B Agency Correspondence

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

JOHN ELIAS BALDACCI
GOVERNOR

EARLE G. SHETTLEWORTH, JR.
DIRECTOR

Maine Historic Preservation Commission

Photographic Policy

Supplement to the Guidelines for Identification: Architecture and Cultural Landscapes Survey Manual. 26 June 2008

Architectural Survey

The following is required of grant funded, MDOT, and Federal agency surveys and encouraged with volunteer surveys.

A. Black and White Film.

Each resource shall be photographed with black and white film. This film shall be developed and a contact print made from the negatives. The negatives and contact print shall be indexed to the survey forms and the corresponding digital images (see below) and submitted with the survey.

If the facilities are available, surveyors may choose to print each film image, utilizing a true black and white photographic process and printed preferably on non-resin coated fiber based paper. The finished photographs need to be thoroughly washed, printed with borders, and measure 3 ½ x 5 inches. These photographs may be mounted on the survey forms using archivally safe adhesive, such as Elmer's Glue. Photographs attached with paperclips or staples will not be accepted.

B. Digital Images

An identical (or nearly identical) image shall be taken of each resource with a digital camera. The original image size must be no smaller than 1600 x 1200pixels at 300 pixles per inch. The digital images shall be saved in RGB color format. All digital images shall be burned onto a CD-R Gold or DVD-R Gold disk, and labled with project name/ pin #/ surveyor name and date. The individual images must be labeled in a manner that allows them to be linked to the specific survey form.

PHONE: (207) 287-2132

PRINTED ON RECYCLED PAPER

FAX: (207) 287-2335

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State House Station 65
Augusta, Maine 04333

Each digital image shall be uploaded onto survey form in the MHPC/MDOT Survey website, (once it is on-line). A test image, in black and white, shall then be digitally printed directly onto a blank survey form (using the required cover-stock). If the printed image is clear (no bleeding), then all the survey images can be printed directly onto the forms (in black and white), when the forms are printed from the website. If the test image is not clear, then all the digital images should be printed onto photographic paper as specified below and this image will then be affixed to the submitted copy of the survey using archivally safe adhesive. The digital images shall be indexed to the survey forms and the black and white negatives.

Digital image printing: The following printer/ink/paper combinations have been found to meet a 75 year archival standards. All digital images printed for architectural surveys must meet this standard.

NOTE: The list below includes products known at this time to meet the minimum documentation specifications established for the submission of architectural surveys. The list is not intended to be restrictive or comprehensive, and does not constitute, and shall not be taken as, endorsement by the Maine Historic Preservation Commission of any of the specific products or manufacturers identified.

Epson Stylus Photo 1400	Epson ClariaA Hi-Definition Inks@	Premium Presentation Paper Matte Epson Ultra Premium Glossy Photo Paper Epson
Epson Style Mate	Epson Picture Mate Pigment Inks	PictureMate Paper
Epson Stylus CX4800 (contains scanner)	Epson DURABrite Ultra Pigmented Inks	Premium Presentation Paper Matte Epson Ultra Premium Glossy Photo Paper Epson
Hewlett-Packard Photosmart 325 and 475	HP Vivera 95 dye-based Inks	HP Premium Plus Photo Paper
Hewlett-Packard Photosmart 8450	HP Vivera dye-based Inks	HP Premium Plus Photo Paper
Hewlett-Packard Photosmart B9180	HP Vivera Pigment Inks	HP Advanced Photo Paper Glossy HP Photo Matte Paper
Hewlett-Packard Photosmart C6180 (all in one series)	HP Vivera Inks	HP Premium Plus Photo Paper
Lexmark Home Photo Center P6250	Lexmark Evercolor Dye/ Pigment Hybrid Photo Inks	Lexmark Premium Photo Paper High Gloss

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National Register Photographs.

All photographs provided to MHPC for submission with a National Register of Historic Places nomination must conform to the National Register Photographic Policy as stated by the National Park Service. This policy is available on line at:
http://www.nps.gov/history/nr/policyexpansion.htm

October 28, 2008

[Insert address]

Re: Interagency Meeting – Introduction to the Environmental Impact Statement for the Reuse of Naval Air Station Brunswick, Maine

Dear [Insert name]:

The U.S. Department of the Navy (Navy) would like to invite you to an interagency meeting scheduled for Friday, November 14, 2008, to discuss the Navy's Environmental Impact Statement (EIS) evaluating the potential human and natural environmental consequences of the reuse of Naval Air Station (NAS) Brunswick, Maine.

The proposed action under evaluation in the EIS is the transfer of NAS Brunswick, per Public Law 101-510, the Defense Base Closure and Realignment Act of 1990, as amended in 2005, by the Navy and its reuse by the Midcoast Regional Redevelopment Authority (MRRA) in a manner consistent with the Brunswick Naval Air Station Reuse Master Plan. As part of the EIS scoping process, the Navy would like to meet with federal, state, and local agencies to introduce you to the project and discuss resources pertinent to the EIS analysis.

Following the meeting, as part of our data collection process, a letter will be sent to selected agencies requesting data. The data request letter will be sent to agencies unable to attend the interagency meeting.

The interagency meeting is scheduled for:

Date:	Friday, November 14, 2008
Time:	8:30 A.M. to 12:00 P.M.
Location:	Brunswick Municipal Meeting Facility (Old High School) 44 McKeen Street, Brunswick, ME 04011

Please RSVP by November 7, 2008, to Jessica Forbes, Ecology and Environment, Inc., at (757) 456-5356 or by email at jforbes@ene.com.

For more information regarding the Navy's base realignment and closure process, go to http://www.bracpmo.navy.mil/. For details on the proposed Brunswick Naval Air Station Reuse Master Plan, go to http://www.mrra.us/.

Sincerely,

[Insert]

Environmental Impact Statement for the Reuse of Naval Air Station (NAS) Brunswick

Interagency Meeting: 14 November 2008

Agenda

1. Project Team
2. Overview of Project/Schedule
3. Alternatives
4. EIS Topics
5. Comments and Questions

Project Team

- **Lisa Joy**
  Environmental Director, NAS Brunswick
  (207) 921-1720
- **Tom Stephan**
  BRAC PMO Northeast
  (215) 897-4916
- **Ron Bochenek**
  Ecology and Environment, Inc.
  (716) 684-8060
- **Others…**

Interagency Meeting

Purpose

Introduce local, state, and federal agencies to the project and Navy EIS team, identify agency point of contact, and to build a working relationship during the early stages of the EIS process.

Will contact you in the next few weeks to request specific project related data.

Environmental Impact Statement

- The U.S. Navy is preparing an EIS for the transfer and reuse of NAS Brunswick.
- The BRAC decision is exempt from NEPA analysis as it has been directed through legislation.
- Transfer and redevelopment of the property cannot begin until the EIS process is complete and a ROD has been issued.

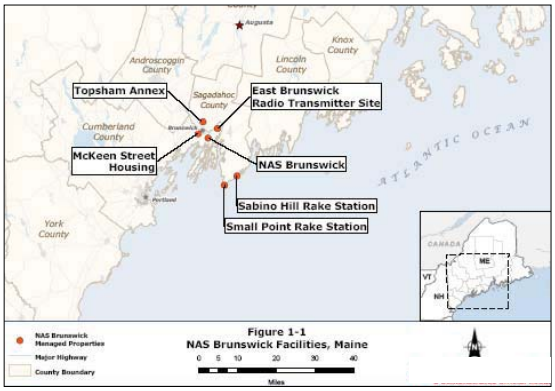
The BRAC Process

- **November 9, 2005:** Recommendation to close NAS Brunswick becomes law.
- **December 1, 2005:** Brunswick Local Redevelopment Authority (BLRA) established.
- **December 19, 2007:** Adoption of the Brunswick Naval Air Station Reuse Master Plan.
- **January 1, 2008:** Midcoast Regional Redevelopment Authority (MRRA) tasked with implementing the reuse plan.
- **October 24, 2008:** Navy begins EIS Scoping Period.
- **May 2011:** Expected base closure date.

NAS Brunswick

- The EIS examines NAS Brunswick, McKeen Street Housing Annex, East Brunswick Transmitter Site, and Sabino Hill Rake Station (approximately 3,200 acres).
- The Topsham Annex is being examined in a separate NEPA document.
- 72 acres to be transferred to the U.S. Army, U.S. Coast Guard, and Federal Aviation Administration.
- 1,475 acres and 10 existing structures have been recommended for Public Benefit Conveyance for education, recreation, and conservation purposes.

NAS Brunswick



EIS Schedule

Notice of Intent (NOI)	Fall 2008
Public Scoping	
Draft EIS	Spring 2009
Notice of Availability (NOA)	Summer 2009
Public Hearings	
Final EIS	Fall 2009
Notice of Availability (NOA)	Winter 2009/2010
Record of Decision	Spring 2010

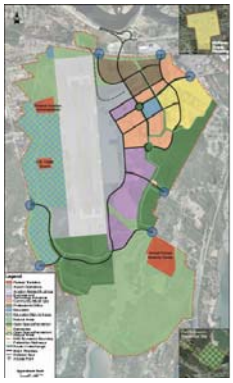
Proposed Action

- Provide for the reuse of NAS Brunswick in accordance with BRAC Law.
- The need for the Proposed Action is to provide the local community the opportunity for economic development and job creation while ensuring Smart Growth, natural resource conservation, and sustainable development.

The Reuse Plan (Alternative 1)

- Preferred Alternative.
- Transfer of property by the Navy and its reuse by MRRA consistent with the adopted Brunswick Naval Air Station Master Reuse Plan.
- Includes reuse of airfield and a mix of land use types and densities.
- 1,630 acres of land development and 1,570 acres of recreation, open space, and natural areas.
- 20 year build out period.
- Transportation improvements include 10 access points, east-west connector roads, pedestrian/bike trails, Route 1 connector, and passenger/freight rail spur.

The Reuse Plan (Alternative 1)

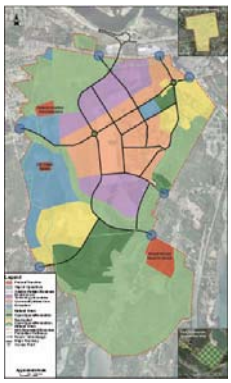


Land Use	Acres
Airport Operations	500
Aviation-related Business	230
Professional Office	120
Community Mixed Use	175
Business and Technology Industries	190
Education District	200
Residential District	215
Recreation and Open Space	510
Natural Areas	1,060
Total	3,200

High-Density Scenario (Alternative 2)

- Developed for use in the EIS.
- No aviation component or reuse of existing airfield.
- A higher density of residential and mixed-use development than under Alternative 1.
- Development of 1,580 acres and 1,620 acres left as recreational, open space, and natural areas.
- Transportation improvements include seven access points, east-west travel routes, and interchange with Route 1.
- Full build-out over a 20 year period.

High-Density Scenario (Alternative 2)



Land Use	Acres
Airport Operations	0
Aviation-related Business	0
Professional Office	0
Community Mixed Use	490
Business and Technology Industries	375
Education District	315
Residential District	400
Recreation and Open Space	340
Natural Areas	1,280
Total	3,200

No-Action Alternative

- Required by NEPA.
- Serves as a baseline against which the other alternatives are measured.
- Existing mission and support operations would be relocated and the installation would be retained by the U.S. government in caretaker status.

EIS Topics

1. Human Health and Safety

- Air Quality
- Hazardous Materials and Environmental Cleanup Sites
- Noise

2. Biological Resources

- Land and Water
- Threatened and Endangered Species
- Bird Survey

3. Topography, Geology, and Soils

EIS Topics

4. Water Resources

- Surface Water
- Storm Water
- Ground Water
- Wetlands
- Floodplains
- Coastal Zone Management

5. Transportation

- Traffic Study (existing off-base, project future, identify potential impacts)
- Examination of proposed off- and on-base transportation projects

EIS Topics

6. Infrastructure and Social Environment

- Land Use
- Socioeconomics (Population, Income, Housing, Employment, Government Revenue (Taxes), Environmental Justice)
- Community Services and Schools (Education Facilities, Health Care, Public Safety and Emergency Services, and Parks and Recreation)
- Infrastructure and Utilities (Water supply, Wastewater, and other Utility Systems)
- Cultural Resources

7. Cumulative Impacts

Next Steps

We will be contacting you over the next few weeks to request data for the EIS.

Questions and Comments?

INTERAGENCY MEETING MEMO

To: Project File

From: Ronald Bochenek, Ecology and Environment, Inc.

Date: November 14, 2008 (8:30 A.M. to 12 P.M.)

Location: Brunswick Municipal Meeting Facility (Old High School)

RE: Interagency Meeting - Environmental Impact Statement (EIS) for the Disposal and Reuse of Naval Air Station (NAS) Brunswick, Maine

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Attendees

Name	Agency	Phone	Email
David Fox SECM	FAA	603-881-1229	David.T.Fox@faa.gov
Daniel Murphy General Engineer	FAA	603-881-1315	Daniel.Murphy@faa.gov
Steven Hardee Env. PIM	FAA	404-861-4293	Steven.Hardee@faa.gov
Chris Poreda	FAA	781-238-7042	Chris.Poreda@faa.gov
Steve Levesque	MRRA	207-798-6512	stevel@mrra.us
Rosemary Monahan	EPA	617-918-1087	monahan.rosemary@epa.gov
Tim Timmermann	EPA	617-918-1025	timmermann.timothy@epa.gov
Ted Wolfe	MEDEP	207-287-8552	theodore.e.wolfe@maine.gov
Claudia Sait RPM	MEDEP	207-287-7713	claudia.b.sait@maine.gov
Mark Gallup	SMCC	207-941-5932	mgallup@smccme.edu
Greg Bartlett	Brunswick School Dept.	207-319-1900	gbartlett@brunswick.k12.me.us
Paul K. Perzanoski	Brunswick School Dept.	207-319-1900	pperzanoski@ brunswick.k12.me.us
Anna Breinich	Town of Brunswick	207-725-6660 ext. 220	abreinich@brunswickme.org
John Foster PW Director/ Town Engineer	Town of Brunswick	207-725-6654	jfoster@brunswickme.org
Steve Timpano Env. Coordinator	Maine DIFW	207-287-5258	steve.timpano@maine.gov
Frank McVey General Manager	Brunswick Sewer District	207-729-0148 ext. 16	fmcvey@brunswicksewer.org
Leonard Blanchette Assistant Gen. Mngr	Brunswick Sewer District	207-729-0148 ext. 15	agm@brunswicksewer.org
Lisa Joy Env. Director	NASB Environmental	207-921-1720	lisa.joy@navy.mil
Linda Kokemuller	Maine DEP	207-822-6329	linda.k.kokemuller@maine.gov
Ralph Nicosia-Rusin	FAA Airports	781-238-7612	ralph.nicosia-rusin@faa.gov

Airports Capacity Program Manager			
Chris Mann Policy Development Specialist	Maine DOT	207-624-3513	chris.a.mann@maine.gov
Ronald Bochenek	E & E	716-684-8060	rbochenek@ene.com
Peggy Farrell	E & E	716-684-8060	pfarrell@ene.com
Jessica Forbes	E & E	757-456-5356 ext. 5007	jforbes@ene.com
Tom Stephan	BRAC PMO NE	215-897-4916	tom.stephan.ctr@navy.mil

Overview
The purpose of the meeting was to introduce local, state, and federal agencies to the Brunswick Environmental Impact Statement (EIS) project.

Meeting Summary
The Commanding Officer of Naval Air Station Brunswick, Captain William Fitzgerald, opened the agency meeting with a brief summary introducing the EIS project, outlining the Navy's goals for the project, and illustrating some of the steps the Navy has taken so far to work with the local community.

Following the introduction, Ron Bochenek presented a brief discuss of the Brunswick EIS project including:

- An introduction to the EIS;
- An outline of the BRAC timeline;
- An outline of the EIS schedule;
- A list of topics to be analyzed in the EIS; and
- A description of the alternatives (Alternative 1, Alternative 2, and the No Action Alternative).

A copy of the interagency presentation is included as an attachment.

Question and Answer Period
Following an introduction to the project, meeting attendees were provided an opportunity to ask questions or comment on the scope of the project. Questions and comments raised by agency representatives included concerns with the scope of the EIS and the range of alternatives to be considered, questions regarding studies that have been conducted by E & E, suggestions of additional topics to take into consideration, and discussion regarding the EIS process and review period deadlines. These topics are included in more detail below. Questions (Q) and comments are **bolded**, with the answers (A) given at the meeting, and any additional discussion, included below.

Q: Is Alternative 2 similar to one of the alternatives considered, but not chosen, in the Brunswick Local Redevelopment Authority (BLRA) Reuse Plan?

A: (R. Bochenek) - Yes, Alternative 2 was based on one of the scenarios not chosen in the Reuse Plan.

Discussion: T. Timmermann continued the discussion of alternatives by suggesting that the EIS needs to include a description of the methodology used to arrive at two

alternatives, when the Reuse Plan included four. The EPA will be considering that methodology when they are providing comments.

Capt. Fitzgerald replied that the Navy wanted to make the "brackets" of potential impacts bigger to account for potential changes in the final build-out of the property, so the Navy will not need to prepare a Supplemental EIS in the event the Reuse Plan does change. T. Timmerman commented that the EIS does need to account for a broad range of impacts.

Q: When will acres of development be translated into square footages?

A: (R. Bochenek) - The EIS will project the amount of residential and non-residential square footage.

Q: Will E & E be using the local zoning ordinance's highest allowed density?

A: (R. Bochenek) - Yes, we will be using the highest density for the build-out analysis.

Q: With regards to transportation, is E & E planning on looking at both alternatives including the Route 1 interchange and not including it?

A: (R. Bochenek) - Since the Route 1 interchange doesn't occur on Navy property, we won't be looking at impacts on the site of the proposed interchange (biological, water, etc.), but we will be looking at how the interchange affects future build-out of Navy property.

Q: On the issue of secondary impacts, will you be looking at secondary economics occurring from potential development outside the base boundary?

A: (R. Bochenek) - Yes, we will be communicating with local municipalities to obtain information on additional development occurring off-base.

Q: How much flexibility is there in the mandatory review periods?

A: (R. Bochenek) - Once the draft goes out, there is a mandatory 45-day review period.

Q: Will the Section 106 analysis be included in the EIS?

A: (R. Bochenek) - Yes, we will be consulting with the State Historic Preservation Officer.

Discussion: Capt. Fitzgerald commented that the EIS is a document that will show the impacts of the Midcoast Regional Redevelopment Authority (MRRA) Reuse Plan. It's not a stamp of approval. The Navy doesn't give approval of the plan or the process; the Navy is just responsible for studying potential impacts.

Q: How does the Record of Decision (ROD) work? Ultimately what is it for?

A: (T. Stephan) - The ROD is a statement saying that the Navy has studied the plan, and the impacts are presented in the EIS. The ROD does not validate the plan or promise that the Navy is going to do anything. It just states what the impacts are. The

difference between the EIS ROD and an environmental clean-up ROD is that the Navy has to have the EIS ROD before the transfer of property can take place.

Q: Is the ROD signed just by the Navy or by the EPA as well?

A: (T. Stephan) - The EPA is part of the process, but ultimately it's signed by the Navy.

Discussion: T. Stephan further commented that the agencies should please try to expedite the review process as much as possible by submitting comments quickly.

T. Timmermann added that EPA has an advisory role. The EPA doesn't sign the EIS, but they comment on the Draft EIS and Final EIS to say whether the impacts are acceptable or not. Usually EPA's comments arrive on the last day of the comment period; it's just the nature of the beast. Getting EPA involved early in the process during scoping speeds up the process a lot.

An FAA representative added that the FAA echoes the EPA. The FAA does not want the EPA or a cooperating agency to have major disagreements with the document. The ROD is a necessary step, but it is just one step. There are other necessary decisions, for example, regarding environmental clean-up, which will have to be made before the transfer.

Q: FAA will be using this document to write its own ROD for approval of the proposed airport. FAA has asked to be a cooperating agency in this EIS.

R. Bochenek, L. Joy, and P. Farrell met with FAA representatives following the larger agency meeting to discuss FAA's request to be a cooperating agency.

Q: One of EPA's comments will be on air emissions during construction. The issue of energy efficiency will be brought up as well. Some characterization of the carbon and greenhouse gas footprint of the project, and some comparison of what it might have been and what it might be in the future should be included in the EIS. Greenhouse gas emissions are an evolving issue that is starting to get more attention and will get more with the new administration.

In Massachusetts, they have previsions for carbon footprint studies under state law. The state has methodologies for determining carbon footprints, so it is a useful place to go to find out how to conduct those studies.

A: (R. Bochenek) - E & E will take into account the methodologies used by Massachusetts to determine carbon footprints.

Q: Is there ever any consideration of credits given for having a mixed land use (smart growth) type development in terms of carbon emissions?

A: (T. Timmermann) - Traditionally, if a project has a certain footprint now and will have a different footprint in the future, disclosing that there will be a difference is something the action proponent can talk about. Notice I'm not talking about mitigation.

Discussion: R. Monahan added that there are ways to take into account more or less carbon emissions due to shorter car trips, etc.

Q: Will the Reuse Plan be looked at, since there is a lot of existing data included? Will it be updated if necessary?

A: (R. Bochenek) - Yes, E & E will be looking at existing data and doing our own original research as well.

Q: Will there be additional reports out of original research done to determine the extent of wetlands at the station?

A: (R. Bochenek) - Yes, there will be a field report developed.

Q: Do you have the storm water studies that were done as part of consistency determinations for other projects?

A: (R. Bochenek) - Yes, and if we don't we'll be contacting Lisa Joy about it.

Q: Will you be sending out a copy of the sign-in sheet?

A: (R. Bochenek) - Yes.

MRRA
Midcoast Regional
Redevelopment Authority

November 12, 2008

Ronald Bochenek
Ecology and Environment, Inc.
368 Pleasant View Dr.
Lancaster, NY 14086

Re: Issues to be addressed in NASB EIS

Dear Mr. Bochenek:

In developing the reuse Master Plan for the subject base property, the Brunswick Local Redevelopment Authority took great care in designing a plan that was based on several guiding principles. These principles focused on designing a plan that fit harmoniously with the natural environment of the property, maximized the existing infrastructure systems and integrated the property into the fabric of the community.

We appreciate how closely you and your colleagues have communicated with us during the process thus far in understanding the reuse planning issues and the rationale of the reuse plan. In addition, we feel that you have provided us with a good sense of the full range of issues that will be addressed in the Environmental Impact Statement (EIS). As you are aware, the Reuse Plan and the EIS serve as the basis for future transition of the base properties. Accordingly, we would like to provide specific guidance with respect to redevelopment factors that should be analyzed and evaluated in the EIS, as follows.

Transportation systems. The successful redevelopment of BNAS will require an expanded level of transportation infrastructure at full build-out to meet the potentially increased growth and redevelopment demands of the Brunswick community. For that reason, we think it is imperative that the EIS address traffic impacts in and around Base property at full build-out as a result of the proposed Route 1 connector, the widening of Bath Road, new or reopened Base access roadways, and similar improvements recommended in the BNAS Reuse Plan.

Unusual natural areas and wildlife habitat. We made every effort during our planning process to ensure that proposed development would not adversely affect unusual natural areas and wildlife habitat on the redeveloped Base. The redeveloped Base property will have a 1,000+ acre Natural Areas district that will preserve, maintain and enhance existing natural areas, as well as a 510-acre Recreation and Open Space district that calls for mostly passive outdoor recreational uses. However, we would like to ensure that 'no stones are left unturned' in the evaluation of existing wildlife habitat and natural communities and how to best protect those resources.

Archaeological and historical/cultural sites. There are a number of known historic sites located on or near the Base, namely cemeteries and historic bunkers, as well as potential archaeological sites. Please evaluate any potential impacts on these resources.

5450 Fitch Avenue ■ Brunswick, ME 04011 ■ 207-798-6512 Fax: 207-798-6510 ■ Email: info@mrra.us ■ www.mrra.us

Bochenek, Ronald

From: Drozd, David CIV OASN (I&E) BRAC PMO NE [david.drozd@navy.mil]
Sent: Monday, November 17, 2008 8:09 PM
To: Bochenek, Ronald; Stephan, Tom CTR OASN (I&E) BRAC PMO NE
Cc: Lin, Willie CIV OASN (I&E) BRAC PMO NE; Preston, Gregory C CIV OASN (I&E) BRAC PMO NE
Subject: FW: Comments for BNAS EIS

Attachments: Natural Areas Program - Nov 2008 Comments.doc; MAP 1_MNAP Features - BNAS.pdf; MAP 2_MNAP Features - BNAS.pdf

Natural Areas Program - Nov 20... MAP 1_MNAP eatures - BNAS.pdf. MAP 2_MNAP eatures - BNAS.pdf.

-----Original Message-----
From: Cameron, Don S. [mailto:Don.S.Cameron@maine.gov]
Sent: Monday, November 17, 2008 13:04
To: Drozd, David CIV OASN (I&E) BRAC PMO NE
Cc: Walker, Steve; St.Hilaire, Lisa
Subject: Comments for BNAS EIS

David,

Attached are comments and maps from the Maine Natural Areas Program (ME Dept of Conservation) regarding the conservation of significant natural features on the BNAS site. We have advocated for the conservation of these features throughout out the planning process and have previously provided information and maps for these features to the relevant parties including the Town of Brunswick.

Please let me know if you have any questions about these materials or our program. I can send you GIS shape files of the features on the maps if they would be of use to you.

Sincerely,

Don S. Cameron, Botanist/Ecologist

Maine Natural Areas Program

#93 State House Station

Augusta, ME 04333-0093

(phone - 207-287-8041 / fax - 207-287-8040)

Brunswick Naval Air Base - Rare Plants and Natural Communities

Source: Maine Natural Areas Program
Maine Department of Conservation

Overview:

The Brunswick Naval Air Base Property supports several natural communities that are rare and considered significant at a statewide level. The pending base closure is providing an opportunity for these important natural areas to be designated for conservation. Conserving these areas will contribute to the long term maintenance of native wildlife in the increasingly developed mid-coast region, and will also provide good quality open space for use by the greater Brunswick community. The Maine Natural Areas Program strongly recommends that these features be conserved when the base is closed.

Description:

The Brunswick Naval Air Base Property supports two examples of the rare **Little Bluestem - Blueberry Sand Plain Grasslands**, one at the base proper and one on the "66 acre" tract north of Route 1. Sand plain grasslands are very rare in Maine and are currently only known to occur at four locations. This habitat type is restricted to excessively well drained sites that are typically underlain by deep sand deposits, and that have a history of disturbance or management that have perpetuated an open grassland condition. Plant and animal species that occur in this plant community are mostly fire and drought tolerant. Under natural conditions periodic fire and drought would help maintain this plant community along with pitch pine barrens in a shifting pattern on the landscape. Modern land use patterns and the suppression of wildfire largely preclude the natural occurrence of this habitat type. Sand plain grasslands are now only found where people have been helping to maintain the open condition of the landscape like has been done at the two Brunswick Naval Air Base sites.

Sand plain grasslands are important habitat for several rare bird species including upland sand pipers (state listed Threatened) and grasshopper sparrows (state listed Endangered). They are also habitat for several rare plant species. Only one rare plant species, clothed sedge, has been documented in the grasslands on the base to date, though it should be noted that survey work in these communities has been very limited due to access considerations.

Also occurring on the base is a good example of a **Spartina Salt Marsh** natural community. The salt marsh community occurs along Mere Brook at the south end of the base. Salt marshes are sufficiently uncommon in Maine to be considered rare, but they are not nearly as rare as Sand Plain Grasslands. The majority of the salt marsh along Mere Brook is well buffered by maturing forest and provides excellent habitat for wading birds and other animal species that depend on tidal marshes for all or some part of their life cycles. In current times, there are few if any opportunities in Maine to preserve an entire tidal marsh system at once as can be done with the Mere Brook Marsh as part of the base closure process.

The Maine Natural Areas Program is interested in conducting more detailed surveys of these features to further document their condition and the rare species they support.

Rare Species/Natural Community Table for Brunswick Naval Air Base:

Common Name	Latin Name	Status	S-Rank	G-Rank
Exemplary Natural Communities				
Little Bluestem - Blueberry Sand Plain Grassland		n/a	S1	G2G3
Little Bluestem - Blueberry Sand Plain Grassland		n/a	S1	G2G3
Spartina Salt Marsh		n/a	S3	G5
Rare Plants				
Clothed sedge	Carex vestita	E	S1	G5
Small reed-grass	Calamagrostis cinnoides	SC	S3	G5

*see last page for explanation of ranks

STATE RARITY RANKS

S1 Critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.

S2 Imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.

S3 Rare in Maine (on the order of 20-100 occurrences).

S4 Apparently secure in Maine.

S5 Demonstrably secure in Maine.

Note: **State Ranks** are determined by the Maine Natural Areas Program.

GLOBAL RARITY RANKS

G1 Critically imperiled globally because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.

G2 Globally imperiled because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.

G3 Globally rare (on the order of 20-100 occurrences).

G4 Apparently secure globally.

G5 Demonstrably secure globally.

Note: **Global Ranks** are determined by The Nature Conservancy.

STATE LEGAL STATUS FOR PLANTS

Note: State legal status is according to 5 M.R.S.A. § 13076-13079, which mandates the Department of Conservation to produce and biennially update the official list of Maine's endangered and threatened plants. The list is derived by a technical advisory committee of botanists who use data in the Natural Areas Program's database to recommend status changes to the Department of Conservation.

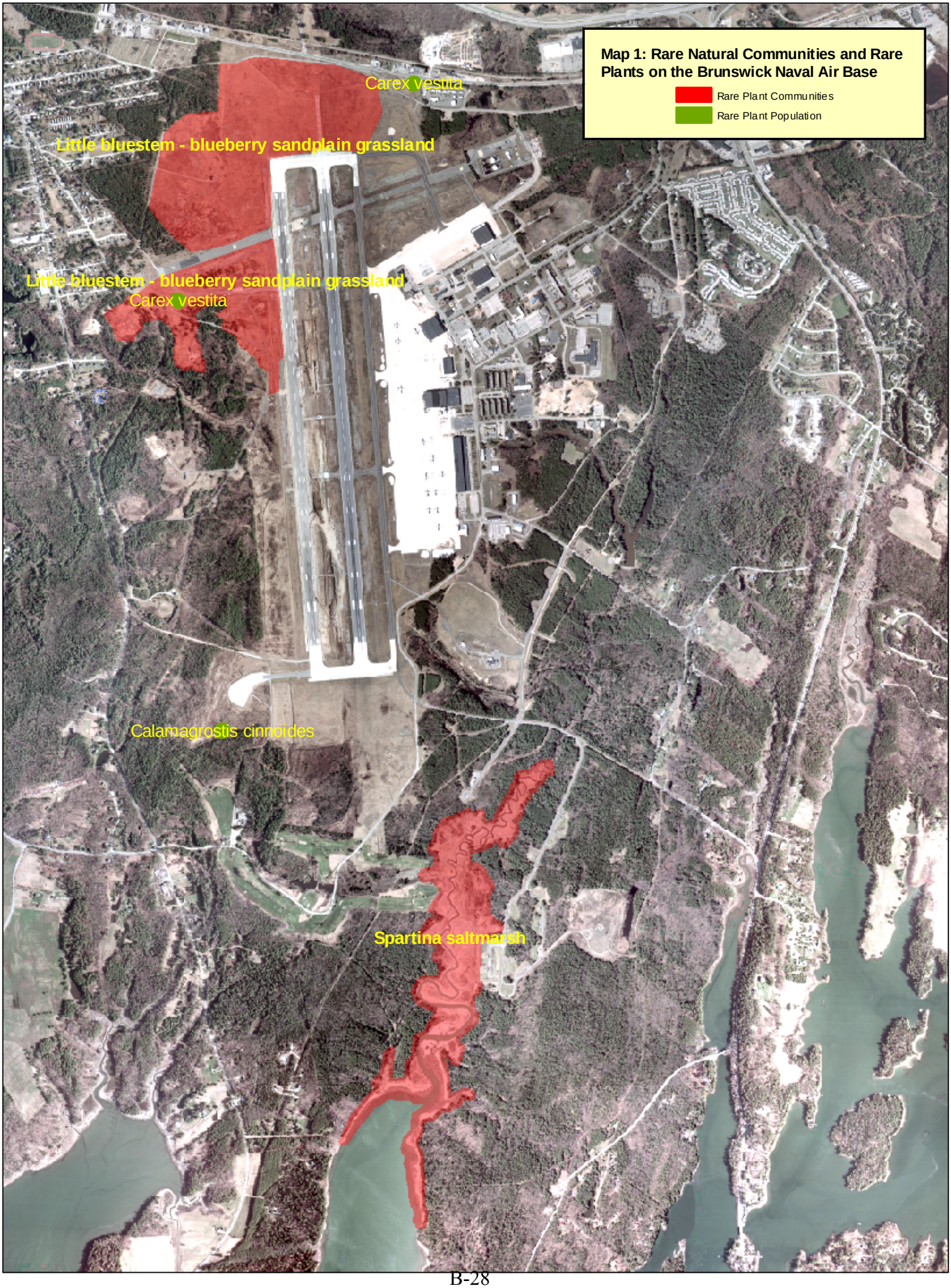
E ENDANGERED; Rare and in danger of being lost from the state in the foreseeable future, or federally listed as Endangered.

T THREATENED; Rare and, with further decline, could become endangered; or federally listed as Threatened.

SC SPECIAL CONCERN; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered.

Visit our web site for more information on rare, threatened and endangered species!
http://www.state.me.us/doc/nrimc/mnap/factsheets/mnapfact.htm

Map 2: Rare Natural Communities and Rare Plants on the Brunswick Naval Air Base
Rare Plant Communities
Rare Plant Population
Little bluestem - blueberry sandplain grassland


Map 1: Rare Natural Communities and Rare Plants on the Brunswick Naval Air Base
Rare Plant Communities
Rare Plant Population
Carex vestita
Little bluestem - blueberry sandplain grassland
Little bluestem - blueberry sandplain grassland
Carex vestita
Calamagrostis cinnoides
Spartina saltmarsh

Bochenek, Ronald

From: Drozd, David CIV OASN (I&E) BRAC PMO NE [david.drozd@navy.mil]
Sent: Monday, November 17, 2008 8:10 PM
To: Stephan, Tom CTR OASN (I&E) BRAC PMO NE; Bochenek, Ronald
Cc: Lin, Willie CIV OASN (I&E) BRAC PMO NE; Preston, Gregory C CIV OASN (I&E) BRAC PMO NE
Subject: FW: Comments for BNAS EIS - 2nd message

Attachments: BNAS_Overview - MNAP & DIFW.pdf

BNAS_Overview - MNAP & DIFW.pd...

-----Original Message-----
From: Cameron, Don S. [mailto:Don.S.Cameron@maine.gov]
Sent: Monday, November 17, 2008 13:28
To: Drozd, David CIV OASN (I&E) BRAC PMO NE
Subject: Comments for BNAS EIS - 2nd message

David,

Attached is an additional map, one that was made for previous planning efforts which shows the overlap of significant natural features mapped by the Maine Natural Areas Program and rare animals mapped by the Maine Department of Inland Fisheries and Wildlife. It helps provide a more complete picture of why these habitats are important.

Let me know if you have any questions.

Don

Don S. Cameron, Botanist/Ecologist

Maine Natural Areas Program

#93 State House Station

Augusta, ME 04333-0093

(phone - 207-287-8041 / fax - 207-287-8040)

From: Cameron, Don S.
Sent: Monday, November 17, 2008 4:04 PM
To: 'david.drozd@navy.mil'
Cc: Walker, Steve; St.Hilaire, Lisa

Subject: Comments for BNAS EIS

David,

Attached are comments and maps from the Maine Natural Areas Program (ME Dept of Conservation) regarding the conservation of significant natural features on the BNAS site. We have advocated for the conservation of these features throughout out the planning process and have previously provided information and maps for these features to the relevant parties including the Town of Brunswick.

Please let me know if you have any questions about these materials or our program. I can send you GIS shape files of the features on the maps if they would be of use to you.

Sincerely,

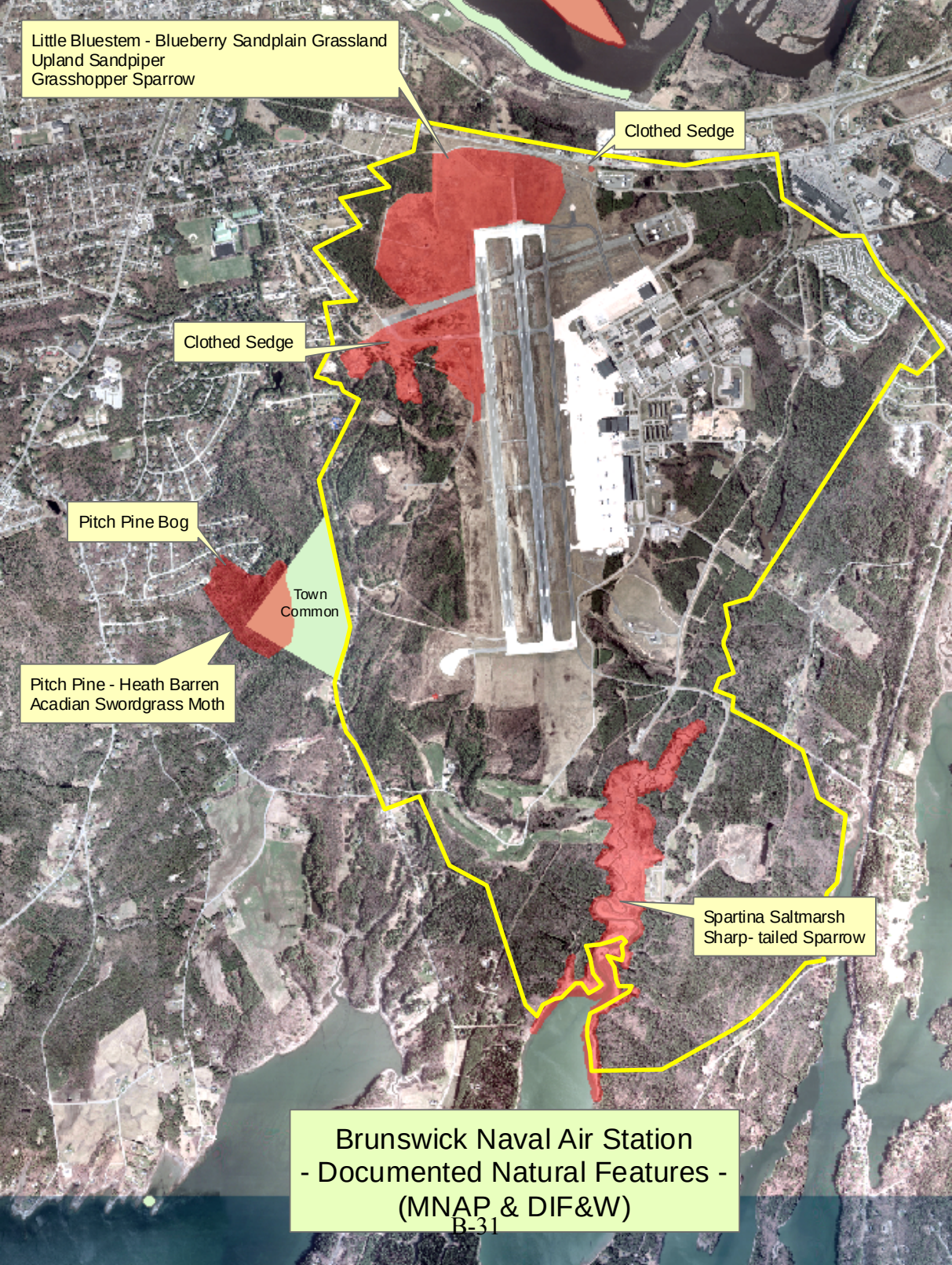
Don S. Cameron, Botanist/Ecologist

Maine Natural Areas Program

#93 State House Station

Augusta, ME 04333-0093

(phone - 207-287-8041 / fax - 207-287-8040)



Brunswick Naval Air Station
- Documented Natural Features -
(MNAP & DIF&W)

Bochenek, Ronald

From: Drozd, David CIV OASN (I&E) BRAC PMO NE [david.drozd@navy.mil]
Sent: Tuesday, November 25, 2008 2:59 PM
To: Bochenek, Ronald; Stephan, Tom CTR OASN (I&E) BRAC PMO NE
Cc: Lin, Willie CIV OASN (I&E) BRAC PMO NE; Lombardo, Ralph CIV NAVFAC MIDLANT; Preston, Gregory C CIV OASN (I&E) BRAC PMO NE
Subject: FW: Maine Department of Transportation/Comments/Brunswick EIS

More comments on Brunswick EIS

VR

Dave

David Drozd, P.E., P.L.S.
Office of the Assistant Secretary of the Navy (Installation & Environment)
Director, Navy BRAC Program Management Office Northeast
4911 South Broad Street
Philadelphia, PA 19112-1303
Tel: 215-897-4909
DSN: 443-4909
Fax: 215-897-4902

-----Original Message-----
From: Mann, Chris A [mailto:Chris.A.Mann@maine.gov]
Sent: Tuesday, November 25, 2008 14:57
To: Drozd, David CIV OASN (I&E) BRAC PMO NE
Cc: Fuller, Kat; Scott, Duane
Subject: Maine Department of Transportation/Comments/Brunswick EIS

Director, BRAC PMO Northeast

Attn: Brunswick EIS

4911 Broad Street, Building 679

Philadelphia, PA 19112-1303

Dear Mr. Drozd:

The Maine Department of Transportation (MaineDOT) appreciates the opportunity to provide formal comments on the Department of the Navy's Environmental Impact Statement (EIS) for the disposal and reuse of Naval Air Station Brunswick (NASB), Maine.

The interagency meeting conducted by the Navy and their consultant, Ecology and Environment, Inc. on November 14, 2008, indicated the EIS will analyze impacts on the local transportation network and traffic patterns, and includes the following:

* Traffic study to quantify existing off-base traffic volumes, project future traffic conditions, and identify potential impacts.
* Examination of proposed off-base and on-base transportation improvement projects identified in the Brunswick Naval Air Station Reuse Master Plan (BNAS Master Plan).
* Examination of potential human and natural environmental

consequences resulting from the reuse of the airfield.

In cooperation with the Governor's Advisory Council and the Midcoast Regional Redevelopment Authority, with MaineDOT as the lead agency, a request has been prepared for Office of Economic Adjustment funds to conduct feasibility studies to address five of the transportation needs identified in the BNAS Master Plan in anticipation of the Navy's EIS. As such, MaineDOT will need to work closely with the Navy and their consultant to coordinate study efforts and avoid duplication. Based on the identified issues the Navy intends to analyze in their EIS, MaineDOT submits the following comments:

* Please describe how and to what extent the Navy's EIS will "quantify existing off-base traffic volumes, project future traffic conditions, and identify potential impacts"? For example, will the EIS provide traffic volumes for all existing points of access to the base?

* Will the Navy's EIS provide origin/destination data and existing and projected A.M./P.M. peak hour volumes for traffic entering and leaving the base?

* What types of data will the Navy utilize to identify and analyze off-site transportation improvements for all modes?

* In examining proposed off-base and on-base transportation improvement projects identified in the BNAS Master Plan, will the EIS consider other existing studies, such as relevant analyses and reports for the area from the ongoing MaineDOT Gateway 1 (U.S. Route 1) land use and transportation corridor study? Is there any data MaineDOT can provide in this regard?

The goal of this letter is to gain a better understanding of the analysis the Navy will conduct in their EIS and the output that will be provided from it in an effort to better dovetail the Navy's EIS process with MaineDOT's feasibility studies. If you have any questions or require additional information, please do not hesitate to contact me at the MaineDOT. Phone: 207-624-3513 E-Mail: Chris.A.Mann@Maine.Gov.

Again, we appreciate the opportunity to comment on the Navy's EIS and look forward to working with you.

Sincerely,

Christopher A. Mann

Bureau of Transportation Systems Planning

Maine Department of Transportation

Bochenek, Ronald

From: Drozd, David CIV OASN (I&E) BRAC PMO NE [david.drozd@navy.mil]
Sent: Wednesday, November 26, 2008 11:41 AM
To: Bochenek, Ronald; Stephan, Tom CTR OASN (I&E) BRAC PMO NE
Cc: Lin, Willie CIV OASN (I&E) BRAC PMO NE; Lombardo, Ralph CIV NAVFAC MIDLANT; Preston, Gregory C CIV OASN (I&E) BRAC PMO NE
Subject: FW: Environmental Impact Statement Comments from Town of Brunswick, Maine

Attachments: EIS Comments BNAS Brunswick Maine.pdf

EIS Comments
BNAS Brunswick Ma...

More Bruns EIS comments.

