PUBLIC NOTICE

US Army Corps of Engineers®
New England District
696 Virginia Road
Concord, MA 01742-2751

Comment Period Begins: February 19, 2019
Comment Period Ends: March 21, 2019
File Number: NAE-1989-00530
In Reply Refer To: Paul Sneeringer
Phone: (978) 318-8491
E-mail: paul.j.sneeringer@usace.army.mil

The District Engineer has received a permit modification request to conduct work in waters of the United States from NSTAR Electric Company d/b/a Eversource Energy Company, 247 Station Drive, Westwood, Massachusetts, 02090 and the Harbor Electric Energy Company (HEEC), 800 Boylston Street, 17th Floor, Boston, Massachusetts, 02199. This work is proposed within the Reserved Channel and Boston Harbor starting approximately 200 feet to the east of the Summer Street Bridge in South Boston, Massachusetts and ending approximately 500 feet to the east of the Boston Harbor Main Shipping Channel Federal Navigation Project (FNP). The site coordinates are: Latitude 42.34194◦N, Longitude -71.03474◦W, and Latitude 42.34358 ◦N, Longitude -71.00686 ◦W. The purpose for this project is to remove an approximately **8,000** linear foot section of the existing buried115 kV electric HEEC cable and to cap and to abandon the remainder of this cable in place. HEEC is requesting a modification of their original Corps permit (#198900530), which allowed for the installation of this electrical cable. This work is being proposed to resolve outstanding non-compliance issues associated with the HEEC Cable permit (#198900530). This work is being completed in accordance with the conditions of the Stipulation Order (C.A. No. 16-11470-RGS) between the U.S. District Court and the Massachusetts Port Authority and NSTAR Electric Company, Eversource Energy, HEEC, and the Massachusetts Water Resources Authority.

HEEC is currently working to install the New HEEC cable along an alternative alignment under an existing permit (NAE-2016-1163). Once the New HEEC Cable is brought into service, the old HEEC Cable will be de-energized and the dielectric fluid will be pumped from it for proper treatment. The 8,000 linear foot segment of the HEEC cable to be removed will be cut and extracted via 1.) Winching (direct pull); 2.) Loosening sediment around the cables using a hydro-donut and then winching; and/or 3.) Dredging overburden above the cables and then winching. Depending upon the burial depth of the existing HEEC cable, and the method for extraction, the dredge trench could range between 64 and 94 feet wide. This project could involve dredging up to **16.25** acres of sub-tidal bottom within the Reserved Channel and Boston Harbor. HEEC is requesting approval to transport and dispose up to **235,251** cubic yards of dredged material at the Massachusetts Bay Ocean Disposal Site.

The work is shown on the enclosed plans entitled "HEEC Cable Removal," on a total of 11 sheets.

As part of the development of plans for this project, HEEC has proposed an adaptive management plan to avoid and to minimize jurisdictional impacts, where possible. The Corps continues to evaluate whether mitigation will be required in order to compensate for unavoidable impacts associated with this project.

CENAE-R
FILE NO. #198900530

AUTHORITY
Permits are required pursuant to:
XX Section 10 of the Rivers and Harbors Act of 1899
XX Section 404 of the Clean Water Act
XX Section 103 of the Marine Protection, Research and Sanctuaries Act.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers, New England District (Corps), is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. The Corps will consider all comments received to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972, as amended.

Dredged Material Disposal Mitigation Discussion:

The alternatives considered in the dredged material disposal analysis fall into four general categories: beneficial use, upland disposal, confined disposal, and open-water disposal. The feasibility of disposal alternatives was analyzed relative to the physical and chemical quality of the dredged material, the volume of material to be dredged, the availability of suitable disposal and beneficial use sites, and the cost of disposal. When applicable, the biological quality of the disposal of the material at the disposal site was also used to evaluate the feasibility of the open-water disposal alternative.

Based on the characteristics of the dredged material, the lack of suitable alternate disposal or beneficial use sites and costs, the most feasible, practical, cost-effective and environmentally acceptable alternative for the disposal of dredged materials from the proposed dredging is disposal at the requested disposal site.

Testing Information:

The dredged material has undergone physical and chemical analysis and has satisfied Part 227.13(b) of exclusionary criteria of the Ocean Dumping Act regulations regarding biological testing. It is our preliminary determination that the material is acceptable for disposal at this disposal site.

Massachusetts Bay Disposal Site

The Massachusetts Bay Disposal Site is frequently used for disposal of bottom sediments from various harbors in the Boston area. Approximately 300,000 cubic yards of suitable sediments (the suitability was determined with a project-specific evaluation with an established interagency review process) are deposited at this site annually. The site is monitored through the Corps Disposal Area Monitoring System (DAMOS) program. The DAMOS studies show that the site is a low energy environment such that sediments deposited at this location will remain within the site's boundaries. The DAMOS monitoring has also shown that distinct dredged material mounds have been formed at the site. Levels of metals and organics in the sediments within the disposal site are generally above background levels, indicative of the industrial nature of the areas dredged that utilize the site. Sediment deposited at the disposal site has not been found to affect areas outside the disposal site. The Environmental Protection Agency has designated the Massachusetts Bay Disposal Site usable for disposal of dredged sediments.

Any permit issued for this project will include special conditions requiring scows to come to a complete stop when disposing of the material at the disposal site. There will also be a time of year restriction included as a special condition which prohibits dredging during ecologically sensitive times of years.

ESSENTIAL FISH HABITAT

The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996 (Public Law 104-267), requires all federal agencies to consult with the National Marine Fisheries Service on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). Essential Fish Habitat describes waters and substrate necessary for fish for spawning, breeding, feeding or growth to maturity.

The dredging portion of this project may impact up to **16.25 acres** of EFH. Habitat at this site can be described as a surficial silty layer underlain with native rocky clay soils. Loss of this habitat may adversely affect species that use these waters and substrate. However the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

The dredged material disposal is proposed for the Massachusetts Bay Ocean Disposal Site. This is an open water site, which provides EFH. Habitat at this site can be described as naturally occurring fine-grained sediment and mounds of deposited fine-grained dredged material. Loss of this habitat may adversely affect species that use these waters and substrate. However, the District Engineer has made a preliminary determination that the site-specific adverse effect will not be substantial. Further consultation with the National Marine Fisheries Service regarding EFH conservation recommendations is being conducted and will be concluded prior to the final decision.

NATIONAL HISTORIC PRESERVATION ACT

Based on his initial review, the District Engineer has determined that the proposed work may impact properties listed in, or eligible for listing in, the National Register of Historic Places. Additional review and consultation to fulfil requirements under Section 106 of the National Historic Preservation Act of 1966, as amended, will be ongoing as part of the permit review process.

ENDANGERED SPECIES CONSULTATION

The Corps has reviewed the application for the potential impact on Federally-listed threatened or endangered species and their designated critical habitat pursuant to section 7 of the Endangered Species Act as amended. It is our preliminary determination that the proposed activity for which authorization is being sought is designed, situated or will be operated/used in such a manner that it is not likely to adversely affect a listed species or their critical habitat. We are coordinating with the National Marine Fisheries Service and/or U.S. Fish and Wildlife Service on listed species under their jurisdiction and the ESA consultation will be concluded prior to the final decision.

