



The Commonwealth of Massachusetts
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Charles D. Baker
GOVERNOR

Karyn E. Polito
LIEUTENANT GOVERNOR

Kathleen A. Theoharides
SECRETARY

Tel: (617) 626-1000
Fax: (617) 626-1081
<http://www.mass.gov/eea>

November 23, 2020

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
NOTICE OF PROJECT CHANGE

PROJECT NAME	: Markley Data Center and 2385 Line Maintenance Project
PROJECT MUNICIPALITY	: Lowell, Billerica, and Tewksbury
PROJECT WATERSHED	: SuAsCo
EEA NUMBER	: 15988
PROJECT PROPONENT	: Massachusetts Electric Company (MEC) d/b/a National Grid
DATE NOTICED IN MONITOR	: October 22, 2020

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62I) and Section 11.10 of the MEPA regulations (301 CMR 11.00), I have reviewed the Notice of Project Change (NPC) submitted for this project and hereby determine that it **does not require** an Environmental Impact Report (EIR).

Project Description

The original project involved upgrades to a 23 kilovolt (kV) distribution line (2385 line) to support the electrical load of the Markley Data Center in Lowell and enhance overall distribution system reliability. The project was fully implemented in three phases as described below:

Phase 1

- Reconductoring a 2.13-mile portion of the 2385 line between Mount Pleasant Street (Billerica) and Woburn Street (Lowell). This work included the replacement of 105

distribution poles, replacement of one stub pole, installation of three new distribution poles and one new stub pole along roadways within commercial and residential areas of Billerica, Tewksbury and Lowell. The reconductoring was proposed to take place along Mount Pleasant Street and Billerica Avenue in Billerica, and Woburn Street in Tewksbury and Lowell.

Phase 2

- Extending the 2385 line approximately 2,625 circuit feet (ft) (one foot of circuit wire) from Pole 11 on Woburn Street (Lowell) across the Concord River to the Wigginville Substation (Lowell). The line was strung double circuit with the existing 308 line on sub-transmission structures located in an existing utility right-of-way (ROW). Eight sub-transmission line structures were replaced with five new sub-transmission structures as part of the project.
- Extending the 2385 distribution line approximately 3,950 circuit ft on distribution structures which will be replaced from the Wigginville Substation to the Markley Data Center off of Andrews Street (Lowell). The line now runs along Bolt Street, Meadowcroft Street, Moore Street and Andrews Street.
- Extending the 2385 line approximately 6,250 circuit ft from the Wigginville Substation to the Quebec Street Substation (Lowell) on replaced distribution poles. The line now extends along Bolt Street, Washer Street, Lundberg Street, Gorham Street, Manchester Street and Quebec Street in Lowell. This extension replaced the 13.8 kV sub-transmission lines 309 and 313, which were decommissioned in Phase 3.

Phase 3

- Removal of the 13.8 kV sub-transmission lines 309 and 313 extending from the Wigginville Substation to the Quebec Street Substation. This included the removal of 55 transmission structures in Lowell.

The project included the replacement of a total of 189 utility poles and the selective replacement of guy wires, anchors and grounding rods within the project corridor. The project will require maintenance and repair of upland access roads within the utility ROW. The project as originally proposed has been fully constructed.

Project Change Description

As described in the NPC, the project change proposes to extend the reconductoring of the 2385 line along ten additional utility poles. The extension of the reconductoring will require the replacement of the 10 utility poles (total of 199 including the original project), located south of Mt. Pleasant Street along the Massachusetts Bay Transportation Authority (MBTA) railroad ROW. The Proponent determined that the reconductoring needed to be extended and associated utility poles needed to be replaced to support the reconductoring of the 2385 line (Phase 1). The original project started on Mt. Pleasant Street in Billerica where the 2385 line meets an existing MBTA railroad ROW. The reconductoring along the additional ten utility poles will tie the 2385 line to an existing utility pole located along the MBTA railroad ROW to the south. The proposed additional work is necessary to fulfill the stated purpose and need of the previously reviewed project of improving the existing distribution system to provide sufficient electrical capacity in the area.

The ten additional utility poles and temporary access corridor extend from Mt. Pleasant Street approximately 1,175 feet south along the MBTA railroad ROW to Corthell Road in Billerica. The land currently consists of railroad ROW bordered by forested and residential areas. Access to the structures requires temporary impacts to Bank, Bordering Vegetated Wetland (BVW), and Land Under Water (LUW). The remaining portions of the project will remain unchanged. The project change will require an amendment to the original project's Section 401 Water Quality Certification (WQC) received from the Massachusetts Department of Environmental Protection (MassDEP).

