

Introduction

In October 2014, the U.S. Fish and Wildlife Service (Service, we, our) completed the Environmental Assessment (EA) for “Management of Buildings and Other Infrastructure on Timber Point.” Timber Point is part of Rachel Carson National Wildlife Refuge (NWR, the refuge). The EA outlines four alternatives for managing the infrastructure on Timber Point. Alternative A in the EA represents current management. Alternative B, “Preserve Buildings with Enhanced Interpretation”, is identified as the Service-preferred alternative.

We released the EA for 30 days of public review and comment during October 2014. We also held two public meetings in Kennebunk, Maine, and three on-site building tours, during the comment period. We evaluated all the letters, e-mails, comment forms, and Facebook posts sent to us during the comment period, along with oral comments recorded at our two public meetings. This document summarizes all of the substantive comments we received and provides our responses to them.

Summary of Comments Received

After the comment period ended, we compiled all of the comments we received from the sources noted above. In total, we received 281 separate written responses and 60 individuals provided oral comments at the public meetings. We also received 15 copies of a single form letter, as well as an online petition supported by 18 individuals. In the discussions below, we address and respond to every substantive comment we received.

Generally, a substantive comment meets at least one of the following criteria:

- It challenges the accuracy of information presented.
- It challenges the adequacy, methodology, or assumption of our analysis and supporting rationale.
- It presents new information relevant to the analysis.
- It presents reasonable alternatives, including mitigation, other than those presented in the document.

In order to facilitate our responses, we grouped similar comments together and organized them by subject heading. Directly beneath each subject heading, you will also see a tally of the number of commenters on the subject.

We heard from some specific agencies and groups including the State Historical Preservation Office, Maine Preservation, Timber Point Center, Friends of Rachel Carson NWR, and the Biddeford Conservation Commission.

In several instances, we refer to specific text from the EA. The full version of the EA is available online at:

http://www.fws.gov/refuge/rachel_carson/what_we_do/conservation/TimberPointEA.html
(accessed January 2015).

For a CD-ROM copy of the EA, please contact Rachel Carson National Wildlife Refuge:

Rachel Carson National Wildlife Refuge
321 Port Road
Wells, ME 04090
Phone: 207/ 646-9226

Relationship to Finding of No Significant Impact and Project Decision

Based on a review of the Timber Point EA, and this summary of public comments received on the EA, our Regional Refuge Chief will select an alternative for implementation. This decision is described in detail in a finding of no significant impact (FONSI). The FONSI explains why our Refuge Chief believes the selected alternative best meets the purpose and need for the Timber Point EA, when compared to the other alternatives. The FONSI will be available online at: http://www.fws.gov/refuge/rachel_carson/what_we_do/conservation/TimberPointEA.html.

Service Responses to Comments by Subject

SUPPORT FOR A SPECIFIC ALTERNATIVE

In favor of Alternative A (37 commenters)

Comment: Many commenters specifically mention that they favor current management, which is represented by alternative A. Most frequently cited were concerns for increased visitor use associated with the other proposed alternatives. Some commenters also stated that alternative A is more consistent with the mission of the Service, and would retain the wildlife and a history of a quiet or peaceful place. Here, as elsewhere, commenters also cited their concern with the costs associated with the other alternatives. Some commenters who said they donated funds for the Service to acquire Timber Point, stated their expectation was that Timber Point would be specifically conserved for wildlife, which is best represented by alternative A and D. About 25 percent of commenters that favored alternative A specifically stated that they oppose alternative C.

Response: As described in chapter 3 of the EA, alternative A would continue current management direction with no increase in visitor use anticipated. The Timber Point Trail would continue to allow for pedestrian access only, thereby minimizing disturbance to wildlife and habitat. Our responses related to traffic and costs can be found further in this document.

In favor of Alternative B (22 commenters)

Comment: Many commenters specifically mentioned that they favor alternative B, the Service-preferred alternative. Protecting the cultural values, in particular, the long-term preservation of the historic main house, are frequently mentioned as the reason for supporting Alternative B. Increased traffic was also a concern with commenters supporting alternative B. One-quarter of the commenters favoring alternative B also said that they would favor building removal, as

represented by alternative D, or mention their opposition to the development and use of the buildings as proposed by alternative C.

