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(617)482-7298 fax:(617)482-1837

Meeting Date: September 30, 2010

MassHighway Project Name: Fore River Bridge Replacement, Quincy-Weymouth
Bridge No. Q-01-001= W-32-001

MassHighway Contract No.: 50281

MassHighway District: 6

Designer: STV Incorporated

Minutes Prepared By: Nathaniel Cabral-Curtis, Howard/Stein-Hudson

Meeting Place: Weymouth Town Hall, 75 Middle Street, Weymouth, MA.

Persons in attendance: Meeting attendance lists have been removed to protect the privacy of audience members

Purpose: At the request of Weymouth Mayor Susan M. Kay, members of the project team met with Mayor Kay, senior members of her staff, and representatives of the United States Coast Guard, to discuss the project and its potential impacts on Weymouth in general and North Weymouth in particular. The United States Coast Guard (USCG) is a coordinating federal agency on this project under the National Environmental Policy Act (NEPA) and issues the federal bridge permit. The lead federal agency, under NEPA, is the Federal Highway Administration (FHWA). A representative of the Fore River Bridge Neighborhood Association also attended this meeting. Minutes appear with the kind permission of Mayor Kay.

Items Discussed:

On September 30, 2010, the selected members of the project team met with Weymouth Mayor Susan M. Kay, members of the Mayor's senior staff, a representative of the Fore River Bridge Neighborhood Association, and representatives of the United States Coast Guard. While the conversation was generally free-flowing, it primarily addressed questions and concerns raised by the representative of the Fore River Bridge Neighborhood Association. A series of questions sent to Mayor Kay by another member of the Fore River Bridge Neighborhood Association via email were also discussed.



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Question & Answer Session

C: Mayor Susan M. Kay (SK): I want to thank everyone for coming. The purpose of this meeting is for Gary Peters to have an opportunity to speak with representatives of the United States Coast Guard. Paula Pineo, who is a member of the Fore River Bridge Neighborhood Association with Gary, wanted to be here, but could not make it.

A: Mike O'Dowd (MOD): Mayor Kay, I would be happy to call her if she has questions that are not answered as a part of this meeting.

A: SK: Thank you, Mike that would be great. Gary, at our last meeting, you requested a chance to meet with USCG regarding your concerns with the bridge. I don't want us to get into your concerns about the process, I think those have been covered in earlier meetings, please keep your comments topical to USCG's purview on this project.

Q: Gary Peters (GP): A lot of us in our neck of the woods have been trying to get involved in this project. I know USCG has a big piece of the puzzle with regard to how this project will work out. To the extent we weren't involved last time, I want to hear from you as to how your part in the bridge will play out and how we can be involved.

A: Gary Kassof (GK): I apologize if the earlier process you referenced - I assume that's the removal of the 1936 bridge and the building of the temporary bridge - didn't go well. From our perspective, we felt we saturated the area with public notices and we worked with the state agencies involved bearing in mind of course that at the time we did not expect the temporary bridge to be in place as long as it has. The question of the old bridge being removed played out over a few years with bits and evolved bit by bit. We worked with the state on that quite a bit, particularly the Massachusetts Historical Commission. Through the demolition of the 1936 bridge we come to the place we are now. We have the bridge application from MassDOT and we are waiting for the Environmental Assessment (EA) to be issued for public comment so that we can begin our review process. We are happy to come to meetings like this one provided representatives of the state DOT are here. In terms of the particulars of that application and our analysis, we haven't gotten into those yet. But in terms of the overall process, we have the application, we will review it and we will begin the public review process with a notice going out to our standard mailing list when the application is complete.



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Q: GP: You have said that is your intention to review the bridge permit application and the EA concurrently, how does that work?

A: GK: FHWA is responsible for the overall environmental process. They get the EA when it is finished. We have the bridge permit application, but not the EA yet which is why we haven't started our review of the bridge permit application. It's helpful to run these kinds of processes concurrently so that everyone's comments and questions are received by USCG, FHWA and MassDOT all at once.

Q: GP: But how can you do these things concurrently?

