

Environmental Assessment for the

Robert LaFleur Municipal Airport
Waterville, Maine

Easement Acquisition and Obstruction Tree Clearing Project
AIP Project Number 3-23-0047-20-2012



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Prepared by: NewEarth Ecological Consulting
169 Watson Mill Road
Saco, ME 04072



For: Airport Solutions Group
390 Main Street, Suite 100
Woburn, MA 01801

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1.0 Introduction

The Waterville Robert LaFleur Municipal Airport (Airport), located in the City of Waterville, Kennebec County, ME, is a public use, general aviation facility serving central Maine (Attachment A, Figure 1). The Airport is comprised of two runways, a network of taxiways, aircraft parking aprons and hangars serving general aviation and corporate type aircraft. Runway 5-23, possesses the Airport's instrument landing system and is the only active runway, while Runway 14-32, its cross-wind runway, is currently inactive due to poor pavement conditions.

1.1 Purpose and Need

The purpose of the project is to acquire necessary property rights and clear trees obstructing the airspace surrounding Waterville Municipal Airport. The Airport is scheduled to reconstruct Runway 14-32 in the summer of 2012 due to its condition and inactive status, and in 2004 was issued a modification to their Site Location of Development Permit (L-08253-18) for runway reconstruction. This modification was renewed in 2011. As part of the design effort, a preliminary airspace obstruction analysis was performed in 2007 using aerial mapping data which showed airspace obstructions, and near penetrations, to the airspace at both ends of Runway 14-32. From the analysis, three private properties (Parcels A1, A2, and A3) and three city/state owned parcels (Parcels B1, B2, and B3) are shown to have trees present that pose current, and possible future, obstructions to the runway approach airspace and are the focus of the proposed action (Attachment A, Figure 2). Pursuant to the requirements of FAR Part 77 (Objects Affecting Navigable Airspace) standards, and direction from FAA and the State of Maine, the Airport intends to procure easements on all private properties and gain permission on state and city land to proceed in removing trees determined to currently be within the approach airspace. These obstructions pose a significant safety threat for aircraft approaching the Runway 14-32 surface and must be removed prior to the reopening of Runway 14-32 upon completion of the reconstruction Project. Future obstructions (trees within 20 feet of the approach airspace) were also identified on the six parcels as well as on an additional 14 private properties. These potential future obstructions do not pose an immediate threat to airport safety and will be subject to easement acquisition and additional clearing in a subsequent project.

1.2 Proposed Action

The proposed action (i.e., Project) involves the removal of approximately 52 trees that have been determined to be current airspace penetrations within the approach zone above six parcels that collectively cover 77.60 acres. Parcels included in the Project area are located generally to the northwest and southeast of the existing airport (Attachment A, Figure 2). Estimates of number of trees to be removed are based on the 2007 airport obstruction analysis in which obstructions were identified based on whether they were currently obstructions within the Part 77 Approach airspace (red zones shown in Attachment A, Figure 2). The analysis identifies point locations of obstructions, but is unable to distinguish the number of individual trees located at the obstruction. In cases where trees are clumped, the analysis could underestimate the number of trees requiring removal. Therefore, based on an estimate of the density of trees in forested areas

of the Project area, each point location within the red obstruction zone was estimated to represent approximately two trees requiring removal (except in cases where it was obvious the data point presented a single tree). Below is a further breakdown of the estimated current tree removal likely to be needed on each parcel to maintain airport safety:

Parcel A1 = 4 trees within a 24.67 acre parcel located west/northwest of a subdivision.

Parcel A2 = 1 tree in the front yard of a 0.33 acre single-family residence.

Parcel A3 = 20 trees within a 22.47 acre parcel abutting the northwest side of Interstate 95.

Parcel B1 = 20 trees within a 21.36 acre parcel within Interstate 95 right-of-way.

Parcel B2 = 3 trees within a 1.43 acre parcel at the end of runway 14.

Parcel B3 = 4 trees within a 7.34 acre parcel at the end of runway 32.

The Project will be phased over time to remove only those obstructions currently within the approach airspace (i.e., trees within the red zone on Figure 2) prior to the re-opening of runway 14-32. Obstructions within 10 feet (yellow zone) and 20 feet (orange zone) of the approach airspace would be removed under separate actions at a later date. For purposes of discussion in this EA, only those impacts likely to result from the removal of trees identified as current obstructions within the approach airspace (i.e., red zone) are included as the proposed action.

Tree cutting and removal will be performed in a manner that causes the least amount of environmental disturbance. Within the six parcels that collectively cover 77.60 acres, approximately 52 trees will be removed or topped collectively within an approximately 1.3 acre area. All trees requiring cutting will be marked, stumps or the lower portions of the trees will be left in place, no soil disturbance, grading or grubbing will take place, and no fill material or use of temporary mats (or similar measures) will occur in wetland areas. Hand crews will use chain saws to remove or top trees and will travel on foot within the areas identified for tree removal. Based on agreements with landowners, some downed trees may be left on site to minimize disturbance and created wildlife habitat. In areas requiring that downed trees be removed from the parcel, mid-sized equipment such as tracked or four-wheel drive vehicles may be used to move trees to a staging area for processing into smaller material and loading. Removal of downed trees would take place on frozen ground conditions or when work can be completed without disturbing, rutting, or compacting soil. Crews will take measures to minimize damages to other trees and vegetation on the parcels. Equipment associated with the proposed action would include vehicles and harvesting equipment with relatively low-emissions and noise output, such as personal automobiles and ¼ ton trucks used by work crews, up to two ¾ ton trucks, several chain saws, a brush hog tractor, and a wood chipper.

1.3 Project Alternatives

1.3.1 No-Action Alternative

Trees currently within the airport airspace pose a significant safety threat to incoming and outgoing aircraft on Runway 14-32 and must be removed before the runway can be re-opened. Although the no-action alternative would result in no environmental impacts, failure to remove the trees that pose airspace obstructions would prevent the re-opening of Runway 14-32, and would result in a reduction in safety during cross-wind conditions and loss of potential revenue for the City.

1.3.2 Proposed Action

Removal of the trees that pose airspace obstructions would likely cause some very minor environmental impacts, but is necessary for the re-opening of Runway 14-32 and is mandatory for public safety and to comply with airport safety requirements.

2.0 Methods

Environmental Scientists from NewEarth Ecological Consulting conducted a desktop review of existing information and research/survey data, performed a site visit to assess environmental conditions in February 2012, attended a pre-application permitting meeting with Maine Department of Environmental Protection in March 2012, and conducted a wetland delineation in April 2012. Additionally, state and federal natural resource agencies were formally consulted to request information on known or likely occurrences of rare, threatened and endangered species, significant habitats and natural communities, and significant cultural resources of the Project vicinity. Response letters from agencies are included in Attachment B. The analysis included review of the following resources:

- Aerial photographs to identify general habitat types and landscape features;
- Federal Emergency Management Agency digital database;
- Local authorities (Waterville & Oakland);
 - Fire Department
 - Assessor's Office
 - Zoning Department
 - Building Department
 - Planning Board
 - Board of Health
- Beginning with Habitat Program, database of significant wildlife and habitats;
- City of Waterville, Robert LaFleur Municipal Airport Master Plan;
- City of Waterville Zoning Map;
- Maine Department of Conservation, Bureau of Parks and lands - Conservation lands in Maine;
- Maine Department of Conservation, State Planning Office, Land for Maine's Future Program;
- Maine Department of Environmental Protection;

- Maine Department of Inland Fisheries and Wildlife, Correspondence letter from Steve Walker, dated February 28, 2012;
- Maine Office of Geographic Information Systems;
- Maine Natural Areas Program, Correspondence letter from Don Cameron, dated February 9, 2012 (Attachment B);
- US Department of Agriculture soil survey database;
- US Environmental Protection Agency;
- US Fish and Wildlife Service, Correspondence letter from Laury Zicari, dated March 14, 2012 (Attachment B);
- US Fish and Wildlife Service National Wetland Inventory (NWI) database;
- US Fish and Wildlife Service, Wildlife Refuges;
- US Geological Survey 7.5-minute series topographic maps; and,
- US National Park Service.

An assessment was performed for each of 19 potential environmental impact categories identified per FAA Executive Order 10501E. Of the 19 categories, seven are not present in the Project area or are not relevant to the activities associated with the proposed tree clearing Project. These categories are not discussed herein and include: air quality; coastal resources; hazardous materials, pollution prevention, and solid waste; natural resources and energy supply; secondary induced impacts; socioeconomic impacts, environmental justice, and children's environmental health and safety risk; and, wild and scenic rivers.

