

**FINDING OF NO SIGNIFICANT IMPACT**

**FINAL ENVIRONMENTAL ASSESSMENT**

**for the**

**PINK HOUSE REMOVAL PLAN**

**PARKER RIVER NATIONAL WILDLIFE REFUGE**

**NEWBURYPORT, MA**

The U.S. Fish and Wildlife Service (Service) is implementing the Pink House Removal Plan for Parker River National Wildlife Refuge (NWR or refuge). The Service prepared an Environmental Assessment (EA) to consider the environmental and human effects of removing the Pink House, an abandoned structure at 60 Plum Island Turnpike, Newbury, MA.

**SELECTED ACTION**

***Alternative B: Remove the Pink House, restore the site, and open it to public use***

The Service will implement the preferred alternative outlined in the draft EA, with modifications based on public comments as described below, to remove the house, restore the habitat, and open the area to public use and enjoyment. During the nearly 5-month period between publication of the draft EA (November 1, 2023) and release of the final document, the Service did not receive any viable land exchange options that would have exchanged the property out of federal ownership for lands of higher ecological value and approximately equal monetary value (as required by law). In addition, the Service and its partners actively searched for a viable land exchange option for eight years, without success. We have therefore determined that (1) the property is not a good fit for a land exchange, (2) the Service has no use for the building, and (3) maintaining an abandoned structure and allowing it to degrade into sensitive habitat is neither fiscally nor environmentally responsible.

Once the house is removed from refuge property and the habitat restored, we will initially install accessible park benches and interpretive signage in lieu of an observation platform, which is a change from the draft EA in which we proposed to construct a platform shortly after removal of the house. After monitoring the frequency and intensity of public use in first year one, to include any parking concerns and refuge violations, we will decide whether to keep the parking area and benches unchanged, construct a platform as proposed in the draft EA, or close the area to public use should there be unanticipated harm to public safety or the environment. This change was a result of analyzing public comments, some of which expressed concerns about a viewing platform, or the lack of need for one at all.

Also in response to public comments, we are assessing the feasibility of listing the house as excess and releasing it for public auction with the General Services Administration (GSA), after first remediating contaminants (e.g., lead and asbestos) issues. If a winning bidder is selected, they may either relocate

the house to an off-refuge location or remove it and repurpose the components as desired. Either way, the winning bidder would be required to remove the entire structure within 90 days of award notification. Service staff would then restore the habitat on the site to its natural condition as described in the EA. Listing the house for auction will only occur if the process and timeline is deemed feasible; if not feasible, the Service will proceed with removing the house and restoring the site.

The EA incorporates the Service's [Resist, Accept, Direct Framework](#) for addressing climate change. We acknowledge and accept that the future viability of the Pink House within salt marsh that already floods routinely – and is expected to do so with greater frequency and intensity – is increasingly dire. Expending additional resources on maintaining the house would be contrary to this framework and to the Service's primary mission to protect and conserve wildlife and their habitats, while managing for climate change.

## **OTHER ALTERNATIVES CONSIDERED AND ANALYZED**

### ***Continuing Current Management (No Action)***

The “no action” alternative represents a continuation of existing management, whereby the Service continues to perform routine law enforcement patrols and maintenance inspections of the property, maintains the structural integrity of the house, and actively seeks land exchange partners until such time as an exchange can occur. Under this alternative, the property would remain closed to all public use in the interest of public safety. Major exterior renovation projects would be required to ensure structural integrity as the house continues to deteriorate, pulling limited resources away from higher priority initiatives. Further, degradation of the surrounding marshes is likely as components of the house are blown into the landscape, including roofing materials known to contain asbestos. Wind-blown shingles and other debris from the house are already found throughout the area.

We did not select the “no action” alternative because we were unable to locate a suitable exchange parcel despite 8 years of searching, and the likelihood of success for an exchange is minimal in a reasonable time frame. If left standing in its abandoned state, the house poses too high a risk for staff, public safety and environmental health.

## **SUMMARY OF THE EFFECTS OF THE SELECTED ACTION**

The EA compares the impacts of the two alternatives. Here, we highlight the effects of the selected action (Pink House removal). We believe that any negative short-term effects associated with removing the house are negligible compared to the long-term effects of allowing its continued deterioration within sensitive salt marsh habitat.

### ***Terrestrial wildlife, aquatic species, and special status species***

To the greatest extent possible, construction work will be performed outside of the nesting season for the salt marsh sparrow, an at-risk species known to nest in nearby marshes. Raptors (i.e., hawks and

owls) that occasionally use the chimney as a perch would use other areas. The house itself provides no habitat value for other sensitive wildlife, and no federally threatened or endangered species regularly occur in this area. Noise from construction equipment would be short in duration and occur outside of critical wildlife breeding periods.

As the property is situated along a busy turnpike, and available parking will be minimal (up to 4 vehicles) and within the existing driveway footprint, we do not anticipate any added negative effects on terrestrial or aquatic wildlife as a result of opening the area to public use.

### ***Habitat and Vegetation (Including vegetation of special management concern)***

Negative effects to habitat will be mitigated by operating heavy equipment only in existing developed areas – that is, the driveway and a 20-ft buffer area surrounding the house. Equipment will be thoroughly cleaned before and after mobilization to prevent the spread of invasive species and, if necessary, the site will be re-planted with native vegetation after the house is removed. Fuel spill kits will be readily available for the duration of the project for prompt response as needed. If needed, only screened, clean, noxious weed-free fill will be used to fill the area of the foundation and basement.

We do not anticipate any negative effects to surrounding salt marsh habitat resulting from removal of the house, given the project will be relatively short in duration (<2 weeks) and the entire footprint will be situated on developed upland outside of the salt marsh. However, we will deploy erosion control measures around the project site to mitigate any runoff, and the site will be cleared of all debris before demobilization. We will only operate equipment on fair weather days (e.g., low wind speeds) to ensure wind-blown construction debris does not enter sensitive habitats.

After removal, we anticipate that salt marsh health of the surrounding area to either improve or remain constant.

Once the habitat is restored and the area is open to public use, trespass into the marsh is possible. We will install signage and split rail (or similar) fencing to mitigate trespass, as well as monitor the area routinely for violations and public use impacts.

### ***Floodplains***

Given the entire project area is within FEMA flood zone AE, construction crews will be mindful of weather and tide forecasts to ensure equipment is not present during anticipated periods of flooding. Any installed public use infrastructure (i.e., benches, viewing platform, gravel driveway) will be resilient to floodwaters. The project will occur exclusively on the upland portion of the property.

### ***Visitor Use Experiences and Local Community Benefits***

While the property has long been closed to all public entry, members of the public do enjoy and appreciate the house from the roadside. Artists and photographers, some of whom produce artwork to sell in local stores, draw inspiration from the house and its surrounding landscape. There is strong

sentimental attachment to the house among some in the community, who actively advocate for its long-term preservation. Removing the house would be a source of frustration and loss for this group, which we acknowledge and regret. We are interested in working with the community to commemorate the house in a meaningful and tactful way, as suggested by many public comments. Examples may include a temporary panel with artwork and property history, or components of the house that may be saved and repurposed, if deemed safe to do so. If the house is sold at GSA auction, there are many possibilities to relocate or otherwise repurpose the house as desired by the awardee.

Once the house is removed and the area restored, members of the public would be allowed access for the first time. The small parking area on the existing driveway footprint and the park benches would be universally accessible to all users at the single most visible location throughout the refuge. Opportunities abound for passive recreation consistent with the mission of the National Wildlife Refuge System such as wildlife observation and photography, as well as ranger-led public programs and environmental education about the salt marsh. Based on public use monitoring data in the first year, if we decide to construct an observation platform, viewing and educational opportunities would be further enhanced. Therefore, from a wildlife-dependent recreation standpoint, we expect the selected alternative to provide significant tangible benefits for visitors over the “no action” alternative.

### ***Refuge Management, Operations and Administration***

With removal of the Pink House, refuge operations will be more efficient as there will be less infrastructure to patrol and maintain. However, the cost to remediate the environmental contaminants and demolish the structure could exceed \$50,000, and the project would be initiated contingent upon availability of funds. The Service would seek special funding sources for this work so as to not use appropriated refuge funds, allowing their use for higher-priority wildlife and habitat initiatives.

### ***Socioeconomics***

Any economic contributions associated with the Pink House, while small relative to the 300,000 annual refuge visits, could be partially offset by opening the area for public use, particularly if we install a plaque or similar commemorative structure. Once opened, the area will be increasingly used by bird watchers, painters, photographers, and educators.

