

SHPO, and plan for the demolition of the house and barn, as outlined in Stipulation III.C.5 below.

5. Demolition

If a lease/rehabilitation agreement for the John and Timothy Scott Farm cannot be reached within 15 months of the SHPO approval of the historic structure report, a demolition plan will be prepared in consultation with the SHPO. A timeframe for completing the demolition will be determined in consultation with the SHPO.

6. Consulting Party Review

VA will provide copies of any documentation prepared for the John and Timothy Scott Farm under this PA, including the recordation, historic structure report, rehabilitation plan, and demolition plan to the SHPO, Upper Makefield Township, and the consulting parties for review and comment within 30 calendar days. VA will consider the comments received in preparing its final documentation and decisions regarding this historic property.

7. Preservation and Maintenance

If Stipulation III.C.4 is implemented, VA will make a reasonable and good faith effort to preserve and maintain the John and Timothy Scott Farm in accordance with the Secretary of the Interior's Standards for Preservation and the maintenance plan presented in the historic structure report for as long as the property remains under VA's ownership.

8. Timeframe for Execution

The stipulations for the John and Timothy Scott Farm will be carried out within 48 months of the execution of this PA. Refer to Exhibit F for a detailed breakdown of the sequence of events.

D. Dolington Village Historic District

VA will minimize and mitigate for the adverse effect to the Dolington Village Historic District through the inclusion of the following elements in the development of the project design:

- No new points of access to the proposed cemetery will be developed along Washington Crossing Road or Old Dolington Road. The three existing access points along Washington Crossing and Old Dolington Road will be maintained. If the Scott Farm is leased for rehabilitation, the lessee may improve the existing access point to the Scott Farm to provide for safe access to the leased property. The other two access points on Old Dolington Road will be maintained to allow the agricultural lessee access to the fields for as long as the agricultural lessee is actively farming the fields.

- A minimum buffer of 50 feet will be provided between the Dolington Village Historic District NRHP boundary and the cemetery to minimize visual effects to the district.
- To the maximum extent feasible, siting of new structures will be low on the landscape to minimize visual effects to the district.
- To the maximum extent feasible, designing of new cemetery buildings and structures will be sympathetic to architecture and construction materials within the district.
- Local plant materials will be utilized for landscape buffers to minimize visual effects to the district.
- Light pollution associated with the cemetery will be limited through the direction of light sources away from adjacent historic properties.
- Signage will be designed to be sympathetic in size, materials, location, and illumination to the district.

Consulting party review of the design elements is covered by Stipulation III.F.1 of this document.

E. Non-Site Specific Project Mitigation

1. Upper Makefield Township Historic Architectural Survey

Within 12 months of the execution of this PA, VA will provide for the photographic documentation associated with a survey of historic structures in Upper Makefield Township that was begun in 2005. Qualified professionals who meet federal professional requirements defined in 36 CFR Part 61 will complete the photographic documentation in accordance with SHPO guidelines. VA will provide a draft and final of the survey documentation to Upper Makefield Township, the SHPO, and consulting parties for review and comment within 30 calendar days. VA will consider the comments received in preparing its final survey documentation.

2. Educational Materials

For all NRHP eligible archaeological sites that will be adversely affected by the undertaking, VA will prepare public information materials. These materials will be determined individually for each applicable site as necessary and may include pamphlets, brochures, artifact displays, exhibits, lectures or booklets on the history and/or prehistory of the project area. VA will provide a proposal regarding the public information materials to the SHPO, participating Tribes, and consulting parties for their review and comment within 30 calendar days. VA will forward a draft of any public information materials to the SHPO, participating Tribes, and consulting parties for their review and comment prior to the finalization of the materials. The review period will be 30 calendar days. Decisions as to the production and dissemination of these materials will be developed in consultation with the SHPO, participating Tribes, and consulting parties.

To mitigate for the loss of integrity to historic structures, including the loss of agricultural lands associated with the Timothy Balderston Farm, VA will develop an interpretive tri-fold brochure in coordination with the consulting parties and SHPO. The brochure will address the history of the development of the Village of Dolington and Upper Makefield Township, including the influence of agriculture and transportation on the development of the area. A draft and final of the brochure text and layout will be provided to the consulting parties for review and comment within 30 calendar days. VA will consider the comments received in preparing the final brochure. Decisions as to the production and dissemination of the final brochure will be developed in consultation with the SHPO and consulting parties.

F. Design Review

1. New Construction

VA will minimize the adverse effects to historic properties by ensuring any new construction will be compatible to the extent possible with the identified historic properties in terms of siting, scale, massing, color and materials, as outlined in Exhibit A. A copy of the Washington Crossing National Cemetery Master Plan is included in Exhibit A to provide a baseline for future design plans. VA will submit detailed design plans and specifications as they are developed to the SHPO, Indian tribes, and consulting parties for review and comment prior to construction. All design information provided for review will include a brief synopsis of design changes/additions since the previous review. The SHPO, federally recognized Tribes, and consulting parties will provide comments within 30 calendar days. VA will consider the comments received in preparing its revised design plans and specifications. VA will ensure that the development of the design plans and specifications for the project take into the consideration the comments of Upper Makefield Township.

2. Landscaping and Buffers

VA will develop a landscape plan to ensure that the landscaping for the project will be designed to be sensitive to the identified historic properties. Specifically, the plan will provide additional vegetative screening that is similar to existing vegetation between the Dolington Village Historic District, the Balderston Farm, and the John and Timothy Scott Farm and the project. There will be a buffer of 100 feet between the John and Timothy Scott Farm and 50 feet between the Samuel Merrick Log House and the edge of burials. Exhibit E depicts the boundaries of the buffer areas for both resources. The landscape plan will be submitted to the SHPO and consulting parties for review and comment prior to execution. The SHPO and consulting parties will provide comments within 30 calendar days. VA will consider the comments received in preparing its final landscaping plan.

3. Substantial Changes to Project/Unanticipated Effects

If there are substantial changes to the project or if the design plans may adversely affect a known historic property in an unanticipated manner, VA will immediately notify the

SHPO and ACHP and will provide them with revised copies of reports developed pursuant to this PA. VA will take into account the effect of the revised undertaking on the property and request comments from the SHPO, the ACHP, and consulting parties.

G. Subsequent Phases of Development

1. In order for VA to ensure proper coordination of Section 106 compliance with future phases of development of the Washington Crossing National Cemetery, VA shall initiate Section 106 consultation with the SHPO, federally recognized Tribes, and the consulting parties who participated in the consultation to develop this PA early in the project planning for subsequent phases of development of the Washington Crossing National Cemetery. VA may also invite additional Tribes and other consulting parties to participate in the subsequent Section 106 consultations in accordance with 36 CFR § 800.3(f). VA will communicate to these parties its timetable for re-initiating consultation through its annual reports pursuant to Stipulation IV.F of this PA.
2. For the purposes of this stipulation, “early in project planning” means concurrent with VA’s solicitation for architectural/engineering design services and prior to the preparation of any environmental assessment or decision pursuant to the National Environmental Policy Act (NEPA).
3. Should VA fail to initiate Section 106 consultation for Phase II of the development of the Washington Crossing National Cemetery “early in project planning” the ACHP and SHPO may advise the VA of the need to revisit the principles of the long-term development plan (Exhibit A) which is the basis of this PA. Other consulting parties may notify the ACHP of their concerns regarding the re-initiating of consultation for Phase II, pursuant to the dispute resolution Stipulation IV.E of this PA.
4. VA will not conclude its NEPA process for Phase II of the development of the Washington Crossing National Cemetery with a finding that the action is categorically excluded from NEPA, a Finding of No Significant Impact (FONSI), or Record of Decision (ROD) until it has completed its Section 106 review and documented its Section 106 finding in accordance with 36 CFR § 800.11.

