MEMORANDUM OF AGREEMENT
Between
The Commonwealth of Massachusetts
And
The United States Army and National Guard Bureau

This Memorandum of Agreement ("Agreement") is made by and among the Governor of the Commonwealth of Massachusetts (the "Governor"), the United States of America, represented by the Department of the Army ("Army") and the National Guard Bureau, The Adjutant General of the Massachusetts National Guard and the Military Division of the Commonwealth, the Secretary of Environmental Affairs, the Commissioner of the Department of Fisheries, Wildlife, and Environmental Law Enforcement ("DFWELE"), the Commissioner of the Department of Environmental Management ("DEM"), the Commissioner of the Department of Environmental Protection ("DEP"), collectively referred to herein as the "Parties."

The purpose of this Agreement is to establish a long-term management structure for the northern 15,000 acres of the Massachusetts Military Reservation ("MMR") in order to ensure the permanent protection of the drinking water supply and the wildlife habitat, and to ensure that military and other activities are compatible with protection of the drinking water supply and the wildlife habitat.

WHEREAS, the Massachusetts Military Reservation ("MMR"), consisting of approximately 22,000 acres, was established by 1935 Mass. Acts c. 196; 1936 Mass. Acts c. 320; 1936 Mass. Acts. c. 344; 1941 Mass. Acts c. 5; 1955 Mass. Acts c. 655; and 1956 Mass. Acts c. 617 (collectively, the "Enabling Acts") for the purpose of the use and training of the military forces of the Commonwealth and entrusted to the jurisdiction of the Special Military Reservation Commission; and

WHEREAS, the 22,000 acres of MMR is currently leased by the Commonwealth to the United States of America until the year 2026 by three separate leases: one to the United States represented by the Department of the Army; one to the United States represented by the Department of the Air Force; and one to the United States represented by the Department of Transportation; and

WHEREAS, the northern approximately 15,000 acres are leased by the Commonwealth to the United States acting through the Department of the Army for military uses; and

WHEREAS, the Department of the Army licensed the northern 15,000 acres of the MMR to the Commonwealth, acting through the Massachusetts Army and Air National Guard (the "Massachusetts National Guard") for year-round training and support of the Massachusetts National Guard;

WHEREAS, the northern approximately 15,000 acres of the MMR are environmentally sensitive lands; and

WHEREAS, the Massachusetts Army National Guard, as the primary occupant of the northern approximately 15,000 acres of the MMR, provides operational staffing, maintenance and repair, environmental compliance and security programs for this property. The Massachusetts Army National Guard's programs for the northern 15,000 acres of the MMR include, but are not limited to, a Real Property and Maintenance program, an Integrated Training Area Management Program, environmental awareness and compliance programs, an Installation Restoration Program, an Integrated Cultural Resources Management Plan, and an Integrated Natural Resources Management Plan, all as described in more detail in Appendix 1; and

WHEREAS, pursuant to the Massachusetts Environmental Policy Act ("MEPA"), Mass. Gen. L. c. 30 §§61-62H, the Secretary of Environmental Affairs issued a Certificate in April 1997 to the Massachusetts National Guard to develop, in coordination with community participants, an environmental master plan for the future use of MMR. A second MEPA Certificate issued by the Secretary to The Adjutant General in May 1997 established a scope for the master plan effort and created a Community Working Group ("CWG") to advise the Secretary and develop a consensus vision for MMR, including public participation in environmental review of the forthcoming master plan, of specific proposed projects, and of those projects that may be developed through the master plan; and

WHEREAS, in September 1998, the CWG issued its *Master Plan Final Report*, which recommended future uses and activities at MMR. The *Master Plan Final Report* distinguished between the Cantonment Zone, where more intensive military and civilian activities may be anticipated, and the Water Supply Management Zone, which is co-extensive with the northern 15,000 acres of the MMR. The *Master Plan Final Report* described the purpose of the northern 15,000 acres as "permanent protection and coordinated management plans for water supply, wildlife habitat, and open space protection consistent with necessary and compatible military activities"; and

WHEREAS, the Final Environmental Impact Report and a subsequent informational supplement proposed a comprehensive set of Environmental Performance Standards (EPS) (Appendix 2) designed to guide all activities on the northern 15,000 acres of the MMR, and in particular training on the northern 15,000 acres. The proposed EPS received extensive review and were strengthened throughout the MEPA process. Each EPS meets or exceeds applicable regulatory standards. On July 16, 2001, the Secretary issued a Certificate finding that the Final Environmental Impact Report adequately and properly complies with MEPA, subject to the execution of an enforceable management agreement that embodies the Guiding Principles (Appendix 3); and

WHEREAS, the Parties mutually agree that a cooperative partnership between the Commonwealth and the military for the management of the northern 15,000 acres of the MMR is necessary in order to ensure the permanent protection of the drinking water supply and wildlife habitat, and to ensure that military and other activities are compatible with protection of the drinking water supply and the wildlife habitat;

NOW, THEREFORE, the Parties agree as follows:

General Responsibilities

1. All military and other activities conducted on the northern 15,000 acres of the MMR shall be conducted in accordance with all applicable federal and state environmental laws and regulations and the EPS.

2. The Massachusetts National Guard shall coordinate the activities of the various military and other users of the northern 15,000 acres of the MMR, excluding the Air Force PAVE PAWS site and the Coast Guard Transmitter site, which are addressed in paragraph 24, to ensure security and maintenance of the area.

Environmental Management Commission

3. The Governor shall establish by Executive Order an independent Environmental Management Commission ("EMC") of MMR. The Governor will file legislation to codify the EMC and its functions. The EMC shall consist of three *ex officio* members: the Commissioner of the Department of Fisheries, Wildlife, and Environmental Law Enforcement; the Commissioner of the Department of Environmental Management; and the Commissioner of the Department of Environmental Protection.

4. The purpose of the EMC shall be to ensure the permanent protection of the drinking water supply and wildlife habitat of the northern 15,000 acres of the MMR. The EMC shall ensure, by independent oversight, monitoring, and evaluation, that all military and other activities on the northern 15,000 acres are consistent with this purpose. The EMC shall oversee compliance with and enforcement of the Environmental Performance Standards (EPS); coordinate the actions of state environmental agencies in the enforcement of laws and regulations, as appropriate; and facilitate an open and public review of all activities on the northern 15,000 acres of the MMR.

Advisory Councils

5. The EMC shall be assisted by two advisory councils:

a. Community Advisory Council ("CAC"). The CAC shall be comprised of the following members: one representative of each of the towns of Falmouth, Bourne, Sandwich, and Mashpee; one family member resident of MMR; two representatives of the military; one representative of the Cape Cod Commission; one representative of the Upper Cape Regional Water Supply Cooperative; one representative of the Wampanoag Tribe; and five other members. All members shall be appointed by the Governor, provided that the

town representatives shall be recommended by the towns' respective Boards of Selectmen; the MMR family member resident shall be selected from among a list of five persons provided by the Commander of the Coast Guard Air Station Cape Cod; the military representatives shall be recommended by the Military Division of the Commonwealth; the Cape Cod Commission representative shall be recommended by the Cape Cod Commission; the Upper Cape Regional Water Supply Cooperative representative shall be recommended by the Upper Cape Regional Water Supply Cooperative; and the Wampanoag Tribe representative shall be recommended by the tribal leadership. The CAC shall assist the EMC by providing advice on issues related to the protection of the drinking water supply and wildlife habitat on the northern 15,000 acres of the MMR

b. Science Advisory Council ("SAC"). The SAC shall be appointed by the Governor and be comprised of five (5) to nine (9) scientists and engineers who are recognized for their expertise in the areas of public health, water protection, wildlife habitat management, or land use management. The SAC shall assist the EMC by providing advice on scientific and technical issues related to the protection of the drinking water supply and wildlife habitat on the northern 15,000 acres of the MMR.