A: GK: The regulatory process we go through at USCG addresses the structure of the bridge. MassDOT comes to us and says: we are building a replacement bridge and it will have these dimensions. This process does not invite comments of an environmental nature, in fact if we receive environmental comments as part of our bridge permit review we will route them to MassDOT and FHWA, however as a cooperating agency we would make sure that any environmental comment we receive is addressed. For example, if someone wrote to us with a comment about wetlands, we would send it over to MassDOT to make sure it is answered. The idea is that the bridge permit application review process should be informed by the environmental documentation so that is why we wait for the EA. Once we receive the EA, we will put out a public notice saying that MassDOT has sent us an application to replace the bridge. We will review navigation issues and forward environmental issues to MassDOT and FHWA. Ultimately, when those issues are addressed, we'll issue our permit after the two needed state permits: the water quality certification and the coastal zone management permit. That's the process. All groups will definitely be included.

Q: GP: I want to state that the community here wants the bascule bridge. Getting away from that aside, I have read your bridge manual which includes the work you did on the current temporary bridge. That manual requires that you give notice to people within a half mile of the project and right now you are only contacting people abutting directly on the river. I think that shortchanges the community and certainly doesn't get into my neighborhood.

A: SK: Can you give us a list of people you think should be contacted Gary [Peters]?

A: GP: Certainly. We would be happy to generate a list and then take the notice around by hand.



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C: GK: We have a public notice process and we do go out into the field. We really cannot go door-to-door, but we do get a tax roll from the town and we try to go out to the half mile along the waterway. Provide me with your list and I'll make sure everyone gets something.

A: Nikole Bulger (NB): I believe our original application document took into account a ½ mile radius around the project, not just along the waterway.

C: GK: We would also publish the notice in our bulletin to local mariners and make it available through the section of the newspaper that carries legal notices.

A: Mike O'Dowd (MOD): We would also be able to carry a link for this on our MassDOT project website.

Q: GP: We are going to have our hands full with the 30 day review of an EA we haven't even seen yet and now I'm hearing that we will have to get through our review of the bridge permit in the same 30 days. That's a tall order. Many of the people we have lined up to analyze these technical issues will be donating their time. Can we get some kind of extension? How about 60 days? 60 days seems fair to me.

A: GK: Usually that is not a problem. Just so you know, if we get a comment during the process and the comment is significant and the time frame for comment has been closed for a few days, we won't just toss that comment. Based on a request we can do a 45 or 60 day comment period, that shouldn't be a problem.

A: MOD: We have already made a recommendation to FHWA requesting a 45 day comment period, but whether or not an extension is given is up to them. 45 days is the longest we've done on an EA so 60 days is highly unlikely. Mayor Kay, I think if you could follow up with a letter to FHWA requesting the 45 day comment period it would be a big help.

A: GK: One thing we can do, because we won't put the notice out until we have the EA in hand, is have two, overlapping 45 day comment periods. This way, you could have sixty total days to work on both documents even though you'd need to finish one before the other.

C: GP: I think the key word here is reasonable. All we want is a reasonable length of time to review the EA. I think 45, maybe 60 if we can get it, is reasonable.

Q: Jim Clarke (JC): A follow-up question: when the notice goes out, what's the mechanism for distribution?



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A: GK: We don't distribute anything, that's up to the state. Comments we receive that address the EA will be forwarded to the state for response.

Q: JC: Would the public get to see the bridge permit application?

A: GK: The application consists of the project review, the plans in the public notice and the assessment. The letter and summary are not much different than the assessment. You could request these documents, but normally we don't send them out.

C: GP: With regards to getting the documentation associated with this process, MassDOT has been good about getting me some things such as the minutes, but obviously some things are missing. I need the figures and appendices and I'm into my 13th month of asking for them. Experts cannot comment if there's nothing in front of them to comment on. I don't want to go to superior court with MassDOT, but I will. Some of your policies speak to the human environment and I have concerns about that. Was a baseline noise study done? Where were the monitors? We need this information.

A: GK: That documentation isn't held by USCG, but we'll be happy to give you what we have. If you are missing items, call us, and we will be happy to share with you what we have, but the state is really the appropriate location for that information. We review and accept portions of the EA, but it's generated by the consultants and the state DOT.

Q: GP: But at some point you have to accept the EA, isn't that right?

A: GK: That's really the responsibility of FHWA. We will accept the bridge permit. The rest of the stuff: wetlands, aesthetics, that's FHWA. Yes, we accept parts, but we don't prepare it. As I said we will answer any questions you have on the part of the process we address and give you any files we have as well.

C: MOD: Much of what Gary is requesting from you, he has already received from us.

A: GP: Mike, you know that isn't true, we haven't gotten anything from MassDOT.

A: MOD: You asked for meeting minutes and we gave them to you. We cannot issue preliminary documents for public review which are going to be part of the EA. The noise study is part of the EA. We are simply not in a position to give you preliminary elements of the EA.

