

**MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION  
M.G.L. c.30, S 61 FINDINGS MADE PURSUANT TO 301 CMR 11.00.**

EOEA PROJECT NAME: HAMILTON CANAL DISTRICT

PROJECT PROPONENT: TRINITY HAMILTON CANAL LIMITED PARTNERSHIP

MUNICIPALITY: LOWELL

EOEA NUMBER: 14240

**RECEIVED**

**JUN 24 2009**

**MEPA**

**INTRODUCTION**

The Department of Environmental Protection (DEP) makes these Section 61 findings for the project noted above, in accordance with the provisions of M.G.L. c. 30 Section 61 and 301 CMR 11.00.

**PROJECT DESCRIPTION:**

The proposed project consists of a mixed-use development located on a 13 acre site in Lowell Massachusetts. It includes housing, commercial and retail space, restaurants, a theater and art gallery. The project will consist of two phases; the South Station which is located along Street D within Parcel 7 and the North Station located along Street G within Parcel 11. Two new sewer lift stations will be constructed which will be owned by the City of Lowell after completion of the project. The South Station will be constructed as part of Phase One with The North Station as part of Phase Two. Sewage flows to the South Lift Station will be 97,369 gallons per day (gpd) and the North Station 34,403 gpd.

**MEPA REQUIREMENTS:**

An Expanded Environmental Notification Form (EENF) for the project was filed on April 30, 2008 and the Secretary of Energy and Environmental Affairs (the Secretary) issued a Certificate on the EENF specifying the scope for a Draft Environmental Impact Report (DEIR) on June 13, 2008. The DEIR was filed with the Secretary on December 30, 2008. On May 15, 2009 a certificate issued by the Secretary of Energy and Environmental Affairs on the Final Environmental Report (FEIR) stated that it adequately and properly complies with the Massachusetts Environmental Policy Act (G.L. c. 30, ss. 61-62H) and with its implementing regulations (301 CMR 11.00).

**DEP SEWER PERMIT AND MITIGATION:**

The project will include the replacement of the existing combined sewer system with a separate sewer and stormwater drain system, which will serve to reduce Inflow and Infiltration (I/I) to the sewer system. The proponent must comply with any requirements of the Lowell Regional Wastewater Utility (LRWWU) regarding lift station design since ownership and operation of the facilities will be transferred to the LRWWU. Special Conditions of the sewer connection permit

require that emergency stand-by power for the lift stations is provided or made readily available and watertight construction is employed of all sewer piping and/or structures crossing within 100 feet of any surface waterbody or stormwater impoundment.

**SECTION 61 FINDINGS:**

The Department has reviewed the MEPA documents and the documents submitted in connection with the application for a permit. Based upon its review, the Department finds that implementation of the terms and conditions of this permit constitute all feasible measures to avoid damage to the environment and will minimize and mitigate such damage to the maximum extent practicable. Implementation of the mitigation measures will occur in accordance with the terms and conditions set forth in this permit.

Department of Environmental Protection  
Bureau of Resource Protection

June 22, 2009  
Date

Kevin Brander  
By: Kevin Brander, P.E.