OTHER GOVERNMENT AUTHORIZATIONS

The states of Connecticut, Maine, Massachusetts, New Hampshire and Rhode Island have approved Coastal Zone Management Programs. Where applicable, the applicant states that any proposed activity will comply with and will be conducted in a manner that is consistent with the approved Coastal Zone Management Program. By this Public Notice, we are requesting the State concurrence or objection to the applicant's consistency statement.

The following authorizations have been applied for, or have been, or will be obtained:

(XX) Permit, license or assent from State.
(XX) Permit from local wetland agency or conservation commission.
(XX) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

COMMENTS

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. Comments should be submitted in writing by the above date. If you have any questions, please contact Mr. Paul Sneeringer at (978) 318-8491, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

CENAE-R
FILE NO. #198900530

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

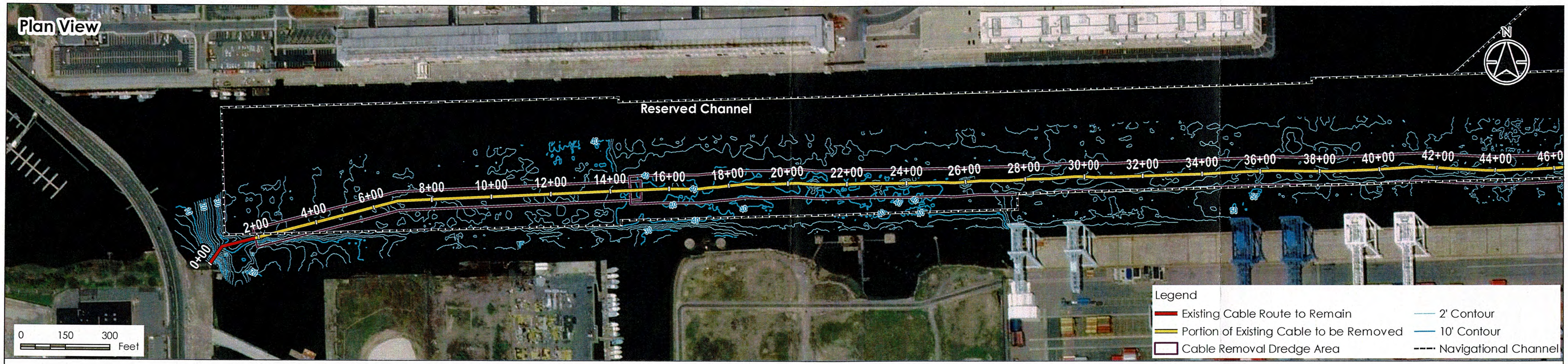
NEWMAN.BARBARA.H.1261008927
Digitally signed by NEWMAN.BARBARA.H.1261008927
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USA, cn=NEWMAN.BARBARA.H.1261008927
Date: 2019.02.13 10:29:29 -05'00'

Barbara Newman
Chief, Permits and Enforcement Branch
Regulatory Division

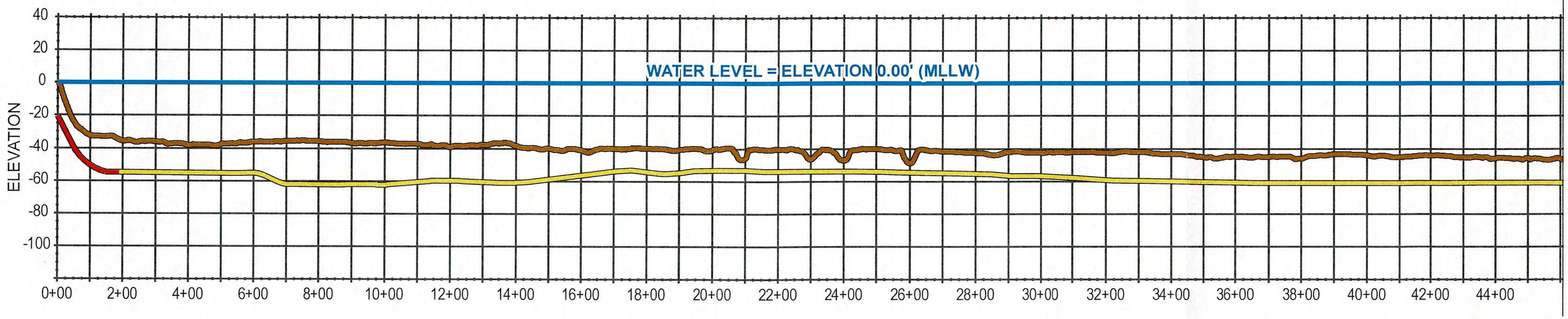
If you would prefer not to continue receiving Public Notices by email, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here ( ) and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

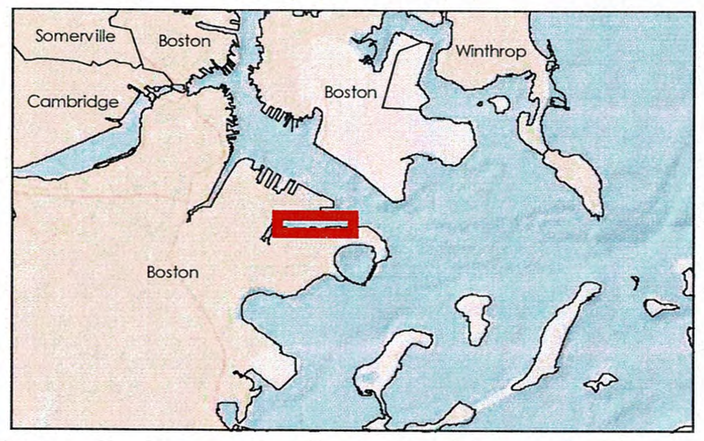
NAME: _____
ADDRESS: _____
PHONE: _____

Plan View



Profile View





Notes

1. Coordinate System: NAD 1983 StatePlane Massachusetts Mainland FIPS 2001
2. Base map: ESRI World Imagery web mapping service. World Imagery photo dated 4/30/2017.

