APPENDIX H

Participating Agencies
April 29, 2022

Mr. Daniel Mackay, Deputy Commissioner and State Historic Preservation Officer
NYS Office of Parks, Recreation and Historic Preservation
PO Box 189
Waterford, NY 12188

SUBJECT: Initiation of Section 106 Consultation
Notification of DHS S&T Proposed Undertaking to Evaluate Counter-Unmanned Aircraft Systems in Niagara Falls and Buffalo, New York

Dear Deputy Commissioner Mackay,

The U.S. Department of Homeland Security (DHS) Science & Technology Directorate (S&T) plans to programmatically test available counter unmanned aircraft system (C-UAS) technologies to evaluate their effectiveness in a range of terrains and environments and has prepared a single comprehensive document in order to meet DHS mission requirements. Pursuant to Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 CFR Part 800, “Protection of Historic Properties (Section 106),” this letter is being transmitted to initiate consultation, to identify historic properties, and to assess potential adverse impacts pursuant to the undertaking.

Project Location
Five geographical testing areas are being considered including an area encompassing Niagara Falls and Buffalo, New York. A map of the area is included as Attachment 1.

Description of Undertaking
DHS S&T is proposing to programmatically test C-UAS capabilities to detect, track, identify, and mitigate (DTI-M) unmanned aircraft systems (UAS). The proposed undertaking includes testing of five types of third-party C-UAS technology modalities to DTI-M small UAS (sUAS), which the U.S. Department of Defense (DoD) defines as fixed wing or rotocopter UAS having a maximum takeoff weight of less than 55 pounds. The C-UAS systems being tested will be mounted on a tripod, which could be placed on the ground or on a vehicle. The C-UAS systems would have a detection range of up to approximately 1.2 miles. The proposed undertaking evaluates five modalities (or types) of systems: (1) Radar; (2) Passive radiofrequency (RF) (sometimes referred to as electronic surveillance measures); (3) Active RF (used for fend or takeover actions when testing mitigation); (4) Electro-Optical/Infrared (EO/IR) cameras; and (5) Acoustic.

All C-UAS test events would be conducted by DHS S&T-authorized personnel in conjunction with a participating Component or State partner and may be attended by other DHS Components and other government, state, or local agencies.

DHS S&T would comply with all requirements for sUAS operations outlined in the U.S. Department of Transportation, Federal Aviation Administration (FAA) Title 14 CFR, Part 107, Operation and Certification of Small Unmanned Aircraft Systems. Additionally, DHS S&T C-UAS testing would operate with an FAA
Certificate of Waiver or Authorization (COA) when flying in controlled airspace (Class A, Class B, Class C, Class D, and Class E airspace) and with additional coordination as needed (such as when flying in DoD controlled airspace). As part of the proposed undertaking, DHS will obtain FAA COAs for testing activities that involve operations at or below 400 feet above ground level.

**Area of Potential Effect**
Per NHPA Sections § 800.4(a)(1) and § 800.16(d), DHS S&T has defined the Area of Potential Effect (APE) for the undertaking as the proposed location of test events and the area where sUAS would land and fly. Because all C-UAS testing activities would occur above ground, there is no below-ground geographic area to include in the APE. No indirect effects are anticipated.

**Identification and Evaluation of Historic Properties**
A historian meeting the Secretary of the Interior’s Professional Qualifications Standards for History and Architectural History consulted the National Register of Historic Places (NRHP) database, historic maps, aerial photos, and DHS S&T files for previous cultural resource reports and information on historic properties within the proposed undertaking APE. There are 185 NRHP-eligible or NRHP-listed architectural or archaeological resources within the APE. Niagara and Erie counties contain 53 historic districts.

Each C-UAS would have a normal operational altitude of up to 400 feet above ground level to satisfy operational and FAA requirements. Noise, as perceived from the ground, is not expected to be significant at the operating flight altitude. Ground activities related to the proposed undertaking would be minimal and limited to DHS properties. The test areas are characterized by human-built environments consisting of structures, paved and concrete surfaces, and landscaped areas. Construction activities are not anticipated and are not part of the proposed undertaking.

**Finding of No Adverse Effect to Historic Properties**
Due to the measures incorporated into the proposed undertaking to avoid impacts to above-ground properties and the absence of mechanisms to impact archaeological sites, DHS S&T has determined that pursuant to 36 C.F.R. 800.5(b), the proposed undertaking will have No Adverse Effects to Historic Properties and is seeking your concurrence.

Your prompt attention to the request is greatly appreciated. If DHS S&T has not received a response from your office within 30 days of your receipt of this determination letter, DHS S&T will consider its responsibilities under Section 106 to have been fulfilled.

Thank you for your support of the DHS mission. Should you need additional information, please do not hesitate to contact me via email at CUAS-Test@hq.dhs.gov.

Sincerely,

SHAWN A MCDONALD
Digitally signed by SHAWN A MCDONALD
Date: 2022.05.06 07:54:49 -04'00'

Shawn McDonald
Program Manager
Mission & Capability Support
DHS, Science & Technology
Initial Submission Found Insufficient

The New York State Historic Preservation Office (SHPO) has found the following initial submission insufficient and returned it. It is not currently in SHPO's processing queue. Please read the reviewer’s comments about the submission below.

Reviewer’s Comments: Thank you for submitting your project in CRIS. Please shrink down your proposed APE to cover a smaller area - perhaps one of the facility locations, or the main office, etc. Alternatively, you can provide a GIS shape file specifically of the project locations, and we can upload those into CRIS. Once you have made your edits, please make sure to resubmit to SHPO. If you have questions, contact me at jennifer.walkowski@parks.ny.gov.

Initial Submission Token: 395RNAO1ALPR

Project Type: Consultation

Project Name: DHS S&T Proposed Undertaking to Evaluate Counter-Unmanned Aircraft Systems in Niagara Falls and Buffalo, New York

New York State Historic Preservation Office
Peebles Island State Park, P.O. Box 189, Waterford, NY 12188-0189
518-237-8643 | https://parks.ny.gov/shpo
CRIS: https://cris.parks.ny.gov

Are you registered to vote? Register to vote online today. Moved recently? Update your information with the NYS Board of Elections. Not sure if you’re registered to vote? Search your voter registration status.

Who sent this email?

This email is a notification from the New York State Cultural Resource Information System (CRIS). CRIS is an online service administered by the New York State Division for Historic Preservation, also known as the New York State Historic Preservation Office (SHPO), which is a division of New York State Parks, Recreation & Historic Preservation.

This message pertains to a submission for a consultation project. Please see SHPO’s Environmental Review web page for more information about the consultation process.
Why did I receive this email?
The submission's contact list includes your email address.

What do I need to do?
If you are the submitter, please read the SHPO reviewer's comments in the first part of this message. If the reviewer asked for revisions, please reopen your submission and make the requested changes. Be sure to resend the submission to return it to SHPO's processing queue.