## **CONSULTATION WITH PARTNERS**

We coordinated with officials from the City of Newburyport and the Town of Newbury in preparing these documents and continue to work closely with the congressional delegation and locally elected officials throughout the years-long process. We have also communicated with numerous non-profits, including Greenbelt, Mass Audubon, the Friends of Parker River, and Support the Pink House, Inc.

## **PUBLIC OUTREACH, REVIEW, AND COMMENTS**

The draft EA was released for public review and comment for 30 days (November 1-30, 2023) and advertised in print and television news media, on our website, and in multiple Facebook postings. Additionally, we published an open letter to the community on November 21, 2023. Copies of the EA were made available through multiple venues, including online and hard copies at the refuge. We participated in one in-person public forum at Plum Island Taxpayer's Association Hall in Newbury, MA on November 20, 2023. Over 150 people attended the public forum and 376 people or organizations submitted comments about the EA in writing. For the >4.5 months since releasing the draft EA, we pinned information about the Pink House to the top of our website, which included land exchange criteria in the event any landowners wanted to pursue a last-minute exchange. Throughout this period, and for the >7 years prior, we have worked closely with community partners and advocacy groups to locate suitable land exchange parcels.

The public comment process provides the public an important opportunity to review draft proposals and/or suggest alternatives that may not have been considered. In reviewing the written comments, 78% opposed removing the Pink House (the Service's preferred alternative), 21% supported it, and the remaining 1% were neutral. Most of those opposed to the preferred alternative (removal of the Pink House) cited a sentimental connection to the house, while most of those in support of removal cited the preferred alternative being a better fit for the refuge's mission. A full analysis of all public comments and the Service's responses are included here as Appendix B.

In response to numerous requests to reconsider removing the house, we re-engaged key nearby landowners to determine if any were willing to reconsider a land exchange for the Pink House. As a result of extensive outreach efforts by the Service and partners calling on local landowners to contact the refuge if potentially interested in an exchange, we received 9 inquiries since November 1, 2023. Of these, 7 were immediately not applicable because they did not meet the land exchange criteria established by law. The Service further considered two potentially promising properties, but ultimately determined they would not serve the refuge's mission.

## **MITIGATION MEASURES**

Measures to mitigate and/or minimize adverse effects have been incorporated into the selected action. These are described as follows:

- Removal will occur outside of the critical wildlife nesting and breeding season, and crews will continuously monitor weather and tides to ensure the surrounding marshes are not contaminated with construction-related debris.
- Tasks creating noise, such as heavy equipment operations, will not take place outside of approximately 07:00-18:00 so as to mitigate noise effects to neighbors.
- Erosion mitigation measures will be deployed throughout the project period.

- Once the site is restored and opened, public use will be monitored, and access may be adjusted or curtailed accordingly to avoid unforeseen impacts.
- Only clean fill will be used, if it is needed. Native vegetation will be planted as needed, and all work will be performed so as to mitigate spread of invasive species.
- We will work with community members to commemorate the history of the house.

## **DETERMINATION**

Based upon a review and evaluation of the information contained in the EA as well as other documents and actions of record affiliated with this proposal, the Service has determined that the proposal to implement the Parker River NWR Pink House Removal Plan will not have a significant effect on the quality of the natural or human environment under the meaning of section 102 (2) (c) of the National Environmental Policy Act of 1969 (as amended). As such, an environmental impact statement is not required. The EA has been prepared in support of this finding and is available upon request to Parker River NWR.

The Service has decided to select the preferred alternative action as described in the EA and implement the Parker River NWR Pink House Removal Plan effective immediately after the public is notified of this final determination. This action is consistent with applicable laws and policies.

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Regional Chief

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Date

National Wildlife Refuge System

# Final Environmental Assessment

## *Pink House Removal Plan Parker River National Wildlife Refuge*



March 2024

Prepared by

Parker River National Wildlife Refuge  
Newburyport, MA

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# Final Environmental Assessment for the Pink House Removal Plan

**Date: March 19, 2024**

This Environmental Assessment (EA) is being prepared to evaluate the effects associated with the selected action and complies with the National Environmental Policy Act in accordance with Council on Environmental Quality regulations (40 CFR 1500-1509) and Department of the Interior (43 CFR 46; 516 DM 8) and U.S. Fish and Wildlife Service (550 FW 3) regulations and policies. The National Environmental Policy Act (NEPA) requires examination of the effects of proposed actions on the natural and human environment. Appendix A outlines all laws and executive orders evaluated throughout this Environmental Assessment.

## Selected Action

The U.S. Fish and Wildlife Service (Service) will remove the Pink House at 60 Plum Island Turnpike, Newbury, MA. The Pink House, previously a private residence, occupies a footprint of approximately 1,600 square feet. The selected action will include house removal, site restoration, a small gravel parking area on the existing driveway, and a public viewing area with park benches with views into the adjacent salt marsh.

The proposed action in the draft EA evolved during the NEPA process as the Service refined its proposal based on feedback from the public. Therefore, the selected action has been modified from the original.

## Background

National wildlife refuges are guided by the mission and goals of the National Wildlife Refuge System (NWRS), the purposes of an individual refuge, Service policy, and laws and international treaties. Relevant guidance includes the National Wildlife Refuge System Administration Act of 1966, as amended by the National Wildlife Refuge System Improvement Act of 1997, Refuge Recreation Act of 1962, and selected portions of the Code of Federal Regulations and Fish and Wildlife Service Manual.

Parker River NWR was established in 1942, under the authority of the Migratory Bird Conservation Act, “... *for use as an inviolate sanctuary, or for any other management purpose, for migratory birds*” (MBCA; 16 U.S.C. 715). In 1948, Presidential Proclamation 2817 closed 1,753 acres of tidal waters surrounding the refuge to pursuing, hunting, taking, capture, or killing of migratory birds, or attempting to take, capture, or kill migratory birds. In 1962, the Refuge Recreation Act expanded the purposes of Parker River NWR to include: “...*(1) incidental fish and wildlife-oriented recreation development, (2) the protection of natural resources, (3) the conservation of endangered species and threatened species...*” (16 U.S.C. 460k-460k-4).

The mission of the NWRS, as outlined by the National Wildlife Refuge System Administration Act (NWRSA), as amended by the National Wildlife Refuge System Improvement Act (16 U.S.C. 668dd et seq.), is

*“... to administer a national network of lands and waters for the conservation, management and, where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.”*

Additionally, the NWRSA mandates the Secretary of the Interior in administering the NWRS (16 U.S.C. 668dd(a)(4)) to

- Provide for the conservation of fish, wildlife, and plants, and their habitats within the NWRS;
- Ensure that the biological integrity, diversity, and environmental health of the NWRS are maintained for the benefit of present and future generations of Americans;
- Ensure that the mission of the NWRS described at 16 U.S.C. 668dd(a)(2) and the purposes of each refuge are carried out;
- Ensure effective coordination, interaction, and cooperation with owners of land adjoining refuges and the fish and wildlife agency of the states in which the units of the NWRS are located;
- Assist in the maintenance of adequate water quantity and water quality to fulfill the mission of the NWRS and the purposes of each refuge;
- Recognize compatible wildlife-dependent recreational uses as the priority general public uses of the NWRS through which the American public can develop an appreciation for fish and wildlife;
- Ensure that opportunities are provided within the NWRS for compatible wildlife-dependent recreational uses; and monitor the status and trends of fish, wildlife, and plants in each refuge.

The Pink House is situated in a highly visible location on the way to the Plum Island portion of Parker River NWR (Figure 1). Constructed in 1925, it has become a local landmark. Initially purchased by the Service to protect the surrounding salt marsh and for possible staff housing, the deteriorated condition and presence of contaminants such as lead and asbestos caused staff to propose demolishing the structure. In response, a grass roots group – Support the Pink House, Inc. (STPH) – was formed to advocate for its preservation. In response to the community and to congressional leaders, the Service agreed to attempt a dollar-for-dollar land exchange of the property for higher-value wildlife habitat either at Parker River NWR, and when that proved difficult, at other refuges in the Northeast Region. Below is a timeline of the significant events throughout this process:

1. Sept. 2011: The US Fish and Wildlife Service (USFWS) acquires the Pink House along

with 9.29 acres of marsh and tidal creek for \$375,000. The Massachusetts Historical Commission concurs with the USFWS (MHC #RC.50722) that the house does not meet the criteria (36CFR60) for listing on the National Register of Historic Places and is therefore ineligible.

