

Resolution No.

Date:

Army Training Facility on Boardman Lane in Middletown, CT

Whereas, the Defense Base Closure and Realignment Act of 1990 (part of DOD Authorization Act, 1991, Public Law 101-510) as Amended by the FY 05 Defense Authorization Act (P.L. 108-375) provides for the preparation of the 2005 Base Realignment and Closure (BRAC) Report, and

Whereas, the 2005 BRAC Report recommends the closure and realignment of military bases affecting the State of Connecticut and City of Middletown, and

Whereas, the Secretary of Defense recommends closure of the U.S. Army Reserve Center, Organization Maintenance Shop in Middletown; and Sgt. Libby U.S. Army Reserve Center in New Haven; and Army Reserve Area Maintenance Support Action #69 in Milford; and relocation of units to a new Armed Forces Reserve Center Organizational Maintenance Shop and Army Maintenance Support Activity ("Regional Training Center") in Middletown **if the Army is able to acquire land suitable for the construction of the facilities**, and

Whereas, the new AFRC, OMS and AMSA shall have the capability to accommodate units from the CT Army National Guard Armory in Putnam, Manchester, New Britain, and CT ARNG facility in Newington if the state decides to relocate those National Guard units in Middletown, and

Whereas, the Army Corp of Engineers indicates a need for a 184,000 sq.ft. building (2 story), a 52,000 sq.ft. building (1 story), a 32,000 sq.ft. building (1 story), parking for up to 800 civilian vehicles and parking for a significant amount of military equipment which equals a total impervious foot print of approximately 700,000 square feet or 16 acres; and

Whereas, the Army Corp of Engineers has identified a parcel of land on Boardman Lane as the site for the new facility; and

Whereas, the entire 88 acre site was immediately posted "No Trespassing" thereby eliminating the opportunity for any unbiased third party evaluations of the property; and

Whereas, the Water and Sewer Department has indicated serious concerns regarding the public water systems ability to service a project of this size and magnitude without impacting the water pressure for the remainder of the Westfield section of the city; and

Whereas, the site's only access is from a residential / local road (Boardman Lane) and the City of Middletown indicates traffic of the magnitude expected (150 full time staff and up to 800 reservists on weekends) cannot be accommodated along this residential road without significant nuisance and inconvenience to the existing residents and that the Boardman Lane / Middle Street intersection can not handle this additional traffic without significant back up; and

Whereas, the 2008 Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency indicate that Middle, Bell and Boardman Lane (at three locations) would be under water during a 100 year or larger flood event and this fact would eliminate the ability to use and mobilize from the site in the event of a 100 flood; and

Whereas, the site is over fifty percent (50%) wetlands and the non wetland areas are predominantly characterized by slopes of 15-20% with a shallow depth to bedrock; and

Whereas, extensive site grading and blasting would be necessary to create a buildable site of approximately 20 acres; and

Whereas, there would be a complete alteration, cutting, filling and destruction of almost the entire non wetland area of approximately 37 acres of currently untouched and pristine land; and

Whereas, this wetland system has been evaluated and ranked as the 5th most important wetland system within the City of Middletown; and

Whereas, the State of Connecticut's Natural Diversity Database identifies three (3) species of special concern within the property's wetland systems, including the **Eastern Box Turtle** - *Terrepena carolina* , **Sedge** - *Carex squarrosa*, and **Marsh Horsetail** - *Equisetum palustre*

Whereas, the necessary site work would entail the complete destruction of approximately two (2) acres of wetlands and extensive site work and filling within the 100 foot upland review area; and

Whereas, the site has been known as Timberlost Farm and the center chimney Colonial farmhouse on the property was built sometime between 1735 and 1770 and was the Noah Bacon homestead; and

Whereas, the Bacon family is one Middletown's founding families and the Noah Bacon Homestead is listed in the Middletown Inventory of Historical and Architectural Resources and is a registered property with the State Historical Commission; and

Whereas, the Middletown Inventory of Historical and Architectural Resources concludes *"this house has retained its original usage and relationship to its property for over two centuries, contributing to the enduring traditions of this rural section of Middletown"*; and

Whereas, if a private development of this scale and magnitude on this property were to be proposed it would face extreme difficulty receiving an approval by the Inland Wetlands and Watercourses Agency, the Planning and Zoning Commission, the State Traffic Commission and the Army Corp of Engineers; and

Whereas, the National Environmental Policy Act of 1969, as amended (attached) requires the Army to consider feasible and prudent alternatives and to carry out the policy set forth in this Act by using all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may --

1. fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
2. assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
3. attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
4. preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity, and variety of individual choice;
5. achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and

6. enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources; and

Whereas, the City of Middletown Common Council presented to the Army a feasible and prudent alternative within the City of Middletown on River Road, which was identified, using the attached predetermined site selection criteria and which minimizes environmental effects and helps achieve the above stated objectives.

Now Therefore Be It Resolved By the Common Council of the City of Middletown:

That the City of Middletown Common Council finds the proposed Boardman Lane site completely unsuitable for a new Armed Forces Reserve Center Organizational Maintenance Shop and Army Maintenance Support Activity Center; and

Be it Resolved Further: That the Council authorizes and instructs the Mayor to send letters to Middletown's Congressional delegation opposing the siting of said facility on Boardman Lane; and

Be it Resolved Further: That the Mayor is encouraged to utilize the City's lobbyist to contact Congressional staff to garner support in opposing said project; and

Be it Further Resolved: That the Common Council fully supports the Mayor's utilization of City departments and agencies to assist in preventing the use of the Boardman Lane site for the proposed Army Training Center; and

Be It Further Resolved: That the City of Middletown requests permission from the current owners and the Department of the Army and Army Corp of Engineers to access the Boardman Lane site for purposes of third party professional evaluation of the site's natural and historic characteristics; and

Be It Further Resolved: That any action(s) taken by the Army to pursue the Boardman Lane site be presented to the Middletown Inland Wetland and Watercourses Agency for approval early in the site planning and design process; and

Be it Further and Finally Resolved: That if the Army does not abandon the Boardman Lane site the City, based on the infrastructure, traffic, environmental and historic concerns, demands that a full and complete Environmental Impact Statement (EIS) be prepared for the proposed project pursuant to **The National Environmental Policy Act of 1969**, as amended.

