



## **Revised Environmental Assessment/Assessment of Effect for the McGlashan-Nickerson House**

**May 2019**



U.S. Department of the Interior, National Park Service



May 2019

The National Park Service (NPS) proposes to divest itself of the management and day-to-day cost of maintaining the McGlashan-Nickerson house, located on the mainland portion of Saint Croix Island International Historic Site at Calais, Maine. The NPS proposes to accomplish this through a long-term lease and, failing that, through demolition. NPS acquired the historic house and just over six acres of land in 2000, and used it for various administrative purposes from 2005 until 2014. It no longer serves any administrative functions, is not identified as a contributing asset in the legislated purpose of the park, and is not related to the park's fundamental resources or values. The NPS has no need for the structure and lacks the financial and the staff resources to maintain it, much less stabilize or rehabilitate the structure.

This combined environmental assessment/assessment of effect takes into account comments, concerns and new conditions discovered as a result of the release of an environmental assessment on the project in October 2018. It has been prepared in compliance with the National Environmental Policy Act (NEPA) and Section 106 of the National Historic Preservation Act (Section 106). In addition to describing a "No Action" alternative that would retain the house and continue minimal maintenance by the NPS as funding allows, it presents two action alternatives for the historic structure:

- lease the structure in order to preserve the house on site
- sell the structure to a buyer who would remove the house from NPS land.

Both action alternatives include an option to demolish the house if they are not successful within a two-year timeframe.

This environmental assessment also describes issues identified in the planning process, the environment that would be affected by the proposed action, and analyzes the potential adverse and beneficial impacts that would result from each alternative. It also provides an opportunity to review and comment on the draft Section 106 programmatic agreement, required when an adverse effect on a national register-listed historic property is anticipated.

Written comments from the public are being solicited during the 30-day public review period.

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Note to Reviewers and Respondents:

If you wish to comment on this environmental assessment or the draft programmatic agreement, you may post your comments electronically at the [project website](#) or you may mail comments within 30 days to the address below. Whether you comment on the website or through the mail, if you include your address, phone number, e-mail address, or other personal identifying

information, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comment to withhold personal identifying information from public review, we cannot guarantee that we will be able to do so.

Kevin B. Schneider

Superintendent

Please mail comments to:

Saint Croix Island International Historic Site  
Attn: Revised EA  
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# Chapter 1: Purpose and Need

## 1.1 INTRODUCTION

This environmental assessment/assessment of effect revises an environmental assessment that was released for public comment in October 2018. It addresses comments and requests for clarification received at that time and as a result, has refined and introduced new alternatives for analysis.

The National Park Service (NPS) is proposing to divest itself of the management and cost of maintaining the McGlashan-Nickerson house through a long-term lease and, failing that, through demolition. The house is located at Saint Croix Island International Historic Site (the park) in Calais, Maine (Figure 1). NPS no longer needs the house to administer the park, the house does not contribute to the commemoration of the first French attempt to colonize the region in 1604 and the NPS lacks the resources to maintain, stabilize, or rehabilitate the house.

The current environmental assessment presents background information that provides context, describes current conditions and NPS management actions (the “No Action” alternative) and analyzes two action alternatives for the NPS to divest itself of the house.

This document has been prepared in accordance with the National Environmental Policy Act (NEPA) of 1969, regulations of the Council on Environmental Quality (40 Code of Federal Regulations (CFR) 1500-1508.9), and the NPS *Director’s Order 12: Conservation Planning, Environmental Impact Analysis, and Decision-making* (NPS 2011) and its accompanying NPS NEPA Handbook (NPS 2015).

Compliance with the National Historic Preservation Act (1966) is being combined with the NEPA process (via 36 CFR 800.8) and includes ongoing consultation with the Maine Historic Preservation Commission, the Advisory Council on Historic Preservation and other consulting parties. This environmental assessment includes a draft Section 106 programmatic agreement for public review.

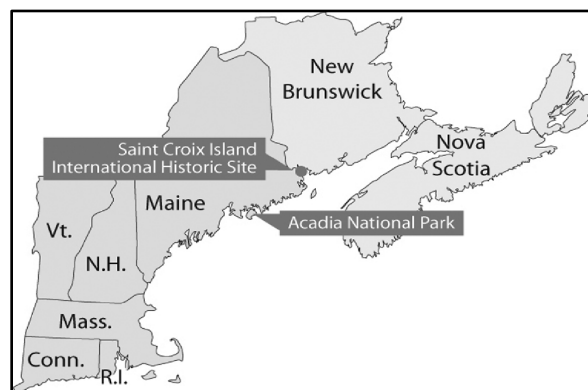


Figure 1. Saint Croix Island International Historic Site -- Regional Context Acadia National Park, 120 miles distant, is the administrative headquarters for the park.

## 1.2 NEED FOR ACTION

NPS has no current use for the McGlashan-Nickerson house and proposes to divest itself of the management and cost of maintaining the McGlashan-Nickerson House in order to focus its limited resources on protecting the park's fundamental resources and values.

The park was established to commemorate and protect the 2.6 hectare/6.5 acre Saint Croix Island (Figure 2). The island is the location of the 1604 site of one the first French attempts to colonize the territory called Acadia. The attempt was short-lived due to hard winter conditions and disease and was relocated to Port Royal the following summer. The island, its archeology and cultural landscape are the fundamental resources interpreted and protected by the park. The NPS is also authorized by the park's enabling legislation to hold and manage up to 50 additional acres on the mainland in the village of Red Beach for the purposes of administering the park and accessing the Island.

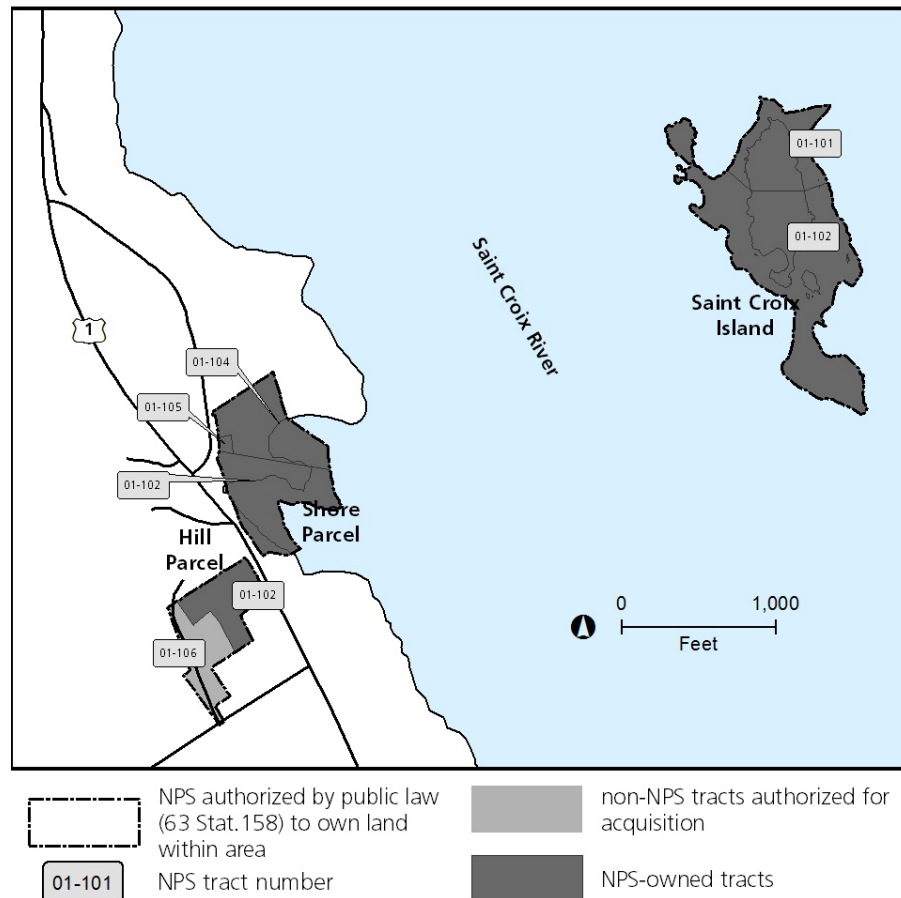


Figure 2. Saint Croix International Historic Site is located in the middle of the St. Croix River along the international boundary with Canada, and the mainland portion, used to administer the Site, is located at Red Beach. All proposed actions would occur on Tract 01-104.