All replacement utility poles will be installed within ten feet of existing utility poles and remain within upland areas. Poles will be replaced with similar wooden poles. Each pole will be cut and the stub removed from the ground. If the resulting hole cannot be used, the new pole will be direct-embedded into the ground using a truck-mounted auger or by hand-digging. A temporary access corridor will be created using swamp mats to access the areas where the replacement work will take place.

Project Site

The original 4.62-acre project site consisted of an overhead electrical utility ROW and roadways within the City of Lowell and the Towns of Billerica and Tewksbury. The 2385 line will be extended to the Markley Data Center located at the abandoned Prince Spaghetti mill building in Lowell. The Markley Data Center is a large data storage center. The utility ROW includes Bordering Vegetated Wetlands (BVW), Bordering Land Subject to flooding (BLSF) and Riverfront Area associated with the Concord River and Marginal Brook. The project change expands the project site by 0.62 acres to include the area of the proposed utility pole replacement and the proposed temporary access road required to access the utility poles. This area is comprised of approximately 0.42 acres of upland forest and as well as Bank, BVW and LUW.

The project area is not located within mapped *Estimated or Priority Habitat of Rare Species* according to the 14th edition of the Massachusetts Natural Heritage Atlas. It is not located in a floodplain.

Environmental Impacts and Mitigation

Environmental impacts associated with the original project included temporary impacts to 15,583 square feet (sf) of BVW, 54,137 sf of BLSF and 10,446 sf of Riverfront Area (including 3 sf of permanent impacts). In addition, the project will impact approximately 0.42 acres of upland forest (i.e. clearing). The project change will increase impacts to BVW by 3,110 sf (18,693 sf total), and create new impacts of 2,400 sf to LUW and 591 linear feet (lf) to inland Bank; these impacts are primarily associated with the use of temporary matting to access work areas.

Measures to avoid, minimize and mitigate Damage to the Environment include the use of temporary swamp maps during construction, erosion control measures, and restoration of disturbed areas post construction. No new structures are proposed within the 100-year floodplain as mapped by the Federal Emergency Management Agency (FEMA).

Permitting and Jurisdiction

This project was originally subject to MEPA review and preparation of an ENF pursuant to 301 CMR 11.03(3)(b)(1)(d) and 11.03(3)(b)(1)(f) because it involved alteration of 5,000 or more sf of Bordering Vegetated Wetlands (BVW) and ½ or more acres of any other wetland. The project change exceeds the ENF threshold at 11.03(3)(b)(1)(b) because it involves the alteration of 500 lf or more of inland Bank. The original project required a 401 Water Quality Certification (WQC) from the MassDEP which was issued on July 11, 2019. The project change requires an amendment of the 401 WQC.

The project change will require an Order of Conditions from the Billerica Conservation Commission or in the case of an appeal, Superseding Orders of Conditions from MassDEP. It requires submission of a Pre-Construction Notification (PCN) to the U.S. Army Corps of Engineers seeking authorization under the General Permit for Massachusetts and review by the Massachusetts Historical Commission (MHC) acting as the State Historic Preservation Officer (SHPO) pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800).

Because the Proponent is not seeking Financial Assistance from the Commonwealth for the project, MEPA jurisdiction for any future reviews would extend to those aspects of the project that are within the subject matter of required or potentially required State Agency Actions and that may cause Damage to the Environment as defined in the MEPA regulations.

Review of the NPC

The NPC provided a description of existing and proposed conditions, project plans, and a discussion of project alternatives, and identified measures to avoid, minimize, and mitigate project impacts.

Alternatives Analysis

The NPC included an alternatives analysis for the project change which consisted of Alternative 1 (Preferred Alternative), Alternative 2 (Access Poles from the west side of the ROW) and Alternative 3 (No Build). The Preferred Alternative proposes to create a temporary access corridor through previously disturbed areas located east of the poles and opposite of the railroad tracks to perform the pole replacement and reconductoring work. Access to the ROW will be from the southern end of Billerica Avenue where there is an existing access road and gate. Temporary construction (swamp) mats will be used along the ROW where the temporary access corridor must cross wetland resource areas. Alternative 2 would involve accessing the poles from the western, upland side located immediately adjacent to the active MBTA railroad tracks. This alternative would result in no additional wetland impacts as compared to the Preferred Alternative; however, this alternative is not viable from a safety and logistical perspective given the proximity of the work to the active MBTA railroad. It would require suspending service along the MBTA railroad which the Proponent determined to be not be a cost effective or logistically viable option and therefore this alternative was dismissed. Alternative 3 would involve not replacing the ten utility poles and would result in no additional wetlands impacts than what was proposed in the original project. However, during permitting of the original project, it was determined by the Proponent that to support the new conducting and overall reliability of the transmission system, the poles would need to be replaced.