2. Dec. 2014: A preliminary environmental survey of the building is completed, finding accessible asbestos-containing building material. The Service determines that the building is not suitable as housing for seasonal staff, and that no other use for the refuge is feasible.
3. March 2016: The Service proposes demolition of the structure to take place that spring. “Support the Pink House” group forms and the refuge receives letters from local and federally elected officials suggesting a stay in demolition.
4. August 2016: The Service agrees to delay demolition, working with partners to affect a land exchange.
5. 2017-2019: An “Agreement to Initiate Exchange” was signed, and an appraisal completed. However, in September 2019, the exchange fell through due to terms in a conservation easement making it impossible for the Service to hold the lands in fee title.
6. November 2019: The Acting USFWS Regional Director, in response to a letter from Congressman Seth Moulton, set a date of Nov 1, 2020, as the deadline to accomplish a property exchange.
7. July 2020: Two additional parcels were evaluated for exchange with a willing landowner, both of which were significantly below the appraised value of the Pink House and were therefore removed from further consideration.
8. December 2020: with options proximate to the refuge exhausted, suitable exchange parcels were sought elsewhere in the Northeast Region as a final effort. The Service located a suitable parcel in another state and an “Agreement to Initiate Exchange” was signed (with an expiration date of December 11, 2022). The closing date was set for September 2022. The Service extended the prior Nov 1, 2020, deadline (see #6, above) to pursue this favorable lead.
9. August 2022: STPH receives approval from the MA Historical Commission for a perpetual preservation restriction to be put on the house. The Newbury Historical Commission agrees to hold and enforce the PR. The USFWS was not a party to this agreement.
10. September 2022: The out-of-state landowner backs out of the deal at a late stage, again leaving no viable alternative to exchange for the Pink House.
11. In addition to the above-listed exchange parcels for which an agreement was formally initiated, the refuge and its partners reached out to numerous adjacent landowners and those within 1 mile of refuge boundaries – public and private – to gauge interest in being a party to a land exchange. In addition, the USFWS Division of Realty conducts one final region-wide search. No viable sellers are located through these efforts.
12. March 2023: The Service notifies STPH and other partners that, due to lack of suitable fit for a land exchange, the regional search for additional properties is paused indefinitely.

13. November 2023: The Service publishes a draft EA proposing removal of the Pink House with the public comment period lasting through November 30. Public outreach and media involvement is extensive, and the Service uses this platform to ask the public to come forward with any final land exchange opportunities prior to finalizing the EA later that winter. Again, nothing viable was located despite these additional efforts.

Throughout this period, the abandoned structure has continued to deteriorate and has been vandalized on several occasions, as recently as May 2023. It requires constant patrols as well as interior and exterior monitoring and maintenance to ensure no major deficiencies – such as roof leaks – lead to catastrophic damage.

After working in good faith for over 7 years to exchange the Pink House, it is increasingly evident that a land-for-land exchange that would have added higher-value wildlife habitat to the refuge system is not feasible. Therefore, restoring the site to its natural condition and opening the area to the public for wildlife-dependent recreation is the preferred option. The driveway footprint will remain the same, and no pavement will be added.

In addition to the wildlife and public access benefits associated with the selected action, there are also aesthetic, environmental, operational, and long-term financial benefits. The Pink House is surrounded by an area that is already prone to flooding (Figure 2), and recent sea level rise projections indicate that this area will flood with much greater frequency and intensity as soon as 2030 ([Horsley Witten Group 2021](#)). Such specific dire projections were not available when the process to exchange the property began in 2016.

## **Purpose and Need for the Action**

The purpose of the selected action is to restore the site on which the Pink House presently exists while reducing the infrastructure footprint and future maintenance costs at Parker River NWR. A secondary purpose is to improve public access and wildlife observation opportunities.

The need of the selected action is to meet the Service’s priorities and mandates as outlined by the NWRSA to restore fish, wildlife and plant resources and their habitats while enhancing compatible wildlife-dependent recreational uses (16 U.S.C. 668dd(a)(4)).

## **Alternatives**

### **Alternative A – Current Management: Continue efforts to maintain the Pink House and seek a land exchange.**

Under the No Action alternative, the Refuge would not remove the Pink House nor restore a portion of the habitat on which it is located. The house would continue to deteriorate, and resources (staff time and federally appropriated funds) would be required to manage and

maintain the property, until such time as a suitable exchange is located and the house is transferred out of federal ownership, suffers a catastrophic loss, or becomes condemned due to safety concerns. The house and surrounding lands would continue to be closed to all public uses, and debris (e.g., shingles) would continue to be swept into sensitive marsh habitats during high-wind events.

### **Alternative B – Remove the Pink House, restore the site, and open it to public use – Selected Action Alternative**

Under the Selected Action, professional contractors will remediate contaminants and additional work crews will remove the structure at a later time (timing is contingent upon funding availability, the GSA auction process, the federal contracting process, and other requirements). Using heavy equipment, the house will be removed, and the foundation will be filled and compacted over a 2-week period (weather and other factors permitting). The existing driveway and foundation area will be used to create a small parking area for up to 4 vehicles and initially include park benches and new interpretive signage. Based on site use and public interest, an ADA-compliant observation platform for the public to view the adjacent Great Marsh from an elevated position may be constructed at a later date (a modification from the draft EA based on public comment analysis). The property will be open to public use and enjoyment for wildlife-dependent recreation, including bird watching and photography, environmental education and interpretation.

During removal, local and refuge officers will be available as needed to direct and manage traffic flow. The project will avoid the busier summer season as well as critical wildlife breeding periods to mitigate impacts of vehicle traffic and flora and fauna, respectively. Construction crews will take all necessary precautions to ensure that debris does not enter adjacent sensitive wetlands during removal of the house.

Many public comments inquired about relocating and/or repurposing the house if it must be removed. Based on this feedback, we are currently pursuing options to excess the structure (not the land, as that would not comply with law or policy) by listing it for public auction with the General Services Administration (GSA). If the GSA determines that excessing the Pink House is feasible and can be completed this year, the house could be sold. However, if the Service or GSA determines that the house is not a suitable candidate for public auction, we will proceed with in-house removal, as described above. If successful, the awardee (i.e., winning bidder) would be responsible for removing the house, whether by off-site relocation or demolition. In this way, the Pink House could be preserved either in whole, if it is relocated, or by use of its components, if it is demolished and repurposed.

In addition, we look forward to working with the community on how best to commemorate the house once it is removed. This may include a panel of the Pink House's history and its significance to the community.

The selected action will satisfy both the purpose and need listed above. It will improve public access opportunities and contribute to overall health of the surrounding salt marsh, while being as sensitive as possible to members of the community who admire the house.

The selected action fulfills the Service's mandate under the NWRSA. The Service has determined that removal and restoration (Alternative B) is compatible with the purposes of Parker River NWR and the mission of the NWR.

### **Alternative(s) Considered, But Dismissed from Further Consideration**

The Service considered the possibility of disposing the property, to include the house and land. However, authority of the USFWS to dispose of lands (if not part of an equal value land exchange) is limited (NWRSA, 43 U.S.C. § 1714(j)). To do so, the Secretary of Interior must determine that the lands are no longer needed, and the Migratory Bird Conservation Commission must approve of the disposal. However, the Pink House is situated within refuge salt marsh and upland; both priority habitats as identified in the refuge's [Habitat Management Plan](#) (available online at <https://ecos.fws.gov/ServCat/Reference/Profile/164139>). Further, the property is in a highly visible and accessible location, with great potential to serve the refuge's mission of providing high-quality environmental education and interpretation. Therefore, the property is not a suitable candidate for this type of disposal.

## **Affected Environment and Environmental Consequences**

This section is organized by affected resource categories and for each affected resource discusses both (1) the existing environmental and socioeconomic baseline in the action area for each resource and (2) the effects and impacts of the selected action and any alternatives on each resource. The effects and impacts of the selected action considered here are changes to the human environment, whether adverse or beneficial, that are direct, indirect, or cumulative. This EA includes the written analyses of the environmental consequences on a resource only when the impacts on that resource could be more than negligible and therefore considered an "affected resource." Any resources that will not be more than negligibly impacted by the action have been dismissed from further analysis.

The refuge consists of approximately 4,700 acres in Essex County, MA (see map, Figure 3).

Parker River NWR is composed primarily of salt marsh, which, along with the Plum Island Turnpike, also surrounds the Pink House (Figure 4).

For more information on general characteristics of the refuge's environment, please see the [Habitat Management Plan](#).

