

Brunswick Layover Environmental Assessment (EA)
Appendix A: Agency Correspondence

September 2013



TOWN OF BRUNSWICK, MAINE

INCORPORATED 1739

DEPARTMENT OF PLANNING AND DEVELOPMENT
28 FEDERAL STREET
BRUNSWICK, ME 04011

ANNA M. BREINICH, AICP
DIRECTOR OF PLANNING & DEVELOPMENT

PHONE: 207-725-6660
FAX: 207-725-6663

August 9, 2011

Ms. Patricia Quinn, Executive Director
Northern New England Passenger Rail Authority
75 West Commercial Street, Suite 104
Portland, ME 04101

Dear Ms. Quinn:

Per your request, staff has reviewed the two locations under NNEPRA's consideration to construct a new Downeaster layover facility with regard to their consistency with the Brunswick's 2008 Comprehensive Plan. The two locations are 2 Turner Street (Map U23, Parcel 93 and Map U26, Parcel 15) and 22 Old Bath Road (Map 45, Parcel 1C).

The overall expansion of Amtrak passenger service is consistent with the policies and objectives of the Comprehensive Plan, specifically Part B. General Pattern of Development and Policy Area 8, Promote a Diverse and Healthy Local Economy. Part B reflects upon the guiding principles for Brunswick's general pattern of development. One such principle states that neighborhood livability should be enhanced. Where those neighborhoods are adjacent to mixed use or commercial/industrial areas, "any impacts of development should be mitigated through a variety of methods. The impacts to the areas immediately surrounding proposed new development must be balanced against the overall benefits of a project to the community including efficient municipal services, the need for compact growth to protect rural landscapes, and its economic contribution to the community."

Policy 8 vision/desired future condition is clear in its intent that the Town will "actively pursue infill development that redevelops underutilized, abandoned, and/or brownfield/grayfield land and buildings within the growth zone." Furthermore, Objective #6, Promote expansion of passenger and freight rail service in Brunswick, lists one action – to "coordinate with MDOT, the Northern New England Passenger Rail Authority and federal authorities to implement the infrastructure improvements needed for rail service." With Brunswick proposed as the eastern terminus of the Downeaster, the construction of a train layover facility is consistent with what is considered infrastructure improvements needed for rail service and will economically contribute to the community. Therefore, it is staff's determination that the project is consistent with the 2008 Comprehensive Plan.

Consistency with land use area recommendations of the Comprehensive Plan is as follows for each site:

2 Turner Street (Map U23, Parcel 93; Map U26, Parcel 15)

The combined parcels of ~8.06 acres are located along the north side of the existing rail corridor between Stanwood Street and Church Road and presently owned by the Maine Central Railroad Company. This area is located within the Commercial Connectors land use area (currently zoned areas of Highway Commercial 1 and 2, and Mixed Use 2 – Intown Railroad Corridor) west of Stanwood Street. The established vision for this area is to remain commercial with improved access, building design and streetscape through future redevelopment. Residential uses are discouraged and alternative connector access is considered along the railroad corridor. Uses include a wide range of non-residential and currently permitted industrial uses. The proposed train layover facility is currently a permitted industrial use within the MU2 District. Based upon the stated vision for the Commercial Connectors and desired uses, it is staff's determination that the use of this site for the train layover facility would be consistent with the Comprehensive Plan. The larger scale of the facility, to totally house 3 train sets in a climate-controlled structure during servicing, is outweighed by the resultant increased buffering of noise, lighting and fumes for the adjacent residential area.

22 Old Bath Road (Map 45, Parcel 1C)

This 16.5 acre parcel is also located along the north side of the existing rail corridor east of Old Bath Road and privately owned. The parcel is located within the Cook's Corner Commercial Hub land use area (partial area of Cook's Corner Zoning District). The established vision for this area is to become a vibrant mixed-use area per the Cook's Corner Master Plan, to serve as a regional commercial center with new residential development and connections to adjacent existing neighborhoods. Uses include a wide range of residential and primarily retail and consumer uses, offices and public/community uses. The overall intent is to maximize development potential and continue to enhance the Cook's Corner Commercial Area. Clearly, the Cook's Corner Commercial Hub is envisioned to be a more intensive retail/residential mixed use area. Current zoning allows for industrial use by special permit only. Cook's Corner Design Standards would also apply. It is staff's determination that the use of this parcel as the train layover facility would not be consistent with the Comprehensive Plan nor the Cook's Corner Master Plan.

A downloadable version of the 2008 Comprehensive Plan is available from our website at www.brunswickme.org/Planning. Should you have any questions, or need further clarification, please feel free to contact me.

Sincerely,



Anna M. Breinich, AICP
Director

cc: Gary Brown, ICMA-CM, Town Manager
Town Council
Patrick Scully, Esq., Town Attorney

SPO



Maine State Planning Office

Executive Department

PAUL R. LEPAGE
Governor

PETER J. ROGERS
Acting Director

May 22, 2012

Jennifer West, Wetland Scientist
Normandeau Associates
8 Fundy Road
Falmouth, Maine 04105

RE: Coastal Zone Management Act/federal consistency review;
Downeaster layover facility, Brunswick, Maine

Dear Ms. West:

This letter is in response to your letter dated April 16, 2012, regarding the consistency of the proposed Downeaster layover facility in Brunswick, Maine, with Maine's coastal zone management program. In your May 8, 2012, e-mail, you clarified that the federal action addressed by your letter concerns provision of federal funds to support construction of the layover facility and that you do not anticipate that any state or federal permits will be required for its construction.

Federal consistency review of the provision of federal funds or financial assistance for this project is not required under the Maine Coastal Program ("MCP"). Although a federal funding or assistance activity of this kind, which is not listed in the MCP, is not itself subject to consistency review, the project would be required to obtain permits or other approvals under applicable state environmental laws, if any, should the project be funded and undertaken.