What will happen next?
If you revise the submission and resend it to SHPO, the submission will enter SHPO's processing queue again and the submission's contacts will receive an “Initial Submission Received” email notification. Resending the submission will also reset the due date for SHPO’s review of the submission.

What else can I do?
Please see the following help topics for more information about managing initial submissions in CRIS:

- Continue or Edit an Existing Initial Submission
- View an Initial Submission
- How do I check the status of my initial submission?

Where can I get help?
Please visit the CRIS Online Help System: https://cris.parks.ny.gov/CRISHelp
If you still have questions about CRIS, please contact CRIS Help at CRISHelp@parks.ny.gov.
For any other questions, please call SHPO at 518-237-8643.
April 29, 2022

Ms. Andrea Lowery, PHMC Executive Director and State Historic Preservation Officer
Pennsylvania Historical and Museum Commission (PHMC)
Commonwealth Keystone Building, 400 North Street
Harrisburg, PA 17120-8552

SUBJECT: Initiation of Section 106 Consultation
Notification of DHS S&T Proposed Undertaking to Evaluate Counter-Unmanned Aircraft Systems in Greater Philadelphia, Pennsylvania

Dear Executive Director Lowery,

The U.S. Department of Homeland Security (DHS) Science & Technology Directorate (S&T) plans to programmatically test available counter unmanned aircraft system (C-UAS) technologies to evaluate their effectiveness in a range of terrains and environments and has prepared a single comprehensive document in order to meet DHS mission requirements. Pursuant to Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 CFR Part 800, “Protection of Historic Properties (Section 106),” this letter is being transmitted to initiate consultation, to identify historic properties, and to assess potential adverse impacts pursuant to the undertaking.

Project Location
Five geographical testing areas are being considered including an area encompassing Greater Philadelphia, Pennsylvania (PA). A map of the area is included as Attachment 1.

Description of Undertaking
DHS S&T is proposing to programmatically test C-UAS capabilities to detect, track, identify, and mitigate (DTI-M) unmanned aircraft systems (UAS). The proposed undertaking includes testing of five types of third-party C-UAS technology modalities to DTI-M small UAS (sUAS), which the U.S. Department of Defense (DoD) defines as fixed wing or rotocopter UAS having a maximum takeoff weight of less than 55 pounds. The C-UAS systems being tested will be mounted on a tripod, which could be placed on the ground or on a vehicle. The C-UAS systems would have a detection range of up to approximately 1.2 miles. The proposed undertaking evaluates five modalities (or types) of systems: (1) Radar; (2) Passive radiofrequency (RF) (sometimes referred to as electronic surveillance measures); (3) Active RF (used for fend or takeover actions when testing mitigation); (4) Electro-Optical/Infrared (EO/IR) cameras; and (5) Acoustic.

All C-UAS test events would be conducted by DHS S&T-authorized personnel in conjunction with a participating Component or State partner and may be attended by other DHS Components and other government, state, or local agencies.

DHS S&T would comply with all requirements for sUAS operations outlined in U.S. Department of Transportation, Federal Aviation Administration (FAA) Title 14 CFR, Part 107, Operation and Certification of Small Unmanned Aircraft Systems. Additionally, DHS S&T C-UAS testing would operate with an FAA Certificate of Waiver or Authorization (COA) when flying in controlled airspace (Class A, Class B, Class...
C, Class D, and Class E airspace) and with additional coordination as needed (such as when flying in DoD-controlled airspace). As part of the proposed undertaking, DHS will obtain FAA COAs for testing activities that involve operations at or below 400 feet above ground level.

**Area of Potential Effect**

Per NHPA Sections § 800.4(a)(1) and § 800.16(d), DHS S&T has defined the Area of Potential Effect (APE) for the undertaking as the proposed location of test events and the area where sUAS would land and fly. Because all C-UAS testing activities would occur above ground, there is no below-ground geographic area to include in the APE. No indirect effects are anticipated.

**Identification and Evaluation of Historic Properties**

A historian meeting the Secretary of the Interior’s Professional Qualifications Standards for History and Architectural History consulted the National Register of Historic Places (NRHP) database, historic maps, aerial photos, and DHS S&T files for previous cultural resource reports and information on historic properties within the proposed undertaking APE. The test area contains 658 NRHP-listed properties. Chester, Delaware, Montgomery, Philadelphia, and Bucks counties in PA contain 253 historic districts.

Each C-UAS would have a normal operational altitude of up to 400 feet above ground level to satisfy operational and FAA requirements. Noise, as perceived from the ground, is not expected to be significant at the operating flight altitude. Ground activities related to the proposed undertaking would be minimal and limited to DHS properties. The test areas are characterized by human-built environments consisting of structures, paved and concrete surfaces, and landscaped areas. Construction activities are not anticipated and are not part of the proposed undertaking.

**Finding of No Adverse Effect to Historic Properties**

Due to the measures incorporated into the proposed undertaking to avoid impacts to above-ground properties and the absence of mechanisms to impact archaeological sites, DHS S&T has determined that pursuant to 36 C.F.R. 800.5(b), the proposed undertaking will have No Adverse Effects to Historic Properties and is seeking your concurrence.

Your prompt attention to the request is greatly appreciated. If DHS S&T has not received a response from your office within 30 days of your receipt of this determination letter, DHS S&T will consider its responsibilities under Section 106 to have been fulfilled.

Thank you for your support of the DHS mission. Should you need additional information, please do not hesitate to contact me via email at CUAS-Test@hq.dhs.gov.

Sincerely,

SHAWN A MCDONALD
Program Manager
Mission & Capability Support
DHS, Science & Technology

Attachment 1 – C-UAS Test Area
Hello,

Your Initial submission ABPXNEEOCQ8F has been accepted as a new Environmental Review project. You also may have received this email if you were named as a contact on the project. Please refer to Project Number 2022PR02065, Project Name DHS S&T Proposed Undertaking to Evaluate Counter-Unmanned Aircraft Systems in Greater Philadelphia in future correspondence. You will receive further notifications from PA-SHARE when PA SHPO has completed their review of your submission. No further action is required at this time.

You can access the submission at:

https://share.phmc.pa.gov/pashare/

If you feel you have received this email in error or have questions about why you are receiving this email, please visit the PA-SHARE help page at https://share.phmc.pa.gov/pasharehelp/ or contact the PA-SHARE Help Desk at pashare@pa.gov.

Thank you,

PA SHPO
Thank you Emma.

The submission was successful and the submission token is

Please address all comments to CUAS-Test@hq.dhs.gov.

Thank you, and thanks to Merrick for his help this morning.

