

ENF Environmental Notification Form

For Office Use Only
Executive Office of Environmental Affairs

EOEA No.: 13796
MEPA Analyst: Aisling Kingston
Phone: 617-626-X 1024

The information requested on this form must be completed to begin MEPA Review in accordance with the provisions of the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: Algonquin Cape Cod Project	
Street: Crosses State Routes 6A (Cranberry Highway) and 6 (Mid-Cape Highway)	
Municipality: Sandwich and Bourne	Watershed: Cape Cod & Buzzards Bay
Universal Transverse Mercator Coordinates: Z19 46 25 329N/3 73 619E to Z19 46 21 423N/3 75 845E	Latitude: 41° 46' 18" to 41° 44' 12" Longitude: 070° 31' 14" to 070° 29' 34"
Estimated commencement date: 4/2007	Estimated completion date: 10/2007
Approximate cost: \$15 million	Status of project design: 90 %complete
Proponent: Algonquin Gas Transmission, LLC	
Street: 890 Winter Street	
Municipality: Waltham	State: MA Zip Code: 02451
Name of Contact Person From Whom Copies of this ENF May Be Obtained: John Zimmer	
Firm/Agency: ENSR	Street: 95 State Road
Municipality: Sagamore Beach	State: MA Zip Code: 02562
Phone: 508-888-3900 x 226	Fax: 508-888-6689 E-mail: jzimmer@ensr.aecom.com

Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)?
 Yes No

Has this project been filed with MEPA before?
 Yes (EOEA No. _____) No

Has any project on this site been filed with MEPA before?
 Yes (EOEA No. _____) No

Is this an Expanded ENF (see 301 CMR 11.05(7)) requesting:
 a Single EIR? (see 301 CMR 11.06(8)) Yes No
 a Special Review Procedure? (see 301 CMR 11.09) Yes No
 a Waiver of mandatory EIR? (see 301 CMR 11.11) Yes No
 a Phase I Waiver? (see 301 CMR 11.11) Yes No

Identify any financial assistance or land transfer from an agency of the Commonwealth, including the agency name and the amount of funding or land area (in acres): None

Are you requesting coordinated review with any other federal, state, regional, or local agency?
 Yes (Specify:) No

List Local or Federal Permits and Approvals: **FERC Certificate of Public Convenience and Necessity; ACOE PGP II; Order of Conditions – Sandwich Conservation Commission**

Which ENF or EIR review threshold(s) does the project meet or exceed (see 301 CMR 11.03):

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Land | <input checked="" type="checkbox"/> Rare Species | <input checked="" type="checkbox"/> Wetlands, Waterways, & Tidelands |
| <input type="checkbox"/> Water | <input type="checkbox"/> Wastewater | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Air | <input type="checkbox"/> Solid & Hazardous Waste |
| <input type="checkbox"/> ACEC | <input type="checkbox"/> Regulations | <input type="checkbox"/> Historical & Archaeological Resources |

Summary of Project Size & Environmental Impacts	Existing	Change	Total	State Permits & Approvals
LAND				<input checked="" type="checkbox"/> Order of Conditions <input type="checkbox"/> Superseding Order of Conditions <input type="checkbox"/> Chapter 91 License <input checked="" type="checkbox"/> 401 Water Quality Certification <input checked="" type="checkbox"/> MHD or MDC Access Permit <input type="checkbox"/> Water Management Act Permit <input type="checkbox"/> New Source Approval <input type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input checked="" type="checkbox"/> Other Permits (including Legislative Approvals) – Specify:
Total site acreage				
New acres of land altered		45.35		
Acres of impervious area	0	0	0	
Square feet of new bordering vegetated wetlands alteration		7,840		
Square feet of new other wetland alteration		0		
Acres of new non-water dependent use of tidelands or waterways		0		
STRUCTURES				<input type="checkbox"/> DEP or MWRA Sewer Connection/ Extension Permit <input checked="" type="checkbox"/> Other Permits (including Legislative Approvals) – Specify:
Gross square footage	0	0	0	
Number of housing units	N/A	N/A	N/A	
Maximum height (in feet)	0	0	0	Article 97 Authorization CZM Consistency <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
TRANSPORTATION				
Vehicle trips per day	N/A	N/A	N/A	
Parking spaces	N/A	N/A	N/A	
WASTEWATER				
Gallons/day (GPD) of water use	N/A	N/A	N/A	
GPD water withdrawal	N/A	N/A	N/A	
GPD wastewater generation/ treatment	N/A	N/A	N/A	
Length of water/sewer mains (in miles)	N/A	N/A	N/A	

CONSERVATION LAND: Will the project involve the conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97?

