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January 22, 2010

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
NOTICE OF PROJECT CHANGE

PROJECT NAME : Final Area-Wide Environmental Impact Report for
Massachusetts National Guard Properties at the
Massachusetts Military Reservation (MMR) - XCTC
PROJECT MUNICIPALITY : Bourne, Falmouth, Mashpee, Sandwich
PROJECT WATERSHED : Cape Cod
EEA NUMBER : 5834
PROJECT PROPONENT : The Massachusetts National Guard (MANG)
DATE NOTICED IN MONITOR : December 23, 2009

Pursuant to the Massachusetts Environmental Policy Act (G.L. c. 30, ss. 61-62I) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) on the above project, which describes the Massachusetts National Guard (MANG) proposed change for temporary installation of an eXportable Combat Training Capability (XCTC) System at the Massachusetts Military Reservation. The proposed change does not require preparation of a Supplemental Environmental Impact Report (EIR).

MEPA History

The Massachusetts Military Reservation (MMR) Master plan was designated as a "major and complicated" project and a Special Review Procedure was established as further detailed in the Certificate on the Notice of Project Change and the Major and Complicated Procedure (issued July 10, 1997). A Certificate on the Draft Area-Wide EIR was issued on October 22, 1999 and a Certificate on the Final Area-Wide EIR for the MMR Master Plan was issued on July 16, 2001. Several NPCs were subsequently filed and Certificates were issued for NPCs on: proposed upgrades at Bravo, Echo and Sierra ranges (March 24, 2006); a return to the use of

lead-bullet ammunition at MMR (November 9, 2006); and for proposed changes in the Small Arms Range (SAR) Improvement Project (August 10, 2007). The November 9, 2006 Certificate on the NPC required a Supplemental EIR, which is still outstanding, to address baseline conditions, alternatives and pollution prevention plans for the proposed return to lead-bullet ammunition use.

As part of the MMR Master Plan, the Camp Edwards Training Area (referred to as the northern 15,000 acres in the Final EIR) was set aside for permanent protection of water supplies, wildlife habitat, and open space, while allowing compatible military training. The Certificate on the Final EIR requires MEPA review of future projects within the Camp Edwards Training Area that exceed certain thresholds, including “lowered thresholds” for activities involving any new impervious area, vegetative clearing or other land alteration (as further detailed in the Informational Supplement to the FEIR, dated August 15, 2001).

Project Change

The proposed project change, as described in the current NPC, involves activities that would exceed one of the “lowered thresholds” that requires MEPA review for any new building or structure, or any expanded building or structure, either of which exceeds 500 square feet in area. The proposed XCTC system consists of installation of approximately ten “villages” or “urban clusters” consisting of temporary Relocatable Habitat Units (RHUs) totaling 10,400 square feet (sf) of structures. The RHUs are modular and scalable units assembled out of 4-foot by 8-foot panels that require no permanent foundations for support. The purpose of the temporary XCTC system is to support pre-mobilization training for soldiers in conditions that simulate combat conditions and, by providing these facilities in-state, reduce the amount of time soldiers need to be away from home for training. The XCTC system will include six telemetry stations to track soldier movement. The XCTC training program will take approximately three months including one month for set-up, one month for training, and one month for system break-down. The proposed training activities are located within the footprints of currently maintained training areas and bivouac sites, and will use existing roads.

The project change also includes two storage sheds that were erected at the Range Control site on top of an existing 800 sf concrete pad and are used for storage of equipment and all terrain vehicles.

Permitting and Jurisdiction

The project requires review by the Environmental Management Commission (EMC), which was established by Massachusetts Law (Chapter 47 of the Acts of 2002). The EMC and its staff oversee the northern training areas of MMR, which are known both as Camp Edwards and as the Upper Cape Water Supply Reserve (the Reserve). The proposed project is also subject to review by the Massachusetts Department of Environmental Protection (MassDEP) under the Massachusetts Contingency Plan, by U.S. Environmental Protection Agency (EPA) for consistency with the Administrative Orders under the Safe Drinking Water Act, and by the Massachusetts Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP).

The project is being implemented by the Massachusetts National Guard (MANG) as part of its training activities at MMR-Camp Edwards. MEPA jurisdiction is broad and extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined in the MEPA regulations.

Review of the NPC

The NPC indicates that the proposed Relocatable Habitat Units (RHUs), which are fiberglass buildings with magnetic doors, and the proposed training activities will be located at ten discrete sites, within areas that are currently maintained by periodic mowing and cutting of vegetation in accordance with the Integrated Natural Resources Management Plan (INRMP) for the Reserve/Training area. The proposed training will be conducted in compliance with the Environmental Performance Standards (EPSs) established for MMR. In a letter to MEPA dated December 23, 2009, the MANG clarified the total square footage of proposed RHU structures (10,400 sf) and confirmed that no new clearing of vegetation is proposed. The Natural Resources unit of MANG will conduct XCTC site assessments to provide written and photo documentation, and assess the environmental conditions at each proposed training site, prior to and after the XCTC training exercises.

The XCTC activities proposed will include a total of approximately 1,800 soldiers, with a maximum of 250 soldiers at any one time in a proposed training site. The proposed activities will also include approximately 450 role players. The training event will take approximately 21 days. At the end of the exercise, the RHUs will be removed from the Reserve/Training Area.

The NPC identifies preliminary XCTC training locations. As noted in its comment letter, the EMC will work with other members of the Small Arms Range (SAR) Working Group to finalize site locations and take any appropriate action with respect to the proposed final XCTC locations.