Response: As described in chapter 3 of the EA, alternative B would conserve wildlife and habitat, provide for long-term preservation of the National Historic Register buildings, and provide opportunities for cultural and natural resource interpretation. Opening the proposed spur trail to the buildings and providing interpretive panels outside of the buildings, is predicted to attract up to 40 percent more visitors, and increase traffic through the adjoining neighborhood.

In favor of Alternative C
(16 commenters)

Comment: Many commenters specifically favor alternative C. Renovation of the buildings and opening the buildings to public use are factors that are frequently cited by commenters as important opportunities. Additionally, commenters believe it is important to preserve the buildings’ history, which they felt is best represented by alternative C. Increased traffic concerns are also mentioned by people supporting alternative C, but some suggested the following strategies to minimize those concerns: not paving the road, parking limits, seasonal use, and eliminating the proposed offices. Some people, in discussing alternative C, assume it represents the “Timber Point Center” concept, which is being proposed by an outside non-profit entity (<http://timberpointcenter.org/>; accessed February 2015).

Response: As described in chapter 3 of the EA, alternative C represents a broad, adaptive reuse approach which may be implemented in any one of several different ways. This alternative could include the Timber Point Center concept, or a partnership with one or more other non-profit conservation organizations. Any new construction and building renovations would be required to meet and comply with Federal regulations and standards for buildings and roads with public access, and include requirements to meet the Americans with Disabilities Act. Alternative C does not propose paving Timber Point Road, so we are unsure of this reference. The alternative does assume year-round use. As noted in the EA, with a proposed visitor contact facility, offices, and programs, the Service estimates that annual visitation would double from current levels to just over 20,000 visitors.

In favor of Alternative D
(50 commenters)

Comment: Many commenters specifically favor alternative D. Frequently mentioned are concerns with the increased fiscal costs of the other proposed alternatives and the increased visitor traffic predicted with the other alternatives. Some commenters also mention that they think alternative D is more consistent with the mission of Service to conserve wildlife and habitat. The availability of existing facilities for environmental education elsewhere in the surrounding area is identified as a reason not to invest Federal funds in another education facility. Other education facilities mentioned in the area are: The Wells National Estuarine

Research Reserve, Laudholm Trust, University of New England, University of Southern Maine, and Kennebunkport Conservation Trust.

Response: As described in chapter 3 of the EA, alternative D represents the removal of the existing Timber Point buildings, either by physically moving them off site, or if that is not possible, razing the buildings. This alternative assumes all the steps to ensure full compliance with Section 106 of National Historic Preservation Act (NHPA) would be followed. Moving the buildings would likely be expensive and the costs would be the responsibility of the new owner. Removing the buildings and restoration to native habitat would be a one-time estimated cost of \$180,000. The Service anticipates that annual visitation would remain at current levels. We are aware of the other facilities that provide environmental education in the area, some within 5 miles of Timber Point.

Support for Timber Point Center
(38 commenters)

Comment: Many commenters specifically mention their support for the “Timber Point Center,” a concept proposed by an outside non-profit entity. In many of these commenters’ opinion, alternative C in the EA does not represent that concept and they support a separate alternative with the specifics proposed by the Timber Point Center non-profit (<http://timberpointcenter.org/>; accessed February 2015). Fifteen (15) people submitted this opinion in a form letter (see bulleted list below). Commenters express enthusiasm, in particular, for environmental education programs proposed as part of the Timber Point Center concept. Many supporting the Timber Point Center concept over the Service’s proposed alternative C, also question the Service’s higher cost estimate to develop an education center on Timber Point. Under alternative C, the EA provides an estimate of \$3.2 million to create an education facility within the existing buildings, while the Timber Point Center non-profit’s estimate is \$1 million. Some commenters note that the difference in cost has to do with the larger parking capacity proposed by the Service (30 spaces versus 10 proposed by the Timber Point Center), and feel that the extent of renovations or upgrades to the buildings proposed under alternative C are unnecessary and inflate the cost. Some of these commenters also suggest that alternative C is not consistent with preservation of National Historic Register buildings.