VR

Dave

David Drozd, P.E., P.L.S.
Office of the Assistant Secretary of the Navy (Installation & Environment)
Director, Navy BRAC Program Management Office Northeast
4911 South Broad Street
Philadelphia, PA 19112-1303
Tel: 215-897-4909
DSN: 443-4909
Fax: 215-897-4902

-----Original Message-----
From: Tom Farrell [mailto:tfarrell@brunswickme.org]
Sent: Wednesday, November 26, 2008 11:29
To: Drozd, David CIV OASN (I&E) BRAC PMO NE
Cc: 'Steve Levesque'; Don Gerrish; Gary Brown; 'Anna Breinich'; 'Vanessa Levesque'
Subject: Environmental Impact Statement Comments from Town of Brunswick, Maine

Dear Mr. Drozd,

Attached please find formal comments from the Town of Brunswick, Maine in response to the call for public input relative to the Environmental Impact Statement Process as it relates to the reuse of the Brunswick Naval Air Station. The attached letter authored by Brunswick Town Manager Donald Gerrish is being sent via email and will be followed up with a hard copy to be forwarded by mail from our offices today. Should you have any questions regarding the attached letter please contact Town Manager Gerrish at (207) 725-6659 ext 201 or via email at dgerrish@brunswickme.org

We appreciate the opportunity to offer comments regarding the Environmental Impact Statement Review Process and look forward to working with you in addressing the comments contained in the attached letter.

Thomas M. Farrell, Director

Parks and Recreation

30 Federal Street

Brunswick, Maine 04011

Tel (207) 725-6656

Fax# (207) 725-0148

Town of Brunswick, Maine

INCORPORATED 1739

OFFICE OF THE TOWN MANAGER

DONALD H. GERRISH, MANAGER

28 FEDERAL STREET
BRUNSWICK, MAINE 04011
TELEPHONE 725-6659
FAX # 725-6663

November 26, 2008

Mr. David Drozd
Department of the Navy
BRAC Program Management Office Northeast
4911 South Broad Street
Building 679
Philadelphia, Pennsylvania 19112

Dear David,

Thank you for the opportunity to provide input into the scope of the upcoming Environmental Impact Statement for the redevelopment of the Brunswick Naval Air Station. As a partner in the redevelopment process, the Town of Brunswick is interested in ensuring a seamless transition where appropriate development can readily occur. As a result, we suggest the following studies and issues be addressed in the EIS so as not to unnecessarily delay redevelopment at a later date.

Please note that the Town staff is available to provide more information about these questions and concerns and to provide data that may help address them.

1. Confirm impact of redevelopment on State regulated resources such as wetlands and vernal pools. Most notably, conduct a spring survey of potential vernal pools on undeveloped sections of the base (especially eastern side).
2. Assess potential impact and ways to mitigate development near the currently forested eastern side of base. This area contains a regulated deer wintering yard, may contain vernal pools, and provides an undisturbed habitat corridor between southern sections of the base and off-base habitat. It is uncertain if development plans have already addressed potential impacts to these resources.
3. Provide assessment of impact of future use on urban impaired stream watersheds. The majority of the Base is in the Mere Brook Urban Impaired Stream Watershed. A small portion of the north of the Base is in the Jordan Ave Tributary UISW. Determine the sub-watersheds of the base (based on topography and storm drain systems), map existing impervious surface, calculate change of imperviousness for each redevelopment alternative, and determine what the most likely stormwater contaminants will be. Determine mitigation options that include Base-wide stormwater watershed management plans (vs. site-by-site stormwater management).

4. Determine current and potential future contamination to clam flats in Harpswell Cove. This is a public health concern as the mud flats are harvested for their soft-shell clam resource.
5. Conduct assessment of impact of athletic fields on habitat of the East Brunswick Transmitter Site. Determine locations most appropriate for fields that would minimize impact.
6. Determine potential public safety danger of digging up land in conservation/open space lands for future trails and facilities (regarding potential contaminants).
7. Assess environmental hazards that exist upon lands and or buildings that the Town has requested for public benefit conveyance. Describe process and identify person or entity that will determine that the properties requested by the Town are safe for public use as both active and passive recreation areas prior to transfer of property ownership.

We appreciate the opportunity to provide input. Should you have any questions please contact me.

Very Truly Yours,

Donald H. Gerrish
Town Manager

Pc: Steve Levesque, Executive Director, Midcoast Regional Redevelopment Authority
Gary Brown, Assistant Manager, Town of Brunswick
Anna M. Breinich, Director of Planning and Development, Town of Brunswick
Thomas M. Farrell, Director of Parks and Recreation, Town of Brunswick
Vanessa Levesque, Natural Resources Planner, Town of Brunswick

Bochenek, Ronald

From: Drozd, David CIV OASN (I&E) BRAC PMO NE [david.drozd@navy.mil]
Sent: Friday, November 28, 2008 3:21 PM
To: Bochenek, Ronald; Stephan, Tom CTR OASN (I&E) BRAC PMO NE; Lin, Willie CIV OASN (I&E) BRAC PMO NE; Lombardo, Ralph CIV NAVFAC MIDLANT; Preston, Gregory C CIV OASN (I&E) BRAC PMO NE
Subject: FW: FAA Comments on Notice of Intent; Brunswick EIS

Attachments: Brunswick NAS EIS FAA Letter 11-28-08.pdf

Brunswick NAS EIS FAA Letter 1...

FAA comments on EIS and their request to be a cooperating agency. Their ltr implies that the EIS schedule might need to be slowed down to accommodate the schedule of the FAA Master Plan for NAS Brunswick.
Thoughts?

VR

Dave

David Drozd, P.E., P.L.S.
Office of the Assistant Secretary of the Navy (Installation & Environment)
Director, Navy BRAC Program Management Office Northeast
4911 South Broad Street
Philadelphia, PA 19112-1303
Tel: 215-897-4909
DSN: 443-4909
Fax: 215-897-4902

-----Original Message-----
From: barbara.travers-wright@faa.gov
[mailto:barbara.travers-wright@faa.gov]
Sent: Friday, November 28, 2008 15:10
To: Drozd, David CIV OASN (I&E) BRAC PMO NE
Subject: FAA Comments on Notice of Intent; Brunswick EIS

David,
Attached are FAA comments to the Notice of Intent. Please call me with any questions.
Barbara

(See attached file: Brunswick NAS EIS FAA Letter 11-28-08.pdf)

Barbara Travers Wright
FAA New England Region
Process Improvement Integrator
Phone: 781-238-7025
Fax: 781-238-7005
Barbara.Travers-Wright@faa.gov

U.S. Department
of Transportation
**Federal Aviation
Administration**

New England Region

Office of the Regional Administrator
12 New England Executive Park
Burlington, MA 01803

November 28, 2008

Mr. David Drozd
Director, BRAC Program Management Office Northeast
Attn: Brunswick EIS
4911 Broad Street, Building 679
Philadelphia, PA 19112-1303

Dear Mr. Drozd:

This is in response to the Notice of Intent to Prepare an Environmental Impact Statement (EIS) for the Reuse of Naval Air Station Brunswick, Maine, and to Announce Public Scoping Meetings.

- The FAA New England Region requests to participate as a "cooperating agency" in this EIS.

- The FAA New England Airports Division will be utilizing the EIS to develop a Record of Decision in accordance with NEPA to support the following federal actions: Creation of a new civil airport location; Approval of the Airport Layout Plan.

  Incidental to those two actions, are the inclusion of this site into the National Plan for an Integrated Airport System (NPIAS) and the FAA's concurrence with the Public Benefit Transfer of Department of Defense land, facilities and equipment for the creation of a civilian airport, and associated revenue producing property.

  As a cooperating agency, we expect to participate fully in the review of the detailed work scope and draft versions of the document. The FAA New England Region Airports Division should also be specifically consulted on assumptions regarding aviation forecasts, airfield operations, noise abatement and/or mitigation measures, wildlife management, and compatible land use planning. The airport master plan project has just begun. Please allow sufficient time for this study to develop your data requirements within the consultants' responsibilities to confer with their client, the Midcoast Regional Redevelopment Authority, their Planning Study Advisory Committee and the New England Airports Division. Once you have provided a detailed work scope and task level schedule, they will advise you of any difficulties they foresee in meeting your time requirements.

The general descriptions of the proposed alternatives appear appropriate for the range of potential reuse activities. The range of impacts to be evaluated also appears to be reasonable. The forecast of aviation activity will be based upon a "high growth" scenario that estimates activity based upon a realistic response of the market to the availability of the airfield and associated aviation facilities. It will assume a positive economic climate throughout the forecast period. This will support analysis of impacts at higher levels of activity that are likely to occur, therefore providing the broadest range of conditions that are reasonable to assess.

By agreement with the Office of Economic Adjustment the FAA New England Region Airports Division is providing technical guidance to the Airport Master Plan study. Ralph Nicosia-Rusin (Ralph.nicosia-rusin@faa.gov, 781 238-7612) has been designated project manager and should serve as your point of contact for airport related issues.

- We anticipate that any land transfer from the Navy to the Midcoast Redevelopment Authority will need review by the FAA, subsequent to the EIS under the Surplus Property Act, whether or not the FAA acquires any of the land.

Please contact Barbara Travers-Wright of my staff if you have any questions about FAA's involvement in this EIS. She may be reached at 781-238-7025 or at Barbara.Travers-Wright@faa.gov.

Sincerely,

for Amy L. Corbett
Regional Administrator

cc: Kat Fuller, Chief of Planning
Maine DOT, Bureau of Transportation Systems Planning

U.S. Department
of Transportation
**Federal Aviation
Administration**

New England Region

Office of the Regional Administrator
12 New England Executive Park
Burlington, MA 01803

November 28, 2008

Mr. David Drozd
Director, BRAC Program Management Office Northeast
Attn: Brunswick EIS
4911 Broad Street, Building 679
Philadelphia, PA 19112-1303

Dear Mr. Drozd:

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Please contact Barbara Travers-Wright of my staff if you have any questions about FAA's involvement in this EIS. She may be reached at 781-238-7025 or at Barbara.Travers-Wright@faa.gov.

Sincerely,

for Amy L. Corbett
Regional Administrator

cc: Kat Fuller, Chief of Planning
Maine DOT, Bureau of Transportation Systems Planning

EPA New England

Date: 12/02/08

U.S. Environmental Protection Agency
Office of the Regional Administrator
One Congress Street, Suite 1100
Boston, MA 02114-2023
Phone: (617) 918-1025
Fax: (617) 918-1029

PLEASE DELIVER TO: Ron Bochenek

Fax No. 716- 684- 0844

Pages to Follow: 5

From: **Timothy L. Timmermann**

Comments:

NASB Scopy Comments

Please call w/ questions

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
1 CONGRESS STREET, SUITE 1100
BOSTON, MASSACHUSETTS 02114-2023

OFFICE OF THE
REGIONAL ADMINISTRATOR

December 2, 2008

David Drozd, Director
BRAC Program Management Office Northeast
4911 Broad Street, Building 679
Philadelphia, PA 19112-1303

Re: Comments in response to the Notice of Intent to Prepare an Environmental Impact Statement for the Reuse of Naval Air Station Brunswick, Maine

Dear Mr. Drozd:

In accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, we submit the following comments as part of the NEPA scoping process for the Navy's Environmental Impact Statement (EIS) that will evaluate the potential impacts of the reuse of Naval Air Station Brunswick (NASB), Maine. Based on what we know about the project and the potential for impacts we have identified the following issues we believe should be addressed in the environmental analysis:

The closure and redevelopment of NASB could result in a range of direct, indirect (secondary) and cumulative impacts. We believe these impacts should be thoroughly addressed in the EIS for the following subject matter areas: wetlands, water supply/water resources, air quality, transportation, and energy efficiency.

Based on the presentation at the November 14, 2008 scoping session and information contained in materials distributed in support of that meeting, we understand that two reuse alternatives, in addition to the No Action Alternative, have been identified for consideration in the EIS:

<u>The Reuse Plan (Alternative 1):</u> The preferred alternative provides for a mix of land uses and densities, open space and natural areas with development of 1,630 acres (51% of base property) and 1,570 acres for active and passive recreation, open space and natural area designation. The plan "incorporates elements based on Smart-Growth principles." (Navy Scoping Handout, "Proposed Action and EIS Alternatives") Alternative 1 includes 10 access points onto the property and continued (non-military) operation of an airport. Build-out is planned to occur over a twenty year period.

<u>High Density Scenario (Alternative 2):</u> This alternative includes a mix of land use types, elements based on Smart Growth principles, and develops a little less land than

alternative 1 (49%). Alternative 2 does not include continued operation of an airport on NASB property.

As we indicated during the scoping session, we support evaluation of these two alternatives in a fashion that will provide full public disclosure of the potential impacts that may result from the build out under each scenario. The No Action alternative should be used as a baseline for the comparison of impacts between alternatives. The discussion of each alternative should include an analysis of the access improvements necessary for the viability of the alternative. In addition, the EIS should analyze each alternative with and without the proposed offsite transportation improvements (the connector road and interchange to connect to US Route 1) to determine how the redevelopment would function under each scenario and to fully identify the environmental impacts associated with each of these transportation options.

Analysis of Impacts

With regard to indirect impacts, Council on Environmental Quality (CEQ) regulations require EISs to evaluate growth-inducing changes in the pattern of land use, population density or growth rate resulting from the proposed action and alternatives. The regulations state that impacts include ecological, aesthetic, historical, cultural, economic, social, or health impacts, whether direct, indirect, or cumulative[1]. The regulations further define cumulative impacts as "....the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time."[2] The indirect and cumulative impact analysis is especially important in base closure/reuse EIS's.

Indirect (Secondary) Impacts

It will be important to evaluate the potential for secondary impacts that occur off the base. Such impacts include traffic and air emissions associated with trips to and from the base. As noted above, this analysis should be done with and without the proposed Route 1 connector. Modes of travel should be identified, and options for reducing vehicular trips explored. Greenhouse gas emissions associated with vehicle trips to, from, and on the base should be estimated as well.

In addition, the potential for residential or commercial development *outside* the base that is stimulated by redevelopment *on* the base should be evaluated. Clearly, the intent of the reuse plan is to stimulate redevelopment of the base, but over time - particularly as the base is built out – population and employment growth in the region may be induced

[1] 40 CFR, Sec. 1508.8

[2] 40 CFR., Sec. 1508.7

by base redevelopment. The potential for such secondary development should be evaluated and the environmental impacts of any such development estimated.

Wetland Issues

The EIS should provide a detailed description of wetlands that includes their location as well as an assessment of their functions and values.[3] In addition, the EIS should indicate whether any of the proposed reuse alternatives and associated access improvements will involve placing fill material in wetlands or other waters of the United States that will be subject to the permit requirements of Section 404 of the Clean Water Act. Fill activities must comply with EPA's regulations issued under Section 404 (b) (1), referred to as "EPA's 404 Guidelines", which require the following: that there be no practicable, less environmentally damaging alternative to the proposed action; that the activity not cause or contribute to violations of state water quality standards or jeopardize endangered or threatened species; that the activity not contribute to significant degradation of waters of the United States; and that all practicable and appropriate steps be taken to minimize potential adverse impacts to the aquatic ecosystem (Section 230.10). The guidelines further establish a presumption, which the applicant has an opportunity to rebut, that for projects that are not water-dependent, a practicable alternative to the filling of wetlands exists. The EIS should include an evaluation of ways in which each alternative can be designed to avoid impacts to wetlands. The unavoidable impacts to wetlands, surface water resources (impacts to rivers/streams quality and flow) and wildlife should be fully disclosed for each reuse alternative.

Further, where proposed reuse options would transfer development rights to non-Federal public or private parties, Executive Order 11990 for the Protection of Wetlands (May 24, 1997) imposes special obligations on the disposal of Federal Lands and facilities in order to avoid to the extent possible the loss of wetlands. Under this Executive Order, "(w)hen Federally owned wetlands or portions of wetlands are proposed for lease, easement right-of-way or disposal to non-Federal public or private parties, the Federal agency shall (a) reference in the conveyance those uses that are restricted under identified Federal, State, or local wetlands regulations; and (b) attach other appropriate restrictions to the uses of properties by the grantee or purchaser and any successor, except where prohibited by law; or (c) withhold such properties from disposal."[4] The EIS should describe how the Navy intends to meet these obligations at NASB.

---

[3] We suggest that the wetland assessment be prepared in a manner consistent with the Army Corps of Engineers New England District (formerly the New England Division) descriptive approach to wetland assessment as presented in "The Highway Methodology Workbook Supplement Wetland Functions and Values A Descriptive Approach", NEDEP-360-1-30a, dated November 1995.

[4] Executive Order # 11990, Section 4

Water Supply/Water Resources

The EIS should evaluate the ability of the proposed water source to provide water for each reuse alternative under existing authorizations and with the existing infrastructure. If water demand with any of the reuse alternatives exceeds the permitted and structural capacity of the existing supply, the EIS should describe how additional water would be provided. The EIS should provide information to show whether the redevelopment will be located in existing or potential wellhead protection areas, and if so, provide a map illustrating the location of proposed reuse activities within the water supply protection area, and the source location(s). Compatibility of each reuse alternative with existing or proposed local land use restrictions should be described. The EIS should also describe the location of any nearby private wells and potential impacts from existing and proposed activities on the water quality or water quantity provided by those wells.

Air Quality

Coordination with EPA
We encourage the Navy and its consultants to coordinate directly with our air quality office to establish the appropriate scope of analysis and methods for the air quality impact analysis. Please contact Donald Cooke at 617-918-1668 to coordinate this review.

Construction Impacts
Given the public health concerns about diesel exhaust from heavy duty diesel trucks and other heavy duty construction equipment, EPA encourages measures be implemented to reduce fine particle emissions emitted from diesel engines during construction. Emissions from older diesel engines can be controlled with cost-effective retrofit pollution control equipment (oxidation catalysts) that can be installed on the exhaust of the diesel engine. Retrofit technologies may include EPA verified emission control technologies and fuels and CARB-verified emission control technologies.[5] This equipment is designed to reduce particulate matter, hydrocarbon and carbon monoxide emissions. Cleaner burning fuels such as emulsified diesel are also an option that can be used to reduce various pollutants from diesel engines, including oxides of nitrogen which contribute to ground-level ozone smog production. Implementation of these measures would clearly benefit air quality at the construction sites and surrounding areas.

EPA recommends that diesel retrofits for construction and other diesel equipment, cleaner fuels, and idle reduction measures be discussed in the construction impacts section of the EIS and ultimately be required as mitigation for any construction. The EIS should identify the construction mitigation measures the Navy and redevelopment authority are committed to implement.

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5 A list of these control technologies can be accessed at http://www.epa.gov/otaq/retrofit/verif-list.htm.

Greenhouse Gas Emissions, Green Building Design & Energy Considerations

We recommend that the EIS include a quantification/discussion of the existing carbon/ greenhouse gas footprint of the existing base and estimate how that footprint may change as a result of the proposed development. The assessment should also quantify greenhouse gas emissions associated with vehicle trips to/from the proposed redevelopment. We also encourage the Navy to include in the EIS a discussion of measures that can be incorporated in the project to avoid, minimize and mitigate for greenhouse gas emissions. These could include energy efficiency measures, transportation demand management strategies (including project support for expanded public transportation to/from the project areas) and the use of cleaner fuels. We also suggest that the EIS consider standards and guidelines for the overall redevelopment that promote "green building" strategies and goals consistent with the Leadership in Energy and Environmental Design (LEED) Green Building Rating System. These standards would provide requirements for building designs that conserve energy, use recycled materials and include BMPs such as green roofs, rain gardens, and cisterns for capturing rain for reuse or delaying its release as storm water runoff. The use of energy efficient "dark skies" compliant lighting fixtures should also be required for the redevelopment.

The EIS should also describe whether opportunities exist for clean and renewable energy generation on site. The EIS should evaluate whether some portion of the facility's energy needs can be met through solar hot water, solar electric and small wind power generation.

Project Phasing

As redevelopment of the NASB is projected to occur over a 20 year time period the EIS should describe to what degree the proposed reuse plans will be developed in distinct phases and present the best available information concerning how transportation improvements and mitigation measures will be implemented in conjunction with a phased redevelopment program.

Thank you for the opportunity to provide scoping comments on the EIS for closure and reuse of NASB. We support the goals of environmentally sound redevelopment at the base and pledge our assistance in that effort. We are willing to discuss our comments at your convenience as necessary. Should you have any questions or wish to discuss our concerns, please contact me at 617/918-1025.

Sincerely,

Timothy Timmermann
Environmental Scientist
Office of Environmental Review

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

5090
BPMO NE/TS
Ser 09-057
December 16, 2008

Mr. Scott Lindsay
Maine Department of Inland Fisheries and Wildlife
Wildlife Division- Region A
358 Shaker Road
Gray, ME 04039

Dear Mr. Lindsay:

The Department of the Navy is preparing an Environmental Impact Statement (EIS) for the disposal and reuse of the Naval Air Station (NAS) Brunswick, Maine. We are requesting any information from your office that identifies significant natural areas, habitats, or features within or in the vicinity of the project area. Specifically, we request that Maine Department of Inland Fisheries and Wildlife identify populations of state listed or candidate rare, threatened, or endangered species, unique natural communities, or other significant wildlife communities at or near NAS Brunswick. The Maine Natural Areas Program and U.S. Fish and Wildlife Service are also being contacted to obtain similar information regarding state and federal listed species and critical habitats.

The EIS will analyze potential human and natural environmental consequences resulting from the disposal and reuse of NAS Brunswick including ecological communities, threatened and endangered species, and rare natural communities. The base will be closed in accordance with the Base Closure and Realignment Act of 1990, as amended in 2005. The Navy will dispose of the property and it will be reused in a manner consistent with the Brunswick Naval Air Station Reuse Master Plan (Reuse Plan).

NAS Brunswick is situated on approximately 3,117 acres in the town of Brunswick (Cumberland County). In addition to the main NAS Brunswick property, the EIS will also evaluate the disposal and reuse of the several off-base properties that are also managed by NAS Brunswick, including:

- McKeen Street Housing Annex (70 acres, Brunswick);
- East Brunswick Radio Transmitter Site (66 acres, Brunswick); and
- Sabino Hill Rake Station (0.23 acre, Phippsburg, Sagadahoc County).

A map depicting these facilities is included in this letter as Attachment 1.

Alternatives considered in the EIS include the Reuse Plan (Alternative 1) and a High-Density Scenario (Alternative 2), and the No-Action Alternative. Alternative 1, the preferred alternative, is the redevelopment scenario presented in the Reuse Plan and includes a mix of land use types and densities, preserves open space and natural areas, incorporates elements based on Smart-Growth principles, including pedestrian-friendly transportation features, and maintains the existing airfield for private aviation purposes. The Reuse Plan calls for development of 1,630 acres (51%) of the total base property. In addition, 1,570 acres (49%) would be dedicated to a variety of active and passive land uses, including recreation, open space, and natural areas. It is anticipated that full build-out would be implemented over a 20-year period. Alternative 2 includes the disposal of the property by the Navy and its reuse in a manner that features a higher density of residential and community mixed-use development and does not include reuse of the airfield. An illustration of Alternatives 1 and 2 are included as Attachments 2 and 3.

We would appreciate a response within 30 days to this request. If you have any questions, please call Tom Stephan, Project Manager at (215) 897-4916.

Thank you for your attention and prompt response.

Sincerely,

David Drozd
Director

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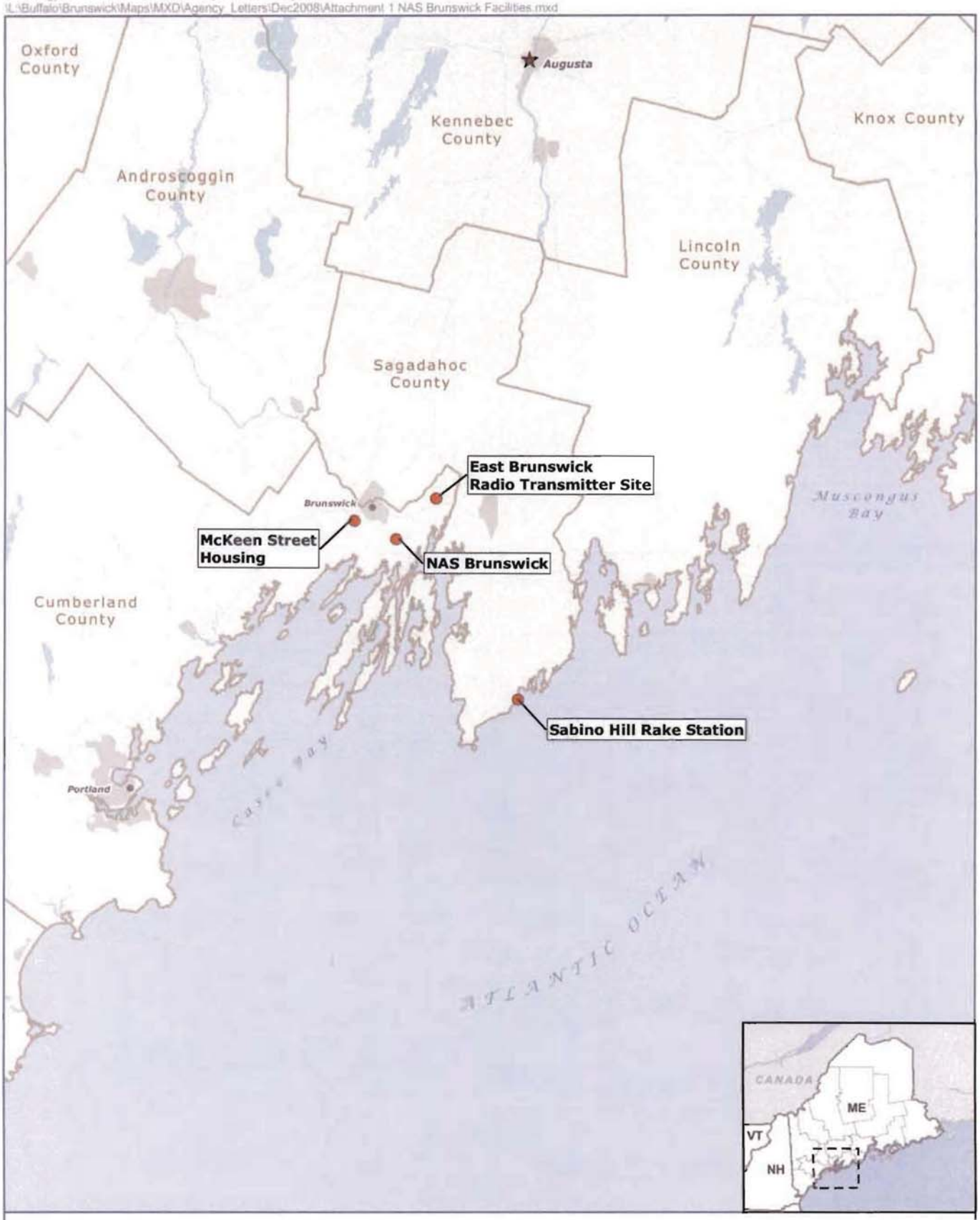
L:\Buffalo\Brunswick\Maps\MXD\Agency_Letters\Dec2008\Attachment 1 NAS Brunswick Facilities.mxd



NAS Brunswick Managed Properties

Major Highway

County Boundary

Attachment 1
NAS Brunswick Facilities, Maine

0 2.5 5 10 15 20

Miles

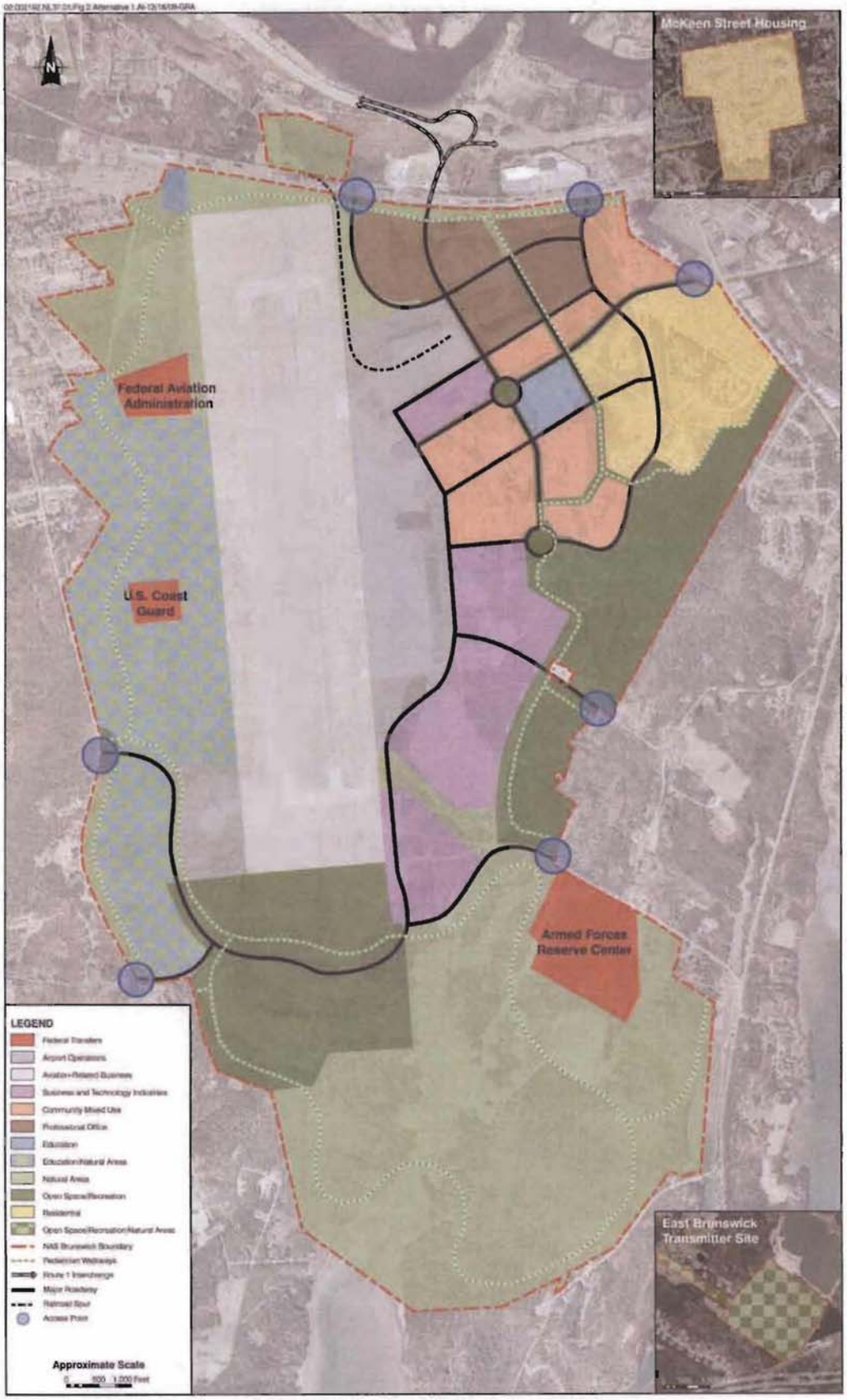


Figure 2 Alternative 1: Reuse Plan, NAS Brunswick, Maine

Attachment 2

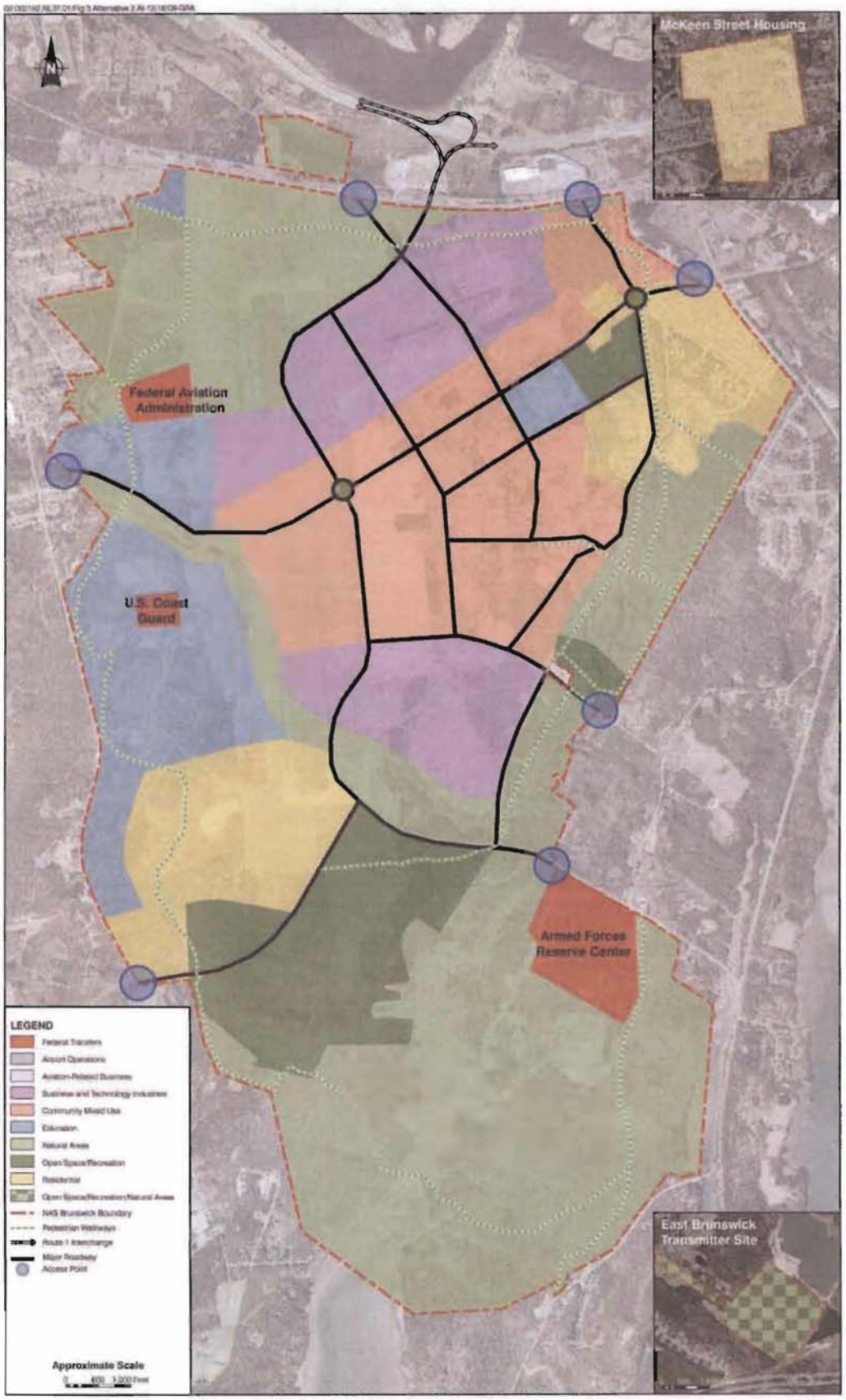


Figure 3 Alternative 2: High-Density Scenario, NAS Brunswick, Maine

Attachment 3

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

5090
BPMO NE/TS
Ser 09-058
December 16, 2008

Ms. Lisa St. Hilaire
Maine Natural Areas Program
State House Station 93
Augusta, ME 04333

Dear Ms. St. Hilaire:

The Department of the Navy is preparing an Environmental Impact Statement (EIS) for the disposal and reuse of the Naval Air Station (NAS) Brunswick, Maine. We are requesting any information from your office that identifies significant natural areas, habitats, or features within or in the vicinity of the project area. Specifically, we request that Maine Natural Areas Program Office identify populations of state listed or candidate rare, threatened, or endangered species, unique natural communities, or other significant wildlife communities at or near NAS Brunswick. The Maine Department of Inland Fisheries and Wildlife and U.S. Fish and Wildlife Service are also being contacted to obtain similar information regarding state and federal listed species and critical habitats.

The EIS will analyze potential human and natural environmental consequences resulting from the disposal and reuse of NAS Brunswick including ecological communities, threatened and endangered species, and rare natural communities. The base will be closed in accordance with the Base Closure and Realignment Act of 1990, as amended in 2005. The Navy will dispose of the property and it will be reused consistent with the Brunswick Naval Air Station Reuse Master Plan (Reuse Plan).

NAS Brunswick is situated on approximately 3,117 acres in the town of Brunswick (Cumberland County). In addition to the main NAS Brunswick property, the EIS will also evaluate the disposal and reuse of the several off-base properties that are also managed by NAS Brunswick, including:

- McKeen Street Housing Annex (70 acres, Brunswick);
- East Brunswick Radio Transmitter Site (66 acres, Brunswick); and
- Sabino Hill Rake Station (0.23 acres, Phippsburg, Sagadahoc County).

A map depicting these facilities is included in this letter as Attachment 1.

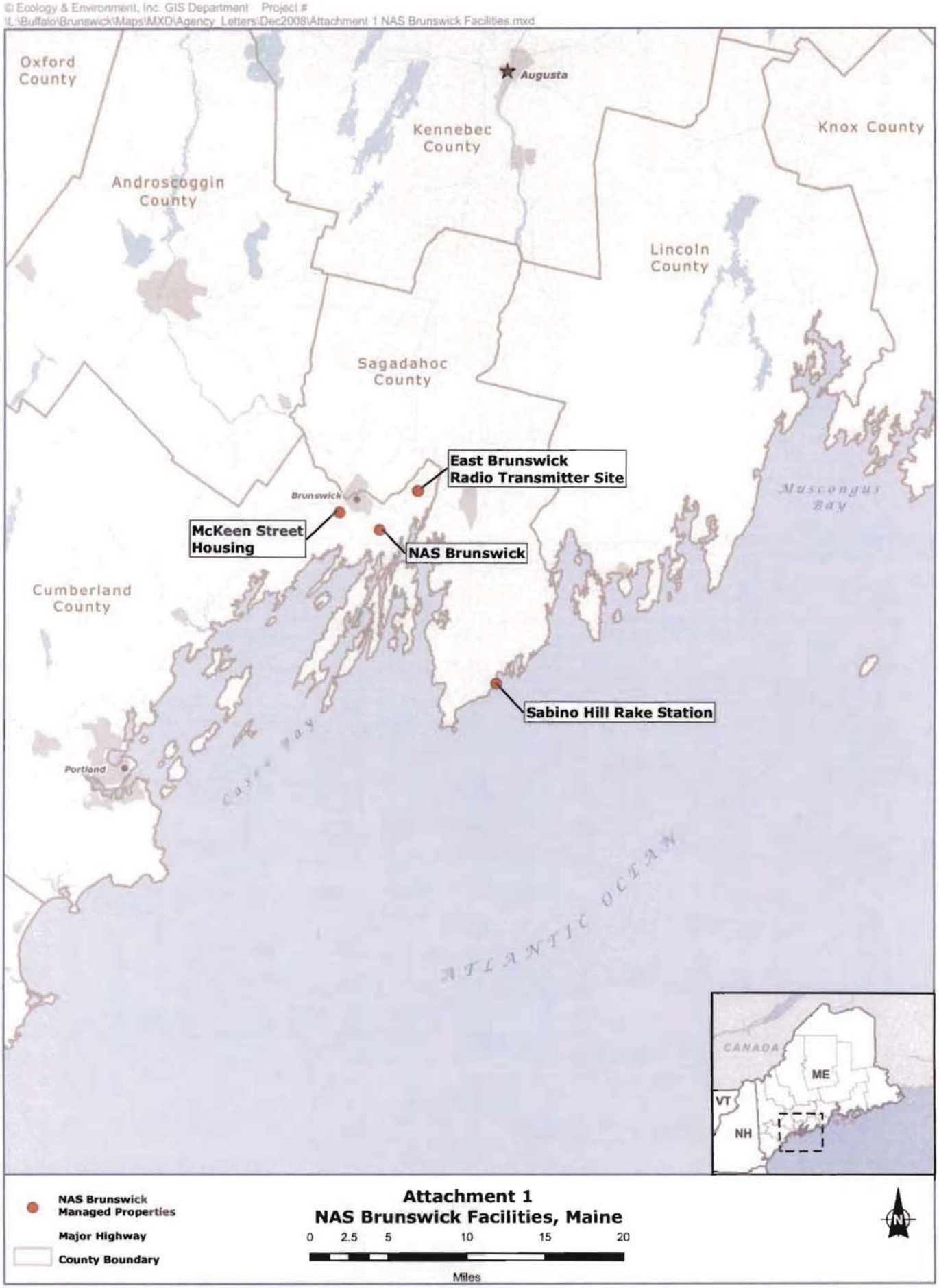
Alternatives considered in the EIS include the Reuse Plan (Alternative 1) and a High-Density Scenario (Alternative 2), and the No-Action Alternative. Alternative 1, the preferred alternative, is the redevelopment scenario presented in the Reuse Plan and includes a mix of land use types and densities, preserves open space and natural areas, incorporates elements based on Smart-Growth principles, including pedestrian-friendly transportation features, and maintains the existing airfield for private aviation purposes. The Reuse Plan calls for development of 1,630 acres (51%) of the total base property. In addition, 1,570 acres (49%) would be dedicated to a variety of active and passive land uses, including recreation, open space, and natural areas. It is anticipated that full build-out would be implemented over a 20-year period. Alternative 2 includes the disposal of the property by the Navy and its reuse in a manner that features a higher density of residential and community mixed-use development and does not include reuse of the airfield. An illustration of Alternatives 1 and 2 are included as Attachments 2 and 3.

We would appreciate a response within 30 days to this request. If you have any questions, please call Tom Stephan, Project Manager at (215) 897-4916.

Thank you for your attention and prompt response.

