

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION a. Target Area and Brownfields i. Overview of Brownfield Challenges and Description of Target Area

Area The Penobscot Indian Nation (PIN) consists of original natives of Maine and is a federally recognized Indian Tribe (population 2,402). Of the 2,402 tribal members, 426 live on Indian Island Reservation. Our traditional homeland is comprised of approximately 8,500 square miles within the Penobscot River basin. Today, PIN's land holdings consist of more than 126,000 acres comprising numerous parcels throughout the state that include 140 Penobscot River Reservation Islands (4,841 acres), Trust, and Fee Lands. The majority of our fee lands are located within Maine's Penobscot County.

The Penobscot River is 109 miles long with two branches that increase its length to 264 miles. It's the longest river system in the state. We have continuously inhabited the area for more than ten thousand years and our archeological artifacts, dating back millennia, have been found on the shores of the bays and islands. The Penobscot River is home to many fish, including native brook trout, landlocked salmon, and smallmouth bass. Sea-run species include Atlantic salmon, alewives, American eel, striped bass, rainbow smelt and occasional Atlantic sturgeon. The Penobscot is best known for its historic salmon run which has been reduced by as much as 95% over the past 150 years, but is still the largest Atlantic salmon run remaining in the United States.

Since our 1818 treaty, PIN was granted ownership and riparian rights to the river bed, banks, and all islands upstream of Indian Island in the Penobscot River. Our community life and traditions are centered around our river. We harvest grasses and other plants for craft making and medicinal use. We recreate, swim, and consume turtles and fish taken from our river. We treasure our time in and around its waters. It is through hunting, fishing, trapping, gathering and making baskets, making pottery, crafting moccasins, building birch-bark canoes and other traditional practices that the PIN culture and people are sustained. Today, natural resources are becoming scarce and threatening tribal sustenance lifestyles. Basket weaving relies mainly on ash trees, sweet grass, and birch bark. All three plants grow in and around the Maine wetlands and streams. All are becoming scarce due to adverse impacts by the pulp and paper industry and industrial pollutants, which have resulted in placing toxic dioxins and heavy metals into the local ecosystems. The reduction or elimination of these natural resources through impacts from Brownfields have negatively affect PIN's historical culture, livelihood, and overall lifestyle.

Our river has served as a power source and dumping receptacle for so many industries since the 1700s. These non-tribal industries have greatly polluted our waters, fish, air, and lands through industrial discharges. Four major pulp and paper mills that are located directly upriver from our reservation have for over 100 years spewed their waste into our land and water. Numerous tanneries, textile mills, saw mills, and sewer systems have added to the pollution. Many of these mills are located in Opportunity Zones. As an example, state fisheries regulators closed nearly 7 miles of our river for shell fish harvesting for 2 years as a result of mercury contamination. Currently, we are attempting to cleanup a former gasoline station that is leaking gasoline compounds into our river directly upgradient from our reservation. The Maine DEP has cleaned up part of the spill, but is unwilling, despite our pleas, to complete the project due to funding constraints. We continue to be affected by these contaminants and believe these upstream industries have cumulatively impacted the health and welfare of all of our tribal members as well as other residents of the river valley.

PIN has identified many Brownfields within our community ranging from 1 to 280-acres. We would like to focus this grant application on two sites: the former **Sockalexis Bingo Palace** on Indian Island Reservation; and the **Six Penobscot River Islands** located adjacent to the Lincoln Paper & Tissue Mill (LP&T) site. These sites have tremendous redevelopment potential that will bring jobs; tribal revenue; gathering spaces for educational camps, crafts production and indoor exercise, and cultural pride to our tribal members.