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

Sincerely,

Kathleen Leyden
Director, Maine Coastal Program

cc: Mark Bergeron, DEP



PAUL R. LEPAGE
GOVERNOR

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

CHANDLER E. WOODCOCK
COMMISSIONER

April 19, 2012

Jennifer West
Normandeau Associates
8 Fundy Road
Falmouth, ME 04105

RE: Information Request, Downeaster Layover Facility

Dear Jennifer:

Per your request received April 17, we have searched current Department records for known occurrences of Rare, Threatened, and Endangered species, designated Essential and Significant Wildlife Habitats, and fisheries habitat concerns within the vicinity of the Downeaster Layover Facility in Brunswick, Maine.

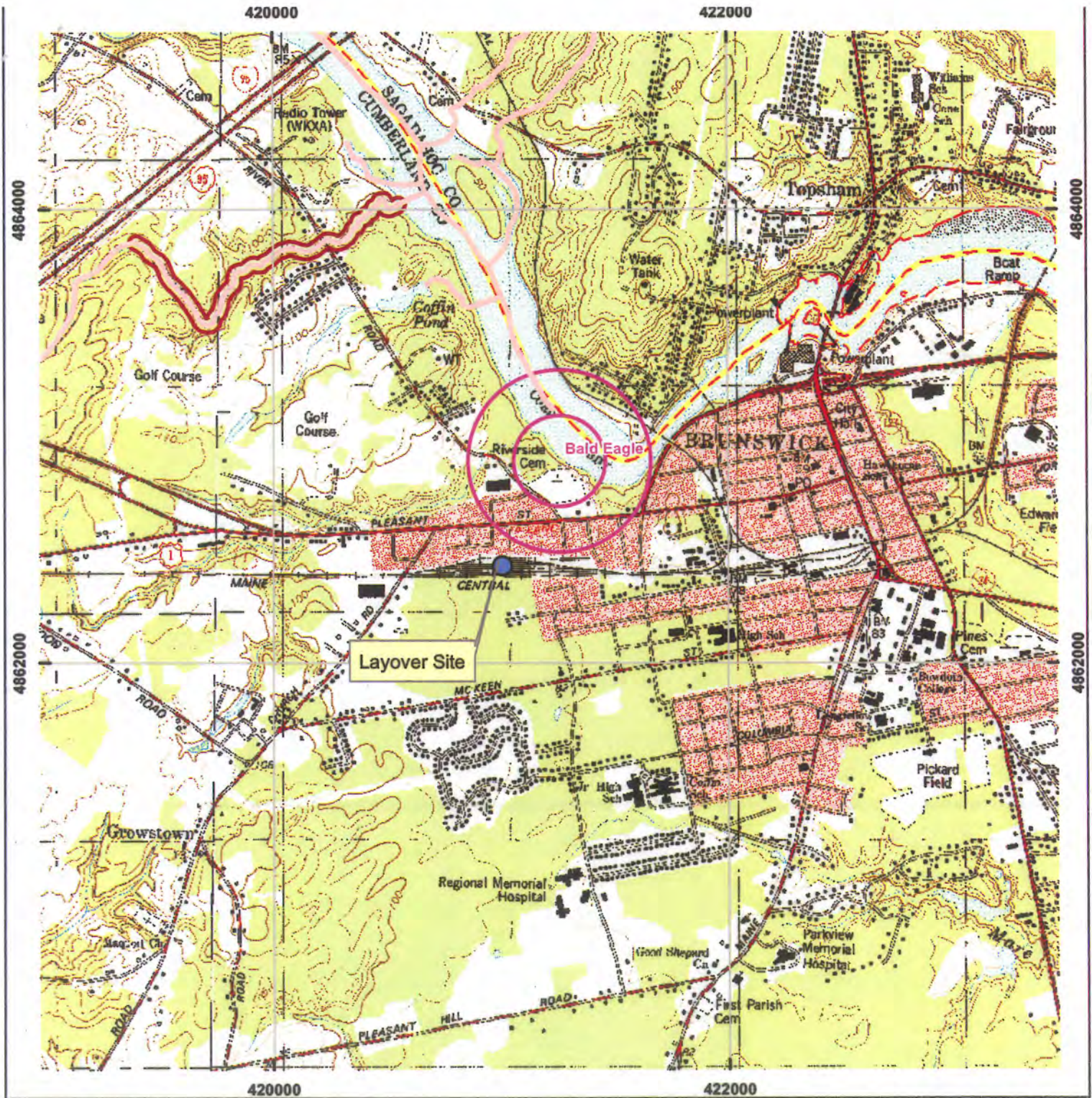
Our records indicate no occurrences of rare, threatened, or endangered animal species within the project area. Additionally, our department has not mapped any Essential or Significant Wildlife Habitats or Fisheries Habitats that would be directly impacted by the project.

This consultation review has been conducted specifically for known MDIF&W jurisdictional features and should not be interpreted as a comprehensive review for the presence of all regulated features that may occur on site. Prior to the start of any future site disturbance we recommend additional consultation with the municipality, and other state resource agencies including the Maine Natural Areas Program and Maine Department of Environmental Protection in order to avoid unintended protected resource disturbance.

Please feel free to contact my office if you have any questions regarding this information, or if I can be of any further assistance.

Best regards,

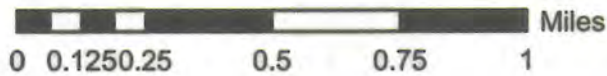
Steve Walker
Acting Environmental Review Coordinator



Maine Department of Inland Fisheries and Wildlife

Environmental Review of Fish and Wildlife Observations and Priority Habitats






Project Name: Downeaster Layover Facility, Brunswick



Projection: UTM, NAD83, Zone 19N

Date: 4/19/2012

Legend

-  Approx. Project Site
-  Environmental Review Polygons
-  WildBKTStreams2011
-  Special Concern-occupied habitats(100ft buffer)
-  Towns 1:24K



From: [Swan, Brian](#)
To: [Jennifer West](#)
Subject: Downeaster Layover Facility, Brunswick, NAI Project #22576.000
Date: Wednesday, April 18, 2012 4:40:31 PM

Dear Ms. West,

It does not appear that there are any resources under the purview of this department within the proposed project site.