The following resources either (1) do not exist within the project area or (2) would either not be affected or only negligibly affected by the selected action:

- Threatened or endangered species, or other trust species

- Water quality
  - The project footprint would occur only in already-developed uplands and would not affect adjacent wetlands.
- Geology and soils
- Air quality
- Environmental Justice

## **Natural Resources**

### **Terrestrial Wildlife and Aquatic Species**

#### **Affected Environment**

##### ***Description of Affected Environment for the Affected Resource***

The project site is situated along a busy turnpike and is already within a developed area. No aquatic species occur on the project site, nor any terrestrial species of conservation concern. The project site consists of the driveway, the footprint of the house, and a 20-ft equipment operation zone surrounding it.

#### **Impacts on Affected Resource**

##### **Alternative A**

Allowing the structure to further degrade could negatively impact surrounding aquatic species as paint chips, shingles, and other debris, which may include lead and/or asbestos, enter wetlands.

##### **Alternative B**

Removing the structure will provide a net benefit to aquatic and terrestrial species as debris will not enter sensitive areas and the site will be restored to a more natural state.

### **Threatened and Endangered Species, and Other Special Status Species**

#### **Affected Environment**

##### ***Description of Affected Environment for the Affected Resource***

There are no federally threatened or endangered species occupying this area. Salt marsh sparrows – an at-risk species and candidate for listing – nest in nearby salt marshes, but not during the months when removal of the house will occur. Further, the house is an adequate distance from the marsh so as to not have any direct or indirect negative effects on sparrows or their habitat.

### **Habitat and Vegetation (including vegetation of special management concern)**

#### **Affected Environment**

##### ***Description of Affected Environment for the Affected Resource***

The area immediately surrounding the Pink House consists of grasses and shrubs, including sumac and invasive species such as bittersweet. The existing driveway occupies areas immediately to the west and south of the house, but a 20-ft swath of grasses and shrubs will need to be cleared from the north and west sides to accommodate heavy equipment (e.g., excavator). Therefore, the entire project footprint will include the driveway, the house, and a 20-ft

equipment operation zone on all sides; in total, about 7,000 sq ft. No special status plant species are known to occur within this footprint. The site will be restored and, if necessary, re-planted with native vegetation during the growing season.

### ***Description of Cumulative Impacts, Environmental Trends, and Planned Actions***

The Pink House property is known to contain several invasive plant species, including Oriental bittersweet, perennial pepperweed, and honeysuckle. All equipment will be thoroughly pressure-washed before and after mobilization to ensure invasive species do not spread within or outside of the project area. This will be required both for Service staff and for contractors.

The entire subject property is highly susceptible to the effects of climate change, including increased flooding due to sea level rise and increased storm intensity. The restored upland habitat is expected to convert to salt marsh in the long-term, providing flood protection to Plum Island Turnpike and additional wildlife habitat. The house is not resilient to floodwaters nor to intense storms, so replacing it with more resilient infrastructure such as park benches and possibly a future observation platform is the best use for the property.

## **Impacts on Affected Resource**

### **Alternative A**

The only current vegetation management has been to mow directly around the house, often at the request of partners, and to control invasive pepperweed. Allowing the structure to further degrade would negatively impact surrounding habitat and vegetation.

### **Alternative B**

There is always a risk associated with using construction equipment near wetlands. Service staff will take all necessary precautions to mitigate risks to the salt marsh. Tracked and wheeled equipment will only be used in the existing driveway and the areas directly adjacent to the house. Fuel and oil spill kits will be on-site for immediate use if needed. Therefore, we expect no direct or indirect negative impacts to the habitat; only positive as the deteriorating structure will be replaced with lower-profile public use infrastructure, enhancing access and the viewshed.

## **Floodplains**

### **Affected Environment**

#### ***Description of Affected Environment for the Affected Resource***

The entire Pink House property floods routinely (Figure 2). The basement is always flooded with at least 1 ft of standing water. The property is wholly within FEMA Flood Zone AE.

#### ***Description of Cumulative Impacts, Environmental Trends, and Planned Actions***

Flooding in this area is projected to increase significantly due to increased storm intensity and sea level rise. With the removal of the house, the footprint is expected to transition to salt marsh over time.



## **Impacts on Affected Resource**

### **Alternative A**

Keeping the house in place for an indefinite period increases the likelihood that a major flood will irreparably damage the structure, and that debris will be washed into nearby creeks and the marsh.

### **Alternative B**

Removing the structure will eliminate future risks of debris and contaminants being deposited in sensitive wetland habitat. Any future infrastructure, such as the park benches, a viewing platform and a small parking area, will be placed within the existing developed footprint and will be resilient to floodwaters. They will also be easily removable if warranted.

## **Visitor Use and Experience**

### **Affected Environment**

#### ***Description of Affected Environment for the Affected Resource***

The Pink House parcel is currently closed to all public entry. However, artists and photographers use the house as a source of inspiration, and passersby appreciate the house's character and location within the picturesque salt marsh.

#### ***Description of Cumulative Impacts, Environmental Trends, and Planned Actions***

Currently, there is no public visitation to the Pink House; the entire property is closed to public access for safety reasons.

## **Impacts on Affected Resource**

### **Alternative A**

The house and property would continue to be closed to all public uses while owned by the Service. If a future land exchange were to occur, the house could be restored either as a single-family residence or for educational purposes.

### **Alternative B**

With the house removed and land restored, members of the public will have access to the area for wildlife-dependent recreation. If installed, an accessible observation platform will provide access to additional user groups. The refuge and its partners will use the area for environmental education and interpretation, and visitors will have an accessible area from which to observe wildlife and the salt marsh viewshed.

If the house can be sold successfully via GSA auction and relocated in its entirety or in part, then its memory will be preserved elsewhere. While we acknowledge that many of those submitting public comments wished for the house to remain in place in perpetuity, those efforts proved unsuccessful. We remain committed to working with the community to ensure the best possible outcome given the challenging circumstances with which we are faced.

## **Cultural Resources and subsistence**

### **Affected Environment**

#### ***Description of Affected Environment for the Affected Resource***

There are no known cultural or historic resources at the project site, nor any resources eligible for listing on the National Register of Historic Places. Pink House advocates proposed a local preservation restriction to be placed on the house if a land exchange occurred, but the property was never transferred out of federal ownership. Therefore, there is no preservation restriction on the house or property.

### **Impacts on Affected Resource**

#### **Alternative A**

The Pink House would continue to draw inspiration from local community members and artists, although, over time, its deteriorating condition may lessen this draw, particularly if it becomes condemned and removed due to safety reasons.

#### **Alternative B**

An archaeological survey published in 2019 found no historical or cultural features or sites within the Pink House project area. This analysis was conducted in consultation with Federal and State Historic Preservation Officers to ensure Section 106 compliance. A report of the house, to include current and historic photographs, will be completed for use in future displays and made available to the public to preserve the house's memory.

## **Refuge Management, Operations and Administration**

### **Land Use on the Refuge**

#### **Affected Environment**

#### ***Description of Affected Environment for the Affected Resource***

The Pink House, its driveway, and utility connections are the only pieces of infrastructure on the property. Refuge staff monitor and patrol the property regularly and perform repairs as needed to maintain integrity of the house exterior.

#### ***Description of Environmental Trends and Planned Actions***

No planned actions nearby are relevant to this action, nor are there any known cumulative impacts.

### **Impacts on Affected Resource**

#### **Alternative A**

Maintaining the house indefinitely, or until such time as an exchange occurs, would continue to place a burden on staff and resources to manage the property. As the property is closed to public use and is vandalized, it requires significant law enforcement management. The house would continue to deteriorate and will become more of a safety hazard for refuge staff and the public. Total annual maintenance costs – currently about \$5,000 in labor and materials – would increase

significantly. If the Pink House and its 1-acre subdivided parcel were to be exchanged, refuge administrative access to the additional 8 acres surrounding it would be more difficult.

### **Alternative B**

Refuge staff time will be needed to manage federal contracts for environmental contaminants remediation and the process to list the house for public auction. If the auction proceeds and is successful, staff time will be required to oversee removal of the house from the property. If the auction is not successful, approximately 2 weeks in staff or contractor time will be required to remove the structure. An additional 1 week will be needed to restore the habitat, install park benches, signage, a split rail (or similar) fence, and a 4-car public parking area. An observation platform, if constructed at a later date, would take an additional 1 week. The estimated cost to remediate and remove the structure, fill the foundation, and restore the habitat could be between \$50,000 to \$90,000 in staff time, materials, and rental equipment (final costs will depend on whether certain tasks are performed by Service staff, a third party if sold at auction, or contracted). The estimated cost to construct an accessible viewing platform is \$12,000 in labor and materials. After these projects, impacts to refuge management and operations will be minimal, requiring periodic patrols of the area and maintenance to the minimal facilities. Signage will be needed to indicate that parking is temporary and only for refuge visitors (e.g., not for access to nearby businesses and attractions).