Andrew

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From: Diehl, Emma <emdiehl@pa.gov>
Sent: Monday, May 9, 2022 8:06 AM
To: Glucksman Andrew <glucksman@mabbett.com>
Cc: CUAS-Test@hq.dhs.gov
Subject: *EXTERNAL* RE: [External] Notification for Coordination on action for Testing C-UAS Technologies

***This message originated from outside your organization. Please take care and verify the authenticity of the email prior to opening any questionable or unexpected attachments.***

Thank you for your email however, we request this be submitted through PA-SHARE. If you are having trouble, please contact our help desk at pashare@pa.gov and someone there will assist you in submitting your project.

Thank you,
Emma

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From: Glucksman Andrew <glucksman@mabbett.com>
Sent: Friday, May 6, 2022 3:24 PM
To: Diehl, Emma <emdiehl@pa.gov>
Cc: CUAS-Test@hq.dhs.gov
Subject: [External] Notification for Coordination on action for Testing C-UAS Technologies
Good afternoon Ms. Diehl,

On behalf of DHS Science & Technology Directorate, the attached letter is provided regarding the subject action for your review, use, and response - as appropriate.

Please note, we have made several attempts to submit this information via the PA-SHARE portal, but have not been able to login successfully.

Thank you,

Andrew
April 29, 2022

Ms. Susan Pierce, Director/Deputy State Historic Preservation Officer
West Virginia State Historic Preservation Office
The Culture Center, State Capitol Complex
1900 Kanawha Boulevard, East
Charleston, WV 25305-0300

SUBJECT: Initiation of Section 106 Consultation
Notification of DHS S&T Proposed Undertaking to Evaluate Counter-Unmanned Aircraft Systems in Northeastern West Virginia

Dear Director Pierce,

The U.S. Department of Homeland Security (DHS) Science & Technology Directorate (S&T) plans to programmatically test available counter unmanned aircraft system (C-UAS) technologies to evaluate their effectiveness in a range of terrains and environments and has prepared a single comprehensive document in order to meet DHS mission requirements. Pursuant to Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 CFR Part 800, “Protection of Historic Properties (Section 106),” this letter is being transmitted to initiate consultation, to identify historic properties, and to assess potential adverse impacts pursuant to the undertaking.

Project Location
Five geographical testing areas are being considered including an area encompassing Northeastern West Virginia (WV). A map of the area is included as Attachment 1.

Description of Undertaking
DHS S&T is proposing to programmatically test C-UAS capabilities to detect, track, identify, and mitigate (DTI-M) unmanned aircraft systems (UAS). The proposed undertaking includes testing of five types of third-party C-UAS technology modalities to DTI-M small UAS (sUAS), which the U.S. Department of Defense (DoD) defines as fixed wing or rotocopter UAS having a maximum takeoff weight of less than 55 pounds. The C-UAS systems being tested will be mounted on a tripod, which could be placed on the ground or on a vehicle. The C-UAS systems would have a detection range of up to approximately 1.2 miles. The proposed undertaking evaluates five modalities (or types) of systems: (1) Radar; (2) Passive radiofrequency (RF) (sometimes referred to as electronic surveillance measures); (3) Active RF (used for fend or takeover actions when testing mitigation); (4) Electro-Optical/Infrared (EO/IR) cameras; and (5) Acoustic.

All C-UAS test events would be conducted by DHS S&T-authorized personnel in conjunction with a participating Component or State partner and may be attended by other DHS Components and other government, state, or local agencies.

DHS S&T would comply with all requirements for sUAS operations outlined in U.S. Department of Transportation, Federal Aviation Administration (FAA) Title 14 CFR, Part 107, Operation and Certification of Small Unmanned Aircraft Systems. Additionally, DHS S&T C-UAS testing would operate with an FAA
Certificate of Waiver or Authorization (COA) when flying in controlled airspace (Class A, Class B, Class C, Class D, and Class E airspace) and with additional coordination as needed (such as when flying in DoD-controlled airspace). As part of the proposed undertaking, DHS would obtain FAA COAs for testing activities that involve operations at or below 400 feet above ground level.

**Area of Potential Effect**
Per NHPA Sections § 800.4(a)(1) and § 800.16(d), DHS S&T has defined the Area of Potential Effect (APE) for the undertaking as the proposed location of test events and the area where sUAS would land and fly. Because all C-UAS testing activities would occur above ground, there is no below-ground geographic area to include in the APE. No indirect effects are anticipated.

**Identification and Evaluation of Historic Properties**
A historian meeting the Secretary of the Interior’s Professional Qualifications Standards for History and Architectural History consulted the National Register of Historic Places (NRHP) database, historic maps, aerial photos, and DHS S&T files for previous cultural resource reports and information on historic properties within the proposed undertaking APE. The test area contains 14 NRHP-listed properties. Berkeley and Jefferson counties in WV contain 50 historic districts.

Each C-UAS would have a normal operational altitude of up to 400 feet above ground level to satisfy operational and FAA requirements. Noise, as perceived from the ground, is not expected to be significant at the operating flight altitude. Ground activities related to the proposed undertaking would be minimal and limited to DHS properties. The test areas are characterized by human-built environments consisting of structures, paved and concrete surfaces, and landscaped areas. Construction activities are not anticipated and are not part of the proposed undertaking.

**Finding of No Adverse Effect to Historic Properties**
Due to the measures incorporated into the proposed undertaking to avoid impacts to above-ground properties and the absence of mechanisms to impact archaeological sites, DHS S&T has determined that pursuant to 36 C.F.R. 800.5(b), the proposed undertaking will have No Adverse Effects to Historic Properties and is seeking your concurrence.

Your prompt attention to the request is greatly appreciated. If DHS S&T has not received a response from your office within 30 days of your receipt of this determination letter, DHS S&T will consider its responsibilities under Section 106 to have been fulfilled.

Thank you for your support of the DHS mission. Should you need additional information, please do not hesitate to contact me via email at CUAS-Test@hq.dhs.gov.

Sincerely,

**SHAWN A MCDONALD**
Digitally signed by SHAWN A MCDONALD
Date: 2022.05.06 07:57:04 -04'00'

Shawn McDonald
Program Manager
Mission & Capability Support
DHS, Science & Technology

Attachment 1 – C-UAS Test Area
Hi Andrew,

I have received your submission and it has been logged in as review FR# 22-634-Multi. We'll let you know if any questions arise during our review,

Ben

On Fri, May 6, 2022 at 3:33 PM Glucksman Andrew <glucksman@mabbett.com> wrote:

On behalf of DHS Science & Technology Directorate, the attached letter is provided regarding the subject action for your review, use, and response - as appropriate.

Thank you,

Andrew
Benjamin M. Riggle
Structural Historian
Department of Arts, Culture and History
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305
Phone: 304-558-0240
April 29, 2022

Mr. C. Andrew Lewis  
Senior Historic Preservation Specialist  
DC Office of Planning/DC State Historic Preservation Office  
1100 4th Street, SW, Suite E650  
Washington, D.C. 20024

SUBJECT: Initiation of Section 106 Consultation  
Notification of DHS S&T Proposed Undertaking to Evaluate Counter-Unmanned Aircraft Systems in National Capital Region, Greater Washington, D.C.