Consistency with Chapter 47

The proposed XCTC training is located within the Upper Cape Water Supply Reserve (the Reserve), which is protected under Chapter 47 as public conservation land and is dedicated for natural resource purposes as well as military use and training, provided that training is compatible with water supply and wildlife habitat protection. The proposed training, including the use of the temporary RHU structures and small storage sheds appears to be consistent with Chapter 47 and the type of training envisioned in the 2001 Final Environmental Impact Report, provided that impacts to natural resources are avoided to the maximum extent possible and any unavoidable impacts are properly mitigated. I note the Cape Cod Commission comments regarding some potential conflicts with established Environmental Performance Standards for the Reserve area and ask that MANG and EMC consider the comments received in its review of the project.

As noted above, the MANG has proposed to document conditions before and after the XCTC training exercise. However, mitigation measures should be strengthened as recommended by EMC to assure that the proposed use of the XCTC system will avoid unintended damage to

the environment. Most of the violations of Environmental Performance Standards identified by EMC over the past two years have been by contractors hired by MANG, or by “role players” that have had insufficient internal auditing and/or supervision. The MANG should conduct robust supervision of XCTC activities and frequent inspections during the XCTC event to ensure this type of training is compatible with natural resources in the Reserve.

Endangered Species

The MANG provided supplemental information to NHESP during MEPA review indicating that the XCTC training project will occur entirely within existing disturbed areas that are already used intensively for training, that the temporary structures will occupy less than 11,000 sf, and additional vegetation clearing will not be required. Based on this, the NHESP indicates it has no major endangered species concerns and will continue to work with the MANG to address any outstanding issues including the procedural issue of whether or not the proposed XCTC activities require a formal filing under the Massachusetts Endangered Species Act (MESA).

Ammunitions

The NPC indicates that ammunition used for training will be selected from a list of ammunition that has been previously approved for use by the EMC. However, the NPC does not include details of the ammunition proposed for use at XCTC training sites. Blank ammunition and simulated munitions may be used in the XCTC areas outside of the small arms ranges, however the munitions must, in accordance with the Environmental Performance Standards, be from the list approved by the Environmental & Readiness Center (E&RC) and the EMC. The MANG should consult with EMC regarding approval of the specific ammunition to be used for the proposed XCTC training. The MANG should provide additional information to MassDEP and EMC (as requested in MassDEP’s comment letter), and consult with the SAR Working Group regarding proposed ammunition use. Additional information on ammunitions should include:

- Potential contaminants that may be released from training aids;
- An estimate of types and quantities of ammunitions (e.g. blank ammunition, simulated munitions and pyrotechnics) proposed for use and potential cumulative mass of contaminants released at each XCTC system location; and
- Proposed mitigation to offset impacts from use of munitions.

Fuel and Hazardous Materials

The NPC indicates that telemetry towers will be set up at various locations throughout MMR. The MANG should provide information to MassDEP and EMC regarding the types of power supplies proposed for each location. If fuel oil or hazardous materials are proposed for use, a pollution prevention and site safety plan should be provided to address transportation, use and storage of such fuels and/or hazardous materials. The MANG should consult with MassDEP regarding notification, investigation or remediation requirements if any oil and/or hazardous materials are identified or released during implementation of the project. The MANG should also address the potential for encountering Unexploded Ordnance and Munitions and Explosives of

Concern (UXO/MEC) as recommended by MassDEP. The Cape Cod Commission in its comment letter noted Environmental Performance Standards (EPS) prohibiting fueling outside of designated Combat Service Areas and Fuel Pad Locations. The MANG should clarify compliance with standards for refueling and hazardous material use during the EMC review process.

Ongoing Site Investigation and Monitoring

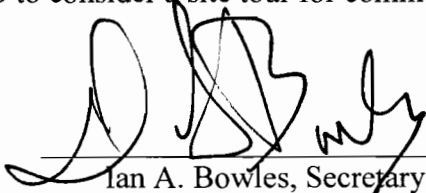
As noted by MassDEP in its comment letter, there are various monitoring wells and MMR soil and groundwater treatment system infrastructure on site. The MANG should work closely with the Air Force Center for Engineering and Environment (AFCEE) and the Army Environmental Command (AEC) to locate and mark infrastructure and to ensure proposed training activities do not interfere with ongoing site investigation, system performance and/or monitoring activities at MMR.

Conclusion

The NPC and supplemental information submitted by MANG has provided sufficient information for the purposes of MEPA review of the proposed XCTC training. I am satisfied that any outstanding issues can be addressed during the Environmental Management Commission and Small Arms Range Working Group review.

I acknowledge the comments from the Cape Cod Commission and Association to Preserve Cape Cod regarding existing conditions and maintenance plans, as well as transportation of equipment and personnel to and from MMR. I ask that the MANG address the additional information requests either directly and/or through the ongoing public processes for the Upper Cape Water Supply Reserve, which includes meetings of the Environmental Management Commission (EMC), the EMC's Community Advisory Council (CAC) and Science Advisory Council (SAC). I encourage the MANG to consider a site tour for commenters also as part of its ongoing public participation process.

January 22, 2010



Ian A. Bowles, Secretary

Comments Received

12/23/09 Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program
12/23/09 Massachusetts National Guard
1/12/2010 Environmental Management Commission
1/12/2010 Department of Environmental Protection, Southeast Regional Office
1/12/2010 Cape Cod Commission
1/12/2010 Association to Preserve Cape Cod

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