Stantec

Project Location
Boston Harbor
Boston, Massachusetts

195601525
Prepared by GAC on 2018-10-15
Reviewed by DGN on 2018-10-15

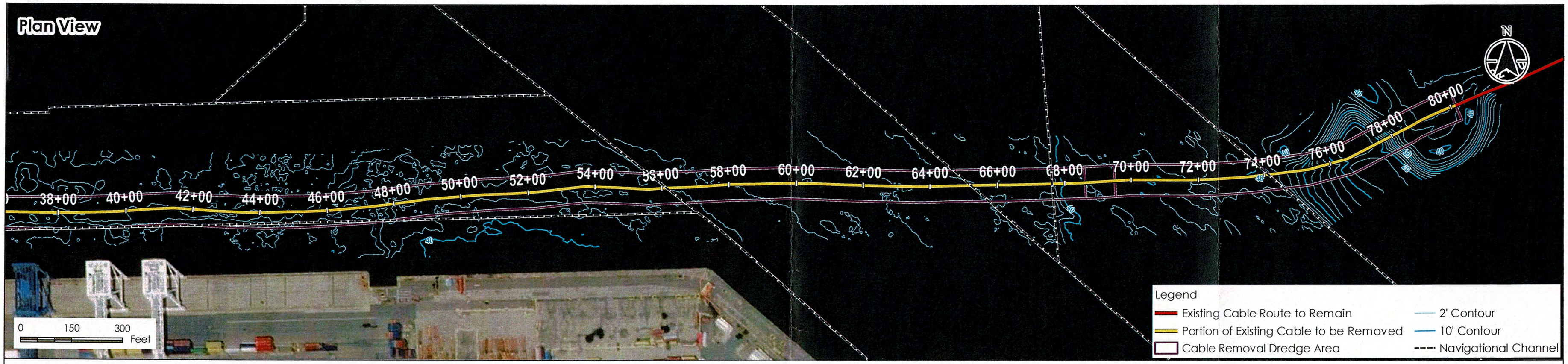
Client/Project
HEEC Cable Removal

Figure No.
4 - Map 1 of 2

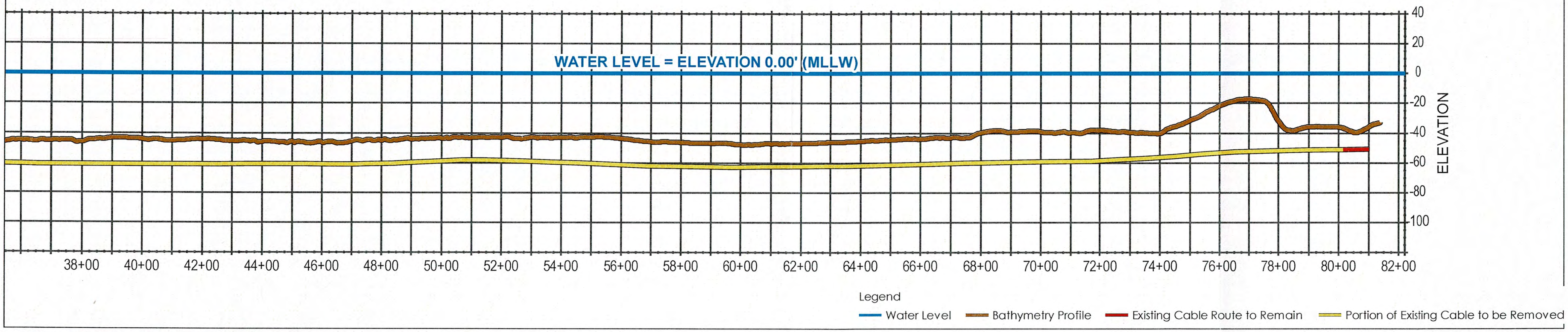
DRAFT

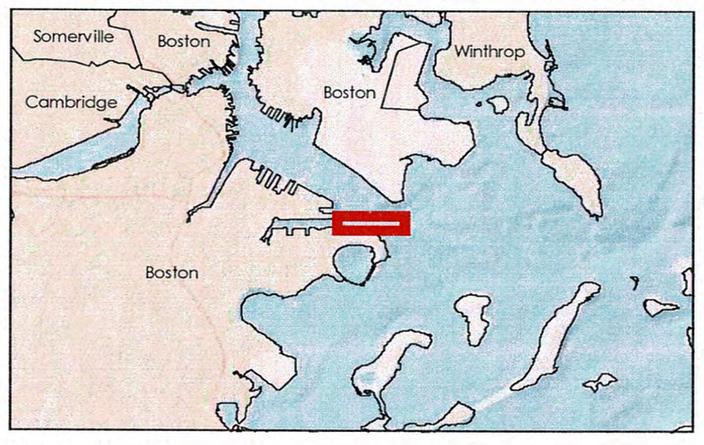
Title
Plan and Profile

Plan View



Profile View





Notes

1. Coordinate System: NAD 1983 StatePlane Massachusetts Mainland FIPS 2001
2. Base map: ESRI World Imagery web mapping service. World Imagery photo dated 4/30/2017.

Stantec

Project Location
Boston Harbor
Boston, Massachusetts

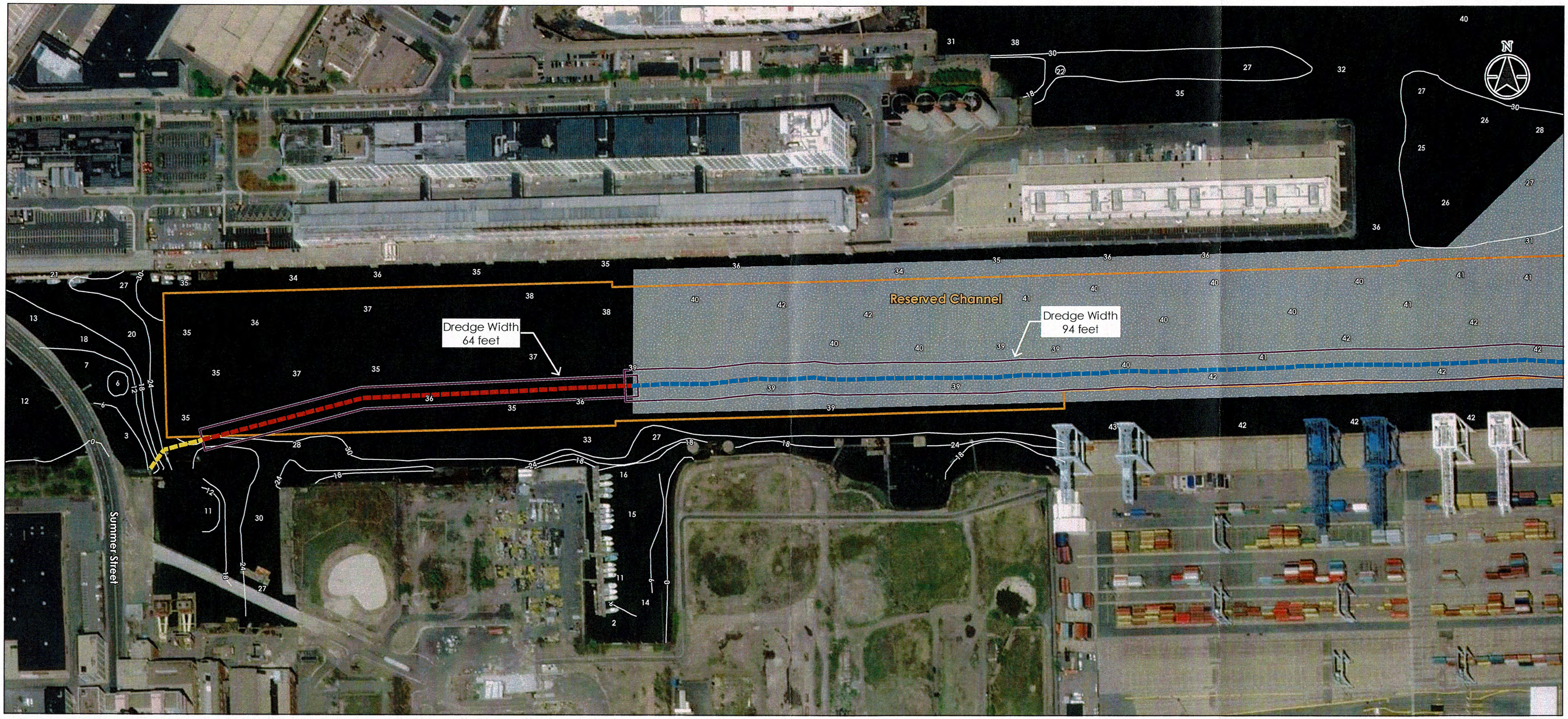
195601525
Prepared by GAC on 2018-10-15
Reviewed by DGN on 2018-10-15