## **Socioeconomics**

### **Local and Regional Economies**

#### **Affected Environment**

##### ***Description of Affected Environment for the Affected Resource***

Parker River NWR has over 300,000 visits per year, contributing an estimated \$11.6 million to the local economy (USFWS 2019). Based on 2023 data, most of those visits included hiking and pedestrian use of foot trails, followed by auto touring the refuge. While some visitors do visit the Pink House (from off-refuge property) specifically to view, paint, and/or photograph it, that number is low compared to other wildlife-dependent refuge visits. However, removing the structure and opening the lands to public viewing will enhance accessibility for all user groups. Because the project is not likely to have any effects on local and regional economies, this section was removed from further consideration.

## **Monitoring**

Refuge staff, in addition to work crews, will be on-site during the removal process to monitor for and mitigate any adverse effects, including debris blowing into adjacent lands and fuel spills, as well as for crowd control as needed. After removal, the habitat will be restored to its natural condition and require no long-term monitoring. After the viewing platform is constructed and the land is open for public viewing, existing staff will monitor and manage public use of this area in the same manner as with other refuge lands, without the need for increase in staff or budget.

## **Summary of Analysis**

### **Alternative A – Current Management: Continue efforts to maintain the Pink House and seek a land exchange.**

As described above, this alternative has been diligently pursued for 8 years. Additional resources would be required to maintain the house until such time as a suitable exchange parcel is located, and the likelihood and time frame for that is, at best, highly uncertain. Meanwhile, considerable staff resources would be expended while the house continues to deteriorate, poses an attractive nuisance for vandalism, and poses safety hazards to staff who must enter the building for maintenance and monitoring and work on the surrounding grounds.

### **Alternative B – Remove the Pink House, restore the site, and open it to public use – Selected Action Alternative**

As described above, this alternative provides additional wildlife-dependent recreational opportunities and increases the safety of refuge staff and visitors by removing an aging and unsafe structure. The Service has determined that the selected action is compatible with the purposes of Parker River NWR and the mission of the NWRs.

## Figures



**Figure 1.** Street-level view of the Pink House surrounded by salt marsh. Photo was taken from the Plum Island Turnpike, Newbury, MA.



a. February 8, 2016



b. December 23, 2022

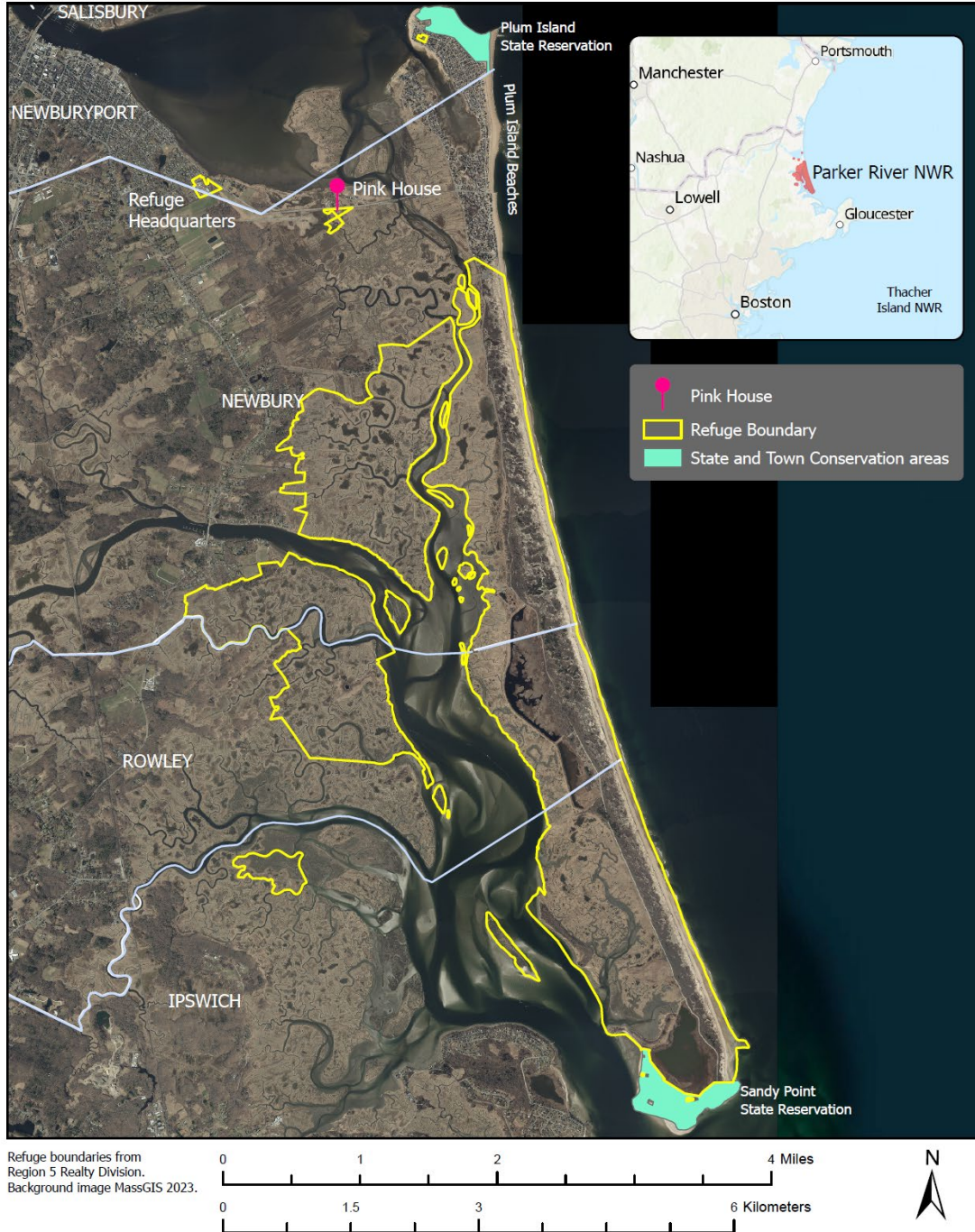


c. January 10, 2024



d. November 11, 2023

**Figure 2.** Selected photographs showing flooding of the Pink House property over the past 8 years (a-c), along with the perpetually flooded basement (d, not during a high tide or storm event). Such flooding typically occurs multiple times per year, with safe access cut off from the property. Since releasing the draft EA in November 2023, the property has flooded on at least 4 occasions.



**Figure 3.** Map of the Pink House location within Parker River National Wildlife Refuge, Essex County, MA.



**Figure 4.** Aerial view of the Pink House (at center) situated along Plum Island Turnpike, Newbury, MA.

## **List of Sources, Agencies and Persons Consulted**

### **List of Preparers and Reviewers**

Prepared by: Matthew Hillman (Refuge Manager)

Reviewed by: Sharon Ware (Deputy Manager), Stacey Lowe (Refuge Supervisor), Nancy Pau (Biologist), Laurence Levesque (Planning Chief)



## State Coordination

Refuge staff have communicated routinely with state, local, and federally elected officials throughout the years-long process to seek a path forward. The Massachusetts Historical Commission was consulted in 2010, and again by partners in 2021.

## Public Outreach

The refuge has been communicating and coordinating closely with Support the Pink House group since its establishment to find viable solutions for a land exchange.

The draft EA was open for public comment from November 1 through November 30, 2023. Outreach was extensive and included press releases to local and national news media outlets, refuge websites and social media pages. Refuge staff participated in a public forum on November 20, 2023, attended by over 150 people, to listen to the community and answer questions. Over 20 news media articles and television interviews were disseminated. The significant outreach efforts yielded 376 public comments (see Appendix B).

## Determination

*This section will be filled out upon completion of the public comment period and at the time of finalization of the Environmental Assessment.*

- X The Service's action will not result in a significant impact on the quality of the human environment. See the attached "**Finding of No Significant Impact**".
- The Service's action **may significantly affect** the quality of the human environment and the Service will prepare an Environmental Impact Statement.

## Signatures

**Submitted By:**

**MATTHEW HILLMAN**

Digitally signed by MATTHEW  
HILLMAN  
Date: 2024.03.13 07:38:45 -04'00'

Project Leader Signature

**Concurrence:**

Refuge Supervisor Signature

**Approved:**

Regional Chief, National Wildlife Refuge System Signature

## References

Horsley Witten Group 2021. Plum Island: Exploring the Fiscal and Economic Implications of Sea Level Rise. July

USFWS 2019. The Economic Contributions of Recreational Visitation at Parker River National Wildlife Refuge. Division of Economics U.S. Fish & Wildlife Service. May.