Wetlands and Waterways

As noted earlier, the project and project change will result in impacts to Bank, BVW, BLSF, LUW and Riverfront Area. The majority of the impacts are temporary and associated with the use of swamp maps and tree clearing during the construction period. The installation of one wooden transmission structure and one steel guy stub pole will result in 3 sf of permanent impact to Riverfront Area. As described in the NPC, pockets of BVW bordering on an unnamed intermittent stream are present within the proposed 25-foot wide access corridor. The stream flows between a partially blocked culvert under MBTA railroad and Billerica Avenue to the southeast. The Billerica Conservation Commission will review the project change for its consistency with the WPA Regulations (310 CMR 10.00). MassDEP will review the project for its consistency with the 401 Water Quality Regulations (314 CMR 9.00).

The Proponent will restore temporarily impacted wetlands areas through soil stabilization and seeding. In-situ restoration will involve removing construction matting, restoring existing grades and applying an annual seed and straw mulch. These measures will facilitate natural succession by establishing pre-existing ground conditions to the greatest degree possible.

Cultural Resources

The original project area was located within the Lowell National Historic Park (MHC #LOW. BC). A Phase 1A cultural resources sensitivity assessment is being completed for this portion of the project. A Phase 1A cultural resources sensitivity assessment is also being conducted for the additional work described in the NPC. The Proponent anticipates avoiding impacts to any known structures or site that is listed or determined to be eligible for the State Register or National Register of Historic Places. Based on preliminary findings, the Proponent anticipates the additional work will avoid impacts to any known structure or site that is listed or determined to be eligible for the State Register or National Register of Historic Places.¹ The MHC will review the cultural resources sensitivity assessment.

Construction Period

All construction and demolition activities should be managed in accordance with applicable MassDEP's regulations regarding Air Pollution Control (310 CMR 7.01, 7.09-7.10), and Solid Waste Facilities (310 CMR 16.00 and 310 CMR 19.00, including the waste ban provision at 310 CMR 19.017). The project should include measures to reduce construction period impacts (e.g., noise, dust, odor, solid waste management) and emissions of air pollutants from equipment, including anti-idling measures in accordance with the Air Quality regulations (310 CMR 7.11). I encourage the Proponent to require that its contractors use construction equipment with engines manufactured to Tier 4 federal emission standards, or select project contractors that have installed retrofit emissions control devices or vehicles that use alternative fuels to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD). If oil and/or hazardous materials are found during construction, the Proponent should notify MassDEP in accordance with the Massachusetts Contingency Plan (310 CMR 40.00). All construction activities should be undertaken in compliance with the

¹ The Proponent provided a response to MHC's comments on November 16, 2020.

conditions of all State and local permits. I encourage the Proponent to reuse or recycle construction and demolition (C&D) debris to the maximum extent.

Conclusion

Based on a review of the NPC and comments received, and in consultation with State Agencies, I have determined that the NPC has sufficiently defined the nature and general elements of the project change for the purposes of MEPA review and described measures to avoid, minimize and mitigate environmental impacts. No further MEPA review is required.

November 23, 2020

Date



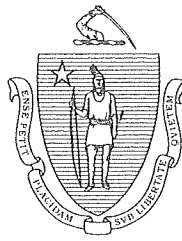
Kathleen A. Theoharides

Comments received:

10/22/2020 Massachusetts Historical Commission (MHC)

11/12/2020 Northern Middlesex Council of Governments (NMCOG)

KAT/EFF/eff



October 21, 2020

Tammy R. Turley

Chief, Permits and Enforcement Branch

Regulatory Division

US Army Corps of Engineers

New England District

696 Virginia Road

Concord, MA 01742-2751

The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth

Massachusetts Historical Commission

Attn: Mike Wierbonics

RE: Massachusetts Electric Company d/b/a National Grid Markley Data Center, 2385 Line Maintenance Project, Lowell, Billerica and Tewksbury, MA. MHC #RC.65923. EEA #15988. NAE-2019-01032.

Dear Ms. Turley:

Staff of the Massachusetts Historical Commission (MHC) have reviewed the Notice of Project Change (NPC) submitted by National Grid to the Massachusetts Environmental Policy Act (MEPA) office, received October 2, 2020, for the project referenced above. The project previously reviewed by the MHC in 2019 has been modified to include 10 addition pole replacements.