The McGlashan-Nickerson house is located on the mainland administrative parcel. Built around 1883 as a single-family residence, the McGlashan-Nickerson house is listed on the National Register of Historic Places (National Register) as being locally significant for its

Italianate architecture (Mohnhey1990). However, it is not identified as a fundamental resource of the park (NPS 2017).

NPS purchased the house in 2000 to serve as a temporary facility until planning efforts could examine park needs and determine how to implement the park's General Management Plan recommendations for a ranger contact station and administrative offices at the site. In 2009, NPS completed a Facilities Development Plan (NPS 2009). The planning process determined that the house did not meet park needs for a number of reasons, including its layout, parking limitations, accessibility and structural deficiencies, and operating costs. It recommended building new visitor facilities for these functions and leasing the McGlashan-Nickerson house. The plan underwent public review as part of an environmental assessment/assessment of effect and the NPS Northeast Regional Director signed a Finding of No Significant Impact later that year. By fall 2011 the park constructed a new visitor contact center and maintenance facility, and in 2014, park operations moved out of the McGlashan-Nickerson house.

Beginning in 2013, NPS staff met with park neighbors, held community meetings, and met with representatives from tribal governments to explore opportunities to lease the house in accordance with the park Facilities Development Plan (NPS 2009). No potential lessee or interested partners for using the building came to fruition despite attempts to do so by the NPS and the community.

The NPS lacks sufficient resources to stabilize, rehabilitate and maintain the structure. NPS invested more than \$100,000 in the building when it was acquired to remediate some, but not all, lead paint, to repair the crumbling barn foundation, and repair gutters and porch. Current annual costs for monitoring the vacant house are approximately \$2000 per year, including mowing, providing power and phone for emergencies, and administrative and monitoring costs. However, the house still requires more than one million dollars in stabilization and rehabilitation work. Stabilization work intended to protect the building envelope includes replacing the roof, repairing or replacing windows as needed, abating lead paint, and repairing or replacing and painting siding, trim, and failed porch features.

To rehabilitate the house for use, work includes hazmat abatement (lead, radon, and asbestos), replacing the failed furnace and upgrading the outdated electrical system, mitigating mold, and repairing and painting walls. For a public use, the residential septic system would need upgrading and accessibility issues would need to be addressed.

NPS released an environmental assessment in 2018 examining selling or demolishing the house. The alternative of preserving the McGlashan-Nickerson house through lease or partnership was dismissed from further consideration. However, since the publication of that environmental assessment the state, its partners, and other groups have offered assistance in marketing a potential lease, increasing the feasibility of this option. Accordingly, NPS has revised this environmental assessment to incorporate a lease option.





Figure 3. McGlashan-Nickerson House. April 2017. (NPS Photo/Meg Scheid)

### 1.3 PROJECT AREA



Figure 4 Aerial view of the administrative portion of the park lying east of US Route 1, Calais, Maine. The house labeled Pettegrove-Livingstone House is referred to in this environmental assessment with its historic name: Joshua Pettegrove House. The property is in private ownership, and there are no plans for the NPS to acquire it. (NPS photo)





## 1.4 ISSUES RETAINED FOR DETAILED ANALYSIS

The following potential impacts associated with the NPS decision to divest itself of the house were identified during internal and public scoping. The issues and concerns identified during scoping were grouped into impact topics that are discussed and analyzed in “Chapter 3: Affected Environment and Environmental Consequences.”



Figure 5. South side of the house. April 2017.

### 1.4.1 Historic Structures

The term “historic structures” refers to both historic and prehistoric structures, which are defined as constructions that shelter any form of human habitation or activity. The McGlashan-Nickerson house, an NPS-owned structure, is listed in the National Register. Alternatives for divesting NPS of the management and cost of maintaining the house have the potential to affect this historic structure, either beneficially through preservation, or adversely by altering, reducing or eliminating its historic integrity and effecting its eligibility for listing in the National Register. Therefore, this topic is being retained for analysis.



Figure 6. Current conditions. April 2017.

### 1.5 ISSUES DISMISSED FROM FURTHER ANALYSIS

Some topics were initially considered for analysis during scoping, but were subsequently dismissed from detailed analysis. The rationale for dismissing these specific topics is stated for each resource. Environmental Justice and Indian Trust Resources were deleted from this revised environmental assessment because the alternatives would have no effect on either



issue and they are no longer considered mandatory topics for Department of Interior bureaus to address in NEPA documents.

### ***Special Status Species and Their Habitat***

The Endangered Species Act of 1973 prohibits harm to any species of fauna or flora listed by the US Fish and Wildlife Service as being either threatened or endangered. Section 7 of the Act requires all federal agencies to consult with the US Fish and Wildlife Service (or designated representative) to ensure that any action authorized, funded, or carried out by the agency does not jeopardize the continued existence of listed species or critical habitats. Such harm includes not only direct injury or mortality, but also disrupting the habitat on which these species depend. Park staff members have long noted the presence of bats and bat guano in the house's attached carriage barn, and possibly the attic of the house. With the movement into Maine of a fungal disease, white-nose syndrome, that has killed large numbers of bats, the number of sightings of bats at the park has declined dramatically in the past five years. Three bat species are state-listed as threatened, endangered, or species of concern, and one of these species is also federally listed as threatened. In August 2016, NPS biologists conducted audio and visual surveys to determine if any bat species were using the house or attached carriage barn. Big brown bats (*Eptesicus fuscus*), which are not state or federally listed species, were observed roosting in the attic of the house, and bat guano was found. Over the winter of 2016-2017, monitoring was conducted to determine if the structure was being used as a hibernacula. No evidence of hibernating bats was detected. In compliance with Section 7 of the Endangered Species Act, under any of the proposed action alternatives, the NPS would consult with the US Fish and Wildlife Service prior to implementing any action alternatives to ensure compliance with Section 7. Therefore, the issue of special status species and their habitat was dismissed from further analysis in this environmental assessment.

### ***Wildlife***

While tidal areas at the park have been identified by the State of Maine as significant habitat for wading birds and waterfowl, there are no state-mandated setbacks for facilities removal to protect these species. Potential actions proposed by the NPS are not anticipated to adversely or beneficially affect wildlife species. Therefore, impacts to wildlife were dismissed from further analysis in this environmental assessment.

### ***Archeological Resources***

In addition to archeological resources associated with Native Americans, resources on the mainland also include remnant features associated with the industrial history of the Red Beach industrial complex. An archeological survey concluded that the area around the McGlashan-Nickerson house has been previously disturbed and lacks historical integrity for any potential archaeological sites (Johnson 1996, Pendery 2002). Therefore, this impact topic was dismissed from further analysis in this environmental assessment.

### ***Cultural Landscapes***

The Joshua Pettegrove house, which is adjacent to the McGlashan-Nickerson House and shares a driveway by way of a deeded right-of-way, is listed in the National Register for its architecture and landscape architecture (Mohny 1994). The approach to the house via the shared driveway is listed as a distinguishing characteristic of the cultural landscape of the Joshua Pettegrove House. Removing the McGlashan-Nickerson House would alter the setting of the landscape because the approach from the driveway would no longer pass by another residential structure from the same era. However, none of the alternatives would introduce new incompatible elements into the landscape. All of the alternatives would be compatible with the overall feeling of the Joshua Pettegrove House landscape and would not diminish the integrity of the cultural landscape. Therefore, this issue was dismissed from further analysis in this environmental assessment.

### ***Ethnographic Resources, including Sacred Sites***

The NPS defines ethnographic resources as any site, structure, object, landscape, or natural resource feature assigned traditional, legendary, religious, subsistence, or other significance in the cultural system of a group traditionally associated with it. According to Executive Order 13007 (Indian Sacred Sites), the NPS should try to preserve and protect ethnographic resources. The Passamaquoddy Tribe identifies the park as within its traditional tribal territory, however no specific ethnographic resources or sacred sites are identified within the area of potential effects for this environmental assessment with the Passamaquoddy or the three other federally-recognized tribes. As a result we have determined that there would be no impacts to ethnographic resources such as Traditional Cultural Properties. There would be little or no change in resource conditions, such as traditional access or site preservation, nor alteration of the relationship between the resource and the affiliated groups' body of beliefs and practices. Therefore, this issue was dismissed from further analysis in this environmental assessment.

### ***Land Use***

While the McGlashan-Nickerson House is an imposing feature in the small Village of Red Beach, none of the proposed action alternatives differ substantively in terms of their effects on land use. All of the alternatives would comply with the City of Calais land use ordinance. Therefore, the issue of land use was dismissed from further analysis in this environmental assessment.