The form letter states that the Timber Point Center will:

- Directly support one of the three overarching goals of the USFWS as detailed in ‘Conserving the Future: Wildlife Refuges and the Next Generation’ of creating a “connected conservation constituency.”
- Complements the U.S. Fish and Wildlife Service’s mission by fostering an understanding and appreciation of the ecosystems present at Timber Point.
Serve as a pioneering model of the attainable balance between conservation and historic preservation.
- Promote advanced learning for the public, and visitors to the Center, in conservation awareness and environmental stewardship.
- Provide increased access to the Refuge under controlled conditions.

- Model community conservation and sustainability: for people, the environment, and the economy.
- Offer community meeting space for groups to meet and work.
- Address transportation and parking issues in a comprehensive fashion.
- Result in less impact to the environment than the Service’s adaptive reuse alternative C.
- Present a financially feasible solution to maintenance and upkeep of the National Historic Register eligible buildings.

Response: As described in chapter 3 of the EA, the Service believes that the Timber Point Center concept falls within the scope of alternative C, and that a separate alternative is not warranted. Under alternative C, a range of building reuse options, in collaboration with a non-profit partnership, is proposed. If alternative C is selected, Timber Point Center could be considered a potential partnership to consider, along with other non-profit organizations that express interest. All of the bulleted points on the Timber Point Center form letter are considered in evaluating the EA alternatives and relate to the purpose and need criteria listed in chapter 1 of the EA. Since the buildings are federally owned, any re-use of the buildings for public use and access, such as Timber Point Center, would have to comply with Federal building and road standards, including Americans with Disability Act requirements. The costs provided in the EA for alternative C, are best estimates of costs based on our experience and professional knowledge of construction and renovation costs, and as provided by Oak Point Associates in the comprehensive condition assessment report they completed for us. Also, please see our responses regarding “Support for...” and “Opposed to...” alternative C.

Opposed to Alternative C
(30 commenters)

Comment: Many commenters specifically wrote in opposition to alternative C. A particular concern relates to opposition to the development and/or commercialization of the historic buildings. Twenty-six (26) of these commenters are concerned over the impacts predicted with the increased traffic on Granite Point Road predicted under alternative C. Impacts mentioned are: the potential to change the character of the neighborhood; the narrowness of Granite Point Road and safety concerns; and the detrimental effects on wildlife. Some people question how this alternative is consistent with the Service’s mission. Two commenters wrote specifically opposing the Timber Point Center, which they assume is represented by alternative C. They mention that there are better locations for an education center, they question how much support there is in the community for alternative C, and they express reservations about the level of development proposed under this alternative. One commenter questions whether reusing the buildings, as proposed under alternative C, would fit with existing zoning regulations.

Response: We appreciate the concern some people have with the level of development proposed in alternative C, and how that might affect the historic buildings. Any renovations or changes to historic buildings would require consultation with the SHPO and compliance with Section 106 of the National Historic Preservation Act.

Concerns with traffic in the Granite Point neighborhood is the most cited issue by commenters for all alternatives. Currently, visitation is approximately 10,100 annual visitors based on summertime counts and estimates for the rest of the year. We estimate that visitation would double with alternative C. Traffic and mission-related concerns are addressed further in this document under the heading “Traffic Issues” and the subheading “Consistency with Service and Refuge System Missions.” Also, please see our response to “Support for the Timber Point Center” above.

Local zoning regulations are not included as part of the scope of the EA. We typically meet or exceed State or local standards for building construction on refuge lands, thus, we do not expect that zoning would be an issue with implementing alternative C.

Comments from People who donated to the acquisition of Timber Point for the Refuge
(16 commenters)

Comment: Many individuals self-identified as donors contributing funds to acquire the Timber Point property as part of Rachel Carson Refuge. The majority of these individuals questioned any use of the property other than managing it for its natural condition. In particular, they express concern with increased traffic given the current road condition, and do not support additional building developments.

Response: We appreciate all of those who contributed to the acquisition and protection of Timber Point. At the time the property was acquired by the Service in 2011, we did not know, or identify a proposal as to, the fate of the buildings. If there were comments to the contrary made by non-Service personnel, we regret the unintended confusion. This EA process for evaluating the Timber Point buildings is being conducted expressly to consider a range of options for managing the buildings and other infrastructure based on considering the 10 criteria identified in chapter 1, section 1.4, of the EA. The alternatives range in their predicted impacts on wildlife and native habitats based on the level of development and public use proposed. The EA’s alternative D represents removal of the buildings and restoration of the area to native habitat. All alternatives provide for monitoring and inventory of wildlife and maintenance of wildlife habitat. We believe that alternative D best responds to the issues raised by this group of donors.