1.a.ii. Description of the Proposed Brownfield Site(s) The Subject Property is approximately 0.7 acres in size and is bound to the west and north by the Penobscot River with approximately 325 feet of river frontage, to the south by Center Street (Route 2), and to the east by Dave's Service Center. The area surrounding the Subject Property is primarily a mixture of commercial and residential properties. There are currently no structures located on the property. Based on a review of historical Sanborn Maps, the Subject Property has been utilized for commercial and industrial purposes as far back as the late 1800s. The earliest Sanborn Map available, dated 1895, shows that the Subject Property was utilized by the TM Chapman and Sons Company. Land uses prior to 1895 are unknown. A machine shop was located directly adjacent to the western property boundary and appears to have been constructed almost directly on the shoreline of the Penobscot River. A foundry was located on the eastern portion of the subject property with two smaller buildings, one labeled as storage, located in the center of the property. The 1901 Sanborn Map indicates small additions to the foundry building were added. The property remained relatively the same through at least 1921. The 1948 Sanborn Map indicates significant additions to the foundry building, which appears to have nearly doubled in size between 1921 and 1948. The machine shop also grew in size between 1921 and 1948. The most recent Sanborn Map available (1962) shows the machine shop relatively unchanged but the foundry no longer present, indicating it was removed between 1948 and 1962. The Subject Property was formerly occupied by the TM Chapman and Sons Company. Mr. White indicated that the company provided custom lathe work for numerous entities including mills and construction companies. Mr. White confirmed that a multi-level wood framed building was located on the western property boundary adjacent to the river and that the first floor of the building regularly flooded, typically washing metal debris into the river. He did not have any knowledge of the foundry building shown on the historical Sanborn Maps, and did not know how or when any of the former structures were removed. Additionally, Mr. White also recalled several mills located in the vicinity and adjacent to the Penobscot River upstream of the Subject Property.

The Penobscot Indian Nation purchased the property in 1990. None of the previously discussed structures were present at that time. The property was purchased as an investment property and has not been utilized and remained vacant since this time. CEG completed a Phase I ESA in 2011 and identified significant metal slag and soil staining along the entire river embankment. Subsequent Phase II ESAs in 2012 and 2018 identified arsenic and lead concentrations along the river embankment at concentrations above MEDEP Park User RAGs. Waste profile data collected along the southern portions of embankment exceeded corresponding hazardous waste requirements for lead. Composite waste profile data from the northern portion of the embankment did not indicate lead concentrations above corresponding hazardous waste requirements. However, discrete samples collected from this area did exceed standards at one location, indicating that hazardous levels of lead are present in soils along the northern embankment as well.

1b. Revitalization of the Target Area i. Reuse Strategy and Alignment with Revitalization Plans

1.b.ii. Outcomes & Benefits of Reuse Strategy

1.c. Strategy for Leveraging Resources i. Resources Needed for Site Characterization

1.c.ii. Resources Needed for Site Remediation

1.c.iii. Resources Needed for Site Reuse

1.c.iv. Use of Existing Infrastructure

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT a. Community Need

i. The Community's Need for Funding PIN is a small rural tribe with limited financial resources. We have very little income with an average median household income of \$19,375 which is less than half the national average. According to Niche, PIN's median individual income is \$11,016. In 2016, twice the percentage of older American Indians lived below poverty (18.8%) as compared to all older Americans (9.3%). Prior to the COVID-19 pandemic, unemployment was over 14% which was more than double the national rate. Since the pandemic, PIN has closed the reservation to outsiders and very few essential personnel are actively working. PIN currently has a number of financial commitments that further limit financial resources to conduct assessments. Examples include: the renewable energy Alder Stream Wind Power Project; renovations to the public safety building; and improvements to the water district's existing infrastructure.

Our financial resources are used to attempt to fulfill essential services critical to tribal affairs. Often, critical needs are not fully met using our funding. We have no additional resources to invest in environmental investigations. Our 128 (a) Brownfields grant is used to fund our program, complete the four elements of the Tribal Response Grant, and to assist in any potential cleanup tasks. This grant will allow us to obtain the data necessary to redevelop SBP and determine the environmental and health impacts to the SPRI. Generating data to evaluate the SPRI is extremely important to our tribe. We have avoided the islands for decades and many tribal members are wary of the risks to reoccupy those islands and return to harvesting the natural resources that abound on its banks and waters.