Brian M. Swan
Environmental Coordinator
Maine Dept. of Marine Resources
Marine Resources Laboratory
P.O. Box 8, 194 McKown Point Road
West Boothbay Harbor, Maine 04575-008
Phone: (207) 633-9510
Fax: (207) 633-9579
Email: brian.swan@maine.gov



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

APR 26 2012

Jennifer West
Normandeau Associates
8 Fundy Road
Falmouth, ME 04105

Re: Downeaster Layover Facility

Dear Ms. West,

This is in response to your letter dated April 16, 2012, requesting information on the presence of species listed by NOAA's National Marine Fisheries Service (NMFS) in the vicinity of the Downeaster layover facility, Brunswick, Maine.

No federally listed or proposed threatened or endangered species and/or designated critical habitat for listed species under the jurisdiction of NMFS are known to exist in the vicinity of your proposed project. As such, NMFS Protected Resources Division does not intend to offer additional comments on this proposal. Should project plans change or new information become available that changes the basis for this determination, further coordination should be pursued. If you have any questions regarding these comments, please contact Danielle Palmer at (978) 282-8468.

Sincerely,

Mary A. Colligan
Assistant Regional Administrator
for Protected Resources

EC: Palmer
File Code: Sec 7 No Species Present 2012





UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
55 Great Republic Drive
Gloucester, MA 01930-2290

RESPONSE TO INFORMATION REQUEST

This standard form is provided in response to your request for information regarding the presence and distribution of essential fish habitat (EFH) and fishery resources in the vicinity of your proposed action.

Essential Fish Habitat

A complete list of species and life stages for which EFH has been designated can be found on the National Marine Fisheries Service (NMFS) Habitat Conservation Division website at: <http://www.nero.noaa.gov/hcd/webintro.html>. The website also contains information on descriptions of EFH for each species, guidance on the EFH consultation process including EFH assessments, and information relevant to other NMFS mandates.

The Magnuson-Stevens Fisheries Conservation and Management Act (MSA) and the Fish and Wildlife Coordination Act (FWCA) require federal agencies to consult with the NMFS on their proposed activities. Insofar as a project involves EFH, this process is guided by the requirements of our EFH regulations at 50 CFR 600.905, which mandates the preparation of EFH assessments and generally outlines each agency's obligations in this consultation procedure.

The required contents of an EFH assessment include: 1) a description of the action; 2) an analysis of the potential adverse effects of the action on EFH and the managed species; 3) the federal agency's conclusion regarding the effects of the action on EFH; and 4) proposed mitigation, if applicable. Other information that should be contained in the EFH assessment, if appropriate, includes: 1) the results of on-site inspections to evaluate the habitat and site-specific effects; 2) the views of recognized experts on the habitat or the species that may be affected; 3) a review of pertinent literature and related information; and 4) an analysis of alternatives to the action that could avoid or minimize the adverse effects on EFH. Upon submittal of an EFH assessment by the federal action agency, the NMFS will provide conservation recommendations for the proposed project, as necessary.

Protected Species

Information regarding the Endangered Species Act or Marine Mammal Protection Act will be provided under separate cover from the NMFS Protected Resources Division. Questions regarding Endangered Species Act Section 7 consultations should be directed to Julie Crocker, Julie.Crocker@noaa.gov, 978-281-9300 x 6530.

Additional Information

Should you require additional information regarding EFH or FWCA consultations, please contact Lou Chiarella, New England Field Office Supervisor for Habitat Conservation, Lou.Chiarella@noaa.gov, 978-281-9277.





NORMANDEAU ASSOCIATES
ENVIRONMENTAL CONSULTANTS

8 Fundy Road
Falmouth, ME 04105
Tel (207) 797-7717 Fax (207) 797-7761
www.normandeau.com

April 16, 2012
Lou Chiarella
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930

RE: Downeaster Layover Facility, NEPA review
NAI Project #22576.000

Mr. Chiarella:

Normandeau Associates is under contract with Parsons Brinckerhoff for permitting and NEPA support for the proposed Downeaster layover facility in Brunswick. The project is currently anticipating a Categorical Exclusion under the Federal Railroad Administration. Attached are copies of a site location map and the proposed building location.

In order to avoid and minimize potential impacts to endangered species and essential habitats, we respectfully request that you review your files for information on any sensitive resources under your jurisdiction that have been documented within the proposed site.

Should you have any questions, please feel free to contact me at (207) 518-6767, or at jwest@normandeau.com. Thank you for your assistance.

Thank you for your assistance.

Sincerely,
NORMANDEAU ASSOCIATES INC.

Jennifer West, Wetland Scientist

Enclosure

Bedford, NH (Corporate)

Arcata, CA
North Haven, CT
Lewes, DE
Gainesville, FL

Falmouth, ME
Falmouth, MA
Hampton, NH
Portsmouth, NH

Westmoreland, NH
Haverstraw, NY
Oswego, NY
Drumore, PA

Stowe, PA
Aiken, SC
Moncks Corner, SC
Seattle, WA

Stevenson, WA
Vancouver, WA
E. Wenatchee, WA



STATE OF MAINE
DEPARTMENT OF CONSERVATION
22 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0022

PAUL R LEPAGE
GOVERNOR

WILLIAM BEARDSLEY
COMMISSIONER

November 18, 2011

Marcia Bowen, Project Manager
Normandeau Associates
8 Fundy Road
Falmouth, Me 04105

Dear Marcia,

As per your request for any LWCF funded sites that may have potential impacts with the layover facility with the Downeaster train.

I have enclosed a map of our sites in the town of Brunswick. Also, if you go to:
<http://www.maine.gov/doc/parks/programs/community/index.html>

you can see all of the sites on google earth that are in Brunswick.