IV. Administrative Stipulations

A. Personnel Qualifications

All work carried out pursuant to this PA will be by or under the direct supervision of a person or persons meeting at a minimum relevant criteria outlined under the *Secretary of the Interior’s Professional Qualification Standards for Archaeology, Architectural History, History, and Historic Architecture* (36 CFR Part 61, Appendix A).

B. Post Review Discoveries

If any unanticipated discoveries of archaeological sites or historic properties are encountered during the implementation of this undertaking, VA shall suspend work in the area of the discovery, and VA will notify the SHPO, and, if applicable, any such federally recognized Tribes within 48 hours of the discovery. VA, the SHPO, and, if applicable, any such federally recognized Tribes will make a reasonable and good faith effort to meet at the location of the discovery within 72 hours of the initial notification to determine appropriate treatment of the discovery prior to the resumption of construction activities within the area of discovery.

C. Amendments

Any signatory to this PA may propose to VA that it be amended, whereupon VA shall consult with the other signatories to this PA to consider such an amendment. 36 CFR Part 800.6(c)(7) shall govern the execution of any such amendment.

D. Availability of Funding

In accordance with Section 110(l) of the NHPA, VA is required to implement the terms of an agreement executed with respect to an undertaking. If adequate funding for any of the stipulations in this PA is not available concurrent with construction of the undertaking or if construction of the undertaking is delayed due to a lack of funding, VA will re-initiate consultation with the ACHP, federally recognized Tribes, SHPO, and other consulting parties to revise the compliance schedule in this PA in accordance to Stipulation IV.C of this PA.

E. Dispute Resolution

1. Should any signatory to this PA object in writing to VA regarding any action carried out or proposed with respect to the undertaking or implementation of this PA, VA shall consult with the objecting signatory to resolve the objection. If after initiating such consultation VA determines that the objection cannot be resolved through consultation, VA shall forward all documentation relevant to the objection to the ACHP, including VA's proposed response to the objection. Within 30 calendar days after receipt of all pertinent documentation, the ACHP shall exercise one of the following options:

- a) Advise VA that the ACHP concurs in VA's proposed response to the objection, whereupon VA shall respond to the objection accordingly;
- b) Provide VA with recommendations, which VA shall take into account in reaching a final decision regarding its response to the objection; or
- c) Notify VA that the objection will be addressed through comments pursuant to 36 CFR Part 800.7, and proceed to refer the objection and comment. The

resulting comment shall be taken into account by VA in accordance with 36 CFR Part 800.7(c) (4) and Part 110(1) of NHPA.

2. Should the ACHP not exercise one of the above options within 30 calendar days after receipt of all pertinent documentation, VA may assume the ACHP's concurrence in its proposed response to the objection.
3. VA shall take into account any ACHP recommendation or comment provided in accordance with this stipulation with reference only to the subject of the objection; VA's responsibility to carry out all actions under this PA that are not the subjects of the objection shall remain unchanged.

F. Monitoring and Reporting

Each year following the execution of this PA until it expires or is terminated, VA shall provide ACHP, SHPO, participating Tribes, and other consulting parties a summary report detailing work undertaken pursuant to its terms and stipulations. Such report shall also include any scheduling changes proposed, any problems encountered, and any disputes and objections received in VA's efforts to carry out the terms of this PA.

G. Sunsetting and Duration

This PA will continue in full force and effect from the date of the signed PA until December 31, 2020. If the terms of this PA have not been implemented by December 31, 2020, this PA shall be considered terminated and VA shall notify the signatories to this PA at the end of the PA's term of the intent to re-initiate review of the undertaking in accordance with 36 CFR Part 800.

H. Termination

1. If VA determines that it cannot implement the terms of this PA, or if the SHPO or the ACHP determines that the PA is not being properly implemented, VA, the SHPO, or the ACHP may propose to the other signatories to this PA that it be terminated.
2. The signatory proposing to terminate this PA shall so notify all signatories to this PA, explaining the reasons for termination and affording them at least 30 calendar days to consult and seek alternatives to termination. The signatories shall then consult.
3. Should such consultation fail, VA, the SHPO, or the ACHP may terminate the PA by so notifying all signatories in writing.
4. Should this PA be terminated, VA shall either:
 - a) Consult in accordance with 36 CFR Part 800.6(a)(1) to develop a new PA; or

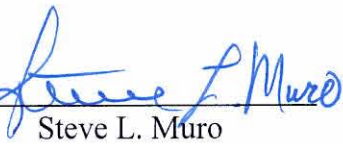
- b) Request the comments of the ACHP pursuant to 36 CFR Part 800.7(a)(1). The ACHP shall have 45 calendar days to respond with comments.

5. VA and the ACHP may conclude the Section 106 process with a PA between them if the SHPO terminates consultation in accordance with 36 CFR Part 800.7(a)(2).

Execution of this PA by VA, the SHPO, and the ACHP and the implementation of its terms, will be evidence that VA has taken into account the effects of the undertaking on historic properties and provided the ACHP the opportunity to comment on the undertaking.

SIGNATORY PARTIES:

UNITED STATES DEPARTMENT OF VETERANS AFFAIRS

By:  Date: 4-14-09
Steve L. Muro
Acting Under Secretary for Memorial Affairs

PENNSYLVANIA STATE HISTORIC PRESERVATION OFFICER

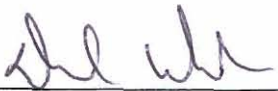
By:  Date: 4/16/2009
Pennsylvania State Historic Preservation Officer

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By:  Date: 4/20/09
JCF John M. Fowler
Executive Director

INVITED SIGNATORY PARTIES:

UPPER MAKEFIELD TOWNSHIP

By: 