TRAFFIC ISSUES

Generals Concerns about Traffic
(63 commenters)

Comment: The most frequently mentioned concern, regardless of which alternative a commenter supports, is traffic along Granite Point Road. Granite Point Road is the only access road to Timber Point. Those commenters opposed to alternative C most frequently use the increased traffic estimated under this alternative (e.g. the highest among the alternatives) as a primary reason for their opposition. Increased traffic is also a concern for those opposed to alternative B. Some commenters express concern even with the current level of traffic, which is represented by alternative A. Several commenters specifically mention that more traffic will

increase safety concerns on the narrow road, or negatively impact the setting or atmosphere of the residential neighborhood along Granite Point Road. Some Timber Point Center advocates suggest that alternative C should consider shuttling visitors using a van to reduce traffic concerns.

Response: The EA alternatives evaluate a range of visitation and resulting traffic levels. Alternatives A and D, represent traffic and visitation at the existing, or current level which is estimated to be 10,100 annual visitors. Some of these visitors come by foot or bicycle along Granite Point Road while some visitors walk across from Goose Rocks beach at low tide (e.g. they cross the Little River from Kennebunkport). There are currently six parking spaces at the end of Granite Point Road, which limits the amount of access by car, and thus, the total recreational use in the area. These six spaces would continue to be the limiting factor under alternatives A, B, and D. Under alternative B, we anticipate that there would be a 40 percent increase in visitation to Timber Point based primarily on our estimation that visitor use would be spread more throughout the year. With alternative C, traffic over Granite Point Road would increase with a predicted 100 percent increase in visitation.

We recognize that Granite Point Road is a narrow and winding road, and has high summer pedestrian and bicycle use. Addressing the condition of Granite Point Road, a municipal road maintained by the City of Biddeford, is outside the scope of the EA. However, it is considered in evaluating how the alternatives address criteria #10 in chapter 1, section 1.4, of the EA. Shuttling visitors using a van or bus under alternative C, or any alternative, was not specifically evaluated as part of the EA. However, it potentially could be part of implementing any of the alternatives. That being said, further analysis of this as a viable option for transporting visitors would need to consider such factors as: location and ownership of shuttle stop; shuttle vehicle storage, ownership and maintenance of shuttle vehicle; size of vehicle needed; size, location, and management of off-site parking by visitors; and, deciding details on the actual shuttle operations.

Traffic Concerns Expressed by Neighbors: Opposed to Increased Traffic
(61 commenters)

Comment: Residents of Granite Point community express concerns about the residential character of the neighborhood being impacted with the potential increases in traffic to Timber Point. They oppose any alternative that would increase traffic along Granite Point Road. These commenters are concerned with the safety of residents walking along the road, especially children, and with traffic-related noise. They mention the road is narrow with no shoulders. They also mention that the number of cars and the speed of the vehicles is currently a real problem along Granite Point Road. Some suggest looking at opportunities to expand parking on the refuge, or want better and timelier communications to visitors about the limited parking during peak season. Some residents also express concern that more traffic will be detrimental to wildlife. One person recommended that the Service conduct a road study if one has not been done already.

Response: In chapter 4, section 4.5.2, of the EA, the traffic impacts predicted from the four alternatives are acknowledged and described. Annual visitation to Timber Point trail is currently estimated to be 10,100, which includes local residents who walk to the trail from Granite Point Road, and those who walk across at low tide from Goose Rocks Beach. We are aware of the conditions on Granite Point Road and the traffic concerns of residents in the Granite Point Road community. The six-space parking area, provided by the City of Biddeford, is often at capacity during the peak summer season, causing some people to park along the roadway. The parking area has long been used for both boating access to the Little River, and as parking for visitors to the Timber Point Trail. We do not think there is additional parking capacity to be developed in the current area. Thus, the few parking spaces will continue to limit vehicle access, and thus overall visitation, during peak summer season, regardless of alternative selected. The city has an established speed limit on Granite Point Road appropriate to the nature and conditions of the road. Regardless of the alternative selected, we plan to work with City officials to see if we can work cooperatively to address parking and traffic concerns. With regard to the commenter who asked for a traffic study, we consider that outside the scope of this EA, but something that could be considered in the future as we work with the City to address parking and traffic concerns.