Dear Mr. Lewis,

The U.S. Department of Homeland Security (DHS) Science & Technology Directorate (S&T) plans to programmatically test available counter unmanned aircraft system (C-UAS) technologies to evaluate their effectiveness in a range of terrains and environments and has prepared a single comprehensive document in order to meet DHS mission requirements. Pursuant to Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 CFR Part 800, “Protection of Historic Properties (Section 106),” this letter is being transmitted to initiate consultation, to identify historic properties, and to assess potential adverse impacts pursuant to the undertaking.

Project Location
Five geographical testing areas are being considered including an area encompassing the National Capital Region, Greater Washington, D.C. A map of the area is included as Attachment 1.

Description of Undertaking
DHS S&T is proposing to programmatically test C-UAS capabilities to detect, track, identify, and mitigate (DTI-M) Unmanned aircraft systems (UAS). The proposed undertaking includes testing of five types of third-party C-UAS technology modalities to DTI-M small UAS (sUAS), which the U.S. Department of Defense (DoD) defines as fixed wing or rotocopter UAS having a maximum takeoff weight of less than 55 pounds. The C-UAS systems being tested would be mounted on a tripod, which could be placed on the ground or on a vehicle. The C-UAS systems would have a detection range of up to approximately 1.2 miles. The proposed undertaking evaluates five modalities (or types) of systems: (1) Radar; (2) Passive radiofrequency (RF) (sometimes referred to as electronic surveillance measures); (3) Active RF (used for fend or takeover actions when testing mitigation); (4) Electro-Optical/Infrared (EO/IR) cameras; and (5) Acoustic.

All C-UAS test events would be conducted by DHS S&T-authorized personnel in conjunction with a participating Component or State partner and may be attended by other DHS Components and other government, state, or local agencies.

DHS S&T would comply with all requirements for sUAS operations outlined in U.S. Department of Transportation, Federal Aviation Administration (FAA) Title 14 CFR, Part 107, Operation and Certification of Small Unmanned Aircraft Systems. Additionally, DHS S&T C-UAS testing would operate with an FAA
Certificate of Waiver or Authorization (COA) when flying in controlled airspace (Class A, Class B, Class C, Class D, and Class E airspace) and with additional coordination as needed (such as when flying in DoD-controlled airspace). As part of the proposed undertaking, DHS would obtain FAA COAs for testing activities that involve operations at or below 400 feet above ground level.

**Area of Potential Effect**
Per NHPA Sections § 800.4(a)(1) and § 800.16(d), DHS S&T has defined the Area of Potential Effect (APE) for the undertaking as the proposed location of test events and the area where sUAS would land and fly. Because all C-UAS testing activities would occur above ground, there is no below-ground geographic area to include in the APE. No indirect effects are anticipated.

**Identification and Evaluation of Historic Properties**
A historian meeting the Secretary of the Interior’s Professional Qualifications Standards for History and Architectural History consulted the National Register of Historic Places (NRHP) database, historic maps, aerial photos, and DHS S&T files for previous cultural resource reports and information on historic properties within the proposed undertaking APE. The test area contains 580 NRHP-listed properties. Washington, D.C. includes 81 historic districts.

Each C-UAS would have a normal operational altitude of up to 400 feet above ground level to satisfy operational and FAA requirements. Noise, as perceived from the ground, is not expected to be significant at the operating flight altitude. Ground activities related to the proposed undertaking would be minimal and limited to DHS properties. The test areas are characterized by human-built environments consisting of structures, paved and concrete surfaces, and landscaped areas. Construction activities are not anticipated and are not part of the proposed undertaking.

**Finding of No Adverse Effect to Historic Properties**
Due to the measures incorporated into the proposed undertaking to avoid impacts to above-ground properties and the absence of mechanisms to impact archaeological sites, DHS S&T has determined that pursuant to 36 C.F.R. 800.5(b), the proposed undertaking will have No Adverse Effects to Historic Properties and is seeking your concurrence.

Your prompt attention to the request is greatly appreciated. If DHS S&T has not received a response from your office within 30 days of your receipt of this determination letter, DHS S&T will consider its responsibilities under Section 106 to have been fulfilled.

Thank you for your support of the DHS mission. Should you need additional information, please do not hesitate to contact me via email at CUAS-Test@hq.dhs.gov

Sincerely,

**SHAWN A. MCDONALD**

Digital signature

Date: 2022.05.06

07:52:42 -04’00’

Shawn McDonald
Program Manager
Mission & Capability Support
DHS, Science & Technology

Attachment 1 – C-UAS Test Area
Hello Mr. Glucksman:

Thank you for contacting the DC SHPO regarding this matter. We will review the documentation and get back to you with a more detailed response as soon as possible.

Best regards,

C. Andrew Lewis, Senior Historic Preservation Specialist
DC State Historic Preservation Office, DC Office of Planning
1100 4th Street, SW, Suite E650, Washington, DC 20024
202-442-8841
andrew.lewis@dc.gov
http://planning.dc.gov/historicpreservation

Good afternoon Mr. Lewis,

On behalf of DHS Science & Technology Directorate, the attached letter is provided regarding the subject action for your review, use, and response - as appropriate.

Thank you,
April 29, 2022

Ms. Elizabeth Hughes, Director and State Historic Preservation Officer
Maryland Historical Trust
Project Review and Compliance
100 Community Place,
Crownsville, MD 21032

SUBJECT: Initiation of Section 106 Consultation
Notification of DHS S&T Proposed Undertaking to Evaluate Counter-Unmanned Aircraft Systems in National Capital Region, Greater Washington, D.C.

Dear Director Hughes,

The U.S. Department of Homeland Security (DHS) Science & Technology Directorate (S&T) plans to programmatically test available counter unmanned aircraft system (C-UAS) technologies to evaluate their effectiveness in a range of terrains and environments and has prepared a single comprehensive document in order to meet DHS mission requirements. Pursuant to Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 CFR Part 800, “Protection of Historic Properties (Section 106),” this letter is being transmitted to initiate consultation, to identify historic properties, and to assess potential adverse impacts pursuant to the undertaking.

Project Location
Five geographical testing areas are being considered including an area encompassing the National Capital Region, Greater Washington, D.C., which includes parts of Maryland (MD). A map of the area is included as Attachment 1.

Description of Undertaking
DHS S&T is proposing to programmatically test C-UAS capabilities to detect, track, identify, and mitigate (DTI-M) unmanned aircraft systems (UAS). The proposed undertaking includes testing of five types of third-party C-UAS technology modalities to DTI-M small UAS (sUAS), which the U.S. Department of Defense (DoD) defines as fixed wing or rotocopter UAS having a maximum takeoff weight of less than 55 pounds. The C-UAS systems being tested will be mounted on a tripod, which could be placed on the ground or on a vehicle. The C-UAS systems would have a detection range of up to approximately 1.2 miles. The proposed undertaking evaluates five modalities (or types) of systems: (1) Radar; (2) Passive radiofrequency (RF) (sometimes referred to as electronic surveillance measures); (3) Active RF (used for fend or takeover actions when testing mitigation); (4) Electro-Optical/Infrared (EO/IR) cameras; and (5) Acoustic.