The MHC continues to look forward to reviewing the cultural resources sensitivity assessment proposed to be prepared for the project. Review of the Inventory of Historic and Archaeological Assets of the Commonwealth indicates that a portion of the project is within the Lowell National Historic Park (MHC #LOW.BC). The MHC recommends consultation with the Lowell Historic Board and National Park Service.

The MHC previously received the Corps' "Permit Areas" plans in 2019 for the previously proposed project in 2019. The MHC, as the Massachusetts State Historic Preservation Office, is a consulting party with the Corps for the project pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800). The Corps' permit area is inconsistent with the project area of potential effect (36 CFR 800.16(d)). The MHC looks forward to reviewing the Corps' findings and determinations pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800).

The Corps' Appendix C regulations 33 CFR 325 have not been ratified by the Advisory Council on Historic Preservation (ACHP) as an acceptable counterpart to the National Historic Preservation act of the 1966, as amended (36 CFR 800). The Corps has not resolved the inconsistency between the federal undertaking defined as the "permit area" and the area of potential effect. Therefore, the participation of MHC in consultation is required to assist to balance the goals of historic preservation in Massachusetts with the project permitted by the Corps and state agencies.

These comments are offered to assist in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800), Massachusetts General Laws, Chapter 9, Section 26-27C (950 CMR 71), and MEPA (301 CMR 11). If you have questions, please contact Jonathan K. Patton at this office.

Sincerely,

A handwritten signature in cursive script that reads "Brona Simon".

Brona Simon

State Historic Preservation Officer

Executive Director

State Archaeologist

Massachusetts Historical Commission

xc: Corey Schutzman, New England Power Company d/b/a National Grid
Celeste Bernardo, Lowell National Historic Park
Steve Stowell, Lowell Historic Board
Eric Olson, VHB, Inc.

220 Morrissey Boulevard, Boston, Massachusetts 02125

(617) 727-8470 • Fax: (617) 727-5128

www.sec.state.ma.us/mhc



Northern Middlesex Council of Governments

November 12, 2020

A Multi-Disciplinary
Regional Planning
Agency Serving:

Kathleen Theoharides, Secretary
Executive Office of Energy and Environmental Affairs
Attention: MEPA Office
Erin Flaherty: EOEEA #15988
100 Cambridge Street, Suite 900
Boston, MA 02114-2509

Billerica
Chelmsford
Dracut
Dunstable
Lowell
Pepperell
Tewksbury
Tyngsborough
Westford

Andrew Deslaurier
Chair

Beverly A. Woods
Executive Director

40 Church Street
Suite 200
Lowell, MA
01852-2686

TEL: (978) 454-8021

FAX: (978) 454-8023

www.nmcog.org

RE: EOEEA #15988/NMCOG #671 –Markley Data Center/2385 Line Project, Billerica, Lowell and Tewksbury

Dear Secretary Theoharides:

The Northern Middlesex Council of Governments (NMCOG) has reviewed the Notice of Project Change (NPC) for the Markley Data Center/2385 Line project located in Billerica, Lowell and Tewksbury. The project will increase the electrical load to the Markley Data Center located at 2 Prince Avenue in Lowell by extending the existing distribution line from Woburn Street to Wigginville Substation and then to the Markley Data Center, and from Wigginville Substation to the Quebec Street Substation. The Project includes reconductoring a portion of the existing 2385 distribution line located along Woburn Street (Lowell) and Billerica Avenue and Mt. Pleasant Street (Billerica), and removing the existing 309 and 313 sub-transmission lines from Wigginville Substation to the Quebec Street Substation.

The proposed project change involves the replacement of ten (10) additional utility poles south of Mt. Pleasant Street along the MBTA railroad right-of-way, resulting in added temporary wetland impacts that will require an amendment to the project's Section 401 Water Quality Certificate. While the poles will be placed in upland areas, access to the poles will impact jurisdictional wetlands. The project change impacts will be adequately addressed through the 401 Water Quality Certificate amendment process. Therefore, NMCOG staff does not see the need for additional review under the MEPA process, particularly given the temporary nature of the added impacts as outlined in the NPC.

Sincerely,

Beverly Woods
Executive Director

Cc: Billerica: Board of Selectmen, Town Manager, Planning Board, Town Engineer, Community Development Director, Conservation Commission, Board of Health, DPW Director and NMCOG Councilors

Tewksbury: Board of Selectmen, Town Manager, Planning Board, Town Engineer, Town Planner, DPW Director, Conservation Commission, Board of Health, and NMCOG Councilors

Lowell: City Council, City Manager, DPD Director, Planning Board, City Engineer, DPW Director, Conservation Commission, Board of Health, NMCOG Councilors