Date: 4/16/09

Daniel Worden

Vice Chairman, Board of Supervisors and Board Liaison to the National Cemetery

Exhibit A

Exhibit A

Phase Development Plan Description

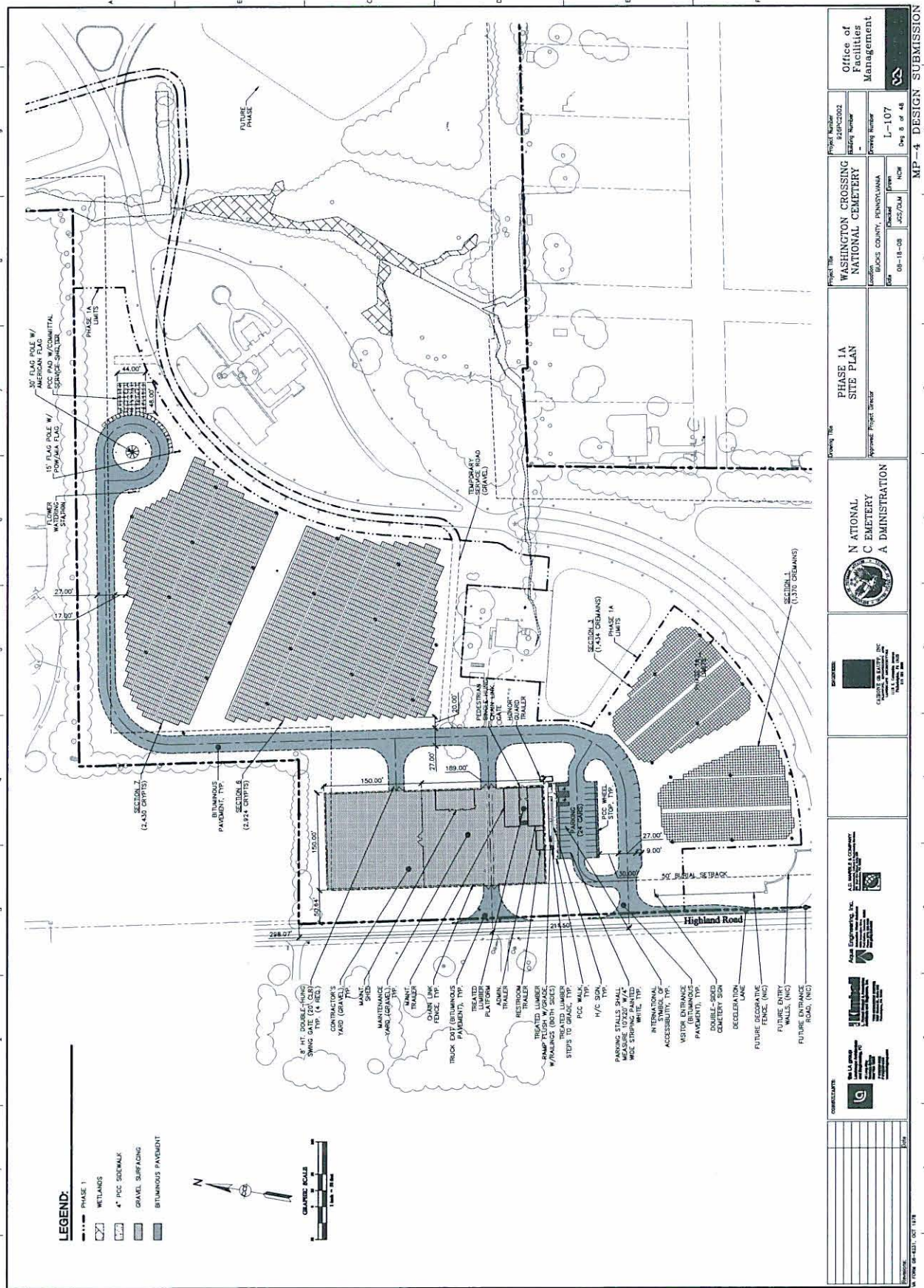
The proposed project involves the development of approximately 120,000 gravesites in phased developments over 60 years (see drawing L-106). The cemetery will be developed in ten year phases for a total of 6 phases (one establishment and 5 expansion phases). Each phase will provide approximately ten years of burial space. To optimize the use of the available land for gravesites, the project will install 74,500 pre-placed double-depth concrete crypts.

The Phase 1 (establishment phase) is divided into two phases 1A (fast-track) and 1B. Phase 1A (fast-track) is expected to open for burials in late 2009. Phase 1A will provide one-third of the ten year burial sites for the Phase 1 development. Phase 1A will include 5,350 pre-place concrete crypts, 2,804 in-ground cremain sites, temporary roads, temporary buildings (administration/public information center, committal shelter and maintenance building) landscaping and an irrigation pond (See drawing L-107). Phase 1B will add 10,000 pre-place crypts, 4,120 columbarium niches, 3,400 in-ground cremains and the permanent buildings (administration/public information center, maintenance building and two committal shelters). Other elements of Phase 1B – roads, sidewalks, assembly area with a pole for the US Flag, entry wall and fence and landscaping (See drawing L-106).

Future ten year phase developments will include additional gravesites and infrastructure. The gravesite numbers shown below are based on a 75 mile radius service area of veteran population and an average veteran participation rate. If these numbers change the total gravesites added every ten years may change in response. (See drawing L- 106 for phasings)

- Phase two (2) will provide 13,300, pre-place crypts 3,520 columbarium niches and 5,300 in-ground cremains, total gravesite 22,120.
- Phase three (3) provide 13,300, pre-place crypts 3,520 columbarium niches and 5,300 in-ground cremains, total gravesite 22,120.
- Phase four (4) provide 13,300, pre-place crypts 3,520 columbarium niches and 5,300 in-ground cremains, total gravesite 22,120.
- Phase five (5) provide 13,300, pre-place crypts 3,520 columbarium niches and 5,400 in-ground cremains, total gravesite 22,220.
- Phase six (6) provide 5,500, pre-place crypts and 4,000 in-ground cremains, total gravesite 10,500.

Major design elements are depicted on the full master plan drawing phasing plan (see drawing L-106 and L-200). Decisions regarding the placement of the major design elements including the location of the main, permanent cemetery entrance, location of the maintenance facilities, and administration buildings are final.



MASTER PLAN GRAVESITE YIELD SUMMARY:

PHASE	YEAR	CASKEDED BURIAL SITES		CREMAN BURIAL SITES		TOTAL GRAVESITE REQUIREMENT PER PHASE
		4'x8' SINGLE-DEPTH PLOTS	3'x7'-8" DOUBLE-DEPTH PLOTS	4'x4' CREMAN PLOTS	4'x4' CREMAN PLOTS	
1A	2009 - 2011	0	0	2,813	17,500	19,313
1B	2012 - 2022	0	0	3,400	17,500	20,900
2	2023 - 2032	0	0	6,500	23,420	29,920
3	2033 - 2042	0	0	5,400	22,220	27,620
4	2043 - 2052	0	0	4,000	11,500	15,500
5	2053 - 2062	0	0	3,500	20,720	24,220
6	2063 - 2072	0	0	5,300	22,120	27,420
TOTAL	2009 - 2072	0	0	31,473	125,723	157,196

* PRE-PLACED CRYPT SITES QUANTITY PER PLOT ON APPROXIMATELY 23 SF

* IN-GROUND CREMAN SITES QUANTITY IS BASED ON 16.00 SF PER PLOT.