### ***Human Health and Safety***

The McGlashan-Nickerson House does not meet modern health and safety standards for public buildings, and it contains lead paint, radon, and asbestos. These issues could pose a threat to any future users. However, these conditions would be disclosed as part of any lease or sale and the occupant would need to adhere to applicable hazardous materials regulations when doing any work on the house. If the building were demolished, it would be done in accordance with all applicable laws and regulations. Therefore, this issue was dismissed from analysis in this environmental assessment.



### ***Socio-economics***

NEPA requires an analysis of impacts to the “human environment” which includes economic, social and demographic elements in the affected area. The action alternatives would necessitate a short-term need for construction crews to rehabilitate, move or demolish the building, potentially adding a small addition of short-term jobs to the community. The short and long-term impacts would be minimal and would not affect the neighboring community’s overall population, income or employment base. Therefore, this issue was dismissed from further analysis in this environmental assessment

## Chapter 2: Alternatives

During the public release of the initial environmental assessment for this project in October 2018, NPS received comments that caused the park to reconsider the feasibility of dismissed alternatives and to contemplate additional alternatives suggested by the public. Commenters also requested clarity on a number of issues related to the description of the alternatives. This revised environmental assessment addresses these comments by revising the alternatives presented in Section 2.1 and those dismissed in 2.2. Three alternatives are carried forward for analysis.

### 2.1 ALTERNATIVES CARRIED FORWARD FOR CONSIDERATION

#### ***Alternative A — No Action***

This alternative would continue current treatment of the McGlashan-Nickerson house by the NPS. The house and attached barn would remain unoccupied and NPS would continue to weatherize and physically monitor the building as best possible to prevent intrusions by people or pests. NPS would address the most critical stabilization needs if funding became available, although no sources of funding have been identified and additional funding is considered unlikely. The current landscape would remain unchanged and the historic McGlashan-Nickerson House would remain in federal ownership.

#### ***Alternative B***

##### ***Seek to Preserve McGlashan-Nickerson House through a Lease with the Option to Demolish if Unsuccessful (NPS Preferred Alternative & Proposed Action)***

NPS would work with private and public partners (including Maine Historic Preservation Officer and Maine Preservation) to renew and expand upon previous efforts to secure a long-term lease for the building under the provisions of 36 CFR 18, Leasing of Properties in Park Areas. The primary intent of a lease would be to preserve the building's historically significant features without depending upon federal funds and personnel. Use of the building would be consistent with its significance—for example, use as a private residence would be favored over many other uses because it was historically used as a private residence, although other compatible uses would be considered. The leased area would include the house and approximately 1.5 acres of land on which it sits (see Figure 7). If a suitable lessee were not found within two years of executing the Section 106 programmatic agreement, NPS would move forward with an option to demolish the house as described below.



Figure 7. Map of proposed subdivision (in red) for lease of house under alternative B.

### **Alternative C**

#### ***Sell and Move House, Retain All Land with the Option to Demolish if Unsuccessful***

Under alternative C, the NPS would report the house (structure only, not including land) as excess real property to the General Services Administration. General Services Administration would then have the option of accepting the property and following the screening process for disposing of federal real estate as mandated by federal law or rejecting the sale as infeasible. If the property were accepted for sale and a buyer found, the above-ground portions of the house would be disposed intact. Ownership of the building would be transferred to another federal agency or conveyed to a public body, organization or private individual under the appropriate legislative authority including sale. The building would be physically moved off-site by the new owner and the site restored. All of NPS Tract 01-104 would be retained by the NPS and treated as described under the demolition option in Alternative B. Effects of the house being placed on a new site would require additional Section 106 review to understand any additional effects to historic properties. This would entail additional consultation with the

Maine Historic Preservation Officer, Advisory Council on Historic Preservation (Advisory Council) and other consulting parties.

In consultation with General Services Administration, if it were determined that this alternative were not feasible within two years of executing the Section 106 programmatic agreement, NPS would move forward with an option to demolish the house as described below.

### ***Demolition Option Common to Both Action Alternatives***

Should the lease or sale and removal options of the action alternatives not prove successful, NPS would move forward with an option to demolish the house. All of NPS Tract 01-104 would be retained by NPS. The house foundation would be left intact and the basement filled in with clean fill. The park would retain gravel parking spaces for two or three staff or NPS vehicles and retain the existing shed/garage. No new structures or facilities would be added to Tract 01-104 that would adversely affect the integrity of the landscape features of the Joshua Pettegrove House identified in the National Register nomination form. Additionally, the well would be capped and septic field abandoned. The site and lawn would continue to be maintained by the NPS as an orchard and lawn area.

## **2.2 ALTERNATIVES CONSIDERED AND DISMISSED**

### ***Preserve the McGlashan-Nickerson House through Sale of House and Lot***

NPS considered reporting the house and approximately 1.5 acres of land on which it sits to General Services Administration as excess federal real property, and disposing of both land and building. General Services Administration would then follow the screening process for disposing of federal real estate as mandated by federal law. Disposing of the land with the house would enhance the opportunity for a transfer to another federal agency or conveyance to a public body, organization or private individual under their appropriate legislative authority including sale. NPS conducted outreach to stake holders, but ultimately determined that neither NPS nor General Services Administration has the legal authority to sell land within the park boundaries without a change in enabling legislation that would specifically allow the sale.

Given the current physical state of the structure and NPS lack of funds to maintain or conduct additional stabilization, changing the legislation to allow for the sale of land is not practical. In the years that a change in legislation would take, the structure would continue to deteriorate and be less desirable for a potential purchaser than it is currently. For these reasons, while technically feasible, changing the park legislation to allow preservation in place is not an alternative that would reasonably be successful given the current condition of the building and NPS funding. As a result, selling the house and lot was dismissed from consideration.

### ***Change the Park Purpose to Allow for Preservation in Place***

During the release of the October 2018 environmental assessment, one commenter suggested changing the park's enabling legislation to make the industrial history of the Village of Red Beach a central component of the purpose of the park. *NPS Management Policies* (NPS 2006) 3.1 addresses the criteria for adding cultural or natural resources to the park

system. The first criterion is that they must be of national significance. The McGlashan-Nickerson House and its neighbor the Joshua Pettegrove House are the last remnants of a past industrial complex, however, these houses are listed as locally significant. It is unlikely that they would meet the high threshold that NPS properties must meet in order for Congress to consider changing the park purpose, and would require many years of study before this could be determined. Additionally, it would not meet the need of the project to relieve the NPS of the management and financial burden of upkeep for the house. As a result, this alternative was dismissed from consideration.

## **2.4 MITIGATION MEASURES**

As described below, the action alternatives incorporate mitigation measures to avoid and minimize adverse impacts to the human environment.

The NPS, in consultation with the Maine Historic Preservation Officer, Advisory Council, and other consulting parties, including tribal representatives, evaluated alternatives or modifications that could avoid, minimize or mitigate adverse effects on historic properties [36 CFR 800.6(a)]. Because the option to demolish the house under Alternative B and Alternative C would have an adverse effect on an historic property, a Section 106 programmatic agreement is required to mitigate the adverse effects and guide the implementation of the undertaking. NPS developed a draft Section 106 programmatic agreement to address the preferred alternative and demolition option. It is attached in Appendix 1. The programmatic agreement, and the alternative that is ultimately selected for implementation, may be revised as a result of public comment. The no action alternative would be implemented until the programmatic agreement has been signed by identified consulting parties and filed with the Advisory Council.

Under Alternative C and the demolition option, NPS would make every effort to minimize ground disturbance. Best Management Practices for sediment and erosion control would be used to avoid soil loss and runoff into the adjacent Saint Croix River. These devices and practices would include installing temporary silt fences, demarcating the limits of disturbance, covering soil piles, and keeping demolition debris outside of vegetated areas. NPS would dispose of all debris, including lead-contaminated paint and asbestos, in compliance with regulations. Disturbed soil would be reseeded and stabilized with vegetation immediately. If soils could not be revegetated immediately after disturbance because of seasonal or growing conditions, NPS would ensure that the soil be mulched with straw or wood chips to prevent soil erosion and invasion by non-native plants, then seeded during the growing season and maintained until grass cover is established.



## Chapter 3: Affected Environment and Environmental Consequences

### 3.1 AREA OF ANALYSIS

The area of potential effect for the undertaking includes the McGlashan-Nickerson lot (tract 01-104) and the abutting Joshua Pettegrove House lot. This includes the McGlashan-Nickerson House, yard, orchard and entrance drive (which is partially shared with and is a contributing feature to the abutting Joshua Pettegrove House), and Joshua Pettegrove House and landscape as depicted in Figure 8.