A: GP: You had 10 days to put that into writing and tell us.



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A: MOD: Gary, that isn't up to me. I deal with the engineering aspect of this work and manage the project. Giving you that kind of response is up to MassDOT legal.

A: SK: Tell you what, Gary, give me the list of documents you need and I'll give it to Mike and he can parse the list into things he has given you, things he can give, and things he cannot give you.

A: GP: I think we have just arrived at a legitimate difference of opinion on this. I think MassDOT legal has failed to make their case, but thank you Mayor Kay.

C: GP: I'd like to move on to something else which is the channel width. I think that is a big issue.

A: GK: We have yet to do that review and we have yet to make that decision. We'll issue the comment once we've done our review. We limit ourselves to issues of engineering and navigation. You've read our bridge manual so you know what we look at. We have no point of view as of yet, but we did meet with the state DOT early on and that a normal part of our process to help them focus on the navigational aspects of the project. We gave them some guidance at the outset and they have gone forward based on that.

C: GP: I know we are late in this process, but we think something has been overlooked. You told MassDOT you wouldn't accept a channel width of less than 225 feet. This limit makes the bascule bridge a non-starter because of the maintenance challenges associated with it. That leaves you with three options: no-build, a possibility that is barely viable – the bascule bridge, and a possibility that seems the obvious choice – the vertical lift bridge. What this community wants is a bascule bridge that looks good and has a low visual impact spanning a 200 foot navigation channel. If you install the vertical lift bridge that MassDOT has put forward it will be every bit as large as the fixed span from the Vollmer report. It will be taller than the Bunker Hill Monument or the Tobin Bridge. Nobody in this community wants a vertical lift bridge and we have 13 months of testimony saying that. My strong suggestion to you is giving us an honest, hard look at a bascule bridge spanning a 200 foot navigation channel. That will bring to the table some of the realities that need to be discussed. At some point, people will realize this process has not been fair. I'm asking you as the federal coordinating agency to put some fairness into it.

A: SK: Just a minute, Gary, you don't speak for the whole town of Weymouth, you speak for a neighborhood group. There are also many people who are concerned about the frequency of bridge openings and the speed of bridge openings. There are a lot of reasons that different people might want a different bridge type.



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A: GP: I appreciate that, but I think we can make a case that a bascule bridge will open and close faster. In the bright light of day, I think the bascule is the way to go. If it fails on its merits after a real process we'll be glad to support your vertical lift bridge.

C: GK: Let me comment on a few things you've raised. In June of 2009, we sent a letter to the state in response to a letter we received from MassDOT in May 2009 in which DOT requested conceptual approval of a bascule bridge spanning a 200 foot navigation channel. As of June 2009 we told the state DOT that we did not think a 25 foot increase over the temporary bridge was adequate because of the history of allisions between ships and fender systems of the temporary and 1936 bridges. So, based on the history of allisions and because this is a federal channel under the jurisdiction of the Army Corps of Engineers (ACOE) we told MassDOT to begin with a floor of 225 feet. Our charge is for new or replacement bridges to achieve the ACOE mandated channel width. Given your knowledge of this project, I'm sure you are aware that down stream of the bridge the channel is set by ACOE at 300 feet and upstream at 400 feet, so our charge is to get as close to 300 feet as we can. Talking with the City of Quincy, Town of Weymouth and MassDOT, we all came to realize that 300 feet is really wide, but in talking to the mariners we also came to understand that 200 feet is nowhere near wide enough. As we analyze this, we'll get into how the channel would be used by panamax ships, post-panamax ships and the safest design coming from USCG, the harbor pilots and the folks plying the waterway. We'll review your questions and we'll give you answers.

Q: GP: You mention post-panamax, but I hope you know that as far as design type is going the project team in using the panamax class of vessel as their design ship.

A: GK: We'll be looking into the future as part of our analysis. Hopefully this bridge will stand for 75 years. We don't know what the future of commerce is, but we want a bridge that works for the future. In that regard, we will be looking at post-panamax ships.

C: GP: Let me come back to the channel width. The current channel clearance is 136 feet with 35 feet of depth at the bridge.

A: GK: Well yes, the bridge necks down the channel which is between 300 and 400 feet to either side of the bridge. A bridge with a 300 foot horizontal clearance isn't practical or desirable at this location for many reasons, but we need to get as close as we reasonably can to the ACOE channel width of 300 feet. Right now the bridge necks down the channel to an unacceptable level.