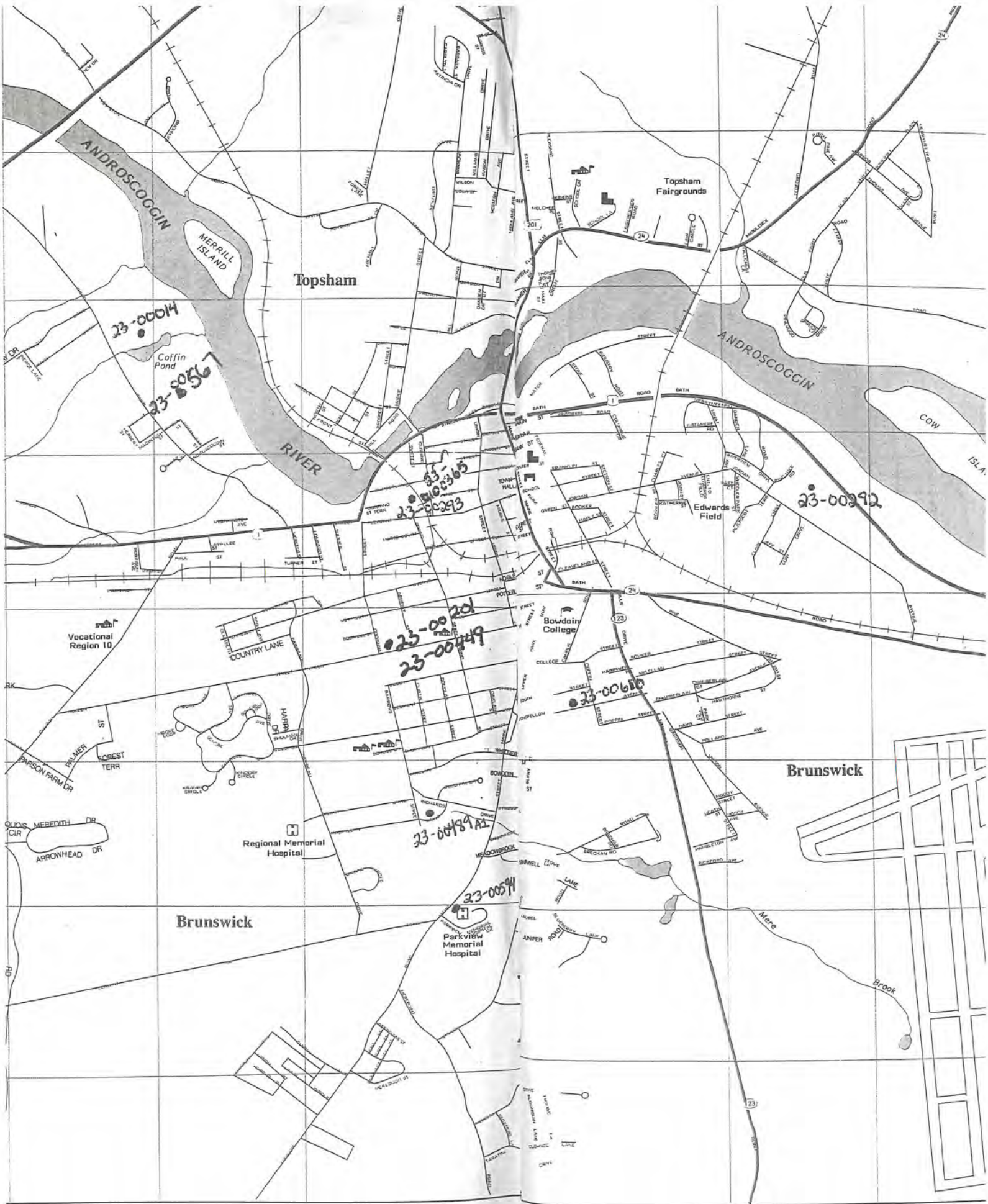
If your project will have any impact on the LWCF sites, please contact me and we need to have a meeting on site of what issues may arise.

If you need anything further, please feel free to call me at 287-4962 or e-mail:
mick.rogers@maine.gov. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mick Rogers".

Mick Rogers, Manager
Grants and Community Recreation



Vocational
Region 10

Topsham

Topsham
Fairgrounds

ANDROSCOGGIN
RIVER

Brunswick

Brunswick

Regional Memorial
Hospital

Parkview Memorial
Hospital

Bowdoin
College

Edwards
Field

Mere

Brook

23-00014

23-80567

05-11-03
23-00363
23-00365

23-00201
23-00449

23-00610

23-00489A1

23-00594

23-00392

23

24

25



[Site Map](#)

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Grants and Community Recreation

The Grants and Community Recreation Division, in addition to its responsibilities regarding federal and state grant programs, serves as a resource for Maine cities and towns in matters related to community recreation. Information is available on organization and structure of municipal parks and recreation boards, recreation programming, and facility development. Division personnel also serve as liaison with the Maine Recreation & Park Association, the National Recreation & Park Association, and regional parks and recreation organizations.

The data may take a few seconds to load depending on your connection speed

Enter town, location or Latitude/Longitude:

brunswick, maine

Ex: Augusta, ME or 45.9N 69.87W

Select data layers:

- LWCF
- RTP
- Town Lines
- USGS topo maps
- NAIP 06
- NAIP 07
- NAIP 09

No sites about project site



ATL 10.00

[Terms of Use](#)

Map Size:

Notes about using this GoogleApplication:

1. Visit the [Google Earth Help Center](#) for understanding of Google Earth and its abilities and limitations. This [Google Earth](#) link will help you download install or update the software on your PC. For full functionality please use the most updated version available.
2. Once you have launched the Google Earth application you can choose **Select Data Layers** from the menu at the left and you can obtain information on each site.

If you would like to view **Conservation Lands in Maine** [visit the Conservation Lands Page. Google Page.](#) You can obtain information on **boating access sites** by visiting the Bureau's [Boating Facilities Google Page.](#) The Department of Environmental Protection's **GIS Web page** contains information about other available layers. View the information by visiting the [GIS Data and Maps Page](#)

Disclaimers:

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- The Google Earth imagery dates provided do not necessarily represent the date the image was captured but show the date the imagery was processed and deployed.

- This data is for visual representation only and may not contain all data that is available by contacting the DOC directly.
- All information depicted is as accurate as available data allows.