## Appendix A: Applicable Laws and Regulations

This Appendix lists applicable statutes, regulations, and executive orders not otherwise addressed in this EA, as well as how the selected action and EA analysis comply with each, and any additional compliance steps taken by the Service.

### Cultural Resources

National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470-470x-6; 36 CFR Parts 60, 63, 78, 79, 800, 801, and 810

The refuge determined that the Pink House does not meet the criteria of evaluation for listing in the National Register of Historic Places and has been deemed ineligible. The Service consulted with the Massachusetts Historical Commission who concurred with this determination.

### Fish and Wildlife

National Wildlife Refuge Administration Act, 16 U.S.C. 668dd et seq.

The Service manages all its lands – Pink House parcel included – under the regulations and authorities established in this Act for the benefit of wildlife and conservation. The Act also established 6 priority public uses of the NWRS, to include wildlife observation and photography, environmental education and interpretation. Refuge staff considered these priority public uses for the preferred alternative to open the restored site to the public for wildlife observation, environmental education and interpretation.

### Land Management

Federal Land Policy and Management Act of 1976. Public Law 94–579; Approved October 21, 1976; 43 U.S.C. 1701 through 1782 (as amended through P.L. 117–286, Enacted December 27, 2022)

The Service used the authority granted under this Act to explore opportunities for disposal of the Pink House 1-acre parcel as part of an authorized land exchange. For this to occur, the lands coming into the refuge must be of approximately equal monetary value, and equal or higher ecological value, to the lands being disposed of. Further, there must be a willing landowner with suitable lands for exchange.

## Appendix B: Public Comment Summary

### SUMMARY OF PUBLIC COMMENTS AND RESPONSES

The 30-day public comment period for the Environmental Assessment (EA) titled “Parker River National Wildlife Refuge (NWR) Pink House Removal Plan” concluded on November 30, 2023. As part of the outreach effort, staff submitted press releases to local, regional, and national media outlets, shared the EA directly with interested groups and individuals, participated in a November 20 public forum in which 150 people attended, used social media and refuge webpages to share documents and update the public, published an open letter to the community, and provided hard copies of the EA for review at the refuge’s visitor center. The outreach effort garnered significant media attention, with over 20 online, televised and print news stories, in addition to numerous letters to the editor submitted by members of the public.

In total, we received 376 comments: 5 from an organization or elected governmental body and 371 from individuals. Two hundred ninety-two (78%) opposed demolishing the Pink House; 79 (21%) supported demolition; and 5 (1%) neither supported nor opposed demolition. Five comments (1%) cited the potential for negative environmental consequences as rationale for why the structure should not be removed, or for why a viewing platform should not be built in its place. The most common argument against demolition was the structure’s cultural or iconic landmark status ( $n=186$ , or 64%). Of those supporting demolition, the most frequent reasons cited were that an observation platform would better serve the public than the existing closed area ( $n=32$ , or 41%) followed by concerns related to sea level rise, flooding, marsh degradation if the structure remained, and benefits to the marsh with its removal and habitat restoration ( $n=28$ , or 35%).

Below is a more thorough analysis of the comments and questions received, grouped into similar topics (in dark blue bulleted lists) along with our responses. We are grateful to all who took the time to review the plan and provide their input.

#### Historical Value

- Some comments described the house as being historically significant with a preservation restriction already in place which should ensure that it be saved. Many of these comments noted how historical buildings are too often demolished and permanently lost to history.
- Comments advocating for demolition described the house as having no real historical value with an unremarkable past, precluding it from national historic status.

The Massachusetts Historical Commission (MHC) concurred twice – first in 2011 and again in 2021 – that the Pink House is ineligible for listing under the National Register of Historic Places. An excerpt from the most recent determination follows:

*“Based on the information and materials provided, the Pink House is not of demonstrated historical significance because the house is not associated with events that*

*have made a significant contribution to the broad patterns of our history nor associated with the lives of persons significant in our past. While located close to the historic Plum Island Airfield, it does not appear to have held any historical associations with the Airfield. As a somewhat altered example of a relatively common house type, the Four Square, the Pink House also does not appear to be of particular architectural significance as an example of its type in Newbury.”*

In their 2021 determination, the MHC indicated that it would approve a perpetual preservation restriction (PR) on the house, noting its cultural significance to the local area. However, such a PR could only be conveyed after it is transferred out of federal ownership.

Currently, there is no PR on the Pink House. Such restrictions are a function of the state, not the USFWS. The process to pursue a PR was independent of the refuge, who notified advocacy groups in October 2020 that “*a P.R. could not occur while the property is still under USFWS ownership. This could be something you do once ownership is transferred.*”

### **Cultural Value**

- The majority of comments opposing demolition described the Pink House as a cultural icon or landmark that should be preserved, similar to Motif #1 in Rockport, MA and as a source of inspiration for artists. Additional comments noted how the Pink House serves as a welcoming beacon or gateway to Plum Island, providing a sense of relaxation. Others commented on its aesthetic appeal within the marsh.
- Those comments favoring demolition indicated that any cultural value is sentimental and not sufficient rationale to justify the house’s preservation. Additional comments noted how the house has already been well preserved and memorialized over the years as reflected in pieces of artwork and in people’s memories. Others described the house as an eyesore and out of place in an otherwise natural area.

We agree that that the house has local appeal and cultural significance. Because of this, we have worked alongside community partners for 8 years to exchange the property out of federal ownership while acquiring refuge lands of greater ecological value. Such an undertaking, if successful, would have produced a desirable outcome toward preservation of the Pink House and conservation of higher priority habitat areas near the refuge. Unfortunately, a viable landowner willing to exchange for the Pink House was not located despite intensive search efforts.

### **Economic and Financial Considerations**

- Some comments noted that the Pink House contributes to the local economy via sale of Pink House-related artwork and/or tourism. A smaller number of comments disagreed with the economic contributions of the Pink House.
- Several comments suggested that the Pink House should be exchanged, sold, or donated to a private buyer so that the town of Newbury can add the property to its tax rolls, providing a much-needed source of revenue.

- A few comments suggested that demolishing the house would unnecessarily waste taxpayer money – both due to demolition costs and the removal of a real estate asset – and that maintaining or exchanging the house would provide an economic benefit to the refuge. Others noted that saving the house would spare the expense of constructing an observation platform.
- Some cited the financial burden in federal dollars necessary to maintain the house as rationale to demolish it.

The refuge welcomes over 300,000 visits per year, and last year alone, over 30,000 people directly participated in our interpretive programming. People of all ages and abilities access the refuge year-round to observe wildlife, hike, bike, fish, hunt, and engage in numerous educational programs. During the summer months and at times during the off-season, the refuge gets so busy as to close when vehicle capacity is exceeded (over 300 vehicles at one time). While we agree that people do visit Newbury to observe the Pink House, paint or photograph it, and buy/sell merchandise, we believe that the associated economic contributions are small compared to the myriad of other refuge uses and public visits.

For reasons discussed elsewhere in this document, the USFWS is prohibited, by law, from donating or selling the Pink House. Only an equal value land exchange is applicable.

Regarding tax revenue for the town, the refuge does provide federal payments that help local governments offset losses in property taxes due to the existence of nontaxable federal lands within their boundaries (Payments in Lieu of Taxes). Beyond that, providing additional housing or other tax revenue to municipalities is outside the mission of the refuge system.

Removing the house would cost less in taxpayer money over the long-term compared with perpetually maintaining it. Further, previous appraisals of the Pink House indicated that the economic value of the property was in the land and its associated betterments (e.g., public utilities, road frontage) and aesthetic appeal of the marsh, *not* in the house itself. Therefore, demolishing the structure would not equate to a \$500,000 loss in government property.

If we construct a viewing platform in place of the Pink House, we will likely use recreation fee dollars collected from visitor pass sales, not appropriated funds. Such a project – improving public access opportunities – is exactly why the recreation fee program exists, and currently the refuge has adequate funds for such an undertaking. Further, constructing a viewing platform is not required, and we would only initiate the project provided availability of staff time and public interest.

### **Wildlife, the Environment, and Climate Change**

- A couple of comments stated that the effects of demolition on the surrounding environment would be greater than keeping the house in place and/or restoring it.

