

FINDING PURSUANT TO MGL CHAPTER 30, SECTION 61

Project Name: Line 261 Upgrade Projects (Line 261B Looping Project)

Project Location: Agawam, Massachusetts

Page 1 of 2

Tennessee Gas Pipeline Company, LLC
Line 261 Upgrade Projects (Line 261B Looping Project)
Line 261B Right-of-Way and Compressor Station 261 in Agawam, Hampden County
Water Quality Certification for Transmittal Number X281739

FINDING PURSUANT TO MGL CHAPTER 30, SECTION 61

Project Name: Line 261 Upgrade Projects (Line 261B Looping Project)

Project Location: Line 261B Right-of-Way and Compressor Station 261 in Agawam, Hampden County

Project Proponent: Tennessee Gas Pipeline Company, LLC

EOEEA Number: 15879

Permits Sought: Water Quality Certification (Massachusetts Clean Waters Act)

I. Project Description

The project entails, in relevant part, construction of a 2.1 mile long 12-inch outside diameter pipeline within or adjacent to the existing Line 261B right-of-way; and upon the property owned by Tennessee Gas Pipeline Company, LLC wherein the Compressor Station 261 is located, at 1615 Suffield Street, each in Agawam, Hampden County, Massachusetts.

II. MEPA History

Pursuant to MGL c. 30, §61 and 62, A-H of the Massachusetts Environmental Policy Act (MEPA) and its implementing regulations (301 CMR 11.00), an Expanded Environmental Notification Form (EENF) for the Project was submitted to the MEPA Office on July 11, 2018. The Secretary of the Executive Office of Energy and Environmental Affairs (the Secretary) issued a Certificate on the EENF on August 17, 2018, with the determination that the Project required the preparation of a mandatory Environmental Impact Report (EIR).

A Draft EIR (DEIR) for the Project was submitted to the MEPA Office on January 9, 2019, which addressed the Secretary's Scope and comments received on the EENF. The Secretary issued a Certificate on the DEIR on April 5, 2019, with the determination that the DEIR adequately and properly complied with MEPA and its implementing regulations. The DEIR Certificate for the Project directed the Proponent to prepare and submit for review a Final EIR (FEIR). An FEIR for the Project was submitted to the MEPA Office on June 26, 2019, which addressed the Secretary's Scope and comments received on the DEIR. On August 2, 2019 the Secretary issued a Certificate on the FEIR which determined that the FEIR adequately and properly complies with MEPA and its implementing regulations.

III. Project Impacts

As permitted in the attached Water Quality Certification for Transmittal Number X281739, the Project will result in the "discharge of dredged or fill material" into 259,890 square feet of "Waters of the United States within the Commonwealth" composed of bordering and isolated vegetated wetlands and land under water associated with Worthington Brook, Tarkill Brook, and Threemile Brook in in the Town of Agawam. This permitted alteration will allow installation of a natural gas pipeline within and adjacent to already existing

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Page 2 of 2

natural gas pipeline rights-of-way.

All other proposed “discharges of dredged or fill material” within “Waters of the United States within the Commonwealth” [WUSWC] (each as defined at 314 CMR 9.02 of the Massachusetts Clean Waters Act Regulations) have been eliminated from the project proposal through revisions to the proposal.

IV. Project Mitigation Measures

The project proponent will restore *in situ* all WUSWC within the existing rights-of-way in accordance with the standards required at 314 CMR 9.06(1). Where the rights-of-way are being temporarily expanded, the project proponent will restore *in situ* all WUSWC via plantings, and will offset temporal losses to forested and scrub-shrub WUSWC through off-site wetland rehabilitation; coupled with preservation of forests, wetlands, ponds, and streams on two parcels of land of minimally a total of 8 acres, each to be granted Conservation Restrictions prepared in accordance with MGL c. 194, §§ 31 through and including 33.

V. Overview of Project Impacts relating to the permit applications submitted to MassDEP

Potential impacts from the Line 261 Upgrade Projects (Line 261B Looping Project) are defined as either construction or post-construction and grouped by issue areas that are the subject of the applications reviewed and the permits issued by MassDEP.

The issue areas are:

FEIR Category	Permit/Approval	Potential Impact	Mitigation	Schedule
Resource Area Protection	Water Quality Certification	Temporary Fill of 259,890 square feet of WUSWC; including temporal (both permanent conversion and long-term) loss of 127,737 square feet of WUSWC	The Project meets the performance standards at 314 CMR 9.06(2) for restoration and/or replication of WUSWC. The Project Proponent will comply with the terms and requirements of the WQC.	During construction and afterwards during required monitoring

VI. Findings

Pursuant to Section 61 of the Massachusetts Environmental Policy Act, MG L c. 30 §§ 61-62H, inclusive, (MEPA); 301 CMR 11.12 of the MEPA Regulations; and the Secretary's Certificate on the Final EIR dated August 2, 2019 (EOEEA #15879), MassDEP finds, based on its review of the MEPA documents and the application materials submitted, that feasible measures will be taken to avoid damage to the environment, and where damage to the environment cannot be avoided, that all practicable measures will be implemented to prevent or minimize adverse impacts to water quality and the environment. MassDEP has included appropriate conditions within the Water Quality Certification to assure compliance with the mitigation measures discussed above.