CLIMATE CHANGE

Climate Change (20 commenters)

Comment: Some commenters said that the Timber Point Center would be a valuable venue for global climate change discussions. Other commenters point out the devastating effects of the 1978 storm on the Main House (e.g. the front retaining wall had to be replaced) and cite their concern with the predicted increase in frequency and violence of storms due to climate change and sea level rise. Comments include statements such as, “...the buildings are doomed by climate change”, and “...Seasonal inundations occur at four points, located at #67-79, #110-112, #140-141 Granite Point Road, as well as the first 330 feet of Timber Point Road itself. Large storms render parts of Granite Point Road unpassable without heavy equipment repair. Smaller astronomical tides regularly cover the road with seawater and debris.” Another commenter states, “...If we are going to preserve something that is so close to the ocean, what kind of considerations for raising global sea level and for the predicted increase and severity of weather?”

Response: In chapter 1, section 1.4, of the EA, criteria #6 includes considering climate change in evaluating the EA alternatives. In chapter 2, section 2.4.3, we discuss issues of climate change relative to the scope of this EA, including road impairment, more severe and more frequent storms, and storm surge. We were fortunate to have relatively local information available in developing the EA. The information we have indicates the entrance (Timber Point) road will continue to flood, as will Granite Point Road, during certain high tide and storm events, and more frequent storms will threaten the structures as well. We thank the commenters at the public meeting who provided specific instances

of road wash-outs. This, along with the other criteria in section 1.4, will be considered in the final decision.

Concerns about Sustainability

(22 commenters)

Comment: Many commenters wrote about their concerns with sustainability. The aforementioned Timber Point Center form letter states that their concept of adaptive reuse of the buildings will “...Model community conservation and sustainability: for people, the environment, and the economy.” Other commenters state that “...Wildlife sustainability and the opportunity to view wildlife were the premise of the original fundraising [for the property]”, and “...This invaluable property needs to be managed with an eye to the future and sustainability.” Another commenter states, “...This is a very challenging environment - at what point will the decision be made that shoring up a vulnerable building is no longer financially viable? We fear that the building will be stabilized for alternative A or B, only to be subject to the inevitable storms, aging, and more repairs.”

Response: Although not specifically using the word ‘sustainable’, in chapter 1, section 1.4 of the EA, criteria #s 6 and 7 identify consideration of “strategic” investments and “long-term” reasonable expectations for funding. Both of these criteria reflect an interest in a sustainable approach to wildlife conservation and management, including the management of the buildings. The potential impacts to the buildings, wildlife, and habitat, over the long-term and under all alternatives is described in chapter 4 of the EA.

COSTS

Costs and Financial Concerns

(46 commenters)

Comment: Many commenters mention concerns with costs or other fiscal issues. Specific comments include, “...The cost to re-use the buildings is far too much of an investment for the government to make at this location.” Another commenter states, “... The EA cost estimate for the house repairs is \$ 3.2 million [e.g. under alternative C] and the yearly maintenance would be \$80,000. In my opinion, these costs are staggering, but also seem unsustainable....adding construction and maintenance of non-essential buildings does not seem a prudent fiscal move for FWS.” Another commenter states, “...Limited funds could be better used to support existing programs.” A couple commenters note that there could be linked costs to taxpayers or to the City. Several commenters point out that the Timber Point Center non-profit estimates costs for refurbishing the Timber Point main house is much lower than that presented in the EA for alternative C.

Many commenters were concerned that the EA does not anticipate extra or uncontrollable costs that are likely to arise during proposed renovations and construction. They mention inflation, contractor estimates not being accurate, construction over-runs, unforeseen septic issues, security needs, etc. These commenters are also concerned about the Service being able to sustain the ongoing annual maintenance costs.