2.a.ii Threats to Sensitive Populations (1) Health or Welfare of Sensitive Populations

Our tribal members, as a minority group, are considered a sensitive population and within our minority are the more susceptible elderly, disabled, pregnant women, children, and low-income families compounding potential impacts to our population. The assessment and subsequent clean-up of Brownfields sites is imperative for the health and welfare of these sensitive populations and the general tribal population. Without this funding there can be no cleanup or even the knowledge of what and who is at risk. We need the funding to educate ourselves so that we can minimize risk to all our tribal community.

The Agency for Toxic Substances and Disease Registry (ATSDR) conducted a four-year study to evaluate the environmental health of the riverine system by targeting specific cultural practices

and using traditional science to conduct a preliminary contaminant screening of the flora and fauna of the Penobscot River ecosystem. The study recommended that PIN members reduce their consumption of fish and snapping turtle caught in the Penobscot River to decrease our exposure to potentially harmful methyl mercury, as well as dioxins/furans and dioxin-like PCBs. The impact of this condition is detrimental for tribal members health and our economy. The reduction to one serving per month of specific aquatic species, obtained freely from the river, requires replacement with costly store-bought groceries. According to the Maine Freshwater Fish Safe Eating Guidelines: Pregnant and nursing women, women who may get pregnant, and children under age 8 should not eat any freshwater fish from Maine's inland waters. The PIN cultural livelihood continues to suffer as each generation is further deprived of their entitlement to fish and turtles and utilization of the natural resources of the river.

Improving the water quality of the Penobscot River will also improve the quality of the fauna and flora ecosystems associated with the Penobscot River that enhances our dietary needs and restores the native vegetation. Fish is a low-fat high-quality protein filled with omega-3 fatty acids and vitamins such as D and B2. Fish is known to lowers risk of heart disease, cancer, stroke, and helps lower cholesterol and blood pressure. Low cost groceries do not compensate for the loss of fish in our diet. Cleaning up the river will relegate the current fish advisory.

2.a.ii.(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions

Health Concerns	Tribe*	Penobscot	Maine	USA
Diabetes (Adult) ¹	7.9%	10.7%	8.7%	8.7%
Obesity (Adult) ¹	24% Children only	34.2%	27.7%	27.8%
All Cancer Death Rate per 100,000	6.5% (28 incidences)	537.2 ¹	186.3 ¹	176.4 ²
* - Health Center Statistics for Tribe Members residing on Indian Island reservation ¹ - Compare Maine Health (2012), ² -National Cancer Institute, Surveillance, Epidemiology, & End Results (SEER) Program				

Tribal health statistics are limited to those 426 members residing on Indian Island Reservation. Therefore, the statistics represent only 20% of the PIN population. Demographics for Penobscot County as a whole indicate obesity and diabetes percentages much higher than the state and national averages. It is important to point out the increased cancer mortality rates for Penobscot County which are over double the state and federal range. Our cancer mortality rates are equivalent to 6,500 people per 100,000. We attribute much of it to our exposure to over 200 years of industrial pollution within the river that surrounds our reservation. We, however, cannot ignore our own potential contributions and this grant will allow us to become knowledgeable of the human health and environmental risks posed by building materials and fuel at the SBP and through sediments, biota, surface water, and soils at the SPRI. Once we generate and evaluate the data, we can take precautions to protect ourselves until remediation can be completed.

Health Statistics for Penobscot County Shared Community Health Needs 2022			
	Penobscot County	Maine	US
Drug overdose death per 100,000 population	62.0	37.3	21.5
Uninsured	10.5%	9.5%	8.6%
All Cancer deaths per 100,000 population	176.7	173.8	163.5

Lung Cancer Deaths per 100,000 population	87.2	74.2	58.6
Heart Attack Deaths per 100,000 population	36	26.0	29.1
Diabetes Deaths per 100,000 population	26.6	22.0	21.0
Asthma (adults)	14.4%	11.7%	9.3%
Adult Obesity	35.1%	29.9%	29.6%
Infant Deaths per 1,000 live births	8.1	6.5	5.9
Food insecurity	16.2%	15.1%	13.4%
Lifetime Depression	24.9%	22.8%	17.4%