If you have questions, comments or suggestions feel free to [Contact Us](#)

Grants & Community Recreation Division
Bureau of Parks & Lands
Maine Department of Conservation
22 State House Station
Augusta, Maine 04333
(207) 287-4962
mick.rogers@maine.gov



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United States Department of the Interior



FISH AND WILDLIFE SERVICE

Ecological Services
Maine Field Office
17 Godfrey Drive, Suite 2
Orono, Maine 04473
207/866-3344 Fax: 207/866-3351

May 29, 2012

Jennifer West
Normandeau Associates
8 Fundy Road
Falmouth, Maine 04105

Dear Ms. West:

Thank you for your letter dated April 16, 2012, requesting information or recommendations from the U.S. Fish and Wildlife Service (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), the 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: Downeaster Layover Facility, Brunswick, Maine

Log Number: 05E1ME00-2012-SL-0142

Federally Listed Species

Atlantic salmon

This project occurs within the range of the Gulf of Maine Distinct Population Segment (GOM DPS) of Atlantic salmon (*Salmo salar*) in Maine, a federally-endangered species under the joint jurisdiction of the Service and the National Marine Fisheries Service (NMFS) (74 FR 29344; June 19, 2009). The Atlantic salmon GOM DPS encompasses all naturally spawned and conservation hatchery populations of anadromous Atlantic salmon whose freshwater range occurs in the watersheds from the Androscoggin River northward along the Maine coast to the Dennys River and wherever these fish occur in the estuarine and marine environment. Also included in the GOM DPS are all associated conservation hatchery populations used to supplement these natural populations. Excluded are landlocked Atlantic salmon and those salmon raised in commercial hatcheries for aquaculture.

The proposed project site also occurs within a HUC-10 watershed (Little Androscoggin River) that has been designated as critical habitat for Atlantic salmon by NMFS (74 FR 39907; August

10, 2009). Critical habitat is designated to include all perennial rivers, streams, and estuaries and lakes connected to the marine environment within the designated watershed.

For Atlantic salmon and its critical habitat, NMFS and the Service share consultation responsibilities under section 7 of the ESA. The Service generally handles projects in the freshwater component of the salmon's habitat and NMFS handles projects in the marine and estuarine environment (generally below the head of tide).

Please note that under section 7 of the ESA, it is the federal action agency's responsibility to determine if a project may affect a federally listed species. For example, if the project receives federal funding or needs a federal permit, those actions may provide a "nexus" for section 7 consultation under the ESA¹. If the federal action agency determines that a project would have "no effect" on a listed species or critical habitat, they do not need to seek the concurrence of the Service and there is no need for section 7 consultation. If the federal agency determines that a project "may affect" a listed species or its critical habitat, then consultation pursuant to section 7 of the ESA should be initiated. Please note, however, that there is no provision under section 7 for consultation after a project has already been completed.

Based on the information currently available to us, no other federally-listed species under the jurisdiction of the Service are known to occur in the project area.

Other Protected Species

Bald and golden eagles

Occasional, transient bald eagles may occur in the general project area. 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 FR 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 be 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 this 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.

¹ section 7 consultation, however, is only necessary when a federal agency takes a *discretionary* action (e.g., an agency has a choice of whether or not to fund or permit a particular project).

We have not 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. We recommend that you contact the Maine Department of Inland Fisheries and Wildlife:

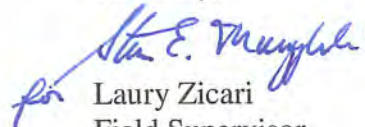
Maine Department of Inland Fisheries and Wildlife
284 State Street
State House Station 41
Augusta, Maine 04333
Phone: 207/287-5254

We also 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:

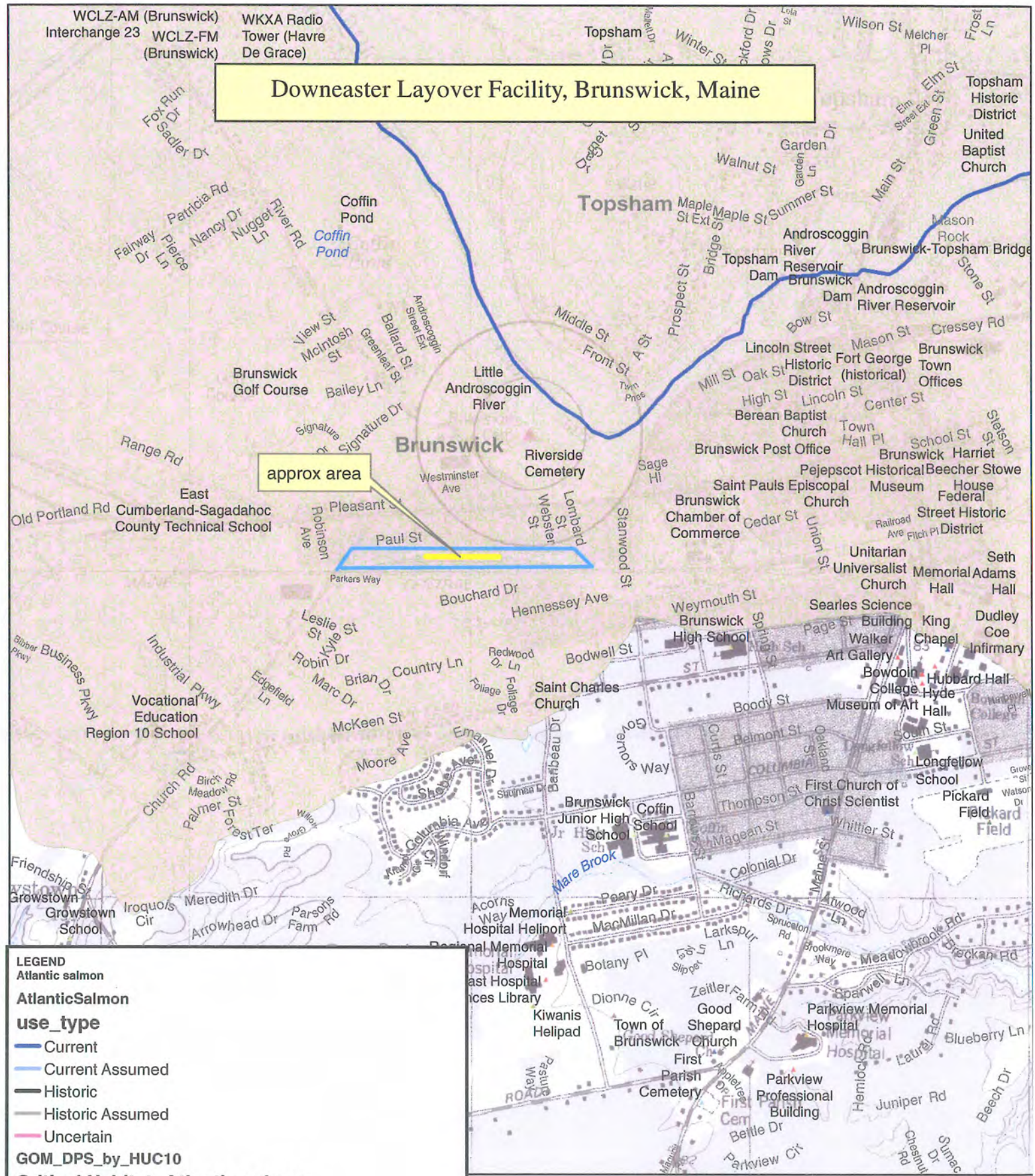
Maine Natural Areas Program
Department of Conservation
93 State House Station
Augusta, Maine 04333
Phone: 207/287-8046