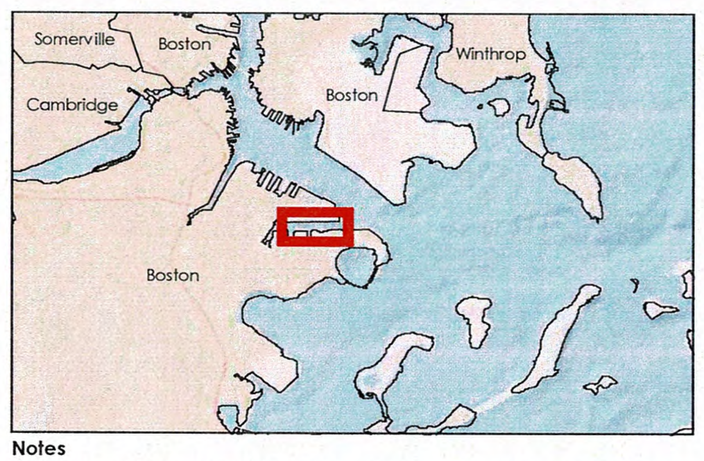
Client/Project
HEEC Cable Removal

Figure No.
4 - Map 2 of 2

DRAFT

Title
Plan and Profile





Legend

- Section 1 approximate removal length 1,500 lf
- Section 2 approximate removal length 5,400 lf
- Portion of Cable to Remain
- Cable Removal Dredge Area
- Sounding (feet)
- Depth Contour (feet)
- Reserved Channel
- Approximate USACE Dredge Footprint

0 300 600 Feet

1:3,600 (At original document size of 11x17)

Notes

1. Coordinate System: NAD 1983 StatePlane Massachusetts Mainland FIPS 2001 Feet
2. Soundings and bathymetry contours extracted from NOAA ENC Direct to GIS website (https://encdirect.noaa.gov). Depths shown are in feet.
3. USACE Dredge Area derived from Figure 7, Existing HEEC Cable Removal map produced by Epsilon, 8/9/2018.