2.a.ii.(3) Environmental Justice (a) Identification of Environmental Justice Issues

2.a.ii.(3)(b) Advancing Environmental Justice

2.b. Community Engagement i. Project Involvement & ii. Project Roles Meetings and other in-person interactions shall be adjusted per on-going and current State guidelines as well as tribal enforced restrictions. As a result, our outreach efforts may take on more of a paper mail distribution and reliance on electronic media. Tribal outreach efforts will be conducted at the announcement of the award and during each phase. They will include web and social media site updates by PIN, public access TV coverage, local public meeting advertisements, neighborhood surveys in combination with program/site information flyers, and newsletter press releases. Tribal media includes the DNR Newsletter, community flyer, and the PIN Website. Notice of all the public meetings will be placed in tribal offices and regional newspapers. Invited public comments are welcome at all public meetings or can be sent directly to PIN via website, direct e-mail, regular mail, or telephone conversation. The Tribal Government Offices will serve as the information repository for all hard copy program related documents.

We shall provide a process for verbal and written comments to be submitted from interested parties. Access to all documents and planned activities will be announced at meetings, through mailings, and via the website. Our plan shall demonstrate a commitment to open, two-way communication with the tribal members. Questions generated from community members will be answered and posted on our website and for those not using electronic media will be written and mailed to the respective tribal member. A system will be instituted that protects the identity and privacy of individuals who participate in the process

Partner Name	Point of Contact	Role in Project
Penobscot Indian Nation	Sean O'Brien, Brownfields Coordinator p. 207 817-7338 Sean.O'Brien@penobscotnation.org	Member of our steering committee collaborates with PIN goals for river and trail access development.

2.b.iii. Incorporating Community Input

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

3.a Proposed Cleanup Plan

3.b. Description of Tasks/Activities and Outputs

Task 1: Cooperative Agreement Oversight and Community Outreach
3.b.i. Project Implementation: PIN will procure a QEP and cleanup contractors in accordance with 40 CFR 30.
3.b.ii. Anticipated Project Schedule: Four-year duration of the grant ongoing quarterly and at significant milestones for public meetings
3.b.iii. Task/Activity Lead(s) Project Director (ProD), with the assistance of the Tribe personnel and a QEP
3.b.iv. Output(s): Attendance at least two national and or state Brownfields conferences; issue an RFP for a QEP, Conduct up to 4 community meetings following our Community Relations Plan, complete quarterly reports (16), MBE/WBE and closure report, ACRES updates.
Task 2: Environmental Reporting and Engineering
3.b.i. Project Implementation: The ProD will oversee work performed by the QEP which will include preparation of a Remedial Action Plan (RAP), final ABCA, HASP, QAPP, cleanup closure documentation, and assurance that cleanups met their objectives; produce three RFPs needed to select qualified cleanup contractors,
3.b.ii. Anticipated Project Schedule: Duration of the 4-year grant, but primarily within 12 months
3.b.iii. Task/Activity Lead(s): QEP and Tribal personnel, under the oversight of the ProD
3.b.iv. Output(s): RFPs(3); RAP(1); final ABCA(1); QAPP(1); HASP(1); Cleanup Reports(3)
Task 3: ACM Removal and Construction Demolition Debris Disposal (CDD)
3.b.i. Project Implementation: QEP to lead cleanup and waste disposal contractors, that will perform removal and transport of lead from the site.
3.b.ii. Anticipated Project Schedule: Year 1 of the grant
3.b.iii. Task/Activity Lead(s): QEP, PIN personnel, PIN ProD oversee Cleanup Contractor (s)
3.b.iv. Output(s): Remediation of Site; disposal of (225 tons)
Task 4: Waste Removal & Disposal and Petroleum Impacted Material and Soil
3.b.i. Project Implementation: A properly procured and licensed cleanup contractor will perform removal and transport of waste impacted materials and soil.
3.b.ii. Anticipated Project Schedule: Year 1 of the grant
3.b.iii. Task/Activity Lead(s): QEP, PIN Personnel, PIN oversee Cleanup Contractor (s)
3.b.iv. Output(s): Remediation of petroleum and wastes transported to licensed disposal facilities.