Sincerely,

David Drozd
Director


© Ecology & Environment, Inc. GIS Department Project #
L:\Buffalo\Brunswick\Maps\MXD\Agency_Letters\Dec2008\Attachment 1 NAS Brunswick Facilities.mxd
Oxford County
Androscoggin County
Kennebec County
Augusta
Knox County
Lincoln County
Sagadahoc County
Cumberland County
Brunswick
Portland
East Brunswick Radio Transmitter Site
McKeen Street Housing
NAS Brunswick
Sabino Hill Rake Station
Muscongus Bay
Casco Bay
ATLANTIC OCEAN
CANADA
ME
VT
NH
NAS Brunswick Managed Properties
Major Highway
County Boundary
Attachment 1
NAS Brunswick Facilities, Maine
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Miles
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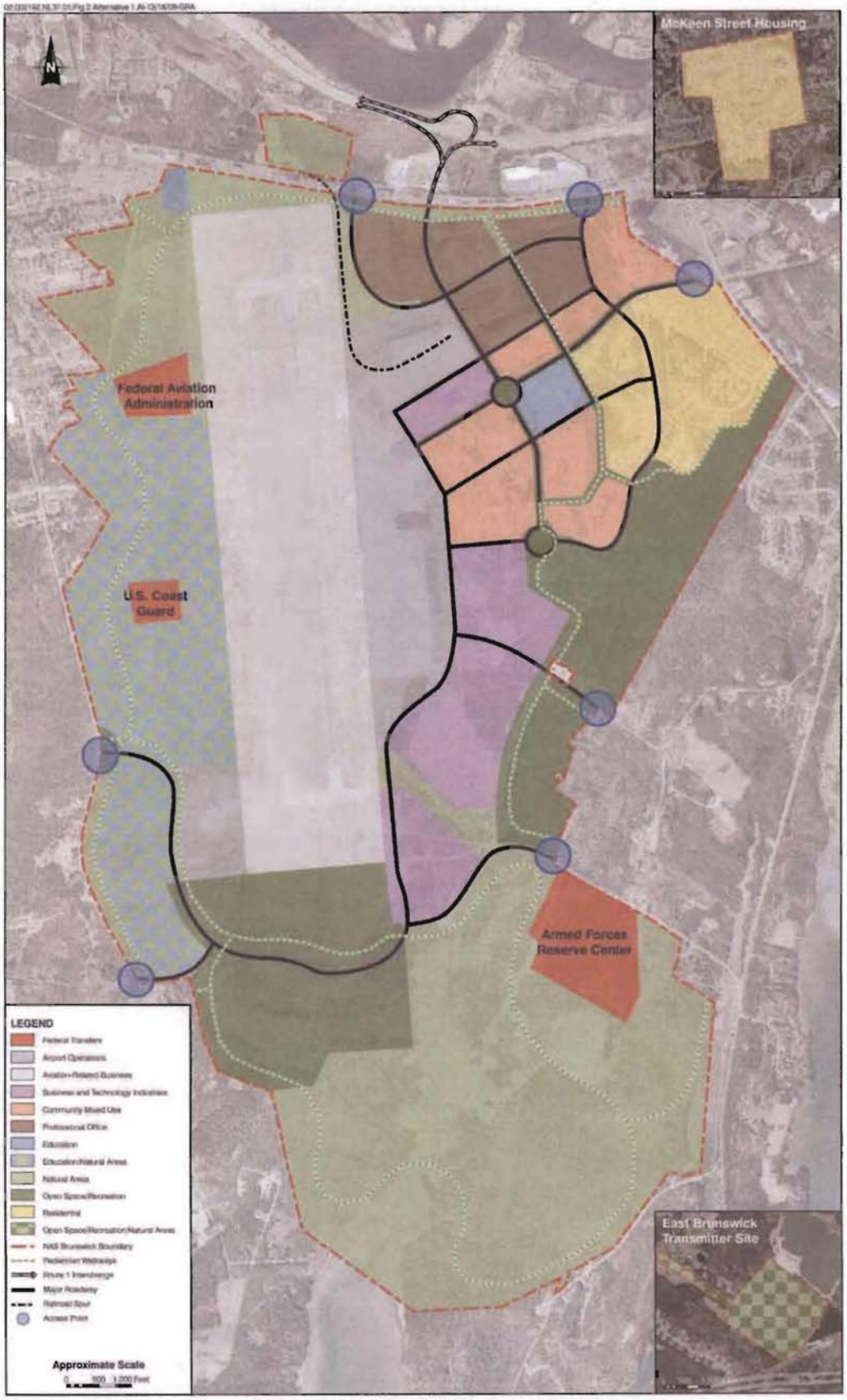


Figure 2 Alternative 1: Reuse Plan, NAS Brunswick, Maine

Attachment 2

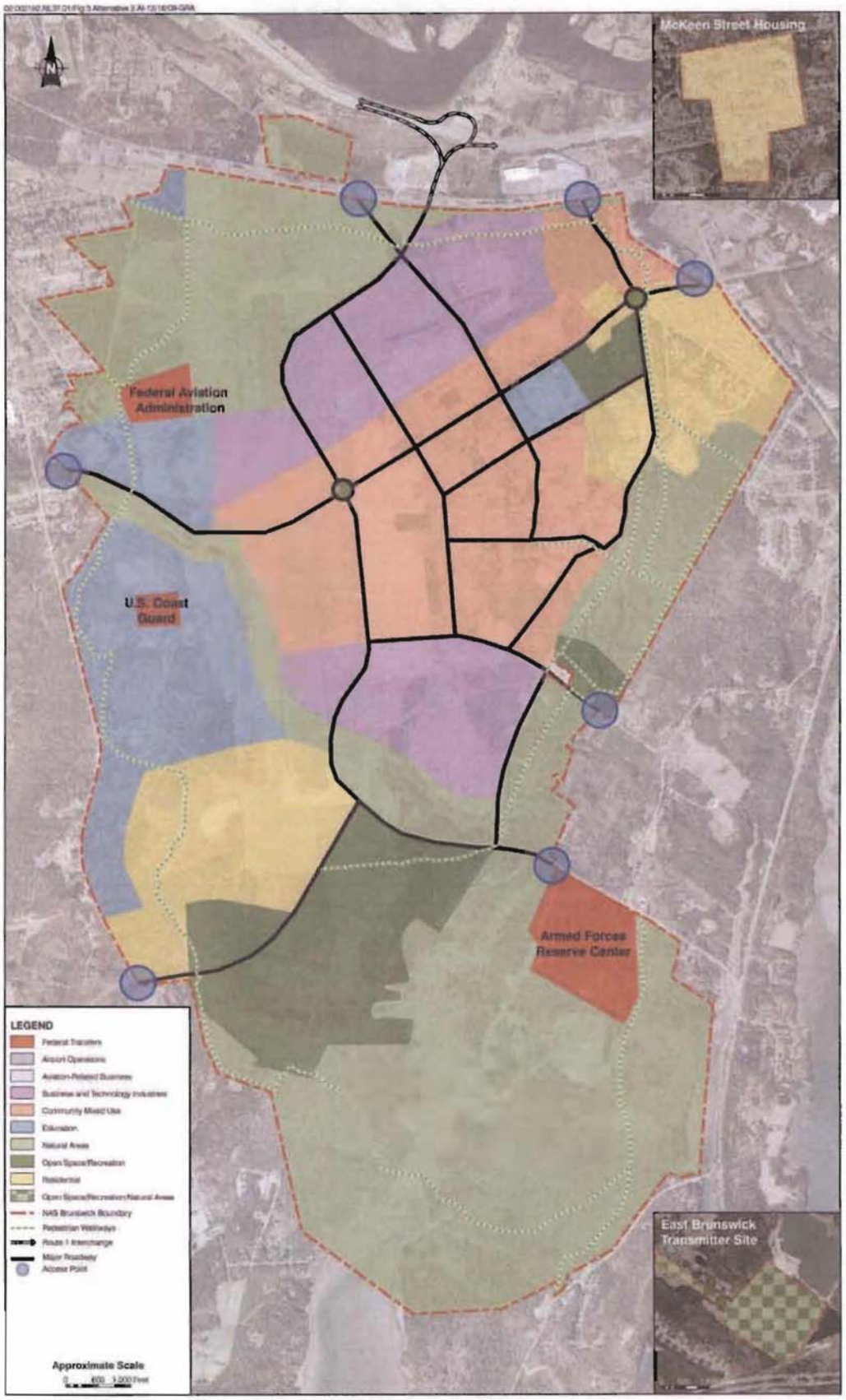


Figure 3 Alternative 2: High-Density Scenario, NAS Brunswick, Maine

Attachment 3

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

5090
BPMO NE/TS
Ser 09-059
December 16, 2008

Mr. Mark McCollough
U.S. Fish and Wildlife Service
1168 Main Street
Old Town, ME 04468

Dear Mr. McCollough:

The Department of the Navy is preparing an Environmental Impact Statement (EIS) for the disposal and reuse of the Naval Air Station (NAS) Brunswick, Maine. We are requesting any information from your office that identifies significant natural areas, habitats, or features within or in the vicinity of the project area. Specifically, we request that the U.S. Fish and Wildlife Service identify populations of federally listed or candidate rare, threatened, or endangered species, unique natural communities, or other significant wildlife communities at or near NAS Brunswick. The Maine Department of Inland Fisheries and Wildlife and Maine Natural Areas Program are also being contacted to obtain similar information regarding state listed species, rare communities, and Significant Wildlife Habitats.

The EIS will analyze potential human and natural environmental consequences resulting from the disposal and reuse of NAS Brunswick including ecological communities, threatened and endangered species, and rare natural communities. The base will be closed in accordance with the Base Closure and Realignment Act of 1990, as amended in 2005. The Navy will dispose of the property and it will be reused in a manner consistent with the Brunswick Naval Air Station Reuse Master Plan (Reuse Plan).

NAS Brunswick is situated on approximately 3,117 acres in the town of Brunswick (Cumberland County). In addition to the main NAS Brunswick property, the EIS will also evaluate the disposal and reuse of the several off-base properties that are also managed by NAS Brunswick, including:

- McKeen Street Housing Annex (70 acres, Brunswick);
- East Brunswick Radio Transmitter Site (66 acres, Brunswick); and
- Sabino Hill Rake Station (0.23 acre, Phippsburg, Sagadahoc County).

A map depicting these facilities is included in this letter as Attachment 1.

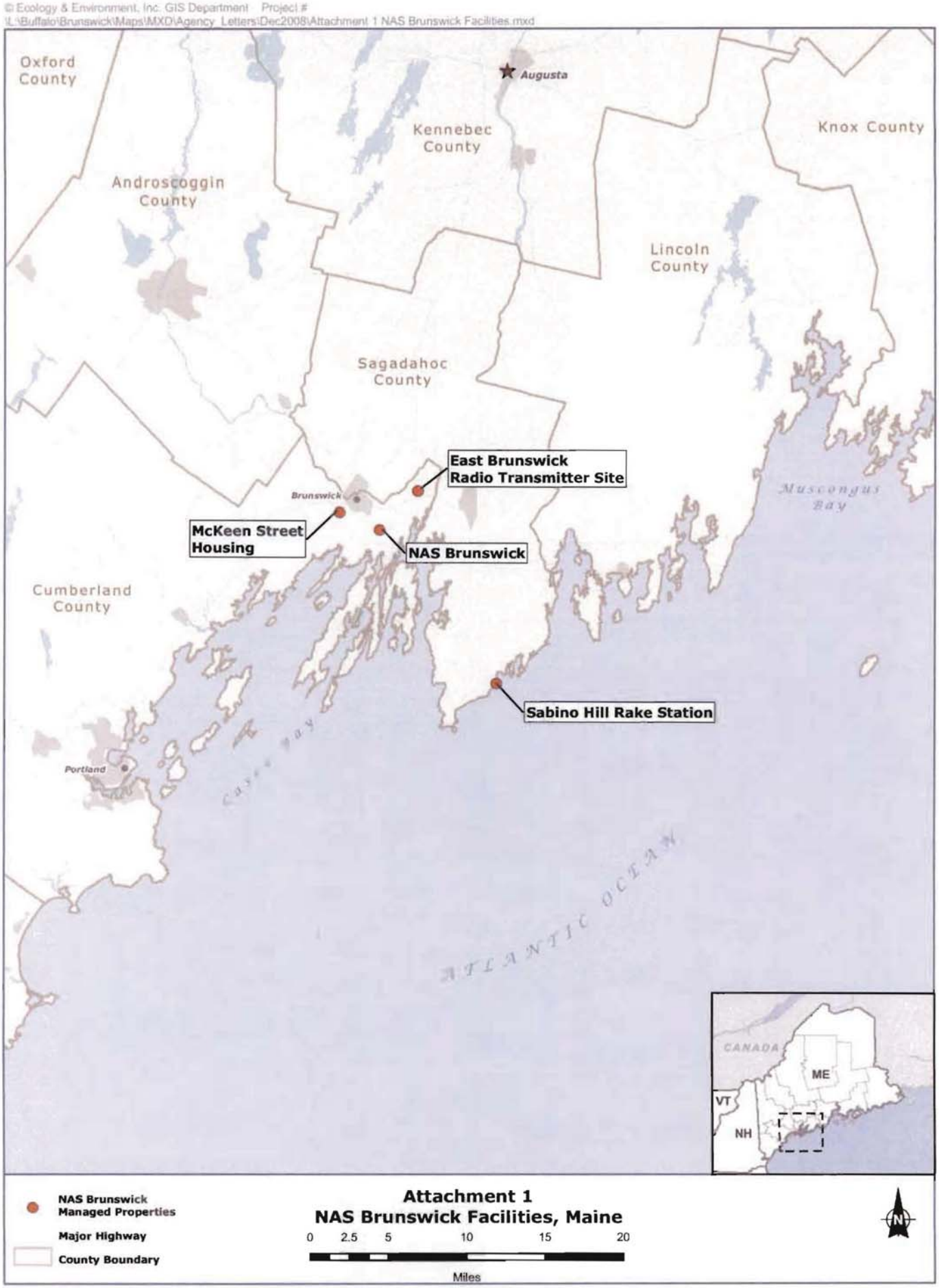
Alternatives considered in the EIS include the Reuse Plan (Alternative 1) and a High-Density Scenario (Alternative 2), and the No-Action Alternative. Alternative 1, the preferred alternative, is the redevelopment scenario presented in the Reuse Plan and includes a mix of land use types and densities, preserves open space and natural areas, incorporates elements based on Smart-Growth principles, including pedestrian-friendly transportation features, and maintains the existing airfield for private aviation purposes. The Reuse Plan calls for development of 1,630 acres (51%) of the total base property. In addition, 1,570 acres (49%) would be dedicated to a variety of active and passive land uses, including recreation, open space, and natural areas. It is anticipated that full build-out would be implemented over a 20-year period. Alternative 2 includes the disposal of the property by the Navy and its reuse in a manner that features a higher density of residential and community mixed-use development and does not include reuse of the airfield. An illustration of Alternatives 1 and 2 are included as Attachments 2 and 3.

We would appreciate a response within 30 days to this request. If you have any questions, please call Tom Stephan, Project Manager at (215) 897-4916.

Thank you for your attention and prompt response.

Sincerely,

David Drozd
Director



Attachment 1
NAS Brunswick Facilities, Maine

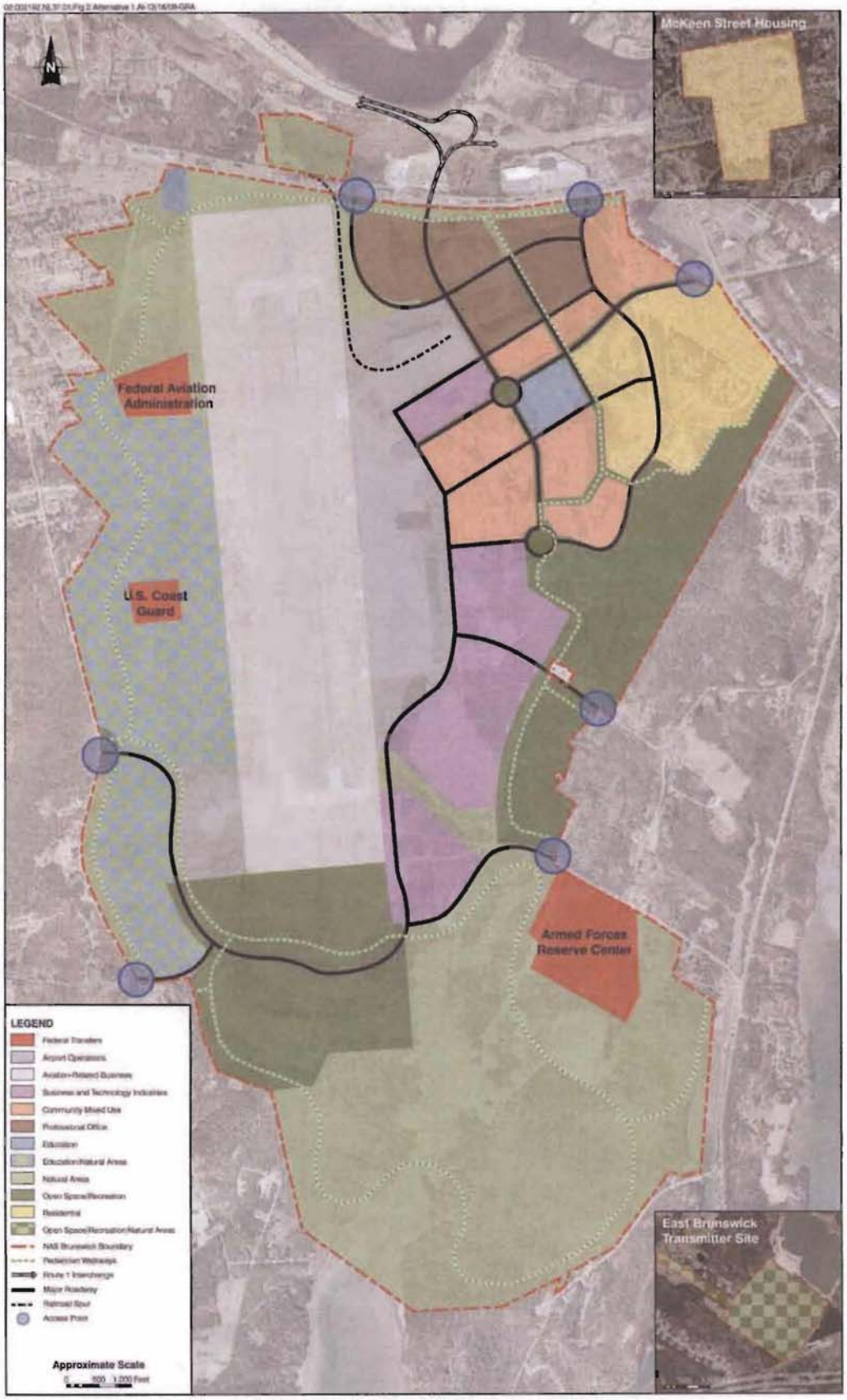


Figure 2 Alternative 1: Reuse Plan, NAS Brunswick, Maine

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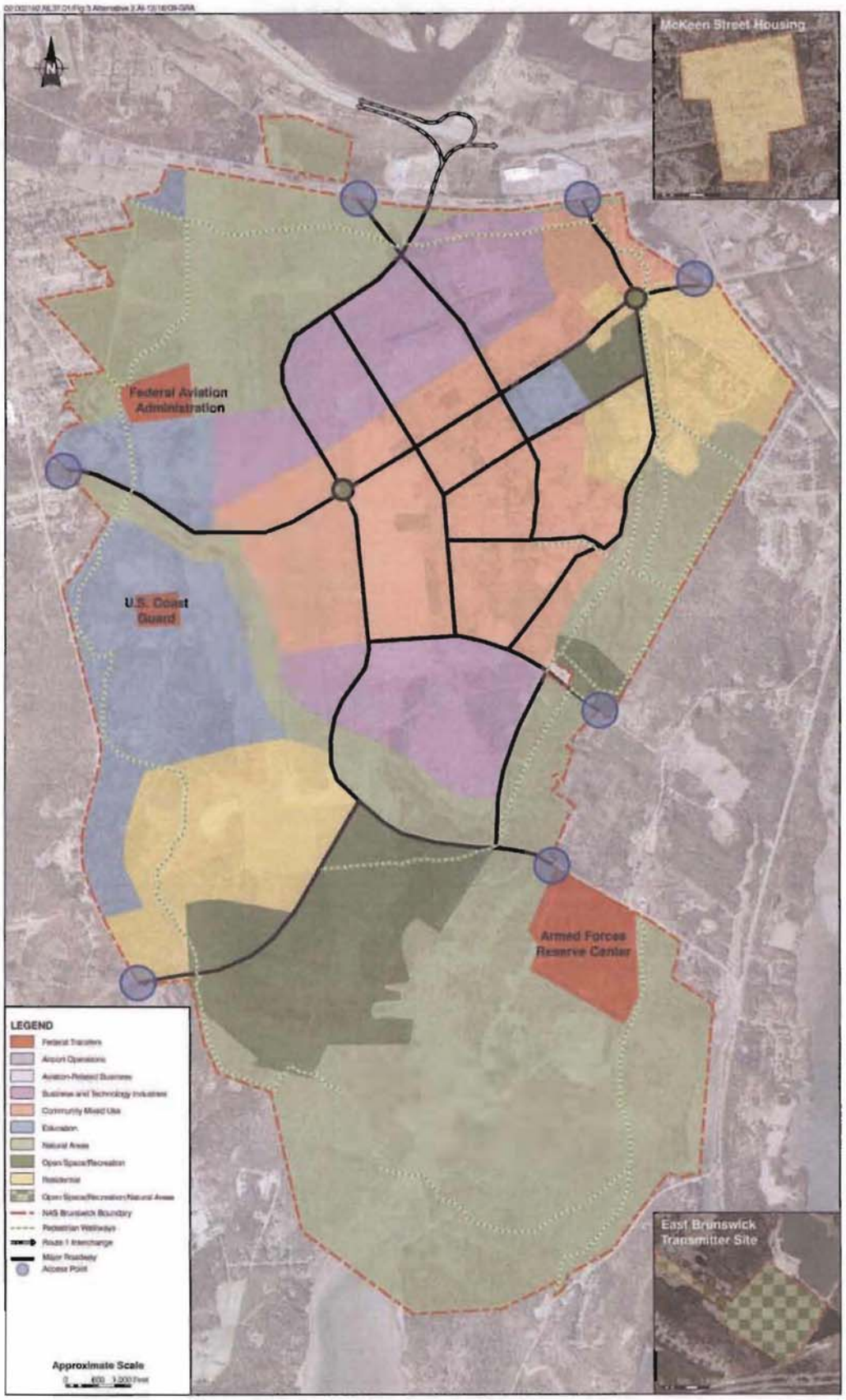


Figure 3 Alternative 2: High-Density Scenario, NAS Brunswick, Maine

Attachment 3

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

5090
BPMO NE/TS
Ser 09-061
December 18, 2008

Mr. Earle G. Shettleworth, Jr.
Director
Maine Historic Preservation Commission
55 Capitol Street
65 State House Station
Augusta, ME 04333-0065

Dear Mr. Shettleworth:

The BRAC Program Management Office Northeast (BPMO NE) is preparing an Environmental Impact Statement (EIS) for the disposal and reuse of the Naval Air Station (NAS) Brunswick, in Brunswick (Cumberland County) Maine. The base will be closed in accordance with the Base Closure and Realignment Act of 1990, as amended in 2005, and it will be reused in a manner consistent with the Brunswick Naval Air Station Reuse Master Plan (Reuse Plan). We are requesting review of the proposed action, as described below, under Section 106 of the National Historic Preservation Act (NHPA).

In addition to the main NAS Brunswick property, the EIS will also evaluate the disposal and reuse of several off-base properties that are also managed by NAS Brunswick, including McKeen Street Housing Annex, East Brunswick Radio Transmitter Site, and Sabino Hill Rake Station, Phippsburg, Sagadahoc County. A map depicting these facilities is included as Attachment 1.

The EIS will asses two alternatives for reuse of the 3,117 acre property, including the Reuse Plan (Alternative 1) and a High-Density Scenario (Alternative 2), and the No-Action Alternative. Alternative 1, the preferred alternative presented in the Reuse Plan includes a mix of land use types and densities, preserves open space and natural areas, incorporates elements based on Smart-Growth principles, including pedestrian-friendly transportation features, and maintains the existing airfield for private aviation purposes. The Reuse Plan calls for development of 1,630 acres (51%) of the total base property. In addition, 1,570 acres (49%) would be dedicated to a variety of active and passive land uses, including recreation, open space, and natural areas. It is anticipated that full build-out would be implemented over a 20-year period. Alternative 2 includes the disposal of the property by the Navy and its reuse in a manner that features a higher density of residential and community mixed-use development and does not include reuse of the airfield. Alternatives 1 and 2 are included as Attachments 2 and 3.

The Navy has conducted cultural resource studies for NAS Brunswick, McKeen Street Housing Annex, and the East Brunswick Radio Transmitter Site, including: Cultural Resources Survey, Naval Air Station Brunswick (January 1996); Historic and Archaeological Resources Protection Plan, Naval Air Station Brunswick (July 1996); and miscellaneous reports for archaeological investigations at NAS Brunswick (Gramly 1980, TAMS 1999, Berger. 2000, Weymouth 2001) . The Navy has determined that NAS Brunswick contains the following NRHP-eligible historic properties that may be affected by the proposed action:

- Building 44 - Weapons/Ordnance Storage Magazine;
- Building 63 - Operation Storage Building (Magazine); and,
- Building 63 - Operation Storage Building (Magazine).

The Navy has also determined that a number of facilities require NRHP-eligibility reevaluation since they have either reached or will soon reach 50 years of age.

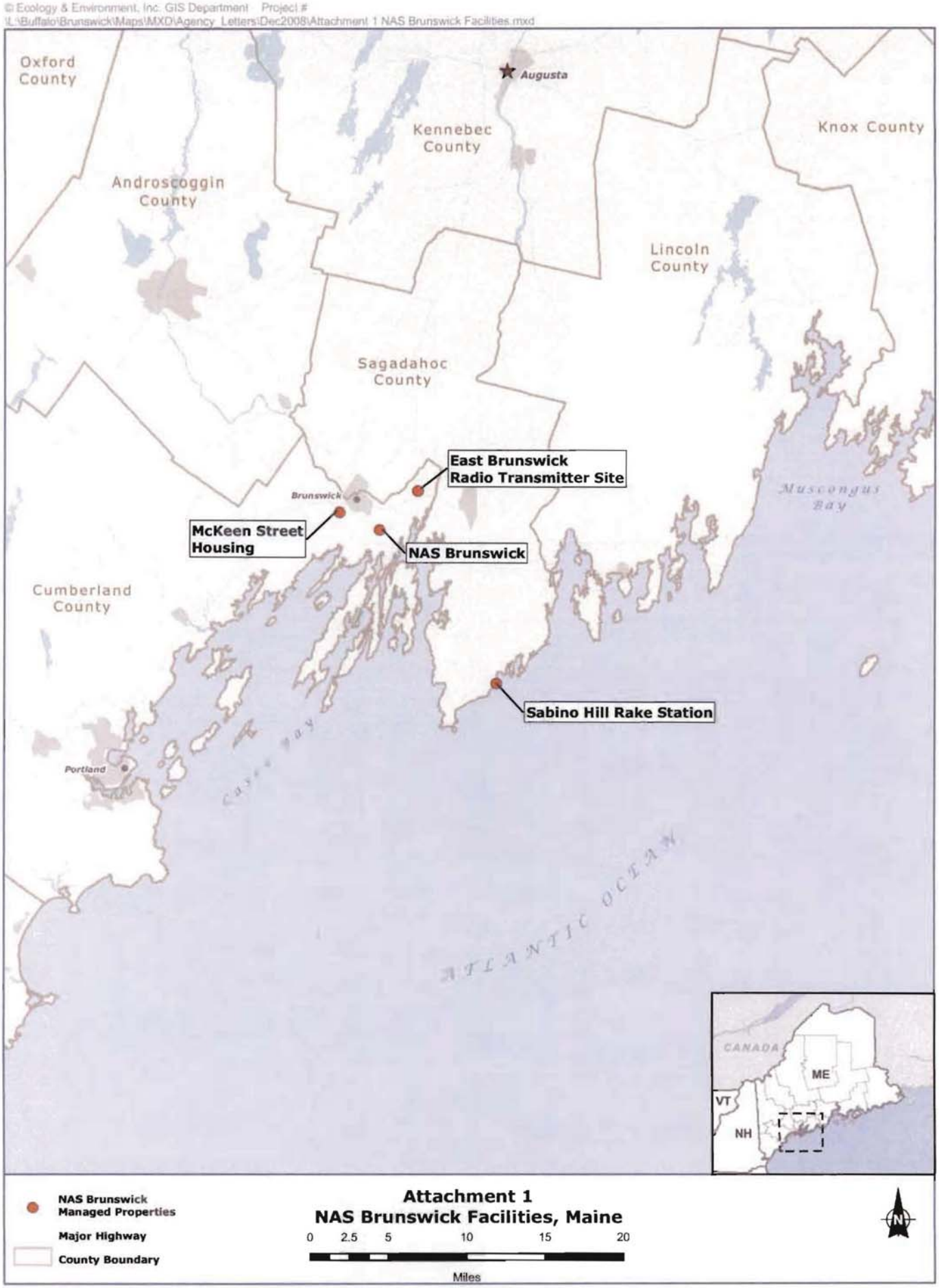
The McKeen Street Housing Annex and East Brunswick Radio Transmitter Site have low prehistoric and historic archaeological sensitivity. Three areas of high prehistoric archaeological sensitivity, twelve areas of moderate prehistoric archaeological sensitivity and thirty-three areas of historic archaeological sensitivity have been identified at NAS Brunswick. The SHPO concurred with the findings of the Cultural Resources Survey (January 1996) (Shettleworth 1999).

We appreciate your assistance in this matter, and thank you in advance for any comments, guidance, and/or information you can provide concerning compliance with the Section 106 process in Maine and the identification of cultural resources and/or historic properties for the proposed Project. We would appreciate a response within 30 days to this request. If you have any questions concerning this request, please do not hesitate to contact Tom Stephan at (215) 897-4916. We look forward to successful consultation and coordination with the MHPC as part of the Section 106 process and to assisting with protection of the cultural heritage of the State of Maine.

Sincerely,

David Drozd

David Drozd
Director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L:\Buffalo\Brunswick\Maps\MXD\Agency_Letters\Dec2008\Attachment 1 NAS Brunswick Facilities.mxd
Oxford County
Androscoggin County
Kennebec County
Augusta
Knox County
Lincoln County
Sagadahoc County
Cumberland County
Brunswick
Portland
East Brunswick Radio Transmitter Site
McKeen Street Housing
NAS Brunswick
Sabino Hill Rake Station
Muscongus Bay
Casco Bay
ATLANTIC OCEAN
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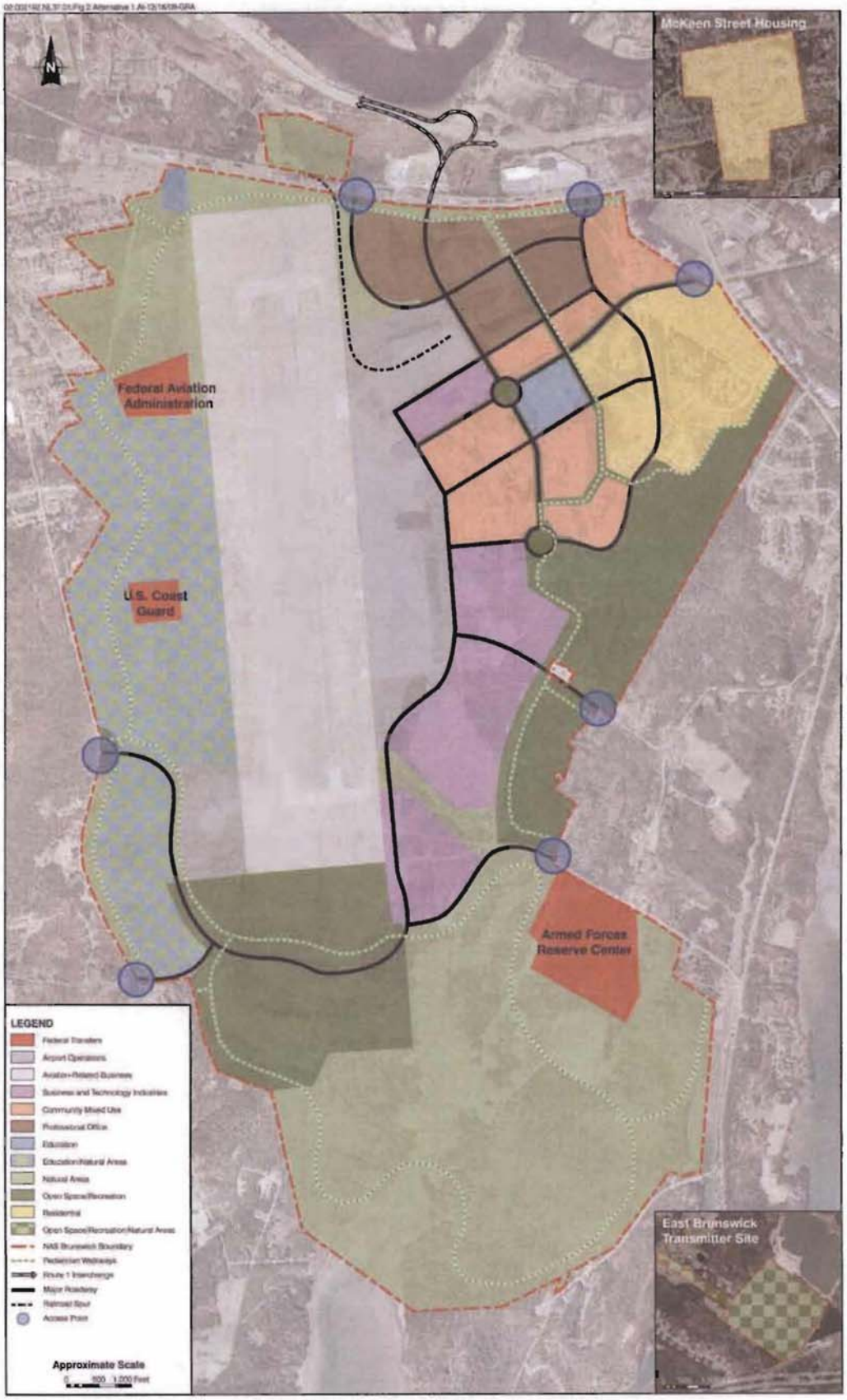


Figure 2 Alternative 1: Reuse Plan, NAS Brunswick, Maine

Attachment 2

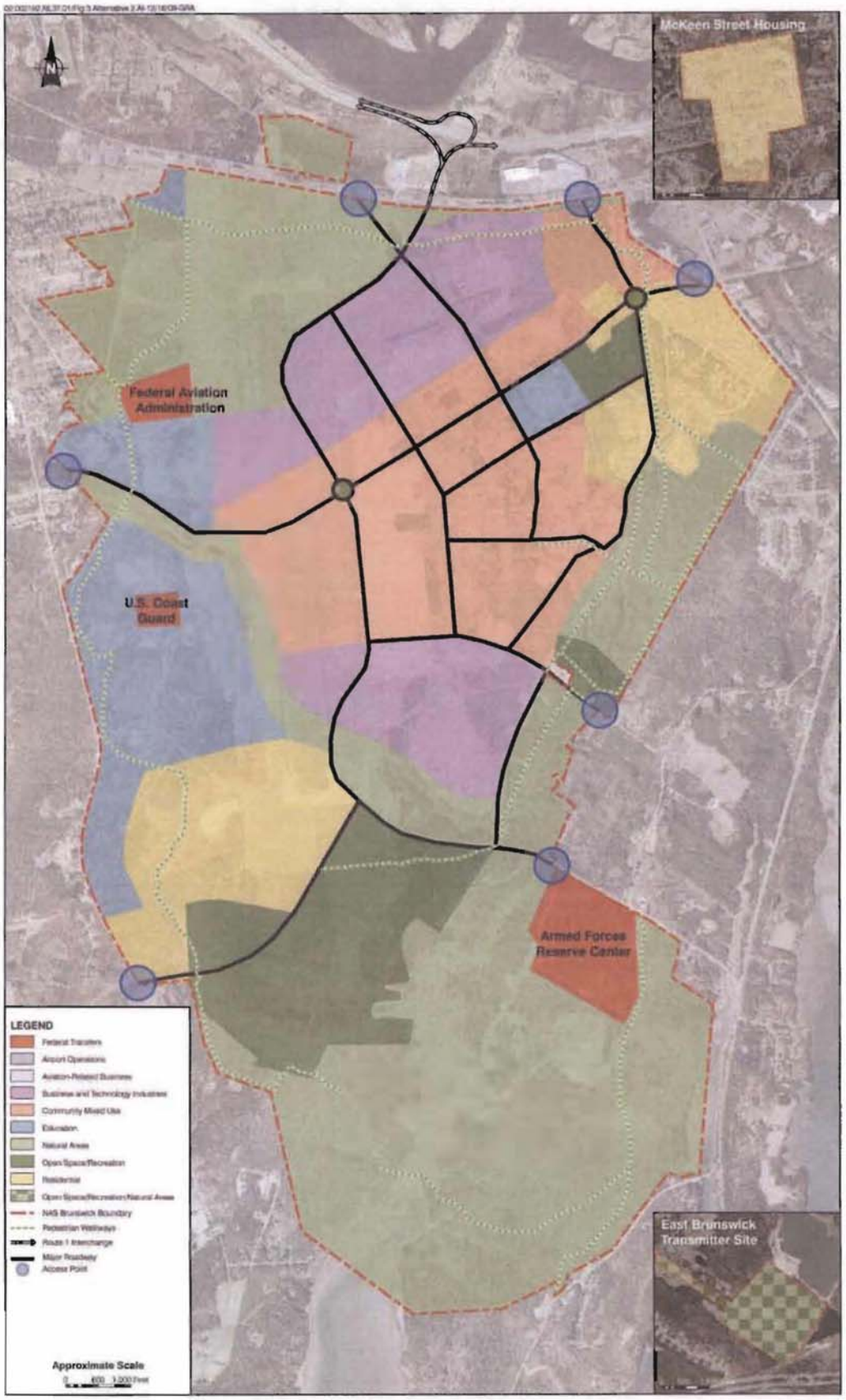


Figure 3 Alternative 2: High-Density Scenario, NAS Brunswick, Maine

Attachment 3

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Maine Field Office – Ecological Services
1168 Main Street
Old Town, ME 04468
(207) 827-5938 Fax: (207) 827-6099

In Reply Refer To: 53411-2009-SL-0101
FWS/Region5/ES/MEFO

December 23, 2008

David Drozd
Department of the Navy
Base Realignment and Closure
Program Management Office, Northeast
4911 South Broad Street
Philadelphia, PA 19112-1303

Dear Mr. Drozd:

Thank you for your letter dated December 16, 2008 requesting information or recommendations from the U.S. Fish and Wildlife Service. This letter provides the Service's response pursuant to Section 7 of the Endangered Species Act (ESA), as amended (16 U.S.C. 1531-1543), Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d, 54 Stat. 250) and the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-667d).

Project Name/Location: Brunswick Naval Air Station EIS

Federally listed species

Based on the information currently available to us, no federally threatened or endangered species under the jurisdiction of the Service are known to occur in the project area. Accordingly, no further action is required under Section 7 of the ESA, unless: (1) new information reveals impacts of this identified action that may affect listed species or critical habitat in a manner not previously considered; (2) this action is subsequently modified in a manner that was not considered in this review; or (3) a new species is listed or critical habitat determined that may be affected by the identified action.

Other protected species

We have not carefully reviewed this project for state-threatened and endangered wildlife, wildlife species of special concern, and significant wildlife habitats protected under the Maine Natural Resources Protection Act. However, our maps indicate that several state-listed wildlife species occur at the site (see attachment). We recommend that you contact the Maine Department of Inland Fisheries and Wildlife.

TAKE PRIDE IN AMERICA

Steve Timpano
Maine Department of Inland Fisheries and Wildlife
284 State St.
State House Station 41
Augusta, ME 04333-0041
Phone: 207 287-5258

I recommend that you contact the Maine Natural Areas Program for additional information on state-threatened and endangered plant species, plant species of special concern, and rare natural communities.

Lisa St. Hilaire
Maine Natural Areas Program
Department of Conservation
93 State House Station
Augusta, ME 04333
Phone: 207 287-8046

Bald eagles

Occasional, transient bald eagles (*Haliaeetus leucocephalus*) may occur in the area. Based on the information currently available to use, there are no bald eagle nests near your project. The bald eagle was removed from the federal threatened list on August 9, 2007 and is now protected from take under the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act. "Take" means to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb. The term "disturb" under the Bald and Golden Eagle Protection Act was recently defined within a final rule published in the Federal Register on June 5, 2007 (72 Fed. Reg. 31332). "Disturb" means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle; 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior; or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.

Further information on bald eagle delisting and their protection can be found at http://www.fws.gov/migratorybirds/baldeagle.htm.

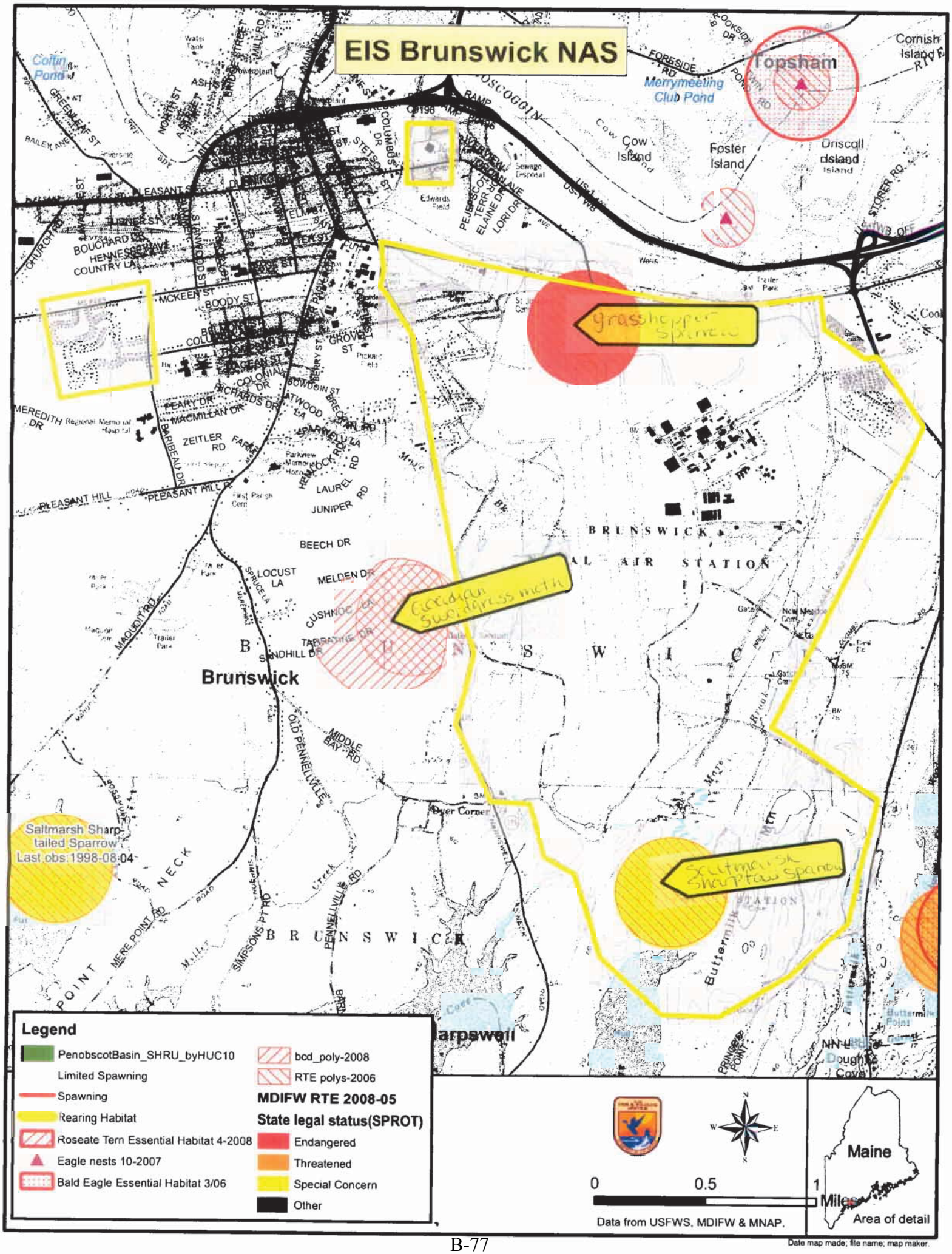
Please consult with our new national bald eagle guidelines, which can found at http://www.fws.gov/migratorybirds/issues/BaldEagle/NationalBaldEagleManagementGuidelines.pdf.

These Guidelines are voluntary and were prepared to help landowners, land managers and others meet the intent of the Eagle Act and avoid disturbing bald eagles. If you believe your project will result in taking or disturbing bald or golden eagles, please contact our office for further guidance. We encourage early and frequent consultations to avoid take of eagles.

If you have any questions, please call Mark McCollough, endangered species biologist, at (207) 827-5938 ext.12.

Sincerely,

Lori Nordstrom, Project Leader
Maine Field Office


EIS Brunswick NAS
Topsham
Merrymeeting Club Pond
Coffin Pond
Cornish Island
Cow Island
Foster Island
Driscoll Island
grasshopper sparrow
Canadian Swordgrass moth
Saltmarsh Sharp-tailed Sparrow
Brunswick
BRUNSWICK NAVAL AIR STATION
Harpswell
Saltmarsh Sharp-tailed Sparrow
Last obs: 1998-08-04
Legend
PenobscotBasin_SHRU_byHUC10
Limited Spawning
Spawning
Rearing Habitat
Roseate Tern Essential Habitat 4-2008
Eagle nests 10-2007
Bald Eagle Essential Habitat 3/06
bcd_poly-2008
RTE polys-2006
MDIFW RTE 2008-05
State legal status(SPROT)
Endangered
Threatened
Special Concern
Other
0
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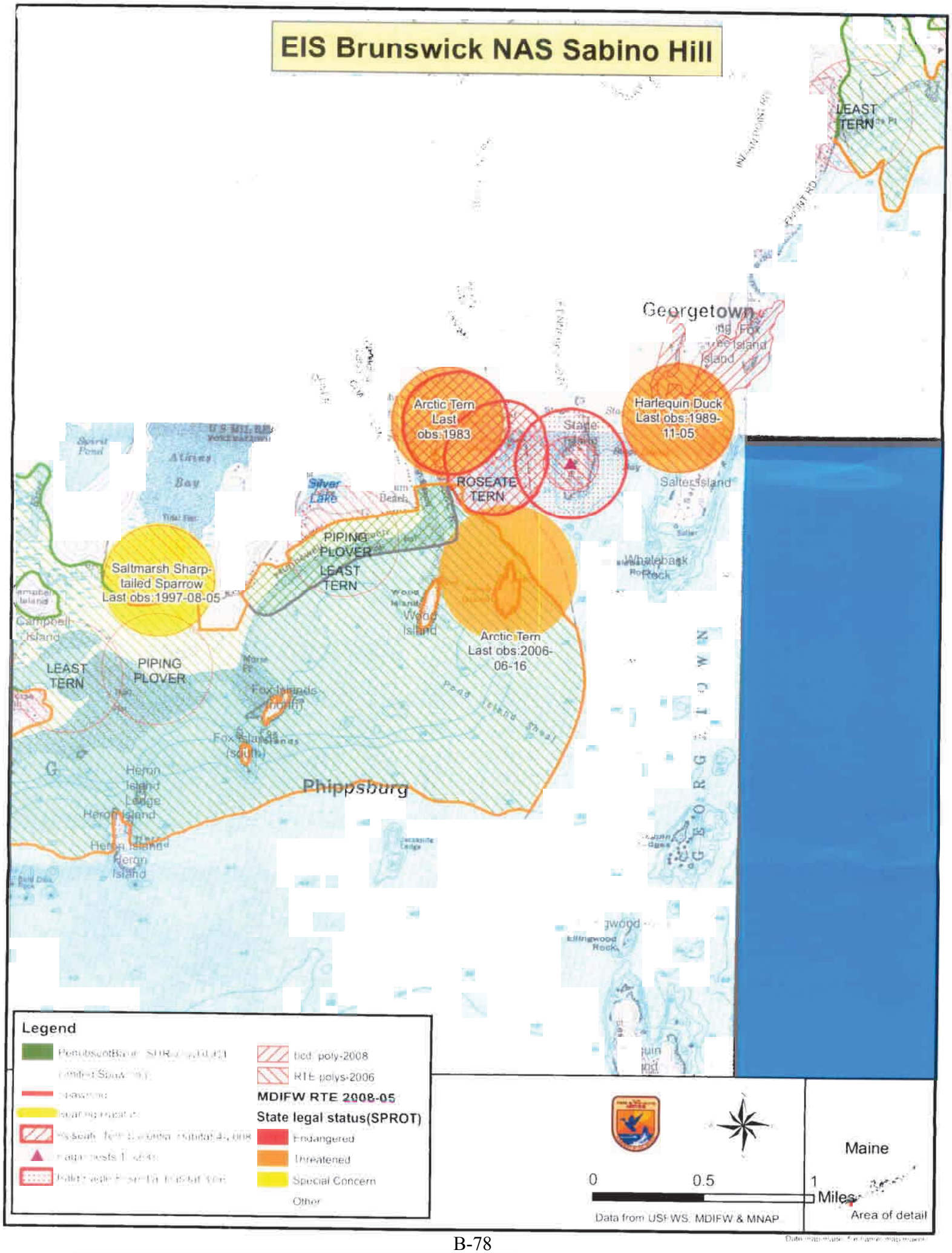
Miles
Data from USFWS, MDIFW & MNAP.
Maine
Area of detail
Date map made; file name; map maker.

