

August 17, 2026

MEMORANDUM FOR THE RECORD

From: Joe Barger
NEPA Coordinator
National Institute of Standards and Technology

Subject: **Finding of No Significant Impact**

Project: Marine Science Center Pier

Location: University of New England
11 Hills Beach Road
Biddeford, Maine

The National Environmental Policy Act (NEPA) and associated implementing regulations (40 CFR Parts 1500-1508) require that all major federal actions be reviewed with respect to their environmental consequences. The National Institute of Standards and Technology (NIST) is providing a congressionally directed funding grant for the construction of the Marine Science Center Pier at the University of New England. Consequently, NEPA and the associated implementing regulations apply to this project. An Environmental Assessment (EA) was prepared by the grant recipient (the University of New England) for this project and provided for public review. The EA ([Environmental Assessment UNE Marine Center Science Pier](#), July 15, 2026, Credere Associates, LLC) is incorporated by reference. This memorandum summarizes the impacts identified and the mitigation proposed in the EA and documents a finding of no significant environmental impact (FONSI) for the Marine Science Center Pier at the University of New England.

Background

This project includes the construction and operation of the University of New England (UNE) Marine Science Center Pier on Hills Beach Road in Biddeford, York County, Maine. The pier will be located on the Biddeford Campus of UNE, Maine's largest private university. The

location is positioned at the confluence of the Saco River and the Atlantic Ocean, and will provide direct access to the Gulf of Maine. The Biddeford Campus is home to the UNE School of Marine and Environmental Programs, and the Girard Marine Science Center. At this location, 325 undergraduate and graduate students study marine science, marine policy and management, as well as a wide variety of interdisciplinary fields, including marine ecosystems, conservation, restoration, business, sustainable fisheries, ecological aquaculture, social-ecological systems, and marine sustainability science.

UNE plans to construct a permanent pier, which will serve as a four-season research deployment facility directly adjacent to the Girard Marine Science Center. The pier will support on-going education and research at the Center.

Need for the Project

Currently, work at the Girard Marine Science Center is limited by the lack of year-round access to the ocean. The proposed pier would allow students and faculty to be on the water throughout the year, thereby greatly enhancing research into critical problems facing Maine.

UNE currently uses floating docks that are removed seasonally, precluding access in the critical winter and spring months. UNE is in need of a year-round point of access to the water to allow work to be performed during these critical seasons. The proposed pier would provide year-round access and also deep-water access to expand UNE's ability to serve as a collaboration hub for coastal marine and deep-water science and industry.

A significant resource of UNE's marine programs is Ram Island, which was gifted to the University in 2014. Ram Island is a 1-acre living laboratory located two miles from the campus in Saco Bay. The island houses a fieldwork station and an experimental kelp farm and is home to coastal zone investigations of climate change, marine geology, invasive species, marine mammal ecology, fisheries and marine aquaculture.

An ancillary element of the need for the project is lack of a permanent docking location for the City of Biddeford Fire Department's local fireboat. Currently the fire department must launch its fireboat at the time of an emergency, which greatly increases response time. UNE will allow the fireboat to berth at a float on the east side of the proposed pier, so that it can be left in the water and available for a more expeditious response.

Description of the Action

The UNE Marine Science Center Pier is planned to provide year-round, all-tide access for vessels that typically use the facility, and with tidally restricted access for larger vessels that may dock at the site.

The Proposed Action would include the construction of a pier from the shore adjacent to UNE's Girard Marine Science Center into the Saco River.

The proposed pier will be approximately 4,300 square feet. It will be constructed with 26 concrete filled steel pipe pilings, cast in place concrete pile caps, and precast concrete deck planks. A timber fender pile system will be utilized (a timber fender system is a type of bumper that protects marine vessels from damage when they bump against the dock). The approach pier will be approximately 14 feet by 120 feet, and the main pier will be approximately 23 feet by 80 feet. An 80 foot aluminum gangway will traverse to a group of floating timber docks on the southwest side comprising a total of approximately 768 square feet. An 80 square foot storage shed, a jib crane, and necessary artificial lighting will be located on the pier. The pier will include a small electrical service for lights, a small hoist, and convenience receptacles. No sanitary waste pump stations or re-fueling stations are associated with the project.