If you have any questions about this project, please contact Wende Mahaney at Wende_Mahaney@fws.gov or by telephone at 207/ 866-3344 Ext. 118.

Sincerely,


for Laury Zicari
Field Supervisor
Maine Field Office

Enclosure





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

PAUL R. LEPAGE
GOVERNOR

WILLIAM H. BEARDSLEY
COMMISSIONER

April 20, 2012

Jennifer West
Normandeau Associates, Inc.
8 Fundy Road
Falmouth, ME 04105

Re: Rare and exemplary botanical features in proximity to: NAI Project # 22576.000, Downeaster Layover Facility, Brunswick, Maine

Dear Ms. West:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request received April 18, 2012 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in Brunswick, 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. Based on the information in our files and the landscape context of this project, there is a low probability that rare or significant botanical features occur at this project location.

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.

Letter to Jennifer West, Normandeau
Comments RE: Downeaster Layover Facility
April 20, 2012
Page 2 of 2

The Natural Areas Program has instituted a fee structure of \$75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for \$75.00 for our services.

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,



Don Cameron
Ecologist
Maine Natural Areas Program
207-287-8041
don.s.cameron@maine.gov

Enclosures

Marcia Bowen

From: Reed, Robin K [robin.k.reed@maine.gov]
Sent: Tuesday, November 22, 2011 3:09 PM
To: Marcia Bowen
Subject: MHPC# 1880-11 Brunswick Downeaster Layover facility; Brunswick

Follow Up Flag: Follow up
Due By: Tuesday, November 29, 2011 4:00 PM
Flag Status: Flagged

MHPC# 1880-11 Brunswick Downeaster Layover facility; Brunswick

Marcia:

In response to your recent request, our office has reviewed the information received October 24, 2011 to initiate consultation on the above referenced project.

In order to continue our review, please forward the following information:

1. plans (including a site plan) and elevation drawings of the proposed layover facility
2. photos (keyed to a topo map or aerial photo) of any buildings that are 50 years or older that are either on or adjacent to this site
3. Indicate what federal and/or state permitting, funding or licensing is necessary for this project.

We look forward to continuing consultation with you on this project.

Robin K. Reed
Maine Historic Preservation Commission
55 Capitol Street
65 State House Station
Augusta, ME 04333
phone: 207-287-2132 ext. 1
fax: 207-287-2335
<http://www.maine.gov/mhpc>

Please note my last name has changed. My new email address is robin.k.reed@maine.gov



8 Fundy Road, Falmouth, ME, 04105
 (207)797-7717 Fax (207)797-7761
 www.normandeau.com

May 10, 2012

Robin K. Reed
 Maine Historic Preservation Commission
 55 Capitol Street
 65 State House Station
 Augusta, ME 04333

RE: Downeaster Layover Facility, Brunswick
 Historical Review
 Project #22576.000

Dear Ms. Reed:

Normandeau Associated submitted a request for consultation for information on historical and archaeological features within the Layover facility project area with the Maine Historic Preservation Commission (MHPC) in October 2011. The MHPC response, which we have attached, requested a review for buildings 50 years or older, either on or adjacent to the site, should be conducted from which the MHPC could continue their consultation. Normandeau conducted a review on January 23, 2012, which included a review of the Town of Brunswick files (assessors and code enforcement) to identify potential buildings and a brief windshield survey of the area. We did not find any structures over 50 years old adjacent to the proposed structure. The following is a summary of our findings. Figures are attached showing the proposed facility and the Town of Brunswick Zoning map for the parcel

The proposed Layover Facility is located on Maine Central Railroad property (Map U23 Lot 93 of the Town's zoning map, dated April 1, 2010), within the central portion of the lot. The lot has previously been used as a rail yard and has been cleared and graded. The following parcels are located immediately to the north and south of the proposed structure.

Map U23	Lots 20, 47, 50, 55A, 57A
Map U28	Lots 1A, 3, 7, 91, 93

The lots to the north of the proposed facility within Map U23 are a mix of commercial and residential dwellings. This area has been developed for at least 50 years along US Route 1 but it does not appear that any buildings currently abutting the proposed Layover Facility are over 50 years old. The oldest is the Salvation Army building at 127 Pleasant Street (Lot 47), which was built in 1969. A residential neighborhood is located to the south of the proposed facility with houses built in 1968 (estimated date, Lot 7) and the early 1970's. Lot 1A contains a new office building located at 35 Church Road, which was constructed in 2005.

Bedford, NH (Corporate)

North Haven, CT	Falmouth, MA	Haverstraw, NY	Stowe, PA	Stevenson, WA
Lewes, DE	Hampton, NH	Oswego, NY	Aiken, SC	Vancouver, WA
Falmouth, ME	Portsmouth, NH	Drumore, PA	Moncks Corner, SC	Wenatchee, WA
	Westmoreland, NH			



Please contact me if you have any questions regarding the results of our survey. I can be reached at 797-7717 ext. 6767 or by email: jwest@normandeau.com.