Environmental Officer

6. The EMC shall designate a state employee to serve as the MMR Environmental Officer ("EO") and may designate such additional persons as may be necessary to carry out the activities of the Commission. The EO shall report to the EMC. The duties and responsibilities of the EO shall be to monitor the activities being conducted on and the uses of the northern 15,000 acres of the MMR and the impact of such activities and uses on the drinking water supply and wildlife habitat of the northern 15,000 acres of the MMR. The EO shall also coordinate with appropriate personnel from DFWELE, DEM, and DEP to monitor and evaluate the environmental impact of activities conducted on and uses of the northern 15,000 acres of the MMR. The Massachusetts National Guard shall provide the EO with office space located within the Environmental Readiness Center (ERC) or other such location on the MMR as may be appropriate to carry out the EO's duties. The Massachusetts National Guard shall designate an individual as its representative and liaison to the EMC.

Access and Information

7. EMC, DFWELE, DEM, and DEP personnel shall have access to the northern 15,000 acres of the MMR in order to monitor, oversee, evaluate, and report to the EMC on the environmental impact of military training and all other activities. Such access shall be allowed prior to, during, and immediately following training or other activities upon proper notice and in accordance with Camp Edwards Standard Operating Procedures (SOP), regulations, and security requirements.

8. The Massachusetts National Guard and the Army shall allow the EO, acting on behalf of the EMC, regular and unrestricted access to all data and information from the various environmental and management programs and activities operating on Camp Edwards. These programs and activities include, but are not limited to, the Integrated Training Area Management Program

(ITAM); the Integrated Natural Resources Management Plan (INRMP); the Integrated Cultural Resources Management Plan (ICRMP); Camp Edwards SOPs; and any other program or activity created by the Army or the Massachusetts National Guard for the purpose of managing or maintaining the northern 15,000 acres of the MMR. Access to data and information shall not include restricted or classified information, unless the EO obtains the appropriate level of security clearance. The Army and the Massachusetts National Guard shall use its best efforts to assist the EO in obtaining the appropriate level of security clearance. The Massachusetts National Guard shall also submit all draft and final Impact Area Ground Water Study Reports to the EMC for information, as soon as such reports become available.

Annual State of the Reservation Report

9. The Massachusetts National Guard shall submit to the EMC, with copies to the SAC and CAC, the Annual State of the Reservation Report, required by Mass. Gen. L. c. 30, §61, describing in detail: (a) the nature and extent of military training and other activities; (b) all resource management activities and projects; (c) the status of compliance with applicable federal and state environmental laws and regulations and the EPS; and (d) long-term trends in the major areas of resource management and activities. The Massachusetts National Guard shall make the Annual Report publicly available. This report shall be based primarily upon the management programs referenced in paragraph 8.

Notification Requirements

10. The Massachusetts National Guard shall notify the EMC, in writing and within two (2) business days after discovery, of any violation of an EPS. The notification shall include the nature and extent of the violation and any corrective action that has been taken or will be taken to return to compliance. With respect to a violation of federal or state law that is reported to or by a state or federal agency, the Massachusetts National Guard shall provide the EMC with a copy of any such notice provided to or by the federal or state agency.

11. The Massachusetts National Guard shall also notify the EMC, in writing and within two (2) business days after discovery, of any damage or threat of damage to the drinking water supply or wildlife habitat, even if the damage results, or may result from, an activity that is otherwise compliant with law, regulation, or EPS. Damage shall not include any insignificant damage to these resources.

EMC Actions and Enforcement

12. The EMC shall evaluate all information and data regarding the activities and uses of the northern 15,000 acres of the MMR and the environmental impacts upon the drinking water supply and wildlife habitat of the northern 15,000 acres of the MMR and may take appropriate action. The EMC may consult with the SAC, CAC, or other entities in evaluating such information and in taking such action.

13. If the EMC determines that a user has violated or is violating an EPS, the EMC will notify the violator of the violation and may: (1) in the case of an imminent and substantial damage,

order such activity to cease immediately, or require adjustments in the activity to eliminate the imminent and substantial damage or threat of damage; or (2) in all other cases, require the violator to return to compliance within a reasonable time and to notify the EMC of the corrective action taken, including steps to ensure future compliance. Repeat or willful violations of an EPS may result in sanctions up to and including cessation of activities.

14. The state environmental agencies on the EMC retain all their respective, independent enforcement authority. In response to an enforcement action brought by one of the state environmental agencies, including DFWELE, DEM, and DEP, members of the EMC shall work together to implement coordinated actions at the MMR. In order to avoid, minimize, and mitigate any negative impacts, they shall, in good faith and where appropriate, seek comment and input from one another, the military, and the public before issuing decisions or taking actions at the MMR.

15. If the EMC determines, based upon sound and accepted scientific analysis and evidence, that an activity that is otherwise compliant with law, regulation, or EPS is causing or threatens to cause imminent and substantial damage to the drinking water supply or wildlife habitat of the northern 15,000 acres of MMR, the EMC may: (1) order such activity to cease immediately; or (2) require adjustments in the activity to eliminate the imminent and substantial damage or threat of damage.

Cessation of Activities

16. The Massachusetts National Guard, the Army, and any other user of MMR shall immediately cease or adjust any activity that, in the determination of the Massachusetts National Guard or the EMC, causes or threatens to cause imminent and substantial damage to the drinking water supply or the wildlife habitat of the northern 15,000 acres of the MMR.

Adjustment to Environmental Performance Standards

17. After consultation with the SAC and CAC, the EMC may adjust EPS based upon sound and accepted scientific analysis, monitoring data, and other relevant information. The proponent of any adjustment shall bear the burden of justifying the proposed adjustment and demonstrating that the proposed adjustment is protective of the drinking water supply and wildlife habitat. If the EMC determines that a proposed adjustment may be warranted and does not significantly reduce the standard of environmental protection, it shall publish a notice of availability of the proposed adjustment to the EPS in the *Environmental Monitor*, furnish copies to all members of the CAC and SAC, and accept public comment for a period of at least 30 days following the publication date. Thereafter, the proposed EPS will become effective on a date determined by the EMC. The EMC shall not consider adjustments to the EPS prior to submission of the first State of the Reservation Report, required under paragraph 9 above and to be filed on or about 1 January 2003, unless such an adjustment is necessary to abate an imminent and substantial damage or for national security reasons.

Compliance

18. The military agrees to comply with all decisions and orders of the EMC, provided such decisions or orders do not conflict with federal or state law.

Administrative Process and Reconsideration

19. Prior to issuing an order or deciding an issue that does not involve an imminent and substantial damage, the EMC shall provide the military with an opportunity to be heard.

20. If the EMC issues an order to cease or adjust an activity to avoid imminent and substantial damage, the EMC shall provide the military an opportunity to be heard on the matter within two (2) business days after issuing the order.

21. In the case of an order to abate an activity that causes or threatens to cause imminent and substantial damage to the drinking water supply or wildlife habitat, the Parties agree that the activity shall cease during the pendency of any request for reconsideration.