The Proposed Action would also include the construction of an access drive approximately 500 feet long (11,200 square foot) from the existing Marine Science Center parking lot to the proposed pier location. The project proposes blasting of bedrock and an additional 4,500 square feet of site grading. Stormwater infrastructure will be constructed including bioretention filter cells, underdrains, vegetated swales, and level spreaders.

Impacts and Mitigation

The EA for this project identifies the environmental impacts of the proposed action, as well as measures to mitigate impacts. This FONSI is predicated on the implementation of the mitigation identified in the EA and summarized below:

Land Use

The site of the proposed pier is part of the UNE Institutional Zone and is generally undeveloped and underutilized. The Proposed Action will provide a beneficial impact in regard to land use at the Site.

Aesthetics

The addition of the permanent pier within the Saco River Corridor would create negligible impacts to the aesthetics of the area. Landscaping and design of the proposed pier would follow

the UNE Master Plan which was most recently approved by the City of Biddeford on February 27, 2023. A significant revegetation plan was prepared for the site in accordance with Saco River Corridor Commission (SRCC) and city regulations. On August 28, 2024, the SRCC approved the permit for the proposed pier indicating that no unreasonable despoliation of the scenic, rural and open space character of the corridor would occur from construction of the project. Maine Department of Environmental Protection (DEP) permit dated May 2, 2025, indicated the proposed activity will not unreasonably interfere with existing scenic, aesthetic, recreational, or navigational uses of the river.

Hazardous Material/Hazardous Waste

A Phase I Environmental Site Assessment (ESA) was conducted at the proposed site for this project. The ESA did not identify any recognized environmental conditions (RECs) at the site, nor contamination or ongoing remediation on nearby properties. As such, there is low risk of encountering existing hazardous substances or materials during construction, operation, and decommissioning of the project.

Stormwater/Wetlands

Temporary impacts to stormwater quality are anticipated during the construction of the pier and access road. Best management practices will be implemented during and post construction for stormwater management.

Stormwater collection rain gardens (bioretention filter cells) are planned to minimize any long-term impacts to stormwater quality. Two stormwater bioretention filter cells will be constructed along the proposed access drive, as well as a vegetated swale.

The proposed pier will impact a portion of the Saco River that is designated wetlands. The pier is planned to extend approximately 130 feet over water (relative to the high astronomical tide), and approximately 85 square feet of river bottom or intertidal zone will be permanently impacted by pile driving. Consultation with Maine DEP indicated no compensation (i.e., in lieu of fee) would be required for these minor impacts due to pile driving.

Compliance with the following permits/laws/regulations apply to the project and are required mitigation for stormwater/wetlands impacts:

- Maine Department of Environmental Protection Natural Resources Protection Act Permit
- Coastal Zone Management Act
- U.S. Army Corp of Engineers General Permit
- City of Biddeford Code of Ordinances
- Site plan and Shoreland Zoning approvals
- Saco River Corridor Commission Permit

Wetland impacts are expected to be short-term and minor during construction, and negligible once pier construction is complete.

Flooding

The proposed pier will be located within a floodplain, and flood concerns have been a focus in the design of the pier. The pier is designed to accommodate current flooding conditions and conditions projected through the life of the pier assuming a future sea level rise of 3.9 feet.

The pier is not anticipated to produce any undue or burdensome impacts to the floodplain that would threaten or increase flood risk elsewhere along the Saco River. The proposed pier is expected to be compliant with the Flood Disaster Act and E.O. 11988.

Biological Resources

The Saco River Estuary (SRE) provides habitat for approximately 133 birds species and 60 fish species. The SRE has the highest number of fish species, including adult and larval fish caught in the river and bay, recorded in any Maine estuary.

Using the Information for Planning and Consultation (IPaC) service provided by the U.S. Fish and Wildlife Service (USFWS), the northern long-eared bat (NLEB [*Myotis septentrionalis*]; endangered), tricolored bat (*Perimyotis subflavus*; proposed endangered), piping plover (*Charadrius melodus*; threatened), rufa red knot (*Calidris canutus*; threatened), roseate tern (*Sterna dougallii*; endangered), and the monarch butterfly (*Danaus plexippus*; candidate) were identified as special status species that may be found in the vicinity of, or may be impacted by the project.