All C-UAS test events would be conducted by DHS S&T-authorized personnel in conjunction with a participating Component or State partner and may be attended by other DHS Components and other government, state, or local agencies.

DHS S&T would comply with all requirements for sUAS operations outlined in U.S. Department of Transportation, Federal Aviation Administration (FAA) Title 14 CFR, Part 107, Operation and Certification
of Small Unmanned Aircraft Systems. Additionally, DHS S&T C-UAS testing would operate with an FAA Certificate of Waiver or Authorization (COA) when flying in controlled airspace (Class A, Class B, Class C, Class D, and Class E airspace) and with additional coordination as needed (such as when flying in DoD-controlled airspace). As part of the proposed undertaking, DHS will obtain FAA COAs for testing activities that involve operations at or below 400 feet above ground level.

**Area of Potential Effect**
Per NHPA Sections § 800.4(a)(1) and § 800.16(d), DHS S&T has defined the Area of Potential Effect (APE) for the undertaking as the proposed location of test events and the area where sUAS would land and fly. Because all C-UAS testing activities would occur above ground, there is no below-ground geographic area to include in the APE. No indirect effects are anticipated.

**Identification and Evaluation of Historic Properties**
A historian meeting the Secretary of the Interior’s Professional Qualifications Standards for History and Architectural History consulted the National Register of Historic Places (NRHP) database, historic maps, aerial photos, and DHS S&T files for previous cultural resource reports and information on historic properties within the proposed undertaking APE. The test area contains 580 NRHP-listed properties. Montgomery County and Prince George’s County, MD, have 49 historic districts.

Each C-UAS would have a normal operational altitude of up to 400 feet above ground level to satisfy operational and FAA requirements. Noise, as perceived from the ground, is not expected to be significant at the operating flight altitude. Ground activities related to the proposed undertaking would be minimal and limited to DHS properties. The test areas are characterized by human-built environments consisting of structures, paved and concrete surfaces, and landscaped areas. Construction activities are not anticipated and are not part of the proposed undertaking.

**Finding of No Adverse Effect to Historic Properties**
Due to the measures incorporated into the proposed undertaking to avoid impacts to above-ground properties and the absence of mechanisms to impact archaeological sites, DHS S&T has determined that pursuant to 36 C.F.R. 800.5(b), the proposed undertaking will have No Adverse Effects to Historic Properties and is seeking your concurrence.

Your prompt attention to the request is greatly appreciated. If DHS S&T has not received a response from your office within 30 days of your receipt of this determination letter, DHS S&T will consider its responsibilities under Section 106 to have been fulfilled.

Thank you for your support of the DHS mission. Should you need additional information, please do not hesitate to contact me via email at CUAS-Test@hq.dhs.gov.

Sincerely,

**SHAWN A MCDONALD**

Shawn McDonald
Program Manager
Mission & Capability Support
DHS, Science & Technology

Attachment 1 – C-UAS Test Area
April 29, 2022

Ms. Julie Langan
Department of Historic Resources Director & State Historic Preservation Officer
Virginia Department of Historic Resources
2801 Kensington Avenue
Richmond, VA 23221

SUBJECT: Initiation of Section 106 Consultation
Notification of DHS S&T Proposed Undertaking to Evaluate Counter-Unmanned Aircraft Systems in Selected Areas in Virginia

Dear Director Langan,

The U.S. Department of Homeland Security (DHS) Science & Technology Directorate (S&T) plans to programmatically test available counter unmanned aircraft system (C-UAS) technologies to evaluate their effectiveness in a range of terrains and environments and has prepared a single comprehensive document in order to meet DHS mission requirements. Pursuant to Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations, 36 CFR Part 800, “Protection of Historic Properties (Section 106),” this letter is being transmitted to initiate consultation, to identify historic properties, and to assess potential adverse impacts pursuant to the undertaking.

Project Location
Five geographical testing areas are being considered including an area encompassing Northeastern Virginia (VA); Richmond, VA; and the National Capital Region (to include parts of Northeastern VA). A map of each area is included as Attachments 1, 2 and 3.

Description of Undertaking
DHS S&T is proposing to programmatically test C-UAS capabilities to detect, track, identify, and mitigate (DTI-M) unmanned aircraft systems (UAS). The proposed undertaking includes testing of five types of third-party C-UAS technology modalities to DTI-M small UAS (sUAS), which the U.S. Department of Defense (DoD) defines as fixed wing or rotocopter UAS having a maximum takeoff weight of less than 55 pounds. The C-UAS systems being tested would be mounted on a tripod, which could be placed on the ground or on a vehicle. The C-UAS systems would have a detection range of up to approximately 1.2 miles. The proposed undertaking evaluates five modalities (or types) of systems: (1) Radar; (2) Passive radiofrequency (RF) (sometimes referred to as electronic surveillance measures); (3) Active RF (used for fend or takeover actions when testing mitigation); (4) Electro-Optical/Infrared (EO/IR) cameras; and (5) Acoustic.

All C-UAS test events would be conducted by DHS S&T-authorized personnel in conjunction with a participating Component or State partner and may be attended by other DHS Components and other government, state, or local agencies.
DHS S&T would comply with all requirements for sUAS operations outlined in U.S. Department of Transportation, Federal Aviation Administration (FAA) Title 14 CFR, Part 107, Operation and Certification of Small Unmanned Aircraft Systems. Additionally, DHS S&T C-UAS testing would operate with an FAA Certificate of Waiver or Authorization (COA) when flying in controlled airspace (Class A, Class B, Class C, Class D, and Class E airspace) and with additional coordination as needed (such as when flying in DoD-controlled airspace). As part of the proposed undertaking, DHS would obtain FAA COAs for testing activities that involve operations at or below 400 feet above ground level.

**Area of Potential Effect**

Per NHPA Sections § 800.4(a)(1) and § 800.16(d), DHS S&T has defined the Area of Potential Effect (APE) for the undertaking as the proposed location of test events and the area where sUAS would land and fly. Because all C-UAS testing activities would occur above ground, there is no below-ground geographic area to include in the APE. No indirect effects are anticipated.

**Identification and Evaluation of Historic Properties**

A historian meeting the Secretary of the Interior’s Professional Qualifications Standards for History and Architectural History consulted the National Register of Historic Places (NRHP) database, historic maps, aerial photos, and DHS S&T files for previous cultural resource reports and information on historic properties within the proposed undertaking APE. The test area contains:

- **Northeastern VA test area**
  - 14 NRHP-listed properties
  - Clarke and Frederick counties in VA contain 20 historic districts.