Response: In chapter 1, section 1.4 of the EA, criteria #7 includes consideration of costs and expectations for funding when evaluating the alternatives. In chapter 3 of the EA, we provide cost estimates for a reasonable range of alternatives. Our estimate for costs for house repairs and renovations is based on Oak Point Associates’ comprehensive condition assessment report, and on our experience and professional knowledge of construction and renovation costs. Funding for any of the alternatives would be supported by our deferred maintenance and annual maintenance accounts. Congress appropriates funding to the Service annually, which is further distributed based on national and regional priorities, and within the agency’s budget limitations and constraints. There is never a guarantee that funding will be sufficient to carry out and meet all of the needs and priorities at the Refuge in any given year. The Service must comply with Federal building standards and associated policy, laws, and regulations, in order to be eligible for Federal funding.

Taxation implications to residents or the City of Biddeford, if any, are outside the scope of the EA. For information, the Service, as part of the Federal government, is tax exempt. The Refuge does provide a payment to the City of Biddeford in lieu of taxes, called Refuge Revenue Sharing payments. The rate of the payment is appropriated by Congress annually.

With regard to the concern with the difference in estimated costs between the Timber Point Center projection for adaptive reuse of the buildings, and alternative C in the EA, please see our response above under “Support for Timber Point Center.”

Outside Funding Sources

(1 commenter)

Comment: One commenter asks “has the USFWS requested funding for this purpose? Has USFWS requested partnerships with any cultural/historical organizations to help identify private sources of funding? If not, why not?”

Response: The Service has not requested funding, or sought non-Federal sources of funding, for any alternative. The EA is a planning document. Following a decision, the Service will implement the chosen course of action and seek to secure funding, whether through Service budgets, or other permanent sources.

For-profit, Revenue Generating Options

(1 commenter)

Comment: One commenter asks why the Service is not considering re-purposing the building in a manner that could generate rental income to help offset the carrying costs?

Response: Please see chapter 3, section 3.2.1 of the EA, “Alternatives Eliminated from Detailed Study.” This explains why we did not address commercial use of the buildings, which would include renting all or portions of them.

MISCELLANEOUS

Consistency with Service and Refuge Mission

(52 commenters)

Comment: Many commenters specifically mention the Service and Refuge System missions. One group's views are expressed by "...The National Wildlife Refuge System acquired the Timber Point property because it fit with the missions of the refuge system, and not because of the structures which were also on the property." However, fourteen (14) supporters of the Timber Point Center feel that an educational center concept would "...Complement the U.S. Fish and Wildlife Service’s mission" by fostering an understanding and appreciation of the ecosystems present at Timber Point."

Response: The purpose of this EA is to evaluate alternatives for managing the buildings on Timber Point and basing a decision on how well they address the criteria in chapter 1, section 1.4 of the EA. We agree that management should be consistent with both the Service and National Wildlife Refuge System missions, and refuge purposes and goals. These are criteria listed in chapter 1, section 1.4.

Signs

(2 commenters)

Comment: Two commenters mention a concern with signs. Specifically, one commenter states that it is fortunate to preserve this land, but they dislike the amount and visibility of signs.

Response: All national wildlife refuge boundaries are required, by policy, to be marked. Due to the nature of the boundaries of many parcels this can result in many signs required. The Refuge works hard to minimize the number of boundary signs when and where possible, but still clearly mark the boundary. We believe we have posted the property to the extent needed.

Trails

(4 commenters)

Comment: Several commenters are supportive of trails on Timber Point. One commenter specifically requests, "...Please build more trails."

Response: As described in chapter 3 of the EA, the alternatives provide a range of trail developments. The existing segment of Timber Point trail, a National Recreational Trail, would remain under all alternatives. It is 1.4 miles in length and transects sandy ocean beach, grasslands, freshwater marsh, cobble shore, deciduous forest and spruce growth. Alternative B calls for the addition of a spur trail to the Ewing residential estate. Alternative C road construction may require relocating a section of Timber Point Trail.

HISTORIC/CULTURAL

National Historic Register Nomination Process

(8 commenters)

Comment: Some commenters expressed interest in the anticipated date when the nomination for National Historic Register would be completed. Also, there is an inquiry as to why the EA refers to the buildings as “possibly eligible.”

Response: Most of the buildings and infrastructure associated with Timber Point are eligible for the Historic Register. We have a National Historic Register nomination that we received from a private organization. We are in the process of reviewing the nomination package and will be working with the SHPO to come to an agreed upon nomination package to move forward. The National Historic Register nomination process is working along on a separate process from this EA. Since not all of the structures at Timber Point may be determined eligible for the National Historic Register, we originally used the term “possibly eligible.”