In regard to NOAA Special Status Species, the proposed pier is within consultation areas for Atlantic sturgeon (*Acipenser oxyrinchus*; threatened) and shortnose sturgeon (*Acipenser brevirostrum*; endangered).

Using the IPaC service provided by the USFWS, numerous migratory bird species were identified that could be present at the project site. All species were listed as non-Birds of Conservation of Concern Vulnerable (non-birds of conservation of concern [BCC] Vulnerable).

Mitigation measures to be implemented to minimize impacts to biological resources are summarized below and, in the EA.

Based on consultation with U.S. Army Corps of Engineers (USACE) and Maine DEP, the proposed activity will not unreasonably harm any significant wildlife habitat, freshwater wetland plant habitat, threatened or endangered plant habitat, aquatic or adjacent upland habitat, travel

corridor, freshwater, estuarine, or marine fisheries or other aquatic life provided the conditions set forth in the USACE General Permit and Maine DEP Permit are implemented.

The proposed project will result in the long-term, permanent removal of trees, saplings/shrubs, and herbaceous plants within the project area. Where revegetation work is required, UNE would use conserved topsoil and revegetation design would be based on existing conditions and native species would be used at a 1:1 replacement ratio. Following revegetation, restored areas would be monitored and managed to prevent colonization by nonnative invasive species.

Air Quality

During construction of the pier, criteria air pollutants will be emitted from construction vehicles and during pile driving activities. Construction of the pier is anticipated to only generate a marginal temporary increase relative to baseline emissions prior to construction.

To minimize dust at the site during construction, BMPs as prescribed by Maine DEP will be used.

Noise

Noise levels will temporarily increase during construction of the proposed pier and access road, primarily when blasting bedrock ledges and driving piles for the pier. Construction activities will be confined to times as required by the city code and city approved UNE Master Plan. Maine's blasting regulations, notification, and permitting requirements will be strictly followed. In-water work will be restricted from April 10 to November 7 in accordance with the USACE General Permit and Maine DEP permit. USACE permit-required mitigation requires pile driving to follow soft start guidelines for both impact and vibratory hammer for pile driving to allow animals an opportunity to leave the project vicinity before sound pressure levels increase. In addition to using a soft start at the beginning of the workday, soft start guidelines must also be used at any time following cessation of pile driving for a period of 30 minutes or longer.

UNE will provide notice to its neighbors when it anticipates louder than normal activities may occur near their property, such as the proposed construction activities (e.g., blasting and pile driving), and including increased vehicular traffic. To mitigate noise from construction activities, UNE will continue to follow the model used during construction of several of its last projects, which includes making the contractors aware of the city noise ordinance and UNE master plan requirements and related times, and requiring they notify the City Code Enforcement Office of any work activities before 7:00 AM and after 10:00 PM. The University also maintains its waste pick up schedule to limit trash hauling before 7:00 A.M. No long-term noise impacts or violations are expected from pier operations because no new noise generating equipment or processes were added as part of the project. The same boats and equipment will continue to be used.

Historic and Cultural Resources

The following consultations were conducted in regard to potential historic and cultural impacts of this project:

- Maine Historic Preservation Commission: Concurrence was received on May 15, 2023. The MHPC concluded the Proposed Action would have no adverse effect upon historic properties with the condition that one or more archaeologists monitor the initial clearing of soil from the route of the access drive and be allowed enough time to recover information from any subsoil features that are present. Further, the MHPC indicated it would be most important to monitor the access drive from the curve in the drive to be located just east of the north wall of the marine science center to the head of the proposed pier.
- Penobscot Nation Cultural and Historic Preservation Office (PNHPO): Concurrence was received on October 19, 2023. The PNHPO indicated the Proposed Action would have no impact on a structure or site of historic, architectural, or archaeological significance to the Penobscot Nation. However, if there is an inadvertent discovery of Native American cultural materials during the course of the project, the PNHPO shall be contacted.
- Passamaquoddy Tribe Historic Preservation Office (PTHPO): Concurrence was received on April 27, 2023. The PTHPO indicated the pier project would not have any impact on cultural and historical concerns of the Passamaquoddy Tribe but raised concern about the drive work and if archaeological work was planned (extensive archaeological work has been completed across most of the Proposed Action location). The PTHPO stated “should buried artifacts, human remains, cultural sites or ground features be unexpectedly unearthed during ground disturbing activities, all construction should immediately cease, and the resources be examined by a professional archaeologist. Additionally, all appropriate authorities-including all pertinent tribal entities should be notified.”
- Based on the above information, there is potential to encounter subsurface historical/cultural artifacts during the Proposed Action. In concurrence with letters provided by the MHPO, PNHPO, and PTHPO, the Proposed Action would be monitored and documented by an onsite professional archaeologist. If artifacts, human remains, cultural sites, or ground features are unexpectedly unearthed during ground disturbing activities, all construction would immediately cease, and the resources would be examined by a professional archaeologist. Additionally, all appropriate authorities-including all pertinent tribal entities will be notified. Regarding the ethnographic landscape at and surrounding the project location, the furtherance of the area for institutional purposes continues/preserves the longstanding use of the land while continuing to recognize its Native American and colonial past. There are no other historical and/or cultural resource(s) or structure(s) identified at, near, or within the viewshed of the project. As such, the Proposed Action is in compliance with the National Historic Preservation

Act (NHPA) provided all requirements laid forth in the historic preservation offices' concurrence letters are completed and/or followed during construction and operation.

Environmental Justice

Due to nature of the project and the proposed site location, this project is not expected to have disproportional adverse human health or environmental impacts to overburdened and underserved communities, including minority, Tribal, or low-income populations.

Summary of Mitigation and Permitting

To minimize impacts related to the Preferred Alternative, UNE will implement required mitigation measures as required by the final design and approval/permits from relevant agencies. Mitigation measures would include the items listed below:

- Compliance with UNE's Institutional Zone Master Plan
- Maine DOT BMPs for Erosion and Sedimentation Control dated October 2016 will be used to:
 - o Prevent dust during construction and demolition.
 - o Minimize impacts on water quality during construction activities.Additionally, overwater protection measures would be implemented as needed.
- A certified erosion control contractor will be onsite as required by the Maine DEP permit
- No in-water marine work will be conducted from April 10 to November 7 as required by the USACE and Maine DEP permits.
- All on-site project personnel would be responsible for observing water-related activities for the presence of protected species.
- Operations of moving equipment shall cease if a protected species is observed within 150 feet of operations. Activities shall not resume until the protected species has departed the project area of its own volition.
- BMPs such as noise abatement, avoiding vessel strikes, and following the Marine Mammal Protection Act would be implemented to mitigate risks to marine mammals. Noise is the primary route of disturbance to marine mammals and would be reduced by using pile driving techniques, when possible, which minimize pounding (e.g., vibratory hammer). As required by USACE, soft start guidelines will be implemented by the contractor for all pile driving.
- To minimize impacts/risks to sturgeon (*Acipenser* spp.), other fish, and migratory birds, conditions set forth in the USACE and Maine DEP permits will be implemented.

- According to the Guidance and Best Practices for Evaluating and Managing Human Disturbances to Migrating Shorebirds on Coastal Lands in the Northeastern United States, dated 2019, migratory birds generally return to their foraging locations after construction is completed. Human/construction activity restrictions will be implemented to protect migratory birds (i.e., workers/visitors to the Site must remain a certain distance away from shorebirds, regardless of the activity they are engaged in. If nesting sites are discovered, these areas would be designated as a closed or restricted zone with a buffer.
- Blasting will be conducted in accordance with regulatory permits.
- When possible, soils would be placed on top of asphalt paved areas. Soil piles would be covered and delineated by erosion control products (i.e., wattles or silt fence) to prevent wind and water dispersal.
- Work would generally be performed between 7:00 a.m. and 10:00 p.m. daytime hours as defined in the code, 7 am to 9 pm if activity is abutting a residential use. Monday through Saturday to minimize disturbance to the surrounding neighborhoods.
- Where and when possible, invasive species would be removed within the limits of the project area.
- Where revegetation work is required, UNE would use conserved topsoil and revegetation design would be based on existing conditions and native species would be used at a 1:1 replacement ratio. Following revegetation, restored areas would be monitored and managed to prevent colonization by nonnative invasive species.
- BMPs for construction equipment would be followed to avoid exposure of the environment to risks, such as oil leaks and fuel spills. For example, all refueling of equipment would have spill containment pads in position prior to refueling activities; and equipment must be free of any fluid leaks (e.g., fuel, oil, hydraulic fluid) upon arrival at the work site and would be inspected at the beginning of each shift for leaks. Leaking equipment would be removed off site for necessary repairs before the commencement of work.
 - o Secondary containment will be used for all fuel storage and spill kits (including marine booms) will be available onsite during construction
 - o No concrete wash water from trucking will be permitted to be disposed near the site during construction
 - o All chromated copper arsenate (CCA)-treated lumber used to construct the pier must be cured on dry land in a manner that exposes all surfaces to the air for 21 days prior to the start of construction.