- **Richmond, VA, test area**
  - 167 NRHP-listed properties
  - Chesterfield County, Goochland County, Hanover County, and Henrico County contain 19 historic districts.

- **National Capital Region, Greater Washington, D.C. (Northeastern VA portion)**
  - 580 NRHP-listed properties
  - Arlington, Fairfax, and Falls Church counties in VA contain 64 historic districts

Each C-UAS would have a normal operational altitude of up to 400 feet above ground level to satisfy operational and FAA requirements. Noise, as perceived from the ground, is not expected to be significant at the operating flight altitude. Ground activities related to the proposed undertaking would be minimal and limited to DHS properties. The test areas are characterized by human-built environments consisting of structures, paved and concrete surfaces, and landscaped areas. Construction activities are not anticipated and are not part of the proposed undertaking.
Finding of No Adverse Effect to Historic Properties

Due to the measures incorporated into the proposed undertaking to avoid impacts to above-ground properties and the absence of mechanisms to impact archaeological sites, DHS S&T has determined that pursuant to 36 C.F.R. 800.5(b), the proposed undertaking would have No Adverse Effects to Historic Properties and is seeking your concurrence.

Your prompt attention to the request is greatly appreciated. If DHS S&T has not received a response from your office within 30 days of your receipt of this determination letter, DHS S&T will consider its responsibilities under Section 106 to have been fulfilled.

Thank you for your support of the DHS mission. Should you need additional information, please do not hesitate to contact me via email at CUAS-Test@hq.dhs.gov.

Sincerely,

SHAWN A
MCDONALD

Digitally signed by
SHAWN A MCDONALD
Date: 2022.05.06 07:56:03 -04'00'

Shawn McDonald
Program Manager
Mission & Capability Support
DHS, Science & Technology

Attachment 1 – C-UAS Test Areas
DATE: 10 May 2022

TO: Mr. Andrew Glucksman

FROM: Marc E. Holma, Architectural Historian (804) 482-6090

PROJECT: DHS S&T Proposed Undertaking to Evaluate Counter-Unmanned Aircraft Systems in Selected Areas in Virginia

This project will have an effect on historic resources. Based on the information provided, the effect will not be adverse.

This project will have an adverse effect on historic properties. Further consultation with DHR is needed under Section 106 of the NHPA.

Additional information is needed before we will be able to determine the effect of the project on historic resources. Please see below.

No further identification efforts are warranted. No historic properties will be affected by the project. Should unidentified historic properties be discovered during implementation of the project, please notify DHR.

We have previously reviewed this project. Attached is a copy of our correspondence.

Other (Please see comments below)

COMMENTS:
PERSONS AND AGENCIES CONTACTED
The Honorable [Name]
[committee]
[Committee contd]
United States Senate
Washington, D.C. 20510

Dear [title / name]:

In 2018, Congress passed The Preventing Emerging Threats Act of 2018 (PL 115-254), granting the U.S. Department of Homeland Security (DHS) statutory authority to counter credible threats from unmanned aircraft systems (UAS) (i.e., drones) in the interest of national safety and security. In accordance with the National Environmental Policy Act of 1969 (42 United States Code [USC] §§ 4321 et seq.) the DHS Science & Technology Directorate (S&T) has completed a Draft Environmental Assessment (EA) for the proposed testing of counter unmanned aircraft system (C-UAS) technologies. The purpose of the proposed testing is to evaluate their effectiveness in a range of terrains and environments in a single comprehensive document in order to meet DHS mission requirements.

S&T will test C-UAS capabilities to detect, track, identify, and mitigate UAS. The planned tests will be limited in scope and temporary in duration at selected locations. S&T will also comply with all Federal Aviation Administration requirements for small UAS and C-UAS operations. No impacts to the public have been identified and no known impacts to the natural environment have been determined. Measures, such as consulting the U.S. Fish and Wildlife Service’s Information for Planning and Consultation (IPaC) database, will be used during planning to prevent impacts to biological resources such as bats or migratory birds. The Draft EA can be downloaded from the following website: http://www.dhs.gov/national-environmental-policy-act.

DHS S&T appreciates receiving comments that you or your constituents may have about the Draft EA findings for the planned testing within the next 30 days. The final EA will address relevant comments and concerns received from all interested parties during the public comment period. A Notice of Availability NOA) announcing the completion and release of the final EA and Finding of No Significant Impact (FONSI), if applicable, will be published on the DHS website and in a local newspaper. Additionally, DHS S&T has published a Notice of Availability in the Washington Post to inform the public about the opportunity to review and comment on the Draft EA during the 30-day review period.

All comments or questions on the Draft EA may be submitted via e-mail at: CUAS-Test@hq.dhs.gov. It is important that any comments submitted include a reference to “C-UAS NEPA DRAFT EA” Thank you for your support of the DHS mission.

Respectfully,

Kathryn Coulter Mitchell
Senior Official Performing the Duties of the Under Secretary
Science and Technology Directorate
U.S. Department of Homeland Security
Washington, D.C. 20510

**The Honorable Mark Warner**
United States Senate
Washington, D.C. 20510

**The Honorable Alex Mooney**
U.S. House of Representatives
Washington, D.C. 20515

**The Honorable Jennifer Wexton**
U.S. House of Representatives
Washington, D.C. 20515

**The Honorable Ben Cardin**
United States Senate
Washington, D.C. 20510

**The Honorable Chris Van Hollen**
United States Senate
Washington, D.C. 20510

**The Honorable Tim Kaine**
United States Senate
Washington, D.C. 20510

**The Honorable Mark Warner**
United States Senate
Washington, D.C. 20510

**The Honorable Jennifer Wexton**
U.S. House of Representatives
Washington, D.C. 20515

**The Honorable Don Beyer**
U.S. House of Representatives
Washington, D.C. 20515

**The Honorable Gerry Connolly**
U.S. House of Representatives
Washington, D.C. 20515

**The Honorable Anthony Brown**
U.S. House of Representatives
Washington, D.C. 20515

**The Honorable Jamie Raskin**
U.S. House of Representatives
Washington, D.C. 20515

**The Honorable Eleanor Holmes Norton**
U.S. House of Representatives
Washington, D.C. 20515

**Richmond, VA**

**The Honorable Tim Kaine**
United States Senate
Washington, D.C. 20510

**The Honorable A. Donald McEachin**
U.S. House of Representatives
Washington, D.C. 20515

**The Honorable Abigail Spanberger**
U.S. House of Representatives
Washington, D.C. 20515

**The Honorable Rob Wittman**
U.S. House of Representatives
Washington, D.C. 20515

**STATE and LOCAL AGENCIES**

**Niagara/Buffalo, NY**

**Gay Vietzke**
Director
U.S. National Park Service - Northeast Region
1234 Market Street, 20th Floor
Philadelphia, PA 19107

