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**Massachusetts Department of Environmental Protection
Division of Wetlands and Waterways
1 Winter Street
Boston, MA 02108
(617) 292-5695**

Public Notice

Pursuant to 33 U.S.C. 1341 and M.G.L. c. 21 §43, notice is given of a 401 Water Quality Certification Variance Request for the Amesbury Weir Improvement Project located in Amesbury, Massachusetts, by the Town of Amesbury, 62 Friend Street, Amesbury, MA 01913.

This project involves improvements to the Town of Amesbury's weir on the Powwow River, currently in poor condition, located off Newton Road just downstream of the intersection with the Powwow River. The existing weir will be repaired by installing new sheet piling approximately two feet upstream of the existing weir and placing concrete between the two structures for added support. The construction of the weir improvements will result in permanent fill of approximately 280 square feet of Land Under Water in the Powwow River, which is considered an Outstanding Resource Water (ORW). As such, the proposed project does not conform to the regulatory requirements of 314 CMR 9.00 that prohibits discharge of dredged or fill material to ORWs without a variance from the Commissioner. Additional information may be obtained from Jennifer Doyle-Breen of AECOM, 701 Edgewater Drive, Wakefield, MA 01880, or (781) 224-6474. Written comments should be sent to: MassDEP, Division of Wetlands and Waterways, 1 Winter Street, Boston, MA 02108 within 21 days of this notice and should reference Transmittal Nos. X225877 and 225876. Any group of ten persons, any aggrieved person, or any governmental body or private organization with a mandate to protect the environment who submits written comments may appeal the Department's Certification. Failure to submit written comments before the end of the public comment period may result in the waiver of any right to an adjudicatory hearing.