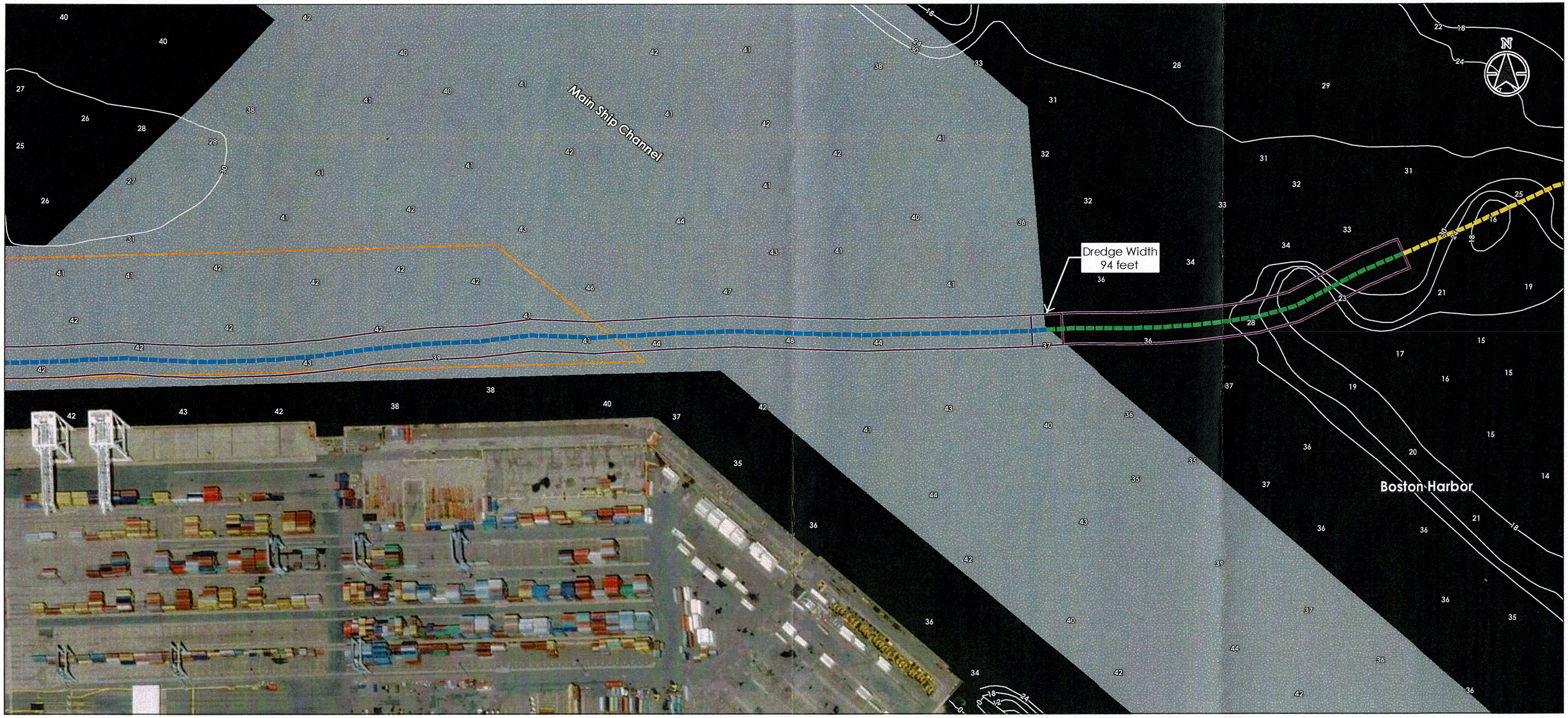
Stantec

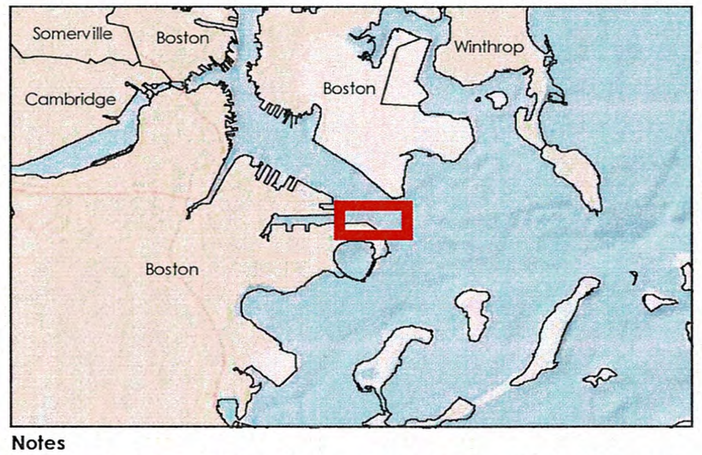
Project Location 195601525
Boston Harbor
Boston, Massachusetts
Prepared by GAC on 2018-10-23
Reviewed by DGN on 2015-10-23

Client/Project
HEEC Cable Removal

Figure No.
5 - Map 1 of 2

Title
Cable Sections for Dredge Quantification





Legend

- Section 2 approximate removal length 5,400 lf
- Section 3 approximate removal length 1,100 lf
- Portion of Cable to Remain
- Cable Removal Dredge Area
- 37 Sounding (feet)
- Depth Contour (feet)
- Reserved Channel
- Approximate USACE Dredge Footprint

0 300 600 Feet

1:3,600 (At original document size of 11x17)

Notes

1. Coordinate System: NAD 1983 StatePlane Massachusetts Mainland FIPS 2001 Feet
2. Soundings and bathymetry contours extracted from NOAA ENC Direct to GIS website (https://encdirect.noaa.gov). Depths shown are in feet.
3. USACE Dredge Area derived from Figure 7, Existing HEEC Cable Removal map produced by Epsilon, 8/9/2018.

Stantec

Project Location
Boston Harbor
Boston, Massachusetts

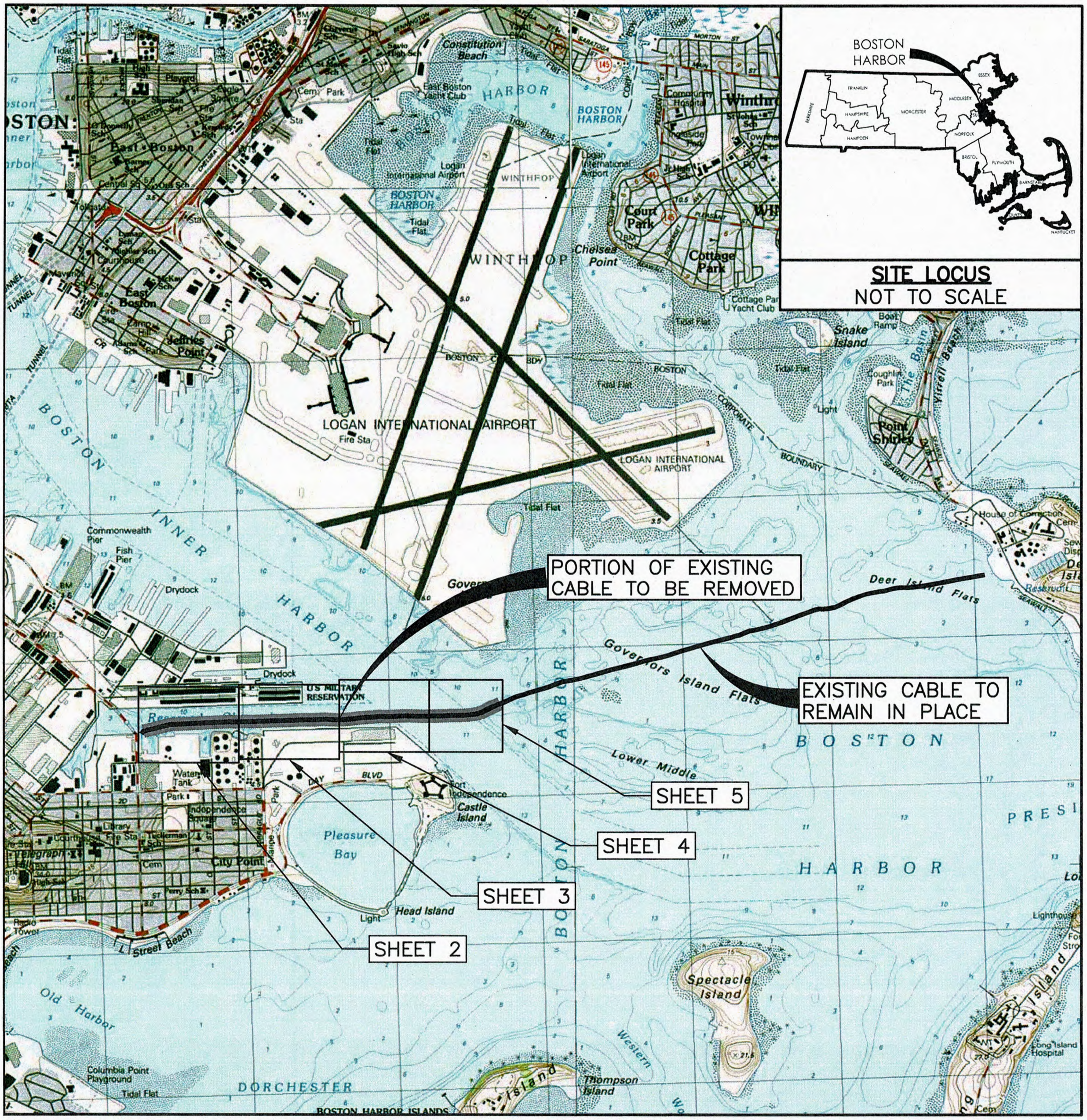
195601525
Prepared by GAC on 2018-10-23
Reviewed by DGN on 2015-10-23

Client/Project
HEEC Cable Removal

Figure No.
5 - Map 2 of 2

Title
Cable Sections for Dredge Quantification

V:\1956\active\195601525\03_data\GIS_cad\gis\MXD\VIP amendment_Sec 404\01525_05_CableSections.mxd Revised: 2019-01-28 By: pcarpentier



PROJECT LOCATION
1"=3000'