3.c. Cost Estimates We talked to an experienced QEP that worked on this site to determine costs.

Task 1: Cooperative Agreement Oversight and Community Outreach & Engagement: All rates include fringe. **Task 2: Environmental Reporting and Engineering** **Task 3: ACM Removal and CDD Disposal:** **Task 4: Waste Removal & Disposal**

3.d. Plan to Measure and Evaluate Environmental Progress and Results

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE a. Programmatic Capability i. Organizational Structure & ii. Description of Key Staff Sean O'Brien is the Tribal

Response Program Coordinator. His primary responsibilities include but are not limited to coordinating Brownfields projects on Tribal lands, including providing technical assistance, project management of federal grant funds, and reporting to the grant agency. He has a B.S. in Physics and a M.S. in Civil Engineering, both from the University of Maine. Since his hire six years ago, he has been working cooperatively with all departments within the DNR, the Tribal Administration, as well as applicable local, state and federal agencies. Since his arrival, he has successfully closed out two previously open 128 (a) grants and a prior 104 (k) grant. He will soon close out two more past 128 (a) grants and a 104 (k) Community Wide Assessment Grant. As Mr. O'Brien continues to work towards becoming a QEP, he has worked with a QEP to assist with many Phase I ESA and II ESAs as well as remedial work on multiple sites.

DNR has experienced personnel who will be able to continue supporting the program with little to no disruptions. PIN is fully capable of bidding and executing contracts for needed services and complies with EPA procurement guidelines with the assistance of Diana Love, of the Grants and Contracts Department, and Andrew Dana, of the Finance Department.

4.a.iii. Acquiring Additional Resources PIN has received 128 (a) Brownfields grant funding yearly since 2010 and anticipates continued funding. PIN has the option of applying to the State MEDEP 128 (a) program for assessment and clean-up funds. Other sources of leverage funding include the Housing Authority and Community Development Block Grants and any existing Maine Brownfields revolving loan fund grants. PIN has previously partnered with another Brownfields grantee (EMDC) to collaborate on Brownfields assessments. EMDC has agreed to award PIN up to \$50,000 for the cleanup of the site. PIN has worked together on eight Brownfields Sites. Potential federal funding includes USDA's Rural Business Enterprise Grants, Rural Business Opportunity Grants, Rural Community Development Grants, the Business and Industry Guaranteed Loan Program, the Department of Interior's Land and Water Conservation Fund, Bureau of Indian Affairs, the Federal Highway Fund's Recreation Trails Program and the National Park Service's River, Indian Health Services, Department of Justice, Administration of Native Americans, Housing and Urban Development, and Maine Department of Environmental Protection. The sites along the Penobscot River could potentially receive support from the Fish and Wildlife Service and the MEDEP.

4.b. Past Performance and Accomplishments ii. Has Not Received an EPA Brownfield Grant but has Received Other Federal or Non-Federal Assistance Agreements (1) Purpose and Accomplishments: PIN has received annual funding under a 128a brownfields grant since 2010. We have used our 128 (a) Tribal Response Grant to work toward achieving the goals of developing and implementing: inventory of brownfields sites; developing the oversight and enforcement authorities to protect human health and the environment; providing meaningful opportunities for public participation; and developing a cleanup plan and verification and certification that cleanup is complete. Our site accomplishments include hiring a QEP, conducting Phase I and II ESAs on 19 sites and performed cleanups on nine sites. Our QEP is helping us build tribal capacity by training us on performing particular field investigation techniques.

4.b.ii. (2) Compliance with Grant Requirements

All work has been in compliance with our work plan, schedule and terms and conditions of our cooperative agreements. PIN fully complied with its reporting requirements including quarterly and financial status reports, WBE/MBE documentation, and the timely updating of the ACRES data base. Under our current grant we have met expected results within the grant period.