22. The military may request reconsideration of any decision or order of the EMC by submitting its concerns in writing. The EMC will consider all such requests. The EMC shall reconsider its decision or order, in light of all relevant information, and either affirm, amend, or reverse its decision or order and so indicate in writing within 30 days, unless such time is further extended by mutual agreement of the Parties.

Assumption of Duties

23. In the event the Massachusetts National Guard's license is terminated, the duties and obligations of the Massachusetts National Guard under this Agreement shall be assumed by the Army or any subsequent licensee of the northern 15,000 acres of the MMR.

Exclusion of PAVE PAWS and Coast Guard Transmitter Sites

24. This MOA shall not in any way affect the powers, rights, duties, and liabilities of the Parties with respect to the PAVE-PAWS site or the U.S. Coast Guard Transmitter site:

a. The PAVE-PAWS site, so called, consisting of approximately 87 acres as described in permit # DACA 51-4-81-475 issued by the U.S. Department of the Army to the U.S. Department of the Air Force; said site being a portion of land owned by the Commonwealth and leased to the United States of America, represented by the Department of the Army, as described in its lease contract # DACA 51-5-77-127 and associated supplemental lease agreements,

b. The United States Coast Guard Transmitter site, so called, consisting of approximately 542 acres and shown as "Parcel P" on a plan of land titled "Compiled Plan Showing Leased Areas at Camp Edwards Military Reservation," scale 1"= 2000', dated September 30, 1982, and prepared by the United States Army Corp of Engineers; said site being a portion of land owned by the Commonwealth and leased to the United States of America, represented by the Department of Transportation,

United States Coast Guard, as described in its lease document #34836, dated July 1, 1976.

Funding

25. The Parties agree to seek sufficient funding through their budgetary processes in order to share the costs of implementing this Agreement.

Anti-Deficiency Act

26. Any requirement for the payment or obligation of funds established by the terms of this Agreement shall be subject to the availability of appropriated funds, and no provision herein shall be interpreted to require obligation or payment of funds in violation of the Anti-Deficiency Act, 31 U.S.C §1341.

Amendment, Modification, and Termination of Agreement

27. This Agreement may be amended or modified solely upon the written consent of all Parties. Such amendments or modifications shall have as the effective date that date on which they are signed by all Parties and notice thereof is provided to each signatory. This Agreement shall remain in effect for as long as the Army continues to lease the northern 15,000 acres of the MMR, unless sooner terminated upon the mutual agreement of the Parties.

Other Claims

28. Nothing in this Agreement shall be construed to create any rights in, or grant any cause of action to, any person not a Party to this Agreement.

Enforceability

29. In addition to the rights and obligation arising under this Agreement, the Parties retain their rights and obligations under law. This Agreement shall be enforceable in accordance with applicable laws and regulations in any court of competent jurisdiction.

SIGNATURE PAGE FOLLOWS

NOW, THEREFORE, this 4th day of October 2001, the Parties so agree:

Commonwealth of Massachusetts

Jane Swift
Governor

Department of the Army

Raymond J. Fatz
Deputy Assistant Secretary of the Army
(Environment, Safety & Occupational Health)
Office of the Assistant Secretary of the Army
(Installations & Environment)

Bob Durand
Secretary
Executive Office of Environmental Affairs

Russell C. Davis
Lieutenant General, USAF
Chief, National Guard Bureau

George W. Keefe
Brigadier General, USAF
The Adjutant General of the Massachusetts National Guard
and the Military Division of the Commonwealth

David M. Peters
Commissioner
Department of Fisheries, Wildlife, and
Environmental Law Enforcement

Peter C. Webber
Commissioner
Department of Environmental Management

Lauren A. Liss
Commissioner
Department of Environmental Protection

APPENDIX 1

Environmental Management Programs

These standards will be implemented through the applicable military environmental and land management programs. Those programs start from the broadest and most comprehensive management plans and move throughout the full hierarchy of users and management down to the specific actions required from each user. The principal environmental and land management programs that the military and the users of the Massachusetts National Guard properties follow are:

1. Integrated Natural Resources Management Plan. In accordance with the Federal Sikes Act, Army Regulation AR 200-3, and Department of Defense Instruction 4715.3, an Integrated Natural Resources Management Plan is required to guide management of the natural resources at military installations. The creation of this Plan is currently in progress.

2. Integrated Land Use Management Plan. This Plan is similar to the Integrated Natural Resources Management Plan, but is the Air National Guard's equivalent for airfields and associated land areas where natural resources are limited and field training areas are not a significant portion of the facility. In the case where more significant natural resources exist, the Air Guard has the option of developing an Integrated Natural Resources Management Plan as the preferred management plan.

3. Massachusetts Military Reservation Groundwater Protection Policy. The Groundwater Protection Policy is equivalent to a municipal wellhead protection (Zone II) zoning regulation. However, because of the unique conditions of management and control of the Massachusetts Military Reservation commands, the Groundwater Protection Policy goes beyond the Department of Environmental Protection's recommended standard regulation to include specific operating and management actions to further protect the groundwater resources.

4. Integrated Training Area Management Program. The Integrated Training Area Management Program establishes a systematic framework for decision-making and management of Army training lands. It integrates elements of operational, environmental, master planning, and other programs that identify and assess land use alternatives. The Integrated Training Area Management Program also supports sound natural and cultural resources management practices and stewardship of land assets, while sustaining those assets to support training, testing, and other installation missions. There are four components to the program:

5. Integrated Cultural Resources Management Plan. This Plan complements other management plans, such as the Integrated Natural Resources Management Plan. The Plans identifies known cultural resources, such as historic buildings and other structures, archaeological sites, and traditional cultural properties. The Integrated

Cultural Resources Management Plan also identifies potential conflicts between the installation's mission and cultural resources, and identifies compliance actions necessary to maintain the availability of mission essential properties. Another component is ensuring government-to-government consultations with federally recognized Indian tribes are initiated. The Integrated Cultural Resources Management Plan meets stewardship responsibilities by protecting and managing sensitive cultural resources, while supporting mission readiness.

6. Camp Edwards Range Regulations. All military areas are covered by regulations regarding the use and activities at those locations. The regulations are comprehensive in that they apply to all actions from the initial coordination between the user and the Training Command to the closure of the activity and confirmation of proper conduct during the activity.

7. Standard Operating Procedures. All military training activities are judged by conformance to a set of standardized actions set down in the Training Manuals issued to all trainers and leaders. Each activity or action requires compliance with the standardized procedures to ensure completion of the task to a minimum standard. These Standard Operating Procedures include actions that protect against accidents, which could cause environmental damage.

8. Environmental Approvals. The implementation of the military training and environmental management strategy is contingent on the approval of the environmental agencies under the mandated reviews. This will entail completion of the National Environmental Policy Act process and documentation before initiation.

9. Environmental Investigations and Remediation. The Massachusetts Military Reservation, with external oversight, has been the subject of investigations and remediation efforts aimed at identifying and remediating environmental conditions caused by past practices. Within the Camp Edwards Training Areas, the program involves the Impact Area Groundwater Study. These program activities take precedent over other potentially competing activities.

10. Groundwater Development for Public Water Supplies. The regional Upper Cape Water Supply Cooperative is actively involved in the process of developing groundwater supplies for public distribution to the base users and the surrounding towns, supported in part by the National Guard Bureau. The activities associated with this program also take precedent over other potentially competing activities.

APPENDIX 2

Environmental Performance Standards For Massachusetts National Guard Properties At The Massachusetts Military Reservation

Camp Edwards Training Area General Performance Standards

None of the banned military training activities will be allowed in the Camp Edwards Training Areas. The restrictions fall into two categories:

- Live weapon fire limitations:
  - It is not allowed outside of the established ranges.
  - Blank ammunition for small arms may be used in areas outside of the ranges, as appropriate.
  - Lead-bullet ammunition is prohibited from all training areas.