3.0 Affected Environment

3.1 General Project Area

The Project area is located in Kennebec County, within the towns of Oakland and Waterville, Maine and is located within, or directly adjacent to, the approximately 368 acre Robert LaFleur Regional Airport, located at 2 LaFleur Road, 44.533905° latitude and -69.676200° longitude (Attachment A, Figure 1). Roadways located within the Project area include the 4-lane Interstate Highway 95, the primary roads Shores Road and Airport Road, and the secondary Roads Hilltop Drive and LaFleur Road. Roadways within 0.25 miles of the Project area include Route 11 (i.e., Kennedy Memorial Drive), Route 140, Country Club Road, and numerous secondary roads associated with residential, commercial and industrial development in the area. Habitats surrounding the airport and within the Project area include: forests, ranging from early successional to mature age classes; shrublands; maintained open areas associated with roadways, residences, and golf courses; old fields; intermittent steams; and, forest, scrub-shrub, and emergent wetlands.

3.2 Compatible Land Uses

3.2.1 Land Uses

Land use zones surrounding the Project area are classified as commercial, residential, industrial, and institutional (City of Waterville 2011a) and many commercial and industrial businesses currently occupy the approximately one mile vicinity of the Project area; most of which are

located along Robert LaFleur Drive and Kennedy Memorial Drive (Attachment A, Figure 2). Typical business types include one or more of the following; gas station, convenience store, fast food, restaurant, strip mall, auto dealership, automobile collision center, grocery store, professional offices, and miscellaneous retail. A solid waste transfer facility is located immediately to the west of the airport. A golf course is located immediately to the east/southeast of the airport and is located within a City of Waterville resource protection zone. A residential area, comprised of approximately 20 single family homes, is located along Hilltop Drive, approximately 0.55 mile to the northwest of the end of runway 14-32, and is located within the Project area. A smaller residential area, comprised of approximately 8 single family homes, is located along Crestwood Drive, approximately 0.55 mile to the southeast of the end of runway 14-32. Two nursing homes, one hospital, a college, a high school, a church, and two libraries are located within approximately 0.50 miles of the north/northeastern side of the airport property, but none are within 1.0 mile of the proposed action (MEOGIS 2012).

Within the Project area, tree removal activities will take place on or directly adjacent to eight single-family residential units located along Hilltop Drive and the north side of Shores Road (Parcels A1 and A2) within the City of Oakland (Attachment A, Figure 2). Most of the trees proposed for removal are located more than a hundred feet from actual houses, although one tree (in Parcel 1B) is within the front yard of a residence on Shores Road. Parcel A3 is located between Shores Road and Interstate 95 and falls within rural and general residential zones (City of Waterville 2011a). Three single family homes occupy the area along the south side of Shores Road, although no tree removal is immediately proposed within or directly adjacent to these houses. Parcel B1 is located within the easement and median of Interstate 95 and falls within commercial class C zone, B2 is located along the north side of LaFleur Road and falls within airport industrial zone, and B3 located to the southeast of runway 22 and falls primarily within airport district zone. A portion of B3 is located within a City of Waterville designated resource protection zone that surrounds Pine Ridge Golf Course (City of Waterville 2011a), and is further discussed in Section 3.4. Construction would result in some increased noise and activity in these areas, but these would take place during normal daylight business hours and would not be a deviation from the activities and noise currently found in the general Project area.

3.2.2 Roadway Traffic

The proposed action takes place in close proximity to the 4-lane Interstate Highway 95 and several primary and secondary roads as shown in Attachment A, Figures 1 and 2. A staff member from Maine Department of Transportation was present during the February 2012 site visit and indicated that there were no significant concerns regarding traffic congestion or hazards. However safety measures would need to be taken, including highway lane closures should equipment need to access the site directly from Interstate 95. Airport personnel are coordinating closely with Department of Transportation staff to ensure appropriate traffic safety measures would be in place prior to tree removal activities, and are also investigating the feasibility of accessing all action areas from secondary roadways, thereby avoiding Interstate 95.

3.3 Construction Impacts

Construction activities will involve small crews using chain saws to cut selected trees. Trees would be left on site or moved to an area for cutting and chipping using tractors (or similar). Equipment associated with the proposed action would cause relatively low-emissions and noise and include personal automobiles, ¼ to ¾ ton trucks, several chain saws, a brush hog tractor, and a wood chipper. Materials would be left on site or taken off-site for use as timber products per landowner agreements.

3.4 Department of Transportation Act: Section 4(f)

Section 4(f) addresses potential impacts to national, state and local properties of special significance which could be affected by a transportation project. No publicly-owned parks, recreational areas, conservation areas, wildlife or waterfowl refuges, national or state forests or historic sites, wilderness areas, wild and scenic rivers, “land for Maine’s future” sites, or designated nationwide rivers occur in or near the Project area (BWH 2012, MDOC 2012a, b, NPS 2012, USFWS 2012b).

Parcel B-3, located at the southeast end of Runway 14-32 (Attachment A, Figure 2), is located within property that is zoned as a City of Waterville resource protection zone (City of Waterville 2011a). According to the most recent City of Waterville zoning ordinance Section 5.16, resource protection districts were established to ensure that the principal uses of the land would be open space in character and were established to protect areas with high value natural resources (e.g., significant habitat for plants or wildlife, wetlands, waterbodies, fragile/unstable areas, and areas of educational, historic, or aesthetic importance (City of Waterville 2011c). Section 5.16.5 of the ordinance also indicates the clearing of vegetation is prohibited within a resource protection zone, except when clearing is specifically permitted in the resource protection district. Four trees are proposed for removal within the parcel.

3.5 Farmlands and Soils

Prime farmland (WrB and PdB) surrounds much of the existing airport runways and outbuildings and can also be found in small pockets along Hilltop Drive and Country Club Road (to the northwest of the airport) and along Kennedy Memorial Drive (north and east of the airport) (USDA 2011). Prime farmlands of statewide importance (HrB and SkB) also occur along Hilltop Drive and Country Club Road and along Kennedy Memorial Drive. Although important farmlands occur within the Project area, land uses will not change in any of these locations as a result of the proposed tree removal Project.

According to the US Department of Agriculture (USDA 2011), most soils in the Project area are fine sandy loams or very stony fine sandy loams, on slopes ranging from 3 to 15 percent. Hydric soils occur along Interstate 95 and between Hilltop Drive and Country Club Road and are located within the general Project area. Wetland data (see Section 2.5), and observations made during the wetland delineation indicate that wetlands and hydric soils occur across larger areas of the site than depicted on Hydric soil maps. Hand crews and light equipment will be used to remove trees and measures will be taken to avoid soil disturbance.

3.6 Fish, Wildlife and Plants

3.6.1 General Habitats

A variety of habitats, including forests, shrublands, open grassy areas, intermittent streams, and a diversity of wetland communities surround the airport and occur within the proposed Project area. Although none of the areas are known to support listed species, these areas provide food, cover, and nest sites for a wide diversity of birds and mammals. The proposed action would include the removal of trees of a certain height class within several forested upland areas, at a residence, and within a forested wetland community. Within the airport facility and along adjacent roadways open areas are currently mowed regularly for transportation safety and do not provide suitable breeding habitat for breeding birds and most mammals.

Forested habitats, include both upland and wetland types, range from early successional/young forest to mature forest classes, and include deciduous, softwood, and mixed communities. Common deciduous tree species include quaking aspen (*Populus tremuloides*), red oak (*Quercus rubra*), sugar maple (*Acer saccharum*), red maple (*A. rubrum*), American elm (*Ulmus americana*), white and green ash (*Fraxinus spp.*), eastern hophornbeam (*Ostrya virginiana*), paper and gray birch (*Betula spp.*), and larch (*Larix laricina*). Conifer species include white pine (*Pinus strobus*), balsam fir (*Abies balsamea*), eastern hemlock (*Tsuga canadensis*), northern white cedar (*Thuja occidentalis*), and spruce (*Picea spp.*). Forested areas would experience a conversion from a mature forest class to an early to mid-successional class as a result of upper canopy tree removal. This conversion is expected to be maintained over the long term per FAA airport safety requirements. Disturbance to the understory is expected to be minimized through the use of hand crews for tree felling and by leaving downed materials on site where feasible.