The scope of the NEPA analysis is widened to include the City of Calais, Maine, which incorporates the Village of Red Beach, to provide context for the impact analysis.

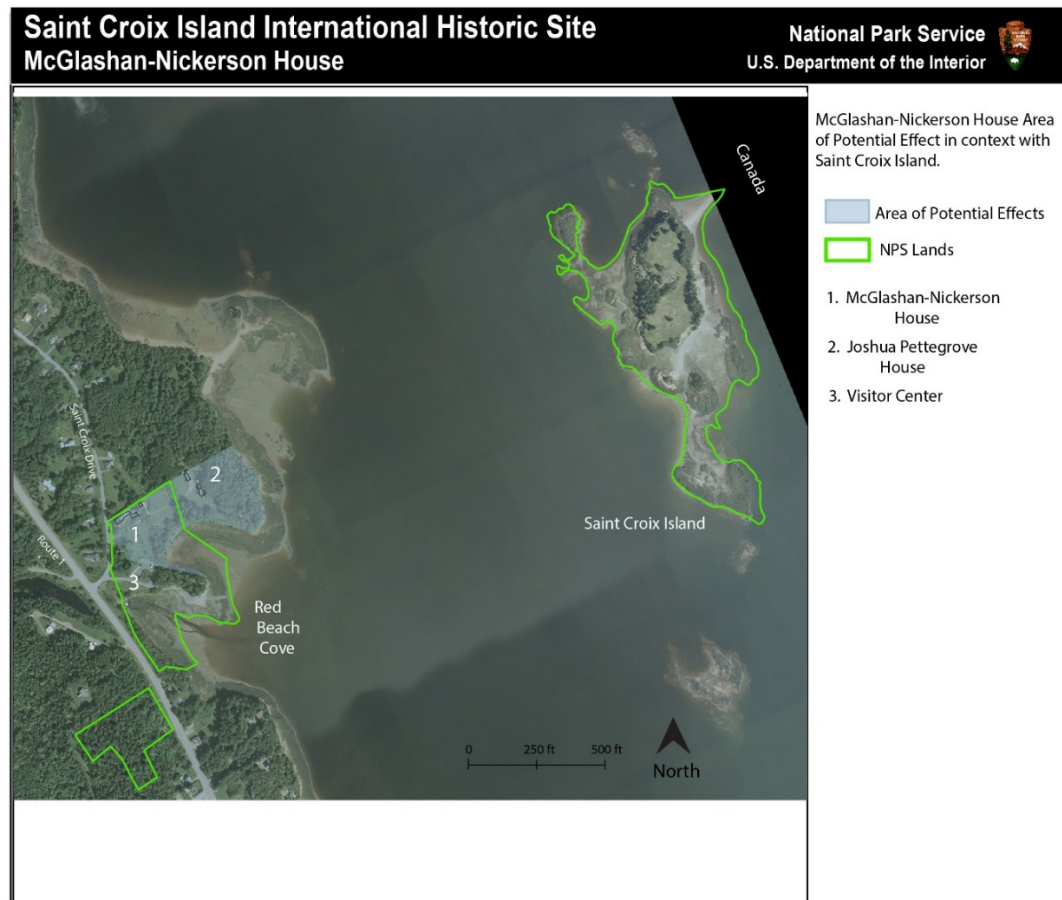


Figure 8. Area of potential effect for the McGlashan-Nickerson House and associated landscape.

### **3.2 METHODOLOGY for ANALYZING NEPA IMPACTS**

In accordance with the Council on Environmental Quality regulations for implementing NEPA, both adverse and beneficial effects are assessed separately and are described in terms of direct, indirect and cumulative impacts for each resource topic carried forward (40 CFR 1502.16). The analysis considers resource context and impact intensity (40 CFR 1508.27). Measures to mitigate adverse impacts also are described and incorporated into the impact analysis. While effects to cultural resources (and historic properties) are included in a NEPA analysis, a separate Section 106 assessment of effect is detailed below in section 3.6.

### **3.3 CUMULATIVE IMPACTS ANALYSIS**

Cumulative impacts are defined as “the impact on the environment which results from the incremental impact of the action when added to other past, present, or reasonably foreseeable future actions regardless of what agency (federal or nonfederal) or person undertakes such other actions” (40 CFR 1508.7). Typically, cumulative impacts are analyzed by adding the impacts of other actions to those of the alternatives described in this environmental assessment. During scoping, the team considered other NPS projects and consulted with local stakeholders to determine other actions that have or would have the potential to affect resources within the scope of this project. The team did not identify any past, present, or reasonably foreseeable actions by the National Park Service or other parties that would result in cumulative impacts on the resources affected by the alternatives presented. Therefore, no cumulative impacts would result from any of the alternatives evaluated in this environmental assessment.

### **3.4 ANALYSIS OF IMPACTS ON HISTORIC STRUCTURES**

#### ***Affected Environment***

The McGlashan-Nickerson House is located on the mainland administrative parcel within the boundary of the park. Built circa 1883 as a single-family residence, the McGlashan-Nickerson House is a 5,427 square-foot, two-story wooden frame structure, consisting of a core, ell, and attached 748 square-foot carriage barn. The house was listed in 1990 in the National Register of Historic Places as being locally significant for its Italianate architecture (Mohney 1990). The house was part of the nineteenth-century village of Red Beach, which had grown up around several industrial sites at Red Beach Cove. It and the gothic Joshua Pettegrove House next door are currently the only National Register-listed buildings within the village of Red Beach.

The NPS acquired the six-acre tract on which the McGlashan-Nickerson House sits in 2000, and shortly thereafter erected an approximately 12-foot by 15-foot single story maintenance shed/garage about 100 feet to the east of the house along with a gravel parking area for 2-3 staff cars. During its use, NPS made repairs to the house to stabilize it, but those repairs did not include hazmat removal or repairs to meet ABA Access Standards. The house has been unoccupied since November 2014 and monitored to prevent intrusion by pests and people, but is in need of major repairs (as previously described) to the roof, siding, porch and trim to minimally stabilize the structure.

The privately owned Joshua Pettegrove House (known as the Livingstone property) is also listed individually on the National Register, locally significant under Criterion C for its Gothic Revival Style design and Downingesque landscape.

The Village of Red Beach is within the limits of the City of Calais, Maine. Calais includes several examples of Italianate, Gothic and Federal architecture both within its three historic districts and as individual listing. The Thomas Hamilton House is an example of an individually-listed Italianate house within Calais (Calais 2019).

### ***Impacts of Alternative A - No Action***

NPS would continue to manage the house as a vacant structure, undertaking repairs if funds became available, and doing minimal repairs to prevent intrusions, or other activities to limit further deterioration. However, without additional funds, NPS would be unable to undertake the repairs necessary to fully mothball the house in anticipation for future rehabilitation. These actions would result in direct, long-term adverse impacts to the historic structure, because without major repairs to the roof and exterior envelope, the condition of the house would continue to deteriorate. Eventually, it would become structurally unsound and a safety hazard. The deterioration and resulting loss of historic integrity, would eventually cause the house to no longer be eligible for listing on the National Register of Historic Places. This could take many years, but without timely repairs, the cost to repair the structure would continuously increase, making preservation even less likely. Although deterioration of the house would change the setting of the approach to the Joshua Pettegrove House because it would be unsightly, this change would not introduce incongruous elements to the setting or change elements that contributed to the Joshua Pettegrove House's listing on the National Register. Additionally, the park buffer zone would remain intact and would not be affected by the deterioration of the house.

### ***Alternative B***

#### ***Seek to Preserve McGlashan-Nickerson House through a Lease with the Option to Demolish if Unsuccessful (NPS Preferred Alternative & Proposed Action)***

A successful long-term lease would require that the lessee maintain the building and that any improvements to the building conform to the Secretary of Interior's Standards for Rehabilitation or Preservation. The lease would include an imperative to preserve the character-defining features of the building and yard. Long-term beneficial impacts and an improvement in the overall condition of the building would be expected to result as a result of a lease. No change would be expected to the Joshua Pettegrove House setting or to NPS park setting.

### ***Alternative C***

#### ***Sell and Move House Structure, Retain All Land with the Option to Demolish if Unsuccessful***

Alternative C would result in both beneficial and adverse impacts to historic structures. This alternative would preserve the locally-significant historic structure with its Italianate architecture and character-defining features—a long-term beneficial impact. However, once removed from the site, the structure would lose its context and would no longer be associated with other landscape features of the property as described in the National Register nomination, a direct, adverse impact. The house would likely no longer be eligible for listing on the National Register nomination.