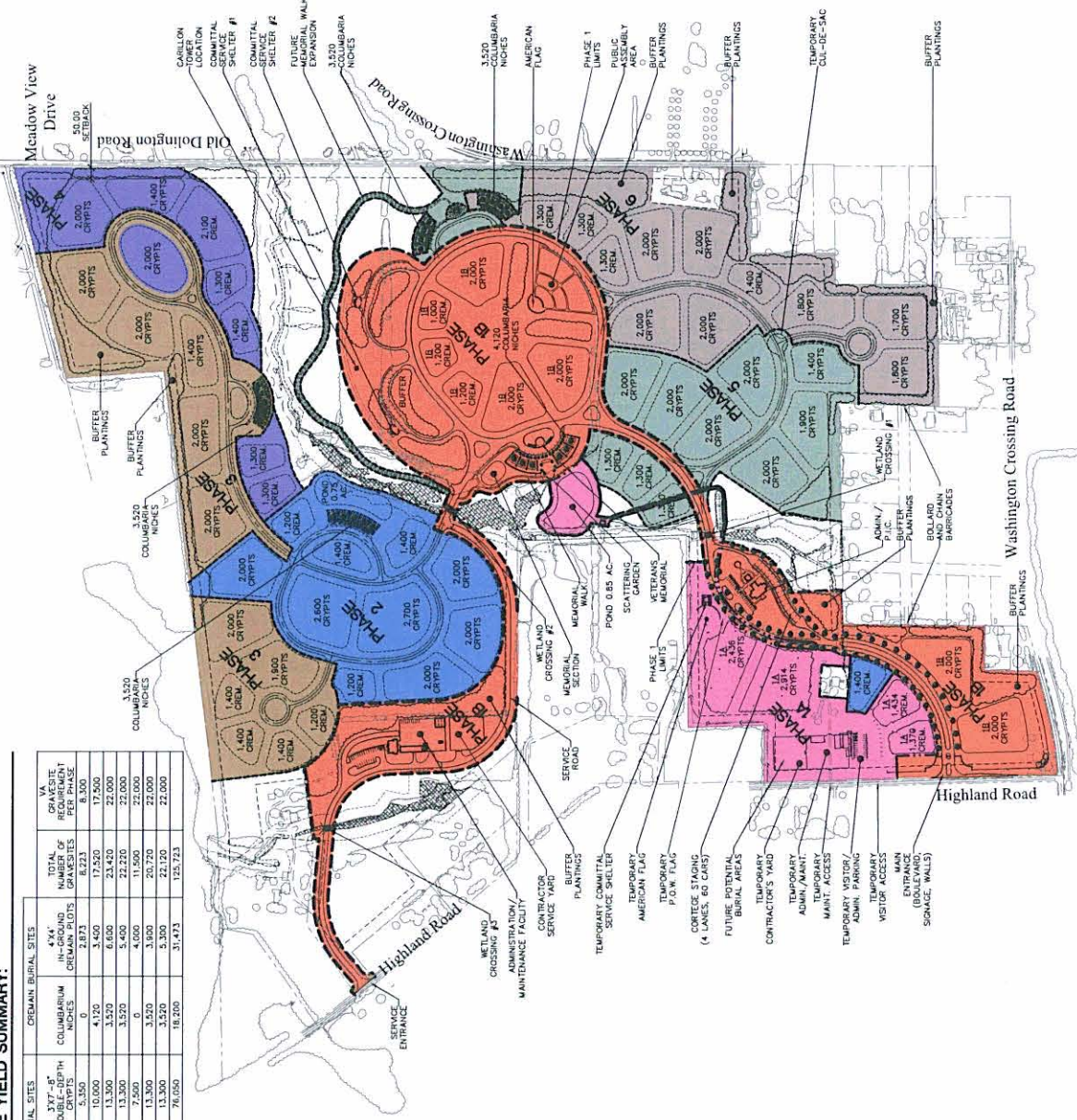
STD. STANDARD CASKEDED BURIAL SECTION DOUBLE-DEPTH (4'x8') PLOTS

CRYPTS. CASKEDED BURIAL SECTION (7'-8" X 3' PLOTS)

CREM. IN-GROUND CREMAN SECTION (4'x4' PLOTS)

LEGEND:

- PHASE 1 BOUNDARY
- FUTURE PHASE BOUNDARY
- WETLANDS
- PHASE 1A - FAST TRACK (MANT. & ADMIN. ARE)
- PHASE 1B - BURIALS, P.I.C. ADMIN. MANT. COLUMBARIUM, COMMITTEE SHELTERS, MEMORIAL WALK, VETERANS MEMORIAL, FLAG, MAIN ENTRANCE
- PHASE 2
- PHASE 3
- PHASE 4
- PHASE 5
- PHASE 6



Office of Facilities Management Project Number: 520PC002 Drawing Number: L-106 Date: 07-08-08 Sheet: 7 of 48 Project Title: WASHINGTON CROSSING NATIONAL CEMETERY Location: BUCKS COUNTY, PENNSYLVANIA Scale: AS SHOWN Project Manager: [Signature] Designer: [Signature] Checker: [Signature] Date: 07-08-08		PHASING & INTERMENT PLAN Approved Project Director: [Signature]	NATIONAL CEMETERY ADMINISTRATION Project Manager: [Signature]	CONSULTANTS: The LA Group 1000 N. 10th Street Suite 100 Harrisburg, PA 17102 Phone: 717/634-1111 Fax: 717/634-1112 Email: info@thelagroup.com Website: www.thelagroup.com The LA Group is a member of the HKS, Inc. family of companies.	PREPARED BY: HKS, Inc. 1000 N. 10th Street Suite 100 Harrisburg, PA 17102 Phone: 717/634-1111 Fax: 717/634-1112 Email: info@hks.com Website: www.hks.com HKS, Inc. is a member of the HKS, Inc. family of companies.	PROJECT: WASHINGTON CROSSING NATIONAL CEMETERY 1000 N. 10th Street Suite 100 Harrisburg, PA 17102 Phone: 717/634-1111 Fax: 717/634-1112 Email: info@hks.com Website: www.hks.com HKS, Inc. is a member of the HKS, Inc. family of companies.
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Exhibit B