Streams in the Project area under normal flow conditions are shallow (< 10 inches) and narrow (< 2.5 feet), are bisected by numerous culverts, and are rerouted by ditches associated with roadways of the Project area. The streams provide a water supply for wildlife, habitat for aquatic insects, and during high flow conditions likely provide habitat for small fish.

3.6.2 Federal or State-listed Threatened or Endangered Species and Habitats

Based on a review of the Maine Department of Inland Fisheries and Wildlife's Beginning with Habitat Program database and maps (MDIFW 2012a), the Maine Department of Environmental Protection's online digital data for bird habitats and vernal pools protected under the Maine Natural Resource Protection Act (MDEP 2012), and correspondence with state and federal natural resource agencies (MDIFW 2012b, MNAP 2012, USFWS 2012c), no state or federally-listed, proposed, or candidate species, or rare or exemplary natural communities, are known to occur within 0.25 miles of the proposed Project area and no state or federally-listed species or significant wildlife habitats were noted during the site visit. Portions of the Project area are identified as potential significant wildlife habitat. However, for reasons discussed below and presented in agency coordination letters (Attachment B), these areas are not suitable habitat for the identified species.

The site falls within the federally-designated Gulf of Maine Distinct Population Segment for the Federally-endangered Atlantic Salmon and is within National Marine Fisheries Service designated critical habitat for Atlantic Salmon. However, intermittent streams such as those found within the Project area do not provide suitable habitat for Atlantic salmon, which utilize perennial streams, rivers, estuaries and lakes that are connected to the marine environment. Further, streams in the Project area have significant obstructions to fish passage due to culverts and dense vegetation.

Portions of the Project area are also identified as high value habitats for state priority trust species due to the presence of grassy open areas that could be used by grassland birds and in particular upland sandpipers (Attachment A, Figure 3). However, the grassy open areas found in the Project area surround airport runways and roadways and are mowed regularly per FAA safety requirements. Repeated mowing makes these areas unsuitable as nesting habitat for grassland birds and upland sandpipers (MDIFW 2012b). Inland Wading Bird and Waterfowl Habitat, a state designated significant wildlife habitat that is protected under Maine's Natural Resource Protection Act (NRPA), is located 1.35 miles to the west and well outside of the proposed Project area (BWH 2012, MEDEP 2012, MEOGIS 2012).

Two bald eagle nests are located along the Kennebec River, at least 1.0 mile to the east of the airport (City of Waterville 2011b, USFWS 2012c), and airport staff members have reported observations of bald eagles and other raptor species within the airport property (personal communication Greg Brown, Airport Manager). Once a state and federally-listed species, bald eagles are no longer listed. However, they are protected under the federal Bald and Golden Eagle Act and the Migratory Bird Act and are noted as potential transient species in the Project area by the US Fish and Wildlife Service (USFWS 2012c). During the site visit, a red-tailed hawk was observed perched in a large tree within 100 feet of the end of runway 14. Although eagles and many other birds are protected under the Bald and Golden Eagle Act or the Migratory Bird Act, per FAA safety requirements the airport is authorized to haze, and if necessary, remove any wildlife that poses a threat to airport safety. The airport has, and continues to, coordinate closely with state and federal agencies when wildlife species enter airport property and pose a threat to airport safety (personal communication with Greg Brown, Airport Manager).

3.7 Floodplains

According to the Federal Emergency Management Agency, National Flood Hazard Layer digital database for the vicinity of the Project area (FEMA NFHL Panel Numbers 23011C0162D, 23011C0166D, and 23011C0168D), the Project area falls within the "Other Flood Areas – Zone X" designation (FEMA 2012). Areas within this designation were determined to be outside of the 0.20 percent chance floodplain and do not include any special flood hazard areas or floodways.

3.8 Historical, Architectural, Archaeological and Cultural Resources

A response is pending from the Maine Historic Preservation Commission regarding historic, archeological, or cultural resources of significance within the Project area. However, based on review of existing information and available digital data bases (MDEP 2012, MEOGIS 2012), no

cultural resources of significance are known to occur in the area. A rock wall, and possible remnant cellar hole, were observed in Parcel A3 during the site visit, but based on current removal plans specific trees will not likely be removed at these locations.

3.9 Light Emissions and Visual Impacts

Tree clearing activities would be performed during daylight hours and would result in the elimination of several large trees from the landscape in residential areas and along highway medians.

3.10 Noise

Equipment associated with the proposed action would include vehicles and harvesting equipment with relatively low-emissions and noise output, such as personal automobiles and ¼ ton trucks used by work crews, up to two ¾ ton trucks, several chain saws, a brush hog tractor, and a wood chipper.

3.11 Water Quality

Sand or gravel aquifers occur along the Kennebec River, 0.65 miles to the southeast of the Project, but none are documented within the Project area (MDEP 2012). A public water well is located approximately 0.40 mile to the northwest of the Project area, but no water supply sources occur within the Project area (MDEP 2012). Several wetland complexes and two intermittent streams traverse the Project area and are described in Section 3.10.

Tree clearing activities would not impound, divert, drain, control, or otherwise modify the waters of any stream or other body of water. There will be no soil disturbance and no point-source discharges into waters of the U.S. or any fill material placed in waters or wetlands as a result of the Project.

3.12 Wetlands and Waterbodies

According to the US Fish and Wildlife Service National Wetlands Inventory, Maine's Beginning with Habitat program, the US Department of Agriculture soil survey (USDA 2011), the Draft Robert LaFleur Airport Master Plan (City of Waterville 2011b), and a formal wetland delineation conducted in April 2012, several wetland complexes and streams occur in the general Project area, however only one wetland complex would be affected by tree removal activities (Attachment A, Figure 4). Also present are several swales and low-lying ditches associated with road and highway drainages and constructed and maintained for the purpose of draining stormwater.

Waterbodies mapped by the US Geologic Survey in the Project area include an intermittent stream that extends northeast-southwest through a wetland complex on privately owned parcels and is within approximately 100 feet of Parcel B2, and an intermittent stream that extends northeast-southwest across Parcel A1 (USGS 1993). During the April 2012 wetland delineation, two streams were also documented in the vicinity of the Project (Attachment A, Figure 4). One

stream extends northwest-southeast across parcels A3 and B1 and bi-sects Interstate 95 roadside drainages. The stream crosses beneath Interstate 95 and drains into the wetland complex located within privately owned parcels northwest of Parcel B2. A second stream is located within a wetland complex located along parcel B3. The stream is oriented generally north-south and exits the Project vicinity through a culvert beneath Airport Road. Streams are shown in cyan in Attachment A, Figure 4. An underground spring was also noted in the open field within parcel A3 and drains into the stream and wetland complex in this vicinity. Several seeps also occur throughout the Project area. None of the streams are designated significant fisheries or trout habitat (MDIFW 2010).

Palustrine forest and palustrine emergent wetlands occur within or adjacent to all Parcels of the Project area (Attachment A, Figure 4). However, tree removal would only take place within one wetland area; a forested wetland located within Parcel A1. Forested wetlands are dominated by trees ranging from early successional to mature age and height classes. Depending on the degree of canopy openings, the understory can be sparse or relatively dense with shrubs and sapling trees. Typical tree species in forested wetlands of the Project area include red maple, American elm, green ash, balsam fir, eastern hemlock, larch, gray birch, willow species, eastern hemlock, northern white cedar, and white pine. The wetlands are not within a shoreland zone, are not peatlands, are not designated as significant wildlife habitat, and do not contain 20,000 square feet or more of open water or emergent vegetation. Therefore, they are not considered wetlands of special significance.

4.0 Environmental Consequences

Approximately 52 trees will be cut from an approximately 1.3 acre area, which will include an estimated 2 trees in parcel A1, 1 tree in parcel A2, 20 trees in parcel A3, 20 trees in parcel B1, 3 trees in parcel B2, and 4 trees in parcel B3. Hand crews will be used to cut trees during normal daylight work hours, and tree removal will take place using mid-sized equipment and in manner that minimizes ground disturbance. There will be no grubbing or filling and environmental resources and structures will be avoided to the extent possible.

Based on a review of activities associated with the proposed action, assessment of environmental conditions of the Project site and consultation/input from natural resource agencies, most of the environmental resources of the Project area are not likely to experience any environmental impacts from the proposed action and are therefore excluded from the environmental consequences discussion below. Environmental resource impact categories present in the general Project area, but evaluated and determined not to be impacted from the Project include: Compatible land uses; construction impacts; farmlands; floodplains; historical, architectural, archaeological, and cultural resources; light emissions and visual impacts; noise; and, water quality.