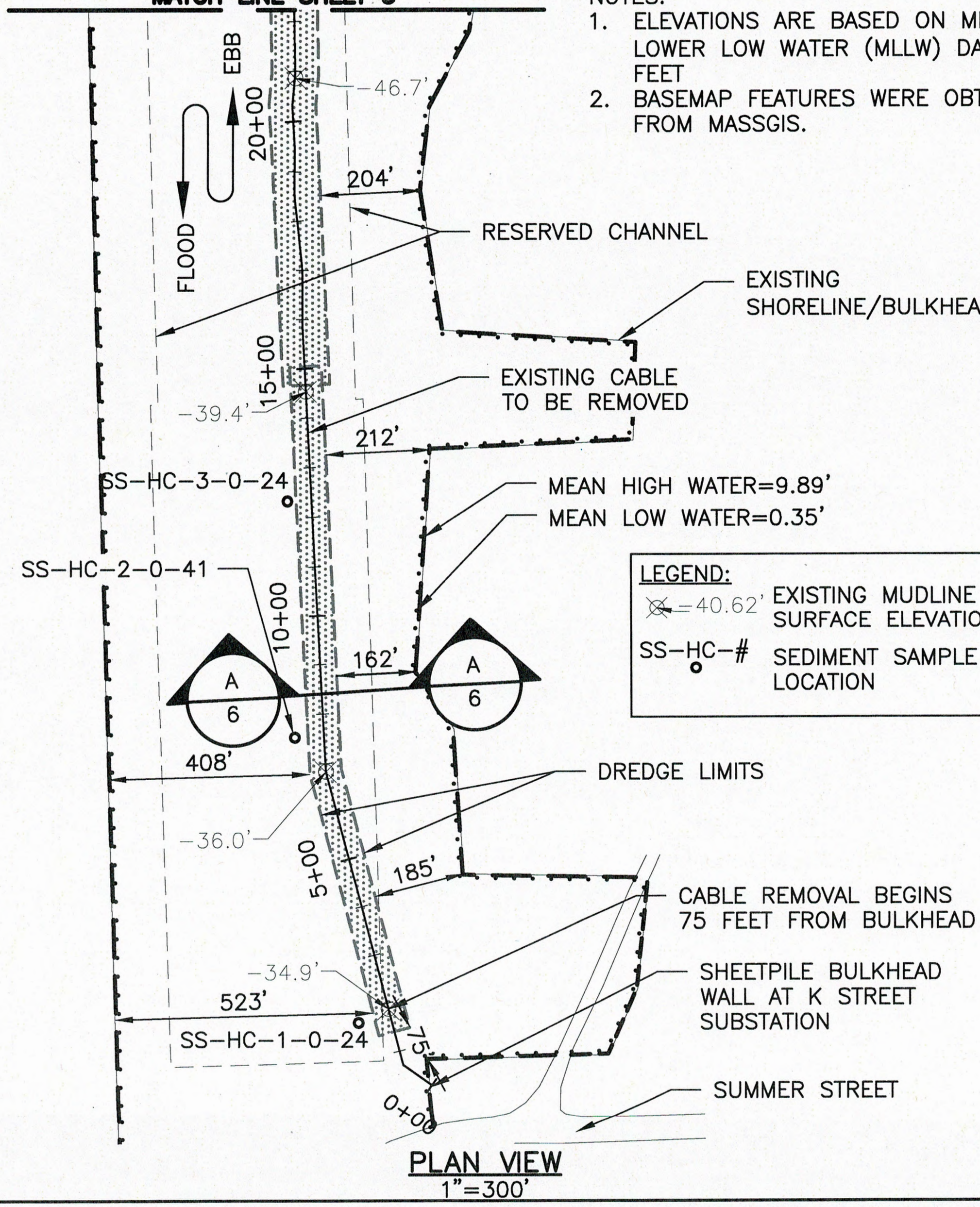
HEEC CABLE REMOVAL PROJECT
RESERVED CHANNEL AND BOSTON HARBOR

SHEET 1 OF 6
OCTOBER 2018

KEY PLAN
0 3000' 6000'

MATCH LINE SHEET 3

NOTES:
1. ELEVATIONS ARE BASED ON MEAN LOWER LOW WATER (MLLW) DATUM=0.0 FEET
2. BASEMAP FEATURES WERE OBTAINED FROM MASSGIS.



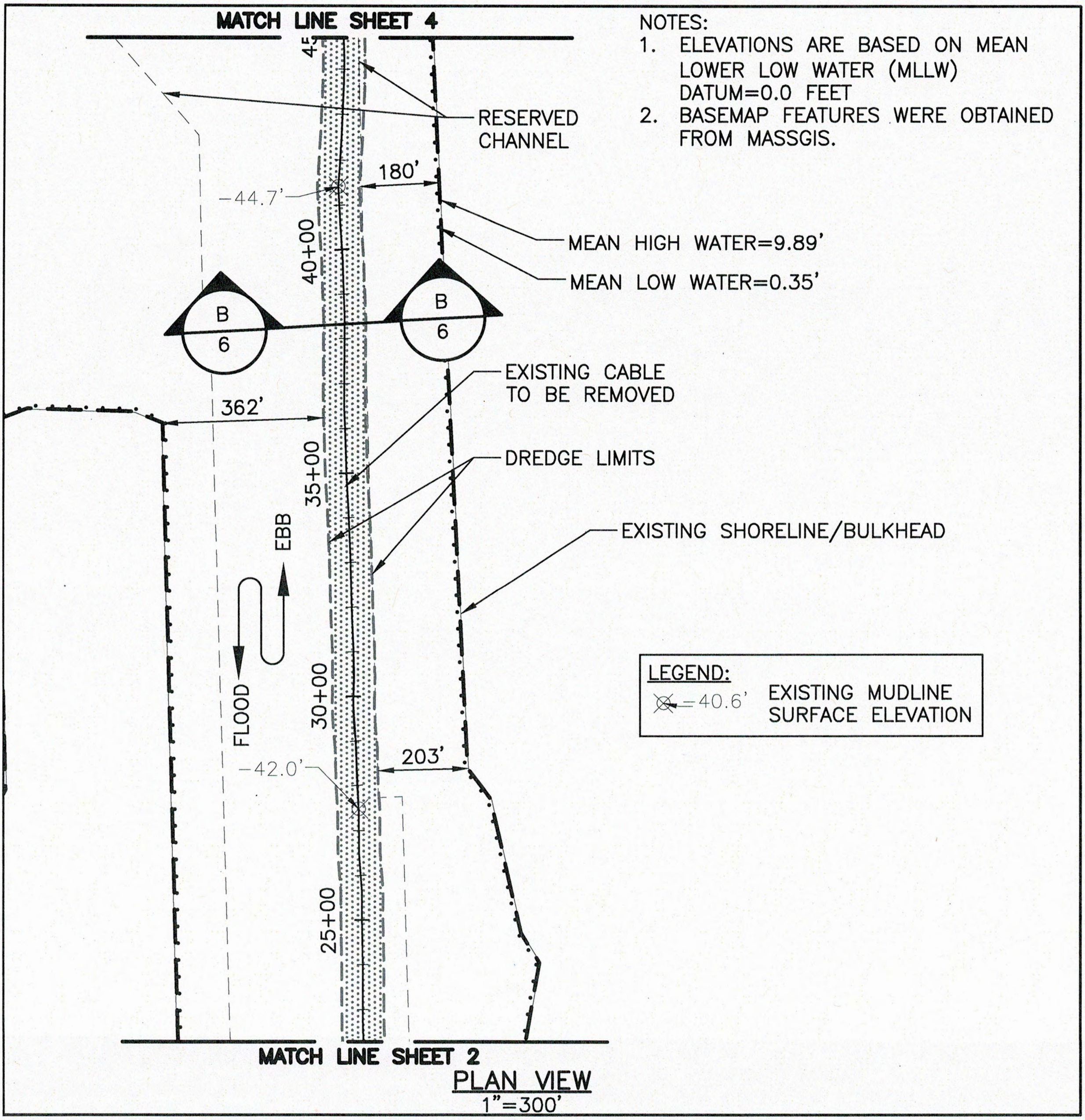
PLAN VIEW
1"=300'