EIS Brunswick NAS Sabino Hill



STATE OF MAINE
DEPARTMENT OF CONSERVATION
93 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0093

JOHN ELIAS BALDACCI
GOVERNOR

PATRICK K. MCGOWAN
COMMISSIONER

December 29, 2008

David Drozd
Department of the Navy
Base Realignment and Closure
Program Management Office, Northeast
4911 South Broad Street
Philadelphia, PA 19112-1303

Re: Rare and exemplary botanical features, Naval Air Station, Brunswick, Maine.

Dear Mr. Drozd:

We have received your request of December 16, 2008 for information on the presence of rare or unique botanical features documented from the vicinity of the Naval Air Station, Brunswick, Maine. Don Cameron, our Biologist/Ecologist, has already responded to your request via email, but I am attaching his comments with this letter as well.

Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts. Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

MAINE NATURAL AREAS PROGRAM
MOLLY DOCHERTY, DIRECTOR

PHONE: (207) 287-8044
FAX: (207) 287-8040

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me, or Don Cameron (Don.S.Cameron@maine.gov), if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

Janet Gannon
Associate Information Manager
Maine Natural Areas Program
207-287-8044

Janet.Gannon@maine.gov

Enclosures

Brunswick Naval Air Base - Rare Plants and Natural Communities

Source: Maine Natural Areas Program
Maine Department of Conservation

Overview:

The Brunswick Naval Air Base Property supports several natural communities that are rare and considered significant at a statewide level. The pending base closure is providing an opportunity for these important natural areas to be designated for conservation. Conserving these areas will contribute to the long term maintenance of native wildlife in the increasingly developed mid-coast region, and will also provide good quality open space for use by the greater Brunswick community. The Maine Natural Areas Program strongly recommends that these features be conserved when the base is closed.

Description:

The Brunswick Naval Air Base Property supports two examples of the rare **Little Bluestem - Blueberry Sand Plain Grasslands**, one at the base proper and one on the "66 acre" tract north of Route 1. Sand plain grasslands are very rare in Maine and are currently only known to occur at four locations. This habitat type is restricted to excessively well drained sites that are typically underlain by deep sand deposits, and that have a history of disturbance or management that have perpetuated an open grassland condition. Plant and animal species that occur in this plant community are mostly fire and drought tolerant. Under natural conditions periodic fire and drought would help maintain this plant community along with pitch pine barrens in a shifting pattern on the landscape. Modern land use patterns and the suppression of wildfire largely preclude the natural occurrence of this habitat type. Sand plain grasslands are now only found where people have been helping to maintain the open condition of the landscape like has been done at the two Brunswick Naval Air Base sites.

Sand plain grasslands are important habitat for several rare bird species including upland sand pipers (state listed Threatened) and grasshopper sparrows (state listed Endangered). They are also habitat for several rare plant species. Only one rare plant species, clothed sedge, has been documented in the grasslands on the base to date, though it should be noted that survey work in these communities has been very limited due to access considerations.

Also occurring on the base is a good example of a **Spartina Salt Marsh** natural community. The salt marsh community occurs along Mere Brook at the south end of the base. Salt marshes are sufficiently uncommon in Maine to be considered rare, but they are not nearly as rare as Sand Plain Grasslands. The majority of the salt marsh along Mere Brook is well buffered by maturing forest and provides excellent habitat for wading birds and other animal species that depend on tidal marshes for all or some part of their life cycles. In current times, there are few if any opportunities in Maine to preserve an entire tidal marsh system at once as can be done with the Mere Brook Marsh as part of the base closure process.

The Maine Natural Areas Program is interested in conducting more detailed surveys of these features to further document their condition and the rare species they support.

Rare Species/Natural Community Table for Brunswick Naval Air Base:

Common Name	Latin Name	Status	S-Rank	G-Rank
Exemplary Natural Communities				
Little Bluestem - Blueberry Sand Plain Grassland		n/a	S1	G2G3
Little Bluestem - Blueberry Sand Plain Grassland		n/a	S1	G2G3
Spartina Salt Marsh		n/a	S3	G5
Rare Plants				
Clothed sedge	Carex vestita	E	S1	G5
Small reed-grass	Calamagrostis cinnoides	SC	S3	G5

*see last page for explanation of ranks

STATE RARITY RANKS

S1 Critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.

S2 Imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.

S3 Rare in Maine (on the order of 20-100 occurrences).

S4 Apparently secure in Maine.

S5 Demonstrably secure in Maine.

Note: **State Ranks** are determined by the Maine Natural Areas Program.

GLOBAL RARITY RANKS

G1 Critically imperiled globally because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.

G2 Globally imperiled because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.

G3 Globally rare (on the order of 20-100 occurrences).

G4 Apparently secure globally.

G5 Demonstrably secure globally.

Note: **Global Ranks** are determined by The Nature Conservancy.

STATE LEGAL STATUS FOR PLANTS

Note: State legal status is according to 5 M.R.S.A. § 13076-13079, which mandates the Department of Conservation to produce and biennially update the official list of Maine's endangered and threatened plants. The list is derived by a technical advisory committee of botanists who use data in the Natural Areas Program's database to recommend status changes to the Department of Conservation.

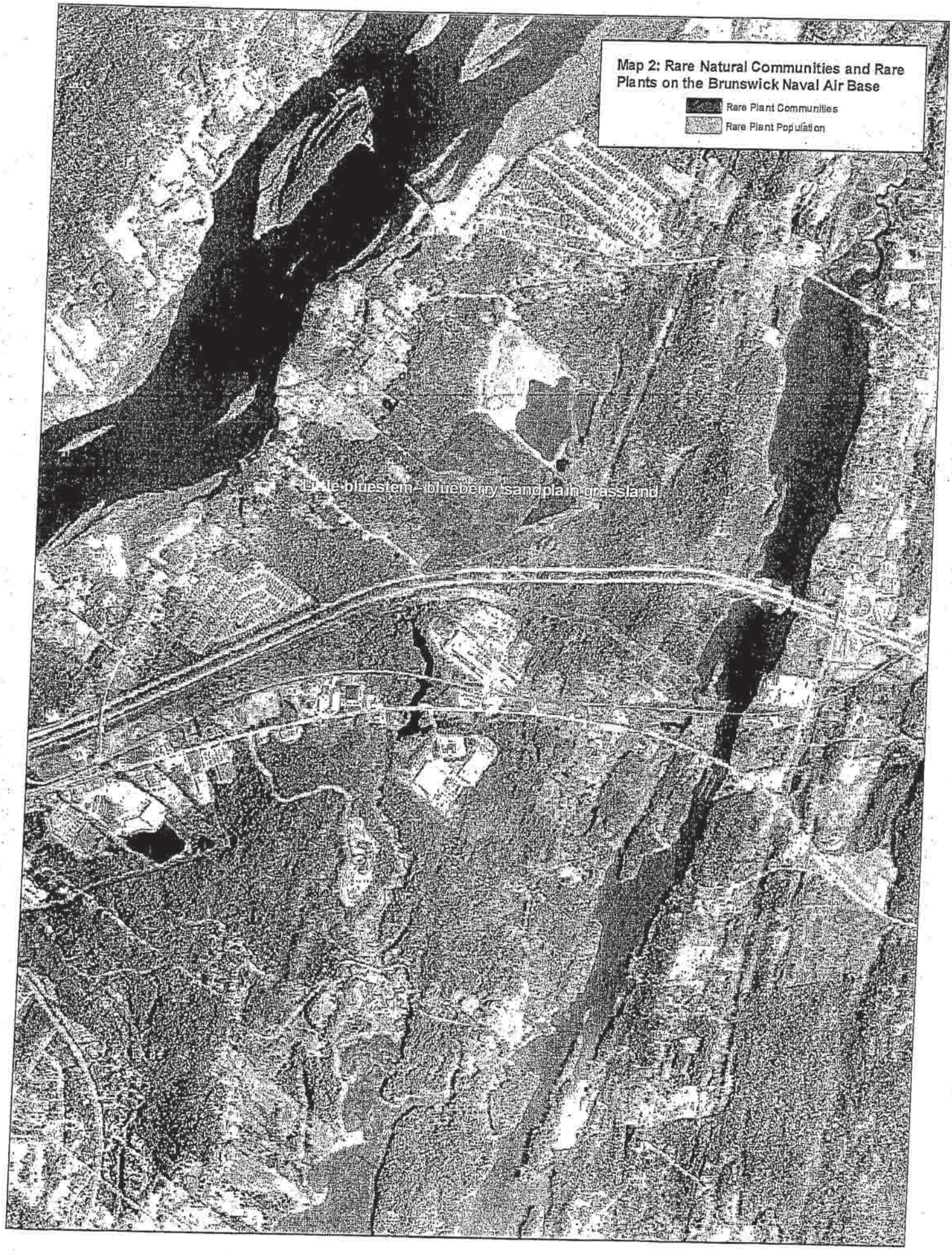
E ENDANGERED; Rare and in danger of being lost from the state in the foreseeable future, or federally listed as Endangered.

T THREATENED; Rare and, with further decline, could become endangered; or federally listed as Threatened.

SC SPECIAL CONCERN; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered.

Visit our web site for more information on rare, threatened and endangered species!
http://www.state.me.us/doc/nrimc/mnap/factsheets/mnapfact.htm

Map 1: Rare Natural Communities and Rare Plants on the Brunswick Naval Air Base
Rare Plant Communities
Rare Plant Population
Carex vestita


Map 2: Rare Natural Communities and Rare Plants on the Brunswick Naval Air Base
Rare Plant Communities
Rare Plant Population
Little bluestem - blueberry sandplain grassland

STATE OF MAINE
DEPARTMENT OF CONSERVATION
93 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0093

JOHN ELIAS BALDACCI
GOVERNOR

PATRICK K. MCGOWAN
COMMISSIONER

January 14, 2009

David Drozd
Department of the Navy
Base Realignment and Closure
Program Management Office, Northeast
4911 South Broad Street
Philadelphia, PA 19112-1303

Re: Rare and exemplary botanical features, Topsham Annex, Brunswick Naval Air Station, Topsham, Maine.

Dear Mr. Drozd:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request of January 8, 2009 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in the Town of Topsham, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. This lack of data may indicate minimal survey efforts rather than confirm the absence of rare botanical features. You may want to have the site inventoried by a qualified field biologist to ensure that no undocumented rare features are inadvertently harmed.

If a field survey of the project area is conducted, please refer to the enclosed supplemental information regarding rare and exemplary botanical features documented to occur in the vicinity of the project site. The list may include information on features that have been known to occur historically in the area as well as recently field-verified information. While historic records have not been documented in several years, they may persist in the area if suitable habitat exists. The enclosed list identifies features with potential to occur in the area, and it should be considered if you choose to conduct

MAINE NATURAL AREAS PROGRAM
MOLLY DOCHERTY, DIRECTOR

PHONE: (207) 287-8044
FAX: (207) 287-8040
TTY: (207) 287-2213

field surveys.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

Janet Gannon
Associate Information Manager
Maine Natural Areas Program
207-287-8044

Janet.Gannon@maine.gov

Enclosures

Rare and Exemplary Botanical Features in the Project Vicinity

1/14/2009

Documented within a Four-Mile Radius of the Topsham Annex, Topsham, Maine.

Scientific Name / Common Name	Last Seen	Global Rarity Rank	State Rarity Rank	State Protection Status	Habitat Description
Mimulus ringens var. colpophilus Estuary Monkeyflower	1990-10-03	G5T2Q	S2	SC	Shores, meadows, and wet places
Carex vestita Clothed Sedge	1999-08-05	G5	S1	E	Dry sandy woods and clearings
Cypripedium reginae Showy Lady's-slipper	1907-07-09	G4	S3	T	Circumneutral peatlands (often at edges) or sunlit openings of mossy woods.
Aletris farinosa Unicorn Root	1884	G5	SX	PE	Dry or moist peats, sands and gravels
Carex vestita Clothed Sedge	1898-06-15	G5	S1	E	Dry sandy woods and clearings
Sassafras albidum Sassafras	1906	G5	S2	SC	Woods and thickets.
Lonicera dioica Mountain Honeysuckle	1933-09	G5	S2	E	Rocky banks, dry woods and thickets.

Rare and Exemplary Botanical Features in the Project Vicinity

1/14/2009

Documented within a Four-Mile Radius of the Topsham Annex, Topsham, Maine.

Scientific Name / Common Name	Last Seen	Global Rarity Rank	State Rarity Rank	State Protection Status	Habitat Description
Mikania scandens Climbing Hempweed	1916-08	G5	SH	PE	Thickets, swamps, and banks of streams.
Eleocharis rostellata Beaked Spikerush	1921-07-12	G5	S1	SC	Saline, limy or brackish marshes.
Lobelia siphilitica Great Blue Lobelia	1900	G5	SX	PE	Rich low woods and swamps
Bidens eatonii Eaton's Bur-marigold	1921-09-17	G2G3	S2	SC	Tidal shores.
Silver maple floodplain forest Silver Maple Floodplain Forest	2005-06-23	GNR	S3		Forests of floodplains of larger streams and river. Silver maple dominant. Soils alluvial and mineral. Soil surface may be dry during much of growing season. Variants: berms along the
White oak - red oak forest White Oak - Red Oak Forest	1995-09-08	GNR	S3		Deciduous to mixed forests dominated by red oak and white oak. White pine is occasional. Low heath shrubs and woodland sedge are characteristic flora of the forest floor.
Freshwater tidal marsh Freshwater Tidal Marsh	2006-09-26	G4?	S2		Intertidal areas where inflow of freshwater creates lower salinity than in brackish marshes. Often near the head of tide. Substrate mud or gravelly mud.

Rare and Exemplary Botanical Features in the Project Vicinity

1/14/2009

Documented within a Four-Mile Radius of the Topsham Annex, Topsham, Maine.

Scientific Name / Common Name	Last Seen	Global Rarity Rank	State Rarity Rank	State Protection Status	Habitat Description
Freshwater tidal marsh Freshwater Tidal Marsh	2006-09-26	G4?	S2		Intertidal areas where inflow of freshwater creates lower salinity than in brackish marshes. Often near the head of tide. Substrate mud or gravelly mud.
Alder shrub thicket Alder Thicket	1995-09-08	G4G5	S5		Tall, often dense shrubs on the borders of water bodies or open wetlands, in mineral soil or muck. Seasonally flooded, usually remaining saturated.
Bidens eatonii Eaton's Bur-marigold	1995-08-15	G2G3	S2	SC	Tidal shores.
Bidens hyperborea Estuary Bur-marigold	1995-08-15	G4	S3	SC	Localized in fresh to brackish estuaries.
Bidens hyperborea Estuary Bur-marigold	2005-09-08	G4	S3	SC	Localized in fresh to brackish estuaries.
Crassula aquatica Pygmyweed	1991-07-17	G5	S2S3	SC	Margins of pools and on fresh to tidal shores.
Crassula aquatica Pygmyweed	1991-09-14	G5	S2S3	SC	Margins of pools and on fresh to tidal shores.

Rare and Exemplary Botanical Features in the Project Vicinity

1/14/2009

Documented within a Four-Mile Radius of the Topsham Annex, Topsham, Maine.

Scientific Name / Common Name	Last Seen	Global Rarity Rank	State Rarity Rank	State Protection Status	Habitat Description
Samolus valerandi ssp. parviflorus Water Pimpernel	1991-09-14	G5T5	S3	SC	Shallow water and wet soils.
Limosella australis Mudwort	1991-09-14	G4G5	S3	SC	Fresh to brackish shores and wet sands.
Mimulus ringens var. colpophilus Estuary Monkeyflower	1990-08-14	G5T2Q	S2	SC	Shores, meadows, and wet places
Mimulus ringens var. colpophilus Estuary Monkeyflower	1990-09-25	G5T2Q	S2	SC	Shores, meadows, and wet places
Mimulus ringens var. colpophilus Estuary Monkeyflower	1990-10-06	G5T2Q	S2	SC	Shores, meadows, and wet places
Sagittaria calycina var. spongiosa Spongy Arrow-head	1990-09-25	G5T4	S3	SC	Tidewater marshes and streams.
Sagittaria calycina var. spongiosa Spongy Arrow-head	1991-09-14	G5T4	S3	SC	Tidewater marshes and streams.

Rare and Exemplary Botanical Features in the Project Vicinity

1/14/2009

Documented within a Four-Mile Radius of the Topsham Annex, Topsham, Maine.

Scientific Name / Common Name	Last Seen	Global Rarity Rank	State Rarity Rank	State Protection Status	Habitat Description
Sagittaria calycina var. spongiosa Spongy Arrow-head	1992-07-30	G5T4	S3	SC	Tidewater marshes and streams.
Sagittaria rigida Stiff Arrow-head	2000-10-25	G5	S2	T	Calcareous or brackish mud or water.
Lipocarpha micrantha Dwarf Bulrush	1995-08-16	G5	S1	T	Sandy borders of ponds and streams.
Eriocaulon parkeri Parker's Pipewort	1998-09-10	G3	S3	SC	Fresh to brackish tidal mud and estuaries.
Eriocaulon parkeri Parker's Pipewort	1995-08-16	G3	S3	SC	Fresh to brackish tidal mud and estuaries.
Eriocaulon parkeri Parker's Pipewort	1990-09-25	G3	S3	SC	Fresh to brackish tidal mud and estuaries.
Cardamine longii Long's Bitter-cress	1998-09-10	G3	S2	T	Tidal estuary.

Rare and Exemplary Botanical Features in the Project Vicinity

1/14/2009

Documented within a Four-Mile Radius of the Topsham Annex, Topsham, Maine.

Scientific Name / Common Name	Last Seen	Global Rarity Rank	State Rarity Rank	State Protection Status	Habitat Description
Bidens hyperborea Estuary Bur-marigold	1998-09-10	G4	S3	SC	Localized in fresh to brackish estuaries.
Sagittaria calycina var. spongiosa Spongy Arrow-head	1998-09-10	G5T4	S3	SC	Tidewater marshes and streams.
Bartonia paniculata Screwstem	2001-09-30	G5	S1	T	Wet peat and sand.
Eleocharis aestuum Tidal Spikerush	2000-08-27	G3	S2	SC	
Streamshore ecosystem Streamshore Ecosystem	2001-09-19	GNR	S4		Communities bordering and directly influenced by the open-water portion of a stream. Most are palustrine because streams are too small to exert much of an effect on
Carex siccata Dry Land Sedge	2002-09-26	G5	S2	SC	Dry, sterile or sandy soil, in open places in light shade
Sagittaria filiformis Narrow-leaf Arrowhead	2002-07-19	G4G5	S2	SC	

Rare and Exemplary Botanical Features in the Project Vicinity

1/14/2009

Documented within a Four-Mile Radius of the Topsham Annex, Topsham, Maine.

Scientific Name Common Name	Last Seen	Global Rarity Rank	State Rarity Rank	State Protection Status	Habitat Description
Lycopodiella alopecuroides Foxtail Bog-clubmoss	2000-11-29	G5	S1	E	
Cardamine longii Long's Bitter-cress	2000-10	G3	S2	T	Tidal estuary.
Bidens eatonii Eaton's Bur-marigold	1998-09-10	G2G3	S2	SC	Tidal shores.
Bidens eatonii Eaton's Bur-marigold	2005-06-22	G2G3	S2	SC	Tidal shores.
Carex vestita Clothed Sedge	2001-06-01	G5	S1	E	Dry sandy woods and clearings
Carex siccata Dry Land Sedge	2001-06-01	G5	S2	SC	Dry, sterile or sandy soil, in open places in light shade
Little bluestem - blueberry sandplain grassland Sandplain Grassland	2007-05-08	GNR	S1		Open grassland and shrubland on excessively well-drained soils of outwash deposits. Lowbush blueberry and grasses (especially little bluestem) dominant. These occur in

Rare and Exemplary Botanical Features in the Project Vicinity

1/14/2009

Documented within a Four-Mile Radius of the Topsham Annex, Topsham, Maine.

Scientific Name / Common Name	Last Seen	Global Rarity Rank	State Rarity Rank	State Protection Status	Habitat Description
Carex vestita Clothed Sedge	2008-06-13	G5	S1	E	Dry sandy woods and clearings

STATE RARITY RANKS

S1	Critically imperiled in Maine because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extirpation from the State of Maine.
S2	Imperiled in Maine because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
S3	Rare in Maine (20-100 occurrences).
S4	Apparently secure in Maine.
S5	Demonstrably secure in Maine.
SH	Known historically from the state, not verified in the past 20 years.
SX	Apparently extirpated from the state, loss of last known occurrence has been documented.
SU	Under consideration for assigning rarity status; more information needed on threats or distribution.
S#?	Current occurrence data suggests assigned rank, but lack of survey effort along with amount of potential habitat create uncertainty (e.g. S3?).

Note: **State Rarity Ranks** are determined by the Maine Natural Areas Program.

GLOBAL RARITY RANKS

G1	Critically imperiled globally because of extreme rarity (five or fewer occurrences or very few remaining individuals or acres) or because some aspect of its biology makes it especially vulnerable to extinction.
G2	Globally imperiled because of rarity (6-20 occurrences or few remaining individuals or acres) or because of other factors making it vulnerable to further decline.
G3	Globally rare (20-100 occurrences).
G4	Apparently secure globally.
G5	Demonstrably secure globally.
GNR	Not yet ranked.

Note: **Global Ranks** are determined by NatureServe.

STATE LEGAL STATUS

Note: State legal status is according to 5 M.R.S.A. § 13076-13079, which mandates the Department of Conservation to produce and biennially update the official list of Maine's **Endangered** and **Threatened** plants. The list is derived by a technical advisory committee of botanists who use data in the Natural Areas Program's database to recommend status changes to the Department of Conservation.

E	ENDANGERED; Rare and in danger of being lost from the state in the foreseeable future; or federally listed as Endangered.
T	THREATENED; Rare and, with further decline, could become endangered; or federally listed as Threatened.

NON-LEGAL STATUS

SC	SPECIAL CONCERN; Rare in Maine, based on available information, but not sufficiently rare to be considered Threatened or Endangered.
PE	Potentially Extirpated; Species has not been documented in Maine in past 20 years or loss of last known occurrence has been documented.

Visit our website for more information on rare, threatened, and endangered species!
http://www.mainenaturalareas.org/docs/rare_plants/factsheets.php

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

JOHN ELIAS BALDACCI
GOVERNOR

EARLE G. SHETTLEWORTH, JR.
DIRECTOR

January 26, 2009

David Drozd, Director
Department of the Navy
Base Realignment and Closure
Program Management Office, Northeast
4911 South Broad Street
Philadelphia, PA 19112-1303

Project: MHPC #2196-08 - Navai Air Station Brunswick; Midcoast Regional Redevelopment Authority; Environmental Impact Statement; Transfer and Reuse of Naval Base
Town: Brunswick, ME

Dear Mr. Drozd:

In response to your recent request, I have reviewed the information received December 18, 2008 to initiate consultation on the above referenced project in accordance with Section 106 of the National Historic Preservation Act.

The archaeological survey studies cited in the 12/18 letter apply to only a small proportion of the total area of BNAS. Archaeological reconnaissance field work is necessary in all areas of archaeological sensitivity prior to disposal and reuse. That statement should be made in the EIS, and provision should be made for the fieldwork to be done beginning in 2009. A list of qualified prehistoric archaeologists is enclosed along with material explaining the Phase I/II/III approach to archaeological survey. This information can also be found on our website: www.maine.gov/mhpc/project_review This office must approve any proposal for archaeological fieldwork.

With regard to architectural resources, those areas of the area of potential effect not previously surveyed will need to be evaluated in accordance with our survey guidelines and associated forms, which are both downloadable from our website: www.maine.gov/mhpc/project_review (see tabs in the white box on the left side of the webpage under Project Review). Please also find attached our revised photographic policy to be referenced in lieu of the policy in our on-line survey manual. Any computer generated template other than that provided by MHPC must be approved by MHPC prior to submission. No changes to the survey forms are to be made without consulting MHPC.

Once the information mentioned above is received, we will forward a response regarding the results of our evaluation. Please contact Dr. Art Spiess of my staff regarding archaeology and

PHONE: (207) 287-2132

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FAX: (207) 287-2335

Robin Stancampiano of our staff regarding architecture if we can be of further assistance in this matter.

Sincerely,

Kirk F. Mohney

Kirk F. Mohney
Deputy State Historic Preservation Officer

Enc.

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

JOHN ELIAS BALDACCI
GOVERNOR

EARLE G. SHETTLEWORTH, JR.
DIRECTOR

Prehistoric Archaeologists Approved List: Review and Compliance Consulting/Contracting (Active)

LEVEL 1

Ms Edna Feighner (603-228-8091)
5 Thomas Street, Apt 3.
Concord NH 03301
Edna.Feighner@dcr.nh.gov

Richard P Corey (207-778-7012)
PO Box 68
E Wilton ME 04234-0068
rcorey@maine.edu

Ms. Sarah Haugh (207-879-9496 x238)
Tetra Tech
451 Presumpscot St
Portland ME 04103
sarah.haugh@tetratech.com

James A Clark (207-667-4055)
TRC/Northeast Cultural Resources
71 Oak St
Ellsworth ME 04605
clark.ja@gmail.com

Edward Kitson (207-778-7012)
Archaeology Research Center
University of Maine at Farmington
139 Quebec St
Farmington ME 04938
kitson@maine.edu

Mr. Michael Brigham (207-778-7012)
Archaeology Research Center
University of Maine at Farmington
139 Quebec St
Farmington ME 04938
brigham@maine.edu

Mr Brian Valimont (207-251-9467)
New England Archaeology Co LLC
117 Cat Mousam Rd
Kennebunk ME 04043
newarch1@verizon.net

Mark Penney (518-432-9545)
The Louis Berger Group Inc.
20 Corporate Woods Blvd.
Albany, NY 12211-2370
mpenney@louisberger.com

LEVEL 2

Dr Richard Will (207-667-4055)
TRC/Northeast Cultural Resources
71 Oak St
Ellsworth ME 04605
FAX: 207-667-0485
willtrc@adelphia.net

Dr Ellen Cowie (207-778-7012)
Archaeology Research Center
University of Maine at Farmington
139 Quebec St
Farmington ME 04938-1507
ecowie@maine.edu

Dr Bruce J Bourque (207-287-3909)
Maine State Museum
83 State House Station
Augusta ME 04333-0083
bbourque@abacus.bates.edu

Dr Nathan Hamilton (207-780-5324)
Dept of Geography & Anthropology
University of Southern Maine
Gorham ME 04038

Geraldine Baldwin (914-271-0897)
John Milner Associates Inc
1 Croton Point Ave Ste B
Croton-on-Hudson NY 10520
FAX: 914-271-0898
GeraldineBaldwin@aol.com

Dr Jonathan Lothrop (412-856-6400)
GAI Consultants
570 Beatty Rd
Monroeville PA 15146
j.lothrop@gaiconsultants.com

\ Robert N Bartone
Archaeology Research Center
University of Maine at Farmington
139 Quebec St
Farmington ME 04938
b_bartone@maine.edu

Dr Leslie Shaw (207-725-3815)
Dept of Sociology & Anthropology
Bowdoin College
Brunswick ME 04011
e-mail: lshaw@bowdoin.edu

Dr William R Belcher
US Army CILHI
310 Worchester Ave Bldg 45
Hickam AFB HI 96853-5530
wbelcher@msn.com

Dr. Robert Goodby (603-446-2366)
Monadnock Archaeological Consulting
16 Fox Hill Rd
Stoddard NH 03464
MonadArch@surfglobal.net

Dr Stuart Eldridge (207-879-9496)
Tetra Tech
451 Presumpscot St
Portland ME 04103
stuart.eldridge@tetratech.com

Dr Victoria Bunker (603-776-4306)
PO Box 16
New Durham NH 03809-0016
vbi@worldpath.net

David Putnam (207-762-5078)
47 Hilltop Rd
Chapman ME 04757
putnamd@umpi.edu

Dr Steven L Cox (207-342-7790)
57 Ghent Rd
Searsmont ME 04973
stevencox@fairpoint.net

Edward Moore
TRC/Northeast Cultural Resources
71 Oak St
Ellsworth ME 04605
FAX: 207-667-0485

MAINE HISTORIC PRESERVATION COMMISSION
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AUGUSTA, MAINE
04333

ANGUS S. KING, JR.
GOVERNOR

EARLE G. SHETTLEWORTH, JR.
DIRECTOR

CONTRACT ARCHAEOLOGY GUIDELINES

June 10, 2002

This document is provided as background information to agencies, corporations, professional consultants or individuals needing contract archaeological services (also known as Cultural Resources Management archaeology) in Maine. These guidelines are based on state rules (94-089 Chapter 812).

Project Types

The vast majority of contract archaeology survey work falls into one of three categories. **Phase I** surveys are designed to determine whether or not archaeological sites exist on a particular piece of land. Such work involves checking records of previous archaeology in the area, walking over the landscape to inspect land forms and look for surface exposures of soil and possible archaeological material, and the excavation of shovel test pits in areas of high probability.
Phase II surveys are designed to focus on one or more sites that are already known to exist, find site limits by digging test pits, and determine site content and preservation. Information from Phase II survey work is used by the Maine Historic Preservation Commission (MHPC) to determine site significance (eligibility for listing in the National Register of Historic Places). **Phase III** archaeological work, often called data recovery, is careful excavation of a significant archaeological site to recover the artifacts and information it contains in advance of construction or other disturbance.

Archaeological sites are further divided into two broad categories of culture, **prehistoric** (or Native American), and **historic** (or European-American). Different archaeological specialists are usually needed for prehistoric or historic sites because the nature of content and preservation and site locations are quite different.

Scope of Work

In responding to a project submission, the MHPC may issue a letter specifying which type of archaeological survey is needed (prehistoric, historic or both) and at what level (Phase I, II, or III). Often the response letter contains further information, such as the suspected presence of an historic site of a certain age, or a statement that only a portion of the project parcel in question is sensitive for prehistoric sites and only that portion needs archaeological survey.

Once the project applicant has one or more scopes of work (proposals) from appropriate archaeologists (see below), the applicant should submit their preferred proposal *(without attached financial information or bid total)* to the MHPC for approval. MHPC will not comment upon cost, but will comment on the appropriateness of the scale and scope of the work. An approval from MHPC of the scope of work is the applicant's guarantee that, if the field and laboratory work are done according to the scope, and appropriately described in writing, the results will be accepted by MHPC.

The final written report on the project must also be submitted to MHPC for review and comment.

PHONE: (207) 287-2132

PRINTED ON RECYCLED PAPER

FAX: (207) 287-2335

Finding an Archaeologist

At the time that MHPC issues a letter requiring archaeological survey work, MHPC will also supply one (or more) lists of archaeologists (Levels 1 and/or 2, historic or prehistoric) appropriate to the type of work (Phase I, II, III, historic or prehistoric). Archaeologists on the Level 2 Approved Lists can do projects of any level, including Phase I archaeological survey projects. Level 1 archaeologists are restricted to doing Phase I surveys, and certain planning projects for municipal governments.

MHPC maintains lists of archaeologists interested in working in different geographic areas of Maine, and those who are qualified in different types of work. The archaeologists themselves indicate their availability (except for short-term absence) to MHPC on a periodic basis, so archaeologists on the list can be expected to respond to inquiries. The applicant should solicit proposals or bids for work from archaeologists whose names appear on the list supplied by MHPC.

These archaeologists' names are taken from lists of archaeologists approved for work in Maine by MHPC under a set of rules establishing minimal qualifications, such as previous supervisory experience in northern New England, and an appropriate graduate degree. *However, the inclusion of an archaeologist on one of these lists should not be interpreted as an endorsement by the MHPC beyond these limited qualification criteria. Moreover, the MHPC cannot recommend the services of an individual archaeologist.*

Project Final Report

Whatever the archaeological survey result, a final report on the project should be submitted by the applicant to the MHPC. The MHPC will review the report, and issue further guidance or issue a "clearance" letter for the project.

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 09-128

1 3 APR 2009

Ms. Amy L. Corbett
Regional Administrator
U.S. Department of Transportation
Federal Aviation Administration
12 New England Executive Park
Burlington, MA 01803

Dear Ms. Corbett:

In response to your letter of November 28, 2008, the Navy concurs with your request to be a Cooperating Agency for the preparation of the Environmental Impact Statement (EIS) for the disposal and reuse of Naval Air Station (NAS) Brunswick.

The Navy will provide a clear description of the level of FAA support required to address the potential impacts of the reuse of the NAS Brunswick. The EIS schedule and timing for FAA's review were previously provided. The Navy requests that throughout this process, FAA provide timely expert input, analyses review and comment to address the potential impacts of the reuse, and ensure that the EIS schedule is maintained. All public or regulatory requests for EIS related documents must be forwarded to the Navy, as lead agency, to respond to the request.

The Navy will administer the contracts for the EIS. If the FAA believes an additional contract or funding is required, the FAA will notify Navy. The Navy will only be responsible for funding and or administering the contract if it is determined by the Navy to be necessary and integral to satisfy the Navy's NEPA obligations. Both agencies shall work cooperatively and in good faith. Navy retains all authority over the EIS for the disposal and reuse of NAS Brunswick.

If you have any questions regarding the EIS for NAS Brunswick, please contact Mr. Thomas H. Stephan of my staff at 215-897-4916 or e-mail tom.stephan.ctr@navy.mil.

Sincerely,

David Drozd
Director

John E. Baldacci
Governor

Roland D. Martin
Commissioner

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

Wildlife Division, Region A
358 Shaker Road
Gray, ME 04039
Phone: (207) 657-2345 x 109
Fax: (207) 657-2980
judy.camuso@maine.gov

April 24, 2009

David Drozd
Navy BRAC Program Management Office,
Northeast

RE: Brunswick Naval Air Station

Dear Mr. Drozd,

You contacted our offices regarding any wildlife resources on the Brunswick Naval Air Station in Brunswick, Maine. The Air Station Property supports populations of several rare bird species including Grasshopper Sparrow (State Endangered), Upland Sandpiper (State Threatened), and a breeding population of Horned Larks (special concern). All of which occur within grasslands surrounding the existing airfield including, but not limited to those areas mapped by the Maine Natural Areas Program as S1 (state critically imperiled) Little Bluestem - Blueberry Sand Plain Grassland natural community (see attached map). In the past, our Department worked closely with Kari Schenk, the previous NAS Natural Resources Planner, to monitor and provide assistance in determining proper management of base grassland habitats. These efforts, as well as the 2005 Institute for Bird Populations Report: *Status of Grasshopper Sparrow and Other Grassland-associated Bird Species at Naval Air Station Brunswick, Maine* identified the northeastern airfield grasslands as being the centers of territorial activity for Grasshopper Sparrows and Horned Larks. It has come to our attention that this same location is proposed to be re-zoned, in part, as a "Professional Office" re-use district with associated infrastructure under the Midcoast Regional Redevelopment Authority's proposed Master Re-use plan of the air station. This proposed use is incompatible with protections afforded Grasshopper Sparrows under the Maine Endangered Species Act and if developed as proposed could constitute an illegal taking of this species. We strongly recommend that future expansion of development within the habitat polygons mapped be avoided and that these areas be included in the proposed conservation district given the presence of state endangered wildlife species. We also recommend that the authority responsible for future re-use of this airfield and maintenance of runway apron areas closely coordinate with our department to effectively manage grassland communities for grassland bird species habitat.

The Brunswick Naval Air Base Property supports a second example of the critically imperiled Little Bluestem - Blueberry Sand Plain Grassland community type on the former radar installation north of Route 1 (commonly referred to as the"66 acre" tract). This area is known to support the Cobweb Skipper butterfly (special concern) and may provide habitat for other rare sand plain grassland associates. To date survey effort has been limited by property access regulations. This area provides habitat for one of only a few known occurrences of the Cobweb Skipper statewide.

The saltmarsh communities located at the head of Harpswell Cove are mapped as high value tidal wadingbird and waterfowl habitat. This system is relatively unfragmented by roads or other past disturbances and includes an intact upland buffer capable of safe-guarding water quality in the short-term and allowing for long-term marsh migration in response to future sea level rise. This marsh fed by Mare Brook provides habitat for both Saltmarsh Sharp-tailed Sparrow (special concern) and Nelson's Sharp-tailed Sparrow (special concern).

A mapped deer wintering area occurs west of Coombs Road within a proposed "Recreation/Open Space" zone and we recommend that any future disturbances within the deer wintering area be minimized to the extent possible. Furthermore, we recommend that the authority responsible for future re-use of this area coordinate with our department to effectively manage the deer wintering area for favorable forest conditions necessary to provide appropriate winter cover. Ultimately, the proper functioning of this deer wintering area will require that forested deer travel corridors be maintained to the north and south.

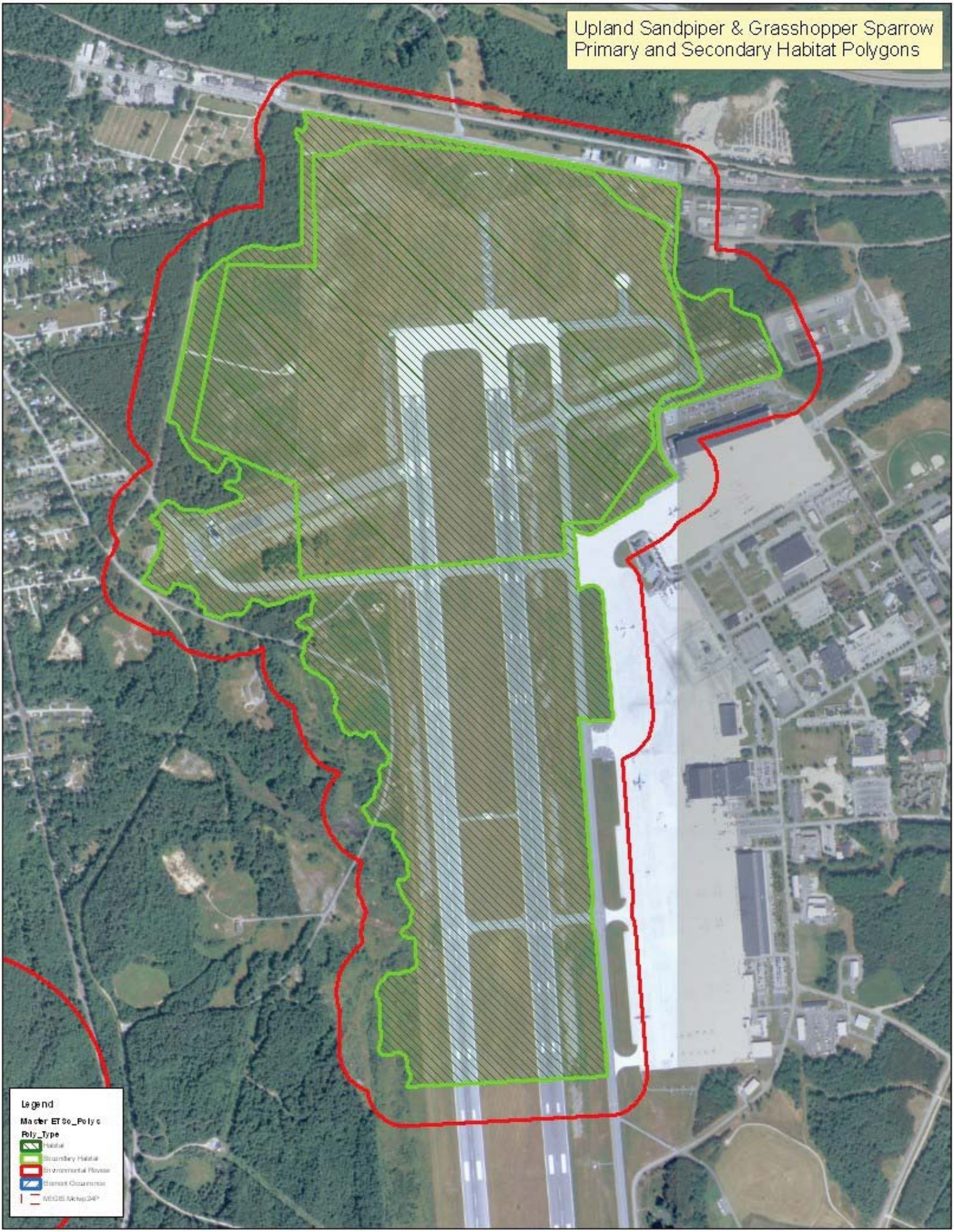
Known Rare Species/Significant Wildlife Habitat Table for Brunswick Naval Air Station:

Common Name	Latin Name	Status	SWAP Priority	Rank
Rare Animals				
Grasshopper Sparrow	Ammodramus savannarum	E	2	n/a
Saltmarsh Sharp-tailed Sparrow	Ammodramus caudacutus	SC	1	n/a
Upland Sandpiper	Bartramia longicauda	T	1	n/a
Horned Lark	Eremophila alpestris	SC	2	n/a
Cobweb Skipper	Hesperia metea	SC	n/a	n/a
Tidal Wadingbird and Waterfowl Habitat – Harpswell Cove				High
Deer Wintering Area – Near Coombs Road				Indeterminate

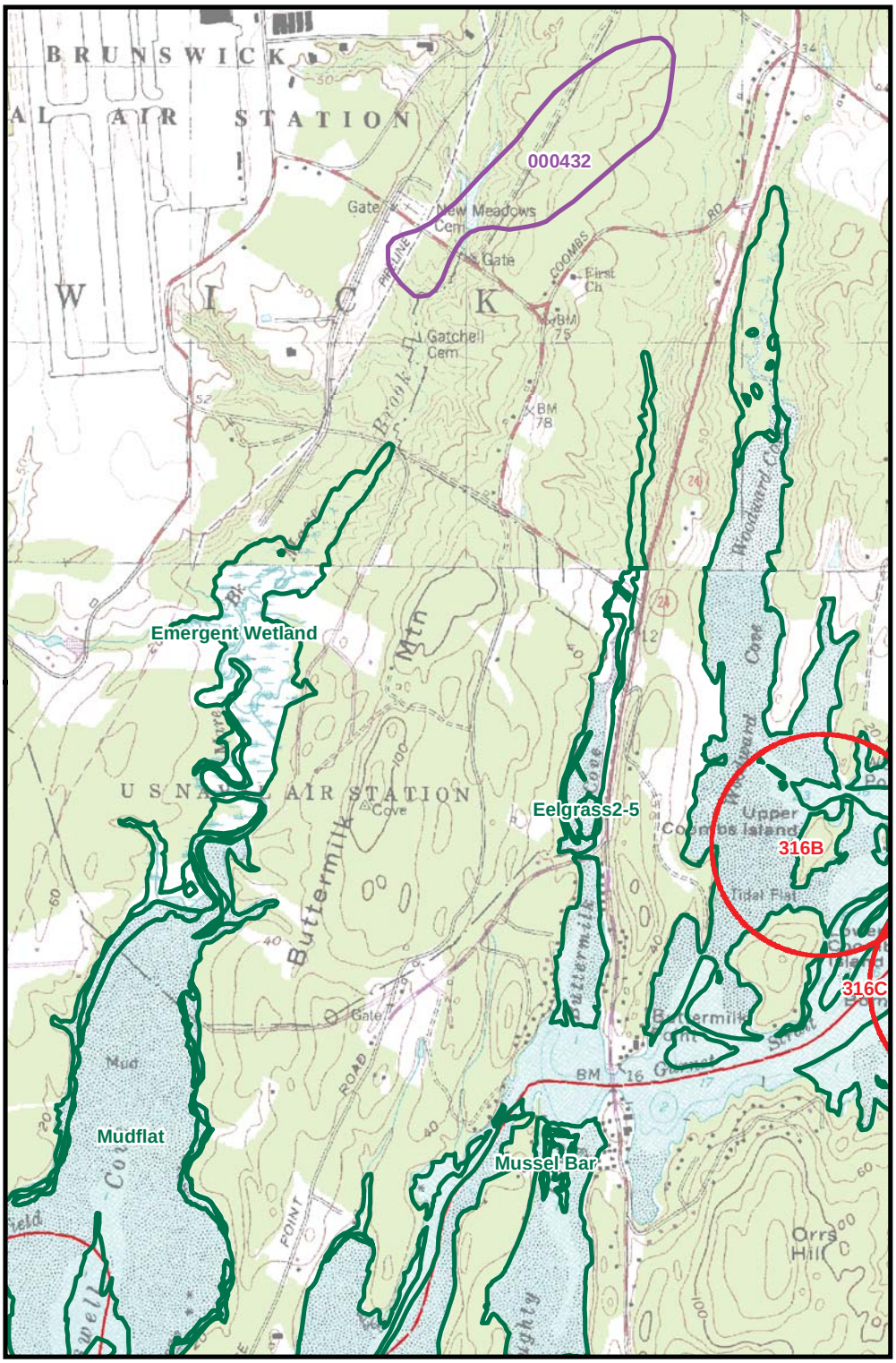
I have attached two maps, which outline the wildlife resources associated with this property. I hope this information is helpful and please feel free to contact me if you have questions.
Sincerely,

Judy Camuso

Judy Camuso
Assistant Regional Wildlife Biologist


Upland Sandpiper & Grasshopper Sparrow
Primary and Secondary Habitat Polygons
Legend
Poly_Type

Search for Wildlife Observations & Habitat



- Bald Eagle Nest Site
- Piping Plover / Least Tern Nesting, Feeding, & Brood-rearing Area
- Roseate Tern Nesting Area
- Deer Winter Area
- Inland Waterfowl / Wading Bird Habitat
- Tidal Waterfowl / Wading Bird Habitat
- Seabird Nesting Island
- Shorebird Area
- Significant Vernal Pool
- Biological Conservation Database Rare Species or Habitat Observation
- Township Boundary
- County

0 0.2 0.4 0.6 0.8 Miles

1:24,575

UTM Projection, Zone 19N, NAD83

RR1, 358 Shaker Road
Gray, ME 04039
Voice: (207) 657-2345
Fax: (207) 657-2980
April 24, 2009

John E. Baldacci
Governor

Roland D. Martin
Commissioner

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

Wildlife Division, Region A
358 Shaker Road
Gray, ME 04039
Phone: (207) 657-2345 x 109
Fax: (207) 657-2980
judy.camuso@maine.gov

April 24, 2009

Angela Gardner
Ecology and Environment, Inc.
368 Pleasant View Drive
Lancaster, NY 14083

RE: Brunswick Naval Air Station

Dear Ms. Gardner,

You contacted our offices regarding any wildlife resources on the Brunswick Naval Air Station in Brunswick, Maine. The Air Station Property supports populations of several rare bird species including Grasshopper Sparrow (State Endangered), Upland Sandpiper (State Threatened), and a breeding population of Horned Larks (special concern). All of which occur within grasslands surrounding the existing airfield including, but not limited to those areas mapped by the Maine Natural Areas Program as S1 (state critically imperiled) Little Bluestem - Blueberry Sand Plain Grassland natural community (see attached map). In the past, our Department worked closely with Kari Schenk, the previous NAS Natural Resources Planner, to monitor and provide assistance in determining proper management of base grassland habitats. These efforts, as well as the 2005 Institute for Bird Populations Report: *Status of Grasshopper Sparrow and Other Grassland-associated Bird Species at Naval Air Station Brunswick, Maine* identified the northeastern airfield grasslands as being the centers of territorial activity for Grasshopper Sparrows and Horned Larks. It has come to our attention that this same location is proposed to be re-zoned, in part, as a "Professional Office" re-use district with associated infrastructure under the Midcoast Regional Redevelopment Authority's proposed Master Re-use plan of the air station. This proposed use is incompatible with protections afforded Grasshopper Sparrows under the Maine Endangered Species Act and if developed as proposed could constitute an illegal taking of this species. We strongly recommend that future expansion of development within the habitat polygons mapped be avoided and that these areas be included in the proposed conservation district given the presence of state endangered wildlife species. We also recommend that the authority responsible for future re-use of this airfield and maintenance of runway apron areas closely coordinate with our department to effectively manage grassland communities for grassland bird species habitat.