Environmental resource impact categories that may experience minor environmental impacts include: Department of Transportation Act - Section 4(7); fish, wildlife and plants; and wetlands. These impacts, although likely to occur as a result of proposed tree clearing activities, would be non-significant and would not result in any long term environmental effect as discussed below.

4.1 Land Use/Department of Transportation Act: Section 4(f)

Parcel B3 is located within property that is zoned as a City of Waterville resource protection zone. Tree removal will involve only four trees within a densely forested area. Removal would not impair or alter the existing land use of the area and is in line with the intent of the ordinance to retain open space character within the zone; particularly since the resource zone also includes a golf course directly adjacent to Parcel B3. Further, the City of Waterville is currently revising the ordinance to allow for activities (such as vegetation removal) within resource protection districts, so long as those activities do not change the character of the open space (communication with Greg Brown, Airport Manager).

4.2 Fish, Wildlife and Plants

Tree clearing activities would remove mature, large-diameter trees from portions of upland and wetland forest areas resulting in openings in the forest canopy and a reduction in forest height-size class within the removal area. Understory vegetation in these areas would also experience some short-term disturbance during tree removal activities, and may experience changes in species composition and density as a result of the new openings in the forest canopy. However, given that the 52 trees proposed for removal would be spread out over six parcels covering a 1.3 acre area, the impacts are expected to be minimal and similar to natural events (e.g., wind throw, disease/decay, end of tree life span, lightning strikes) that would occur in a mature forest over time. Soil disturbance is expected to be minimal since hand crews and light equipment will be used for the tree removal.

Wildlife species within removal areas would experience short term disturbance from the activity and noise associated with construction, and slow-moving, immobile and denning or nesting wildlife could experience direct mortality. Any species dependent upon the specific trees removed could also be negatively impacted. To minimize impacts, the fewest amount of trees necessary to ensure airport safety would be removed and removal will be performed using light equipment and hand crews to minimize site disturbance. Downed trees may be left on site where feasible to provide wildlife habitat (i.e., downed woody debris) and to further minimize site disturbance. Further, tree removal will take place within or near large parcels of forest and wildlife would have alternate tree sites available.

Based on a review of background materials and consultation with natural resource agencies the project does not pose a threat to any state or federally-listed, proposed, or candidate species, protected significant wildlife habitats, or rare or exemplary natural communities. None of the agencies contacted require any further consultation regarding the Project.

4.3 Wetlands and Waterbodies

No tree removal activities are proposed within 25 feet of streams or waterbodies, and only one wetland complex will experience any impacts from the Project. Within the 24.67 acre A1 parcel, four trees are proposed for removal, impacting approximately 0.02 acres of forested wetland canopy habitat. Tree stumps would be left in place and no wetland soil would be impacted

Based on a March 14, 2012 meeting with MEDEP and the US Army Corps of Engineers (USACE), and subsequent conversations with MEDEP regarding a reduction in the original Project scope and wetland impacts, tree removal activities would require filing an MEDEP application for a minor revisions to the airports existing Site Location of Development Permit (L-08253-18) and Natural Resources Protection Act permit for wetland impacts (see Meeting Minutes in Attachment B). No permits will be required by the USACE under the condition that tree removal is performed in a manner that avoids impacts to the wetland substrate (i.e., no filling, grubbing, grading, rutting or use of temporary mats).

5.0 List of Preparers

Stacie Grove, CWB, PWS
NewEarth Ecological Consulting
169 Watson Mill Road
Saco, ME 04072

6.0 List of Agencies and Persons Consulted

Maine Dept. of Inland Fisheries and Wildlife
Steve Walker, Standing Supervisor
284 State Street, State House Station #41
Augusta, Maine 04333

Maine Natural Areas Program
Don Cameron, Project Review Services
93 State House Station
Augusta, Maine 04333-0093

Maine Historic Preservation Commission
Robin Reed, Project Review
65 State House Station
Augusta, ME, 04333-0065

U.S. Fish and Wildlife Service, Maine Field Office
Laury Zicari, Supervisor
17 Godfrey Dr., Suite #2
Orono, ME 04473

7.0 References

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ATTACHMENT A

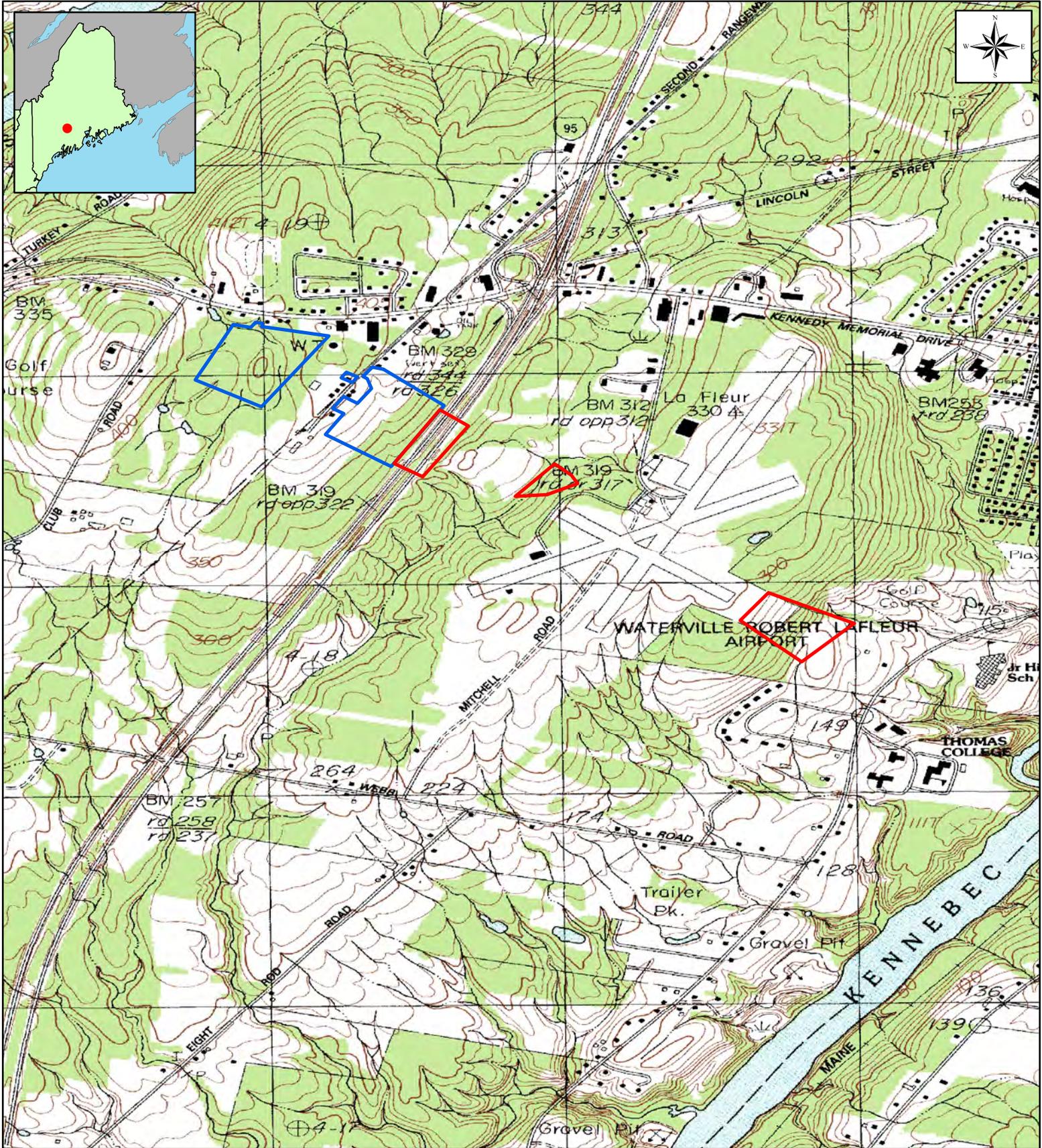
FIGURES

Figure 1. Site Location

Figure 2. Proposed Action Parcel Locations and Obstruction Zones

Figure 3. Priority Habitat for Trust Species & Significant Wildlife Habitats

Figure 4. Wetlands and Waterbodies



Legend

- Public Parcels Affected By Proposed Tree Removal
- Private Parcels Affected by Proposed Tree Removal