- Banned military training activities:
  - Artillery live fire
  - Mortar live fire
  - Demolition live fire training
  - Artillery bag burning
  - Non-approved digging, deforestation or vegetative clearing
  - Use of "CS," riot control, or tear gas for training outside the NBC bunkers
  - Use of field latrines with open bottoms
  - Vehicle refueling outside designated Combat Service Area and Fuel Pad locations
  - Field maintenance of vehicles above operator level

All users of the Camp Edwards Training Area must comply with the provisions of the Groundwater Protection Policy and any future amendments or revisions to the restrictions and requirements. These will apply to all uses and activities within the overlays relative to Wellhead Protection, Zone II's within the Cantonment Area, and the Camp Edwards Training Areas.

Protection and management of the groundwater resources in the Camp Edwards Training Area will focus on the following:

- Development of public and Massachusetts Military Reservation water supplies.
- Preservation and improvement of water quality and quantity (recharge).
- Activities compatible with the need to preserve and develop the groundwater resources.

Development of water supplies will be permitted within the Camp Edwards Training Area after review and approval by the managing agencies, principally the Department of the Army and its divisions, together with the Massachusetts Department of Environmental Protection, and the Massachusetts Division of Fish and Wildlife.

All phases of remediation activities will be permitted within the Camp Edwards Training Area after review and approval by the managing agencies, principally the Department of the Army and its divisions, together with the federal and state agencies who will have jurisdiction for remediation.

Protection and management of the vegetation of the Camp Edwards Training Area for focus on the following:

- Preservation of the habitat for federal- and state-listed rare species and other wildlife.
- Preservation of the wetland resource areas.
- Activities compatible with the need to manage and preserve the vegetative resources.
- Realistic field training needs.
- Identification and restoration of areas impacted by training activities.

Each user will be responsible for proper collection, management, and disposal of the wastes they generate, as well for reporting on those actions.

Use and application of hazardous materials or disposal of hazardous waste shall be prohibited except as described in the Groundwater Protection Policy.

Vehicles are only authorized to use the existing network of improved and unimproved roads, road shoulders, ranges and bivouac areas, except where necessary for land rehabilitation and management, water supply development, and remediation, or where roads are closed for land rehabilitation and management.

Goals for the Adaptive Ecosystem Management approach to management of the Camp Edwards properties will be as follows:

- Management of the groundwater for drinking water resources.
- Conservation of endangered species.
- Management of endangered species habitat for continuation of the species.
- Ensuring compatible military training activities.
- Allowing for compatible civilian use.
- Identification and restoration of areas impacted by training activities.

The Environmental Performance Standards will be incorporated into the programs and regulations of the Massachusetts National Guard as follows. Those standards relating to natural resources management shall be incorporated as standards into each of the state and federal environmental management programs and attached as an appendix or written into the documentation accompanying the plan or program. All the Environmental Performance Standards will be attached to the Integrated Training Area Management Plan 'Trainer's Guide' and to the Camp Edwards Range Regulations. Modification of the Standards Operating Procedures will include review and conformance with the Environmental Performance Standards for trainers and soldiers at Camp Edwards.

Specific Resource Performance Standards in the Camp Edwards Training Area

1. Groundwater Resources Performance Standards

1.1. All actions, at any location within the Camp Edwards Training Areas, must preserve and maintain groundwater quality and quantity, and protect the recharge areas to existing and potential water supply wells. All areas within Camp Edwards Training Areas will be managed as State Zone II, and, where designated, Zone I, water supply areas.

1.2. The following standards shall apply to designated Wellhead Protection Areas:

- The 400-foot radius around approved public water supply wells will be protected from all access with signage. That protection will be maintained by the owner and/or operator of the well, or the leaseholder of the property.
- No new stormwater discharges may be directed into Zone I areas.
- No inground septic system will be permitted within a Zone I area.
- No solid wastes may be generated or held within Zone I areas except as incidental to the construction, operation, and management of a well.
- Travel in Zone I areas will be limited to foot travel or to vehicles required for construction, operation, and maintenance of wells.
- No new or existing bivouac activity or area shall be located within a Zone I area.
- All other areas will be considered as Zone II designated areas and will be subject to the standards of the Groundwater Protection Policy.

1.3. Land-use activities that do not comply with either the state Wellhead Protection regulations (310 CMR 22.00 et seq.) or the Groundwater Protection Policy are prohibited.

1.4. All activities will support and not interfere with either the Impact Area Groundwater Study and/or the Installation Restoration Program. All activities shall conform to the requirements of Comprehensive Environmental Response, Compensation and Liability Act, the Massachusetts Contingency Plan, and the Safe Drinking Water Act.

1.5. Extraction, use, and transfer of the groundwater resources must not degrade [e.g. draw down surface waters] in freshwater ponds, vernal pools, wetlands, and marine waters, unless properly reviewed, mitigated, and approved by the managing and regulating agencies.

1.6. Land uses and activities in the Camp Edwards Training Areas will meet the following standards:

- Will conform to all existing and applicable federal, state and local regulations.
- Must be able to be implemented without interference with ongoing remediation projects.
- Allow regional access to the water supplies on the Massachusetts Military Reservation.

1.7. The following programs and standards will be used as the basis for protecting groundwater resources in the Camp Edwards Training Areas:

- Groundwater Protection Policy.
- Federal and Department of Defense environmental programs: Integrated Natural Resources Management Plan, Integrated Training Area Management Program, Range Regulations, Spill Prevention Control and Countermeasures Plan (or equivalent), Installation Restoration Plan, Impact Area Groundwater Study, or other remediation programs.

- State and federal laws and regulations pertaining to water supply.

2. Wetlands and Surface Water Performance Standards

2.1 Since there are relatively few wetland resources found at the Massachusetts Military Reservation, and since they are important to the support of habitat and water quality on the properties, the minimum standard will be no net loss of any of the wetland resources or their 100-foot buffers,

2.2 Land uses and activities will be managed to prevent and mitigate new adverse impacts and eliminate or reduce existing conditions adverse to wetlands and surface water resource areas. Impacts from remediation activities may be acceptable with implementation of reasonable alternatives.

2.3 Wetland area management priorities:

- Protection of existing wetland resource areas for their contributions to existing and potential drinking water supplies.
- Protection of wetlands for rare species and their habitats.
- Protection of human health and safety.

2.4 Activities will be managed to preserve and protect wetlands and vernal pools as defined by applicable, federal, state, and local regulations. These activities will include replacement or replication of all wetland resource buffer areas, which are lost after completion of an activity or use.

2.5 All land altering activities within 100 feet of a certified vernal pool must be reviewed before commencement by the Massachusetts Department of Environmental Protection/Wetlands Unit and the Natural Heritage and Endangered Species Program within the Division of Fish and Wildlife for impacts to wildlife and habitat. The certification of vernal pools will be supported by the on site personnel and will proceed with the assistance of the appropriate state agencies.

2.6 All new uses or activities will be prohibited within the wetlands and their 100-foot buffers, except those associated with an approved habitat enhancement or restoration program; those on existing improved and unimproved roads where appropriate sediment and erosion controls are put in place prior to the activity; or those where no practicable alternative to the proposed action is available. No new roads should be located within the 100-foot buffers. Existing roads within such buffers should be relocated provided that:

- The relocation does not cause greater environmental impact to other resources.
- There are funds and resources allocated for resource management and that those resources are approved and available for the relocation.