**Wendi Weber**
Regional Director
U.S. Fish and Wildlife Service - North Atlantic-Appalachian Regional Office
300 Westgate Center Drive
Hadley, MA 01035

**Lisa F. Garcia**  
Director  
U.S. Environmental Protection Agency  
Region 2  
290 Broadway  
New York, NY 10007-1866

**U.S. Army Corps of Engineers, Regulatory Division (NY)**  
NEPA Review  
Jacob K. Javits Federal Building  
26 Federal Plaza, Room 17-302  
New York, NY 10278-0090

**Basil Seggos**  
Commissioner  
New York Department of Environmental Conservation  
625 Broadway  
Albany, NY 12233-1011

**Greater Philadelphia, PA**

**Gay Vietzke**  
Director  
U.S. National Park Service - Northeast Region  
1234 Market Street, 20th Floor  
Philadelphia, PA 19107

**Wendi Weber**  
Regional Director  
U.S. Fish and Wildlife Service - North Atlantic-Appalachian Regional Office  
300 Westgate Center Drive  
Hadley, MA 01035

**Michael Green**  
U.S. Army Corps of Engineers, Regulatory Division (PA)  
100 Penn Square East  
Philadelphia, PA 19107

**Pennsylvania Department of Conservation and Natural Resources**  
NEPA Review/Regulatory Compliance  
400 North Street  
Harrisburg, PA 17105-8552

**Northeastern, WV**

**Gay Vietzke**  
Director  
U.S. National Park Service - Northeast Region  
1234 Market Street, 20th Floor  
Philadelphia, PA 19107

**Wendi Weber**  
Regional Director  
U.S. Fish and Wildlife Service - North Atlantic-Appalachian Regional Office  
300 Westgate Center Drive  
Hadley, MA 01035

**Adam Ortiz**  
Director  
U.S. Environmental Protection Agency  
Region 3  
1650 Arch Street  
Philadelphia, PA 19103-2029

**U.S. Army Corps of Engineers, Regulatory Division (WV)**  
NEPA Review  
502 8th Street  
Huntington, WV 25701-2070

**Harold D. Ward**  
West Virginia Department of Environmental Protection  
601 57th Street SE  
Charleston, WV 25304
National Capital Region,
Greater Washington, D.C.

Gay Vietzke
Director
U.S. National Park Service - Northeast Region
1234 Market Street, 20th Floor
Philadelphia, PA 19107

Wendi Weber
Regional Director
U.S. Fish and Wildlife Service - North Atlantic-Appalachian Regional Office
300 Westgate Center Drive
Hadley, MA 01035

Adam Ortiz
Director
U.S. Environmental Protection Agency Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

U.S. Army Corps of Engineers, Regulatory Division (DC)
NEPA Review
441 G Street NW
Washington, DC 20314-1000

Maryland State Clearinghouse
301 West Preston Street, Suite 1101
Baltimore, MD 21201

Tommy Wells
Director
DC Department of Energy and Environment, Fisheries and Wildlife Division
1200 1st Street NE
Washington, DC 20002

Paul A. Peditto
Director
MD Department of Natural Resources, Wildlife and Heritage Service
Tawes State Office Building, E1
580 Taylor Avenue

Annapolis, MD 21401

Michael Rolband
Director
Virginia Department of Environmental Quality
1111 East Main Street, Suite 1400
Richmond, VA 23219

Richmond, VA

Gay Vietzke
Director
U.S. National Park Service - Northeast Region
1234 Market Street, 20th Floor
Philadelphia, PA 19107

Wendi Weber
Regional Director
U.S. Fish and Wildlife Service - North Atlantic-Appalachian Regional Office
300 Westgate Center Drive
Hadley, MA 01035

Adam Ortiz
Director
U.S. Environmental Protection Agency Region 3
1650 Arch Street
Philadelphia, PA 19103-2029

U.S. Army Corps of Engineers, Regulatory Division (VA)
Regulatory Branch Chief
1111 East Main Street, Suite 1400
Richmond, VA 23219

Tom Walker
Regulatory Branch Chief
U.S. Army Corps of Engineers, Regulatory Division (VA)
803 Front Street
Norfolk, VA 23510

Michael Rolband
Director
Virginia Department of Environmental Quality
1111 East Main Street, Suite 1400
Richmond, VA 23219
CSX Transportation
Headquarters
4900 Old Osbourne Turnpike
Richmond, VA 23231

Norfolk Southern Railway
Headquarters
405 West 6th Street
Richmond, VA 23224

LOCAL ELECTED OFFICIALS
Niagara/Buffalo, NY
Governor Hochul
NYS State Capitol Building
Albany, NY 12224

Senator Borrello
borrello@nysenate.gov

Senator Gallivan
gallivan@nysenate.gov

Senator Kennedy
kennedy@nysenate.gov

Senator Ortt
Ortt@nysenate.gov

Senator Rath
rath@nysenate.gov

Senator Ryan
ryan@nysenate.gov

Assemblymember Burke
burkep@nyassembly.gov

Assemblymember Conrad
conradw@nyassembly.gov

Assemblymember DiPietro
DiPietroD@nyassembly.gov

Assemblymember Giglio
GiglioJ@nyassembly.gov

Assemblymember Goodell
goodella@nyassembly.gov

Assemblymember Hawley
HawleyS@nyassembly.gov

Assemblymember McMahon
mcmahonk@nyassembly.gov

Assemblymember Morinello
morinelloa@nyassembly.gov

Assemblymember Norris
norrism@nyassembly.gov

Assemblymember Peoples
PeopleC@nyassembly.gov

Assemblymember Wallace
wallacem@nyassembly.gov

Assemblymember Rivera
riverajd@nyassembly.gov

Greater Philadelphia, PA
Governor Wolf
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

Governor Carney
Carvel State Office Building
820 North French Street, 12th Floor
Wilmington, DE 19801

Governor Murphy
The State House
P.O. Box 001
Trenton, NJ 08625

Governor Hogan
100 State Circle
Annapolis, MD 21401

Senator Aument
raument@pasen.gov

Senator Boscola
boscola@pasenate.com
<table>
<thead>
<tr>
<th>Senator Ready</th>
<th><a href="mailto:robbin.grammer@house.state.md.us">robbin.grammer@house.state.md.us</a></th>
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<td><a href="mailto:charles.syndor@senate.state.md.us">charles.syndor@senate.state.md.us</a></td>
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<td><a href="mailto:chris.west@senate.state.md.us">chris.west@senate.state.md.us</a></td>
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<td><a href="mailto:steve.arentz@house.state.md.us">steve.arentz@house.state.md.us</a></td>
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<tr>
<td>Delegate Boteler</td>
<td><a href="mailto:lauren.arikan@house.state.md.us">lauren.arikan@house.state.md.us</a></td>
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<td>Delegate Long</td>
<td><a href="mailto:maryann.lisanti@house.state.md.us">maryann.lisanti@house.state.md.us</a></td>
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<td>Delegate Metzgar</td>
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<tr>
<td>Delegate Lisanti</td>
<td><a href="mailto:benjamin.johnson@house.state.md.us">benjamin.johnson@house.state.md.us</a></td>
</tr>
<tr>
<td>Delegate Long</td>
<td><a href="mailto:susan.krebs@house.state.md.us">susan.krebs@house.state.md.us</a></td>
</tr>
<tr>
<td>Delegate Metzgar</td>
<td><a href="mailto:maryann.lisanti@house.state.md.us">maryann.lisanti@house.state.md.us</a></td>
</tr>
</tbody>
</table>
Delegate Mangione
nino.mangione@house.state.md.us
P.O. Box 1475
Richmond, VA 23218