Figure 1. Project Location

Project Name: Robert LaFleur Municipal Airport
Tree Clearing Project

Project Location: Oakland and Waterville,
Kennebec County, Maine



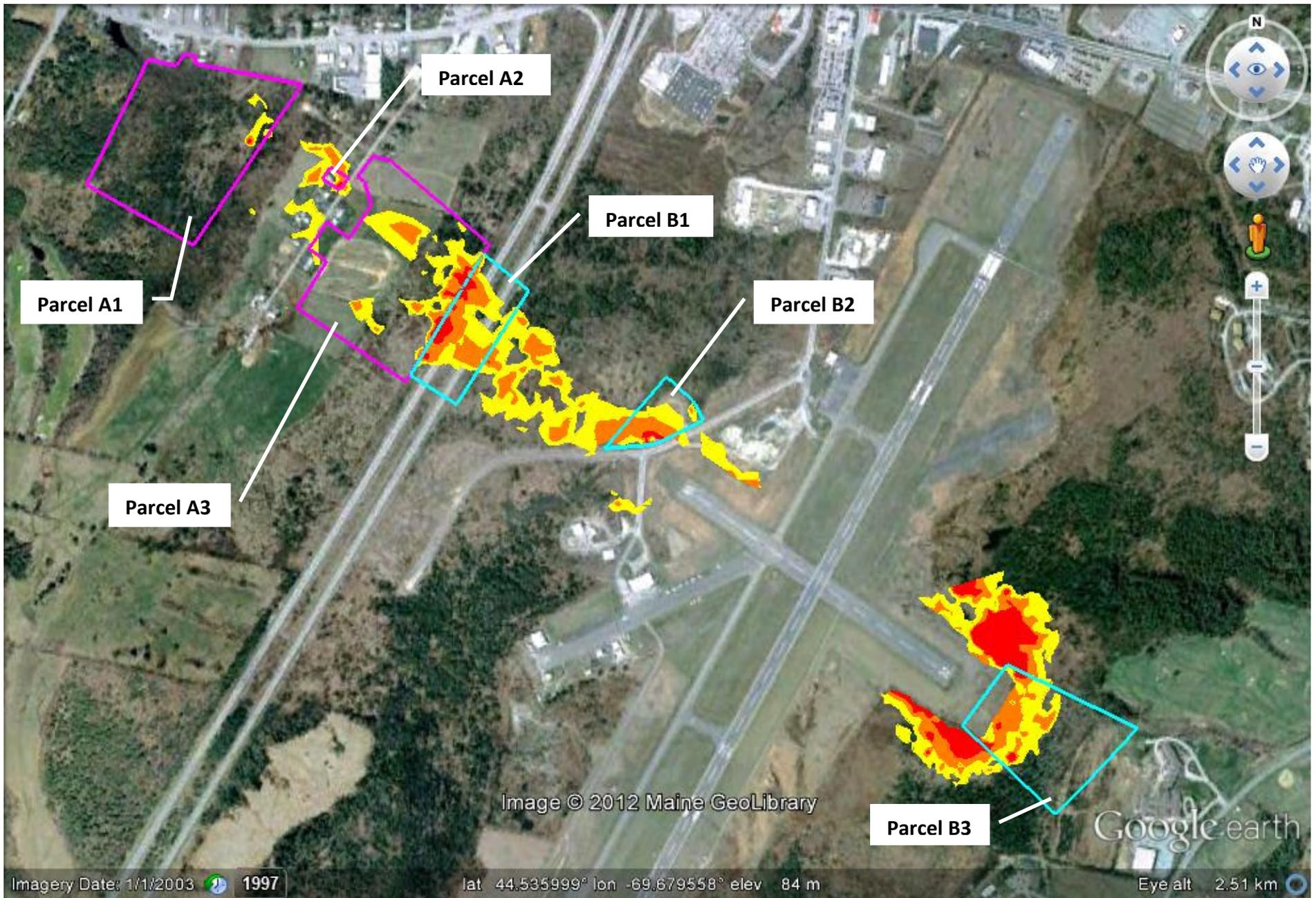
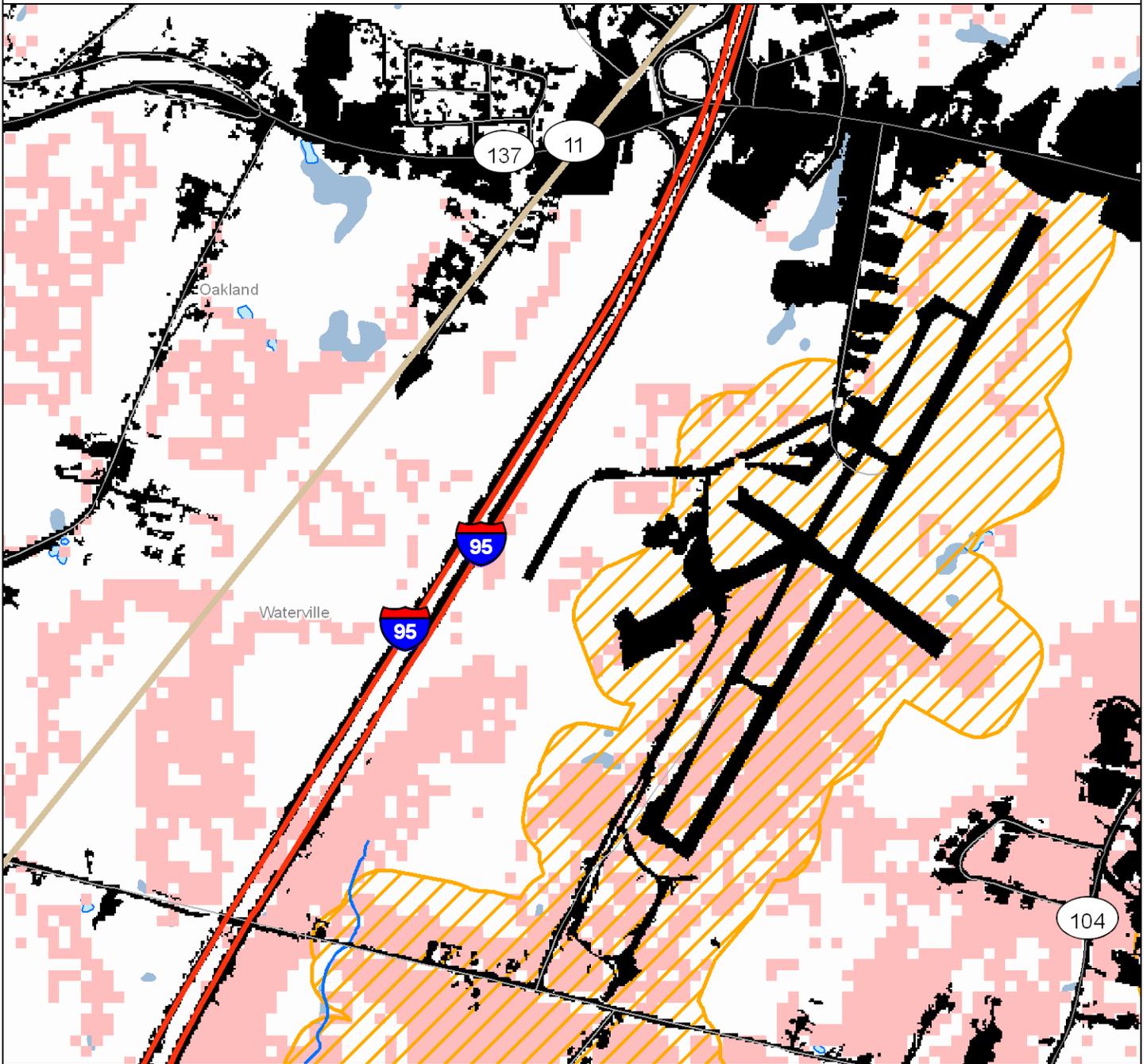


Figure 2. Parcel Locations and Tree Removal Obstruction Zones

Red = current obstruction, Orange = within 10 ft of airspace, Yellow = within 20 ft of airspace

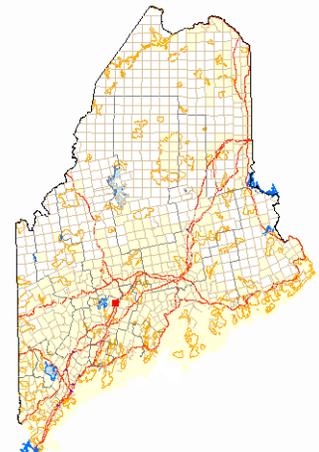
Figure 3 - High Value Plant & Animal Habitat



Beginning with
HABITAT

This map is intended for planning purposes only and should not be considered a comprehensive inventory of plant and animal occurrences.