Sincerely,
NORMANDEAU ASSOCIATES INC.

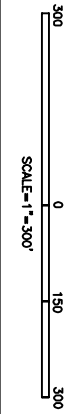
A handwritten signature in black ink that reads 'Jennifer West' in a cursive script.

Jennifer West
Project Scientist

Cc. Marcia Bowen, Normandeau Associates
Stephen Rolle, Parsons Brinkerhoff

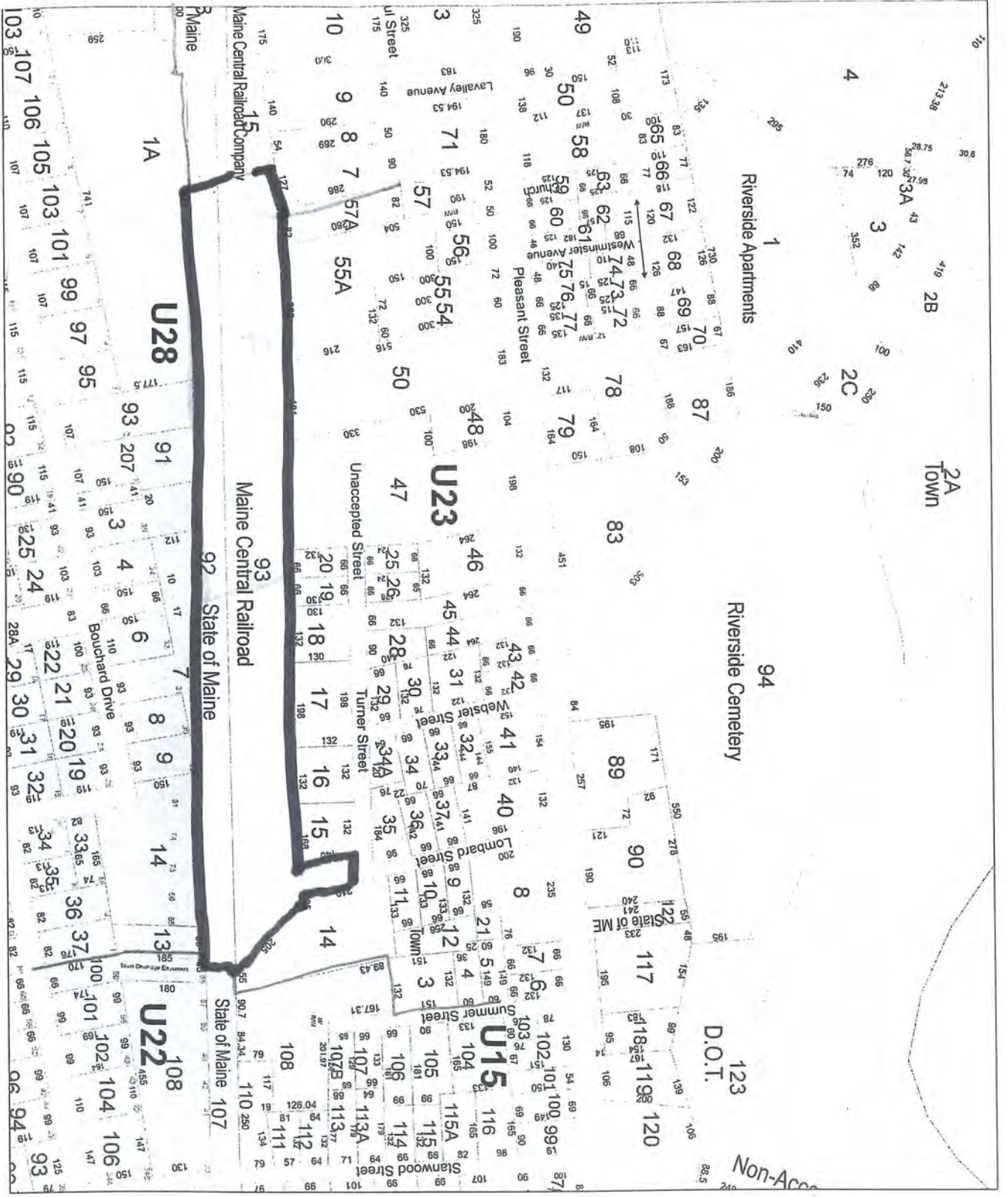
/

DOWNEASTER BRUNSWICK STORAGE AND MAINTENANCE FACILITY BRUNSWICK WEST SITE



- Legend**
- Existing Rail Line
 - Proposed Rail Yard Track
 - Proposed Building Location





Town of
BRUNSWICK
Maine



- Legend**
- Public Road
 - Private Road
 - ROW
 - Water
 - Hydrography Line
 - ROW Property Access
 - Other Road
 - Town Boundary
 - Other Lot Boundary



Revised to: April 1, 2010
 Maps Prepared by:
TOWN OF BRUNSWICK

MAP
U-23

From: [Dube, Norm](#)
To: [Jennifer West](#)
Subject: Downeaster Layover Facility
Date: Wednesday, April 25, 2012 1:30:43 PM

Jennifer,

I have reviewed your letter dated April 16, 2012 requesting "information on any Atlantic salmon resource documented within the proposed project site". After reviewing your letter and attached map of the project site, I have determined that there are no Atlantic salmon populations, habitat, or other resources of DMR concern in the vicinity of the project.

Sincerely,

Norm

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Norman R. Dubé

Fisheries Scientist

Dept. Marine Resources

Bureau of Sea Run Fisheries and Habitat

650 State Street

Bangor, ME 04401

Tel. (207) 941-4453

Cell (207) 557-9194



AROOSTOOK BAND OF MICMACS

7 NORTHERN ROAD
PRESQUE ISLE, MAINE 04769
(207) 764-1972

May 4, 2012

Jennifer West
Normandeau Associates
8 Fundy Road
Falmouth ME 04105

RE: Downeater Layover Facility
Municipality: Brunswick, Maine

Dear Jennifer West,

Thank you for the opportunity to review the above-referenced project for compliance with National Environmental Policy Act (NEPA) and National Historic Preservation Act (NHPA) requirements.

