



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

Deval L. Patrick  
GOVERNOR

Timothy P. Murray  
LIEUTENANT GOVERNOR

Ian A. Bowles  
SECRETARY

Tel: (617) 626-1000  
Fax: (617) 626-1181  
<http://www.mass.gov/envir>

October 25, 2007

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS  
ON THE  
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME: Cathodic Protection System  
PROJECT MUNICIPALITY: Uxbridge  
PROJECT WATERSHED: Blackstone River  
EOEA NUMBER: 14107  
PROJECT PROPONENT: Algonquin Gas Transmission, LLC  
DATE NOTICED IN MONITOR: September 25, 2007

Pursuant to the Massachusetts Environmental Policy Act (G. L. c. 30, ss. 61-62H) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I hereby determine that this project **does not require** the preparation of an Environmental Impact Report (EIR).

Project Description

According to the Environmental Notification Form (ENF), the project involves the installation of a 3,168 linear foot (lf) cathodic protection system in the vicinity of an existing Algonquin Gas Transmission underground natural gas pipeline located between Chestnut Street and Quaker Highway (Route 146A) in Uxbridge, MA. Cathodic protection systems prevent the corrosion of natural gas pipeline systems. The system will be located within Algonquin's existing permanent 75-foot wide right-of-way (ROW) and will be connected to existing 24-inch and 30-inch diameter pipelines. Portions of the ROW are located within the habitat of three state-listed species protected pursuant to the Massachusetts Endangered Species Act (MESA).

### Jurisdiction

This project is subject to review pursuant to Section 11.03(3)(b)(1)(d) of the MEPA regulations because it will result in the alteration of more than 5,000 square feet (sf) of Bordering Vegetated Wetlands (BVW). The project requires the following permits and/or approvals: a Category II Programmatic General Permit from the U.S. Army Corps of Engineers (ACOE); a 401 Water Quality Certificate from the Department of Environmental Protection (MassDEP); review from the Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program (NHESP); and an Order of Conditions from the Uxbridge Conservation Commission.

The Proponent is not seeking financial assistance from the Commonwealth. Therefore, MEPA jurisdiction applies to those aspects of the project within the subject matter of required or potentially required state permits with the potential to cause Damage to the Environment. In this case, MEPA jurisdiction extends to wetlands and rare species.

### Wetlands

Five bordering vegetated wetland (BVW) systems have been delineated along the Algonquin ROW. According to the ENF, the placement of cathodic protection systems in and near wetlands is an important design element associated with this type of facility. Placement of the system in saturated soils means that the ground has low electrical resistance. The project will result in the temporary alteration of 11,370 sf of BVW. The Proponent has filed a Notice of Intent (DEP# 312-0879) with the Uxbridge Conservation Commission under the Limited Project provisions of the Wetlands Protection Act at 310 CMR 10.53(3). The project will also require a 401 Water Quality Certificate from MassDEP and a PGP from the ACOE. MassDEP attended the MEPA site visit for the project held on October 3, 2007 but did not provide comments on the ENF.

The system will be installed in a small trench excavated in the pipeline ROW using the open cut method. The trench will be approximately 24 inches wide by 18 inches deep, and all excavated material will be stockpiled adjacent to the activity. The trench will be backfilled immediately after the cable is laid. Once the cathodic protection system has been installed and backfilled, all pre-existing contours will be re-established, and the disturbed areas will be seeded with the appropriate mix. No material will be brought into or removed from the site during the installation of the system.

The ENF contained a detailed discussion of Best Management Practices (BMPs) that the Proponent will implement during construction to minimize adverse impacts to resource areas. The Proponent will install swamp/timber mats as necessary in wetlands to support the construction equipment when crossing wetland areas. The Proponent will finalize erosion and sedimentation control measures with the Uxbridge Conservation Commission during the local wetlands permitting process.

Rare Species

According to correspondence from NHESP included with the ENF, the following state-listed species have been found in the vicinity of the project site:

- Eastern Box Turtle, *Terrapene Carolina* (Special Concern)
- A Clubtail Dragonfly, *Stylurus spiniceps* (Threatened)
- Oak Hairstreak, *Satyrium favonius* (Special Concern)

The Proponent provided a discussion in the ENF of measures that will be implemented to minimize adverse impacts to rare species during the project. The project is expected to be undertaken during Fall/Winter of 2007. During the fall and winter, the Arrow Clubtail Dragonfly and Oak Hairstreak Butterfly will be absent from the project area. In addition, the project will occur within an existing maintained ROW, and will not require the clearing of any potential roosting habitat.

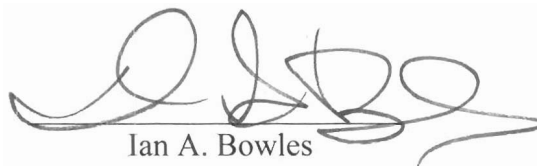
To minimize impacts to the Eastern Box Turtle, the Proponent will perform daily surveys of the workspace during the installation of the pipeline and remove turtles from the construction site if found. The Proponent will also provide training to contractors on the identification of the turtle species and will develop a detailed protocol to direct the appropriate course of action if a turtle is encountered. In its comments on the ENF, NHESP states that the Proponent must avoid work during the active season of the turtles (April 1 – October 31). The Proponent should consult with NHESP to determine whether additional information is required for further review under MESA.

Conclusion

Based on a review of the information provided by the proponent and after consultation with the relevant public agencies, I find that the potential impacts of this project do not warrant the preparation of an EIR. No further MEPA review is required.

October 25, 2007

Date



Ian A. Bowles

## Comments Received:

10/12/2007 Division of Fisheries and Wildlife, Natural Heritage and Endangered Species Program

IAB/BA/ba