HEEC CABLE REMOVAL PROJECT
RESERVED CHANNEL AND BOSTON HARBOR

N

0 300' 600'

SHEET 2 OF 6
OCTOBER 2018



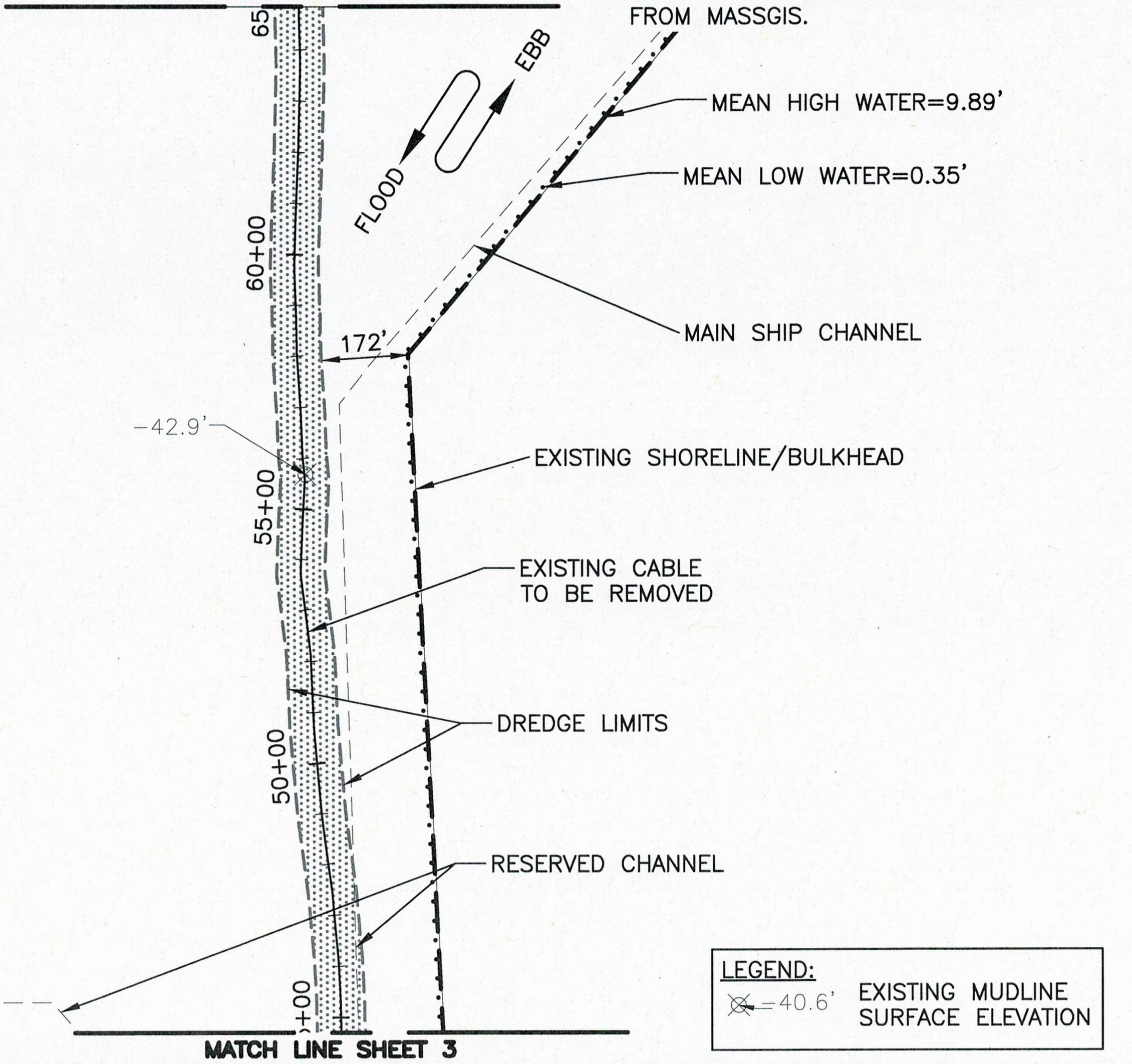
HEEC CABLE REMOVAL PROJECT
RESERVED CHANNEL AND BOSTON HARBOR

N

0 300' 600'

SHEET 3 OF 6
OCTOBER 2018

NOTE:
1. ELEVATIONS ARE BASED ON MEAN LOWER LOW WATER (MLLW) DATUM=0.0 FEET
2. BASEMAP FEATURES WERE OBTAINED FROM MASSGIS.



LEGEND:
⊗=40.6' EXISTING MUDLINE SURFACE ELEVATION

PLAN VIEW
1"=300'

HEEC CABLE REMOVAL PROJECT
RESERVED CHANNEL AND BOSTON HARBOR

N

0 300' 600'

SHEET 4 OF 6
OCTOBER 2018

NOTES:
1. ELEVATIONS ARE BASED ON MEAN LOWER LOW WATER (MLLW) DATUM=0.0 FEET
2. BASEMAP FEATURES WERE OBTAINED FROM MASSGIS.

82+20

-36.1'

80+00

CABLE REMOVAL END
500 FEET EAST OF
MAIN SHIP CHANNEL

MAIN SHIP CHANNEL

SS-HC-6-0-14

-18.4'

75+00

C
6

C
6

FLOOD

EBB

SS-HC-5-0-15

EXISTING CABLE
TO BE REMOVED

MEAN HIGH WATER=9.89'

MEAN LOW WATER=0.35'

-39.2'

EXISTING SHORELINE/BULKHEAD

70+00

SS-HC-4-0-12

DREDGE LIMITS

876'

00+00

MATCH LINE SHEET 4

LEGEND:

-40.6' EXISTING MUDLINE SURFACE ELEVATION

SS-HC-# SEDIMENT SAMPLE LOCATION

PLAN VIEW
1"=300'

HEEC CABLE REMOVAL PROJECT
RESERVED CHANNEL AND BOSTON HARBOR

N

0 300' 600'