2.7 During the period of 1March to 15 June, roads within 500 feet of all wetlands will be closed to vehicle access to protect the migration and breeding of herptiles, with the following exceptions:

- The primary roads - Frank Perkins, Burgoyne, Gibbs and Greenway Roads will not normally be closed during this period.
- Emergency response and environmental management activities will not be restricted.

2.8 No new bivouac area shall be located within 500 feet of any wetland. Any existing bivouac within a wetland buffer shall be relocated provided there are funds and resources allocated for the relocation.

3. Rare Species Performance Standards

3.1 As the Natural Heritage and Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife has identified the entire Massachusetts Military Reservation as State Priority Habitat for state-listed species (version dated 2000-2001), all activities and uses must comply with the Massachusetts Endangered Species Act and its regulations.

3.2 Where activities and uses are not specifically regulated under the Camp Edwards Training Area Range and Environmental Regulations, including these Environmental Performance Standards, the MMR Environmental and Readiness Center must review the activities for conformance with the Integrated Natural Resource Management Plan, and shall consult with the Natural Heritage and Endangered Species Program regarding potential impacts to state-listed species.

3.3 All activities impacting rare species habitat must be designed to preserve or enhance that habitat as determined by the MMR Environmental and Readiness Center in consultation with the Natural Heritage and Endangered Species Program.

3.4 Users are prohibited from interfering with state and federal listed species.

3.5 Users will report all sightings of recognized listed species, e.g. box turtles, within any area of the Massachusetts Military Reservation.

4. Soil Conservation Performance Standards

4.1 Activities and uses must be compatible with the limitations of the underlying soils. Limitations on uses and activities may be made where the soils or soil conditions would not support the activity.

4.2 Agricultural soil types will be preserved for future use.

4.3 Any perennial or intermittent stream identified by the Environmental & Readiness Center will be protected from siltation by retaining undisturbed vegetative buffers to the extent feasible.

4.4 Cultural resource evaluations must be completed before any earth-moving operation may take place in undisturbed areas with high potential for cultural resources, and earth moving may be limited to specific areas (See Cultural Resource Performance Standards).

4.5 An erosion control analysis will be made part of the land management programs (Integrated Natural Resource Management Plan, the Integrated Training Area Management Program, Range Regulations, Civilian Use, and Standard Operating Procedures) for the Camp Edwards Training Area, including appropriate mitigation measures where existing or potential erosion problems are identified.

4.6 For all improved and unimproved roads, ditches and drainage ways:

- All unimproved roads, ditches, roads and drainage ways identified for maintenance will be cleaned of logs, slash and debris.
- Unimproved roads and roads may not otherwise be improved unless approved for modification.
- Any trail, ditch, road, or drainage way damaged by activities will be repaired in accordance with the hazard and impact it creates.

4.7 Erosion-prone sites will be inspected periodically to identify damage and mitigation measures.

5. Vegetation Management Performance Standards

5.1 All planning and management activities impacting vegetation

- Will ensure the maintenance of native plant communities, and
- Shall be performed to maintain the biological diversity.

5.2 Revegetation of disturbed sites will be achieved by natural and artificial recolonization by native species.

5.3 Timber harvesting or clear-cutting of forested areas should not occur on steep slopes with unstable soils or within the buffers to wetland resources.

5.4 Vegetation management will be subject to a forest management and fire protection program prepared by the users in accordance with federal standards, and carried out in a manner acceptable to the Massachusetts Military Reservation Committee and other state agencies or commissions, as may be designated by the Commonwealth of Massachusetts.

6. Habitat Management Performance Standards

6.1 The Camp Edwards Training Area will be managed as a unique rare species and wildlife habitat area under an adaptive ecosystem management program that integrates ecological, socio-economic, and institutional perspectives, and which operates under the following definitions:

- Adaptive means making decisions as part of a continual process of monitoring, reviewing collected data, and responding with management actions as dictated by the resulting information and needs of the system.
- Ecosystem means a system-wide understanding of the arrangements of living and non-living things, and the forces that act upon and within the system.
- Management entails a multi-disciplinary approach where potentially competing interests are resolved with expert analysis, user and local interest considerations, and a commitment to compromise interests when the broader goal is achieved to manage the Camp Edwards Training Area as a unique wildlife habitat area.

6.2 The adaptive ecosystem management program will include:

- Coordinated documentation for the management programs, Integrated Natural Resource Management Plan, the Integrated Training Area Management Program, Range Regulations, Civilian Use, and Standard Operating Procedures.

- The Massachusetts National Guard Environmental and Readiness Center staff and necessary funding to support its ecosystem management plans, as related to the amount of training occurring.
- Cooperative agreements to create a management team of scientific and regulatory experts.
- Long-term land maintenance, monitoring of resources and trends, study and analysis.
- Recovery plans for species and habitats identified for improvement.
- Consultation with Federal and State agencies charged with oversight of the Endangered Species Program before any actions that may affect state and federal-listed species habitat.
- Reduction of adverse impacts to the maximum extent possible, including consideration for the relocation of the activity or encouraging only those activities that result in meeting a habitat management goal.
- Habitat management activities designed to promote protection and restoration of native habitat types.

7. Wildlife Management Performance Standards

7.1 Native wildlife habitats and ecosystems management will focus on the following:
- Protecting rare and endangered species, and,
- Maintaining biodiversity.

7.2 Hunting, recreation and educational trips must be approved, scheduled, planned, and supervised through Range Control.

7.3 Any activity or use will prioritize protection of life, property, and natural resource values at the boundaries of the Camp Edwards Training Area where wildlife interfaces with the surrounding built environment.

7.4 Wildlife management will include the following actions, specific to the species targeted for management:
- Development and implementation of a plan to monitor hunting of game species.
- Planning for multi-use objectives for recreation and hunting that incorporate public input and recommendations.
- Development of suitable monitoring programs for federal and state-listed species, and regular exchange of information with the Natural Heritage and Endangered Species Program.

8. Air Quality Performance Standards

8.1 All uses and activities will be responsible for compliance with both the State Implementation Plan for Air Quality and the Federal Clean Air Act.

8.2 Air quality management activities will include air sampling if required by regulation of the activity.

9. Noise Management Performance Standards

9.1 Noise management activities shall conform to the Army's Environmental Noise Management Program policies for evaluation, assessment, monitoring, and response procedures.

10. Pest Management Performance Standards

10.1 Each user will develop and implement an Integrated Pest Management Program to control pest infestations that may include outside contracting of services. Non-native biological controls should not be considered unless approved by federal and state agencies.

10.2 Each user will be held responsible for management of pests that threaten rare and endangered species, or are exotic and invasive species. Invasive plant species that may be considered pest species are those defined by the United States Fish and Wildlife Service and the Massachusetts Natural Heritage and Endangered Species Program of the Division of Fisheries and Wildlife office. Site-specific analysis will be performed before implementation of any proposed pest management plans.

10.3 Pest vegetation control must be balanced against environmental impact and any proposed pest management activities, including the use of herbicides and mechanical methods, within rare species habitat areas must be approved by the Natural Heritage and Endangered Species Program, or in the case of federally-listed species, by the United States Fish and Wildlife Service.

10.4 Only herbicide formulations approved by the United States Environmental Protection Agency, the Department of Agriculture, the agency managing the user, and the Commonwealth of Massachusetts may be applied.