Status:

**by Common Council, City of Middletown
at its meeting held on:**

SITE SELECTION CRITERIA

- Consistency with local Plan of Conservation and Development;
- Located in industrial zone;
- Industrial land unlikely to be developed by private sector (tax base);
- Limited impact on residential properties;
- Access to non-residential collector road;
- Isolated and secure site;
- Limited visibility from surrounding properties;
- Minimum 34 buildable acres (buildable = no wetlands, no floodplain, moderate slopes);
- Access to City water and sewer;
- Review natural Diversity Database.

The National Environmental Policy Act of 1969, as amended

(Pub. L. 91-190, 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, § 4(b), Sept. 13, 1982)

An Act to establish a national policy for the environment, to provide for the establishment of a Council on Environmental Quality, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Environmental Policy Act of 1969."

Purpose

Sec. 2 [42 USC § 4321].

The purposes of this Act are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

TITLE I

CONGRESSIONAL DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

Sec. 101 [42 USC § 4331].

(a) The Congress, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the Federal Government, in cooperation with State and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this Act, it is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may --

1. fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;
2. assure for all Americans safe, healthful, productive, and aesthetically and culturally pleasing surroundings;
3. attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;
4. preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity, and variety of individual choice;
5. achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities; and
6. enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

(c) The Congress recognizes that each person should enjoy a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

Sec. 102 [42 USC § 4332].

The Congress authorizes and directs that, to the fullest extent possible: (1) the policies, regulations, and public laws of the United States shall be interpreted and administered in accordance with the policies set forth in this Act, and (2) all agencies of the Federal Government shall --

- (A) utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making which may have an impact on man's environment;
- (B) identify and develop methods and procedures, in consultation with the Council on Environmental Quality established by title II of this Act, which will insure that presently unquantified environmental amenities and values may be given appropriate consideration in decisionmaking along with economic and technical considerations;
- (C) include in every recommendation or report on proposals for legislation and other major Federal actions significantly affecting the quality of the human environment, a detailed statement by the responsible official on --
 - (i) the environmental impact of the proposed action,
 - (ii) any adverse environmental effects which cannot be avoided should the proposal be implemented,
 - (iii) alternatives to the proposed action,
 - (iv) the relationship between local short-term uses of man's environment and the maintenance and enhancement of long-term productivity, and
 - (v) any irreversible and irretrievable commitments of resources which would be involved in the proposed action should it be implemented.

Prior to making any detailed statement, the responsible Federal official shall consult with and obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved. Copies of such statement and the comments and views of the appropriate Federal, State, and local agencies, which are authorized to develop and enforce environmental standards, shall be made available to the President, the Council on Environmental Quality and to the public as provided by section 552 of title 5, United States Code, and shall accompany the proposal through the existing agency review processes;

(D) Any detailed statement required under subparagraph (C) after January 1, 1970, for any major Federal action funded under a program of grants to States shall not be deemed to be legally insufficient solely by reason of having been prepared by a State agency or official, if:

- (i) the State agency or official has statewide jurisdiction and has the responsibility for such action,
- (ii) the responsible Federal official furnishes guidance and participates in such preparation,
- (iii) the responsible Federal official independently evaluates such statement prior to its approval and adoption, and
- (iv) after January 1, 1976, the responsible Federal official provides early notification to, and solicits the views of, any other State or any Federal land management entity of any action or any alternative thereto which may have significant impacts upon such State or affected Federal land management entity and, if there is any disagreement on such impacts, prepares a written assessment of such impacts and views for incorporation into such detailed statement.

The procedures in this subparagraph shall not relieve the Federal official of his responsibilities for the scope, objectivity, and content of the entire statement or of any other responsibility under this Act; and further, this subparagraph does not affect the legal sufficiency of statements prepared by State agencies with less than statewide jurisdiction.

(E) study, develop, and describe appropriate alternatives to recommended courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

(F) recognize the worldwide and long-range character of environmental problems and, where consistent with the foreign policy of the United States, lend appropriate support to initiatives, resolutions, and programs designed to maximize international cooperation in anticipating and preventing a decline in the quality of mankind's world environment;

(G) make available to States, counties, municipalities, institutions, and individuals, advice and information useful in restoring, maintaining, and enhancing the quality of the environment;

(H) initiate and utilize ecological information in the planning and development of resource-oriented projects; and

(I) assist the Council on Environmental Quality established by title II of this Act.

Sec. 103 [42 USC § 4333].

All agencies of the Federal Government shall review their present statutory authority, administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of this Act and shall propose to the President not later than July 1, 1971, such measures as may be necessary to bring their authority and policies into conformity with the intent, purposes, and procedures set forth in this Act.

Sec. 104 [42 USC § 4334].

Nothing in section 102 [42 USC § 4332] or 103 [42 USC § 4333] shall in any way affect the specific statutory obligations of any Federal agency (1) to comply with criteria or standards of environmental quality, (2) to coordinate or consult with any other Federal or State agency, or (3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

Sec. 105 [42 USC § 4335].

The policies and goals set forth in this Act are supplementary to those set forth in existing authorizations of Federal agencies.