Protection of Historic Buildings and Archeological Sites

(8 commenters)

Comment: One commenter asks, “...Why preserve buildings if no one will be allowed to see them?”

Response: With several of the structures determined to be eligible for the National Historic Register, the Service is required to maintain the structure’s in their current condition to meet obligations under Section 110 of the NHPA and would follow the Secretary of the Interior’s Standards for the Treatment of Historic Properties. Under two of the EA alternatives, alternative B and C, public access to the buildings would be allowed. Alternative B would enable visitors to walk to the buildings with an extended trail, and interpretive panels would describe the significance of the buildings. Alternative C would allow for adaptive reuse of the interior of the buildings. Only alternative A preserves the building and would not allow public access to them.

Comment: One commenter asks how, under alternative D, demolition of the historic buildings could be considered beneficial? In their opinion, once a building is demolished, a photographic record is no substitute for the actual building.

Response: The EA describes a reasonable range of alternatives, of which demolition or removal of the buildings is a possible option only under alternative D. In chapter 4 of the EA, under impacts to cultural resources, alternative D is described as having potential “beneficial impacts” to the historic buildings because of the level of documentation that would be required before demolition could happen. This may include such things as further research on the history of the buildings and the Ewing family’s use of the property, the architecture of the period, and compiling an extensive photograph library,

both current and historical photos. Should alternative D be selected as the alternative to implement, a detailed mitigation plan would be required.

Comment: One commenter asks, “...if the property did get historic preservation status, could it still be removed? Also, I understand from a historic building on the Registry is moved that it [loses] its label or significant symbol?”

Response: It is possible, although unusual, to remove a building that is listed on the National Historic Register. It would require working with the SHPO and following an agreed upon mitigation plan. If alternative D was selected, the Service would comply with Section 106 of the NHPA in consultation with SHPO. Part of the decision on whether it could be moved will depends how important the setting is to the integrity of the historic buildings, and how much it factored into its eligibility for listing as an historic building. So, it depends on the final eligibility criteria that are used. There is a six-step procedure for demolition or removal outlined in the Code of Federal Regulations. We list the six steps in chapter 3 of the EA under our description of alternative D.

Comment: One commenter felt that Timber Point has the potential of yielding archaeological sites.

Response: We will consult with SHPO as we implement this EA and conduct other activities at Timber Point to ensure we do not negatively impact any archaeological resources.

Comment: One commenter felt that the actual condition of the Timber Point buildings differs from the description in the EA.

Response: Our description of the buildings’ conditions was taken from the comprehensive condition assessment prepared by Oak Point Associates, an engineering firm in Biddeford which specializes in such characterizations. We feel that it is accurate.

Comment: One commenter asked, “What structures were evaluated in the Comprehensive Condition Assessment, and how were cost estimates made?” They also requested information on ongoing repairs and about any future plans, including installation of a security system.

Response: The scope of the contract with Oak Point Associates was for a comprehensive condition assessment of all roofed structures. Cost estimates were derived from this condition assessment in large part. Service engineering staff provided additional estimates.

As for ongoing repairs, the windows on the north, east, and south sides of the Main House were re-glazed and painted by the former Ewing contractor. Recently, we repaired the Maine House roof, including chimney blocking and flashing. Vandalism issues are addressed as they arise. The facility does not have electric power and so installation of a security system is not practical.

WORKING WITH OTHERS/PARTNERS

Collaboration in Developing Alternatives

(41 commenters)

Comment: Several commenters ask why the Service did not collaborate with others to consider options for building management and in identifying costs and activities listed under alternative C?

Response: The purpose of the EA was to evaluate a reasonable range of options for the buildings. The Service received one proposal for the buildings, from the Timber Point Center non-profit, at a time when we had not yet begun the planning process for this EA, or considered a proposed action. We reviewed the Timber Point Center non-profit proposal as we developed our alternatives. Alternative C includes a possible re-use of the buildings that will be compared to the ten criteria identified in section 1.4 of the EA. Alternative C also incorporates a partnership approach to buildings management. Adaptive reuse and a partnership approach are two principal components of the Timber Point Center proposal. Also, please refer to our responses above under “Support for Timber Point Center” and “Costs”.