10.5 Herbicides and pesticides will not be applied by aerial spraying unless required by emergency conditions and approved under applicable state and federal regulations.

11. Fire Management Performance Standards

11.1 All activities and uses shall manage, prevent, detect, and suppress fires on the Camp Edwards Training Area in coordination with the local and state fire services and natural resource managers in the Environmental & Readiness Center.

11.2 Prescribed burns will be used as a habitat management and fire prevention tool. Prescribed burns will be used to reduce natural fire potential and create or maintain diverse and rare species habitat.

11.3 Pre-suppression activities will include strategic firebreaks and other management of vegetation in high-risk and high-incidence areas. The Integrated Natural Resource Management Plan Fire Management Plan will be consulted for proposed actions.

11.4 Other than the above, no open fires are allowed.

12. Stormwater Management Performance Standards

12.1 All stormwater facilities shall comply with the State Department of Environmental Protection Guidelines for Stormwater Management, including Best Management Practices and all other applicable standards for control and mitigation of increased stormwater flow rates and improvement of water quality.

12.2 All increases in stormwater runoff will be controlled within the user's property.

12.3 No new stormwater discharges will be made directly into wetlands or wetland resource areas.

13. Wastewater Performance Standards

13.1 All wastewater and sewage disposal will be in conformance with the applicable Federal and Massachusetts Department of Environmental Protection agency regulations.

14. Solid Waste Performance Standards

14.1. All solid waste streams (i.e., wastes not meeting the criteria for hazardous wastes) will be monitored and managed to substitute, reduce, recycle, modify processes, implement best management practices, and/or reuse waste, thereby reducing the total tonnage of wastes.

14.2. All users will be held responsible for collection, removal and disposal outside of the Camp Edwards Training Areas of solid wastes generated by their activities.

14.3 All users must handle solid wastes using best management practices to minimize nuisance odors, wind-blown litter, and attraction of vectors.

14.4 No permanent disposal of solid waste within the Groundwater Protection Policy area/Camp Edwards field training areas will be permitted.

15. Hazardous Materials Performance Standards

15.1 Where they are permitted, use and application of hazardous materials shall be otherwise minimized in accordance with pollution prevention and waste minimization practices, including material substitution.

15.2 No permanent disposal of hazardous wastes within the Groundwater Protection Policy area/Camp Edwards field training areas will be permitted.

<u>15.3 Fuel Management</u>

15.3.1 Spill Prevention, Control, and Countermeasure Plan, is in place to reduce potential for a release. Camp Edwards Spill Response Plan is in place to respond to a release if an event should occur. All users will comply with these plans at the Camp Edwards Training Area.

15.3.2 If found, non-complying underground fuel storage tanks, will be removed in accordance with state and federal laws and regulations to include remediation of contaminated soil.

15.3.3 No storage or movement of fuels for supporting field activities, other than in vehicle fuel tanks, will be permitted except in approved containers no greater than five gallons in capacity.

15.3.4 New storage tanks are prohibited unless they meet the following requirements:

- Are approved for maintenance heating, or, permanent emergency generators and limited to propane or natural gas fuels.
- Conform to the Groundwater Protection Policy and applicable codes.

15.4 Non-fuel Hazardous Material Storage

15.4.1 No storage above those quantities necessary to support field training activities will be allowed within the Camp Edwards Training Area, except where necessary to meet regulatory requirements, and where provided with secondary containment.

15.4.2 When required by applicable regulation, the user shall implement a Spill Prevention, Control and Containment/Emergency Response or other applicable response plan.

16. Hazardous Waste Performance Standards

16.1 All uses shall comply with applicable local, state, and federal regulations governing hazardous waste generation, management, and disposal (including overlays relative to Wellhead Protection, Zone II's within the Cantonment Area).

16.2 Accumulations of hazardous waste shall be handled in accordance with regulations governing accumulation and storage.

16.3 Existing facilities must implement pollution prevention and waste minimization procedures (process modifications, material substitution, recycling, and best management practices) to minimize waste generation and hazardous materials use.

16.4 Occupants and users will be held responsible for removing all solid or hazardous wastes generated during the period of use/tenancy/visitation upon their departure or in accordance with other applicable or relevant regulations.

16.5 Remedial activities undertaken under the Installation Restoration Program, the Impact Area Groundwater Study Program, the Massachusetts Contingency Plan, or other governing remediation programs are exempt from additional regulation (e.g., waste generation volume limits). Removal, storage, and disposal of contaminated material are required to comply with all state, and federal regulations.

16.6 Post-remedial uses and activities at previously impacted sites will be allowed in accordance with terms and conditions of the applicable regulations.

16.7 All hazardous wastes will be transported in accordance with federal Department of Transportation regulations governing shipment of these materials.

16.8 Transport shall reduce the number of trips for transfer and pick-up of hazardous wastes for disposal to extent feasible. This may include planning appropriate routes that minimize proximity to sensitive natural resource areas, and reducing internal transfers of material, including transfers from bulk storage tanks to drums, tankers, carboys, or other portable containers or quantities.

16.9 No permanent disposal of hazardous wastes within the Groundwater Protection Policy area/Camp Edwards field training areas will be permitted.

17. Vehicle Performance Standards

17.1 Vehicles within the Camp Edwards Training Area will be limited to the existing improved and unimproved road system except where required for natural resource management or property maintenance or where off-road activity areas are located and approved by the Environmental and Readiness Center in consultation with the Massachusetts Division of Fisheries and Wildlife.

17.2 Unimproved, established access ways will be limited to use by vehicles in accordance with soil conditions as described in the Soil Conservation Performance Standards.

17.3 The number of military and civilian vehicles within the Camp Edwards Training Area will be controlled using appropriate scheduling and signage.

18. General Use and Access Performance Standards

18.1 General User Requirements. Requirements that will apply to all users, both public and private, in the Camp Edwards Training Area include the following:

- All acts that pollute the groundwater supply are prohibited.
- No litter or refuse of any sort may be thrown or left in or on any property.
- All users will be held responsible for providing, maintaining, and removing closed-system, sanitary facilities necessary for their use and activity.
- No person shall wade or swim in any water body except for activities approved by the Massachusetts National Guard including remediation, scientific study, or research.
- Vehicles may only be driven on roads authorized and designated for such use and parked in designated areas, and may not cross any designated wetland.
- Public users may not impede the military training activities.

18.2. Civilian Use Manual. To guide public conduct on the Massachusetts Military Reservation, a Civilian Use Manual will be prepared and periodically updated. All civilian users will obtain and follow this Manual.

18.3. Siting and Design Performance Standards

18.3.1 New or expanded buildings should not be proposed within the Camp Edwards Training Areas, with the following exceptions:

- Buildings to support allowed training, operations and activities, including upgrading of those facilities currently in place,
- Buildings used for the purposes of remediation activities,
- Buildings used for the purposes of development, operation and maintenance of water supplies,
- Buildings used for the purpose of natural resource and land management.

Cantonment Area General Performance Standards

All users meeting applicable thresholds must have a Spill Prevention, Control and Countermeasures Plans, or equivalent, as may be amended and adopted in accordance with section 311 of the Clean Water Act, containing regulatory restrictions for handling potential polluting materials and laying out emergency responses to accidents within all areas of operation.

Remediation activities and development of uses and activities outside the wetland areas and their buffers will be designed to protect, and where possible, restore wetland and surface water resource areas.

Development within the Cantonment Area will include approved erosion and sediment controls both during construction and as needed for long-term maintenance of the property.

All disturbances and revegetation activities will be designed to conserve grassland bird habitat.