SHEET 5 OF 6
OCTOBER 2018

LES CABLES DE LYON
DEPARTEMENT HT-BM

CALAIS

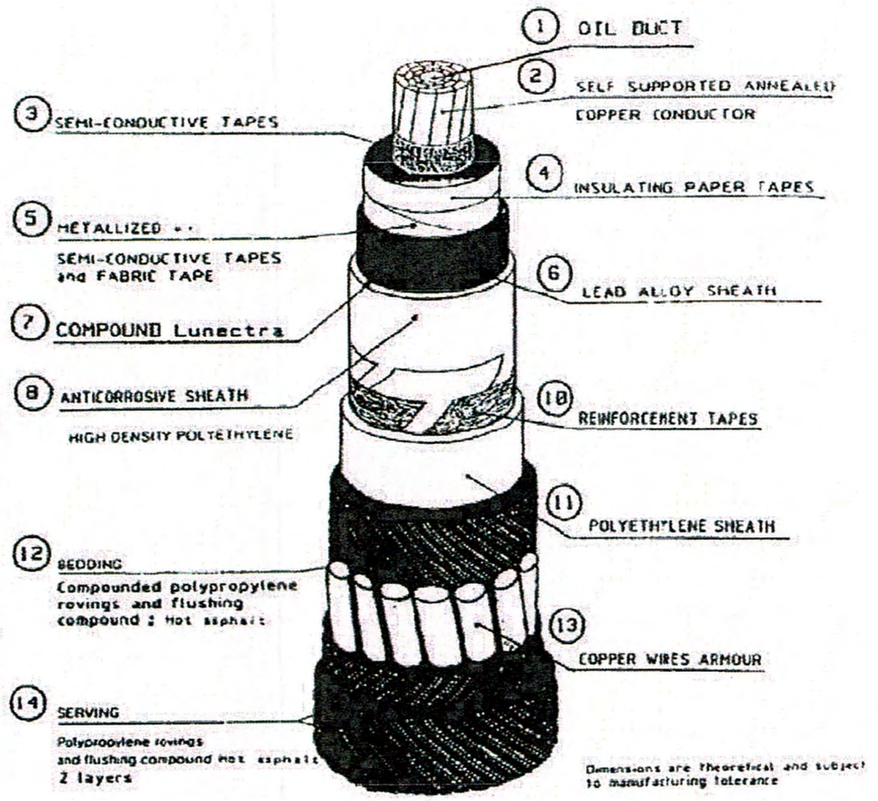
89/7/12

HTC 551/1

Dimensions for 3 x 510 mm² (1000 kcmil) Cu OF 115 kV Submarine cable

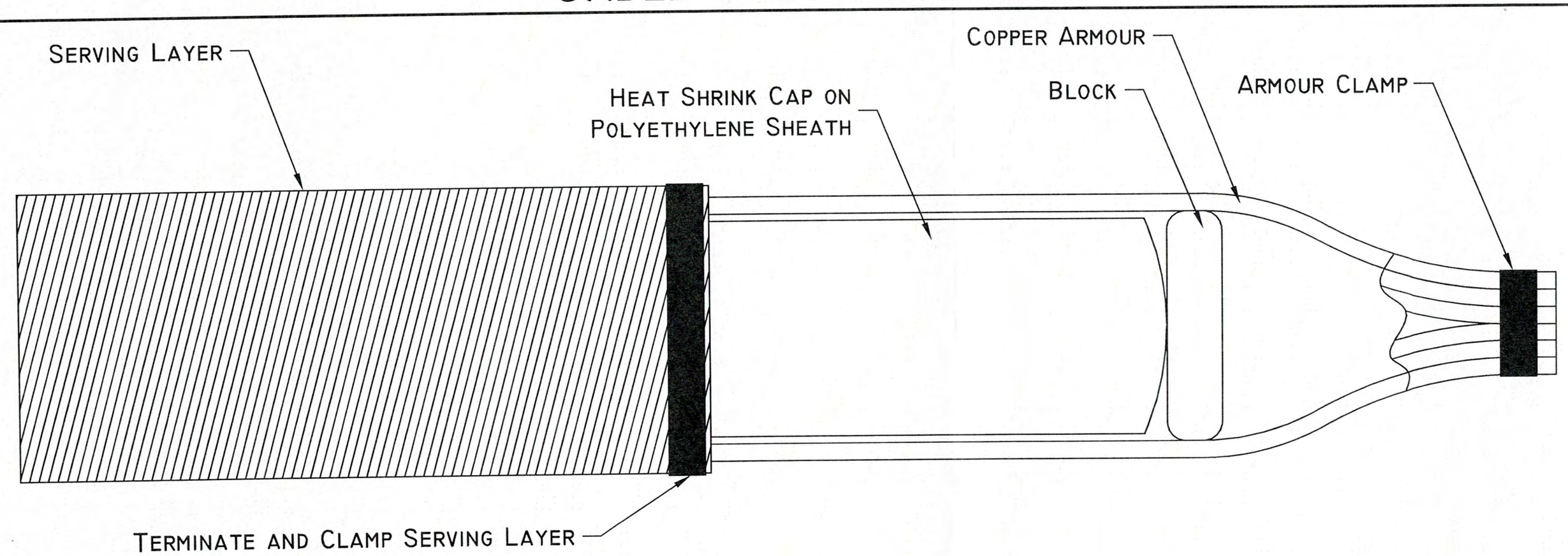
	Contractual values used for the measurements of thickness				Estimated dimensions			
	minimum thickness		minimum average thickness		Average thickness approx		Diameter approx	
	in mm	in mils	in mm	in mils	in mm	in mils	in mm	in mils
1 : Oil duct	-	-	-	-	-	-	16	630
2 : Conductor	-	-	-	-	-	-	30.8	1212
3 : Conductor screen	-	-	0.4	15.7	0.6	23.6	32	1260
4 : Insulation	-	-	10.7	421.3	11.1	437	54.2	2134
5 : Core screen	-	-	0.33	13	0.45	17.7	55.1	2169
6 : Lead sheath	2.66	104.7	2.9	114.2	3.0	118.1	61.1	2406
7 : Compound (Lunectra)	-	-	-	-	0.25	9.8	61.6	2425
8 : HD PE sheath	2.28	89.8	2.8	110.2	3.3	129.9	68.2	2685
9 : Plastic tape	-	-	-	-	0.1	3.9	68.4	2693
10 : Reinforcement	-	-	2x0.13	2x5.1	2x0.15	2x5.9	69	2716
11 : HD PE sheath	2.28	89.8	2.8	110.2	3.3	129.9	75.6	2976
13 : Polypropylene yarn	-	-	2.4	94.5	2.5	98.4	80.6	3173
13 : Copper armour wire ⌀ 6.05	-	-	-	-	6.05	238.2	92.7	3650
14 : Polypropylene yarn			3.2	126.0	3.6	141.7	99.9	3933

Weight : 28 kg/m : 18.8 lb/ft



DEER-ISLAND

CABLE SPECIFICATIONS



TYPICAL CABLE TERMINATION

Area Map

General Notes

No.	Revision/Issue	Date

Project Name & Location

Cable Sealing
HEEC CABLE ROUTE
BOSTON HARBOR
BOSTON, MASSACHUSETTS

Project: HEEC CABLE REMOVAL	Sheet: 1
Date: February 2019	
Scale: None	