Yes (Specify: **Portions of project alignment are located within Shawme-Crowell State Forest and the Massachusetts Military Reservation owned by the MA Department of Fisheries & Wildlife**) No
Will it involve the release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction?

Yes (Specify _____) No

RARE SPECIES: Does the project site include Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities?

Yes (Specify: PH1470, PH1435, WH254) No

HISTORICAL / ARCHAEOLOGICAL RESOURCES: Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes (Specify _____) No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources?

Yes (Specify _____) No

AREAS OF CRITICAL ENVIRONMENTAL CONCERN: Is the project in or adjacent to an Area of Critical Environmental Concern?

Yes (Specify _____) No

PROJECT DESCRIPTION: The project description should include (a) a description of the project site, (b) a description of both on-site and off-site alternatives and the impacts associated with each alternative, and (c) potential on-site and off-site mitigation measures for each alternative (You may attach one additional page, if necessary.)

Algonquin Gas Transmission, LLC ("Algonquin"), an indirect and wholly owned subsidiary of Duke Energy Corporation, has filed an application for a *Certificate of Public Convenience and Necessity* with the Federal Energy Regulatory Commission ("FERC") under Section 7 of the Natural Gas Act to construct, operate, own and modify facilities in Barnstable County, Massachusetts. Algonquin's proposed Cape Cod Project (the "Project") will provide natural gas to KeySpan Energy Delivery New England ("KeySpan") in Sandwich, Massachusetts.

The Project will include the construction and installation of approximately 3.5 miles of new 18-inch outside diameter ("OD") natural gas pipeline within the Towns of Sandwich (approximately 3.0 miles) and the Town of Bourne, Massachusetts (approximately 0.5 miles). The proposed pipeline will commence within the Mirant Energy Generation Facility ("Mirant") in Sandwich, Massachusetts and extend south and west to the terminus at a new proposed meter station to the west of Route 130 in Sandwich, Massachusetts where delivery of gas will be made to KeySpan. The pipeline alignment has been designed to utilize existing electric and gas transmission and distribution rights-of-way to the greatest extent practicable, thereby minimizing alteration of undisturbed areas and avoiding potential landowner impacts.

The proposed facilities are necessary to provide firm transportation service for new deliveries of natural gas to Colonial Gas Company d/b/a KeySpan on Cape Cod. KeySpan is expanding its existing natural gas distribution system within Cape Cod to ensure continued reliability for its current load and to meet future demand. The Project will extend Algonquin's facilities onto Cape Cod through the construction of the proposed 3.5 miles of new 18-inch OD pipeline. Algonquin's proposed facilities are fully integrated elements necessary for successful completion of the Project. Planned capacities are consistent with the binding precedent agreement for natural gas transportation of 38,000 decatherms per day ("Dth/d") between Algonquin and KeySpan.

KeySpan is the local distribution company with existing service from Algonquin. KeySpan's service area currently includes portions of Cape Cod which is at the southern end of its Massachusetts distribution system. KeySpan's distribution system on Cape Cod is currently operating at or near minimum design pressure in some areas and KeySpan is approaching the limit of their ability to meet current and future load demand. The Project will provide needed pressure support and reliable pipeline gas supply to ensure the continued reliability for its current load and to accommodate future demand along KeySpan's Cape Cod distribution system.

