

Public Notice

Pursuant to 33 USC 1251, MGL c. 21, ss 43 and 314 CMR 9.05 and 9.08, notice is given of a 401 Water Quality Certification Application and Variance Request for work proposed by Tennessee Gas Pipeline Company, 1001 Louisiana Street, Houston, Texas 77002, for their 7.84-mile Essex-Middlesex Project traversing Bordering Vegetated Wetlands, Land Under Water, and Isolated Land Subject to Flooding in Saugus, Wakefield, and Lynnfield, and outstanding water resources (certified vernal pools) in Wakefield and Lynnfield.

The project involves temporary alteration of the above-listed protected resources for the installation of a new 24-inch natural gas pipeline (to be constructed within a purchased utility easement) in Saugus, Wakefield, and Lynnfield and replacement of 739 linear feet of existing eight-inch pipeline with new twelve-inch pipeline in Lynnfield. Following construction, topsoil, contours, stream banks, and hydrologic patterns (including land under water, wetlands, and vernal pools) will be restored. There will be no permanent loss of these resources. The pipeline will cross one (1) certified vernal pool in Wakefield (temporarily altering 469 square feet), and two (2) certified vernal pools in Lynnfield (temporarily altering 1,092 square feet). Following construction, vernal pools will be restored to pre-construction conditions and monitored until restoration is deemed successful by regulating agencies. These vernal pools are designated as Outstanding Resource Waters, and 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 ORW without a variance from the Commissioner. Individuals wishing to comment on the above-referenced applications are requested to submit comments to the Massachusetts Department of Environmental Protection, Waterways Program, 1 Winter Street, Boston, MA 02108, Tel. (617) 292-5695 within 21 days of this notice. Any ten persons of the Commonwealth, any aggrieved person, or any governmental body or private organization with a mandate to protect the environment that has submitted written comments may also 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. All comments providing relevant information shall be considered. Additional information may be obtained from Kathleen Miller, Northern Ecological Associates, Inc., 451 Presumpscot Street, Portland, Maine 04103, (207) 879-9496 ext. 232.