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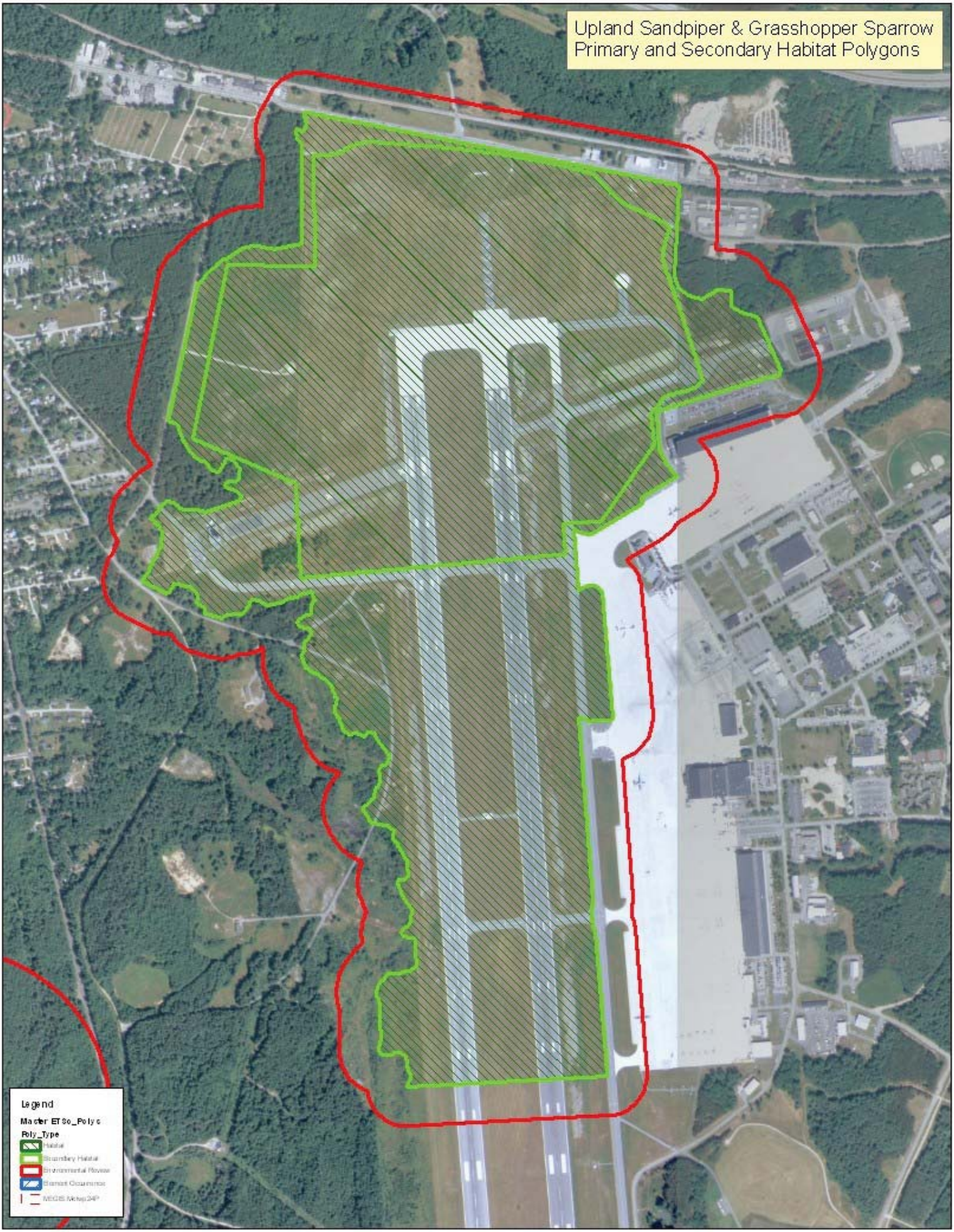
Sincerely,

Judy Camuso

Judy Camuso
Assistant Regional Wildlife Biologist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Secondary Habitat
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Element Occurrence
MEGIS Map24P

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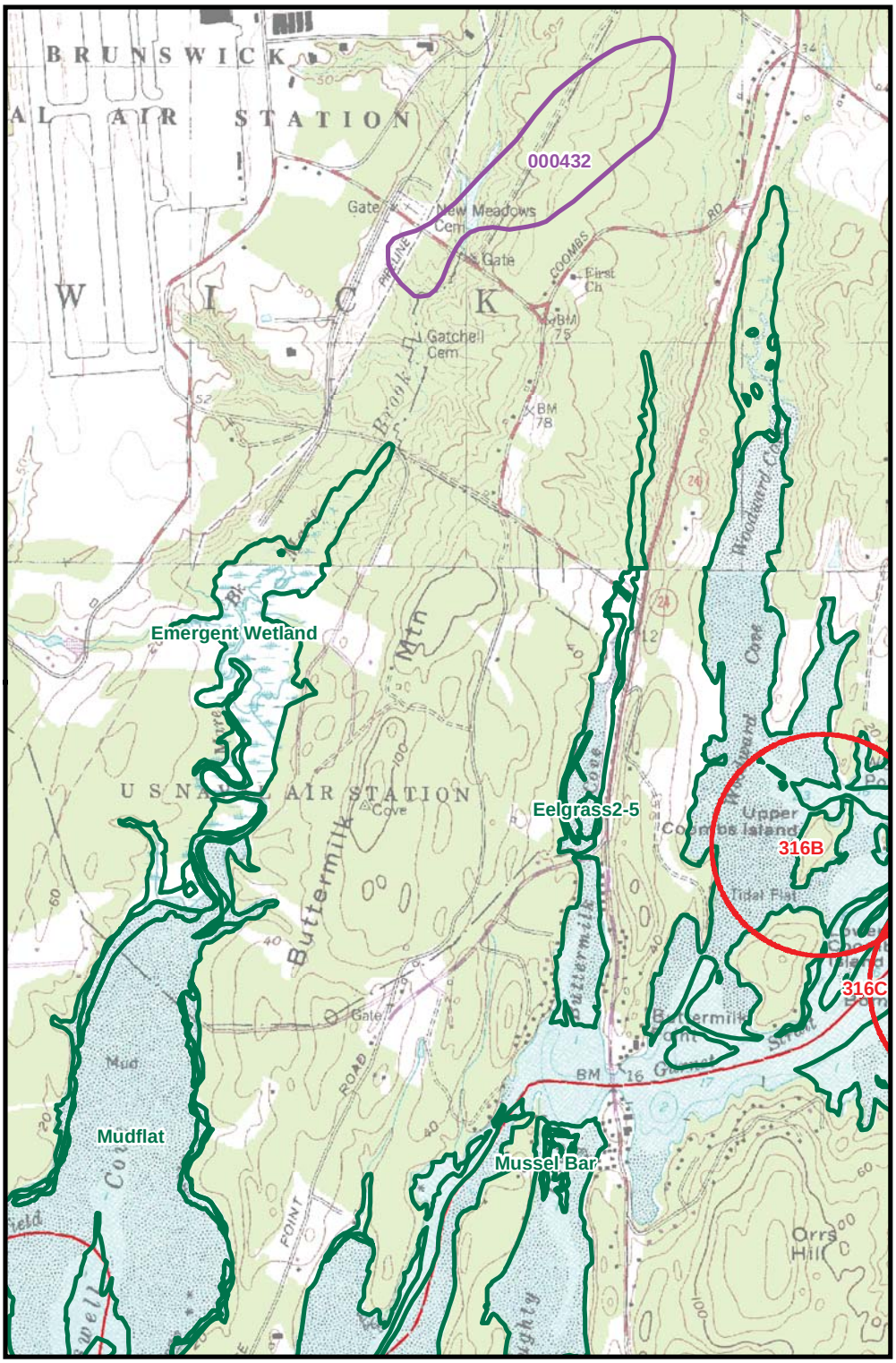

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UTM Projection, Zone 19N, NAD83

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April 24, 2009

U.S. Department
of Transportation

**Federal Aviation
Administration**

New England Region

12 New England Executive Park
Burlington, Massachusetts 01803

June 2, 2009

Jeffrey K. Jordan
Deputy Director
Midcoast Regional Redevelopment Authority
5450 Fitch Avenue
Brunswick, Maine

Re: Aviation Assumptions as part of Navy EIS

Dear Jeffrey:

I am following up on our conversation last month regarding the aviation assumptions that were developed by Edwards and Kelcey, Hoyle Tanner & Associates and MRRA staff that went into the model to develop anticipated aviation activity at Naval Air Station Brunswick (NASB) when it becomes a civilian general aviation airport (see attached).

As you are aware, I participated on the team that developed the Aviation Feasibility Study for NASB and have been a part of the team developing the Airport Master Plan for NASB. I believe that the communication from MRRA to the Navy's EIS consultant sufficiently described the anticipated aviation activity at NASB. I agree that MRRA adequately described the following:

- assumptions regarding potential aviation market sectors
- build out scenario and estimated total annual air operations to the year 2031
- anticipated fleet mix
- anticipated mix between day and night operations
- anticipated local verse itinerant aviation traffic
- distribution of runway use between 1R, 19L, 1 L and 19

These estimates are speculative, especially in the absence of any history of activity at the base. But they are realistic numbers, particularly for the purpose of describing consequent impacts of anticipated airport activity on the environment and adjacent communities.

As customary, an analysis of airport finances should incorporate worse case scenarios that would be lower than these numbers. Correspondingly, analysis of space and facility requirements should use even more robust forecasts for laying out facilities in order to have the flexibility to accommodate higher growth with minimum re-configuration of airfield facilities.

Thank you for your continued excellent work.

Sincerely,

Ralph Nicosia-Rusin
Airport Capacity Program Manager
FAA Airports Division

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 09-199
July 21, 2009

Mr. Earle G. Shettleworth, Jr.
Director
Maine Historic Preservation Commission
55 Capitol Street
65 State House Station
Augusta, ME 04333-0065

Dear Mr. Shettleworth:

Thank you for your recent discussion with Bruce Larson regarding the Naval Air Station (NAS) Brunswick. The purpose of this letter is to memorialize those discussions with respect to the requirements of Section 106 of the National Historic Preservation Act, *16 U.S.C. 470f* and the Archaeological Resources Protection Act *16 U.S.C. 470aa-mm*. Upon receipt of your agreement, as indicated by affixing your signature below, the Navy agrees to:

- Initiate and complete a comprehensive Archaeological Identification Survey at NAS Brunswick, Maine in accordance with the Scope of Work included as enclosure (1) to this letter.

- Upon completion of the Archaeological Identification Survey, meet and consult with the State Historic Preservation Office (SHPO) to determine whether any archeological sites or areas of archeological sensitivity ("Archaeological Areas") have been identified, as well as the location and geographical boundary of any such Archaeological Areas.

- In the event any Archaeological Areas are identified, initiate discussions with the SHPO leading to the execution of a comprehensive Programmatic Memorandum of Agreement ("PMOA") as described in Section 106 of the National Historic Preservation Act. In order to adequately protect any archaeological resource, if any, that may exist in any of the identified Archaeological Areas, the PMOA shall include a requirement that any future property transfer deeds executed by the Department of the Navy, on behalf of the United States of America, shall include land use covenants, conditions and restrictions substantially similar to those provided in enclosures (2) and (3) to this letter agreement.

It is so agreed: _____ _____
SHPO Date

Thank you again for your cooperation and consideration in this matter. If you have any questions concerning this request, please do not hesitate to contact Tom Stephan at (215) 897-4916. We look forward to successful consultation and coordination with your office to protect the cultural heritage of the State of Maine.

Sincerely,

David Drozd
Director

Enclosures:
1. NAS Brunswick Archaeological Survey Scope of Work
2. Protection of Archaeological Resources
3. Sample Deed Language

SCOPE OF WORK
COMPREHENSIVE ARCHAEOLOGICAL IDENTIFICATION SURVEY
AT NAS BRUNSWICK, BRUNSWICK, MAINE

I. INTRODUCTION

This current task order is designed to conduct a comprehensive archaeological survey at NAS Brunswick, Maine. This effort is designed to address requirements for identifying and recording archaeological sites in areas noted by the Maine SHPO/ State Archaeologist. This includes areas of high and moderate probability for both Native American and historic archaeological resources.

II. BACKGROUND

Overall, NAS Brunswick has received limited archaeological investigations. There has been no comprehensive Section 110 investigations at the Brunswick facilities, and the limited archaeological investigations conducted were associated with Section 106. These data and recommendations were incorporated into the Brunswick HARP (Historic and Archaeological Resource Plan) in 1996. Current undertakings, including the BRAC actions, necessitate bringing the inventory of archaeological sites within a 1600 acre study area up to date. An Environmental Impact Statement (NEPA-EIS) is currently being developed for the BRAC Action closing NAS Brunswick. Compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA) as amended is an integral part of the NEPA document. This Task Order is designed to accomplish the requirement to inventory archaeological and historical resources on federal properties.

III. OBJECTIVE

The task order includes the following:

1) Conduct comprehensive archaeological overview of NAS Brunswick using all existing archaeological data from the Station. Information obtained from the SHPO office regarding archaeological resources in the surrounding vicinity of the project area shall be addressed to prepare an archaeological context and refine field methods.

2) Conduct a field reconnaissance survey of all areas identified as high and moderate probability for Native American sites at NAS Brunswick (including East Brunswick Radio Transmitter and Sabino Hill Annexes) and survey of specific projected site locations for historic archaeological sites. The subsequent draft report shall indicate if any resources are potentially eligible for inclusion in the National Register of Historic Places (NRHP). This effort shall include an updated assessment of the eligibility recommendations contained in the 1996 Brunswick HARP report.

3) Complete the inventory of archaeological resources within NASB using State of Maine recordation format.

Enclosure (1)

4) Prepare a comprehensive assessment of the archaeological resources at NAS Brunswick. These data will be used by the Navy for the Section 106 consultation for the BRAC closure of NAS Brunswick and shall be the basis for development of a Memorandum of Agreement (MOA) addressing effects to this category of historic resources.

IV. TECHNICAL APPROACH AND REPORTS

The contractor shall prepare a draft report that is at 99%. The draft shall adhere to the highest standards acceptable in the profession e.g.: Secretary of Interior's Standards

Once the Draft report has been reviewed by the Navy and Maine SHPO, the contractor shall be notified of any recommended changes in a timely manner by the NAVFACLANT representatives. Production of the final report should be within ten business days of receipt of the government comments.

V. DESCRIPTION OF MEETINGS

A. Kickoff Meeting:
B. Field Meeting: A field meeting will be scheduled on an 'as needed'.

VI. SPECIAL INSTRUCTIONS

VII. GOVERNMENT FURNISHED INFORMATION

A. Copies of all relevant prior archaeological reports.

B. Project maps, aerial photographs; hard copy and electronic versions will be made available at the Kick-off meeting.

PROTECTION OF ARCHAEOLOGICAL RESOURCES

1. Resource Identification. The portions of the property identified in Exhibit__ are considered archaeological sites or areas of archaeological sensitivity. (Collectively the "Archaeological Areas")

2. Project Approval. Any planned disturbance of the Archaeological Areas ("Project") by the Grantee requires prior SHPO written approval and all applicable federal standards, regulations and laws must be satisfied by the Grantee at the Grantee's sole cost and expense before SHPO approval will be granted to any such Project.

3. Grantee Staff Qualifications. All documents produced or submitted pursuant to this Exhibit shall be prepared by Grantee or its designee who meets or exceeds the Secretary of the Interior's Professional Qualification Standards (48 FR 22716, September 1983).

4. Vandalism Protection. Grantee shall make every reasonable effort to prohibit any person from vandalizing or otherwise disturbing the Archaeological Areas and shall promptly report any such disturbance to the SHPO.

5. Grantee Reporting. The Grantee shall maintain a case file on each Ground Disturbance occurring within the Archaeological Areas and all related Grantee actions. Such case file shall include documentation of compliance with this Exhibit and the written approval from the SHPO. Grantee shall provide all case files to the SHPO upon request.

Exhibit __ Archaeological Areas of Interest, NAS Brunswick, ME

[Areas on the following map(s) are for illustrative purposes only and are subject to field verification.]

1. (List area if needed)
2. (List area if needed)
3. (List area if needed)

Enclosure (2)

SAMPLE DEED LANGUAGE

1. Grantee, its successors and assigns shall comply with the historic, archaeological and cultural provisions set forth in Exhibits__ for the portions of the Property identified in such exhibits. In addition, Grantee shall at all times comply with the following sub-paragraphs applicable to Grantee's activities on the Property.

2. In addition to the SHPO's rights to enter the Property in accordance with Article__ of the deed, the SHPO, the State Historic Preservation Office; and their officers, agents, employees, contractors, and subcontractors; shall, upon reasonable notice to Grantee, have the right to enter upon the Property for performance and/or verification of requirements, purposes and processes identified in the historic, archaeological and cultural provisions set forth in the Exhibits. In addition, Grantee shall respond in writing to all written inquiries from the State Historic Preservation Officer in a commercially reasonable timeframe. Access by the SHPO, the State Historic Preservation Office, the Advisory Counsel on Historic Preservation and their officers, agents, employees, contractors, and subcontractors shall be performed in accordance with Article__ of the deed and shall be conducted in a manner that will avoid, to the extent practical, any interference with Grantee's or its tenants' use and occupancy of the Property.

3. Grantee, its successors and assigns shall not intentionally or knowingly remove or disturb or cause or permit to be removed or disturbed, any historical, archeological, architectural or other cultural artifacts, relics, remains or objects of antiquity. In the event such items are discovered on the Property, Grantee shall immediately notify the SHPO and Grantee shall immediately stop work in the affected immediate vicinity of such items until the SHPO gives Grantee timely written clearance to proceed. Grantee shall comply with the requirements of the Archaeological Resources Protection Act, 16 U.S.C. 470 et seq. The SHPO shall cooperate with Grantee to avoid material interference or delay with respect to Grantee's development of the Property pursuant hereto.

4. Grantee shall include, in substantially the form set forth, the requirements of Section __ (inclusive of the historic, archeological and cultural provisions contained in Exhibits) in any subsequent deed or lease.

5. Except as provided in Exhibit__, Grantee shall not conduct any subsurface excavation, digging and drilling or other disturbance of the surface of the Property without the prior written approval of the SHPO. If Grantee undertakes any subsurface excavation, digging, drilling or other disturbance of the surface, Grantee shall immediately notify the government and SHPO should any foreign, potentially Hazardous Material, any historical, archaeological, architectural or other cultural artifacts, relics, remains or objects of antiquity be encountered during this work.

Enclosure (3)

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 09-199
July 21, 2009

Mr. Earle G. Shettleworth, Jr.
Director
Maine Historic Preservation Commission
55 Capitol Street
65 State House Station
Augusta, ME 04333-0065

RECEIVED
JUL 27 2009
By 2196-08

Dear Mr. Shettleworth:

Thank you for your recent discussion with Bruce Larson regarding the Naval Air Station (NAS) Brunswick. The purpose of this letter is to memorialize those discussions with respect to the requirements of Section 106 of the National Historic Preservation Act, *16 U.S.C. 470f* and the Archaeological Resources Protection Act *16 U.S.C. 470aa-mm.* Upon receipt of your agreement, as indicated by affixing your signature below, the Navy agrees to:

- Initiate and complete a comprehensive Archaeological Identification Survey at NAS Brunswick, Maine in accordance with the Scope of Work included as enclosure (1) to this letter.

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It is so agreed: _____ SHPO 7/28/09 Date

5090
BPMO NE/TS
Ser 09-043
July 24, 2009

David Tomey
North East Regional Office, NERO
NEPA Coordinator
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930

Dear Mr. Tomey:

The Department of the Navy is preparing an Environmental Impact Statement (EIS) for the disposal and reuse of Naval Air Station (NAS) Brunswick in Brunswick, Maine. The EIS will analyze potential human and natural environmental consequences resulting from the disposal and reuse of NAS Brunswick including ecological communities, threatened and endangered species, and rare natural communities. The base will be closed in accordance with the Base Closure and Realignment Act of 1990, as amended in 2005. The Navy will dispose of the property and it will be reused by the Midcoast Regional Redevelopment Authority in a manner consistent with the Brunswick Naval Air Station Reuse Master Plan (Reuse Plan).

NAS Brunswick is situated on approximately 3,117 acres in the town of Brunswick (Cumberland County). In addition to the main NAS Brunswick property, the EIS will also evaluate the disposal and reuse of the several off-base properties that are also managed by NAS Brunswick, including:

- McKeen Street Housing Annex (70 acres, Brunswick);
- East Brunswick Radio Transmitter Site (66 acres, Brunswick); and
- Sabino Hill Rake Station (0.23 acre, Phippsburg, Sagadahoc County).

A map depicting these facilities is included in this letter as Attachment 1.

Alternatives considered in the EIS include the Reuse Plan (Alternative 1) and a High-Density Scenario (Alternative 2), and the No-Action Alternative. Alternative 1, the preferred alternative, is the redevelopment scenario presented in the Reuse Plan and includes a mix of land use types and densities, preserves open space and natural areas, incorporates elements based on Smart-Growth principles, including pedestrian-friendly transportation features, and maintains the existing airfield for private aviation purposes. The Reuse Plan calls for development of

1,630 acres (51%) of the total base property. In addition, 1,570 acres (49%) would be dedicated to a variety of active and passive land uses, including recreation, open space, and natural areas. It is anticipated that full build-out would be implemented over a 20-year period. Alternative 2 includes the disposal of the property by the Navy and its reuse in a manner that features a higher density of residential and community mixed-use development and does not include reuse of the airfield. An illustration of Alternative 1 and 2 are included as Attachment 2 and 3.

In an effort to provide the most current and accurate information in the EIS, we request that National Oceanic and Atmosphere Administration, NOAA, Fisheries, Northeast Regional Office identify populations of endangered and threatened species, marine mammals, and critical habitats under the jurisdiction of the NOAA Fisheries Service at or near NAS Brunswick and the off-base properties being considered in the EIS. The U.S. Fish and Wildlife Service has also been contacted to find similar information for other federal and state protected species and habitats.

We respectfully request and would appreciate a timely response to this request. If you have any questions, please call Tom Stephan, Project Manager at (215) 897-4916.

Thank you for your attention and prompt response.

Sincerely,

David Drozd
Director

Copy to:
NAVFAC MIDLANT (C. Hendrickson)
NAS BRUNSWICK (L. Joy)

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 09-209
July 30, 2009

Mr. David Tomey
North East Regional Office
NEPA Coordinator
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930

Dear Mr. Tomey:

Navy is preparing an Environmental Impact Statement (EIS) for the reuse of Naval Air Station (NAS) Brunswick in Brunswick, Maine. The base will be closed in accordance with the Base Closure and Realignment Act of 1990, as amended in 2005.

NAS Brunswick is situated on about 3,117 acres. In addition to the main NAS Brunswick property, the EIS will also evaluate the reuse of the several off-base Navy properties including: McKeen Street Housing Annex, East Brunswick Radio Transmitter Site, and Sabino Hill Rake Station. A map depicting these areas is included in this letter as Attachment 1.

EIS Alternatives include the Reuse Plan (Alternative 1) a High-Density Scenario (Alternative 2), and the No-Action Alternative. Alternative 1 is the redevelopment scenario presented in the Reuse Plan and includes a mix of land use types and densities, preserves open space and natural areas and maintains the existing airfield. Alternative 2 features a higher density of residential and community mixed-use development and does not include reuse of the airfield. Alternatives 1 and 2 are shown as Attachments 2 and 3.

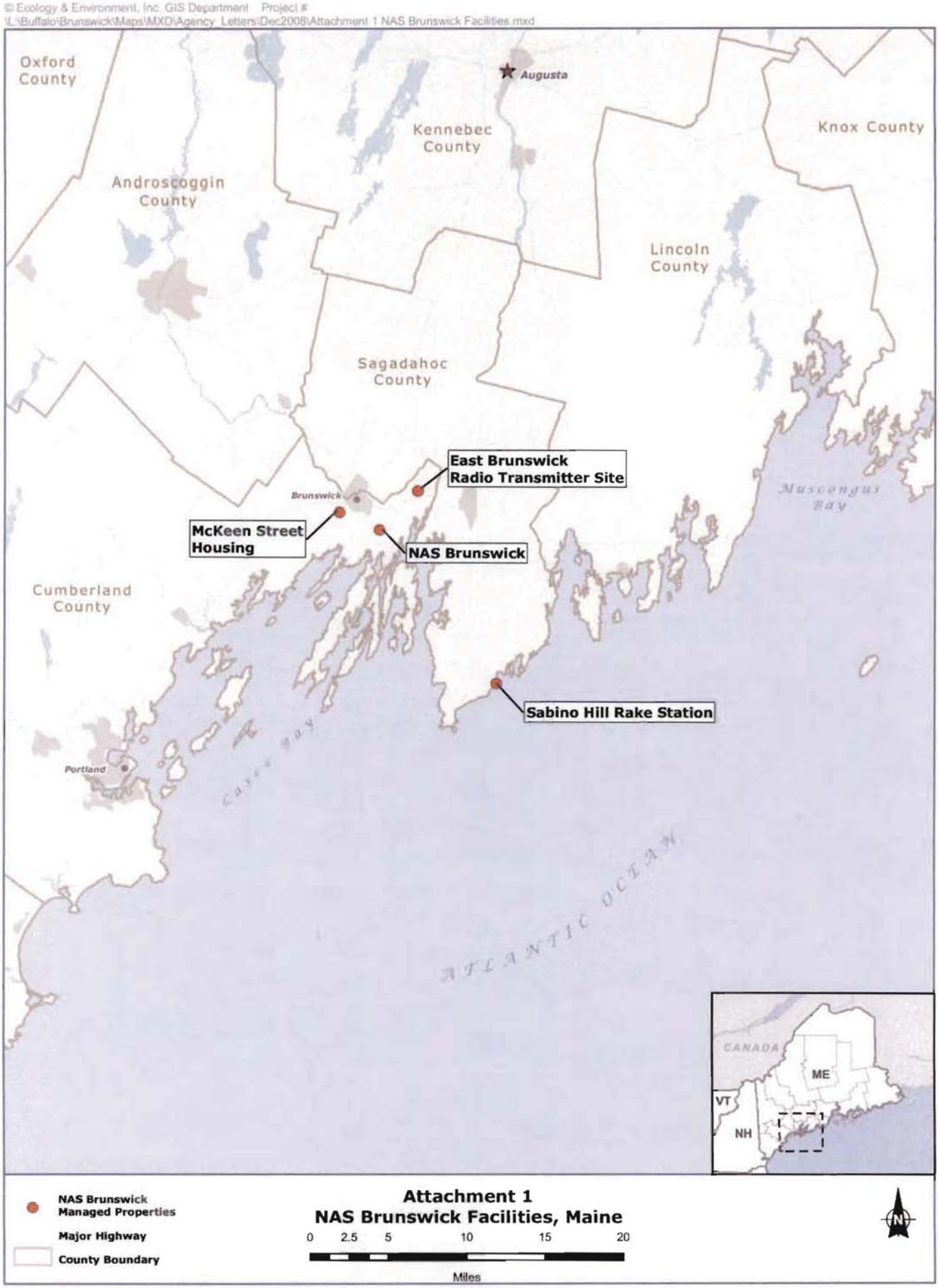
In an effort to provide the most current and accurate information in the EIS, we request that your office identify populations of endangered and threatened species, marine mammals, and critical habitats under the jurisdiction of the NOAA Fisheries Service at or near NAS Brunswick and the off-base properties being considered in the EIS. The U.S. Fish and Wildlife Service has also been contacted to find similar information for other federal and state protected species and habitats.

We respectfully request and would appreciate a timely response to this request. If you have any questions, please call Tom Stephan, NEPA Coordinator at (215) 897-4916.

Sincerely,

David Drozd
Director

Attachments: As stated



Attachment 1
NAS Brunswick Facilities, Maine

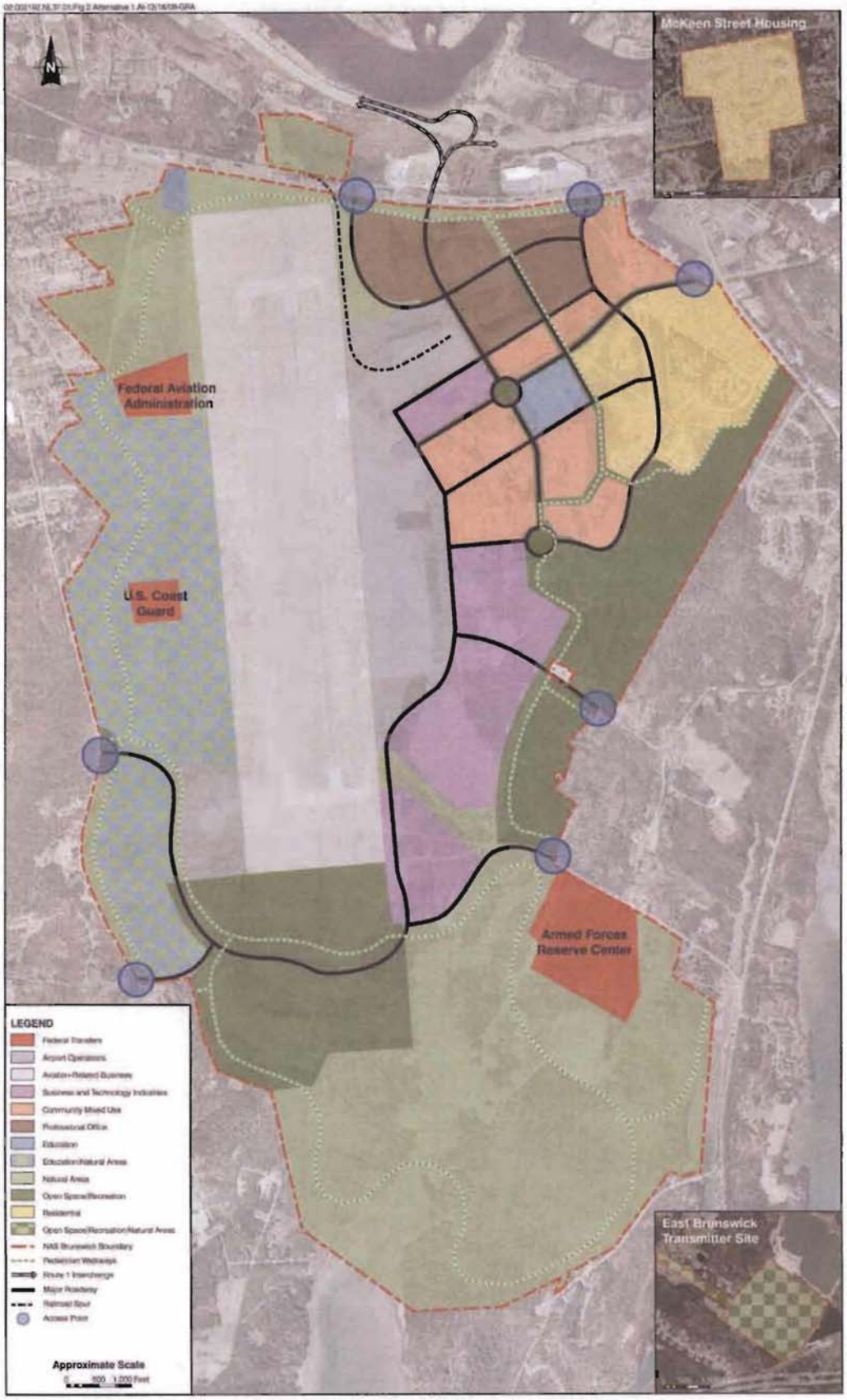


Figure 2 Alternative 1: Reuse Plan, NAS Brunswick, Maine

Attachment 2

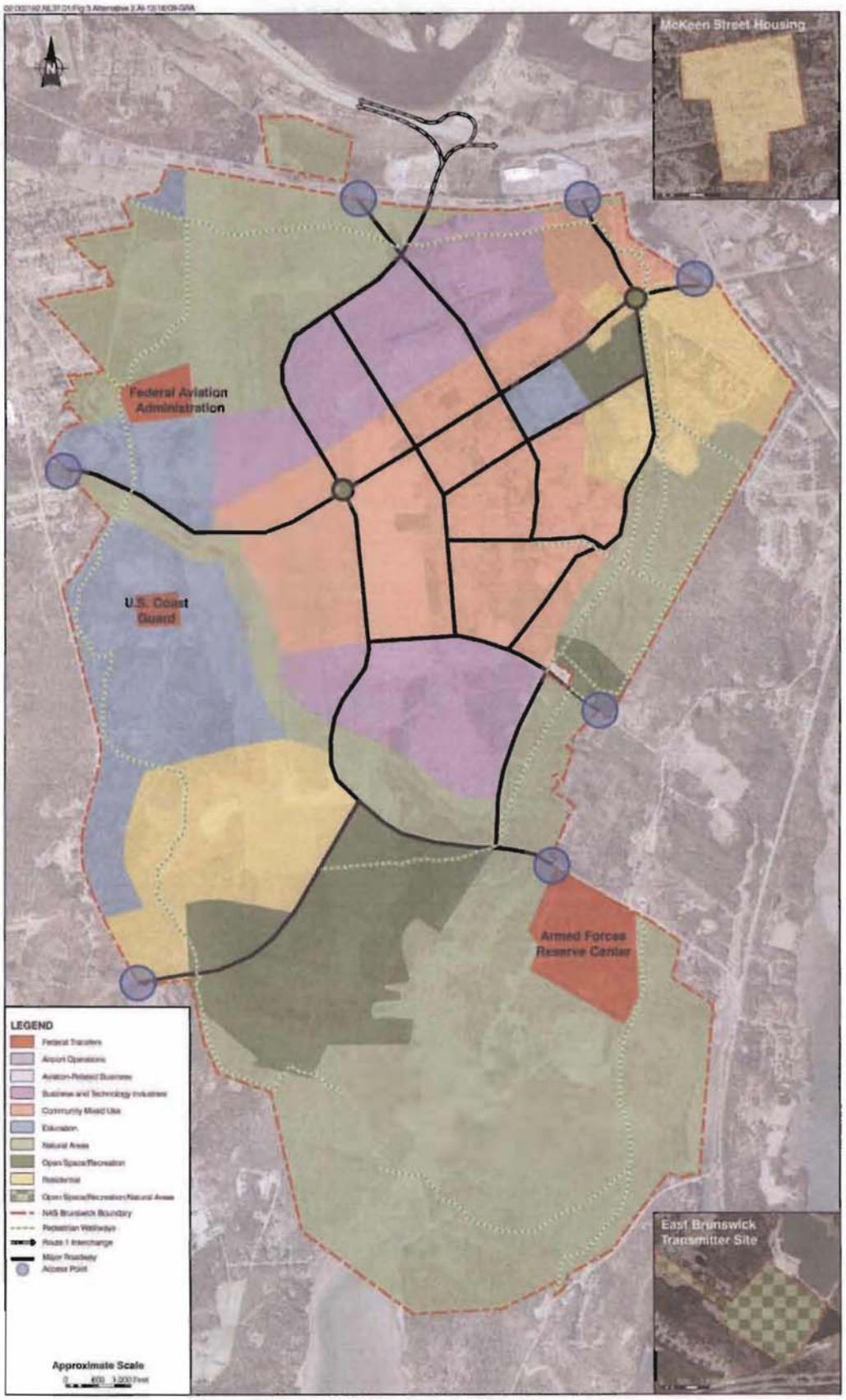


Figure 3 Alternative 2: High-Density Scenario, NAS Brunswick, Maine

Attachment 3

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2276

SEP - 2 2009

David Drozd, Director
Department of the Navy
Base Realignment and Closure
Program Mangagement Office, Northeast
4911 South Broad Street
Philadelphia, Pennsylvania 19112-1303

Dear Mr. Drozd,

This is in response to your letter dated July 30, 3009 regarding the Environmental Impact Statement (EIS) being prepared by the US Navy for the reuse of Naval Air Station (NAS) Brunswick in Brunswick, Maine. Your letter requested information on the presence of listed species, designated critical habitat and marine mammals that may occur at or near NAS Brunswick. The Navy is evaluating the reuse of NAS Brunswick as well as several off-base Navy properties including the McKeen Street Housing Annex, the East Brunswick Radio Transmitter Site, and the Sabino Hill Rake Station.

Several species of listed sea turtles and whales occur seasonally off the coast of Maine. Additionally, the endangered Gulf of Maine Distinct Population Segment of Atlantic salmon (*Salmo salar*) and endangered shortnose sturgeon (*Acipenser brevirostrum*) occur in certain Maine waters. Certain Maine waters have also been designated as critical habitat for the GOM DPS of Atlantic salmon. Marine mammals protected under the Marine Mammal Protection Act, including several species of seals, also occur in Maine coastal waters. All of the Navy facilities under consideration appear to be inland locations. It does not appear from your letter that the proposed action will involve any in-water work. If that is the case, no further coordination with NMFS regarding effects of the proposed action on listed species, designated critical habitat or marine mammals is likely to be necessary.

Additionally, while certain Maine waters have been designated as Essential Fish Habitat (EFH) pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, the lack of in-water work precludes any effects to EFH. Should you have any questions regarding this correspondence, please contact Julie Crocker of my staff at (978)282-8480 or by e-mail (julie.crocker@noaa.gov).

Sincerely,

Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

Cc: Colosi - F/NER4

File Code: Sec 7 no species present 2009

Mohney, Kirk

From: Cook, Darrell E CIV NAVFAC Atlantic [darrell.e.cook@navy.mil]
Sent: Tuesday, November 10, 2009 11:26 AM
To: Mohney, Kirk
Cc: Larson, Bruce J CIV NAVFAC Lant; Stephan, Tom CTR OASN (I&E) BRAC PMO NE
Subject: Sabino Hill Rake Station No. 1 (affiliated with NAS Brunswick)
Signed By: There are problems with the signature. Click the signature button for details.

Building 558; Phippsburg

RECEIVED
NOV 10 2009
By 1931-09

Sabino Hill Rake Station No. 1...

Kirk,

Thank you for allowing me the opportunity to send this information via email. Tom Stephan, of the Navy's BRAC PMO, recently initiated consultation on the demolition of the Sabino Hill Rake Station. In response, you requested additional information regarding the resource's physical integrity, its historic context, and its relative rarity. The attached document, while by no means a complete history of the resource type, provides additional information concerning towers, in general, and the subject rake station, in particular. I concur with the BRAC office that the resource is not eligible for the National Register given the information included in the report. If you have any questions, need additional information, and/or more clarification, please do not hesitate to contact me.

Respectfully,
Darrell

Darrell E. Cook, M.A.
Architectural Historian
NAVFAC Atlantic
6506 Hampton Blvd
Norfolk, VA 23508-1278
757.322.4282

Based on the information submitted, I have concluded that there will be no historic properties affected by the proposed undertaking, as defined by Section 106 of the National Historic Preservation Act. Consequently, pursuant to 36 CFR 800.4(d)(1), no further Section 106 consultation is required unless additional resources are discovered during project implementation pursuant to 36 CFR 800.13.

Kirk F. Mohney
Kirk F. Mohney,
Deputy State Historic Preservation Officer
Maine Historic Preservation Commission

12/2/09
Date

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 10-053
January 14, 2010

Ms. Kathleen Leyden
Maine Coastal Program Director
State Planning Office
38 State House Station
187 State Street
Augusta, ME 04333-0038

Dear Ms. Leyden:

This office is preparing an Environmental Impact Statement (EIS) for the closure and reuse of property at Naval Air Station (NAS) Brunswick. We are requesting your review of the enclosed Coastal Consistency Determination and respond with your confirmation of potential reuse impacts.

The EIS will analyze potential environmental impacts resulting from the disposal and reuse of NAS Brunswick in accordance with the Base Closure and Realignment Act of 1990 and reuse of the surplus property in a manner consistent with the *Brunswick Naval Air Station Reuse Master Plan* (Reuse Master Plan). The property is shown on Figure 1.

The EIS will assess two alternatives including the Reuse Master Plan (Alternative 1) and a High Density scenario (Alternative 2), as well as a No Action Alternative. Alternative 1, the preferred alternative, is the redevelopment scenario presented in the Reuse Master Plan and includes reuse of the existing air field, a combination of residential, parks and recreation, and business and community land uses.

Please provide your response by February 19, 2010 for inclusion in our draft EIS, and if you have any questions, contact Mr. Tom Stephan at (215) 897-4916.

Sincerely,

David Drozd
Director

Enclosure:
Coastal Consistency Determination

Copy to:
NAVFAC MIDLANT (C. Hendrickson)
NASB (L. Joy)

FEDERAL AGENCY COASTAL ZONE MANAGEMENT ACT (CZMA) NEGATIVE DETERMINATION FOR THE ENVIRONMENTAL IMPACT STATEMENT (EIS) FOR THE DISPOSAL AND REUSE OF NAVAL AIR STATION BRUNSWICK, MAINE

INTRODUCTION

This document provides the State of Maine with the Department of the Navy's Negative Determination under CZMA 16 United States Code (U.S.C.) § 1451 et seq. and 15 Code of Federal Regulations (CFR) § 930.35. The information in this Negative Determination is provided pursuant to 15 CFR § 930.35.

This CZMA Negative Determination addresses the Proposed Action of the *Draft Environmental Impact Statement (EIS) for the Disposal and Reuse of Naval Air Station Brunswick, Maine.*

BACKGROUND

NAS Brunswick is situated on approximately 3,137 acres in the town of Brunswick, Cumberland County, Maine. The facility is approximately 27 miles northeast of Portland and 31 miles south of Augusta, the state capital. The main gate is located on Bath Road, approximately 2 miles east of the downtown Brunswick Business District. In addition to the NAS Brunswick property, the EIS also evaluates the disposal and reuse of:

- McKeen Street Housing Annex (70 acres, Brunswick, Maine)
- East Brunswick Radio Transmitter Site (66 acres, Brunswick, Maine)
- Sabino Hill Rake Station (0.23 acre, Phippsburg, Maine)

The site of NAS Brunswick was originally a municipal airfield constructed in the mid-1930s. The Navy acquired the airfield in response to World War II, and NAS Brunswick was commissioned on April 15, 1943. During World War II, NAS Brunswick provided air and surface patrols in the Atlantic to protect the coast of the United States. After World War II ended in 1945, the installation was placed in caretaker status, and its facilities were leased to a variety of organizations, including Bowdoin College, the University of Maine, and the Town of Brunswick. In 1951, the installation was recommissioned to support regular operations of fleet reconnaissance and anti-submarine aircraft. As a result, NAS Brunswick's facilities were expanded, including the construction of the two 8,000-foot-long runways, which still exist. Since the late 1950s, air station aircraft, typically the P3-Orion, have continued to conduct patrols over the North Atlantic. The current mission of NAS Brunswick is to provide facilities, services, and materials to support the various activities of its tenants and support units.