Alternatives

During the alternatives analysis conducted for the Project, a number of major alternatives were examined in an attempt to minimize impacts along the entire alignment. Numerous alternate routes were identified from the Mirant facility to the proposed terminus at Route 130. Due to the benefits of locating the pipeline within the MMR (existing pipeline corridor, restricted public access, no residential or commercial impacts, etc.), the majority of the alternatives examined utilized a portion of the MMR to minimize construction and operation impacts. Within the MMR, Algonquin is proposing to utilize a portion of the existing pipeline easement for temporary workspace during construction by overlapping a portion of the temporary construction workspace onto the adjacent existing pipeline easement; as a result, the impacts from clearing will be minimized. The siting of the Project adjacent to existing, previously disturbed and maintained ROWs will also minimize additional roadway crossings and disturbance to residential and commercial properties. The proposed route represents a minimization of the environmental impacts both during construction and operational maintenance. All alternatives considered commence and terminate at the same points as the preferred alignment.

Alternative A - Route 6A Alignment - A major route alternative examined was the installation of the proposed pipeline within a portion of State Route 6A. This alignment commences at the Mirant property and extends east along the plant's access road to the intersection with Tupper Road where it switches back to the west to the intersection with State Route 6A. The pipeline would then continue northwest along Route 6A to a crossing of State Route 6 at the Exit 1 interchange. The alignment would then shift southwest onto the MMR, parallel the KeySpan easement and extend southeast to the terminus point. This alternative is not considered practicable due to the construction difficulties associated with street construction, such as other utilities within the roadway and disruption of local and tourist traffic during construction, and the long term risk associated with the potential damage to the pipeline from excavation by others. Although the environmental impacts would be reduced over a portion of the alignment, the additional length of pipeline within the MMR would result in approximately nine additional acres of clearing of existing upland forest as compared to the primary route. Additionally, preliminary discussions with Mirant indicate that they would not be amenable to the siting of the pipeline along their existing access road as it would result in a restriction of access to the majority of their facility and potentially result in operation issues during construction of the pipeline. The inability to obtain a permanent easement within the roadways, potential conflicts with existing utilities and the long term potential risk of damage to the pipeline by others eliminated this alternative from further consideration.

Alternative B - Route 130 Alignment - This alternative route utilizes the same alignment as the Route 6A alternative, but diverges at the intersection of Tupper Road and Route 6A as it crosses southeast onto Route 130. This route then continues southeast along Route 130 to the Project terminus. This route is located entirely within an existing roadway or road ROW and extends directly through the State Register-listed Sandwich Historic District. In addition, there would be over 50 residences located within close proximity (less than 100 feet) from the pipeline and/or workspace. The same concerns relative to easement acquisition, disruption of local and tourist traffic during construction, potential third-party damage and existing utility infrastructure within the roadway ROW coupled with potential residential impacts during construction, cultural resource impacts and potential adverse effects on traffic eliminated this alternative from further consideration.

Alternative C - Tupper Road Alignment - This alternative starts the same as the previous two alternatives, but extends east/south on Tupper Road instead of west. This alignment continues south along Tupper Road to its intersection with State Route 130 where it then extends southeast to the terminus location. This alignment avoids the Sandwich Historic District, but still results in a significant number of residential property impacts and construction of the pipeline within a roadway. As previously discussed, roadway construction is not considered practicable because of the disruption to local and tourist traffic during construction, construction difficulties associated with existing utility infrastructure within the roadway and the long term potential from third-party damage to the pipeline from excavation by others. Therefore, this alternative was not considered a practicable option.

Alternative D - Railroad Alignment - From the starting point on the Mirant property, this alternative paralleled the existing railroad bed and extends west along the Cape Cod Canal. After crossing under the Sagamore Bridge, the alignment turns southwest across the existing off ramp from Route 6 into the MMR where it then turns south and parallels the existing KeySpan corridor to the Project terminus location at Route 130. This alignment totals approximately 5.3 miles in length which is approximately 1.8 miles longer than the preferred alignment. Aside from the increased length of the route, Algonquin determined that this alternative would result in over nine additional acres of new clearing of existing upland forest, pass within 25 feet of several residences and directly impact a public playing field. These factors, combined with the difficulty in co-locating the pipeline adjacent to an active railroad corridor, eliminated this alternative from further consideration.