It is possible that features may be present that are not mapped or that do not appear on the map. Habitat features illustrated are based on limited field surveys, aerial photo interpretation, and computer modeling. Many areas have not been completely surveyed. Map users should consult with the Beginning with Habitat program (www.beginningwithhabitat.org, 207-287-5254) to verify that the data illustrated is complete and current. This map was generated from the Beginning with Habitat Online Map Viewer.



Basemap

Boundaries

-  Coast
-  County
-  State
-  Town

Highways

-  Interstate
-  U.S. Primary Route

 Public Roads

 Focus Areas

Unorganized Towns

 Streams and Brooks

 Oceans, Lakes, Ponds, and Rivers

 Maine

High Value Plant & Animal Habitat

 Developed

 Atlantic Salmon Limited Spawning Habitat

 Atlantic Salmon Spawning Habitat

 Atlantic Salmon Rearing Habitat

 Rare, Threatened, or Endangered Wildlife Polygon

 Rare or Exemplary Natural Community

 Rare Plant Location

Essential Habitat

 Roseate Tern Essential Habitat

 Piping Plover/Least Tern Essential Habitat

Significant Wildlife Habitat

 Inland Waterfowl/Wading Bird Habitat

 Seabird Nesting Island

 Shorebird Areas

 Tidal Waterfowl/Wading Bird Habitat

 Deer Wintering Areas

 Significant Vernal Pools

 USFWS High Value Habitat (top 25%)

 NWI Wetlands



Figure 4. Wetlands and Streams

ATTACHMENT B

AGENCY CORRESPONDENCE & MEETING MINUTES



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

February 28, 2012

Stacie L. Grove
New Earth Ecological Consulting, LLC
169 Watson Mill Road
Saco, ME 04072

RE: Information Request, Robert LeFleur Municipal Airport, Waterville, Maine

Dear Stacie:

Per your request received February 13, 2012, 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 Robert LeFleur Municipal Airport in Waterville, Maine. Findings for each category of protected resource are specified below.

Rare, Threatened, and Endangered Species

The grasslands at this site support Upland Sandpiper (State Threatened). MDIF&W does not, however, anticipate that the proposed activity would have a deleterious impact on this species.

Essential Habitat

Currently, Essential Habitat is designated only for Piping Plovers, Least Terns, and Roseate Terns, which do not occur in this area.

Significant Wildlife Habitat

There are no Significant Wildlife Habitats mapped at this site at this time.

Fisheries habitat concerns

We do not have records of significant inland fisheries resources within the project area as indicated in your request for information.

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.

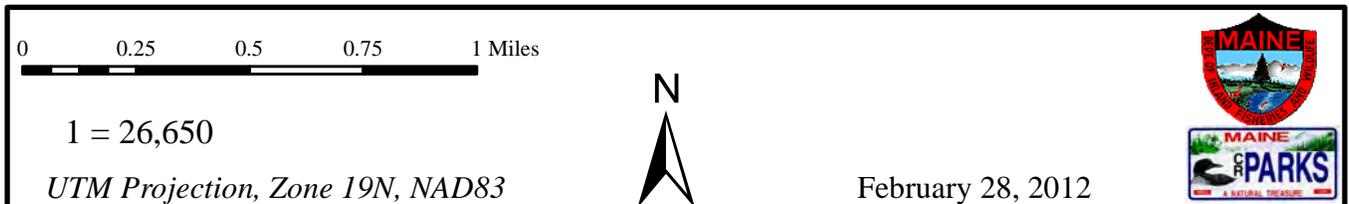
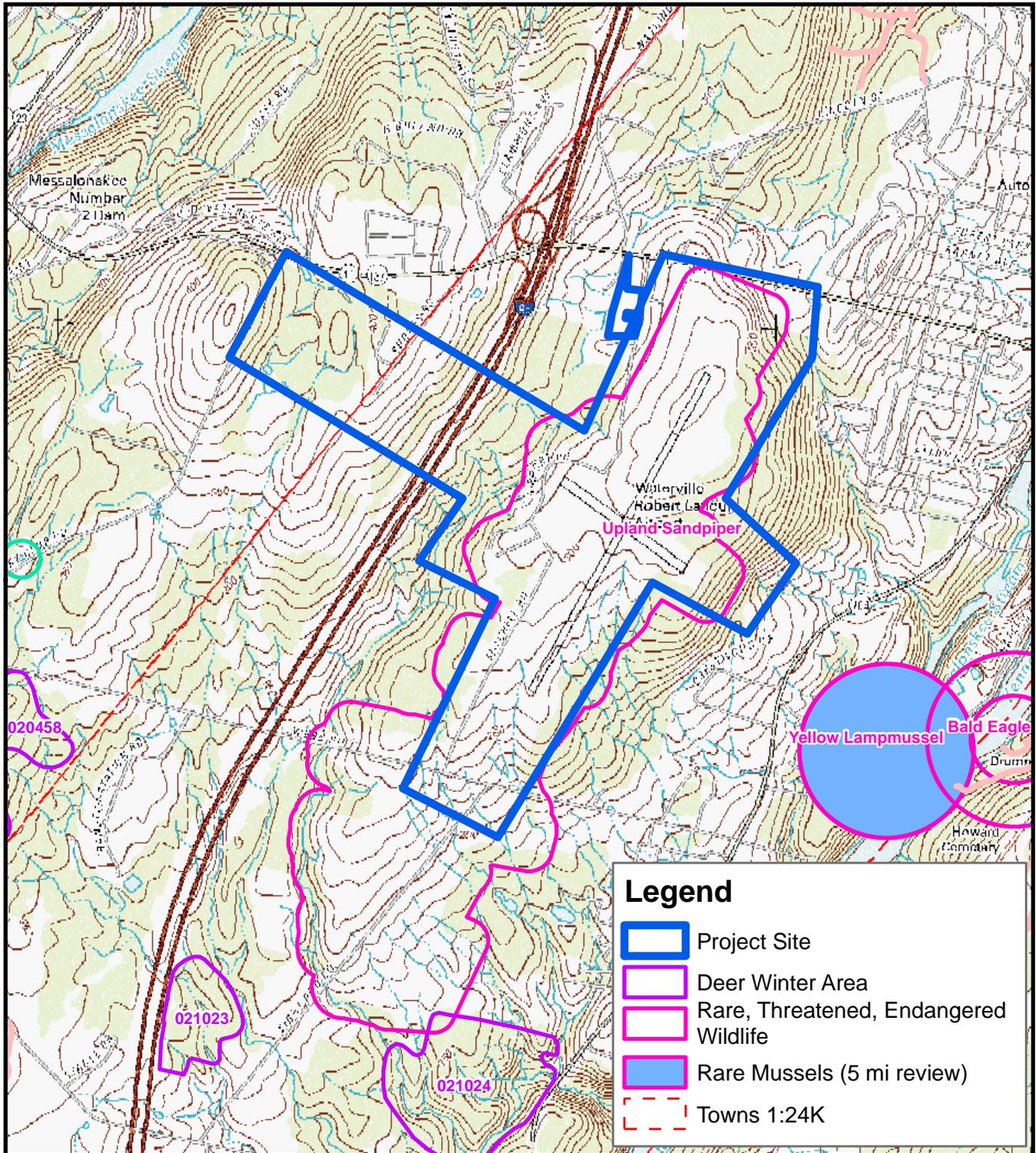
Stacie L. Grove
Comments RE: Information Request, Robert LeFleur Airport, Waterville, Maine
February 16, 2012
Page 2 of 2

Best regards,

A handwritten signature in black ink, appearing to read "Steve Walker", with a long horizontal flourish extending to the right.

Steve Walker
Acting Environmental Review Coordinator

Request for Information, Robert LeFleur Municipal Airport, Waterville Search for Wildlife Observations & Habitat





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

PAUL R. LEPAGE
GOVERNOR

WILLIAM H. BEARDSLEY
COMMISSIONER

February 9, 2012

Stacie Grove
NewEarth Ecological Consulting
169 Watson Mill Road
Saco, ME 04072

Re: Rare and exemplary botanical features in proximity to: NewEarth File 12_ASG_001, Robert LaFleur Municipal Airport, Waterville, Maine

Dear Ms. Grove:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request received February 9, 2012 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in Waterville, 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 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.

Letter to Stacie Grove, NewEarth
Comments RE: Robert LeFleur Airport, Waterville
February 9, 2012
Page 2 of 2

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.