Delegate McComas
susan.mccomas@house.state.md.us
Councilmember Allen
callen@dccouncil.us

Delegate Novotny
reid.novotny@house.state.md.us
Councilmember Bonds
abonds@dccouncil.us

Delegate Pippy
jesse.pippy@house.state.md.us
Councilmember Cheh
mcheh@dccouncil.us

Delegate Reilly
teresa.reilly@house.state.md.us
Councilmember Lewis George
jlewisgeorge@dccouncil.us

Delegate Rose
april.rose@house.state.md.us
Councilmember Gray
vgray@dccouncil.us

Delegate Ruth
sheila.ruth@house.state.md.us
Councilmember Henderson
chenderson@dccouncil.us

Delegate Shoemaker
haven.shoemaker@house.state.md.us
Councilmember Mendelson
pmendelson@dccouncil.us

Delegate Stein
dana.stein@house.state.md.us
Councilmember McDuffie
kmcduffie@dccouncil.us

Delegate Szeliga
kathy.szeliga@house.state.md.us
Councilmember Nadeau
bnadeau@dccouncil.us

Delegate Young
pat.young@house.state.md.us
Councilmember Pinto
bpinto@dccouncil.us

National Capital Region,
Greater Washington, D.C.

Mayor Bowser
Executive Office of the Mayor
1350 Pennsylvania Avenue, NW
Washington, DC 20004

Councilmember Silverman
esilberman@dccouncil.us

Councilmember White
rwhite@dccouncil.us

Governor Hogan
100 State Circle
Annapolis, MD 21401

Councilmember White
twhite@dccouncil.us

Governor Youngkin
Office of the Governor

Senator Augustine
malcolm.augustine@senate.state.md.us

Senator Beidle
pamela.beidle@senate.state.md.us
Senator Benson
joanne.benson@senate.state.md.us

Senator Elfreth
sarah.elfreth@senate.state.md.us

Senator Feldman
brian.feldman@senate.state.md.us

Senator Griffith
melony.griffith@senate.state.md.us

Senator Guzzone
guy.guzzzone@senate.state.md.us

Senator Hester
katie.fry.hester@senate.state.md.us

Senator Jackson
michael.jackson@senate.state.md.us

Senator Kagan
cheryl.kagan@senate.state.md.us

Senator King
nancy.king@senate.state.md.us

Senator Kramer
ben.kramer@senate.state.md.us

Senator Lam
clarence.lam@senate.state.md.us

Senator Lee
susan.lee@senate.state.md.us

Senator Patterson
obie.patterson@senate.state.md.us

Senator Pinsky
paul.pinsky@senate.state.md.us

Senator Reilly
edward.reilly@senate.state.md.us

Senator Rosapepe
jim.rosapepe@senate.state.md.us

Senator Simonaire
bryan.simonaire@senate.state.md.us

Senator Smith
will.smith@senate.state.md.us

Senator Waldstreicher
jeff.waldstreicher@senate.state.md.us

Senator Watson
ron.watson@senate.state.md.us

Senator Zucker
craig.zucker@senate.state.md.us

Delegate Acevero
gabriel.acevero@house.state.md.us

Delegate Acevero
vanessa.atterbeary@house.state.md.us

Delegate Bagnall
heather.bagnall@house.state.md.us

Delegate Barnes
ben.barnes@house.state.md.us

Delegate Barnes
darryl.barnes@house.state.md.us

Delegate Bartlett
sandy.bartlett@house.state.md.us

Delegate Barve
kumar.barve@house.state.md.us

Delegate Carey
ned.carey@house.state.md.us

Delegate Carr
alfred.carr@house.state.md.us

Delegate Chang
mark.chang@house.state.md.us

Delegate Charles
nick.charles@house.state.md.us
Senator Hough  
michael.hough@senate.state.md.us

Senator Young  
ronald.young@senate.state.md.us

Delegate Beitzel  
wendell.beitzel@house.state.md.us

Delegate Buckel  
jason.buckel@house.state.md.us

Delegate Cileberti  
barrie.ciliberti@house.state.md.us

Delegate Cox  
dan.cox@house.state.md.us

Delegate Kerr  
ken.kerr@house.state.md.us

Delegate Krimm  
carol.krimm@house.state.md.us

Delegate McKay  
mike.mckay@house.state.md.us

Delegate Parrott  
neil.parrott@house.state.md.us

Delegate Pippy  
jesse.pippy@house.state.md.us

Delegate Thiam  
brenda.thiam@house.state.md.us

Delegate Wivell  
william.wivell@house.state.md.us

Delegate Young  
karen.young@house.state.md.us

Richmond, VA

Governor Youngkin  
Office of the Governor  
P.O. Box 1475  
Richmond, VA 23218

Senator Chase  
district11@senate.virginia.gov

Senator Dunnavant  
district12@senate.virginia.gov

Senator Hashmi  
district10@senate.virginia.gov

Senator McClennan  
district09@senate.virginia.gov

Senator McDougle  
district04@senate.virginia.gov

Senator Norment  
district03@senate.virginia.gov

Senator Peake  
district22@senate.virginia.gov

Delegate Adams  
DelDA@house.virginia.gov

Delegate Bagby  
DelLB@house.virginia.gov

Delegate Bourne  
DelJB@house.virginia.gov

Delegate Carr  
DelBC@house.virginia.gov

Delegate Cherry  
DelMCh@house.virginia.gov

Delegate Coyner  
DelC@house.virginia.gov

Delegate Fowler  
DelBF@house.virginia.gov

Delegate Hodges  
DelKH@house.virginia.gov

Delegate McGuire  
DelJMcG@house.virginia.gov

Delegate McQuinn
DelDMeQuinn@house.virginia.gov

Delegate Ransone
DelMRansone@house.virginia.gov

Delegate Robinson
DelRRobinson@house.virginia.gov

Delaget Taylor
DelKTaylor@house.virginia.gov

Delegate VanValkenburg
DelSVanValkenburg@house.virginia.gov

Delegate Ware
DelLWare@house.virginia.gov

Delegate Willett
DelRWillett@house.virginia.gov

Delegate Wyatt
DelSWyatt@house.virginia.gov