- o Per the Maine DEP permit, no construction equipment is permitted below the high-water line (other than that equipment which is used on and remains on construction barges)
- Equipment storage and staging areas would be outside of offsite identified wetlands areas. Construction activities required to occur in wetlands would remain inside the limits of disturbance to protect adjacent wetlands. Limits of disturbance, if any, adjacent to wetlands would be surveyed prior to construction to aid in this effort.
- Archeological oversight will be provided during construction. One or more archaeologists will monitor the initial clearing of soil from the route of the access drive and be allowed enough time to recover information from any subsoil features that are present.
- Should unknown archeological resources be uncovered during construction (after initial clearing of soil from the route of the access drive), work will be halted in the discovery area and UNE would consult with the Maine Historic Preservation Commission (MHPC) and Tribal Historic Preservation Offices (THPOs; including the Penobscot Nation Cultural and Historic Preservation Office [PNHPO], Passamaquoddy Tribe Historic Preservation Office [PTHPO], Aroostook Band of Mi'kmaq's Historic Preservation Office [MNHPO], and Houlton Band of Maliseet Indians Historic Preservation Office [MIHPO]) according to 36 CFR 800.13 and, as appropriate, provisions of the Native American Graves Protection and Repatriation Act of 1990.
- Piping for raw seawater tank will be rerouted.
- In-water portions of the existing seasonal research pier shall be removed as required by the SRCC permit.
- UNE will work with the City of Biddeford to mitigate the impact to two moorings near the end of the proposed pier. UNE currently has three nearby moorings, one of which they are willing to give to the city in exchange for the city-owned mooring impact. The other mooring can be relocated to an unimpacted location proximal to the original location.
- Flood Insurance is required by the Flood Disaster Act as the project location is partially in ZONE V, a Federal Emergency Management Administration (FEMA)-designated Special Flood Hazard Area (SFHA)
 - o A City flood hazard development permit may be required to obtain City building permit
 - o Continuous evaluation through pier lifespan as sea level rise predictions change with time

- o Installation of temporary or permanent protective measures and/or limiting the use of the pier during times when ice is anticipated
- The Preferred Alternative will also be performed in accordance with following permits/regulations:
 - o Maine DEP permit Natural Resources Protection Act (NRPA) permit
 - o Coastal Zone Management Act (CZMA)
 - o USACE General permit
 - o City of Biddeford Code of Ordinances
 - o Site plan and Shoreland Zoning approvals
 - o Saco River Corridor Commission permit
- Requirements of applicable federal, state, and local regulations and standards for construction and operation of the pier will be implemented to ensure the safety of workers, students, and the public.
- Construction and operational health and safety plans (The Construction Manager will be required to develop and implement a health and safety plan for construction workers and any visitors during the duration of construction).

Conclusion

NIST hereby adopts the EA prepared by the applicant for the proposed action described above. After reviewing the EA and the supporting materials provided by the grant recipient, NIST finds that the EA properly documents the project's environmental impact.

In accordance with the National Environmental Policy Act and the Council on Environmental Quality regulations for implementing NEPA (40 CFR Parts 1500 through 1508), NIST has determined that, with the mitigation measures described above and in the EA, the construction and operation of the UNE Marine Science Center Pier will have no significant adverse impact on the quality of the human environment. As a result of this FONSI, an Environmental Impact Statement will not be prepared.

Approvals:

Joe Barger
NIST NEPA Coordinator

8/17/26

Date

Andrew Wright
NIST Chief Facilities Management Office

Date