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 \$150.00 for two hours of 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

Rare and Exemplary Botanical Features in the Project Vicinity

Documented within a four-mile radius of the proposed Robert LaFleur Municipal Airport,
New Earth File 12_ASG_001, Waterville, Maine.

Feature Name	Global Rank	State Rank	State Status	EO Number	Last Seen	Habitat
Bluebell - balsam ragwort shoreline outcrop	G3	S3		3	1987-06-17	Non-tidal rivershore (non-forested, seasonally wet)
Houstonia longifolia var. longifolia	4G5TNI	S2S3	SC	2	1984-06-22	Non-tidal rivershore (non-forested, seasonally wet)
Houstonia longifolia var. longifolia	4G5TNI	S2S3	SC	18	1987-06-17	Non-tidal rivershore (non-forested, seasonally wet)
Carex garberi	G5	S2	SC	1	1993-07-20	Open wetland, not coastal nor rivershore (non-forested, wetland)
Carex garberi	G5	S2	SC	2	1984-06-22	Non-tidal rivershore (non-forested, seasonally wet)
Rhynchospora capillacea	G4	S1	T	1	1993-07-20	Non-tidal rivershore (non-forested, seasonally wet)
Spiranthes lucida	G5	S1	T	1	1993-07-20	Non-tidal rivershore (non-forested, seasonally wet)
Spiranthes lucida	G5	S1	T	2	1984-06-22	Open wetland, not coastal nor rivershore (non-forested, wetland)
Muhlenbergia richardsonis	G5	S3	SC	1	1993-07-20	Open wetland, not coastal nor rivershore (non-forested, wetland)
Phegopteris hexagonoptera	G5	S2	SC	11	1915-08-13	Hardwood to mixed forest (forest, upland)
Bromus pubescens	G5	S2	SC	6	1915-08-10	Non-tidal rivershore (non-forested, seasonally wet)
Elymus hystrix	G5	S3	SC	11	1905-08-05	Hardwood to mixed forest (forest, upland)
Malaxis monophyllos	G5	S1	E	16	1916-07-06	Forested wetland
Platanthera flava var. herbiola	G4T4Q	S2	SC	21	1916-07-06	Open wetland, not coastal nor rivershore (non-forested, wetland)
Galearis spectabilis	G5	S1	E	13	1915-08-12	Hardwood to mixed forest (forest, upland)
Allium canadense	G5	S2	SC	4	1983-07-14	Hardwood to mixed forest (forest, upland)

Rare and Exemplary Botanical Features in the Project Vicinity

Documented within a four-mile radius of the proposed Robert LaFleur Municipal Airport,
New Earth File 12_ASG_001, Waterville, Maine.

Feature Name	Global Rank	State Rank	State Status	EO Number	Last Seen	Habitat
<i>Juncus alpinoarticulatus</i> ssp. <i>nodulosus</i>	G5T5?	S3	SC	5	1898-09	Non-tidal rivershore (non-forested, seasonally wet)
<i>Elymus hystrix</i>	G5	S3	SC	12	1916-08-18	Hardwood to mixed forest (forest, upland)
<i>Cyperus houghtonii</i>	G4?	SH	PE	1	1905-07-22	Dry barrens (partly forested, upland)
<i>Galearis spectabilis</i>	G5	S1	E	12	1915-08-12	Hardwood to mixed forest (forest, upland)
<i>Juncus alpinoarticulatus</i> ssp. <i>nodulosus</i>	G5T5?	S3	SC	6	1916-07-06	Non-tidal rivershore (non-forested, seasonally wet)
<i>Phegopteris hexagonoptera</i>	G5	S2	SC	2	1953-08-21	Hardwood to mixed forest (forest, upland)
<i>Galearis spectabilis</i>	G5	S1	E	11	1896-06-05	Hardwood to mixed forest (forest, upland)
<i>Cyperus squarrosus</i>	G5	S2	SC	5	1898-09-02	Non-tidal rivershore (non-forested, seasonally wet)
<i>Phryma leptostachya</i>	G5	SH	PE	4	1916-08	Hardwood to mixed forest (forest, upland)
<i>Carex alopecoidea</i>	G5	SH	PE	2	1916-07-06	Forested wetland
<i>Spiranthes lucida</i>	G5	S1	T	14	1941	Open wetland, not coastal nor rivershore (non-forested, wetland)
<i>Galearis spectabilis</i>	G5	S1	E	16	1941	Hardwood to mixed forest (forest, upland)
<i>Cyperus squarrosus</i>	G5	S2	SC	2	1898-09-02	Non-tidal rivershore (non-forested, seasonally wet)
<i>Cryptotaenia canadensis</i>	G5	SH	PE	3	1916-08-18	Hardwood to mixed forest (forest, upland)
<i>Cryptotaenia canadensis</i>	G5	SH	PE	4	1936-07	Hardwood to mixed forest (forest, upland)
Bluebell - balsam ragwort shoreline outcrop	G3	S3		2	1984-06-22	Non-tidal rivershore (non-forested, seasonally wet)
<i>Sagittaria filiformis</i>	G4G5	S2	SC	7	2003-09-11	

Rare and Exemplary Botanical Features in the Project Vicinity

Documented within a four-mile radius of the proposed Robert LaFleur Municipal Airport,
New Earth File 12_ASG_001, Waterville, Maine.

Feature Name	Global Rank	State Rank	State Status	EO Number	Last Seen	Habitat
Spiranthes lucida	G5	S1	T	18	1909-07-01	Non-tidal rivershore (non-forested, seasonally wet)

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?).
- SNR** State rank not yet assessed.

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** Global rank not yet assessed.

Note: **Global Ranks** are determined by NatureServe, for more information see <http://www.natureserve.org/explorer/ranking.htm>.

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.maine.gov/doc/nrimc/mnap>



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

March 14, 2012

Stacie L. Grove, Principal Environmental Biologist
NewEarth Ecological Consulting, LLC
169 Watson Mill Road
Saco, Maine 04072

Dear Ms. Grove:

Thank you for your email dated February 13, 2012 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: Tree clearing project - Robert LeFleur Municipal Airport,
Waterville, Maine**

Log Number: 05E1ME00-2012-SL-0080

Federally Listed Species

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.

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.

The proposed project site also occurs within a HUC-10 watershed (Kennebec 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).

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.

Bald eagles

Occasional, transient bald eagles (*Haliaeetus leucocephalus*) may occur in the area. Based on the information currently available to us, there are recorded bald eagle nesting sites in the vicinity of the proposed 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 be found at <http://www.fws.gov/migratorybirds/issues/BaldEagle/NationalBaldEagleManagementGuidelines.pdf>.

Other protected species

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. I 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 04333-0041
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.

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

If you have any questions regarding bald eagles, please contact Mark McCollough, endangered species biologist, at mark_mccollough@fws.gov or by telephone at **207/866-3344 Ext.115**.

If you have any questions regarding atlantic salmon, please contact Wende Mahaney, fish and wildlife biologist, at wende_mahaney@fws.gov or by telephone at **207/866-3344- Ext. 118**