The BRAC Commission recommended disposal of NAS Brunswick on September 15, 2005. The recommendation to dispose of the installation was approved by President Bush and accepted by Congress on November 9, 2005. By law, NAS Brunswick must be closed before September 15, 2011.

In response to the BRAC decision, Maine Governor Baldacci issued an Executive Order (EO) on August 25, 2005, establishing the Brunswick Local Redevelopment Authority (BLRA). On December 1, 2005, the BLRA was recognized by the Secretary of Defense as the entity responsible for preparing the redevelopment plan with respect to the installation. Over a two-year process that involved significant public participation, the BLRA developed the *Brunswick*

Naval Air Station Reuse Master Plan (Reuse Master Plan), which was officially adopted on December 19, 2007. At that point, the BLRA was disbanded, and on January 1, 2008, the Maine State Legislature designated the Midcoast Regional Redevelopment Authority (MRRA) to implement the Reuse Master Plan. The Reuse Master Plan is discussed in greater detail below.

NEGATIVE DETERMINATION

In accordance with 15 CFR § 930.35, the Navy has reviewed Maine's coastal management program and associated enforceable policies and has determined that the Navy's Proposed Action would have no effects on any coastal use or resource.

It is anticipated that the Reuse Master Plan would be implemented in phases over a 20-year period; therefore, it is unknown at this time exactly how the specific redevelopment of the individual sites and parcels would evolve. However, based on the known elements of the Reuse Master Plan, it is anticipated that it would be implemented in full compliance with all applicable coastal management policies. It would be the responsibility of individual site/parcel developers, as projects are identified for construction, to conduct separate and appropriate environmental documentation and obtain all the necessary permits and approvals prior to implementation of individual projects.

PROPOSED FEDERAL AGENCY ACTION

The Proposed Action is the disposal of NAS Brunswick and the McKeen Street Housing Annex, East Brunswick Radio Transmitter Site, and Sabino Hill Rake Station by the Navy in a manner consistent with the Reuse Master Plan (referred to as Alternative 1 in the EIS and from this point forward).

Full build-out under Alternative 1 is proposed to be implemented over a 20-year period. Alternative 1 calls for the development of approximately 1,630 acres (51%) of the total base property. In addition, Alternative 1 includes a large open space/recreation element that coincides in a positive way with the State of Maine's coastal preservation policies. Approximately 1,570 acres (49%) of the installation property would be dedicated to a variety of active and passive uses, including recreation, open space, and natural areas.

Alternative 1 is based upon reuse of the existing airfield and its supporting infrastructure, a mix of land use types and densities, and the preservation of open space and natural areas. Alternative 1 also incorporates smart-growth principles that include pedestrian-friendly transportation features (e.g., walkable neighborhoods and bike lanes), compact development, open spaces, and a mix of land use types.

The redevelopment would make available approximately 2.1 million square feet of existing building space. Implementation of Alternative 1 would occur in phases, with priorities first on the sale/leasing of existing building space, development of special activity centers or economic centers, and completion of the investigation of areas of environmental concern.

Alternative 1 would, at full build-out, include the following elements:

- *Airport Operations.* This 500-area contains two existing 8,000-foot runways, taxiways, and adjacent buffer zones surrounding the airfield.
- *Aviation-related Business.* This 230-acre area would be dedicated to aviation-related business, industry, transportation and distribution, and technology based employment.

- *Professional Office.* This 120-acre district includes professional office space and areas for retail and community support services.
- *Community Mixed Use.* This 175-acre area provides space for a mix of compact pedestrian-oriented development that includes a mix of retail, professional offices, business and support services, restaurants, hotels and conference centers, civic and cultural uses, parks, and government buildings. In addition, this area includes higher-density attached residential housing such as town homes, condominiums, apartments, and assisted living/independent-care senior housing.
- *Business and Technology Industries.* This 190-acre area includes space for technology-based research and development, energy parks, laboratories, light manufacturing, and warehouse and distribution.
- *Education District.* This 200-acre area is designated for higher education academic space and administrative and support facilities.
- *Residential District.* This 215-acre area would provide residential housing, including the existing Public Private Venture (PPV) family housing area. The district would consist of a mix of existing single-family attached and detached PPV family housing and new detached/attached single-family housing, multi-family apartments, assisted/senior housing, and retirement/second homes.
- *Recreation and Open Space District.* This area provides 510 acres of land for a variety of commercial and public outdoor active and passive recreation, including an 18-hole golf course, public gardens, public parks, sports fields, and bicycle trails.
- *Natural Areas.* Alternative 1includes the conservation and preservation of 1,060 acres of the property as designated natural areas. The natural areas would include pedestrian trails, nature centers, and other non-intrusive, passive outdoor recreation. Approximately 33 acres of this "natural area" would be located at the East Brunswick Transmitter Site.
- *Transportation.* On-site transportation improvements include 10 roadway access points onto the property, including new secondary access points onto the adjacent street systems at Bath Road/Gurnet Road/Harpswell Road; a new east-west connector surface road linking Gurnet Road and Harpswell Road; and creation of a new network of pedestrian/bicycle trails. Changes to the existing street and roadway network would include a system of street hierarchy and development of new local streets to provide access to individual parcels.

  Off-site transportation improvements include development of a connector spur (road) and interchange that would connect to U.S. Route 1 west of the present interchange at Cook's Corner and the widening of Bath Road (along the northern boundary of the property). This alternative also includes development of a passenger/freight rail spur connecting the property to an existing rail line north of the property boundary. The off-site transportation improvements, including the U.S. Route 1 interchange, are located on private lands, outside the federally owned NAS Brunswick property being disposed. The Navy does not have jurisdiction over these lands; thus, the Navy would have no role or responsibility in the funding, planning, design, or construction of any public off-site roadways.

PURPOSE OF THE PROPOSED ACTION

The purpose of the proposed action is to provide for the disposal of NAS Brunswick and its outlying properties by the Navy in accordance with the BRAC Closure Law and its reuse in a manner consistent with the Reuse Master Plan

MAINE'S COASTAL MANAGEMENT PROGRAM

The Coastal Zone Management Act (CZMA) of 1972 (16 U.S.C., Section 1451, et seq., as amended) provides assistance to states, in cooperation with federal and local agencies, for developing land and water use programs in coastal zones. Section 307 of the CZMA stipulates that when a federal project initiates reasonably foreseeable effects on any coastal use or resource (land or water use, or natural resource), that action must be consistent to the maximum extent practicable with the enforceable policies of the affected state's federally approved coastal management plan. Federal agencies must also give consideration to management program provisions that are in the nature of recommendations.

The State of Maine's federally approved coastal zone extends from the inland boundary of all 147 coastal towns that contain tidal waters to the outer limit of the State's territorial jurisdiction, which is 3 nautical miles (NM) into the Atlantic Ocean. The enforceable policies of the Maine Coastal Program (MCP) are contained in the following twenty "core laws:"

(1) Natural Resources Protection Act

(2) Mandatory Shoreland Zoning Law

(3) Site Location of Development Law

(4) Erosion Control and Sedimentation Law

(5) Storm Water Management Law

(6) Subdivision Law

(7) Maine Rivers Act

(8) Maine Waterway Development and Conservation Act

(9) Coastal Management Policies Act

(10) Protection and Improvement of Air Law

(11) Protection and Improvement of Waters Act

(12) Nutrient Management Act

(13) Land Use Regulation Law

(14) Maine Hazardous Waste, Septage and Solid Waste Management Act

(15) Nuclear Facility Decommissioning Laws

(16) Oil Discharge and Pollution Control Law

(17) Maine Resources Law

(18) Coastal Barrier Resources System Act

(19) Maine Endangered Species Act

(20) Fee Schedule

FEDERAL REVIEW

The Navy does not propose to conduct any activities associated with the Reuse Master Plan that would produce any direct or indirect effects on any of Maine's coastal zone uses or resources included in Maine's coastal management program and associated enforceable policies. All construction and redevelopment activities associated with the Reuse Master Plan (Alternative 1)

would occur within the boundaries of the existing NAS Brunswick installation and its outlying properties, including the McKeen Street Housing Annex, East Brunswick Radio Transmitter site, and Sabino Hill Rake Station. The Reuse Master Plan (Alternative 1) was developed with the intent of having a positive impact on both the environment and the local and regional economy. As a result of the phased implementation of the plan, the following goals and objectives are sought:

- Accommodate the needs and values of the community, the region, and the State of Maine and be consistent with the policies of the Brunswick Comprehensive Plan. Redevelopment of the base would provide an opportunity to reconnect the base with the community, both geographically and economically.
- Consider "smart growth" strategies that promote sustainable development and balance economic development, environmental protection, and the preservation or enhancement of the quality of life for Brunswick residents.
- Consider a mix of land uses, including but not limited to the following: businesses with potential for high employment growth, capital investment and tax revenue; open space and public recreation uses; academic and research facilities; governmental/public services; housing; and aviation.
- Make adequate provision for environmental cleanup and remediation of the installation where needed, including a goal that base cleanup is to the standards necessary to support the proposed reuses of the land and facilities.
- Seek to develop local and regional economic and employment viability and sustainability similar to or better than the economic health of the region before the BRAC announcement. Development on the base should be integrated with the economic development of the town, the region, and the State of Maine.
- Attempt to optimize the use of existing facilities and infrastructure, including the integration of a multi-modal transportation system, with designated land uses.
- Recognize and optimize the skills of the available civilian workforce at NAS Brunswick and the region.

ENFORCEABLE POLICY ANALYSIS

The following presents a summary of the Maine coastal policies as applied to the key elements of the proposed action.

Natural Resources Protection Act. The Natural Resources Protection Act (NRPA) requires a permit to be obtained for any activity located on, in, or over a protected natural resource area. Protected natural resources are coastal wetlands, coastal sand dune systems, significant wildlife habitat, fragile mountain areas, freshwater wetlands, great ponds and rivers, and streams or brooks. A permit is also required for any activity located adjacent to a coastal wetland, great pond, river, stream, brook, or significant wildlife habitat contained within a freshwater wetland or adjacent to certain freshwater wetlands.

Coastal and freshwater wetlands are protected under the MEDEP Wetland Protection rules (MEDEP rules, Ch. 310). As part of the proposed action, approximately 339 acres of coastal wetlands would be designated as natural or open space/recreation areas, and therefore preserved from future development. Up to approximately 51 acres of freshwater wetlands could be impacted by future redevelopment of the installation. Any wetland disturbance resulting from

implementation of the proposed action would require that the developer obtain a permit from the MEDEP and the U.S. Army Corps of Engineers (USACE). In addition, per the NRPA, any encroachment within a 75-foot buffer around a wetland would require a permit. Any wetland impacts that occur under the proposed action would be minimized through compliance with applicable federal, state, and local laws and implementation of appropriate mitigation measures developed in accordance with MEDEP and USACE regulations.

Coastal sand dunes are protected under the MEDEP Coastal Sand Dune rules (MEDEP rules, Ch. 355). The proposed action would not impact any coastal sand dunes.

Significant wildlife habitat includes habitat for species appearing on the official state or federal lists of endangered or threatened animal species; high- and moderate-value deer wintering areas and travel corridors (as defined by the Maine Department of Inland Fisheries and Wildlife [MDIFW]); high- and moderate-value waterfowl and wading bird habitats, including nesting and feeding areas; critical spawning and nursery areas for Atlantic salmon (as defined by the Atlantic Salmon Commission); shorebird nesting, feeding, and staging areas, and seabird nesting islands; and significant vernal pools (as defined by the MDIFW) (38 MRSA 480-B Chapter 335). The following significant wildlife habitat occurs at NAS Brunswick: sandplain grassland habitat for state-listed threatened and endangered species; deer wintering areas; tidal waterfowl and wading bird habitats; and vernal pools.

It is expected that impacts on most of the sandplain grassland habitat under the proposed action would be avoided by continued use of the airfield and management of the airfield Clear Zones by the future airport operator. Furthermore, the developer would be required to obtain a permit from the MEDEP for any potential development plans within this grassland habitat. Consequently, no significant impacts on this habitat would be expected.

The mapped deer wintering area at the installation is located within the proposed open space/recreation district. It is expected that sensitive natural resource habitats within this district, such as the deer wintering area, would be avoided by the developer. Currently, the wintering area is bisected by a high fence delineating the property boundary for the installation. It is anticipated that this fence would be removed as part of the installation's reuse, thereby joining the two fragmented habitats and having a positive affect on the deer wintering area.

The tidal waterfowl and wading bird habitat located at the installation would be preserved as a natural area; therefore, this habitat would not be impacted.

Vernal pools considered significant under the NRPA are located within the recreation/open space district. Consequently, it is not expected that any future development would occur within these vernal pools.

The proposed action would not be located in nor would it affect any fragile mountain areas.

The proposed action would not directly impact any great ponds or rivers. Streams may be directly impacted by construction of new roadways and trails, as well as land clearing and the addition of new impervious surface. Prior to siting or constructing roads, pedestrian trails, or other facilities that result in direct stream impacts, the developer would be required to comply with applicable federal and state laws and regulations. Compliance with applicable laws and regulations would minimize impacts on surface water resources. Furthermore, impacts on surface water resources would be mitigated through development and implementation of Erosion

and Sediment Control Plans (ESCPs) and implementation of Maine's Best Management Plans (BMPs).

Based on the foregoing, the proposed action is consistent with the NRPA coastal policy to the maximum extent practicable.

Mandatory Shoreline Zoning Law. The Shoreland Zoning law requires that municipalities protect shoreland areas through adopting shoreland zoning maps and ordinances. Shoreland areas include areas within 250 feet of the normal high-water line of any great pond, river, or saltwater body, areas within 250 feet of the upland edge of a coastal wetland, areas within 250 feet of the upland edge of a freshwater wetland (except in certain situations), and areas within 75 feet of the high-water line of a stream.

The shorelines of saltwater bodies that occur on the installation, including Harpswell Cove and Buttermilk Cove, as well as all coastal wetlands, would be located in a natural area district and preserved from future development under the proposed action. Shoreland areas associated with freshwater wetlands and streams may be impacted by future redevelopment of the installation. Any stream or wetland impacts that occur under the proposed action would be minimized through compliance with applicable federal, state, and local laws and implementation of appropriate mitigation measures developed in accordance with MEDEP and USACE regulations. Furthermore, impacts on streams and wetlands would be mitigated through development and implementation of ESCPs and implementation of Maine's BMPs.

Based on the foregoing, the proposed action is consistent with the Mandatory Shoreland Zoning Law to the maximum extent practicable.

Site Location of Development (Site Law). This law requires review of developments that may have a substantial effect upon the environment. These types of development, which have been identified by the State Legislature, include projects occupying more than 20 acres, metallic mineral and advanced exploration projects, large structures and subdivisions, and oil terminal facilities. A permit is issued if the project meets applicable standards addressing areas such as storm water management, groundwater protection, infrastructure, wildlife and fisheries, noise, and unusual natural areas.

Under Alternative 1, the built environment of the NAS Brunswick property would be more intensely developed than under existing conditions. The redevelopment would introduce new land uses to the property, including a densely populated community mixed-use district and professional office, education, and business/industry technology land uses. However, the Reuse Plan does not specifically introduce new housing or subdivisions into the Residential Land Use District, but it is assumed that 573 existing PPV housing units would be occupied by non-military residents. The majority of the projected growth in residential units is due to the high residential density (24 units per acre) allowed in the Community Mixed-Use Land Use District.

It will be the responsibility of individual site/parcel developers to conduct separate and appropriate environmental documentation and obtain all the necessary permits that meet the applicable standards addressing areas such as storm water management, groundwater protection, infrastructure, wildlife and fisheries, noise, and unusual natural areas.

Therefore, the proposed action is consistent with this policy to the maximum extent practicable.

Erosion Control and Sedimentation Law. The Erosion and Sedimentation Control Law, which went into effective in 1997, is intended to prevent Maine's waterbodies from degradation due to soil erosion. Under this law, construction projects of any size must incorporate sediment control measures, such as silt fence or hay bales, placed at the downgradient side of the construction site before work begins. In addition, erosion control measures, such as mulch and vegetation, must be placed as soon as practicable to permanently stabilize the site when construction is completed.

Under Alternative 1, the built environment of the NAS Brunswick property would be more intensely developed than under existing conditions. However, proposed redevelopment activity is targeted for areas that were previously developed by the Navy and appropriate design and site layout should mitigate any erosion impacts. In addition, less than 1% of the soils at the NAS Brunswick installation are steep enough to have the potential for erosion. Any soils and or waterbodies impacted by construction and redevelopment activities would be mitigated through development and implementation of ESCPs and implementation of Maine's BMPs.

It will be the responsibility of individual site/parcel developers to conduct separate and appropriate environmental documentation and obtain all the necessary permits and approvals, including elements of the Erosion Control and Sedimentation Law, prior to implementation of individual projects.

Therefore, the proposed action is consistent with this policy to the maximum extent practicable.

Subdivision Law. Subdivision Law is deals broadly with the regulations associated with the review and approval of proposed subdivisions.

The Reuse Plan does not specifically introduce new housing or subdivisions into the Residential Land Use District, but it is assumed that 573 existing PPV housing units would be occupied by non-military residents. The majority of the projected growth in residential units is due to the high residential density (24 units per acre) allowed in the Community Mixed-Use Land Use District. It is anticipated that the Reuse Plan would be implemented in phases over a 20-year period; therefore, it is unknown at this time exactly how the specific redevelopment of the individual sites and parcels would evolve. Should any new residential subdivisions be considered for construction, it would be the responsibility of individual site/parcel developers to conduct separate and appropriate environmental documentation and obtain all the necessary permits and approvals, including those applicable Subdivision Law, prior to implementation of individual projects.

Therefore, the proposed action is consistent with this policy to the maximum extent practicable.

Maine Rivers Act. The Maine Rivers Act recognizes the importance of Maine's rivers and streams for meeting portions of several public needs, provides guidance for striking a balance among the various uses that affords the public maximum benefit, seeks harmony rather than conflict among these uses, and regulates the balance among the competing uses of the state's rivers and streams. No rivers would be directly impacted by implementation of the proposed action, nor would public access to any rivers or streams be restricted. Streams may be directly

impacted by construction of new roadways and trails, and by land clearing and addition of new impervious surface. Prior to siting or constructing roads, pedestrian trails, or other facilities that result in direct stream impacts, the developer would be required to comply with applicable federal and state laws and regulations. Compliance with applicable laws and regulations would minimize impacts on streams. Furthermore, impacts on streams would be mitigated through development and implementation of ESCPs and implementation of Maine's BMPs.

Based on the foregoing, the proposed action is consistent with the Maine Rivers Act to the maximum extent practicable.

Maine Waterway Development and Conservation Act. The Maine Waterway Development and Conservation Act requires an individual wishing to initiate construction or reconstruction of a hydropower project, or structurally alter a hydropower project in ways that change water levels or flows, to obtain a single permit from the MEDEP. Because Alternative 1 does not contemplate construction or reconstruction of a hydropower project, or structurally alter a hydropower project in ways that would change water levels or flows, a permit for this would not be required. Therefore the proposed action is consistent with this policy.

Coastal Management Policy Act. This document serves as the Navy's review of the State of Maine's Coastal management Policies. Therefore the proposed action is consistent with this policy.

Protection and Improvement of Air Law. The Maine Protection and Improvement of Air Law is the State of Maine's broad and all encompassing air quality statute that deals with elements such as the establishment of air quality regions, green house gas emissions, enforcement, and emission standards, among many others.

The town of Brunswick is currently in attainment for all criteria pollutants. While Cumberland County is subject to a maintenance plan under Section 110(a)(1) of the Clean Air Act anti-backsliding provisions, this requirement does not include conformity obligations. Therefore, the General Conformity Rule would not be applicable to the proposed disposal and reuse of NAS Brunswick. In addition, upon disposal and reuse of NAS Brunswick, the Navy would not retain control of the property; therefore, the implementation of Alternative 1 or Alternative 2 is not considered a federal action and the General Conformity Rule does not apply.

Air emissions would result from the project from construction-related emissions (primarily exhaust emissions from construction vehicles and dust resulting from ground disturbance and road traffic, building use emissions (boiler use, lights, etc.), and mobile source emissions (aircraft and motor vehicles).

Although there would be an overall increase in emissions at full build-out, it is estimated that emissions of volatile organic compounds, nitrous oxides, and particulate matter would be reduced due to the discontinuation of Navy aircraft operations and maintenance. Emissions of carbon monoxide and sulfur dioxide would be expected to increase primarily due to the use of heating fuels for the large residential development, emissions from new aircraft, and vehicle use.

It is anticipated that Alternative 1 would be implemented in phases over a 20- year period; therefore, it is unknown at this time exactly how the specific redevelopment of the individual sites and parcels would evolve and what the overall emissions impacts would be. It would be the responsibility of individual site/parcel developers to conduct separate and appropriate

environmental documentation and obtain all the necessary permits, including applicable air quality permits, and approvals prior to implementation of individual projects.

Protection and Improvement of Waters Law. The Maine Protection and Improvement of Water Law is a broad and all encompassing statute that deals with large acts and programs such the Great Ponds Program, Groundwater Protection Program, Freshwater Wetlands Program, Shoreline Protection Program, and Natural Resources Protection Act, among many others. This statute encompasses many of the applicable individual policies that are covered by this coastal zone assessment. Therefore the proposed action is consistent with this policy.

Nutrient Management Act. Not applicable to this proposed action.

Maine Land Use Regulation Law. The Maine Land Use Regulation Law seeks to establish principles of sound planning, zoning, and subdivision control for the unorganized and deorganized townships of the State of Maine. The purpose of the law is preserve public health, safety, and general welfare; to prevent inappropriate residential, recreational, commercial, and industrial uses detrimental to the proper use or value of these areas; to prevent the intermixing of incompatible industrial, commercial, residential, and recreational activities; to provide for appropriate residential, recreational, commercial, and industrial uses; to prevent the development in these areas of substandard structures or structures located unduly proximate to waters or roads; to prevent the despoliation, pollution, and inappropriate use of the water in these areas; and to preserve ecological and natural values.

Implementation of Alternative 1 would result in the redevelopment of NAS Brunswick and its outlying properties. The Reuse Plan incorporates nine different land use planning districts to create a mixed-use, smart-growth-oriented community and maintains the existing airfield for private aviation purposes.

The implementation of Alternative 1 would not result in significant impacts on regional land use. However, the proposed action would affect the existing land use conditions within the boundaries of NAS Brunswick, the McKeen Street Housing Annex, the East Brunswick Transmitter site, and the Sabino Hill Rake Station. These impacts would include significant changes to the existing built environments and the incorporation of the NAS Brunswick, the McKeen Street Housing Annex, and the East Brunswick Transmitter Site properties into the town of Brunswick and the Sabino Hill Rake Station property into the town of Phippsburg. Implementation of Alternative 1 would also result in open public access to the formerly secure and restricted military property.

Under the proposed action, NAS Brunswick and its outlying properties would no longer be owned or managed by the federal government. Upon completion of the BRAC disposal process, the properties would fall under the jurisdiction of the local government in which they are located. The local government would then be responsible for providing municipal services (e.g., water, sewer, power) for and administration of the former federal property. The use of land, the reuse of existing buildings and facilities, and the development or redevelopment of buildings on NAS Brunswick, the McKeen Street Housing Annex, and the East Brunswick Transmitter site would be regulated by the Town of Brunswick Zoning Ordinance and other applicable plans and regulations. Reuse of the Sabino Hill Rake Station would conform to the requirements of the Town of Phippsburg Zoning Ordinance and another applicable plans. Implementation of Alternative 1 is the responsibility of the MRRA.

With respect to zoning, in anticipation of the reincorporation of the properties back into the town and to support the implementation of Alternative 1, the Town of Brunswick is in the process of amending its Zoning Ordinance to include three new zoning districts, which will incorporate uses at the NAS Brunswick, McKeen Street Housing Annex, and East Brunswick Transmitter Station properties. The zoning amendment will establish land use controls to regulate land uses and identify land use dimensional and density standards.

The land use plan identified in Alternative 1 is consistent with the objectives of the *Town of Brunswick 2008 Comprehensive Master Plan*, including reintegration of the NAS Brunswick property back into the community and implementing zoning that is consistent with overall Town policies encouraging denser development in designated growth areas and preserving the rural character outside of these growth areas. The proposed zoning regulations for the NAS Brunswick, McKeen Street Housing Annex, and East Brunswick Transmitter Site properties were specifically designed by the Town of Brunswick to promote the development of the properties in accordance with Alternative 1 (Reuse Master Plan) and to steer development into the appropriate districts and areas. Therefore, the proposed action is consistent with the Town of Brunswick's Zoning Ordinance and the *Town of Brunswick 2008 Comprehensive Master Plan*, and the action would not have a negative impact on land use in the Town of Brunswick.

The Sabino Hill Rake Station is currently zoned for business land uses. The Town of Phippsburg will receive the 0.23-acre property as a public benefit conveyance (PBC). The town proposes to reuse the property as a vehicle parking lot for access to a trail. There would be no significant zoning impacts from the proposed reuse of the Sabino Hill Rake Station property and no impact on land use.

It is anticipated that the Reuse Plan would be implemented in phases over a 20-year period; therefore, it is unknown at this time exactly how the specific redevelopment of the individual sites and parcels would evolve. It would be the responsibility of individual site/parcel developers to conduct separate and appropriate environmental documentation and obtain all the necessary permits and approvals prior to implementation of individual projects.

Therefore, the proposed action is consistent with this policy to the maximum extent practicable.

Maine Hazardous Waste, Septage and Solid Waste and Management. The Maine Legislature enacted the Maine Hazardous Waste, Septage and Solid Waste Management Act in 1979. This Act directed the MEDEP to issue regulations for the safe management and transportation of hazardous wastes. These rules built upon the minimum federal rules, tailoring them to Maine's environment and strong reliance on groundwater for drinking water.

NAS Brunswick has 18 open Installation Restoration sites present within its boundaries. Alternative 1 calls for adequate provisions for the environmental cleanup and remediation of the installation where needed, including a goal that base cleanup will be to the standard necessary to support the proposed reuse of the land and facilities.

Prior to the transfer of custody and control of parcels, NAS Brunswick will remove and dispose of all hazardous materials in accordance with OPNAV Notice 5100, OPNAVINST 5090.1C, DoD 4165.66-M, and all laws and regulations, or the base will notify the BRAC PMO of plans to complete removal of such wastes or materials.

In addition, the Navy will inform future property owners of the locations of hazardous waste 90-day accumulation areas, satellite accumulation (storage) areas, and universal waste storage areas at NAS Brunswick. The Navy will be required to close or transfer these areas in accordance with RCRA and all other applicable federal, state, and local laws and regulations. The Navy will also continue in its current role as lead agency for site investigations and remediation, with oversight by the U.S. Environmental Protection Agency and MEDEP, for all sites in its Environmental Restoration Program.

As a result of reuse planning with respect to selecting compatible land uses and redevelopment options, as well as the Navy's commitment to clean up hazardous materials and wastes, Alternative 1 is compatible with the ongoing cleanup program for hazardous materials and waste sites and, therefore, would not impact the coastal zone.

With respect to future hazardous waste issues, it is expected that the amount of hazardous waste used/generated/stored/disposed under Alternative 1 would be less that the quantity generated during the Navy's operation at NAS Brunswick and the outlying properties proposed for redevelopment.

It will be the responsibility of individual site/parcel developers to conduct separate and appropriate environmental documentation, obtain all the necessary permits and approvals, and to conduct any required remedial activities prior to implementation of individual projects. In addition, property owners/developers would also be expected to manage hazardous wastes in accordance with applicable federal and state regulations.

The proposed action is therefore consistent with this policy.

Nuclear Facility Decommisioning Laws. There are no existing nuclear facilities situated on the NAS Brunswick installation that would require decommissioning under the proposed action. The proposed action is therefore consistent with this policy.

Marine Resource Laws. Under the Maine Marine Resources Laws, the Maine Department of Marine Resources is responsible for conserving marine and estuarine resources, including fisheries and protected marine species. Portions of the installation containing marine resources, including Harpswell Cove and Buttermilk Cove, would be designated as natural areas and preserved from future development. Consequently, the proposed action is consistent to the maximum extent practicable with the Maine Marine Resource Laws.

Maine Endangered Species Act. The MDIFW is responsible for implementing the Maine Endangered Species Act. Three state-listed threatened or endangered species are known to occur at NAS Brunswick: the grasshopper sparrow (state endangered), upland sandpiper (state threatened), and clothed sedge (state endangered).

The grassland sparrow and upland sandpiper are grassland dependent and either historically or currently utilize the grassland habitat on the north end of the airfield and the interior grassy areas between the runways. Annual mowing of the airfield buffer zones has provided suitable habitat conditions for both species. Up to approximately 70 acres of grassland habitat, or approximately 12% of the total available grassland habitat on the installation, may be permanently removed under the proposed action. This would not be expected to significantly affect the populations of grasshopper sparrows and upland sandpipers. Furthermore, the developer would likely be

required to consult with the MDINFW and Maine Natural Areas Program prior to implementing any development plans within this grassland habitat.

It is expected that reuse of the airfield within the airport operations district would result in the routine maintenance of grassland habitat that has been documented as supporting populations of clothed sedge, thereby preserving the clothed sedge population and associated area of suitable habitat. Consequently, no significant impacts on this species are expected. Furthermore, the developer would likely be required to consult with the MDINFW and MNAP prior to implementing any development plans within this habitat with documented populations of this species.

Based on the foregoing, the proposed action is consistent with the Maine Endangered Species Act to the maximum extent practicable.

Fee Schedule. Not applicable to this proposed action.

SUMMARY

Based upon the description of the proposed action, the locations where the actions would occur, and the discussion of the proposed action as it relates to the State of Maine's enforceable coastal management policies and the environmental analysis specified in the *EIS for the Disposal and Reuse of Naval Air Station Brunswick*, the Navy has determined that the proposed action is not anticipated to produce any direct or indirect effects on any of Maine's coastal zone uses or resources that are included in Maine's coastal management program and associated enforceable policies.

It is anticipated that Alternative 1 (Reuse Master Plan) would be implemented in phases over a 20-year period; therefore, it is unknown at this time exactly how the specific redevelopment of the individual sites and parcels would evolve. In addition, Alternative 1 is subject to change due to constantly changing market conditions and other development factors. However, based on the known elements proposed under Alternative 1, it is anticipated the Alternative 1 would be implemented in full compliance—to the maximum extent practicable—with all applicable coastal management policies. It would be the responsibility of individual site/parcel developers to conduct separate and appropriate environmental documentation and obtain all the necessary permits and approvals prior to implementation of individual projects.

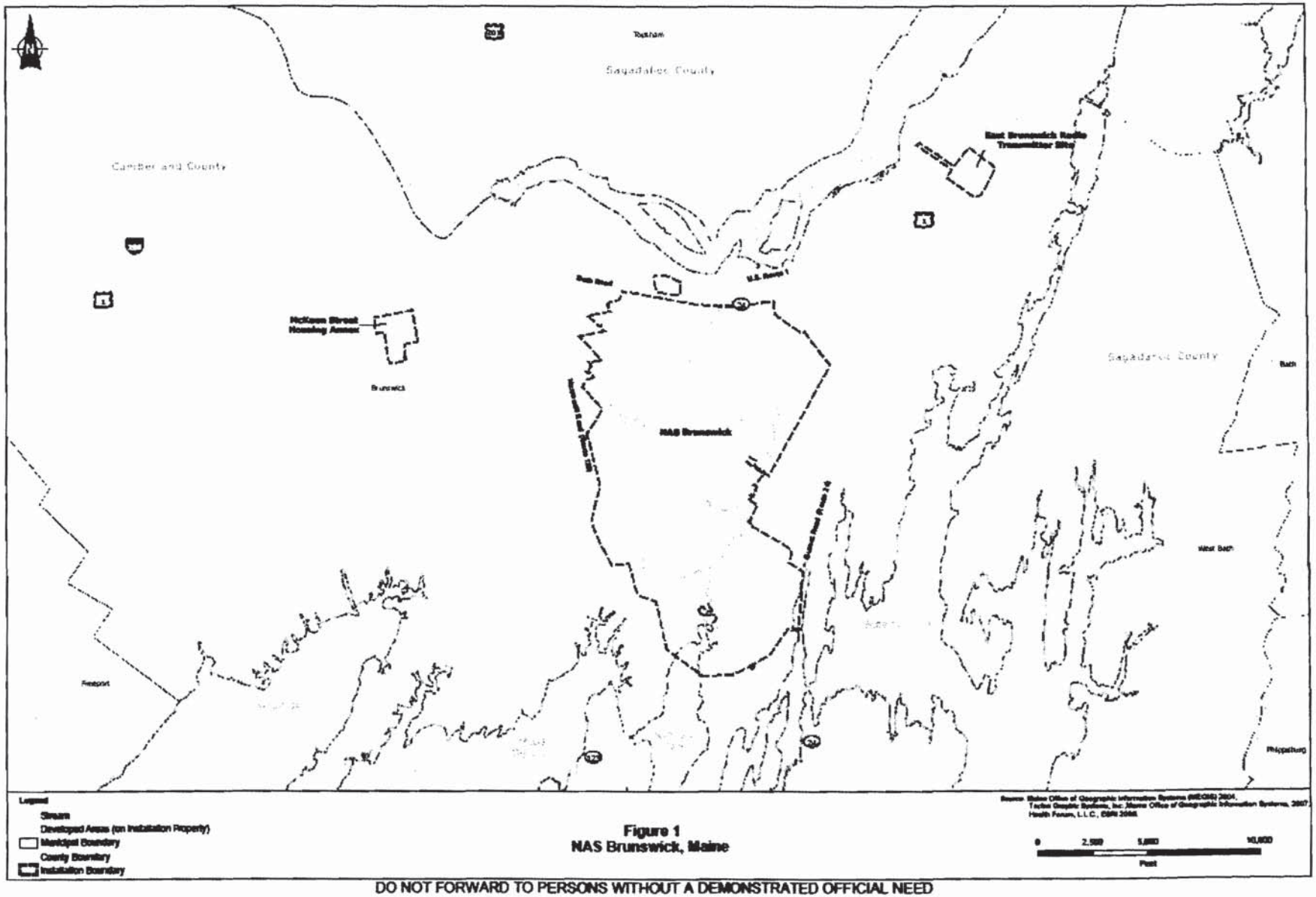


Figure 1
NAS Brunswick, Maine

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 10-059
January 26, 2010

Indian Township Reservation of the Passamaquoddy Tribe of Maine
Attn: Mr. William Nicholas, Governor
P.O. Box 301
Princeton, ME 04668

Dear Mr. Nicholas:

This is to inform you that the Department of the Navy is preparing a Draft Environmental Impact Statement (DEIS) for the reuse of the Naval Air Station (NAS) Brunswick, Maine.

In accordance with the National Historic Preservation Act and Executive Orders No. 13007, 13084 and 13287, we ask if there are any known ceremonial or sacred sites located on or in the vicinity of NAS Brunswick.

Navy has initiated a comprehensive Archaeological Identification Survey at NAS Brunswick per the requirements of Section 106 of the National Historic Preservation Act, *16 U.S.C. 470f* and the Archaeological Resources Protection Act *16 U.S.C. 470aa-mm.* In the event any Archaeological Areas are identified, the Navy will initiate discussions with the State Historic Preservation Officer and Tribal Historic Preservation Officer leading to the execution of a comprehensive Programmatic Agreement (PA) in order to adequately protect any archaeological resource, if any, that may exist in any of the identified Archaeological Areas.

We look forward to your comments. If you have any questions, please do not hesitate to contact Tom Stephan at (215) 897-4916.

Sincerely,

David Drozd
Director

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 10-060
January 26, 2010

Aroostook Band of Micmac Indians of Maine
Attn: Ms. Victoria Higgins, Chief
P.O. Box 772
Presque Isle, ME 04769

Dear Ms. Higgins:

This is to inform you that the Department of the Navy is preparing a Draft Environmental Impact Statement (DEIS) for the reuse of the Naval Air Station (NAS) Brunswick, Maine.

In accordance with the National Historic Preservation Act and Executive Orders No. 13007, 13084 and 13287, we ask if there are any known ceremonial or sacred sites located on or in the vicinity of NAS Brunswick.

Navy has initiated a comprehensive Archaeological Identification Survey at NAS Brunswick per the requirements of Section 106 of the National Historic Preservation Act, *16 U.S.C. 470f* and the Archaeological Resources Protection Act *16 U.S.C. 470aa-mm.* In the event any Archaeological Areas are identified, the Navy will initiate discussions with the State Historic Preservation Officer and Tribal Historic Preservation Officer leading to the execution of a comprehensive Programmatic Agreement (PA) in order to adequately protect any archaeological resource, if any, that may exist in any of the identified Archaeological Areas.

We look forward to your comments. If you have any questions, please do not hesitate to contact Tom Stephan at (215) 897-4916.

Sincerely,

David Drozd
Director

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 10-061
January 26, 2010

Penobscot Tribe of Maine
Attn: Ms. Bonnie Newsom, THPO
Cultural and Historic Preservation Program
12 Wabanaki Way
Indian Island, ME 04468

Dear Ms. Newsom:

This is to inform you that the Department of the Navy is preparing a Draft Environmental Impact Statement (DEIS) for the reuse of the Naval Air Station (NAS) Brunswick, Maine.

In accordance with the National Historic Preservation Act and Executive Orders No. 13007, 13084 and 13287, we ask if there are any known ceremonial or sacred sites located on or in the vicinity of NAS Brunswick.

Navy has initiated a comprehensive Archaeological Identification Survey at NAS Brunswick per the requirements of Section 106 of the National Historic Preservation Act, *16 U.S.C. 470f* and the Archaeological Resources Protection Act *16 U.S.C. 470aa-mm.* In the event any Archaeological Areas are identified, the Navy will initiate discussions with the State Historic Preservation Officer and Tribal Historic Preservation Officer leading to the execution of a comprehensive Programmatic Agreement (PA) in order to adequately protect any archaeological resource, if any, that may exist in any of the identified Archaeological Areas.

We look forward to your comments. If you have any questions, please do not hesitate to contact Tom Stephan at (215) 897-4916.

Sincerely,

David Drozd
Director

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 10-062
January 26, 2010

Houlton Band of Maliseet Indians of Maine
Attn: Ms. Brenda Commander, Chief
88 Bell Road
Littleton, ME 04730

Dear Ms. Commander:

This is to inform you that the Department of the Navy is preparing a Draft Environmental Impact Statement (DEIS) for the reuse of the Naval Air Station (NAS) Brunswick, Maine.

In accordance with the National Historic Preservation Act and Executive Orders No. 13007, 13084 and 13287, we ask if there are any known ceremonial or sacred sites located on or in the vicinity of NAS Brunswick.

Navy has initiated a comprehensive Archaeological Identification Survey at NAS Brunswick per the requirements of Section 106 of the National Historic Preservation Act, *16 U.S.C. 470f* and the Archaeological Resources Protection Act *16 U.S.C. 470aa-mm.* In the event any Archaeological Areas are identified, the Navy will initiate discussions with the State Historic Preservation Officer and Tribal Historic Preservation Officer leading to the execution of a comprehensive Programmatic Agreement (PA) in order to adequately protect any archaeological resource, if any, that may exist in any of the identified Archaeological Areas.

We look forward to your comments. If you have any questions, please do not hesitate to contact Tom Stephan at (215) 897-4916.

Sincerely,

David Drozd
Director

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 10-063
January 26, 2010

Pleasant Point Reservation of the Passamaquoddy Tribe of Maine
Attn: Mr. Donald Soctomah, THPO
P.O. Box 159
Princeton, ME 04668

Dear Mr. Soctomah:

This is to inform you that the Department of the Navy is preparing a Draft Environmental Impact Statement (DEIS) for the reuse of the Naval Air Station (NAS) Brunswick, Maine.

In accordance with the National Historic Preservation Act and Executive Orders No. 13007, 13084 and 13287, we ask if there are any known ceremonial or sacred sites located on or in the vicinity of NAS Brunswick.

Navy has initiated a comprehensive Archaeological Identification Survey at NAS Brunswick per the requirements of Section 106 of the National Historic Preservation Act, *16 U.S.C. 470f* and the Archaeological Resources Protection Act *16 U.S.C. 470aa-mm.* In the event any Archaeological Areas are identified, the Navy will initiate discussions with the State Historic Preservation Officer and Tribal Historic Preservation Officer leading to the execution of a comprehensive Programmatic Agreement (PA) in order to adequately protect any archaeological resource, if any, that may exist in any of the identified Archaeological Areas.

We look forward to your comments. If you have any questions, please do not hesitate to contact Tom Stephan at (215) 897-4916.

Sincerely,

David Drozd
Director

Rec'd 2/22

SPO Maine State Planning Office

Executive Department

JOHN ELIAS BALDACCI
Governor

MARTHA E. FREEMAN
Director

February 9, 2010

David Drozd, Director
Department of the Navy
Base Realignment and Closure
Program Management Office, Northeast
4911 South Broad Street
Philadelphia, Pennsylvania 19112-1303

RE: CZMA negative determination; Disposal and Reuse of Naval Air Station Brunswick, Maine (NAS Brunswick)

Dear Mr. Drozd:

This letter is in response to your letter dated January 14, 2010, and accompanying information providing the Navy's negative determination pursuant to Section 307 of the Coastal Zone Management Act regarding its proposed action, "disposal of NAS Brunswick and the McKeen Street Housing Annex, East Brunswick Radio Transmitter Site, and Sabino Hill Rake Station by the Navy in a manner consistent with the Reuse Master Plan" for BNAS.[1] The MCP does not have an enforceable policy that applies to the specific action now proposed, which involves and is limited to transfer of property. Accordingly, the State does not object to the Navy's negative determination regarding this specific proposed action.

As the Navy's negative determination acknowledges[2], when the Reuse Master Plan is implemented, specific actions to redevelop the BNAS will be subject to state environmental and land use laws and related permit and other approval requirements, and thus potentially federal consistency review, as applicable.

Please contact Todd Burrowes on my staff (tburrowes@maine.gov; 207-287-1496) if you have questions or need additional information.

Sincerely,

Kathleen Leyden/cc

Kathleen Leyden
Director, Maine Coastal Program

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[1] Negative Determination (enclosure), p. 2
[2] *See id* at p.2 and 13

OFFICE LOCATED AT: 184 STATE STREET, 38 STATE HOUSE STATION, AUGUSTA MAINE
PHONE: (207) 287-6077 internet: www.maine.gov/spo FAX: (207) 287-6489

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 10-093
March 12, 2010

Penobscot Tribe of Maine
Attn: Ms. Bonnie Newsom, THPO
Cultural and Historic Preservation Program
12 Wabanaki Way
Indian Island, ME 04468

Dear Ms. Newsom:

As requested, I am enclosing a copy of the Draft Comprehensive Archaeological Identification Survey at Naval Air Station Brunswick, ME.

We look forward to your comments. If you have any questions, please do not hesitate to contact Tom Stephan at (215) 897-4916.

Sincerely,

Gregory C. Preston
Acting Director

Enclosure:
Draft Comprehensive Archaeological Identification Survey
At Naval Air Station Brunswick, ME

MAINE HISTORIC PRESERVATION COMMISSION
55 CAPITOL STREET
65 STATE HOUSE STATION
AUGUSTA, MAINE
04333

JOHN ELIAS BALDACCI
GOVERNOR

EARLE G. SHETTLEWORTH, JR.
DIRECTOR

April 14, 2010

David Drozd, Director
Department of the Navy
Base Realignment and Closure
Program Management Office, Northeast
4911 South Broad Street
Philadelphia, PA 19112-1303

Project: MHPC #2196-08 – Draft *Comprehensive Architectural Survey for NAS Brunswick, ME*
Location: Brunswick, Maine

Dear Mr. Drozd:

In response to your recent request, I have reviewed the subject architectural survey received March 11, 2010 to continue consultation on the above referenced project pursuant to Section 106 of the National Historic Preservation Act, as amended.

For the most part, the Commission agrees with the National Register eligibility conclusions of the subject document. However, the rationale given on page 81 for concluding that the 1950s era weapons storage magazines (Facilities 285-291) does not, in our opinion, justify the non-eligibility of these resources. Based on the description of the magazines, we do not understand why they fail to meet National Register Criterion C as structures that possess most if not all aspects of integrity and "That embody the distinctive characteristics of a type, period, or method of construction…." Furthermore, although we recognize that there may be other larger complexes of such facilities in the country, does that preclude this group of Cold War era magazines from being evaluated at the local and possibly state levels of significance? Given the extent of the alterations to other facilities at BNAS, both the World War II and Cold War era magazines appear to be the most intact structures associated with the Navy's use and development of this property during the historic period of significance. As a group, they also illustrate the evolution of design concepts for such facilities in the two periods.

The final submittal must conform to our survey guidelines as referenced on page iii of the report, including survey forms with black and white photographic prints attached to the forms, black and white photographic negatives and a negative index. In addition, please clarify the distinction between properties that were "documented" and those for which survey forms were completed.

If you have any questions relating to this matter, please do not hesitate to contact me.