Additionally, there could be impacts to historic properties at any new site identified for the house. If this alternative were chosen for implementation, it would be guided by additional consultation for identifying historic properties that could be affected by the relocation of the structure to a new sites and provide procedures to avoid or minimize any resulting adverse effects. Therefore, the relocation option of Alternative C would be expected to have small or no adverse effects on historic properties at a new site.

Post removal, the foundation would be retained for interpretation of the site. The surrounding landscape would remain substantially unchanged and would be managed as a lawn area with the orchard. This would not add any additional elements to the cultural landscape and would thus not have an effect on the setting of the Joshua Pettegrove or the park setting, although the view from the entrance drive would change with the removal of the McGlashan-Nickerson House.

The relocation option would also result in the McGlashan-Nickerson House (and site) likely no longer being eligible for listing on the National Register, requiring delisting.

### ***Impacts of Demolition Option Common to Both Action Alternatives***

If the demolition option were exercised, it would result in a total loss of a National Register-listed property. This loss would leave the Joshua Pettegrove House as the single listed historic property within the small Village of Red Beach. However, although it is a rare example of Italianate architecture within a rural setting, the building is not the only one within the larger city of Calais. Although the effect of the demolition would be large for the Village of Red Beach it would be much smaller when taking into account the resources within the broader City of Calais.

Common to Alternative B and C, the treatment of the lot around the house would keep the existing maintenance shed/garage and parking and the surrounding landscape would remain substantially unchanged and would be managed as a lawn area with the orchard. The landscape features of the National Register-listed Joshua Pettegrove House would remain intact, although the view from the entrance drive would change with the removal of the McGlashan-Nickerson House. The action would not affect other listed or potential historic properties.

## **3.5 SUMMARY OF NEPA IMPACT ANALYSIS**

Alternative A would likely result in the condition of the house continuing to deteriorate due to lack of funding for maintenance, stabilization or rehabilitation. Eventually the house would

deteriorate to the point it would lose its historical integrity and character-defining features and no longer be eligible for listing in the National Register. As a result, Alternative A would have a direct, long-term and potentially permanent adverse impact on the McGlashan-Nickerson House.

The leasing option of Alternative B would result in a long-term beneficial impact to historic properties within the park and the Village of Red Beach because a successful lease or partnership would result in the rehabilitation and reuse of the McGlashan-Nickerson House in accordance with the Secretary of the Interior's Standards, thus preserving the character-defining features of the structure.

The relocation option of Alternative C would have a direct, long-term, adverse impact on the historic structure because, once moved, it would lose its historic context and setting and likely be removed from listing in the National Register. If the house were moved and rehabilitated, a beneficial effect would be that the Italianate architecture and some of the character-defining features of the structure would be preserved.

The option to demolish the McGlashan-Nickerson House would have a permanent, adverse impact on historic properties within the park and the Village of Red Beach. This impact would be clearly felt at the very local level and would contribute to the further decline in the physical resources connected to the industrial center, but the house is not the only high-style Italianate structure in the area, with several more in the City of Calais, only 3 miles away and over 120 Italianate-style buildings within the State of Maine (Category 2019).

None of the alternatives would have an appreciable effect on the Joshua Pettegrove House setting or the park setting.

### **3.6 SECTION 106, ASSESSMENT OF EFFECT**

This environmental assessment meets the requirements of Section 106, of the National Historic Preservation Act, by providing an evaluation and a determination of the effect of the undertaking (implementation of an alternative) on historic properties.

In accordance with the Advisory Council's regulations, impacts to historic structures and their settings were identified and evaluated by (1) determining the area of potential effects; (2) identifying cultural resources present in the area of potential effects that were either listed in or eligible to be listed in the National Register of Historic Places; (3) applying the criteria of adverse effect to affected cultural resources either listed in or eligible to be listed in the National Register; and (4) considering ways to avoid, minimize or mitigate adverse effects.

Under the Advisory Council's regulations (36 CFR 800) a determination of either adverse effect or no adverse effect must also be made for affected National Register eligible historic properties. An adverse effect occurs whenever an impact alters, directly or indirectly, any characteristic of a cultural resource that qualify it for inclusion in the National Register in a manner that would diminish its historical integrity (e.g. diminishing the integrity of the resource's location, design, setting, materials, workmanship, feeling, or association). Adverse effects also include reasonably foreseeable effects caused by the preferred alternative that



would occur later in time, be farther removed in distance or be cumulative (36 CFR Part 800.5, Assessment of Adverse Effects). A determination of no adverse effect means that the undertaking will either not effect an historic property, or if it does, that it will not diminish the characteristics of the historic property that qualify it for inclusion to the National Register.

Although the effect finding for each alternative is clear, because the success of the alternatives rest on factors somewhat outside of the control of NPS, a draft Section 106 programmatic agreement has been developed for the preferred alternative in consultation with the Maine Historic Preservation Officer, Advisory Council, and other consulting parties. The programmatic agreement documents the consultation process and stipulates how adverse effects will be avoided, minimized or mitigated before and during the implementation of the preferred alternative. The draft programmatic agreement is included in Appendix 1 and available for review and comment during the environmental assessment public comment period. The finalized programmatic agreement may be revised based on public comment and would be altered if another alternative is selected to implement. The finalized programmatic agreement will detail stipulations to avoid, minimize or mitigate adverse effects from the selected alternative.

For this assessment of effect, see Figure 8 for the geographic area defined as the area of potential effect. The effects of the no-action alternative and the action alternatives are summarized below.

#### ***Alternative A - No Action***

Under the no-action alternative, the continuation of current management would have an adverse effect on the McGlashan-Nickerson property because the structure would continue to deteriorate over time resulting in impacts to the character-defining features and historical integrity of the structure. After applying the Advisory Council's criteria of adverse effects (36 C.F.R. § 800.5, *Assessment of Adverse Effects*), this alternative would be considered an adverse effect. If NPS selected this option for implementation, the draft programmatic agreement would be revised to mitigate the adverse effect.

#### ***Alternative B***

##### ***Seek to preserve McGlashan-Nickerson House through a Lease or with the Option to Demolish if Unsuccessful (NPS Preferred Alternative & Proposed Action)***

Entering into a long-term lease agreement with a partner would protect the McGlashan-Nickerson House in place, and ensure regular maintenance activities and upkeep would take place. Any large projects to rehabilitate the house would have to meet the Secretary of the Interior's Standards and would undergo additional Section 106 review to ensure that these standards were met. After applying the Advisory Council's criteria of adverse effects (36 C.F.R. § 800.5, *Assessment of Adverse Effects*), the NPS concludes that implementation of Alternative B without the demolition option would have no adverse effect on the McGlashan-Nickerson Property or the neighboring Joshua Pettigrew property. Because the demolition option is part of the alternative should a lease or partner not be found within two years, NPS

would execute the draft programmatic agreement and follow the Stipulations as identified in the draft programmatic agreement (Appendix 1).

### ***Alternative C***

#### ***Sell and Move House Structure, Retain All Land with the Option to Demolish if Unsuccessful***

Both the relocation and demolition options of Alternative C would result in an adverse effect to historic properties. If the house were removed from the site via the relocation option, the structure would no longer be eligible for listing in the National Register because it would be removed from its setting and no longer be associated with other landscape features of the property as described in the National Register nomination. After applying the ACHP's criteria of adverse effects (36 C.F.R. § 800.5, *Assessment of Adverse Effects*), the NPS concludes that implementation of the relocation option of Alternative B would have an adverse effect on the McGlashan-Nickerson House. There would be no adverse effect on the adjacent Joshua Pettegrove House because any changes to the vacant lot would be compatible with the setting of the Joshua Pettegrove House. The effect on the receiving lot would need to be determined through additional consultation at a later date when a lot was identified. If the relocation option were chosen for implementation, the draft programmatic agreement would have to be revised to detail measures to avoid, minimize or mitigate adverse effects.

#### ***Demolition Option***

Under the demolition option of both Alternatives B and C, NPS would declare the house excess property and demolish it. It would result in a total loss of a National Register listed historic property. After applying the ACHP's criteria of adverse effects (36 CFR §800.5, *Assessment of Adverse Effects*), the NPS concludes that implementation of the demolition option would have an adverse effect on the McGlashan-Nickerson House. Mitigation measures would be implemented according to the Stipulations as identified in the draft programmatic agreement (Appendix 1).