- Some comments noted that birds of prey, such as snowy owls, depend on the house as a place to perch, rest, and hunt, and removing the structure would indirectly harm wildlife. Others indicated that an observation platform may disturb wildlife.
- The majority of comments supporting demolition cited environmental concerns for the sensitive salt marsh habitat if the Pink House were to remain. These comments stated that marsh and adjacent upland habitat should be prioritized over keeping the house in place. Other comments spoke to concerns about climate change, sea level rise, and flooding, and the negative effects these factors would have on the house and surrounding habitat over time.
- Several comments suggested that the house does not flood, and the EA over-stated the flood risk and dire climate change predictions.

Abandoned structures, such as the Pink House, within sensitive wildlife habitat do detract from the refuge’s core mission. They contribute debris and contaminants to surrounding natural areas, serve as an attractive nuisance, and pull resources away from mission-critical activities. We believe that removing the structure, restoring the footprint back to upland habitat, and possibly constructing a low-impact, low-profile viewing platform would, in the long-term, benefit the surrounding environment.

The house is not important habitat for birds of prey or other wildlife. If removed, wildlife would simply use other available areas. An abundance of unnatural predator perches within salt marsh actually detracts from the refuge’s mission to protect focal species such as waterfowl, shorebirds, and the salt marsh sparrow.

The property floods routinely, particularly during winter storms and astronomical high tides. Additional seawater enters the basement during these events, and access to the house is cut off due to flooded roadways. Seawater is always present in the basement.

Already within a FEMA flood zone, more flooding in this area is anticipated due to sea level rise and increased storm intensity – with major changes as soon as 2030 (see [2021 report](#)). In fact, as recently as January and March of 2024, unprecedented flooding occurred throughout the region, flooding the entire property and making the Plum Island Turnpike inaccessible around high tides. We have edited the final EA to include a collection of photographs of the flooded Pink House property over the past 8 years to illustrate the very real concern for its future viability.

### **Observation Platform**

- Many comments opposed constructing a viewing platform, stating that sufficient platforms already exist elsewhere and another “watch tower” is not needed to observe birds.
- Some comments opposed a new platform but proposed a creative solution to incorporate a viewing platform as part of the existing Pink House structure. Others requested that we do both – restore the house and build an adjacent viewing platform.

- The majority of comments supporting demolition cited a viewing platform as a wise future use for the area and a benefit to the community. One asked for a storage area to be constructed under the platform to hold supplies for educational programs.
- Several comments supporting demolition requested that the site be restored and left natural, and that no viewing platform be installed. One comment requested park benches but no platform.

As proposed, any viewing platform would not be an elevated observation tower like those at the Hellcat Dike and Stage Island on the refuge. The proposed structure would be lower profile, not more than 6 ft off the ground, and constructed in such a way as to be resilient to flooding. We propose that the platform would take up less than half of the existing footprint of the Pink House. It would include a ramp and be accessible to all users.

As this property is the most visible and accessible site on the refuge, we believe that a viewing platform at this location, along with new interpretive signage, would benefit the community and its understanding of and appreciation for the Great Marsh. We and our partners could also use the site for fully accessible educational programming.

We greatly appreciate the proposed solutions to incorporate an observation area as part of the existing house, or to both restore the house and construct an adjacent platform. However, as described below, maintaining the house in perpetuity is neither feasible nor in keeping with the refuge's mission.

We are committed to working with the community to ensure that any future observation area benefits the greatest number of people, while following the refuge's core mission to protect wildlife habitat and educate the public. To that end, we edited the final plan based on community feedback as follows: after removal and restoration, we will proceed with opening the area to public use but will include minimal infrastructure at first – likely a couple of park benches. If public interest and parking availability is sufficient, we may construct an accessible viewing platform at a future date.

### **Environmental Contaminants and Public Safety**

- Numerous comments supporting demolition cited public safety hazards such as lead and asbestos contamination present in the house.
- Others stated that the house is uninhabitable or otherwise would be a danger to the public if left in place.
- A smaller number of comments opposing demolition stated that any hazards to the public or environment were overstated in the draft EA and could easily be remediated.
- Some comments on both sides of the issue agreed that the area should not be open to the public due to traffic safety and parking concerns along Plum Island Turnpike.

Lead and asbestos are two hazards known to exist throughout the building. Based on a 2014 survey, the house is known to contain asbestos as follows: 1,500 sq ft in upper roofing, 1,000 sq



ft in lower roof portions, 600 sq ft in floor tile, throughout 40 window units installed and stored, and within the kitchen, bathroom, and other areas. Lead paint is present throughout. There is no safe amount of asbestos or lead exposure; they pose serious health and safety risks to anyone remaining in the building for prolonged periods, but especially to those performing maintenance work.

While it is true that lead and asbestos contamination can be safely remediated, doing so must be performed only by qualified professionals at significant cost. The cost would be even greater to remediate for restoration vs. demolition, particularly as contaminants are prevalent in exterior weatherproofing components such as roofing. As the refuge has no use for the building, we will hire contractors to perform remediation work prior to removal.

We agree that the structure could pose a public safety hazard if left in place, and that its remediation and removal would be a safer alternative. While the property will remain closed to the public due to safety concerns as long as the house remains, trespass, breaking and entering, and vandalism occur routinely and are an ongoing concern. Further, the building poses health hazards to refuge staff – particularly maintenance staff who must repair and secure the facility after storm damage and vandalism events.

Regarding public safety of the roadway if the site were opened to public use, neither traffic congestion nor increased frequency of motor vehicle accidents are known to occur at Greenbelt's similar marsh property, <1/4 mile east of the Pink House. The site is in a highly visible location and would be closely monitored and patrolled by law enforcement officers and refuge staff.

### **Proposed Solutions to Save and/or Memorialize the Pink House**

- Many comments, both for and against demolition, provided constructive and creative ideas to either preserve the structure or to memorialize it in other ways. Some comments expressed both of these themes – that is, expressing hope the house could be saved while understanding the need to demolish it, and requesting that it be memorialized if it is. The proposed solutions are as follows:
  - Restore and repurpose to better serve the refuge's mission as: staff/researcher housing; visitor, research, and/or education center; ecotourism museum; artist's retreat.
  - Remediate contaminants, gut the house and keep only the shell so the silhouette remains.
  - Rebuild the house as a replica, similar to Motif #1 in Rockport, MA.
  - Demolish the house but then construct a viewing platform to replicate the Pink House's exterior, install a plaque or memorial, and/or make a Pink House exhibit.
  - Demolish the house and repurpose/reinvent components into furniture and artwork, keeping debris out of landfills.
  - Raise the house on stilts.
  - Relocate the house to another area.

- Secure/lock the house, install security cameras, and have Newbury Police patrol.
- Convert all or part of the structure as an observation platform.
- Use of public/private partnership, fundraising, and volunteers/nonprofit indefinitely for ongoing maintenance, or until such a time as a land exchange can occur.
- Leverage with celebrity voices and repurpose as a haven for those with breast cancer.
- Continue along a path to exchange the property for higher value refuge lands both locally and nationally; save money by not demolishing the house or building a platform.
- Lease or donate the property to the town or a nonprofit.
- Remove windows and turn it into a big bird house.
- Use the house as a social club for over-sand vehicle drivers.
- Leave it alone and let nature take its course.

We are very grateful for all of the constructive feedback provided during the public comment process, which generated numerous new and creative ideas.

For the comments suggesting that the Service keep the Pink House, whether restored in its entirety or as an external shell/facade, the refuge has no use for the building. We currently possess substantial infrastructure, much of it aging and already a challenge for our one on-station maintenance worker to maintain. Further, the refuge already has a visitor center <1 mi west of the house, a visitor contact station >1 mi east, and sufficient housing for seasonal staff and visiting researchers.

One misconception is that the Service can simply sell, donate or dispose of the property to a public or private entity who could then fund restoration work. Federal law stipulates that national wildlife refuge lands cannot be disposed of in this manner. When lands are protected as part of the national wildlife refuge system, they are preserved in perpetuity. In this case, because the lands on which the house sits are of high ecological and educational value, only an equal value land exchange is applicable.

Surplus or disposal is possible only if the *lands* – not the *structures* – are no longer needed by the refuge. The Pink House property, itself being on upland and surrounded by salt marsh habitat of high ecological value, supports the refuge’s mission, both from an ecological and educational perspective. However, we agree that excessing the building is theoretically possible, and are actively working with the General Services Administration to determine if the Pink House can be sold at public auction. If successful, the house could be relocated or repurposed.

The possibility for a cooperative agreement with an external entity applies only to lands managed by the Service under agreement with another landowner, typically a state or local agency. The Pink House, however, is already owned and managed by the refuge, so such an agreement would not apply.