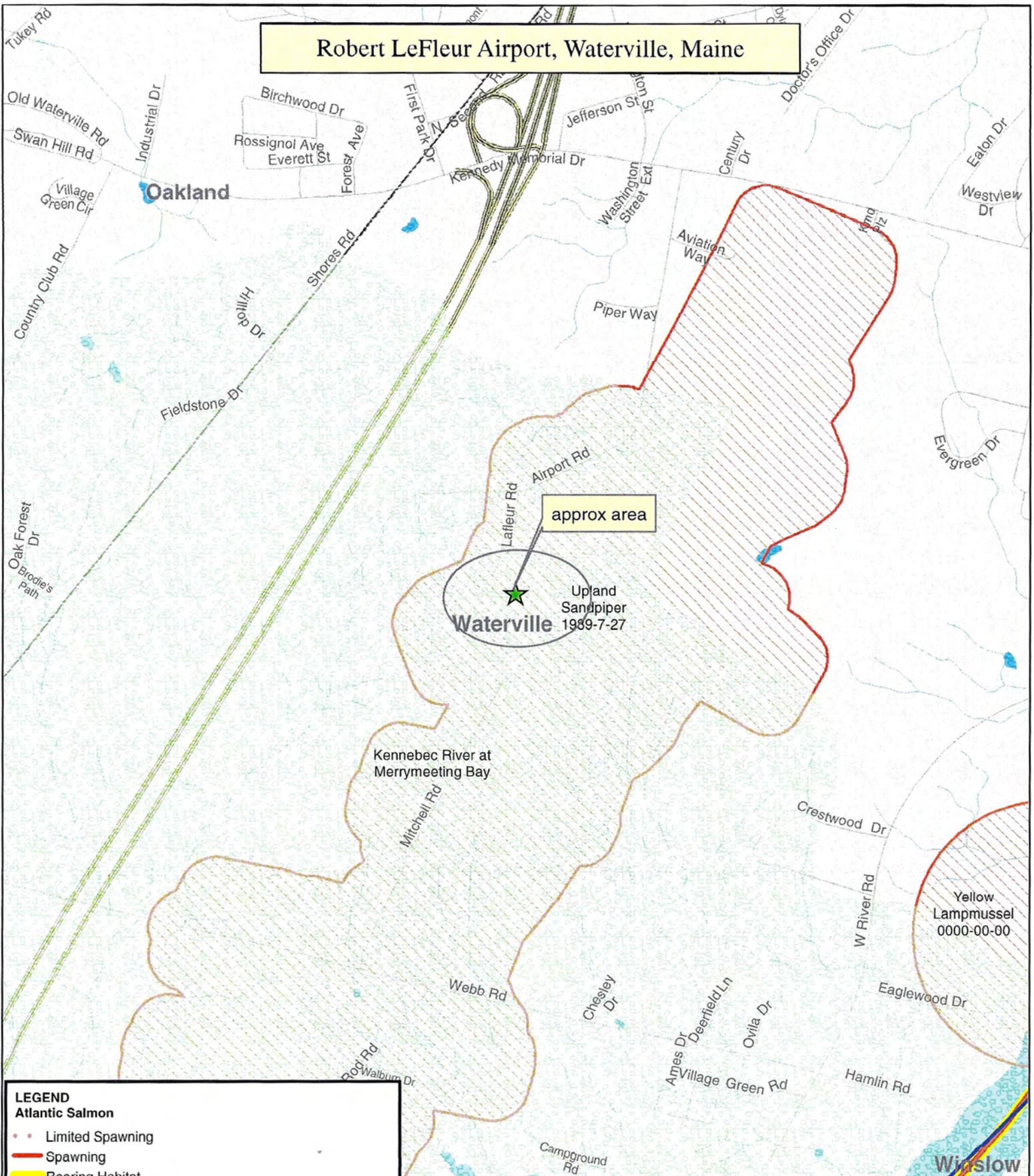
Sincerely,



Laury Zicari, Supervisor
Maine Field Office

Enclosure

Robert LeFleur Airport, Waterville, Maine



LEGEND

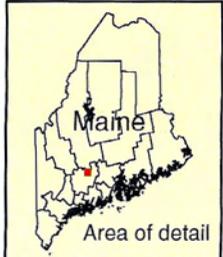
Atlantic Salmon

- Limited Spawning
- Spawning
- Rearing Habitat
- Critical_Habitat_by_HUC10
- GOM_DPS
- ▲ Eagle nests 5-2011

Eagle nests(active) w/ buffers 5-2011

Type

- 400m
- BE-GE Prot Act 200m
- ▨ ETSC-Endangered, Threatened, Special Concern 5-2011



Data from USFWS, MDIFW & MNAP.



RUNWAY 14-32 OBSTRUCTION REMOVAL IMPACTS - MEETING NOTES

Airport: Waterville Municipal Airport Project No.: AIP 3-23-0047-19-2012

Project Title: Perform Environmental Review and Off-Airport Obstruction Removal for Runway 14-32

Date of Meeting: March 14, 2012 – 2:30 PM Location: Maine DOT – Augusta, ME

Attendees

Dan Courtemanch (MEDEP)
LeeAnn B. Neal (USACE)
Greg Brown (WVL)
Tim LeSiege (MeDOT)
Stacie Grove (NewEarth Consulting)
Eric LeGuelaff (ASG)

Notes

The purpose of this meeting was to discuss environmental impacts and permitting requirements related to the proposed obstruction removal associated with Runway 14-32 at the Waterville Municipal Airport (WVL) with Maine DEP (MEDEP) and the U.S. Army Corp of Engineers (USACE).

Mr. Brown began with an explanation of the FAR Part 77 regulations and the requirements of the Airport to maintain clear approaches. He explained that the proposed tree clearing project is part of an overall effort to reconstruct Runway 14-32, scheduled for later this year. Mr. LeGuelaff followed with an explanation of the plan prepared for the meeting (attached), which depicts, from a 2007 Aerial Survey conducted by the City of Waterville, obstructions and near penetrations existing within the FAR Part 77 Approach Surfaces for Runway 14-32. The short-term priority for tree clearing is to remove the trees that are actual obstructions, shown in red. Objects within 10' and 20' of the approach surface, shown in orange and yellow respectively, would be completed in subsequent projects. The plan indicates that three private properties to the west of I-95, the I-95 ROW and two City-owned properties adjacent to the airport contain actual obstructions. From initial analysis of the aerial survey, the data indicates that 26 points within the approach are known obstructions. Mr. LeGuelaff cautioned that this quantity is an estimate since the data does not denote whether two trees of the same height could be within the same vicinity.

Mr. Courtemanch inquired as to the percentage of clearing in uplands versus wetlands. It was discussed that the wetlands shown on the plans came from a variety of sources including the National Wetlands Inventory (NWI), previously delineated wetlands performed in 2003 for existing airport permits, and estimated wetlands based on field observations made during a 2012 site visit by Ms. Grove. Mr. LeGuelaff indicated that a high percentage of tree clearing could be within wetlands, but varied between properties.



A discussion as to the method of tree clearing followed. It was noted that the intent of the project is to perform select tree clearing using hand crews, leaving stumps and applying herbicide, while no grading, grubbing or fill would occur. It was also agreed that to minimize environmental impacts, and avoid the need for USACE permitting, when in wetland areas this type of work would ideally be performed in the winter to avoid rutting or the use of temporary mats or similar ground protection measures. However, if the schedule dictates, hand crews would be utilized when the ground was not frozen, crews would avoid disturbing or rutting the soil, and if necessary (to avoid soil disturbance) cut trees would remain on site until winter for removal under frozen ground conditions. Mr. Brown added that in the future, for maintenance purposes, the airport may wish to selectively cut saplings of the variety that could be problematic.

Mr. LeSiege indicated that MeDOT and the Airport are currently in the process of finalizing a Memorandum of Agreement (MOA) to grant the rights for vegetation removal in the I-95 ROW. This was followed with a comment from Mr. Courtemanch as to the requirement of the airport in gaining Title Right Interest before being able to perform tree clearing on any subject property.

Following the explanation of the project, Mr. Courtemanch indicated that the overall project (removal of all trees within 20' of the approach surface) would require modification to the Airport's existing site permit along with filing of a Maine Natural Resources Protection Act (NRPA) Tier 2 permit. Mr. LeSiege raised the question as to whether the existing Airport site permit should be expanded to off-airport sites, as the airport does not or would not own these properties in fee simple. Mr. Courtemanch explained that the airport would need to modify the site permit as the tree clearing is part of the overall airport project. Mr. Courtemanch did indicate that the removal of the known penetrations (shown in red on the plan) may be approved as part of the upcoming Runway 14-32 Reconstruction project, contingent upon and prior to finalization of the site permit modification and NRPA permit, under the condition that the Airport provides a formal estimate of the number of trees to be cleared, a breakout of wetland clearing and upland clearing, and a description of the methods to be used.

For the site permit modification and NRPA permit Mr. Courtemanch indicated that the wetlands in the vicinity of the project would need to be delineated following USACE Wetland Delineation and Regional Supplement methodology to quantify the impacts of the full project, and an alternatives analysis would need to be completed. Mr. Courtemanch also indicated that the permit application would require a public notice filing, but would not require a wetland functional assessment or mitigation/compensation. Mr. Courtemanch offered to check DEP files for any public wetland delineation data that may be available for the site, but indicated that data could not be used as an official delineation if more than 5 years has passed since its completion. Mr. LeGuelaff and Ms. Grove indicated that a revised quantity of "priority" tree clearing and a draft copy of the specification to be used would be forwarded as soon as possible to MeDEP and the USACE for their review.

Ms. Neal indicated that the project did not appear to be within USACE jurisdiction as it did not include grubbing, grading or soil disturbance and there was no intention of using temporary mats (or similar) in wetland areas. However, Ms. Neal requested that she be included in all project permitting-related correspondence.