## Chapter 4: Consultation & Coordination

### 4.1 LIST OF AGENCIES AND TRIBES CONSULTED

Agency and federally-recognized tribal consultation began in 2013 and is ongoing to ensure that all relevant agencies and tribes are informed of this proposed action. The following agencies have been or are being consulted:

- Advisory Council on Historic Preservation
- City of Calais, Maine
- General Services Administration
- Maine Historic Preservation Commission (State Historic Preservation Office)
- Maine Indian Education, Calais, Maine
- Maine Tourism Association, Calais Information Center
- Houlton Band of Maliseet Indians
- Aroostook Band of Micmacs
- Passamaquoddy Tribe
- Penobscot Indian Nation
- Saint Croix Historical Society
- Saint Croix Valley Chamber of Commerce, Calais, Maine
- Sunrise County Economic Council, Machias, Maine
- United States Fish and Wildlife Service
- Wabanaki Culture Center/Maine Indian Education, Calais, Maine
- Washington County (Maine) Community College, Calais
- Washington County (Maine) Council of Governments, Calais, Machias

### 4.2 PUBLIC INVOLVEMENT

The proposed divestment of the McGlashan-Nickerson House has been announced through public meetings, press releases, and postings on the park and on planning websites. The environmental assessment, including the programmatic agreement, will be on formal public review for 30 days. The environmental assessment will be posted on the NPS [project website](#). Paper copies will be available at the park ranger station and at Acadia National Park, as well as the Calais City Library.

The following interested persons and stakeholders have been contacted during the planning process:

- Calais Advertiser, Calais, Maine
- Cobscook Hikes and Paddles, Robbinston, Maine
- Downeast LNG, Robbinston, Maine
- Friends of the McGlashan-Nickerson House
- Maine Granite Industry Historical Society Museum, Mount

Desert, Maine

- Neighbors on and near St. Croix Drive, Red Beach, Maine
- Nickerson Family
- Tides Institute & Museum of Art, Eastport, Maine
- Quoddy Tides, Eastport, Maine

## Chapter 5: Acronyms

Advisory Council	Advisory Council on Historic Preservation
CEQ	Council on Environmental Quality
CFR	Code of Federal Regulations
GMP	General Management Plan
NEPA	National Environmental Policy Act of 1969
NPS	National Park Service
National Register	National Register of Historic Places
the house	McGlashan-Nickerson House and attached carriage barn
the Island	Saint Croix Island
the park	Saint Croix Island International Historic Site

## Chapter 6: References

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# **APPENDIX 1: Programmatic Agreement**

## **DRAFT**

(5/28/19)

### **FIRST AMENDED PROGRAMMATIC AGREEMENT**

**BY AND AMONG THE NATIONAL PARK SERVICE, THE MAINE STATE HISTORIC PRESERVATION OFFICER, AND THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, REGARDING THE DISPOSITION OF THE McGLASHAN-NICKERSON HOUSE AT SAINT CROIX ISLAND INTERNATIONAL HISTORIC SITE, CALAIS, MAINE**

#### ***Whereas Clauses***

#### **WHEREAS 1,**

this First Amended Programmatic Agreement (“PA”), is made as of this \_\_\_\_ day of \_\_\_\_, 2019, by the National Park Service (“NPS”), the Maine Historic Preservation Officer (“SHPO”), and the Advisory Council on Historic Preservation (“ACHP”), referred to collectively as “Signatories” or individually as a “Signatory”, pursuant to Section 106 of the National Historic Preservation Act (“NHPA”) , 54 U.S.C. § 306108, and its Section 106 implementing regulations at 36 CFR Part 800, and amends the PA, executed by NPS and SHPO on August 4, 2017, in its entirety. This amendment clarifies NPS’s undertaking, as well as minimization, and mitigation measures; and

#### **WHEREAS 2,**

NPS intends to work with SHPO, Maine Preservation a Consulting Party (hereinafter defined), and others to offer the McGlashan-Nickerson House (hereinafter defined) and surrounding land (“Lease Area”) (Appendix B) for a long-term lease as stipulated herein, and if that Leasing Effort (hereinafter defined) is unsuccessful, NPS intends to demolish the McGlashan-Nickerson House (hereinafter defined) (“Undertaking”); and

#### **WHEREAS 3,**

NPS is the federal agency that has administrative control and custody of the McGlashan-Nickerson House including the attached barn (“House”) and its surrounding yard, the entire parcel of land historically associated with the property that is approximately six (6) acres, which is listed as Tract 01-104 (“Yard”) and is located in the village of Red Beach, Calais, Maine (Appendix A); and

#### **WHEREAS 4,**

the House, constructed in 1883 for George McGlashan, superintendent of the Maine Red Granite Co. and sold in 1887 to Samuel Nickerson, superintendent of the Red Beach Plaster Co., including the Yard, is individually listed in the National Register of Historic Places (“National Register”) (#19900614) and is locally significant under Criterion C (Architecture) for its association with the Italianate Style; and

#### **WHEREAS 5,**

the House and Yard were acquired by NPS in 2000, to house functions associated with management of the Saint Croix Island International Historic Site (“SACR”), a unit of the NPS and also listed in the National Register; and

#### **WHEREAS 6,**

the House did not meet the management needs of SACR and, in 2014, NPS built a new structure to house necessary functions of SACR including a visitor center/ranger station/employee apartment, restrooms, maintenance facility, as well as an interpretive trail, viewing area, access road, parking area, and a boat launch; and, since November 2014, the House has functioned only as storage space and NPS lacks the resources to continue to maintain or rehabilitate the House; and

#### **WHEREAS 7,**

a portion of the Yard is critical to NPS’s management and operation of SACR, providing important scenic and buffer zones including an orchard associated with the House (“Orchard Area”), the waterfront, and an access easement (“75-foot-wide buffer”) between the House and the neighboring Joshua Pettegrove House (hereinafter defined); and

#### **WHEREAS 8,**

in 2009, in accordance with NPS policy and the National Environmental Policy Act (“NEPA”), respectively, NPS completed a Facilities Development Plan (“FDP”) and Environmental Assessment (“2009 EA”) for SACR. The FDP identified the need for a new administrative building with visitor contact space, exhibit and sales space, maintenance function, and restrooms at SACR. The preferred alternative stated that the House was inadequate for NPS needs and directed NPS to identify a lessee to preserve and manage the House. NPS used the House as administrative workspace and as a visitor center until 2012 and for staff housing through 2014; and

#### **WHEREAS 9,**

as the House did not meet the management needs of SACR, in 2014, on the Yard, NPS built a new structure to house necessary functions of SACR including a visitor center/ranger

station/employee apartment, restrooms, maintenance facility, as well as an interpretive trail, viewing area, access road, parking area, and a boat launch, and

#### **WHEREAS 10,**

as the House did not meet the management needs of SACR, in 2014, on the Yard, NPS built a new structure to house necessary functions of SACR including a visitor center/ranger station/employee apartment, restrooms, maintenance facility, as well as an interpretive trail, viewing area, access road, parking area, and a boat launch, and

#### **WHEREAS 11,**

that same year, NPS vacated the House entirely, and made an effort to winterize the House; and

#### **WHEREAS 12,**

in accordance with the FDP and 2009 EA, NPS, through an extensive public outreach effort, sought to identify a lessee to preserve and manage the House. Between 2012 and 2015, NPS contacted the following organizations, but all declined: Aroostook Band of Micmacs; Houlton Band of Maliseet Indians; Passamaquoddy Tribe (which initially indicated an interest in acquiring the House but later declined); Penobscot Indian Nation; Saint Croix Historical Society; Maine Indian Education/Wabanaki Culture Center, Calais, Maine; City of Calais, Maine; Washington County, Machias, Maine; Washington County Community College, Calais, Maine ("Former Prospective Lessees"); and

#### **WHEREAS 13,**

in addition to the identified parties mentioned above, the following interested persons and stakeholders were either contacted by the NPS or reached out to the NPS, with some concluding they lacked the necessary resources to move a lease or partnership forward: Friends of the McGlashan-Nickerson House at Red Beach in Calais, Maine; Maine Granite Industry Historical Society Museum, Mount Desert, Maine; Saint Croix Historical Society, Calais, Maine; neighbors on and near St. Croix Drive, Red Beach, Maine; Tides Institute & Museum of Art, Eastport, Maine; Quoddy Tides, Eastport, Maine; and the owners of the Joshua Pettegrove House, who declined to participate or did not respond; and