Figure 3 Area of Potential Effect and Identified Historic Resources

Washington Crossing VA National Cemetery
Bucks County, Pennsylvania

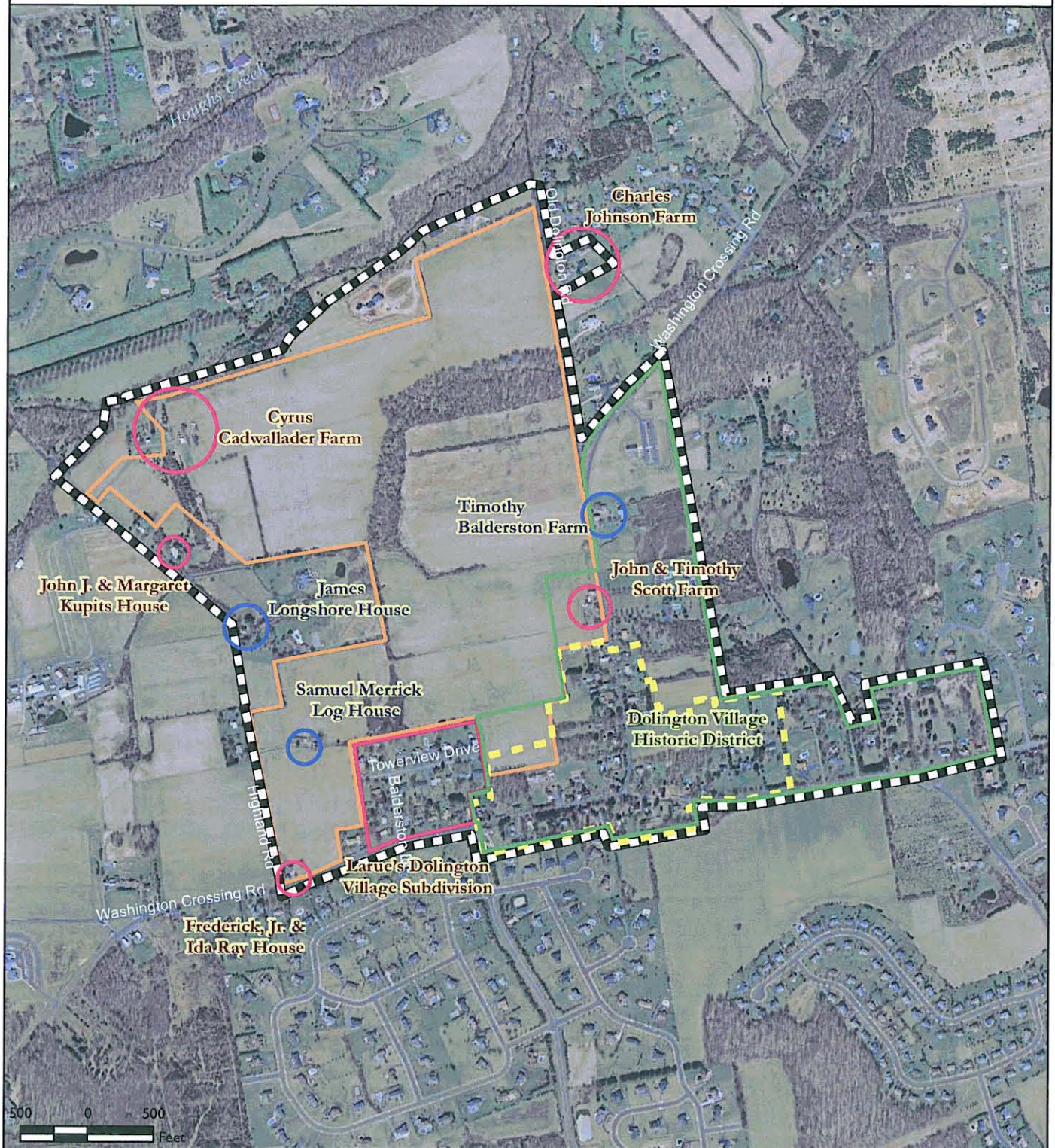
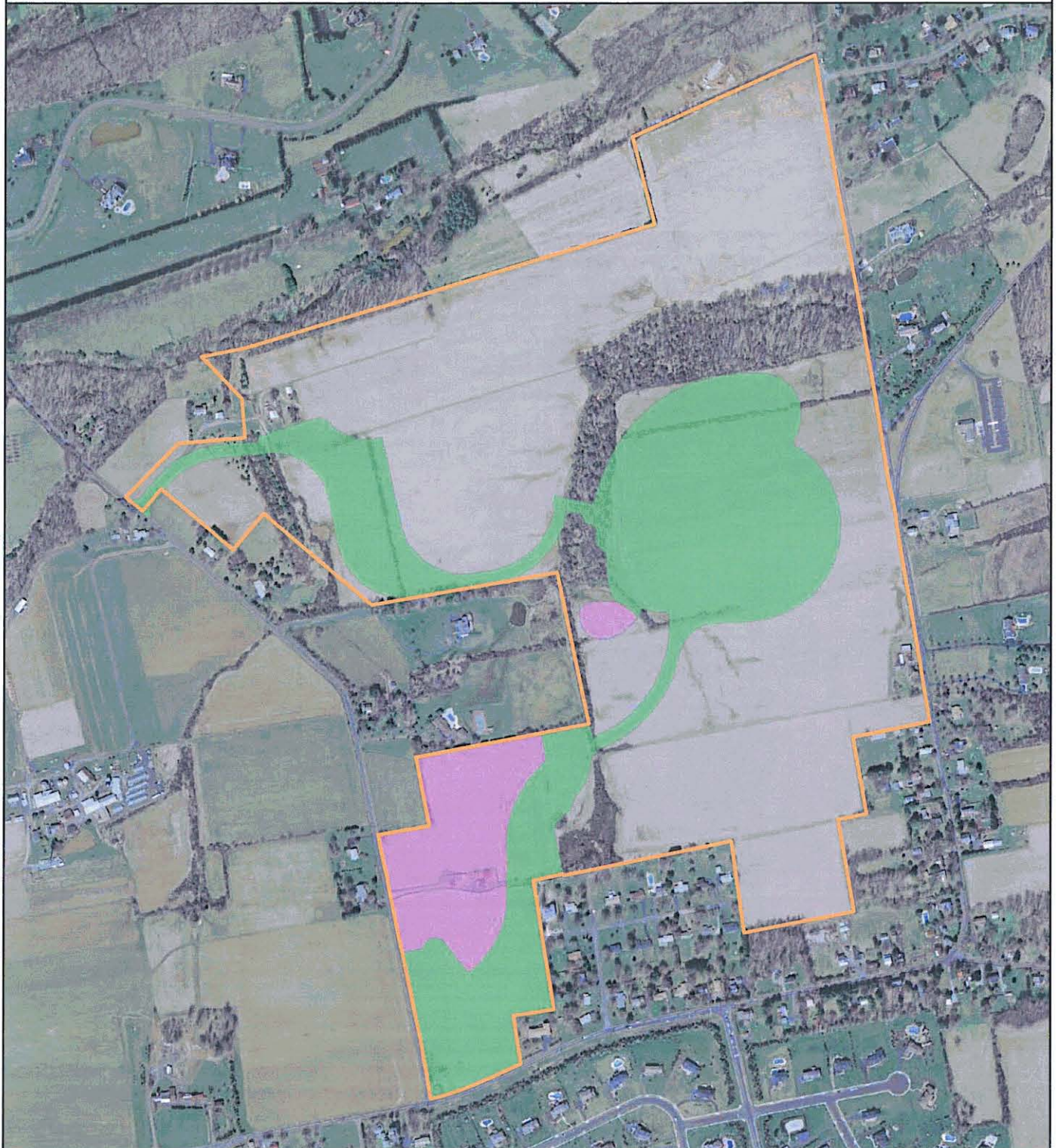


Figure 2
Archaeological APE
 Washington Crossing National Cemetery
 Bucks County, Pennsylvania