Use of volunteers to maintain the structure is problematic due to environmental hazards and safety concerns. Further, volunteers cannot waive liability, as one comment suggested, per signed federal Volunteer Service Agreements. Regarding work by private, local contractors, construction on a federal facility is subject to contracting rules for work exceeding \$2,000 and must go out to bid. For all of the above options, significant staff time and resources would be required to coordinate and manage the work of volunteers, contracts, and contractors. Given lack of a critical mission need for the house, we are unable to commit further resources to such endeavors.

Eight years ago, when we began the land exchange process, the Service stated that advocacy groups could raise funds, purchase suitable exchange lands, and exchange those directly for the Pink House. We also stated that the house could be excised and relocated to an off-site location using private funds. However, neither option was pursued at the time. As a final effort, we are willing to list the house for auction this year, if deemed feasible.

According to Federal Emergency Management Agency (FEMA) rules in Flood Zone AE, in which the property is located, if restored, the government would be required to raise the structure on pilings by 15' (not the 13' required of private property owners in the same area, as rules are stricter for government infrastructure). These rules would be triggered for any “substantial improvement,” defined as 50% of the value of the house. According to 2010 and 2021 appraisals, as the appraised value of the structure is negligible, the 50% substantial improvement rule would be triggered shortly after any restoration work commenced. Even if keeping the house was important to the refuge’s mission, the total cost to (1) remediate contaminants, (2) renovate the house either as a shell or in its entirety, and (3) raise the house on stilts would be prohibitive.

At this point, refuge and realty staff are unable to invest additional resources into pursuing a viable land exchange. We are confident that over 7 years of searching for exchange lands, in addition to nearly 5 months of this highly public process, would have produced a desirable outcome, if one existed.

As described above, we will wait to pursue any construction of an observation platform until assessing the usage of the site after the house is removed and the area is open to the public. We will welcome public input as to how to memorialize the Pink House. We are also open to assessing whether any components can be safely salvaged and repurposed as part of the remediation and public auction process. Thank you for these helpful suggestions.

### **Optics and Public Relations**

- Several comments suggested that the USFWS operated in bad faith. Others stated we caused deterioration of the house due to neglect.
- Some comments stated that demolition would be bad public relations and would result in a loss of community trust and support.

Service staff have worked diligently and in good faith throughout this process, exceeding our normal role by aggressively identifying and, where appropriate, pursuing land exchange opportunities. We have no control over the willingness of landowners to exchange their lands, or would-be sellers from backing out of pending real estate transactions (as happened). Despite the inherent challenges, we were willing to pursue a land exchange in response to members of our community who advocated for preserving the house, and to congressional leaders.

An abandoned structure is always prone to additional deterioration, and the Pink House is no exception, particularly given its location in an exposed marine environment. Our limited staff have done everything possible to ensure major exterior deficiencies were repaired in a timely manner (e.g., roof leaks, broken windows, kicked-in doors, or anything that would allow water infiltration). However, cosmetic repairs to the house were not in the best interest of limited resources given the need for maintenance on higher value assets such as the headquarters facility. Therefore, while we agree that the condition of the house has deteriorated since being acquired by the refuge, the refuge did not cause its poor condition. To illustrate this, prior to acquisition by the Service, the property's 2010 appraisal stated that:

- *“No one has lived in the building for a number of years. Deferred maintenance was evident throughout the structure, inside and out”*
- *“The dwelling itself lends no value”*
- *“It shows neglect, and wear and tear throughout”*
- *“It did not appear to be in safe condition from visual inspection alone”*

And, the below excerpt is from a [2015 NYTimes article](#) written by Kate Bolick:

*“I called the owner, Craig Stott, to see if I could rent it. He explained that his family had moved there in 1960, when he was 2 years old, and rented it off and on after 2001, when his mother moved into an assisted-living center, but at this point it needed too much work to be habitable again.”*

We agree and regret that the decision to demolish the house may cause a contingent of the community to lose support of and trust in the refuge. While we are faced with a difficult decision, we ultimately believe that the house's removal and subsequent habitat restoration aligns with the refuge's wildlife-focused mission and overall public safety.

### **Relevance to Mission**

- A nearly equal number of comments identified the refuge's mission as a reason to either preserve or to demolish the house. While some stated that historic preservation is a core component of our mission, others stated that wildlife and habitat must take precedent.

The core mission of the National Wildlife Refuge System is to *“administer a national network of lands and waters for the conservation, management and, where appropriate, restoration of the fish, wildlife and plant resources and their habitats within the United States for the benefit of*

*present and future generations of Americans.*” The long-term care and maintenance of a non-historic structure located within otherwise intact salt marsh and upland habitat does detract from that mission. It pulls our limited resources (staff time and funds) away from accomplishing important work to protect threatened and endangered species, restore salt marsh habitat, provide high-quality public programming, and maintain critical infrastructure throughout the four national wildlife refuges we manage.

While the Service does protect and restore historic structures, we cannot save all historic structures, and as described above, the Pink House is ineligible for a national historic listing. Historic preservation must be prioritized accordingly, and using government resources to restore a structure for sentimental purposes alone would not be prudent.

### **The National Environmental Policy Act (NEPA) and EA process**

- Several comments advocated for an extension of the 30-day public comment process, while one asked for it not to be extended.
- A couple of comments indicated that the refuge must comply with Section 106 of the National Historic Preservation Act (NHPA) or with the historic determination by the MHC.
- One comment noted the failure to post public comment information.

Given the intense public outreach and publicity generated during the 30-day public comment process, the relatively short draft EA, and having met all legal mandates pursuant to NEPA, we do not believe that an extension of the comment period was warranted.

In 2011, the Service consulted with the State Historic Preservation Officer and more recently completed the public comment process. The MHC concurred that the house is ineligible for listing under the national register. The Service has therefore satisfied its obligations under Section 106 of the NHPA.

Information of how and when to submit public comments was well advertised and was pinned to the top of the refuge’s website and Facebook pages for the duration of the 30-day period. Hard copies were also provided for review at the visitor center.

### **Other Comments**

The following questions and comments were infrequent (1% or less of all comments submitted) and could not be categorized into the above topical areas:

- By law, the house must be raised on stilts if restored.

Based on FEMA rules and discussions with federal officials, we concur.

- It is impractical/impossible to rebuild due to local bylaws and building codes.

This is outside our area of expertise.

- Pursue a legislative solution.

This is outside our purview and scope.

- The refuge should abide by its signed contract with Support the Pink House (SPH) group.

The refuge signed a 2-year, nonbinding agreement with SPH known as an Authorization to Initiate Exchange (AIE) that expired in December of 2022. The AIE is an agreement that states each party's responsibilities and how they will work cooperatively to affect a land exchange, which both parties did in good faith despite an ultimate lack of success. Therefore, there was neither a signed contract nor a broken agreement; there was a signed agreement that ran its course and expired.

- Return the property to Newbury so it can mitigate the local housing shortage.

This is addressed above under "proposed solutions."

- The Pink House is not even on the national wildlife refuge.

The house and the land on which it sits is part of Parker River National Wildlife Refuge in fee title. While it is not contiguous with other areas of the refuge – in the same way that our headquarters facility is not – it remains as a part of the refuge.

- The land exchange process has been out of the public eye and secretive.

The Service works with willing landowners on real estate transactions and the process must be kept confidential, which is almost always at the landowner's request. Further, the public comment process and subsequent public request for willing landowners to come forward with potential exchange options was well publicized and exceeded 4 months.

- The estimated cost of \$24,000 to demolish the house is artificially low.

We agree and have edited the plan accordingly. Considering mitigation of environmental contaminants and increased construction and labor costs, the updated range is \$50,000-\$90,000.

- Why has a land exchange been so difficult to achieve?

Despite 8 years of searching, neither the Service nor our partners have located a viable landowner willing and able to exchange lands for the Pink House. While we have pursued dozens of leads, all of them have been (1) significantly below the appraised value of the Pink House, (2) of lower ecological value than the upland and marshes of the Pink House property, (3) greater than 1 mile from refuge boundaries, and/or (4) encumbered by various deed restrictions making acquisition impossible.

Further, the relatively high valuation of the property has made it even more difficult to find suitable exchange options, because – by law – any lands coming into the refuge must be of higher ecological value *and* approximately equal monetary value. The Pink House property is

valued at nearly half a million dollars; by contrast, the average USFWS acquisition over the past 5 years is only \$180,000.

- The SPH group is derelict in their tax filings and raising funds they cannot spend for lands they do not own.

This is outside our purview.

- Why preserve a house known as the “spite house?” There are better lessons to teach younger generations; the house has a sad story.

We again thank the community for engaging with this issue and assisting us in making an informed decision.