#### **WHEREAS 14,**

NPS lacks the resources to stabilize, rehabilitate and maintain the House, does not consider it to be related to SACR's fundamental resources, and despite the abovementioned efforts, thus far NPS has not identified a lessee or partner; and

## **WHEREAS 15,**

for this Undertaking, the NPS elected to substitute the NEPA process for Section 106 purposes (36 CFR § 800.8(c)), and NPS consulted with SHPO and ACHP, Maine Preservation, the City of Calais, Friends of McGlashan-Nickerson House, and Tides Institute & Museum of Art, as well as various descendants of the Nickerson Family (“Consulting Parties”); and

## **WHEREAS 16,**

beginning in 2013, to allow for public engagement, disposition of the House was announced at public meetings, in press releases, and postings in the NPS SACR and planning websites, including NPS’s public involvement [website](#); and

## **WHEREAS 17,**

NPS released an EA for public review in October 2018 (“EA”) and received comments, from the public and the Consulting Parties. In that EA, NPS contemplated demolition of the House, as well as disposal of the House via the U.S. General Services Administration (GSA) and removal of the House from its foundation (and relocation to an unidentified location). NPS also held a site visit, meeting, and call with Consulting Parties, and provided them with a draft PA for review and comment. The resulting draft PA, which does not contemplate disposal of the House via the U.S. General Services Administration (GSA) nor removal of the House from its foundation (and relocation to an unidentified location), was released for public review along with a revised EA on May 28, 2019; and

## **WHEREAS 18,**

the Area of Potential Effect (“APE”) for the Undertaking includes the McGlashan-Nickerson House, the Yard (tract 01-104), and the abutting Joshua Pettegrove House (tract 01-103) (“Joshua Pettegrove House” or “Livingstone Property”), which is listed individually in the National Register (#94000179), and is locally significant under Criterion C for its Gothic Revival Style design and Downingsque landscape (Appendix A and B); and

## **WHEREAS 19,**

the APE also includes a shared driveway between the House and the “Joshua Pettegrove House. NPS holds an existing right-of-way access from Saint Croix Road, past the House, as mentioned in the deed for tract 01-104 and recorded in Book 617, page 47. The entrance drive contributes to the significance of landscape of the Joshua Pettegrove House; and

## **WHEREAS 20,**

an archeological survey of the Yard was completed by the NPS in 2002, and NPS determined that the Yard, in the area immediately surrounding the House, was disturbed, is not likely to

yield data, is not eligible for listing on the National Register under Criterion D, and that the Undertaking is not likely to involve substantial ground disturbing activity; and

## **WHEREAS 21,**

in accordance with 36 CFR § 800.5(a), the NPS determined that the Undertaking has the potential to cause adverse effects to historic properties within the APE, notably, the physical destruction or demolition of the House, and in consultation, developed avoidance, minimization, and mitigation measures as stipulated herein; and

## **WHEREAS 22,**

in accordance with 36 CFR § 800.6(a)(1), NPS notified ACHP of its adverse effect finding, and on July 31, 2017 ACHP responded stating that ACHP would not participate in consultation. However, upon ACHP's receipt of an executed programmatic agreement which designated certain preservation responsibilities to GSA, even though that agency did not participate in consultation and was not a signatory, on November 22, 2017, ACHP elected to participate in the consultation to amend the agreement, pursuant to 36 CFR § 800.6(a)(1)(iii); and

## **NOW THEREFORE,**

the Signatories agree that the PA will be amended in its entirety and that the Undertaking will be implemented in accordance with the following Stipulations to take into account potential effects of this Undertaking on historic properties.

### **STIPULATIONS**

**NPS shall ensure that the following Stipulations are carried out:**

#### **I. Standards and Current Conditions**

A. Professional Standards: All historic preservation work performed by NPS, or on its behalf pursuant to this PA, shall be accomplished by or under the direct supervision of a person or persons who meets the pertinent qualifications in the Secretary of the Interior's [Professional Standards](#) formerly (36 CFR Part 61) ("Qualified Personnel").

B. Current Conditions: NPS staff shall complete a digital photo survey of the House and Yard to document its interior and exterior current conditions ("Photo Survey"), keyed with a plan of the House and Yard, within three (3) months of execution of this amended PA, circulating the Photo Survey to the Signatories via electronic mail within one (1) month of the survey's completion.



## **II. Avoidance and Minimization Efforts**

### **A. House and Landscape Protection:**

1. House Protection: NPS will ensure that as long as the House is in NPS's custody and throughout the leasing process, NPS will take reasonable actions to avoid exacerbation of the normal aging process or accelerated deterioration and will keep the House secure from natural elements and vandalism.

2. Landscape Protection: NPS will ensure that throughout the leasing process, historic landscape elements within the Yard (e.g. Orchard Area and driveway) will be protected and maintained so as to avoid exacerbation of the normal aging process or accelerated deterioration. If a lease is executed, NPS will continue to maintain and protect the elements of the Yard, outside of the Lease Area, for the duration of the lease.

### **B. Leasing Effort for Proposed Lease Area:**

1. Time frame for Leasing Effort: Immediately following execution of this PA, and for a period of two (2) years beginning when the Request for Proposals (RFP) is made available to the public. NPS will conduct a public outreach effort to announce the availability of a long-term lease of the Lease Area (Appendix B) ("Leasing Effort"). NPS will collaborate with SHPO, Maine Preservation, and others, as appropriate, to endeavor to find a lessee for the Lease Area.

2. Extent of Leasing Effort: The Leasing Effort will include, but not be limited to: local, statewide, regional, and national print and online outreach, and will include pictures of and information on the Lease Area, as well as available federal and state preservation incentives. In addition, upon receipt of timely written notice, NPS will allow regular access to the House and Lease Area for the purposes of the Leasing Effort. Maine Preservation, as an Invited Signatory to this PA, will assist NPS with the Leasing Effort in the following ways;

a. Maine Preservation will be listed as a resource within the RFP and in promotion of the lease effort. NPS will refer interested parties to Maine Preservation who will be available to answer questions about the rehabilitation and the Secretary of Interior's Standards for Rehabilitation;

b. Maine Preservation will use their network for outreach and promotion of the Leasing Effort and direct interested parties to the NPS RFP;

c. If NPS elects to do an open house, Maine Preservation may be present to answer questions;

d. Maine Preservation has done an independent rehabilitation cost estimate that will be included with the RFP.

3. General Lease Terms: The lease to be developed will include the Lease Area, and use of the driveway from Saint Croix Road. The term of the lease will be no less than 50 or 60 years. Allowable uses will be limited to residential, hospitality, office space, or similar compatible use as agreed upon in writing by the Signatories and timely circulated to the Consulting Parties. The lease will require maintenance and preservation of the Lease Area, in accordance with the Secretary of the Interior's Standards and applicable NPS Preservation Briefs, with any proposed interior, exterior, and landscaping alterations subject to timely review and approval by NPS and SHPO.

4. Conclusion of the Leasing Effort: If the Leasing Effort is successful, in that a lease meeting the terms stipulated herein is executed at or before the conclusion of the two (2) year period, within thirty (30) days of lease execution, NPS will notify the Signatories and Consulting Parties in writing of the lease and its duration. In accordance with the Duration Stipulation below, and without requiring an amendment to this PA, the duration of this PA will be extended to cover the lease duration. If the Leasing Effort is unsuccessful, and a lease meeting the terms stipulated herein has not been executed at or before the conclusion of the two (2) year period, within thirty (30) days of the conclusion of the period, NPS will notify the Signatories and Consulting Parties in writing and provide them with a schedule for NPS's plans to complete mitigation measures and to proceed with demolition of the House as stipulated herein.

5. Lease Termination: If the Leasing Effort is successful but the lease is terminated prior to the end of the 50 or 60 year period, NPS will reopen consultation pursuant to Section VII.

#### C. Protection Measures During Demolition:

1. Limits of Disturbance: If the Leasing Effort stipulated herein is unsuccessful, NPS will demolish the House within five (5) years of execution of this PA, NPS will leave the House's foundation in place, and NPS will backfill it with clean fill to ground level, leaving the foundation visible for NPS's interpretive purposes.

2. Landscaping: NPS will ensure the area around the House's foundation is made to appear compatible with the immediately surrounding Yard.