Sincerely,

Kirk F. Mohney

Kirk F. Mohney
Deputy State Historic Preservation Officer

PHONE: (207) 287-2132

PRINTED ON RECYCLED PAPER

FAX: (207) 287-2335

From: Stancampiano, Robin [redacted]
To: Drozd, David CIV OASN (EI&E), BRAC PMO NE
Cc: [redacted]
Sent: Wed Jun 09 15:54:57 2010
Subject: MPHC# 2196-08 DEIS Disposal and Reuse of NAS Brunswick, ME

MPHC# 2196-08 DEIS Disposal and Reuse of NAS Brunswick, ME

David-

In response to your recent request, our office has reviewed the information received May 6 and 24, 2010 to continue consultation on the above referenced undertaking in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Our office has reviewed the DEIS and concurs with the Navy's comments in the cultural resources sections. Regarding archaeological resources, legally binding restrictions in deeds per section 4.9.4. (page 4-156) are acceptable to our office for mitigation measures. We have been reviewing and commenting on the architectural survey drafts from your consultant.

We look forward to continuing consultation with the Navy on this project.

Robin Stancampiano
--Review & Compliance Coordinator
--Certified Local Government Coordinator
Maine Historic Preservation Commission
55 Capitol Street
65 State House Station
Augusta, ME 04333
[redacted]
http://www.maine.gov/mhpc

United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
408 Atlantic Avenue – Room 142
Boston, Massachusetts 02210-3334

June 22, 2010

9043.1
ER 10/447

David Drozd, Director
BRAC Program Management Office Northeast
Department of the Navy
4911 Broad Street
Philadelphia, PA 19112

RE: COMMENTS
Draft Environmental Impact Statement (DEIS) for the Brunswick Naval Air Station, Disposal and Reuse, Implementation, Brunswick, Maine

Dear Mr. Drozd:

The U.S. Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement (DEIS) for the Brunswick Naval Air Station, Disposal and Reuse, Implementation, Brunswick, Maine. The Department has no comment on the DEIS.

Thank you for the opportunity to review and comment on this DEIS. Please contact me at (617) 223-8565 if I can be of assistance.

Sincerely,

Andrew L. Raddant
Regional Environmental Officer

U.S. Department
of Transportation
**Federal Aviation
Administration**

New England Region
Office of the Regional Administrator

12 New England Executive Park
Burlington, MA 01803

JUN 25 2010

Mr. David Drozd
Department of the Navy
Director, Base Realignment and Closure Program
Management Office, Northeast
4911 South Broad Street
Philadelphia, PA 19112-1303

Dear Mr. Drozd:

The FAA has reviewed the Draft Environmental Impact Statement (DEIS) for the Disposal and Reuse of the Naval Air Station at Brunswick, Maine, May 2010, and provides the following comments:

- FAA requests that a copy of the proposed Airport Layout Plan be placed in the report, even if it is in an Appendix and referenced in the description of federal actions. The federal action is the Airport Layout Plan unconditional approval. FAA needs to be sure that the Airport Layout Plan is ready for approval when we reach the ROD stage.

- The FAA requested that the DEIS state that General Conformity does apply to the Airport Layout Plan approval under Alternative 1 and that that analysis would be accomplished in the Final EIS. The DEIS states that General Conformity will be required for approval of a new public airport under Alternative 1, but does not state if or when it will be accomplished. FAA requests that the General Conformity analysis be conducted and included in the Final EIS.

Please contact Barbara Travers-Wright of my staff at 781-238-7025 if you have any questions. Thank you for the opportunity to review and comment.

Sincerely,

Amy L Corbett

Amy L. Corbett
Regional Administrator

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 1
5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

June 28, 2010

David Drozd, Director
BRAC Program Management Office Northeast
Attn: Brunswick EIS
4911 Broad Street, Building 679
Philadelphia, PA 19112-1303

Re: Draft Environmental Impact Statement for the Disposal and Reuse of Naval Air Station Brunswick, Maine (CEQ#20100162)

Dear Mr. Drozd:

The Environmental Protection Agency-New England Region (EPA) has reviewed the Department of the Navy's Draft Environmental Impact Statement (DEIS) for the disposal and reuse of Naval Air Station (NAS) Brunswick in Brunswick, Maine. We submit the following comments on the DEIS in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act.

The DEIS describes potential impacts to the human and natural environment associated with the reuse of the base following closure pursuant to the Defense Base Closure and Realignment Act of 1990. The DEIS considers two alternatives for redevelopment. Alternative 1, the preferred alternative, is consistent with the Reuse Master Plan developed by the Brunswick Local Redevelopment Authority. Under this alternative the development program for the base would cover 1,630 acres (51% of the base) and includes land use districts to allow for aviation operations and related business, professional office space, community mixed use, business and technology industries, education, residences, recreation and open space and natural areas (with recreation and open space and natural areas comprising 49% of the total base area). Alternative 2 includes a higher density residential and mixed use development than Alternative 1 with no airfield facility. Specifically, the development program for the base under Alternative 2 would cover 1,580 acres (49% of the base) and includes land use districts to allow for community mixed use, business and technology industries, education, residences, recreation and open space and natural areas (with recreation and open space and natural areas comprising 51% of the total base area). A twenty year development timeline was used to project impacts for both alternatives.

EPA participated in a project scoping meeting on November 14, 2008 and subsequently issued scoping comments on December 2, 2008 in response to the Navy Notice of Intent to prepare an EIS. Our scoping comments recommended that the DEIS address direct,

indirect and cumulative impacts of the redevelopment (with a particular emphasis on evaluation of the potential for secondary/indirect impacts that could occur off the base). EPA specifically recommended that the EIS analyze each alternative with and without the proposed offsite transportation improvements (the connector road and interchange to connect to US Route 1) to determine how the redevelopment would function under each scenario and to fully identify the environmental impacts associated with each of these transportation options. Our scoping comments also addressed wetlands, air quality, water supply, greenhouse gas emissions, green buildings and energy considerations.

We were surprised and concerned to see that our scoping comments were not included in the "Agency Correspondence" section of the DEIS. Our level of concern increased when we noticed that the DEIS contains almost no discussion of secondary/indirect impacts. The attachment to this letter contains our specific comments. We recommend that the Navy work to resolve this deficiency in the DEIS by presenting an analysis of secondary/indirect impacts for public review prior to the release of the FEIS. The attachment also provides comments on wetland, water quality and air issues. We are willing to discuss any questions regarding our comments with the Navy and the consulting team working to prepare the FEIS as necessary.

We appreciate the opportunity to comment on the DEIS for the disposal and reuse of NAS Brunswick. Based on our review of the DEIS we have rated the DEIS "EC-2—Environmental Concerns-Insufficient Information" in accordance with EPA's national rating system, a description of which is attached to this letter. Please contact Timothy Timmermann (617-918-1025) of EPA's Office of Environmental Review with any comments or questions about this letter.

Sincerely,

H. Curtis Spalding
Regional Administrator

Attachment

Summary of Rating Definitions and Follow-up Action

Environmental Impact of the Action

LO--Lack of Objections
The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC–Environmental Concerns
The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO--Environmental Objections
The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU--Environmentally Unsatisfactory
The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potentially unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1--Adequate
EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2--Insufficient Information
The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3–Inadequate
EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

EPA Comments on the DEIS for the Disposal and Reuse of NAS Brunswick, Brunswick, Maine

Indirect Impacts

The Council on Environmental Quality's Regulations for Implementing NEPA require that all EISs contain an analysis of indirect impacts. 40 CFR 1502.16(b). The CEQ regulations define indirect effects (often called 'secondary effects') as follows: " Indirect effects…are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems." 40 CFR 1508.8(b). In the case of this project, indirect effects may include growth and/or development outside the base boundary that is induced by redevelopment within the base boundary. The NAS Brunswick DEIS contains an incomplete analysis of indirect impacts, and this needs to be corrected.

We note that the DEIS contains an analysis of development that is expected to occur on the base and associated properties under complete build-out. We believe this analysis is thorough and well-documented. What is missing from the DEIS, however, is an analysis of the potential for population and employment growth to occur off the base that is induced by base redevelopment. We were puzzled that this omission occurred despite EPA's scoping comments offered during the November 2008 scoping meeting and subsequent December 2008 written scoping comments. Those comments called for an evaluation of the potential for secondary impacts that would occur off the base associated with residential and commercial development stimulated by base redevelopment. Our comments also recommended an analysis of the impacts of the project both with and without the Route 1 connector. We note that the DEIS includes mention of the potential for such off-base impacts in a few places (e.g., on page 4-20 it is stated that "*…Alternative 1 also would result in an indirect demand for off-site housing and commercial space to serve residents and businesses moving into the immediate project area.*" Similar language can be found on pages 4-29 and 4-36 of the DEIS. The analysis should go beyond general statements such as these, however, and provide a quantitative estimate of the potential magnitude of the growth in population and employment in the surrounding area, and its associated environmental impacts.

After reviewing the DEIS and seeing that it did not include an analysis of the potential secondary impacts of off-base development, EPA contacted the Navy and after a conference call on May 26, 2010 we provided the Navy and their consultant with reference materials on methods for analyzing secondary impacts. Although these documents were written for highway projects, the same approaches will work for the base redevelopment analysis. During the call we noted that the state of practice in analyzing secondary and cumulative impacts has advanced significantly in recent years, and there is a range of methods available for conducting an adequate analysis. Two sources of information for such methods are National Cooperative Highway Research Program

Report 423 A (*Land Use Impacts of Transportation: A Guidebook*) or National Cooperative Highway Research Program Report 466 (*Desk Reference for Estimating the Indirect Effects of Proposed Transportation Projects*). EPA is willing to discuss the analysis with the Navy and their consultant, if that would be helpful.

Because the analysis of indirect impacts was insufficient in the DEIS we recommend that subsequent analysis of potential secondary impacts off-base be developed and distributed for public and agency review and comment prior to publication of the FEIS. In this manner the information in the DEIS can be supplemented and any comments received on the expanded evaluation can be addressed in the FEIS. The FEIS should also describe the impacts of the project both with and without the Route 1 Connector project.

Cumulative Impacts

The analysis of cumulative impacts in the FEIS should be revised to incorporate the extension of the Downeaster train service from Portland to Brunswick. It is our understanding that this project has been funded by US DOT's High-Speed Intercity Passenger Rail Program.

Wetlands

Page 5-8 of the Wetlands Functional Assessment Report (Appendix G of the DEIS) notes that four wetlands in the western portion of the NAS Brunswick do not have an apparent surface water connection to waters of the U.S and therefore are not considered jurisdictional by the US Army Corps of Engineers. For clarification, please explain whether a jurisdictional determination has been done by the Army Corps of Engineers on these wetlands (Cluster 14).

Stormwater Management

Both alternative development scenarios (at full build out) result in significant increases in impervious cover over existing conditions (including an 11% increase in impervious surface for Alternative 1 and a 14% increase for Alternative 2). Stormwater from these new impervious surfaces will impact the watershed if appropriate stormwater management practices are not put in place. The DEIS (page 4-151) notes that the "entity responsible for implementing any storm water system improvements has not yet been determined, and funding for these improvements has not been secured. Upon disposal of the federally owned and maintained property, the party responsible for making the system improvements would need to be identified." We believe that the FEIS should identify the measures that can be adopted to demonstrate how the increased stormwater flows will be addressed to prevent an increase in flows above pre-development levels consistent with the Energy Independence and Security Act (EISA). EISA requires that all federal facility development and redevelopment projects larger than 5000 square feet maintain or restore the predevelopment hydrology of the property. For your reference, a copy of the technical guidance to aid compliance with EISA can be found at http:// www.epa.gov/owow/nps/lid/section438. The technical guidance recommends the adoption of low impact development (LID) measures including the use of porous pavement, infiltration zones, vegetated roofs vegetated swales and constructed wetlands for stormwater treatment, and other techniques to minimize adverse environmental

impacts. We recommend that the Navy require that the transfer of the base property to the local redevelopment authority be contingent upon a requirement that stormwater flow will not exceed pre-development levels consistent with EISA.

Section 3.5 - Environmental Management

We believe the information contained in this section was generally very accurate up to and including 2009. Identified future actions to be taken by the Navy at the various CERCLA and petroleum sites are also generally consistent with EPA expectations for the sites. We note that in Section 3.5.4.1, Page 3-72, ¶4 (Eastern Plume Operable Unit) the last sentence states that a final ROD for the Eastern Plume is planned. This statement is incorrect as the Final ROD for the Eastern Plume Site was completed in February 1998. The FEIS should be revised to reflect this.

Greenhouse Gas Emissions/Energy Efficiency

EPA appreciates the Navy's effort to incorporate a greenhouse gas emissions analysis for the project in the EIS. The discussion of energy efficiency measures lists the Energy Star and LEED programs as methods to mitigate emissions from new and existing buildings in the redevelopment area. We encourage the Navy to work with the local community toward adoption of regulations that require that these measures be implemented by the development program that follows base closure. We also continue to recommend that the FEIS include a discussion whether or not any portion of the energy demand for the redevelopment could be met by renewable energy generation facilities on base property. Specifically, the FEIS should include reference to the efforts of the Midcoast Regional Redevelopment Authority (MRRA) to establish a "clean energy park" on the base.

Construction Emissions

The discussion of construction period emissions (DEIS Page 4-114) notes that "exhaust emissions from construction vehicles can be reduced by using fuel-efficient vehicles with emission controls…." Given the public health concerns about diesel exhaust from heavy duty diesel trucks and other heavy duty construction equipment, EPA typically recommends that measures be implemented to reduce fine particle emissions from diesel engines during construction. In this case we suggest that the Navy make emission controls during construction a condition of property transfer. Emissions from older diesel engines can be controlled with retrofit pollution control equipment such as diesel oxidation catalysts or particulate filters that can be installed on the exhaust of the diesel engine. Retrofits have been successfully applied to many diesel engines across the country and oxidation catalyst technology has been successfully applied to construction equipment used on several projects in the Northeast, including the Central Artery/Third Harbor Tunnel project in Boston. Retrofit technologies may include EPA verified emission control technologies and fuels and CARB-verified emission control technologies. These lists can be accessed at http://www.epa.gov/otaq/retrofit/verif-list.htm.

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0016

JOHN ELIAS BALDACCI
GOVERNOR

DAVID A. COLE
COMMISSIONER

June 28, 2010

Department of the Navy
BRAC Program Management Office Northeast
Director, David Drozd
Attn: Brunswick EIS
4911 Broad Street
Philadelphia, PA 19112
Fax: (215) 897-4902
david.drozd@navy.mil

Re: Draft Environmental Impact Statement for the Disposal and Reuse of Naval Air Station Brunswick, Maine

Dear Mr. Drozd,

The Maine Department of Transportation (MaineDOT) appreciates the opportunity to provide formal comments on the Department of the Navy's Draft Environmental Impact Statement for the Disposal and Reuse of Naval Air Station Brunswick, Maine (DEIS-NASB). Considering the significance of the proposed disposal and reuse of the Naval Air Station and concerns for the potential impacts that would be imposed on the State of Maine, the citizens of Brunswick, Topsham and Mid-Coast Maine I respectfully submit the following comments that in accordance with CFR 771.130(a)(2) the DEIS-NASB requires the preparation of a Supplemental Draft Environmental Impact Statement (SDEIS).

1. Following the November 14, 2008 Interagency Meeting MaineDOT provided comments on the Scoping activities for the Department of the Navy's Environmental Impact Statement Brunswick. (Christopher A. Mann to Director David Drozd, November 24, 2008) The 2008 letter requested clarification of the Navy's statement the EIS will "quantify existing off-base traffic volumes, project future traffic conditions, and identify potential impacts", as well as, analyze\quantify proposed off-base and on-base transportation improvement projects identified in the Brunswick Naval Air Station Reuse Master Plan". A response was not received.

2. The DEIS-NASB lacks existing and future origin/destination data for traffic entering and leaving NASB. This data is critical for undertaking the analysis and identifying mitigation requirements associated for the off-base transportation network serving the NASB infrastructure.

3. Page 4-68 Table 4.4-1, page 4-69, pag3e 4-71 Figure 4.4.2 and page 4-81, Table 4.4-8 the DEIS-NASB identifies required transportation network mitigation that is crucial to the success of the redevelopment of NASB as the responsibility of others, , i.e. "Navy plays no role and has no responsibility in the environmental review, planning, design, or construction of highways or rail infrastructure."
    - The DEIS-NASB lacks analysis of each alternative with and without the proposed transportation improvements (the connector road and interchange to U.S. Route 1). This analysis is required to identify how each alternative will function under each scenario.

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THE MAINE DEPARTMENT OF TRANSPORTATION IS AN AFFIRMATIVE ACTION · EQUAL OPPORTUNITY EMPLOYER

- The DEIS-NASB lacks an implementation plan for the assumed roadway mitigation, as well as a funding commitment from external entities. Unfunded mitigation requirements will compromise the ability of the NASB redevelopment to succeed and leaves a significant financial burden on the Midcoast Regional Redevelopment Authority, the towns of Brunswick and Topsham and the citizens of Maine; the DEIS-NASB needs to include a qualitative and quantitative analysis of all identified required mitigation.[40 C.F.R. 1502.16(h) and 1508.20 (c) and (e)]

4. CEQ regulations require EISs to evaluate growth-inducing changes from proposed developments. As written the DEIS-NASB does not fully comply with CEQ requirements 1502.16, 1508.7, 1508.8, 1508.25 (a) & (c) and 1508.27 the need to clearly analyze the direct, indirect and cumulative impacts of all affected resources. The DEIS-NASB does not analyze the full impacts from base redevelopment on the external transportation infrastructure and the potential for residential or commercial development outside the base that may be stimulated by the NASB redevelopment.
    - Page 4-70 states the "Full build-out of Alternative 1 [the preferred alternative] would add a projected 6,473 vehicle trips to the existing network of roads near NAS Brunswick" an increase of 5,217 vehicles over the existing condition generated by NAS Brunswick (pages 4-70 to 71). The DEIS-NASB primarily focuses on the transportation impacts to the internal and boundary roadway network; while excluding assessment of the potential of significant impact to the same off-base resources. The State of Maine considers this a "fatal flaw" as off-base traffic congestion will be critical factors in the success or failure of the NASB redevelopment.
    - Page 4-81, AP-2 *Recommended Mitigation* discussion states beyond 2016 the adjacent road network will be "unable to handle the traffic project" from implementation of the Preferred Alternative without providing the analysis of the significance of the impact. The potential impact could affect the redevelopment of the NASB to attract the required level of off-base traffic to be successful.

5. Page 4-70 states integrating NASB transportation network will "likely improve overall traffic flow" without justification or backup data for this statement. The citizens of Maine request the opportunity to review the quantitative analysis that supports the Navy's assessment of traffic flow.

6. Page 4-71, Table 4.4-2 identifies six (6) new NASB access/egress points and states the majority of traffic is projected to use the U.S. Route 1 Connector. The off-base transportation network at Route 1 and Cook's Corner is already congested and lacks significant foreseeable funding to provide improvements. The DEIS-NASB lacks a quantitative traffic analysis of the impacts to the off-base transportation network, therefore the State of Maine is requesting a quantitative analysis of the impacts of the new access points in a SDEIS, prior to a final decision on the Preferred Alternative.

7. Page 4-77, Table 4.4-7 Intersection Level-of-Service. The Navy must provide further explanation as to why the identified 5 year improvements (2016 improvement requirements) are required for intersections with an existing (2008) LOS of A to D. MaineDOT often uses level of service D as desirable peak-hour condition, we know there are many cases where you can't build your way out of a level of service E. Left turns from a driveway or side street onto a heavily traveled route will often never get out of level of service E or F.

8. Page 4-78 Section 4.4.2.4 states that traffic conditions will be worse than projected without the proposed mitigation without including a quantitative analysis of potential future conditions.

9. Page 4-78 for a full disclosure NEPA document the Navy needs to provide an analysis of pedestrian and alternative modes requirements for the redeveloped NASB.

10. Chapter 5, Cumulative Impact Assessment: The following analysis must be provided to complete documentation of the transportation network cumulative impacts: analyze and identify the breadth of the transportation problems that will occur as a result of implementing a build alternative; analyze the impacts of off-base transportation network mitigation; analyze how future off-base land use changes may impact the transportation network and how the required mitigation will maintain the off-base transportation network at an acceptable LOS.

11. Page 6-4, states that implementation of either build alternative would "increase total weekday traffic near the installation" and there will be "No significant impact" on the LOS "assuming implementation of appropriate mitigation". To provide a complete NEPA document the Navy must analyze the potential impacts of the alternatives without the assumption of others providing the assumed unfunded traffic mitigation.

12. Document Corrections:
    Pages 4-76 footnote 2; 4-96 table 4.4-18 footnote 2 delete the statement: "The State of Maine Department of Transportation is currently planning to improve the Bath Road and Maine Street rotary intersection. Since the final design and in [sic] unknown, future traffic conditions cannot be projected (Gorrill-Palmer 2009)." Correction: In 2004 MaineDOT received a project request for improvement of the Maine Street at Bath Road intersection, as of June 24, 2010 that request has not received planning or construction funding in a MaineDOT Capital Improvement Plan. (Source: MaineDOT ProjEx database, PSN 27546, Brunswick, Maine Street at Bath Road.)

MaineDOT requests that the Navy prepare a SDEIS to provide a complete disclosure of the potential impacts to the off-base transportation and land use resources. Following that, there should be an opportunity for public comment prior to the preparation of the Final Environmental Impact Statement and the Record of Decision. I look forward to your response.

Sincerely,

Kat Beaudoin
Chief
Bureau of Transportation Systems Planning
Maine Department of Transportation

cc. John E. Baldacci, Governor
David A. Cole, MaineDOT Commissioner

State of Maine
Office of the Governor
1 State House Station
Augusta, Maine 04333

Date: 6/28/10 Total Number of Pages: 17
(including cover page)

To: David Dozet Fax Number: 215-897-4902

Company:

From: Jim Nimon

Subject: Draft EIS

Phone Number: 207-287-3531 Fax Number: 207-287-1034

Comments:

DIF&W + MNAP comments -
Original letter to go in the mail.

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STATE OF MAINE
DEPARTMENT OF
INLAND FISHERIES AND WILDLIFE
284 STATE STREET
41 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0041

JOHN ELIAS BALDACCI
GOVERNOR

ROLAND D. MARTIN
COMMISSIONER

June 23, 2010

David Drozd
Director, BRAC Program Management Office Northeast
Attn: Brunswick EIS
4911 Broad Street, Building 679
Philadelphia, PA 19112-1303

RE: Draft Environmental Impact Statement for the Disposal and Reuse of the Naval Air Station Brunswick, Maine

Dear Mr. Drozd:

On behalf of the Maine Department of Inland Fisheries and Wildlife (MDIF&W) and Maine Natural Areas Program (MNAP) I am pleased to offer the following comments regarding the draft EIS for the reuse and disposal of the Brunswick Naval Station.

The Naval Air Station lands support known occurrences of several state listed endangered, threatened, and special concern plant and animal species, critically imperiled habitat types on which those species depend, state identified significant wildlife habitats, and integral components of one of Maine's designated Important Bird Areas. For these reasons as well as others clarified in the attached appendix, we are strongly recommending that the proposed plan for facility reuse be revised to:

1. Include the extent of the Little Bluestem-Blueberry Sandplain Grassland / Endangered Grasshopper Sparrow Habitat adjacent to northern portions of the existing runways as illustrated on Map1, depicted in red cross-hatch (attached) in a Natural Areas land use district, or if necessary, Airport Operations District that prohibits structures and other activities that alter significant plant and animal habitat values other than for the management of grassland habitat and runway apron maintenance consistent with bullet 3 below;

2. Include the extent of the Little Bluestem-Blueberry Sandplain Grassland natural community at the East Brunswick Radio Transmitter Site as illustrated in Figures 1 & 2 (attached) in a Natural Areas land use district that prohibits structures and other activities that alter significant plant and animal habitat values other than for the management of grassland habitat and passive recreational activities consistent with bullet 3 below

3. Require that MDIF&W and MNAP be included in the development of a management plan for both areas referenced above in collaboration with future property owners. The goals of the management plans shall include maintenance and enhancement of significant plant and animal habitats; runway apron maintenance that satisfies FAA requirements for civilian use; and development of passive recreational amenities that minimize resource conflicts.

We feel that these 3 changes will satisfy our primary concerns regarding the proposed reuse plan and will benefit future redevelopment and economic opportunity by minimizing regulatory burden and project review required by our Departments. Additionally, these changes will safeguard the irreplaceable natural resources that have benefitted from Department of Defense ownership of the Brunswick Naval Air Station lands and will ensure their presence for future generations of Maine citizens. Specific comments regarding the draft EIS follow in Appendix A.

Please do not hesitate to contact our offices if you have any questions regarding these comments, or if we can be of any further assistance with the EIS review process. We encourage the Navy and Midcoast Region Redevelopment Authority to obtain and use our data in their future analyses and refinement of the Draft EIS.

Sincerely,

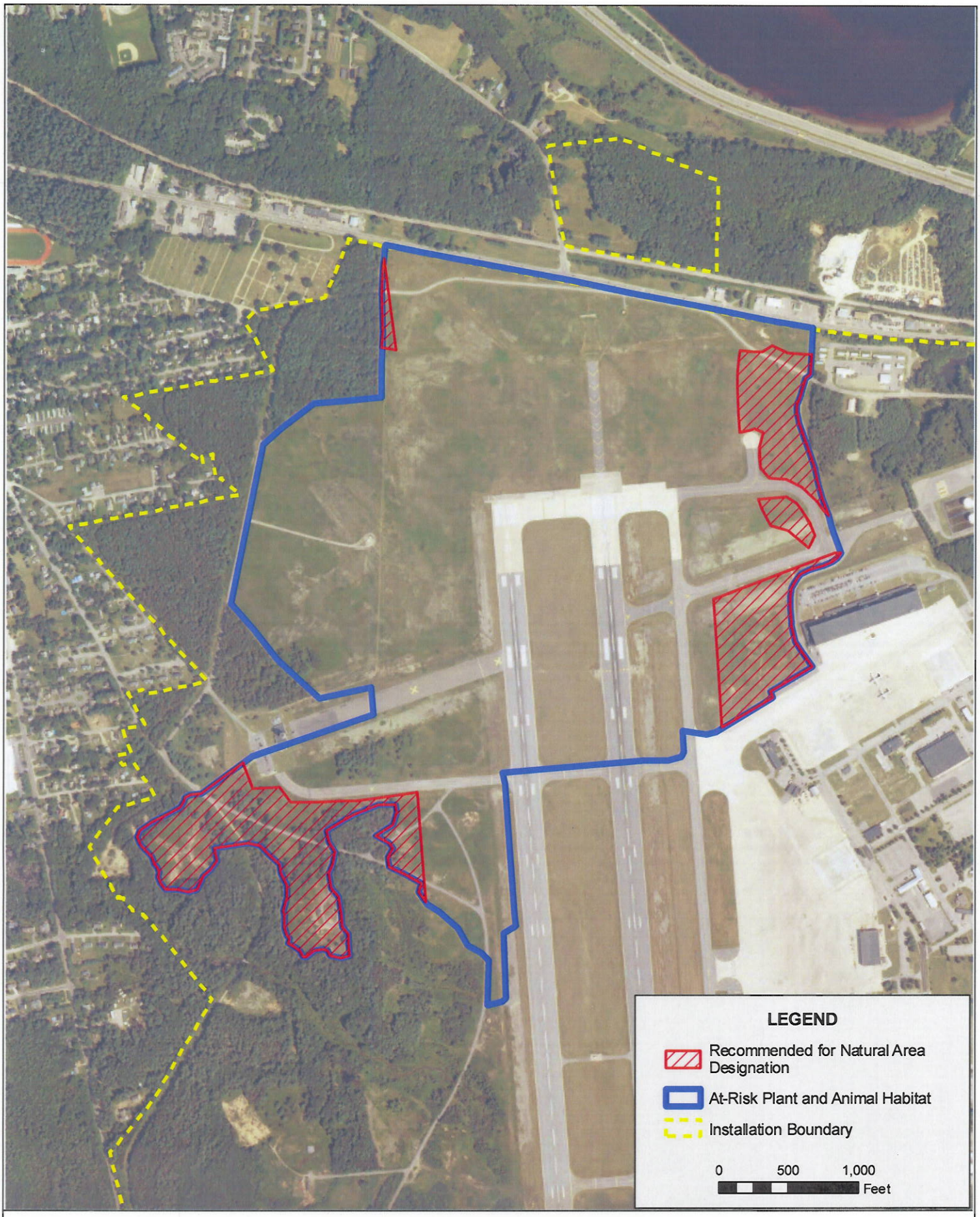
Ken Elowe
Director,
Bureau of Resource Management
Maine Department of Inland Fisheries and Wildlife

Molly Docherty
Director,
Maine Natural Areas Program
Maine Department of Conservation

Enclosures:

Map 1. At-Risk Plant & Animal Habitat Recommended for Natural Areas Designation
Appendix A. MDIFW and MNAP Joint Comments on the Draft EIS for the Disposal and Reuse of the Naval Air Station, Brunswick, Maine

Cc: Mr. Jim Nimon, Office of Governor E. John Baldacci
Ms. Karin Tilberg, Office of Governor John E. Baldacci
Mr. Steve Levesque, Executive Director MRRA



Maine Natural Areas Program
June 2010

Map 1
NAS Brunswick, Maine

Appendix A

Maine Department of Inland Fisheries and Wildlife
Maine Natural Areas Program

Joint Comments on the Draft Environmental Impact Statement for the Disposal and Reuse of the Naval Air Station Brunswick, Maine

1. MDIF&W Documented Priorities

Between 2006 and 2009 through a series of meetings the Maine Department of Inland Fisheries and Wildlife (MDIFW) submitted comments to the Town of Brunswick, Brunswick Local Redevelopment Authority (BLRA) and BRAC Program Management Office outlining MDIFW state wildlife priorities for protection, concern regarding the reuse master plan, redesign recommendations to not include endangered species habitat, and identified future development of the grasshopper sparrow habitat as a possible illegal taking under the Maine Endangered Species Act.

The table below summarizes wildlife occurrences documented by the Maine Department of Inland Fisheries and Wildlife on BNAS lands.

Scientific Name	Common Name	Global Rarity Rank	State Rarity Rank	State Protection Status
Ammodramus caudacutus	Grasshopper sparrow	G4	S3B	Endangered
Bartramia longicauda	Upland sandpiper	G5	S3B	Threatened
Eremophila alpestris	Horned lark	G5	S3B	Special Concern
Sturnella magna	Eastern meadowlark	G5	S3S4B	Special Concern
Ammodramus caudacutus	Saltmarsh sparrow	G4	S3B	Special Concern
Hesperia metea	Cobweb skipper	G4	S2S3	Special Concern

Also attached as Figures 1 & 2 are two maps depicting MNAP and MDIFW features in relation to proposed land use designations on BNAS lands.

Throughout this time, MDIF&W also offered to assist in survey efforts to better document species occurrences and habitats on base lands. In December of 2006, these priorities and offers of technical assistance were re-iterated in a letter to Representative Stan Gerzofsky signed jointly by our Commissioner and the Commissioner of the Department of Conservation.

We remain opposed to the rezoning of critical habitat areas for development purposes especially given the availability of alternative locations suitable for development elsewhere on the 3,200-acre base property. The alternatives evaluated in this EIS have not included a feasible reuse scenario that could avoid direct impacts to endangered species habitat as suggested in previous comments. Additionally, the evaluation of Alternative 1 incorrectly characterizes the impact of the proposed professional office park by failing to identify that the 24-acre proposed development area and entrance road, although only approximately 12% of the mapped sandplain grassland, would directly impact historic core grasshopper sparrow breeding areas.

We strongly recommend that the proposed professional office re-use district, associated vehicular entryway from Bath Road and the proposed rail spur, be revised to not include areas of Little Bluestem-Lowbush Blueberry Sandplain Grassland natural community type or other suitable habitat conditions for grasshopper sparrow. Additionally, future re-use of the East Brunswick Transmitter Site should maximize conservation of the rare sandplain grassland habitat and the opportunity for managing this area to support rare species. Removing these areas from proposed development zones will minimize future review and permitting requirements related to redevelopment, add greater predictability for perspective developers, and greatly benefit recovery efforts for one of Maine's most endangered bird species.

2. MNAP Documented Botanical Features

Between 2007 and 2009, through communication with members of the Brunswick Local Redevelopment Authority, MNAP provided information regarding known occurrences of rare and exemplary botanical features and recommended conservation strategies for these occurrences on the Brunswick Naval Air Station lands. The table below summarizes the rare and unique botanical features mapped by the Maine Natural Areas Program on BNAS lands.

Scientific Name	Common Name	Global Rarity Rank	State Rarity Rank	State Protection Status	Element Occurrence Rank
Little Bluestem - Blueberry Sand Plain Grasslands	Sandplain Grassland	GNR	S1	n/a	C-Fair
Spartina saltmarsh	Salt-hay Saltmarsh	G5	S3	n/a	E
Carex vestita	Clothed sedge	G5	S1	E	B
Calamagrostis cinnoides	Small Reed-grass	G5	S3	SC	E

The Draft EIS accurately describes the location and description of the two natural communities, and *Carex vestita*. However, the draft EIS lacks mention of *Calamagrostis cinnoides* that is documented at the southwestern end of the airfield. Figure 2 depicts the location of all known rare and exemplary botanical features on BNAS lands.

Please note, Figure 3.12-1 titled Ecological Community Map broadly characterizes the vegetation types found on the BNAS property, but does not depict the natural community boundaries mapped by the Maine Natural Areas Program for environmental review purposes. Several of the areas characterized by the Navy's consultants are not accurately interpreted and displayed on Figure 3.12-1.

MNAP prior comments (November 17, 2008) state that survey work is incomplete for the BNAS site and that the Maine Natural Areas Program would be interested in conducting more detailed surveys of these features to further document their condition and the rare species they support. Unfortunately, the opportunity to conduct additional field investigations was not provided and there has been no additional consultation with MNAP staff regarding field visits conducted by consultants hired for the drafting of the EIS.

Initial MNAP comments concluded that conserving the natural community and rare plant occurrences summarized in the table above will contribute to the long term conservation of native wildlife in the increasingly developed mid-coast region, and will also provide good quality

open space for use by the greater Brunswick community. The Maine Natural Areas Program strongly recommended that these features be conserved when the base is closed.

3. Additional Unverified Botanical Features

The following botanical features noted in the draft EIS have not been documented or verified by the Maine Natural Areas Program.

Scientific Name	Common Name	Global Rarity Rank	State Rarity Rank	State Protection Status	Element Occurrence Rank
Pitch Pine-Heath Barren	Pitch Pine-Heath Barren	G3G5	S1	n/a	?
Carex siccata	Dry land sedge	G5	S1	[illegible]	?

4. Detailed MDIFW Review of Draft EIS for the Disposal and Reuse of Brunswick Naval Air Station -

In conducting this review, we have organized our comments by section and page number.

Executive Summary ES.6 Biological Resources, Vegetation (page xiii):

Little Bluestem-Lowbush Blueberry Sandplain Grasslands are a critically imperiled type of grassland in Maine and occur at only a handful of sites statewide. In Maine, grasshopper sparrows nest exclusively in this type of grassland. This natural community type is rare throughout New England and its importance to several rare, threatened, and endangered plant and animal species should be emphasized throughout this document.

Executive Summary ES.6 Biological Resources, Threatened or Endangered Species (page xiv):

This section should be amended to identify that the 25 acres of critically imperiled sandplain grassland that may be permanently removed under Alternative 1 includes historic core grasshopper sparrow breeding areas representing a significant impact with consequences for species recovery at this site. Additionally this section should clarify that any party proposing development or other land disturbance in this district would also be required to consult with MDIF&W.

Executive Summary ES.6 Biological Resources, Significant Wildlife Habitat (page xiv):

This section does not address other Significant Wildlife Habitats on the base that are regulated under the state's Natural Resource Protection Act including mapped deer wintering areas, or wadingbird and waterfowl habitat. Each of which could potentially be impacted by identified alternatives. It should be noted in this section that any proposed development or other land disturbance within or adjacent to Significant Wildlife Habitats would require consultation with our department.

Executive Summary ES.7 Summary of Potential Cumulative Impacts (page xv):

We do not concur that cumulative impacts to endangered grasshopper sparrow habitat are "either non-existent, offset due to geographic area, offset by the duration of the build-out, or reduced due to regulatory requirements or mitigation measures". A primary facility entrance road, rail spur, and professional office park have been proposed to directly conflict with core breeding areas of the state endangered grasshopper sparrow. The existing size of the critically imperiled sandplain grassland at the northern end of the runway is approaching the minimum acreage necessary to support multiple grasshopper sparrow territories. Further reduction of available habitat will significantly impact species recovery efforts.

Sandplain grasslands have been ranked as critically imperiled by the Maine Natural Areas Program specifically as a result of cumulative losses over time given their high developability being open areas dominated by well-drained sands. As a result only four viable grasshopper sparrow habitat areas are known to exist statewide. To date, planning efforts for Brunswick Naval Air Station re-use have not adequately considered alternative build-out plans that could avoid impacts to this critical habitat area and no assurances have been provided that sandplain grasslands will be managed in appropriately and remain as functional grasshopper sparrow habitat upon base disposal.

Section 3 Existing Environment, 3.12 Biological Resources, 3.12.2 Wildlife (page 3-149):

The opening paragraph of this section should reference additional grassland bird survey work including collaborative efforts with MDIF&W dating from the early 1990's through 2003 and the Institute for Bird Populations 2005 report: *Status of Grasshopper Sparrow and Other Grassland-associated Bird Species at Naval Air Station Brunswick, Maine.*

Section 3 Existing Environment, 3.12 Biological Resources, 3.12.2 Wildlife (page 3-150):

The EIS states, "no bald eagle nests are located near NAS Brunswick". A bald eagle nest site is in fact located less than ½ mile from the northern end of the runway on the south shore of the Androscoggin River. A second bald eagle nest site is located approximately ½ mile from the southeast corner of base property.

Section 3 Existing Environment, 3.12 Biological Resources, 3.12.2 Wildlife, Outlying Properties (page 3-151):

In the discussion of wildlife present at the East Brunswick Transmitter site it should be noted that the sandplain grassland is known to support one of only a few known state populations of the cobweb skipper (State Special Concern) and that at least 7 bird species ranked as State Special Concern breed at this site (eastern kingbird, brown thrasher, chestnut-sided warbler, prairie warbler, yellow warbler, eastern towhee, and eastern meadowlark)

Section 3 Existing Environment, 3.12 Biological Resources, 3.12.2.1 Important Bird Areas (page 3-152):

The EIS document identifies the Nelson's and saltmarsh sparrows as being "uncommon". This section should be revised to clarify that both species are listed as state special concern species.

Section 3 Existing Environment, 3.12 Biological Resources, 3.12.2.2 Bird-Airstrike Hazard (page 3-152):

The BASH plan was implemented without consultation with MDIF&W despite past collaboration in managing sandplain grasslands on the base for state endangered bird species. During the 2008 and 2009 breeding seasons, predatory birdcalls were broadcast within known grasshopper sparrow breeding areas. After consultation with the state Attorney General's office, (May 17, 2010), we have concluded that this activity may contribute to illegal Take or Harassment under the Maine Endangered Species Act. We look forward to working with future civilian airport managers to limit the risk of bird aircraft collisions while not unnecessarily harassing endangered species.

Section 3 Existing Environment, 3.12 Biological Resources, 3.12.3 Threatened and Endangered Species, State-Listed Threatened and Endangered Species (page 3-157):

The last paragraph of this section states that "no rare bird species were identified during grassland bird surveys completed at the East Brunswick Radio Transmitter Site...". MDIF&W considers species ranked as Special Concern as being "rare", at least 7 special concern species breed at this location, 6 of which were identified by Ecology and Environment contractors during survey efforts. Furthermore, this section states, "no grassland bird species were identified on the property". MDIF&W considers eastern meadowlark to be an obligate grassland species.

Section 3 Existing Environment, 3.12 Biological Resources, 3.12.3 Threatened and Endangered Species, State-Listed Species of Special Concern (page 3-157):

We recommend that this section be revised using an updated list of special concern species. Many of the species identified by Ecology and Environment during contracted survey efforts are in fact species of special concern and should be reported consistently. Additionally it should be noted that MDIF&W has not been contacted to date to provide a comprehensive survey of base lands. It is likely that other species of special concern are present.

Section 3 Existing Environment, 3.12 Biological Resources, 3.12.4 Significant Wildlife Habitat, Figure 3.12-2:

This figure does not include a known eagle nest on the Androscoggin immediately northeast of the runway end, nor does it include two known Significant Vernal Pools, habitat protected under the Natural Resources Protection Act, and mapped in the southeast portion of the base in 2007.

Section 4 Environmental Consequences:

Please note we have only provided specific comments regarding Alternative 1 "preferred alternative" analysis. Many of these comments however are also applicable to narratives provided for the other alternatives.

Section 4 Environmental Consequences, 4.12 Biological Resources, 4.12.1 Vegetation, page 4-184:

The first paragraph on this page states that the Pitch-Pine Heath Barren Natural Community type is "rare". It should be clarified that this type is <u>critically imperiled</u> in the State of Maine and the

Maine Natural Areas Program should be consulted prior to any activities that could result in disturbance to this community type. Additionally, due to known occurrences of rare pitch pine dependent butterfly and moth species within close proximity to base lands, MDIF&W should also be consulted prior to any activities that could result in losses of this critical habitat type.

Section 4 Environmental Consequences, 4.12 Biological Resources, 4.12.1 Vegetation, page 4-185:

As stated above, both MNAP and MDIF&W should be consulted prior to any proposed impacts to the Little Bluestem-Blueberry Sandplain Grassland at the East Brunswick Radio Transmitter Site. Not only is this area a critically imperiled natural community type, it is also known to support several special concern species. As is the case on the main base, this 66-acre site has not been surveyed comprehensively and could host additional state-listed bird, reptile, and invertebrate species. We strongly recommend that the future holder of this property work closely with both resource departments to design future management approaches capable of protecting and enhancing habitat conditions.

Section 4 Environmental Consequences, 4.12 Biological Resources, 4.12.1.2 Wildlife, page 4-186:

The assumptions included in the third paragraph of this section that downplay impacts of habitat loss by arguing that birds and other taxa will simply "move on to other habitat" are misleading. For this to be the case, other habitat areas would need to be proximate, of equal quality, and unoccupied. Loss of a maximum of 1,146 undeveloped acres will result in direct population losses of many species. We are especially concerned with proposed impacts to already rare habitat types of which incremental losses result in significant cumulative impacts.

Section 4 Environmental Consequences, 4.12 Biological Resources, 4.12.1.2 Wildlife, Important Bird Areas, page 4-187:

We strongly recommend that the future civilian airport manager coordinate airfield apron maintenance techniques with MDIF&W in order to enhance grassland bird habitat and best protect the values of the designated Important Bird Area (IBA). Without proper management, significant grassland bird habitat losses should be assumed in this analysis.

Section 4 Environmental Consequences, 4.12 Biological Resources, 4.12.1.2 Wildlife, Bird-Aircraft Strike Hazard, page 4-188:

MDIF&W should be a partner in establishing future Wildlife hazard Management Plans at the civilian airport. We were not included in DoD BASH program planning during the past several years and feel that significant impacts to state endangered species resulted.

Section 4 Environmental Consequences, 4.12 Biological Resources, 4.12.1.3 Threatened and Endangered Species, Bald and Golden Eagle Protection Act, page 4-193:

This section should note the presence of a bald eagle nest on the Androscoggin River immediately north of the runways.

Section 4 Environmental Consequences, 4.12 Biological Resources, 4.12.1.4 Significant Wildlife Habitat, Vernal Pools, page 4-194:

It should be clarified in this section that both NRPA and MDEP Site Location Law have specific standards regarding the protection of Significant Vernal Pool habitats, potentially up to 500 ft from the edge of the pool depression. Additionally, the US Army Corps of Engineers regulates certain vernal pool habitats, potentially up to 750 ft from the edge of the pool depression. MDIF&W and USACOE should be consulted prior to planning any activities that could impact significant pools and their buffers.

Section 5 Cumulative Impacts

The purpose of this section is to assess incremental impacts of the proposed action in light of other past, present, or reasonably foreseeable actions. Past incremental impacts to glacial outwash sand dependent natural communities throughout southern Maine and the New England region have resulted in many of these communities being ranked as critically imperiled and many of their characteristic plant and animal species being listed as threatened and endangered. *The History of Brunswick, Topsham, and Harpswell, Maine, Including the Ancient Territory Known as Pejepscot* (Wheeler and Wheeler 1878) describes vast plains of pitch pine extending through the central portions of Brunswick. In the early 20th century much of the pitch pine in the Cook's Corner area of Brunswick was cut for matchstick production. What remained has gradually been replaced by residential and commercial development. Today, only small pockets of pitch pine dominated stands remain including examples on NASB lands and in what is left in the Brunswick Town Commons. Similarly, Little Bluestem-Blueberry Sandplain Grasslands have been reduced to remnant pockets from what was historically present when the town commons and civilian airstrip occupied what is now NASB.

In recent years, construction of the new hangar and control tower has impacted remaining sandplain grasslands and pitch pine communities. Additionally, recent changes in management of runway apron areas and discontinuance of controlled burns has lead to changes in plant community structure and degraded some biological values of both community types. Further losses of either the Pitch Pine Heath Barren or Little Bluestem-Blueberry Sandplain Grassland need to be considered as potentially significant impacts based on cumulative losses to both community types in the past and extremely limited habitat availability for the state listed rare, threatened, and endangered species that depend on these specific habitat types.