Based on the project description, we do not have knowledge of any specific sites or cultural features that exist at the proposed project location. However, this geographic area does constitute traditional areas that were historically utilized by members of the Aroostook Band of Micmacs and other northeaster Tribes. Therefore, we respectfully request that if during the course of excavation/construction activities, human remains, artifacts, or any other evidence of Native American presence is discovered, that site activities in the vicinity of the discovery immediately cease, pending notification to us.

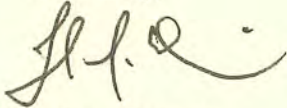
In addition, if this project results in wetland disturbances requiring mitigation, we are requesting that you utilize the black ash (*Fraginus nigra*) as the principle wetland species for wetland restoration activities. The black ash tree has special significance in the culture of the northeastern Tribes and is used extensively for weaving baskets and other Native American crafts. The black ash tree also provides valuable food and habitat for migratory waterfowl and other wildlife. Unfortunately however, this species has been selected against by foresters and landowners who favor other tree species. As a result of this, and other environmental factors, the black ash tree is in serious decline in Maine. The Aroostook Band of Micmacs has completed several black ash wetland restoration projects and we have a dependable source for highly-quality seedlings, and the experience and expertise to assist you with black ash wetland restoration projects.



On the subject of human remains, artifacts, or any other evidence of Native American presence is discovered. The human remains will be reburied with the appropriate respect for the remains that is required at a distinctive and respectable site. The artifacts and other evidence of Native American discovery will be documented with appropriate detail. The items will be analyzed for the precise period of the items distinctive period and will be documented by the Tribal Historic Preservation Officer from the Aroostook Band of Micmacs.

If you have any questions or comments, please feel free to contact me at (207) 764-1972.

Sincerely,



John J. Dennis

Cultural Director / Tribal Historic Preservation Officer Designee

cc: Richard Getchell

Chief of the Aroostook Band of Micmacs





PENOBSCOT INDIAN NATION
BONNIE NEWSOM - ARCHAEOLOGY DEPARTMENT
12 WABANAKI WAY, INDIAN ISLAND, ME 04468
E-MAIL: Bonnie.Newsom@penobscotnation.org Fax: 207-817-7463

NAME	Jennifer West Wetland Scientist
ADDRESS	Normandeau Associates 8 Fundy Road Falmouth, ME 04105
OWNER'S NAME	Parsons Brinckerhoff
TELEPHONE	(207) 797-7717
FAX	(207) 797-7761
EMAIL	jwest@normandeau.com
PROJECT NAME	Downeaster Layover Facility
PROJECT SITE	Brunswick, ME
DATE OF REQUEST	April 16, 2012
DATE REVIEWED	April 25, 2012

Thank you for the opportunity to comment on the above referenced project. This project appears to have no impact on a structure or site of historic, architectural or archaeological significance to the Penobscot Nation as defined by the National Historic Preservation Act of 1966, and subsequent updates.

Also, if Native American cultural materials are encountered during the course of the project, please contact me at (207) 817-7332. Thank you.

BONNIE NEWSOM, THPO
Penobscot Nation

75 West Commercial Street, Suite 104
Portland, Maine 04101-4631
207-780-1000 Tel
207-780-1001 Fax
www.AmtrakDowneaster.com

Martin I. Eisenstein
Chairman




**NORTHERN NEW ENGLAND
PASSENGER RAIL AUTHORITY**



June 20, 2013

Robin K. Reed
Maine Historic Preservation Commission
55 Capitol Street
65 State House Station
Augusta, ME 04333

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,
Deputy State Historic Preservation Officer
Maine Historic Preservation Commission

6/28/13
Date

RE: MHPC# 1880-11 Proposed Brunswick, Maine Downeaster Layover Facility

Dear Ms. Reed:

The Northern New England Passenger Rail Authority (NNEPRA), in cooperation with the Federal Railroad Administration (FRA), is proposing to construct a passenger rail equipment layover facility in Brunswick, Maine to support expansion of the Amtrak *Downeaster* passenger rail service. The proposed facility will consist of a layover building and connecting tracks at the site of the Brunswick freight rail yard located between Church Road and Stanwood Street on property now owned by NNEPRA. The site of the proposed facility is located approximately 0.6 miles west of Brunswick Station, the eastern terminus of Amtrak Downeaster service. The layover building is intended to accommodate the overnight storage of a maximum of three (3) diesel locomotive-powered passenger train sets used for the Downeaster service. Approximate dimensions of the single story building are 655 feet long by 70 feet wide with a maximum height of 37 feet. Funding for the project is anticipated to include a combination of state and federal funds, potentially including state multi-modal and bond funds, Congestion Mitigation and Air Quality (CMAQ) Improvement Program grant funds and American Recovery and Reinvestment Act (ARRA) grant funds.

NNEPRA contracted NEPA document preparation to Parsons Brinckerhoff and their subconsultant, Normandeau Associates. Normandeau initiated Section 106 consultation with Maine Historic Preservation Commission (MHPC) by submitting a request for information on historical and archaeological features within the Layover Facility project area in October 2011. The MHPC response, which we have attached, requested a review for buildings 50 years or older, either on or adjacent to the site. Normandeau conducted a review on January 23, 2012, which included an examination of the Town of Brunswick files (assessors and code enforcement) to identify potential buildings and a windshield survey of the area. There

presently are no structures on the site and Normandeau did not find any structures 50 years or older adjacent to the site. Their report is attached.

Based on the historical rail use and lack of potentially significant historic structures in the immediate project area, we believe the project would have no effect on historic and archeological resources. In accordance with Section 106 of the National Historic Preservation Act, we seek MHPC's review and determination that there would be no effect by the proposed project. If necessary, NNEPRA and our consultants would be happy to meet with you in your office to discuss this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Patricia Quinn". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Patricia Quinn
Executive Director