### **III. Mitigation if Demolition of the House is Pursued**

#### A. Documentation, Interpretation, and Removal from the National Register.

1. Documentation: NPS will consult with the NPS's Heritage Documentation Programs ("HDP") to determine the level and type of documentation ("Documentation") necessary, reach agreement with SHPO on such in writing, and ensure that all Documentation is completed and accepted by HDP within

three (3) years from the date of execution of this amended PA and before any efforts to demolish the House begin. NPS will ensure that copies of this Documentation are made available to the SHPO, Saint Croix Historical Society, and the Library of Congress, to be archived and made available to the public. Documentation will be housed and available to the public, at a minimum, at the SACR visitor's center. Digital versions of the Documentation will be provided by NPS to public repositories (e.g. libraries and museums) or members of the public upon written request to NPS.

2. Interpretive Site Signage: Within one (1) year of demolition of the House, NPS will develop content about the House and erect a minimum of one (1) sign in an area within NPS's custody, such as along Saint Croix Drive, near the House foundation or Orchard, or near the SACR visitor center; interpretive panels and/or waysides will meet or exceed NPS standards for outdoor interpretive displays. Draft interpretive panel plans, specifications, text, illustrations and proposed locations will be submitted to SHPO for review and comment for thirty (30) days. NPS will consider and incorporate timely received written comments into the final interpretive design and location(s), as appropriate, which will be transmitted by NPS to SHPO for their files, prior to installation.

3. Removal from the National Register: Within one (1) year of demolition, NPS will contact the Keeper of the National Register to provide written notification of the House's demolition, to remove it from the National Register.

#### B. Landscape Preservation and Salvage.

1. Landscape Preservation: NPS will ensure that, as long as the Yard is in NPS's custody, it will remain substantially unchanged, managed as lawn area with the Orchard Area, driveway, and other landscape features maintained as they are now.

2. Salvage: If NPS undertakes demolition, historic elements of the House may be desirable for salvage, including original wood flooring, windows, fixtures, fireplace mantels, and others. NPS will explore options under federal property law and work with SHPO, Maine Preservation, and other consulting parties to determine whether there is interest from local or state-wide non-profit organizations. Subject to federal property law, NPS will work with the consulting parties to identify architectural elements and create a process whereby the elements may be made available to interested parties.

## IV. Post-Review Discoveries

Although substantial ground-disturbing activity is not anticipated for this Undertaking, if archaeological resources or human remains are discovered by NPS, NPS will consult pursuant to 36 CFR § 800.13(b).

## V. Communications

NPS will continue to provide information to the public on the Undertaking at the [project website](#), including the status of public notices and review of this PA, status of leasing efforts, and, should demolition be pursued, demolition plans and mitigation efforts (e.g. agency decisions, funding, and scheduling).

For all written correspondence, NPS will allow thirty (30) calendar days to respond in writing, and if no response is received by NPS in writing, NPS will move forward in accordance with their proposed plans in the correspondence.

It is the responsibility of each Signatory and Consulting Party to immediately inform NPS of any change in name, address, email address, or phone number of any point-of-contact. NPS will maintain contact information, and will provide this information to other Consulting Parties upon request.

Communication will be sufficiently given or delivered if provided in writing and transmitted by personal messenger, certified mail, email (if desired by recipient), return receipt requested, or overnight delivery service with receipt confirmation, and addressed as follows:

1. In the case of a notice or communication to NPS:  
Saint Croix Island International Historic Site  
PO Box 247  
Calais, ME 04619  
Attn: Michael Madell, Deputy Superintendent  
In the case of a notice or communication to SHPO:
2. Maine Historic Preservation Commission  
55 Capitol Street  
Augusta, ME 04333  
Attn: Kirk F. Mohny, State Historic Preservation Officer
3. In the case of a notice or communication to ACHP:  
Advisory Council on Historic Preservation  
401 F Street NW, Suite 308  
Washington D.C. 20001-2637  
Attn: Mr. Reid Nelson, Director, Office of Federal Agency Programs
4. In the case of a notice or communication to Maine Preservation:  
Maine Preservation  
233 W. Main St.  
Yarmouth, ME 04096  
Attn: Greg Paxton, Executive Director

## **VI. Dispute Resolution**

If any Signatory objects to any actions proposed, or the manner in which the terms of this PA are implemented, NPS will consult with the objecting Signatory to resolve the objection. If NPS determines that such objection cannot be resolved, NPS will:

A. Forward all documentation relevant to the dispute, including NPS's proposed resolution, to ACHP. ACHP will provide NPS with its advice on the resolution of the objection within thirty (30) calendar days of receiving adequate documentation. Prior to reaching a final decision on the dispute, NPS will prepare a written response that takes into account any timely advice or comments regarding the dispute from ACHP and the Signatories and provide them with a copy of the written response. NPS will then proceed according to its final decision.

B. If ACHP does not provide its advice regarding the dispute within the thirty (30) day time period, NPS may make a final decision on the dispute. Prior to proceeding to implement the final decision, NPS will prepare a written response that takes into account any timely comments regarding the dispute from the Signatories to the PA, and provide them with a copy of such written response.

C. NPS's responsibilities to carry out all other actions subject to the terms of this PA that are not the subject of the dispute remain unchanged.

## **VII. Amendments**

This PA may be amended when such an amendment is agreed to in writing by all Signatories. The amendment will be effective on the date a copy is signed by all Signatories and filed with ACHP.

## **VIII. Duration**

This PA will become effective immediately upon signature of all Signatories, and a copy filed by NPS with the ACHP. As stipulated herein, if the Leasing Effort is unsuccessful, the PA will expire five (5) years from the date of execution. Prior to such time, NPS may consult with the other Signatories to reconsider the terms of the PA and amend it in accordance with Stipulation VI. If the Leasing Effort is successful, in that a lease meeting the terms stipulated herein is executed at or before the conclusion of the two (2) year period for the Leasing Effort, within thirty (30) days of lease execution, NPS will notify the Signatories and Consulting Parties in writing of the lease duration, and without requiring an amendment to this PA, the duration of this PA will be extended to cover the lease duration including possible extensions to the lease.

## **IX. Reporting**

Each year, following execution of this PA until it expires or is terminated, NPS will provide Signatories and the Consulting Parties to this PA a summary report detailing work carried out pursuant to its terms. Such report will include progress carrying out the terms of the PA, any proposed scheduling changes, any problems encountered, and any disputes received in NPS's efforts to carry out the terms of this PA. A review of the implementation of this PA for this Undertaking will be discussed at a minimum review meeting held every two (2) years between the NPS and SHPO. More frequent meetings may be appropriate based on specific circumstances in the implementation of this PA. An alternative meeting and/or reporting schedule may be established for this Undertaking, if agreed upon by all Signatories.

## **X. Termination**

If any Signatory to this PA determines that its terms will not or cannot be carried out, that party will immediately consult with the other Signatories to attempt to develop an amendment per Stipulation VI. If within thirty (30) calendar days (or another time period agreed to by all Signatories) an amendment cannot be reached, any Signatory may terminate the PA, upon written notification to the other Signatories.

Once this PA is terminated, and prior to work continuing on the Undertaking, NPS must either (a) execute another subsequent PA pursuant to 36 CFR § 800.14(b)(3) and 800. 6; or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. NPS will notify the Signatories of the course of action it will pursue.

## **EXECUTION**

of the PA by the Signatories and implementation of its terms evidences that NPS has taken into account the effects of the Undertaking on historic properties and afforded ACHP an opportunity to comment.



## **SIGNATORIES:**

### ***National Park Service***

\_\_\_\_\_ Date

Kevin B. Schneider,  
Superintendent, Acadia National Park and Saint Croix Island  
International Historic Site

### ***Maine Historic Preservation Commission***

\_\_\_\_\_ Date

Kirk F. Mohnney,  
State Historic Preservation Officer, Maine

### ***Advisory Council on Historic Preservation***

\_\_\_\_\_ Date

John M. Fowler,  
Executive Director

### ***Maine Preservation***

\_\_\_\_\_ Date

Greg Paxton,  
Executive Director

### ***List of Appendices:***

Appendix A: Area of Potential Effect in Context

Appendix B: Area of Potential Effect and Proposed Lease Area

## Appendix A: Area of Potential Effect and Context

### Saint Croix Island International Historic Site McGlashan-Nickerson House

National Park Service  
U.S. Department of the Interior



McGlashan-Nickerson House  
of Potential Effect in context  
Saint Croix Island.

Area of Potential Effect

NPS Lands

1. McGlashan-Nickerson House
2. Joshua Pettegrove House
3. Visitor Center

**Appendix B: Area of Potential Effect and Proposed Lease Area**





As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historical places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

May 2019

United States Department of the Interior – National Park Service