Comment: One commenter asked if we consulted with Tribal governments during development of this EA.

Response: There is no requirement to consult with federally recognized Tribal governments for the type of planning action within the scope of this EA. However, if during implementation there is a potential to impact any archeological resources, the Service would consult with respective Tribal governments as warranted.

For additional information, the Northeast Region of the Service has developed a Regional Implementation Plan to provide a framework for the Service and the Tribes to use in developing meaningful government-to-government relationships in fishery and wildlife resource management. It is accessible at:

(http://www.fws.gov/northeast/nativeamerican/imp_plan.html#V. *COMMUNICATION*; accessed February 2015).

PROCESS

Errors in text of EA

(13 commenters)

Comment: Some commenters state that the EA was in error concerning vegetative cover and wildlife use.

Another commenter stated that Maine Preservation is incorrectly identified as “Maine Preservation Society.”

Response: We duly note the comment that we should clarify or correct certain references to wildlife and habitats on Timber Point. We will ensure that future references are accurate. Unfortunately, we have not conducted a comprehensive wildlife and habitat survey on Timber Point, but undertake specific species and habitat surveys when funding is available.

We apologize for incorrectly identifying Maine Preservation.

Public Meetings
(13 commenters)

Comment: One commenter states that the notification and timing of the public meetings associated with developing the Timber Point EA was inadequate and/or missed the seasonal residents. Other commenters expressed the view that Biddeford residents or landowners on Granite Point Road should have been consulted to a greater extent.

Response: During the summer of 2013, the Service conducted scoping to begin the process of developing a range of alternatives for this EA. All individuals who provided us their name and address during scoping were placed on our project mailing list and contacted during the public comment period for the completed EA. Although the public meetings for the EA were unfortunately at a time when seasonal residents were no longer present, we announced the availability of the EA and the public commenter period, and solicited comments in many ways. For example, a news release was published in the local paper, we had a Website posting, a Facebook posting, and mailed a notice to everyone on our contact list. As we met people on-site, including residents of the Granite Point neighborhood and the City of Biddeford, we encouraged them to submit their comments. We believe we made a concerted effort to reach out to interested and affected people and encourage them to submit comments. We have a responsibility as a Federal agency to engage, and consider comments from, all interested parties, regardless of their proximity to the project area. There is no requirement to engage local residents of Granite Point and Biddeford to a greater extent than other interested parties. That being said, most of the comments received on this EA are from local residents, so their concerns are expressly represented. Most of the residents of Granite Point support alternative A.

Recommendation that an Environmental Impact Statement (EIS) be completed
(18 commenters)

Comment: Many commenters recommend that an EIS be completed for alternatives B and C. Additional comments called for an EIS on the entire Little River Division due to the impacts of traffic on wildlife and habitat and the Timber Point Building EA which were felt to have not been addressed. Other commenters also cite criteria #10 in the EA and felt that the criteria could not be met with alternative C. Others feel that alternative C would be a “change of use” in zoning and would be contrary to municipal shoreland zoning and state DEP zoning.

Response: We believe that our impacts analysis, resulting from evaluating four alternatives that represent a reasonable range for consideration, supports the adequacy of preparing an EA instead of an EIS. None of the alternatives would result in a significant impact on the human environment. Completed in 2007, the final Comprehensive Conservation Plan (CCP) for Rachel Carson Refuge covers management direction for the entire refuge, including the Little River Division where Timber Point is located. The CCP is a comprehensive document outlining refuge management direction for 15 years. An EA was written in conjunction with developing the CCP. The scope and scale of the decisions made with the CCP/EA far exceeds the scope for a decision on the disposition of buildings on Timber Point.

Final Decision
(2 commenters)

Comment: Two commenters ask “...How is the final assessment [decision] made?”

Response: The decision on which alternative is selected for implementation is made by the Service’s Northeast Regional Refuge Chief. His decision will be based on the comments received and how well each alternative addresses the 10 criteria listed in chapter 1, section 1.4. of the EA. A Finding of No Significant Impact (FONSI) will summarize his decision on the selected alternative and his determination on whether or not an EIS should have been undertaken. The FONSI will be available online at:
http://www.fws.gov/refuge/rachel_carson/what_we_do/conservation/TimberPointEA.html