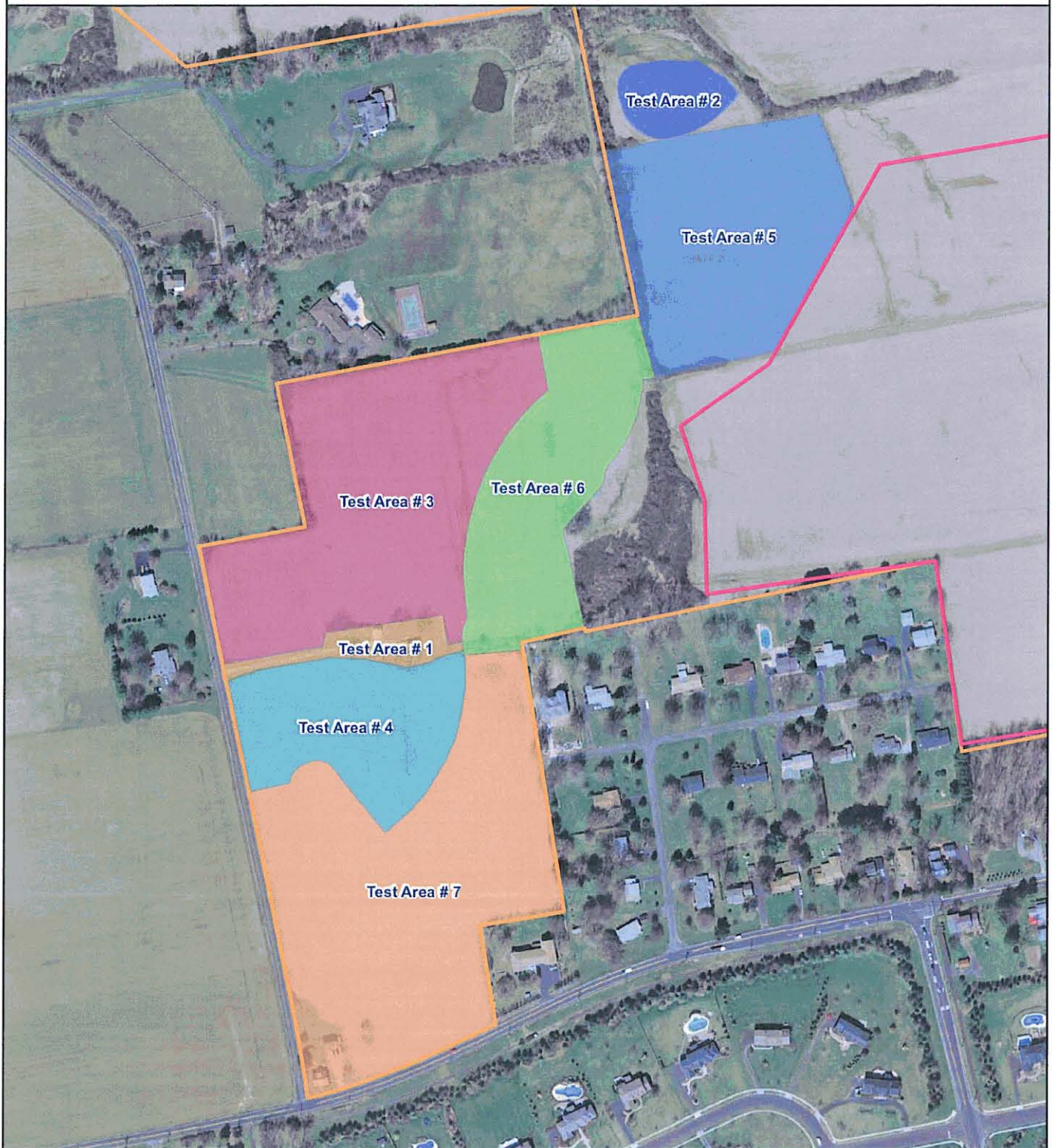


700 0 700
 Feet

- Archaeological APE
- Phase 1A Fast Track
- Phase 1B

Exhibit C

Figure 3
Phase IB Shovel Test Areas
 Washington Crossing National Cemetery
 Bucks County, Pennsylvania