We do not agree with the EIS finding that: "it is unlikely that there would be cumulative impacts on state-listed threatened and endangered species that inhabit grasslands" (page 5-26). The proposed office park zone, rail spur, and Bath Road access will directly impact known grasshopper sparrow breeding sites. Further reduction in the quantity and quality of sandplain grassland habitat at NASB has the real potential for permanently displacing this species from one of only 4 known breeding areas in the state. The direct loss of habitat, increased vehicular traffic and other development-associated disturbances (lights, noise, invasive species, etc.) that will potentially result from this proposal are significant cumulative impacts to state-listed endangered species. We recommend that the reuse plan be revised to include and office park and related infrastructure development window that adequately considers less damaging alternatives available on the 3,200 acre base property.

Section 6 Other Considerations, 6.2 Unavoidable Adverse Environmental Effects and Considerations that Offset Adverse Effects, Biological Resources, page 6-7:

This section suggests that the ecological impacts associated with the potential development 1,146 acres of undeveloped land including up to 90 acres of Little Bluestem-blueberry Sandplain Grassland and several acres of Pitch Pine Heath Barren (both community types supporting state-listed rare, threatened, and endangered species) can be offset by "preserving" 1,060 acres. Yet no comparison of acreage type, quality, or future habitat management approach to maintain habitat integrity is offered. We feel that impacts to rare community types and rare species habitat can be further avoided through minor design modifications as discussed above. A future analysis of truly unavoidable impacts would need to provide a description of acreage by type proposed to offset impacts and how that acreage will be managed to provide long-term biological values necessary to offset adverse impacts to rare natural communities and rare species habitat. Furthermore, such proposed compensation acreage would likely be required to mitigate at a ratio considerably higher than the level of acreage impacted.

5. Detailed MNAP Review of Draft EIS for the Disposal and Reuse of Brunswick Naval Air Station

In conducting this review, we noted in the attached table, ecological context and associated ecological impacts of the three proposed Alternatives.

We assume that under Alternatives 1 and 2 specific redevelopment projects would fall under state and federal permitting requirements and MNAP would therefore have the opportunity to conduct site visits associated with permitted projects and comment on any proposed impacts to rare and exemplary botanical features. Please note that the removal of the Sandplain Grassland natural community, ranked as critically imperiled due to extreme rarity, from any proposed development zone will minimize future consultation during the permitting process and help to streamline redevelopment projects.

Alternative 1 - BNAS

MNAP Feature	Ecological Context	Recommendation
Sandplain Grassland Natural Community	Under Alternative 1 the MNAP mapped Sandplain Grassland natural community would intersect with three different land use districts: Airport Operations, Natural Areas and Education/Natural Areas. It appears that the Sandplain Grassland natural community in the Airport Operations Area is primarily within the buffer of the existing infrastructure, which under current management benefits the Sandplain Grassland natural community.	Continued operations of the airport runway and appropriate management of the runway apron that maintains the natural composition of the natural community should not pose a conflict. We recommend a more restrictive definition of allowed uses for this area that prohibits built structures that are intended to be permanent and any activities that alter the habitat, other than for the management of the existing Sandplain Grassland natural community. Approximately 65 acres of Sandplain Grassland natural community in the Education/Natural Areas district could be converted to academic space and administrative and support facilities. This represents over 31% of the Sandplain Grassland

		natural community at BNAS as mapped by the Maine Natural Areas Program. The portion of the Sandplain Grassland natural community that falls within the Education/Natural Areas Land Use should be removed and included in a more restrictive designation prohibiting built structures and alteration of habitat. The Professional Office land use designation abuts the MNAP mapped Sandplain Grassland natural community, but according to figure 3.12-1, appears to intersect with the Sandplain Grassland natural community as mapped by Navy consultants. A site visit by the Maine Natural Areas Program would be required to determine the extent to which this area should be mapped as a Sandplain Grassland natural community. If it is determined that the Sandplain Grassland natural community does occur in this area, the areas currently proposed as a Bath Road access and Professional Office land use district should also be included in a more restrictive district prohibiting built structures and alteration of habitat.
Salthay Saltmarsh Natural Community	The majority of the salt marsh along Mere Brook is well buffered by maturing forest and provides excellent habitat for wading birds and other animal species that depend on tidal marshes for all or some part of their life cycles. In current times, there are few if any opportunities in Maine to preserve an entire tidal marsh system at once as can be done with the Mere Brook Marsh as part of the base closure process. The Salthay Saltmarsh natural community on BNAS lands falls within a Natural Areas land use designation.	The existing forested buffer should be maintained to ensure protection of the community.
Rare plants *Carex vestita* and *Calamagrostis cinnoides*	These rare plants are associated with the Sandplain Grassland natural community.	If adopted, our recommendation to limit activities within the Sandplain Grassland natural community will provide adequate protection for these species.

Alternative 1 - East Brunswick Transmitter Site

MNAP Feature	Ecological Context	Recommendation
Sandplain Grassland Natural Community	As proposed under Alternative 1, the East Brunswick Radio Transmitter Site would be designated as a mix of Recreation &	Maine Natural Areas Program has mapped this entire site as a Sandplain Grassland natural community and we would strongly recommend a more restrictive Natural Areas land use

	Open Space and Natural Areas districts which would allow both active and passive recreation to include golf courses, public gardens, public parks, sports fields, bicycle trails, pedestrian trails, nature centers and other non-intrusive, passive outdoor recreation.	designation that prohibits built structures and alteration of habitat.

Alternative 2 - BNAS

MNAP Feature	Ecological Context	Recommendation
Sandplain Grassland Natural Community	Alternative 2 converts the air strip area to a mix of land use designations.	The Sandplain Grassland natural community would fall primarily into Natural Areas, Education and potentially Business and Technology Industries designations. As previously stated, we would strongly recommend a more restrictive Natural Areas land use designation that prohibits built structures and alteration of habitat.
Salthay Saltmarsh Natural Community	The land use designation for these features under Alternative 1 and Alternative 2 are the same. Please see comments under Alternative 1.	The land use designation for these features under Alternative 1 and Alternative 2 are the same. Please see comments under Alternative 1.
Rare Plants *Carex vestita* and *Calamagrostis cinnoides*	The land use designation for these features under Alternative 1 and Alternative 2 are the same. Please see comments under Alternative 1.	The land use designation for these features under Alternative 1 and Alternative 2 are the same. Please see comments under Alternative 1.

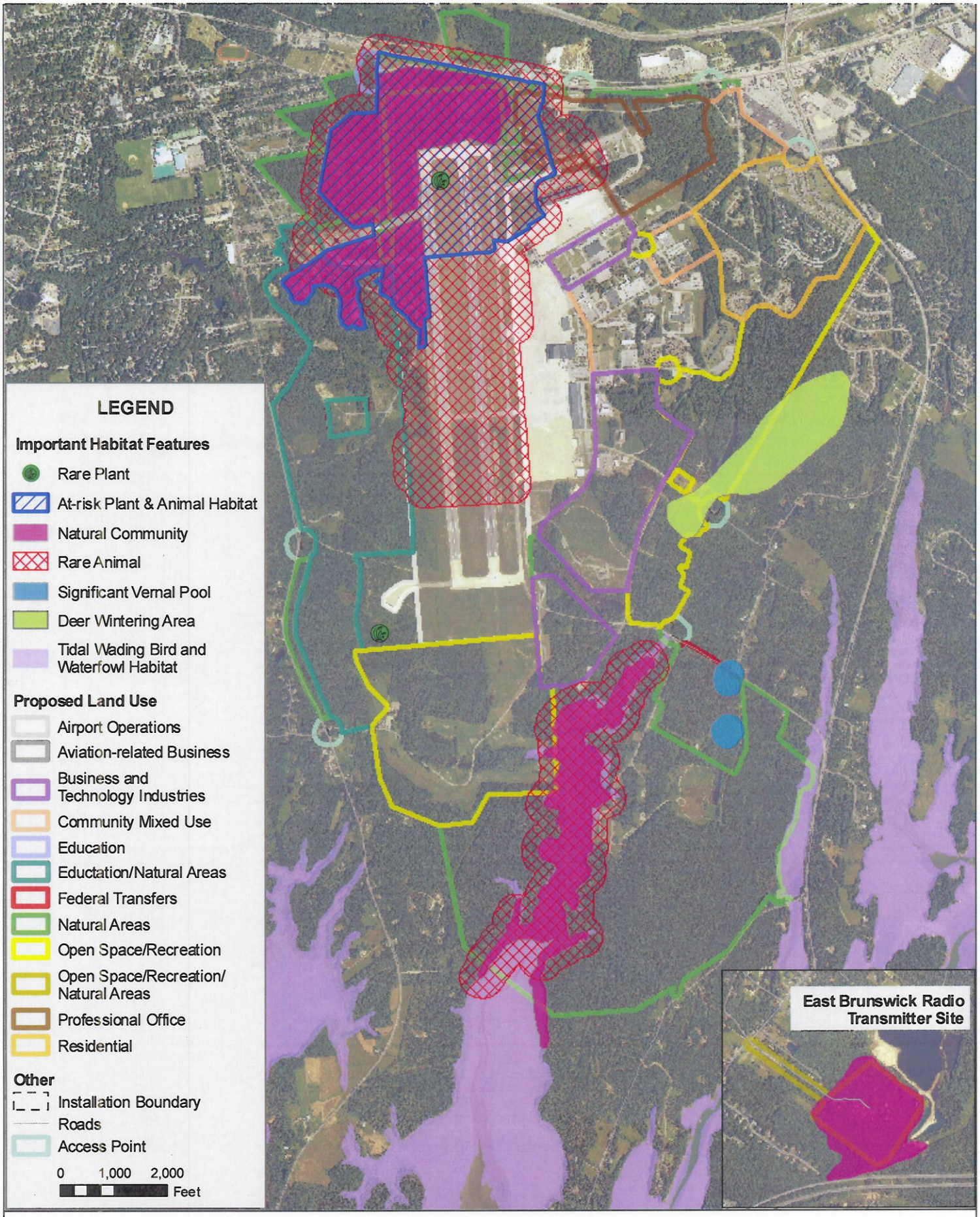
Alternative 2 - East Brunswick Transmitter Site

MNAP Feature	Ecological Context	Recommendation
Sandplain Grassland Natural Community	The land use designation for these features under Alternative 1 and Alternative 2 are the same. Please see comments under Alternative 1.	The land use designation for these features under Alternative 1 and Alternative 2 are the same. Please see comments under Alternative 1.

No-Action Alternative

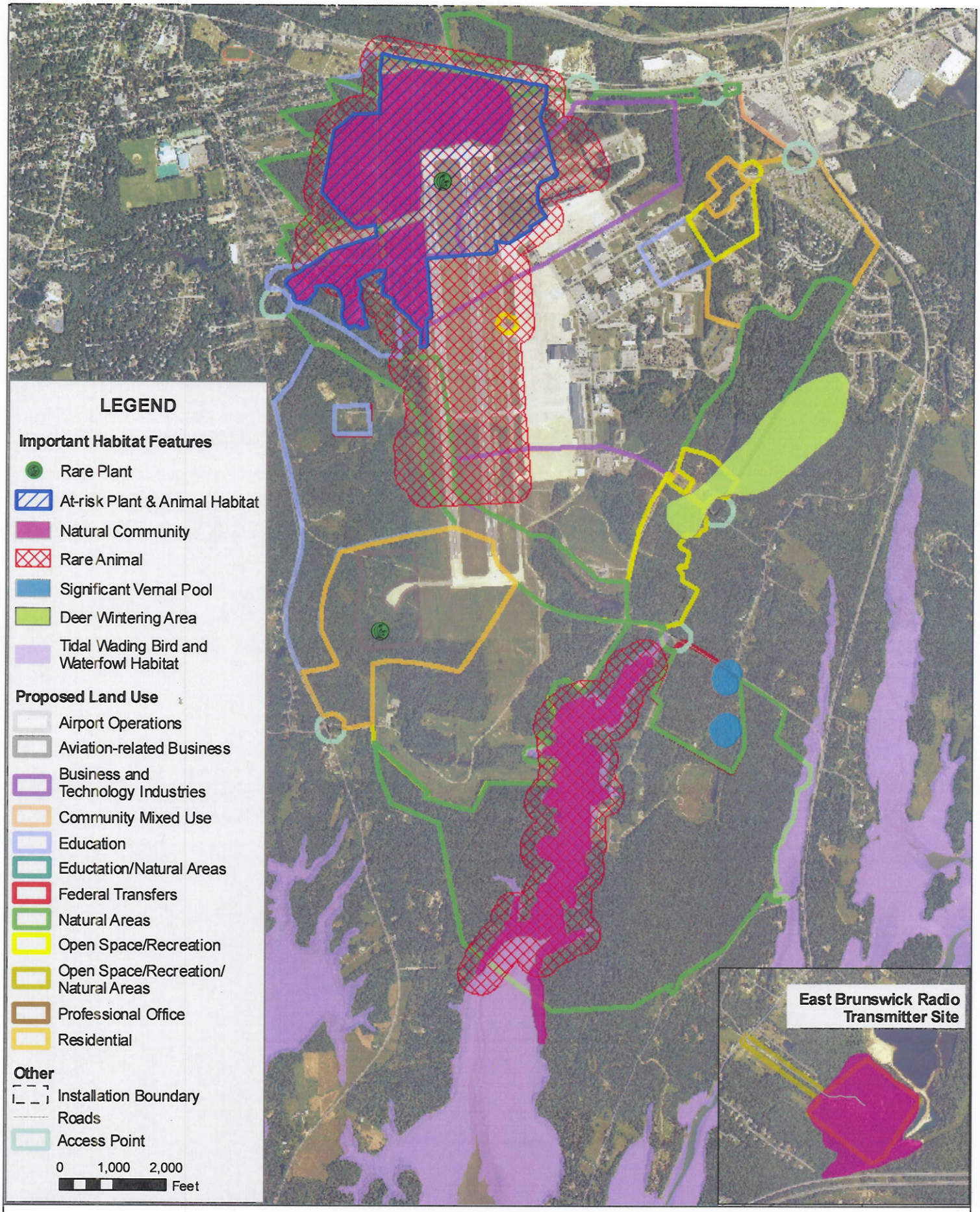
Under this alternative it is assumed that eventually the Navy would abandon management of the air strip at BNAS and the East Brunswick Transmitter Site.

MNAP Feature	Ecological Context	Recommendation
Sandplain Grassland Natural Community	The Sandplain Grassland natural community has benefitted from the current management at these sites. Under a complete abandonment scenario it is likely that the Sandplain Grassland would revert to a scrub-shrub vegetative condition.	To maintain the Sandplain Grassland natural community long-term management would be needed.
Salthay Saltmarsh Natural Community	An abandonment scenario would likely benefit the saltmarsh mapped at BNAS.	No recommendation.
Rare plants *Carex vestita* and *Calamagrostis cinnoides*	The rare plants are associated with the Sandplain Grassland natural community. If management of the airport runway was abandoned, the available habitat for these plants would likely diminish.	To maintain the Sandplain Grassland natural community long-term management would be needed.



Maine Natural Areas Program, June 2010

Figure 1 - Alternative 1 with At-risk Plant and Animal Habitat
NAS Brunswick, Maine



Maine Natural Areas Program, June 2010

Figure 2 - Alternative 2 with At-risk Plant and Animal Habitat
NAS Brunswick, Maine

Public Hearing Comment Sheet

Environmental Impact Statement (EIS) for the Disposal and Reuse of Naval Air Station (NAS) Brunswick, Maine

You are invited to comment on the Draft Environmental Impact Statement (EIS) for the Disposal and Reuse of Naval Air Station (NAS) Brunswick, Brunswick, Maine. To be most helpful, comments on the Draft EIS should be clearly written and describe specific issues, topics or page numbers from the document. Comments may be submitted in one of the following five ways: **(1)** fill out this comment sheet and drop it into a comment box before leaving the public hearing, **(2)** mail your comments using this form, **(3)** fax your comments to (215) 897-4902 Attn: Brunswick EIS, **(4)** e-mail your comments to david.drozd@navy.mil, or **(5)** speak your comment at the public hearing, which will be recorded by a court reporter.

All comments must be postmarked by June 28, 2010

Pg. 3-161 SECT. 3.12.4

Vernal Pools: Figure 3.12-3
Shows entire base to include USA 51AC
but does not include the two SVP on USA Parcel.

The Maine National Guard will provide
SVP data + map coverage to correct this

Pg 3-132 Sect 3.11.4 Wetlands
Figure 3.11-3 "Wetland Reconnaissance Survey
Shows again the entire parcel to include USA 51AC
Site. Does not show our wetlands

The Maine National Guard will provide wetland
survey data + map coverage.

PLEASE PRINT * ADDITIONAL ROOM IS PROVIDED ON BACK

1. Name David Brandt

2. Address Maine Army National Guard

3. E-mail david.h.brandt@us.army.mil

4. Please check here ☐ if you would **NOT** like to be on the mailing list

5. Please check here ☐ if you would like your name/address kept private

Please drop this form into one of the Comment Boxes here at the PUBLIC HEARING MEETING or fold (see fold lines on back) and mail.

YOUR INPUT MATTERS

Place Stamp Here

Director, BRAC PMO Northeast
Attn: Brunswick EIS
4911 Broad Street, Building 679
Philadelphia, PA 19112-1303
Fax: (215) 897-4902

FOLD HERE

FOLD HERE

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PLEASE PRINT

MAINE AUDUBON

Working to conserve Maine's wildlife and wildlife habitat

20 Gilsland Farm Road
Falmouth, Maine 04105
207.781.2330
www.maineaudubon.org

June 28, 2010

David Drozd
Director, BRAC Program Management Office Northeast
Attn: Brunswick EIS
4911 Broad Street, Building 679
Philadelphia, PA 19112-1303

Dear Mr. Drozd:

On behalf of Maine Audubon, I would like to offer the following comments regarding the draft EIS for the reuse and disposal of the Brunswick Naval Station, located in Brunswick, Maine. Maine Audubon is a state-wide non-profit environmental organization with over 10,000 members and supporters. We work to conserve Maine's wildlife and wildlife habitat by engaging people of all ages in education, conservation and action.

Our primary interest in the future of Brunswick Naval Air Station lands is maintaining their designation as one of Maine's Important Bird Areas (IBA). This designation was based on key pitch pine, grassland and saltmarsh habitats that support concentrations of bird species of conservation concern. Please see attached Appendix A for more detailed information about the IBA program in Maine, and ornithological information about this site.

We feel the impacts to wildlife from the Preferred Alternative for facility reuse will be much greater than what has been outlined in the EIS, and that modifications to this alternative are necessary to adequately protect these important habitats in the future. Specific concerns include:

- Development of the Little Bluestem-Lowbush Blueberry Sandplain Grassland Community at the northern end of the runway. This habitat is globally rare, and at the state level is critically imperiled. It is the only community type in the state that supports grasshopper sparrow, a state endangered species, and is one of only four breeding locations for this species in the state. This habitat also supports the state-threatened upland sandpiper. The loss of up to 25 acres of this habitat under the Preferred Alternative (including the construction of a rail spur, access road and office building) is an unacceptable impact to this extremely rare habitat type.

- Loss of up to one-third of the Sandplain Grassland community (65 acres) could result from development within the Education/Natural Areas Land Use designation. Again, an unacceptable impact to an extremely rare habitat type and one that could be avoided with more restrictive prohibitions on built structures and habitat alterations.

- We disagree with the conclusion of the EIS that cumulative impacts to endangered grasshopper sparrow habitat will be "non-existent" or "reduced" by any mitigation efforts or regulatory requirements. Habitat will be directly lost and habitat quality in surrounding areas will be severely diminished by the construction of an entrance road, rail spur, and professional office park directly in core historic breeding habitat for the state-endangered grasshopper sparrow. Given the limited availability of this habitat across the state, these impacts will severely affect this species over the long-term, including recovery efforts underway. This species is limited to only four sites in the state of Maine.

- Development of other grasslands associated with the runway apron and approach areas known to support breeding horned larks (state special concern) and Eastern meadowlarks (state special concern), as well as Eastern towhees, field sparrows, vesper sparrows, and bobolinks, which are considered species-at-risk by Maine's IBA program. All of these species are limited by their narrow habitat niche, and impacts to these species-at-risk have been minimized in the current EIS for the Preferred Alternative.

- Tidal wetlands associated with Harpswell Cove and Mere Brook. These saltmarsh communities are among the largest remaining in Casco Bay and support saltmarsh and Nelson's sparrows (both state special concern as well as "species-at-risk" by the Maine IBA program). Existing forested buffers should be maintained to adequately protect this valuable bird habitat.

We encourage you to amend the draft EIS to more accurately reflect the true impacts from the potential loss of critically rare habitat to wildlife species at risk, including species listed as threatened, endangered and special concern. These species can not simply find another place to live. The habitat they need is extremely rare in the state of Maine. Given that there are thousands of acres *without* critically imperiled habitat on BNAS property available for development, we respectfully ask that the Master Reuse Plan be amended to move development away from the sandplain grasslands and pitch pine communities.

Please do not hesitate to contact me if you have any questions about the Maine IBA program, or the reasons for designating BNAS as an IBA.

Thank you for the opportunity to comment on the draft EIS.

Susan M Gallo

Susan M. Gallo
Wildlife Biologist
Director, Maine Important Bird Areas Program

APPENDIX A.

Important Bird Areas Of Maine

An Analysis of Avian Diversity and Abundance

Compiled by:

Susan Gallo, Thomas P. Hodgman, and Judy Camuso

A Project Supported by the Maine Outdoor Heritage Fund

Maine's landscape offers a variety of ecosystems, which provide habitat for a diverse array of wildlife. Maine birds have long been the focus of observation and study and their distribution and abundance has been well documented by ornithologists for over 100 years. The concept of an important bird area, a place where the abundance and/or diversity of birds is especially important for conservation or outreach, has been recognized for many years though never described as such. The Maine Dept. of Inland Fisheries and Wildlife (MDIFW), Audubon, The Nature Conservancy, the U.S. Fish and Wildlife Service, Acadia National Park, and numerous land trusts, as well as others, have, for decades, helped to conserve many areas important to birds and other wildlife and natural communities. Maine itself could be considered an important bird area. At one time, only one nesting island (Old Man Island off Cutler in Washington County) remained in the eastern U. S. for Common Eider, a species which numbers in the tens of thousands today. Also, the tremendous recovery of the Bald Eagle in the northeast could in part be founded in the population, which remained in eastern Maine despite ever-present threats of DDT elsewhere along the eastern seaboard.

History

In 2001, Maine Audubon, with the assistance of staff from MDIFW, set out to identify the most important areas for bird conservation in Maine. This project follows others throughout the U.S. that set forth similar objectives, each with a slightly different approach. We received a grant from the Maine Outdoor Heritage Fund during spring 2001 and MDIFW contracted with staff of Maine Audubon to provide project leadership. We used a slightly different approach from most other states in that our process used site-specific bird abundance data to make determinations of whether a site was indeed "important". We created a steering committee that we informed of the project and its status, and more importantly, a technical committee to advise us on establishing numeric criteria for assessing relative importance of each area.

What is an Important Bird Area?

An Important Bird Area (IBA) is a location that provides important habitat for one or more species of breeding, wintering, or migrating birds. IBAs generally support birds of conservation concern (including Threatened and Endangered Species), large concentrations of birds, or birds associated with unique or exceptional habitats. Furthermore, an IBA may be an area, which has historically been the location of a significant amount of avian research. In Maine, we typically identified "sites" which met certain numeric thresholds for abundance and diversity then assembled groups of these "sites" into "areas" (i.e., IBAs) based on their proximity to one another or thematically, typically based on the ecosystem within which they occur. Therefore, an IBA in Maine consists of one to several sites that support a high abundance (or diversity) relative to other sites supporting that species (or group of species).

Qualifying Criteria

A site qualifies for inclusion in an IBA if it meets at least one of the three primary criteria below. Two additional secondary criteria also are included that may strengthen the qualifications. *These*

criteria are not absolute and should be viewed as guidelines only. Consideration of an IBA was based on how well its component sites met the criteria. Some sites met several criteria. Other factors, such as relative importance or a unique combination of characteristics, were considered when making final selections. A full description of the criteria used to evaluate sites is provided as an appendix.

Primary Criteria:

1. Sites for Threatened and Endangered Species

2. Sites for Species of Conservation Concern

3. Sites with Substantial Concentrations of Birds and/or High Species Diversity
   This criterion was applied to the following categories:

   A. Water Birds
   B. Seabirds
   C. Shorebirds
   D. Wadingbirds
   E. Raptors
   F. Migratory Land Birds
   G. Exceptional Abundance/Diversity

Secondary Criteria:

4. Sites for Species in Rare, Vulnerable, or Exemplary Habitat Types

5. Sites Important for Research/Monitoring

Data Use and Applicability Disclaimer

The Maine Important Bird Areas Project began in 2001, and by the time this document was prepared, significant time had elapsed. Consequently, some of the data may be slightly out of date. Furthermore, some IBAs may not currently support the same abundance and diversity as when evaluated for this project. It has been the philosophy of this project to evaluate qualifying data for a site, regardless of whether the site still supports equivalent numbers of birds. In essence, we believed that once a site qualified, it generally had the potential to support similar numbers of birds, given the habitat has not changed irreparably. We did not, however, consider data (often only available for seabird nesting islands) prior to the mid-1980s. Our analysis, therefore, examined diversity and abundance of birds in Maine for sites with available data from roughly 1985 to 2005.

Identification of a site or collection of sites as an IBA carries no legal standing and affords no special protection under Maine Law. The results of the Maine IBA project are not meant in any way to supplement or enhance the Maine Natural Resources Protection Act or other resource protection laws. The sites described in this document merely reflect an analysis of mostly public

data to better facilitate public (and landowner) awareness, leading to improved conservation of resident bird populations, improved landscape-level habitat conservation, and possible community-scale economic benefits from increased birding opportunities.

Acknowledgements

The coordinators would like to thank all the Technical Committee members (Brad Allen, Louis Bevier, Lysle Brinker, Barry Burgason, David Evers, Norm Famous, Scott Hall, Ron Joseph, David Ladd, Don Mairs, Judy Markowsky, Jan Pierson, Bill Sheehan, and Peter Vickery) who attended meetings over the course of several years and exhibited extreme patience as they waited for each step in this lengthy process to be completed. We appreciate their time and effort spent writing and editing site descriptions, contributing ornithological data, and making the IBA process in Maine objective and unbiased. We especially thank Linda Welch from the Maine Coastal Islands National Wildlife Refuge, Kate O'Brien from Rachel Carson National Wildlife Refuge, Lindsay Tudor from MDIFW, and Bob Houston from U. S. Fish and Wildlife Service, Gulf of Maine Program for their help compiling data for use in our analysis and to Brad Allen for sharing his wealth of knowledge on Maine's coastal islands. Bruce Connery of Acadia National Park and Nancy Sferra of The Nature Conservancy provided helpful criticisms of earlier drafts of the site descriptions. Linda Alverson and Jody Despres provided input at an early stage of the project.

Maine Important Bird Areas

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Site and Area Descriptions

Brunswick Naval Air Station (including Mere Brook)
Brunswick

Description - This more than 1,400-acre property includes airfields, runways, towers, hangars and residential buildings. It has been managed as a Naval Air Base with permanent structures and landing strips since the early 1950s. Two areas within the base stand out as significant areas for birds. The southern portion of the base (Mere Brook and the surrounding wetlands) is characterized by high and low marsh habitats in an unusually large and unfragmented block. Because the area is on the Naval Air Station, the saltmarsh itself has very little human visitation or disturbance. A series of weapons bunkers and service roads are visible from the marsh in the uplands to the east. The second area within the base that is particularly valuable to birds is the northwestern portion that contains primarily grasslands (maintained in part by mowing for airstrips) as well as patches of pitch pine forest.

Bird Resources - Extensive airfields at this site are maintained as grassland habitat and are home to nesting Upland Sandpipers, Horned Larks, Bobolinks, Eastern Towhees, Eastern Meadowlarks, Grasshopper Sparrows, Field Sparrows and Vesper Sparrows. The site also has one of the highest concentrations of Savannah Sparrows recorded in the state. For its size, Mere Brook supports good numbers of both species of Sharp-tailed Sparrows. Herons, egrets, and numerous swallows forage here as well. Northern Goshawks have been observed at this site.

Conservation Issues - Contamination of ground water and soils from pesticides and fuel has been significantly reduced due to extensive clean-up efforts in the 1990s. Long-term monitoring is planned for the site. However, the base has been decommissioned and is due to close within the next ten years. Future ownership and management of this site is therefore unknown, but the likelihood of sustaining extensive grassland habitat is unlikely without extensive conservation efforts.

Ownership/Access - The site is owned by the Department of Defense. There is no public access without extensive security clearance.

Selected Ornithological Data

BNAS, Mere Brook

Criteria	Common Name	Maximum #, Unit, Year	Season
Species at Risk	Nelson's Sharp-tailed Sparrow	17 Breeding Adults[1], 1997	Breeding
Species at Risk	Saltmarsh Sharp-tailed Sparrow	10 Breeding Adults[1], 1997	Breeding

BNAS, Grasslands

Criteria	Common Name	Maximum #, Unit, Year	Season
T/E Species	Upland Sandpiper	10 Adults[21], 1985	Breeding
Species at Risk	Eastern Towhee	Present[8], 1998	Breeding
Species at Risk	Field Sparrow	Present[21], 1986	Breeding
Species at Risk	Vesper Sparrow	15 Adults[21], 1985	Breeding
Congregations: Migratory Landbirds	Savannah Sparrow	60 Adults[8], 1998	Breeding
T/E Species	Grasshopper Sparrow	15 Adults[8], 1997	Breeding
Species at Risk	Bobolink	Present[8], 1998	Breeding
Species at Risk	Eastern Meadowlark	7 Adults[8], 1997	Breeding

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Maquoit Bay

Freeport IBA

Brunswick

Description - A narrow coastal bay south of Brunswick and east of Freeport with exposed mudflats at low tide.

Bird Resources - This area supports the highest documented concentrations of wintering American Black Ducks and Canada Geese in the state. A variety of shorebirds use this site as a feeding area during migration. In the spring, Northern Shoveler, Blue-winged Teal and Green-winged Teal are among the many waterfowl species that feed and rest in the bay during migration. In addition, the marshes in the area support nesting Nelson's and Saltmarsh Sharp-tailed Sparrows, and Bobolinks nest in neighboring upland fields.

Conservation Issues - The land surrounding the bay is highly desirable and subject to high development pressure. The Trust for Public Land has been working to purchase conservation easements and/or property bordering the bay. Increased recreational use in the bay could influence staging and wintering birds. Oil spills in neighboring Casco Bay are an on-going threat and could be devastating to wintering waterfowl that use the area.

Ownership/Access – Lands surrounding Maquoit Bay are a high priority for both local and regional land trusts, and many areas have either been acquired or subject to conservation easements. Because access remains difficult, the area is best viewed from the water. A public boat launch is available at Wharton Point at the end of Maquoit Rd in Brunswick.

Selected Ornithological Data

Criteria	Common Name	Maximum #, Unit, Year	Season
Congregations: Water birds	Canada Goose	800 Adults[22], 2001	Migration

Town of Brunswick, Maine

INCORPORATED 1739
OFFICE OF THE TOWN MANAGER

GARY L. BROWN, MANAGER

28 FEDERAL STREET
BRUNSWICK, MAINE 04011
TELEPHONE 725-6659
FAX # 725-6663

June 28, 2010

Department of the Navy
BRAC Program Management Office Northeast
Director, David Drozd
4911 Broad Street
Philadelphia, PA 19112

Dear David,

Thank you for the opportunity to provide comments on the Draft Environmental Impact Statement (DEIS) for the Disposal and Reuse of Naval Air Station Brunswick, Maine, May 2010. The EIS evaluated two property disposal and build alternatives – Alternative 1 and Alternative 2; and the No-Action Alternative. Alternative 1 is consistent with the Reuse Master Plan, identified as the preferred alternative by the Navy and is the preferred alternative for the Town of Brunswick. Therefore, all comments, concerns, feedback as stated within this letter address Alternative 1.

The Town of Brunswick's comments from the Departments of Administration, Planning and Development, Public Works and Parks and Recreation, along with the Conservation Commission are based on two years of analysis, review and site visits to BNAS prior to the conveyance process. We offer the following comments:

1. Section 4.1.1.1, Land Use and Zoning:
   a. Since the drafting of this subsection of the DEIS, the BNAS Zoning Districts (BNAS Reuse District w/related land use areas, College Use/Town Conservation (CU/TC) District, and the BNAS Conservation District) were adopted by Town Council and incorporated into the Town of Brunswick Zoning Ordinance on July 20, 2009, thereby replacing the former I-5 Zoning District. All FEIS references to existing zoning districts should so reflect the amendment.
   b. Figure 4.1-4, Approved Public Benefit Conveyances, Identifier C should reference the shared public benefit conveyance of 226+/- acres for education and conservation uses. Identifier M proposed property use should include recreation as well as conservation.
   c. With regard to Aviation Land Use Planning, it is assumed that the Town of Brunswick will amend the Zoning Ordinance and Map to reflect FAA changes to the existing Flight Path Overlay Zone.
   d. Section 4.1.1.1. Draft EIS (DEIS). Page 4-14/17, Approved Public Benefit Conveyance (PBC), general references are made regarding proposed PBC development not to be expected to significantly impact land use and zoning. Section should address more specifically, the impact of intensive, large scale tourism

destination use in the recreation and open space land use district, such as with the proposed Brunswick Parks and Gardens.

2. Section 4.2.1.1, Population: As stated in the first paragraph of "Employment Projections Based upon Alternative 1" it is unclear as to whether the referenced Renski and Reilly study did or did not analyze redevelopment of the installation. Please clarify in FEIS.
3. Section 4.4.1, Methodology: Assumptions do not consider the long-term implementation measures stated within the Town-accepted Gateway 1 Corridor Final Plan. The FEIS should consider those implementation measures specific to EIS study area; including but not limited to a passenger rail station located within the BNAS Reuse District, in terms of future traffic volumes.
4. Section 4.4.2.5, Pedestrian and Alternative Transportation Amenities
    a. Since the drafting of this subsection, the Brunswick Explorer, a fixed-route public transit bus service will launch service Fall 2010.
    b. Per adopted Town policy set forth in the 2008 Comprehensive Plan, pedestrian and bicycle amenities are required for any new/redeveloped areas and should be noted as a "shall" provision, not "could" be provided (p. 4-82
5. Section 4.11.1. DEIS indicates storm water management will be required, but does not specify whether on a site-by-site basis or for entire reuse area. Mitigation options should include a storm water watershed management plan for entire reuse area, rather than a site-by-site management approach. Due to the presence of an Urban Impaired Stream Watershed, final EIS (FEIS) should be revised to indicate this approach will be included.
6. Sections 4.12.1 and 5.3.7. DEIS contains inconsistent references with sections stating developing party "*may* be required to consult with MDIFW and MNAP", and other sections, states that the developing party "*would* be required to consult." For consistency, FEIS should indicate that consultation "would" be required.
7. Section 4.12.1. Alternative 1, DEIS indicates up to 25 acres of Little Bluestem-Blueberry Sandplain Grassland community may be replaced; and approximately 5 acres of critically imperiled Pitch Pine-Heath Barren community may be impacted. DEIS indicates (on page 4-185) impacts on this natural community are minimized by establishment of the 1,060 natural areas district. We agree establishment of this district significantly minimizes potential impact. However, this is a rare natural community; FEIS should provide more detail about how impacts on this resource will be minimized or mitigated.
8. Section 4.12.1. DEIS describes potential negative environmental consequences associated with the golf course. FEIS should include minimization or mitigation measures that will be implemented to reduce consequences. FEIS should indicate best management practices for storm water management, nutrient and pesticide management practices. In addition, the potential golf course location has been previously identified as a wildlife habitat travel corridor and an abrupt thrust also runs the length of this area, extending from Merrymeeting Bay to Gun Point in Harpswell. Groundwater seeps over shallow and frequently exposed bedrock and boulders along the fault and contributes to enriched soil conditions that result in plant species diversity not found in other areas of town, including Oak Fern, Long Beech Fern, Dwarf Scouring Rush, Ironwood and Northern White Cedar. Mountain Honeysuckle, listed as state-endangered, is also known from this area. FEIS should indicate that design and construction of the golf course, and other associated infrastructure in this area should

avoid and minimize impacts upon these resources, and provide description of these measures.

9. Section 4.12.1. DEIS indicates limited presence of grasshopper sparrows and upland sandpipers but bases this report on two days of breeding bird surveys conducted very early in the breeding season. Rather than indicating that this species may have been extirpated, FEIS should indicate that additional surveys would be appropriate.
10. Section 4.12.1.4. The DEIS indicates results of vernal pool surveys have not been reviewed by MDIFW. FEIS should incorporate results of MDIFW review of these surveys.
11. Section 4.12.1.4. In section on state-listed threatened and endangered habitat, DEIS describes impacts on grasslands but neglects to describe impacts on Pitch Pine Heath Barren. FEIS should include this description.
12. Section 4.12.1.4 and Section 5.3.7. Page 4-193 DEIS indicates that 34 vernal pools and 15 significant pools are located within the development district, a discrepancy with page 5.27 where 16 are located within the development district and remaining 12 located in the natural area district and DEIS describes 46 vernal pools and 28 significant vernal pools. FEIS should be revised to provide location of other 18 pools, and to indicate what buffers will be incorporated for significant vernal pools.
13. Section 4.4.1. Methodology
    a. The DEIS assumes the new US Route 1 Connector will be installed and in use by 2016, which is optimistic. FEIS needs to also consider traffic impacts should that connector construction be delayed.
    b. The EIS assumes the widening of Bath Road between Gurnet Road and Old Bath Road will be done soon. Gorrill-Palmer is the town design consultant; this project is under construction and should be finished by August 2010. However, final design by Gorrill-Palmer only provides one lane for through traffic in east bound direction. FEIS should address this change for impacts that were considered based on the incorrect assumption.
    c. Town of Brunswick recently changed (September 2007) the number of lanes for north bound traffic on Gurnet Road (Route 24) from Forrestal Drive to Bath Road from two through lanes to one through lane. We question if the consultant considered new traffic pattern when doing traffic impact analysis for this section of Gurnet Road. Noted on Section, 4.4.2.2, page 4-75, EIS indicates that Gurnet Road between Bath Road and Forrestal Drive will see the "largest growth in traffic volume"; we need assurances that the revised lane reduction has been considered.
14. Table 4.4-2, Coombs Road and Purinton Road are proposed for new access points to BNAS site. These are very minor local rural roads (20 foot or less paved width) and may not be able to accommodate additional traffic as projected under Alternative 1 (page 4-71, AP-5). Allowing access to developments on former BNAS site via Coombs and Purinton Road will have a major impact on rural residential character of these roads; these roads are not designed for such traffic. We question whether this has been considered and if there are other options to minimize access to these town ways. FEIS should examine / analyze the adequacy of the limited capacity intersection of Purinton Road and Coombs Roads.
15. Table 4.4-6, I-9, Bath Road and Maine Street Rotary was not analyzed per Footnote 2 which mistakenly is indicated for I-6 (page 4-76). Maine DOT now has a plan for this intersection that is not a rotary and I would recommend the EIS be updated to address

traffic impact on that intersection based on the approved design per the final Preliminary Design Report process. The revised approved plan for this intersection mainly addresses High Crash Locations and does not really improve capacity. I would like to know more about the traffic impact to this intersection due to the redevelopment

16. Section 4.8.13 Storm Water. DEIS has not addressed adequately the storm water runoff, as a site specific impact. DEIS indicates to expect 343 acres of new impervious surfaces will be added as part of the redevelopment activities, representing 67% more impervious area than presently existing on the site. FEIS should address more on the impact as the majority of storm water runoff from the BNAS site will discharge into two (2) impaired watersheds identified by Maine DEP, Jordan Avenue and Mere Brook. On page 4-144, DEIS indicates compliance with MDEP Storm water Management Law for projects disturbing more than 1 acre. In addition to the 1 acre disturbance threshold, a project draining to an impaired watershed has additional storm water criteria to address. FEIS should elaborate more about these impacts, mitigation needed to allow site redevelopment for projects at impaired watersheds. For example, the Town of Brunswick had two projects draining to impaired watersheds, Maine Street Station and the new Harriet Beecher Stowe Elementary School on McKeen Street; storm water management became a major factor and expense in the site development.
17. Section 5.3.7 (page 5-27). The DEIS does not describe cumulative impact on deer wintering areas, a type of Significant Wildlife Habitat. The FEIS should describe these impacts.

We appreciate the opportunity to provide comments. Should you have any questions, please contact me.

Sincerely,

Gary L. Brown

Gary L. Brown, Town Manager

cc: Town Council, Town of Brunswick
Anna Breinich, Director Planning and Development
Tom Farrell, Director Parks and Recreation
John Foster, Director Public Works
Denise Clavette, Special Projects Assistant
David Markovchick, Director Economic and Community Development
Town of Brunswick, Conservation Commission
Town of Brunswick, Recreation Commission
Steve Levesque, Executive Director, MRRA

Preserving America's Heritage

August 26, 2010

Mr. David Drozd
Department of the Navy
Base Realignment and Closure
Program Management Office, Northeast
4911 South Broad Street
Philadelphia, PA 19112-1303

Ref: Proposed Disposal and Reuse of Properties at Naval Air Station Brunswick and Topsham Annex Brunswick and Topsham, Maine

Dear Mr. Drozd:

On August 20, 2010, the Advisory Council on Historic Preservation (ACHP) received your documentation for the referenced project. Unfortunately, the background documentation included with your submission does not meet the specifications listed in Section 800.11(e). We, therefore, are unable to determine whether Appendix A of the regulations, *Criteria for Council Involvement in Reviewing Individual Section 106 Cases*, applies to this undertaking. Accordingly, we request that you submit the following information so that we can determine whether our participation is warranted.

- A description of the undertaking and its area of potential effects;
- A description of the affected historic properties, including information on the characteristics that qualify them for the National Register; and
- Copies or summaries of any views provided by consulting parties and the public, including comments from Indian tribes and the Maine State Historic Preservation Officer (SHPO).

Upon receipt of the additional information, we will notify you within 15 days of our decision. If you have any questions or require further assistance, please contact Louise Brodnitz at 202-606-8527, or via email at lbrodnitz@achp.gov.

Sincerely,

Raymond V. Wallace

Raymond V. Wallace
Historic Preservation Technician
Office of Federal Agency Programs

DEPARTMENT OF THE NAVY
BASE REALIGNMENT AND CLOSURE
PROGRAM MANAGEMENT OFFICE, NORTHEAST
4911 SOUTH BROAD STREET
PHILADELPHIA, PA 19112-1303

BPMO NE/TS
Ser 10-176
August 19, 2010

Mr. Earle G. Shettleworth, Jr.
Director
Maine Historic Preservation Commission
55 Capitol Street
65 State House Station
Augusta, ME 04333-0065

Ms. Louise Brodnitz
Historic Preservation Specialist
Advisory Council on Historic Preservation
Old Post Office Building
1100 Pennsylvania Ave., NW, Suite 803
Washington, DC 20004

Dear Mr. Shettleworth and Ms. Brodnitz:

In accordance with the requirements of Section 110 of the National Historic Preservation Act as amended and 36 CFR Part 800, we are submitting the enclosed draft Programmatic Agreement (PA) between the United States Navy and the Maine State Historic Preservation Officer (SHPO) for the disposal and reuse of properties located at Naval Air Station Brunswick, Maine and Topsham Annex, Topsham, Maine for your review and approval. We respectfully request your comments on the draft PA by August 27, 2010.

We appreciate your feedback. If you have any questions concerning this request, please do not hesitate to contact Tom Stephan at (215) 897-4916. We look forward to successful consultation and coordination with your office and to executing the Programmatic Agreement for the protection of the cultural heritage of the State of Maine.

Sincerely,

David Drozd
Director

Enclosure:
Draft Programmatic Agreement

Copy to: (w/o encl)
NAS Brunswick (L. Joy, K. Moore)
NAVFAC LANT (D. Cook)

Archived: Monday, October 04, 2010 12:37:42 PM
From: Gifford, Tegan
Sent: Monday, October 04, 2010 12:37:09 PM
To: Gifford, Tegan
Subject: Programmatic Agreement for NAS Brunswick and Topsham annex
Response requested: Yes
Importance: Normal

Note: The Programmatic Agreement referred to in this e-mail correspondence has been included in the FEIS as Appendix O.

-----Original Message-----
From: Mohney, Kirk[redacted]
Sent: Thursday, September 23, 2010 8:55
To: Stephan, Tom CTR OASN (EI&E), BRAC PMO NE
Subject: RE: Programmatic Agreement for NAS Brunswick and Topsham annex

Tom,
The SHPO has signed the PA. How and to whom would you like us to send the document?
Kirk

-----Original Message-----
From: Stephan, Tom CTR OASN (EI&E), BRAC PMO NE
[redacted]
Sent: Wednesday, September 22, 2010 2:06 PM
To: Mohney, Kirk
Cc: Drozd, David CIV OASN (EI&E), BRAC PMO NE; [redacted]
Subject: Programmatic Agreement for NAS Brunswick and Topsham annex

Kirk,

Attached is the Naval Air Station Brunswick Programmatic Agreement for your review and signature. David Drozd will sign from the BRAC office. We would greatly appreciate if you would print the document, sign and return tomorrow. We will FEDEX the fully executed Programmatic Agreement after Dave signs. Please call if you have any questions.

vr-tom
[redacted]