Protect and manage identified habitat areas within the Cantonment Area including box turtle and grassland bird habitats in consultation with the Massachusetts Division of Fisheries and Wildlife, Natural Heritage, and Endangered Species Program.

Bird control on the airfield is established pursuant to the Air Force, Mishap Prevention Program, which requires a Bird Aircraft Strike Hazard (BASH) Program. The Bird Aircraft Strike Hazard Program includes all tenant-flying units. The Bird Aircraft Strike Hazard Program will include defining the nature and extent of wildlife hazards and implementation of the plan. Plan implementation may require environmental controls and changes to bird dispersal techniques and operational procedures. The Bird Aircraft Strike Hazard Program will be coordinated with State and Federal aviation and wildlife agencies.

Storage of pesticides and herbicides will only be allowed in conformance with applicable regulatory programs and standards.

Non-destructive alternative strategies for fire pre-suppression management should be developed for areas of high sensitivity.

New stormwater systems within the Cantonment Area should not discharge into existing stormwater systems unless it has been shown that the existing system can accept the new flows in storm events up to and including a 100-year storm.

All wastewater and sewage generated within the Cantonment Area should be transferred to the Massachusetts Military Reservation Wastewater Treatment Facility when approved by the regulating authority.

All new development should provide areas for storage of recyclables adequate to handle volumes between collections.

A plan for disposal of solid waste will be necessary for those uses not participating with the Upper Cape Solid Waste Transfer Station. This plan will include proposals for disposal, recycling, reduction, and reuse of wastes.

Use and application of hazardous materials shall be limited to activities and uses allowed under existing rules and regulations, and handled in accordance with the applicable procedures.

Handling and storage of hazardous wastes shall be limited to activities and uses allowed under existing rules and regulations, and handled in accordance with the applicable procedures.

Access through the Cantonment Area will be subject to limitations based on the available enforcement assets and designated purpose(s) and uses of the road system.

Specific Resource Performance Standards in the Cantonment

1. Groundwater Resources Performance Standards

1.1. All actions, at any location within the Massachusetts National Guard properties, must seek to preserve and maintain groundwater quality and quantity, and protect the recharge areas to existing and potential water supply wells.

1.2. The goal of the Department of Defense for remediation will be to restore to drinking water quality those groundwater resources that have been degraded below drinking water standards, or to meet those goals agreed upon by users of the properties. The goals shall be met through remediation, restoration, and best management practices, e.g., Installation Restoration Program activities and compliance with applicable rules and regulations.

1.3. Land uses and activities in the Cantonment Area:

- Will conform to all existing and applicable regulations
- Must be able to be implemented without interference with ongoing remediation projects.
- Must allow reasonable access to the water supplies in the Camp Edwards Training Areas, as far as the user controls access.

1.4. The following standards will be used as the basis for protecting groundwater resources in the Cantonment Area:

- Groundwater Protection Policy Plan
- Spill Prevention Control and Countermeasures Plan (or equivalent).
- Remediation plans and restoration activities (e.g., Installation Restoration Plan).
- Military regulations.

2. Wetlands and Surface Water Performance Standards

2.1 New development will be designed to preserve and protect wetland resource areas as defined by applicable local, federal, and state laws and regulations. This will include replacement or replication of all wetland resource buffer areas that are lost after completion of an activity or use.

3. Rare Species Performance Standards

3.1 Management plans for all listed rare species must be prepared in consultation with the Massachusetts Natural Heritage and Endangered Species program office, and United States Fish and Wildlife Service, if applicable.

4. Soil Conservation Performance Standards

4.1 Activities and uses at the Massachusetts National Guard properties must be compatible with the limitations of the underlying soils.

4.2 Erosion-prone sites should be inspected periodically to identify damage and mitigation measures.

5. Vegetation Management Performance Standards

5.1 All planning and management activities will ensure the maintenance of native plant communities.

6. Habitat Management Performance Standards

6.1 Certain portions of the Cantonment Area will be managed as a grassland bird habitat area. A similar habitat program developed for the Camp Edwards Training Areas will be applied to these areas.

7. Wildlife Management Performance Standards

7.1 No actions that impact rare species habitat shall be taken until after consultation with the U.S. Fish and Wildlife Service, if applicable, and the Massachusetts Natural Heritage and Endangered Species Program of the Division of Fisheries and Wildlife.

8. Air Quality Performance Standards

8.1 All uses and activities in the Cantonment Area shall comply with the Federal Clean Air Act.

8.2 Emissions from stationary sources associated with discharge stacks will be reported if required under applicable air quality permits issued by federal and state regulatory agencies.

9. Noise Management Performance Standards

9.1 Noise levels for the Airfield are mapped in accordance with federal guidelines and the Air Installation Compatible Use Zone study results.

9.2 Proposed activities elsewhere within the Cantonment Area should consider applicable federal and state noise guidelines in their design.

10. Pest Management Performance Standards

10.1 Each user will develop and implement an Integrated Pest Management Program to control pest infestations that may include outside contracting of services.

10.2 Only herbicide formulations approved by the United States Environmental Protection Agency, the United States Department of Agriculture, the agency managing the user, and the Commonwealth of Massachusetts may be applied.

11. Stormwater Management Performance Standards

11.1 All stormwater management facilities shall comply with the Massachusetts Department of Environmental Protection Guidelines for Stormwater Management for development projects within wetland resource areas, including Best Management Practices and other applicable standards for control and mitigation of increased stormwater flow rates and improvement of water quality.

11.2 All increases in stormwater runoff should be controlled within the Massachusetts Military Reservation when feasible with the exception of the SD-1 storm drainage system associated with the airfield that may discharge off base under the permits granted.

12. Wastewater Performance Standards

12.1 All wastewater and sewage disposal will be in conformance with the Federal and State Department of Environmental Protection regulations.

13. Solid Waste Performance Standards

13.1 All solid waste streams (i.e., wastes not meeting the criteria for hazardous wastes) will be monitored and managed to substitute, reduce, recycle, modify processes, implement best management practices, and/or reuse waste, with the goal of reducing the total tonnage of wastes from the Cantonment Area.

13.2 All users will be responsible for collection and removal of wastes generated by their activities and for using best management practices to control nuisance odors, wind-blown litter and vectors while handling the wastes.

13.3 No permanent solid waste disposal facilities shall be sited within the Cantonment Area.

14. Hazardous Materials Performance Standards

14.1 Where they are permitted, use and application of hazardous materials shall be otherwise minimized in accordance with pollution prevention and waste minimization practices, including material substitution.

14.2 No permanent hazardous materials disposal facilities shall be located within the Cantonment Area.

14.2 Fuel Management

14.2.1 Before any use or activity may commence, it may require one or more of the following actions: Spill Prevention Control and Countermeasures plans, spill contingency plans, facility response plans, and Standard Operating Procedures related to fuel.

14.2.2 Procedures will require that any activity or use remove all non-complying underground fuel storage tanks.

14.2.3 All storage tanks (above ground or underground) must be constructed and operated in conformance with regulations including secondary containment, leak detection, and regular inspections.

14.3 Non-fuel Hazardous Material Storage

14.3.1 All outdoor permanent storage of non-fuel hazardous materials, which could result in a direct discharge to the soil, must be provided with adequate secondary containment (at least 110% capacity of the largest single container).

14.3.2 All indoor storage of non-fuel hazardous materials, which could result in a direct discharge to the soil directly outside the building, must be provided with adequate secondary containment to prevent such discharge.