150 0 150
 Feet

 Lease Area
 Archaeological APE

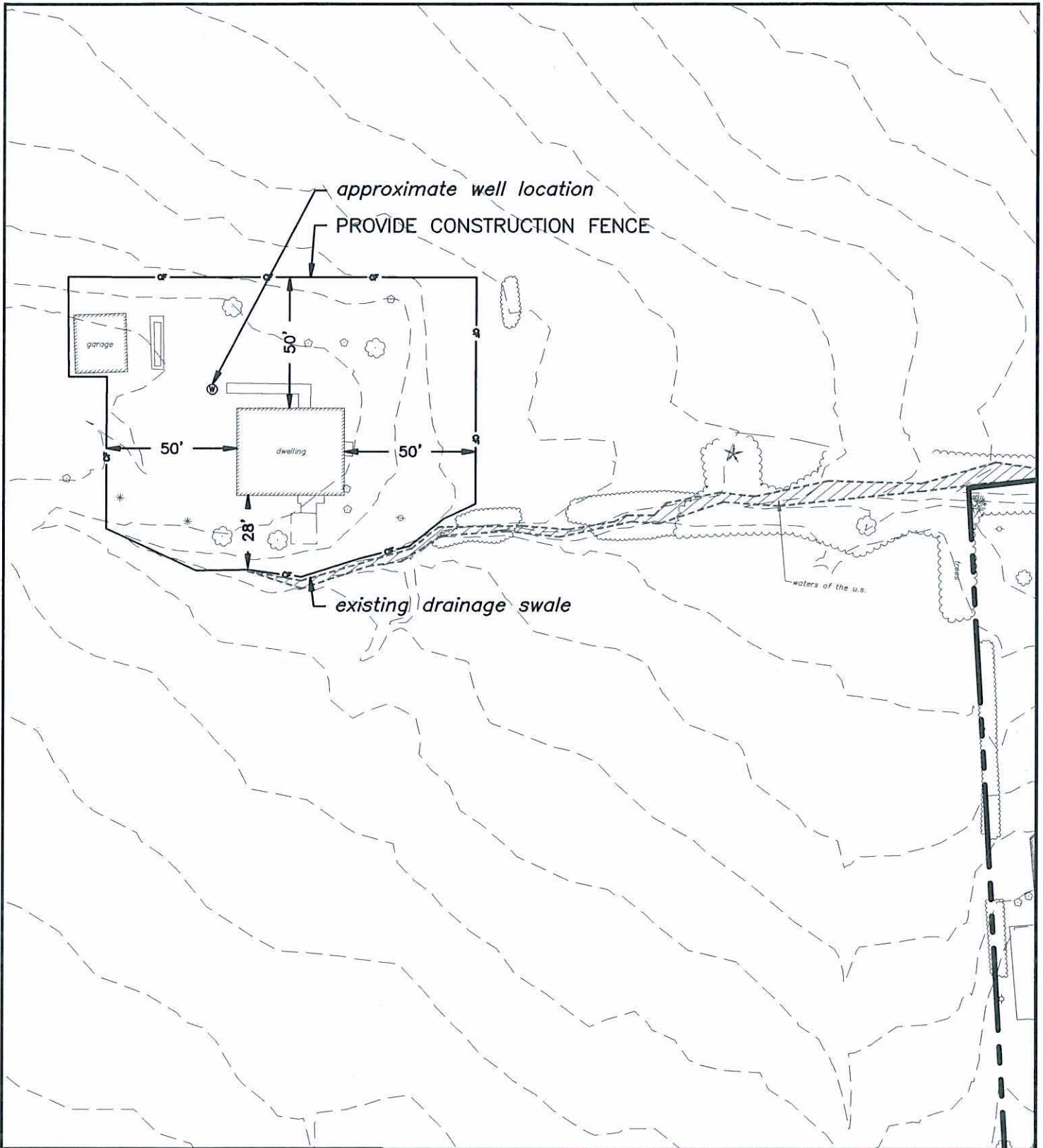
Test Areas	
 1	 5
 2	 6
 3	 7

Exhibit D

**Washington Crossing VA National Cemetery
Section 106 Consulting Party List
December 30, 2008**

Name	Organization	Additional Info	Address	City, State, ZIP
Susan Zacher, Historic Preservation Specialist	Pennsylvania Historical & Museum Commission	Bureau for Historic Preservation	P.O. Box 1026	Harrisburg, PA 17108
Michael H. Hayduk, Senior Staff Biologist	U.S. Army Corps of Engineers	Regulatory Branch	100 Penn Square East	Philadelphia, PA 19107-3390
Clifford C. David, Jr., President	Bucks County Heritage Conservancy	c/o Jeffrey Marshall	85 Old Dublin Pike	Doylestown, PA 18901
Jackie Liney, Executive Director	Children's Cultural Center of Bucks County		50 North Main Street	Doylestown, PA 18901
Dan Worden, Chairman	Upper Makefield Township	Historic Advisory Committee	1076 Eagle Road	Newtown, PA 18940
John and Jane Johnson	Upper Makefield Conservancy		3 Mount View Court	Newtown, PA 18940
Richard Walker, President	Upper Makefield Historical Society	Doris Kennedy, Vice Presidnet	2 Jericho Run	Washington Crossing, PA 18977
Carol Stuckley & James DeFalco			852 Washington Crossing Road	Newtown, PA 18940
Jim Barbera	Save Historic Dolington		817 Dolington Rd.	Newtown, PA 18940
State Representative Scott A. Petri	PA House of Representatives	178th District	95 Almshouse Road, Suite 303	Richboro, PA 18954
State Senator Charles T. McIlhinney Jr.; c/o Heather Cevalasco	PA State Senator	10th District	22 S. Main St., Suite 220	Doylestown, PA 18901
Congressman Patrick J. Murphy c/o Brendan W. Flynn		8th Congressional District	414 Mill Street	Bristol, PA 19007
U.S. Senator Arlen Specter			600 Arch Street, Suite 9400	Philadelphia, PA 19106
State Representative Steven J. Santarsiero	PA House of Representatives	31st District	2 North State Road	Newtown, PA 18940
Robert L. Ciervo, Ph.D.	Newtown Township Supervisors		18 Martin Court	Newtown, PA 18940
Vivian Braubitz			31 E. Elizabeth Lane	Richboro, PA 18954
Gertrude & Otto Schneider			856 Washington Crossing Road	Newtown, PA 18940
Frances & Edwin Bielski			846 Washington Crossing Road	Newtown, PA 18940
Angela Cino			16 Brandywine Court	Washington Crossing, PA 18977
J. Randall Cotton	Preservation Alliance for Greater Philadelphia		1616 Walnut Street	Philadelphia, PA 19103
Mindy Crawford	Preservation Alliance Pennsylvania			
Maureen J. Ferrazzi	Upper Makefield Historical Advisory Commssion		1039 River Road	Washington Crossing, PA 18977
J. Michael Logan and Victoria M. Logan			850 Highland Road	Newtown, PA 18940
Robert Castor			964 Highland Road	Newtown, PA 18940
Guy Polhemus			882 Washington Crossing Road	Newtown, PA 18940
Sherry White, Cultural Preservation Officer	Stockbridge-Munsee Band of the Mohican Nation of Shawnee Tribe		PO Box 70	Bowler, WI 54135
Belinda Pryor, Tribal Historic Preservation Officer			29 South 69a Highway	Miami, OK 74354
Robin Dushane, Cultural Preservation Officer	Eastern Shawnee Tribe of Oklahoma		P.O. Box 350	Seneca, MO 64865
Tamara Francis, NAGPRA Director	Delaware Nation		P.O. Box 825 31064 State Hwy 281	Anadarko, OK 73005
Bob Red Hawk Ruth and Frank Maykuth	Lenape Nation of PA		1201 Kennedy Drive	Hartford, WI 53027
Karen Kaniatobe, THPO	Absentee-Shawnee Tribe of Oklahoma		2025 S. Gordon Cooper Drive	Shawnee, OK 74801
Frank Maykuth	Lenape Nation of PA		1517 Woodside Avenue	Alburtis, PA 18011

Exhibit E



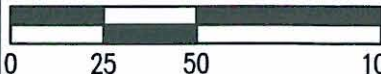
CAIRONE & KAUPP, INCORPORATED
PLANNING, ENGINEERING AND LANDSCAPE ARCHITECTURE



1119 E. Columbia Avenue
Philadelphia, PA 19125
215 291 2800



GRAPHIC SCALE



WASHINGTON CROSSING
NATIONAL CEMETERY
CONSTRUCTION FENCE LOCATION

SAMUEL MERRICK LOG HOUSE

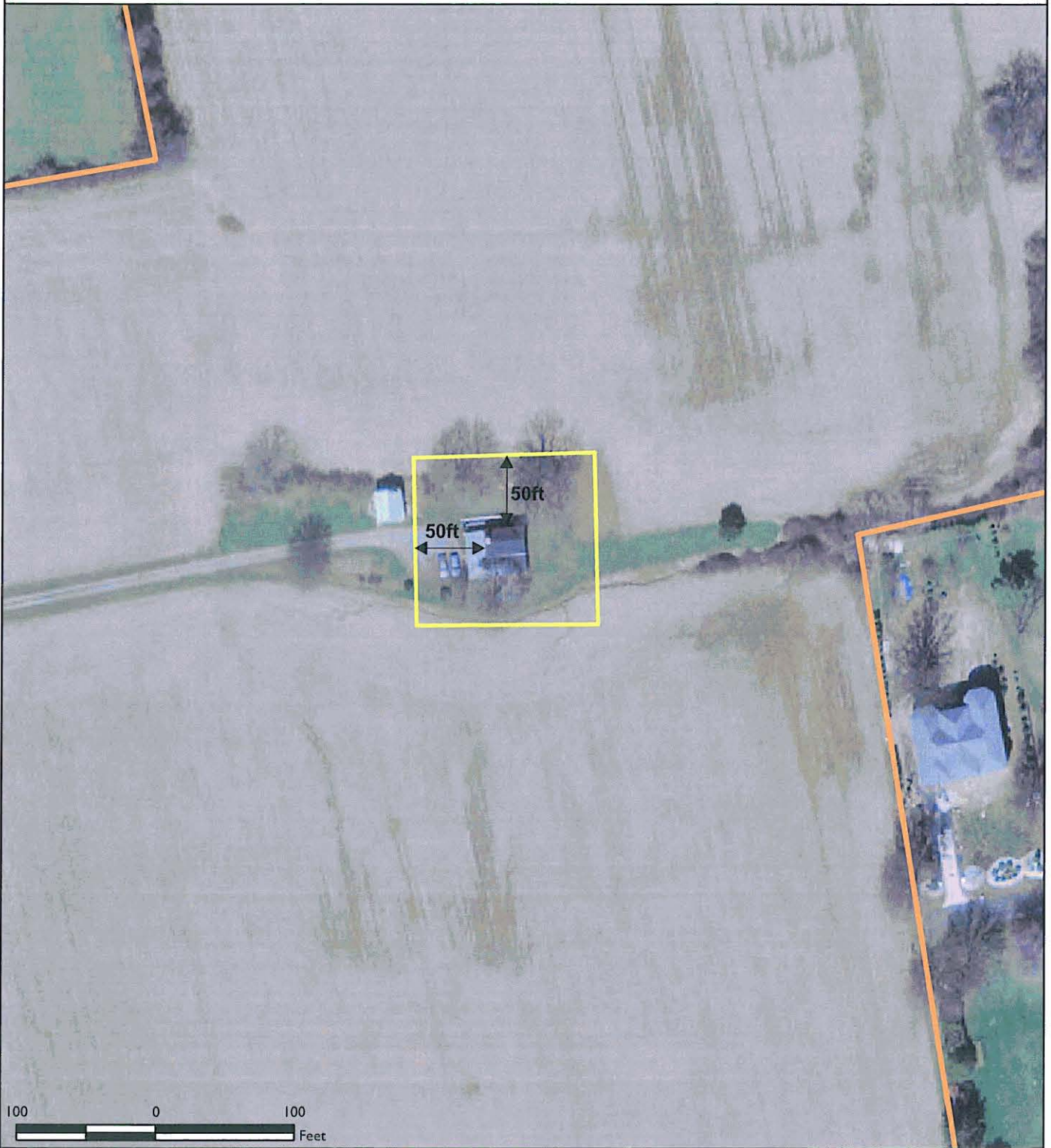
REFERENCE DWG.:
DATE: 18MARCH09

DRAWING NO.:

DRAWN BY: MSS SCALE: 1" = 50' PROJ. NO.: 0605

Samuel Merrick Log House Approximate Buffer

Washington Crossing National Cemetery
Bucks County, Pennsylvania

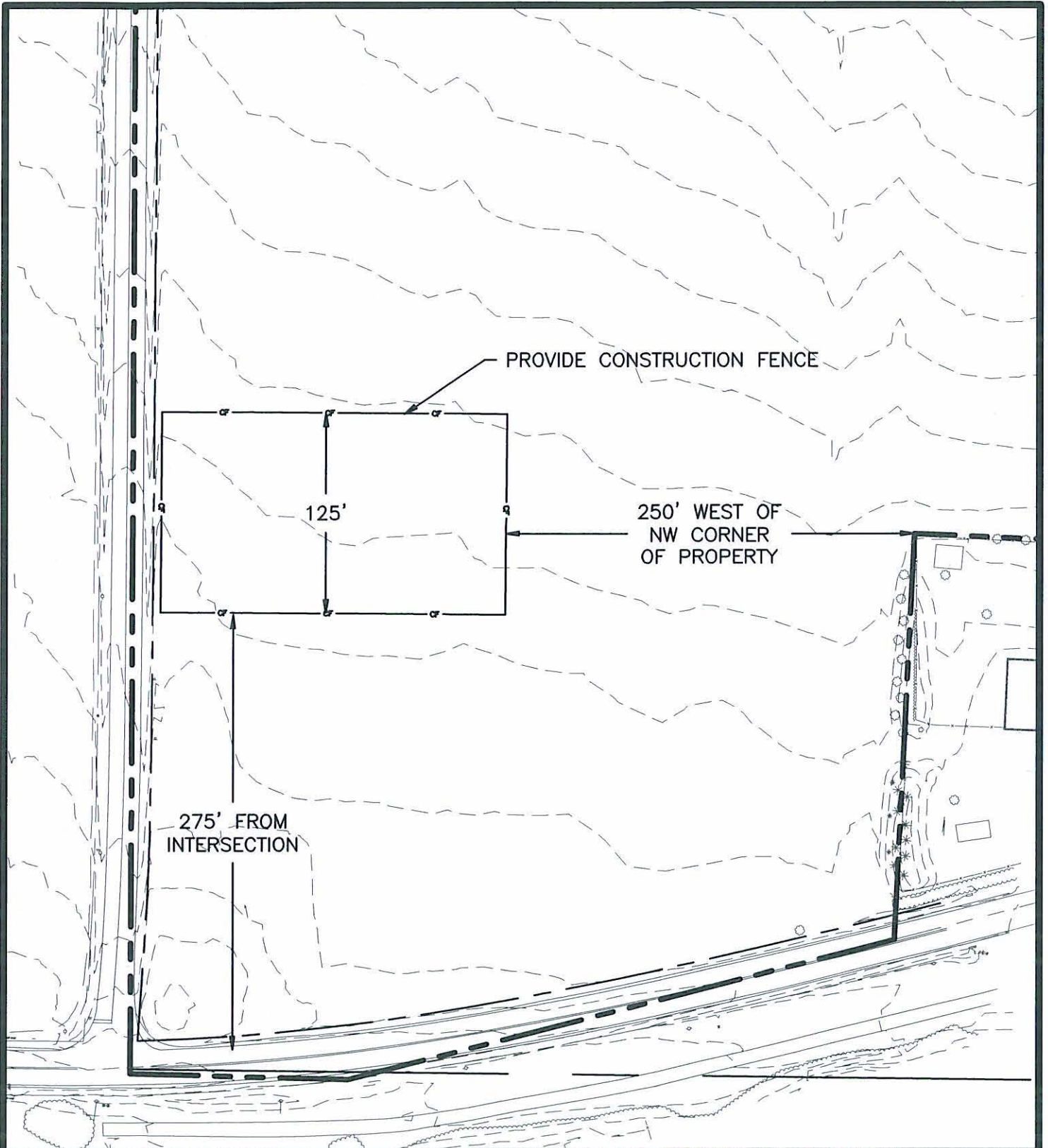


100 0 100
Feet



Map Source: K. P. G. 10/10/2005. All rights reserved. All other trademarks are the property of their respective owners.

Map Source:
DVRPC 2005

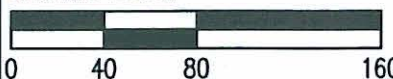


CAIRONE & KAUPP, INCORPORATED
PLANNING, ENGINEERING AND LANDSCAPE ARCHITECTURE

1115 E. Columbia Avenue
Philadelphia, PA 19125
215 231 2800



GRAPHIC SCALE



WASHINGTON CROSSING
NATIONAL CEMETERY
CONSTRUCTION FENCE LOCATION

B LLOYD SITE

REFERENCE DWG.:
DATE: 18MARCH09

DRAWING NO.:

DRAWN BY: MSS SCALE: 1" = 80' PROJ. NO.: 0605

John & Timothy Scott Farm Approximate Buffer

Washington Crossing National Cemetery
Bucks County, Pennsylvania



- Project Location
- Dolington Village Historic District
- National Register Boundary

Exhibit F

**Exhibit F – Sequence of Stipulations for
Samuel Merrick Log House and John and Timothy Scott Farm**

SAMUEL MERRICK LOG HOUSE

<u>Activity</u>	<u>Timing of Activity</u>
1. Install Protective Fence	Complete at beginning of Phase IA construction
2. State Level Recordation	Complete recordation within 3 months of execution of Agreement
3. Initial Mothballing	Complete within 4 months of SHPO approval of state level recordation
4. Historic Structure Report (HSR)	Complete HSR survey within 9 months of completion of initial mothballing
5. Subsequent Mothballing	Complete within 6 months of SHPO approval of HSR
6. Decision on Restoration	Submit decision on building restoration within 4 months of approval of HSR
7. Disposition and Removal	If building will be disposed, complete disposition plan within 6 months of approval of HSR
7A. Disposition and Removal	If building will be relocated, timing of relocation will be determined with SHPO
8. Demolition	If restoration or disposition and relocation not feasible, timing of demolition will be determined with SHPO

All stipulations described above will be accomplished within a maximum timeframe of 48 months from the execution of the agreement.

JOHN AND TIMOTHY SCOTT FARM

<u>Activity</u>	<u>Timing of Activity</u>
1. State Level Recordation	Complete recordation within 3 months of execution of Agreement
2. Mothballing	Complete mothballing within 4 months of SHPO approval of state level recordation
3. Historic Structure Report (HSR)	Complete HSR survey within 9 months of completion of mothballing
4. Lease/Rehabilitation Agreement	If lease and restoration are feasible, a lease agreement will be executed within 6 months of SHPO approval of the HSR
4A. Lease/Rehabilitation Agreement	If no qualified lessee is identified, VA will notify intent to demolish buildings within 15 months of SHPO approval of HSR
5. Demolition	If lease/rehabilitation agreement cannot be reached, timing of demolition will be determined with SHPO

All stipulations described above will be accomplished within a maximum timeframe of 48 months from the execution of the agreement.