14.3.3 Users will develop procedures on a case-by-case basis with private contractors, working under their control on the Massachusetts Military Reservation, to ensure adequate provisions are in place to prevent a release of non-fuel hazardous material to the soil and to report and respond immediately to a release should one occur.

14.3.4 All hazardous materials will be transported in accordance with Department of Transportation regulations governing shipment of these materials.

14.3.5 Transport should reduce to extent feasible the number of trips both for delivery of virgin product and transfer. This should include planning appropriate routes that minimize proximity to sensitive natural resource areas and minimizing internal transfers of material, including transfers from bulk storage tanks to drums, tankers, carboys, or other portable containers or quantities.

15. Hazardous Waste Performance Standards

15.1 All uses shall comply with applicable local, state and federal regulations governing hazardous waste generation, management and disposal (including overlays relative to Wellhead Protection and Zone II's within the Cantonment Area).

15.2 Accumulations of hazardous waste shall be in covered storage and in accordance with regulations governing accumulation and storage.

15.3 Users of Cantonment Area facilities must implement pollution prevention, and waste minimization procedures (process modifications, material substitution, recycling and best management practices) to minimize waste generation and hazardous materials use.

15.4 Occupants and users will be responsible for removing all solid or hazardous wastes generated during the period of use/tenancy/visitation, upon their departure or in accordance with other applicable or relevant regulations.

15.5 Remedial activities undertaken under the Installation Restoration Program, Massachusetts Contingency Plan or other governing remediation programs are exempt from additional regulation (e.g., waste generation volume limits).

15.6 Post-remedial uses and activities at previously impacted sites will be allowed in accordance with terms and conditions of any Activity and Use Limitation applied to the site.

15.7 All hazardous wastes will be transported in accordance with United States Department of Transportation regulations governing shipment of these materials.

15.8 Transport should reduce to extent feasible the number of trips for transfer and pick-up of wastes for disposal. This will include planning appropriate routes that minimize proximity to sensitive natural resource areas, and minimizing internal transfers of material, including from bulk storage tanks to drums, tankers, carboys, or other portable containers or quantities.

15.9 No permanent hazardous waste disposal facilities shall be located within the Cantonment Area.

16. Traffic Performance Standards

16.1 Each user will be responsible for mitigation of impacts to on-site and adjacent roadways in so far as they are responsible for the roadways within the Massachusetts National Guard properties.

16.2 Transportation management strategies should be employed to manage new traffic and reduce existing impacts. Transportation management strategies will consider the following:

- Roads have been constructed for the purpose of military use.
- Improvements, maintenance, and operations of the roadway systems within each designation shall be made in accordance with the original design of the road in terms of speeds, geometry, and construction.
- New uses and operations requiring access onto or across one of the roadways or roadway systems will not derogate from the purpose of those roadways.

17. General Use and Access Performance Standards

17.1 General User Requirements

Requirements that will apply to all users, both public and private, in the Cantonment Area include:

- All acts that pollute the groundwater supply are prohibited.
- No litter or refuse of any sort may be thrown or left in or on any property.

17.2. Civilian Use Manual

To guide public conduct on the Massachusetts National Guard properties, a Civilian Use Manual will be prepared and periodically updated. All civilian users will obtain and follow this Manual.

17.3. Siting and Design Performance Standards

- All new buildings, both public and private, should fit harmoniously with the surrounding environment, including terrain, vegetation, and existing buildings.

- The landscape of the site should be preserved to the extent possible. Open space shall be provided around and in association with the building as needed for the potential users.

- The design and maintenance of the site shall follow the standards for Vegetation set forth in these standards.

- Circulation and parking around the building and onto the adjacent roads should be arranged to not detract from the surrounding landscape and buildings. Delivery systems should be coordinated to reduce the potential for conflicts on the adjacent roads, as detailed preciously in this report.

Cultural Resource Area General Performance Standards

1. Before completion of any programs or actions impacting cultural resources, consult with appropriate federally-recognized Native American tribes (the Wampanoags) and any other pertinent review authorities.

2. Cultural resource areas will be defined generally by their sensitivity to disturbance or alteration as Low, Medium, or High Sensitivity. These maps may be updated, refined, and amended as appropriate and as approved by the lease and license holders.

3. No use or activity proposed within areas of High or Medium Cultural Sensitivity may proceed unless the Massachusetts Historical Commission (Massachusetts Historical Commission) and appropriate federally-recognized Native American tribes (the Wampanoags) approve proceeding with the use or activity, finds no jurisdiction over the project, or determines that all research, field work, documentation, and consultation required by the Massachusetts Historical Commission and the tribes, and any other pertinent review authorities is completed.

4. For any use or activity proposed in an area of Low Cultural Sensitivity, the proponent of the use or activity will be required to proceed with the knowledge that cultural resources may exist at the proposed location. Should the potential resources be located, the use or activity must cease and the activities impacting the area must be documented for further review by the Massachusetts Historical Commission (State Historic Preservation Officer) and appropriate federally-recognized Native American tribes (the Wampanoags) and any other pertinent review authorities.

General Procedures

1. Cultural resources on the Massachusetts Military Reservation are to be identified, protected, preserved, recovered, and/or cataloged in accordance to the directives provided by the State and Tribal Historic Preservation Officer, and in accordance with the pertinent state and federal laws and regulations.

2. The primary review authorities for the management and protection of cultural resources are the Massachusetts Historical Commission and appropriate federally-recognized Native American tribes, which will be notified of actions with a filing of a Project Notification Form, in accordance with the appropriate standards.

3. As part of the planning for any project, the proponent will determine which cultural resource regulatory standards apply, verify the status of knowledge about cultural resources in and around the project area, conduct additional studies if necessary to further identify and evaluate cultural resources, and assess the potential of the project to affect significant cultural resources.

4. All proposed uses or activities will avoid or reduce impacts to cultural resources that have been located, identified, evaluated, and documented in accordance with the requirements of the Massachusetts Historical Commission, the appropriate tribes, and any other pertinent review authorities.

5. In the event that the proposed use or activity will not fully avoid impacts to the cultural resources, the project proponent will provide any additional documentation required by the Massachusetts Historical Commission and consult with the Massachusetts Historical Commission and any other pertinent review authorities. Appropriate American Indian tribes, should be periodically consulted to determine their status as petitioners for federal recognition.

APPENDIX 3

Guiding Principles
for
MMR Long-Term Management Structure

The goal of the joint working group is to develop a long-term management structure for the Massachusetts Military Reservation (MMR) guided by the following Principles:

- The primary objectives in developing the management structure will be to ensure permanent protection of the drinking water supply and to preserve the wildlife habitat of the northern 15,000 acres.

- Any long-term management structure will serve the interests of the public and will establish and promote a working and cooperative partnership between the Commonwealth and the military.

- All options and tools potentially useful in the establishment of a long-term management structure will be considered.

- All environmental standards that are dictated by applicable federal, state, and local laws and regulations, including MMR-specific environmental performance standards, will be followed.

- An oversight body comprised of state environmental agencies, with input and advice from the public and scientific communities, will be established.

- The military and other users will adjust their activities when adverse environmental impacts have been identified by the military or the oversight body.

- Military and other activities that are compatible with protection of the water supply and wildlife habitat will continue on MMR.

- The military will conduct and manage compatible training on MMR in order to achieve and maintain military readiness.

- The military will continue to monitor, identify, and provide to the public information regarding the environmental impacts associated with military training.

- The oversight body and users of MMR will regularly provide information to the public on the status of, or activities that may affect, the protection of the drinking water supply and wildlife habitat.