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C: Paul Milone (PM): We've had a lot of discussion about this in the local maritime community. I would say that you are right to expect bigger fuel tankers in the next five to ten years. CITGO wants to bring in more fuel on fewer ships. My personal view is this bridge should have as much horizontal clearance as you can give it. I see current shipping bouncing off the fender system. Sometimes they call me when they hit the fenders, they're supposed to, and sometimes they don't, but I know for a fact that there are many allisions. I think 225 feet is a good start and it should be 250 feet if you can do it. Ships are only getting bigger, not smaller. This bridge will be here for 75 years and you have one shot to get it done right and so you go bigger, it seems 100% obvious to me. In terms of bascule versus vertical lift, I've lived in Weymouth a long time, and we all know the bascule bridge and love it, but the bascule bridge will give us much less height in the closed position. Figure in the masts of the sail boats and that's a lot more openings, at least 10 on a busy summer day if not more.

Q: SK: Let me ask a question here: these larger ships, post-panamax, do we have any say on how big they can be and still use the channel?

A: GK: USCG would decide that. Depending on the channel size, they can put restrictions on it such as extra tug-boats, no nighttime transits of the channel and so forth.

C: PM: If you can prevent an additional eight to ten openings with this new bridge that would be great. Aesthetic value is important to the neighbors, but they don't quite know what they want right now. A nice sleek piece of modern machinery, nobody will mind it. Don't forget that if they build a bascule bridge here, it would be one of the biggest in the world and it would be difficult to maintain.

A: Mark Ennis (ME): Well, certainly it would be one of the largest in the United States, and yes because of its size it would be hard to maintain.

A: PM: As long as it gets the job done and reduces the noise associated with cars going over the bridge and it gets built soon, I'll be happy.

Q: GP: So if you were entertaining a 200 foot channel, could a bascule bridge work? Could it go up and down as quickly?

A: ME: It would become a little easier. To be fully honest with you, the operating time for the two bridge types would be the identical. However, you define cycle time as the steps that include stopping traffic, bringing the gates down, raising and lowering the bridge, raising the gates, and restarting traffic. The difference between the cycle



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times for the two bridge types is the time it takes to transit the ship and that is difficult to quantify. Based on our discussions with the maritime community and our own trip through the current temporary bridge on a tanker, we expect that ships will be able to transit a wider channel faster and with more confidence. So, a wider channel, which we can only achieve with a vertical lift bridge, results in a shorter time from the stopping of traffic to the restarting of traffic because the ship passes more quickly, not because of faster operation of the bridge itself.

Q: GP: But for the sake of discussion, if you made a bascule bridge over a 200 foot channel, would you have a bridge that operates faster? Would you gain time?

A: ME: The operating time of the bridge would not change, but the part that's harder to quantify, the confidence of the mariner, that would be reduced and it could well be a longer time to transit the ship.

Q: SK: Gary, why all these questions about channel width?

A: GP: Because if they have this wide channel, we will get the vertical lift bridge and the vertical lift bridge will be a monstrosity: taller than the Bunker Hill Monument, taller than the Statue of Liberty, and taller than the Tobin Bridge! You'll get a roar when this thing goes up! I apologize, Mayor, we can move on.

Q: SK: I want to ask some of the questions that Paula Pineo sent me in an email. Here's the first one: the Fore River Shipyard is an active port, what percent active is it?

A: PM: Certainly not as active as it was when it was a shipyard, but all the bays are utilized with the exception of the two dry docks. Certainly it is active; there are plenty of maritime activities there right now. This includes an underwater robotics facility and an acclimatization facility for the New England Aquarium.

C: NB: It is a designated port area so we cannot do anything to hamper use by maritime businesses.

Q: SK: Paul, do you see an increase in marine activities in the future?

A: PM: Definitely. I know Quirk discussed using it as a terminal to unload cars. I know that when he bought the property it was his intention to keep it a maritime facility because it was part of his agreement with the City of Quincy. In addition to the car terminal, I know he had discussed using it to bring in small coastal cruise ships like the kind that go up to Nova Scotia.



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C: ME: We have not spent much time analyzing how a car carrier would perform in the Fore River Channel because they are lighter than oil tankers, but a car carrier has its own navigational challenges, the chief of which is that they are lighter and broader which makes them much more likely to be pushed around by the wind. They would definitely benefit from a broader channel opening. That's another reason the harbor pilots are pushing us for the widest channel we can give them.

Q: SK: All right, here's another one: does USCG have the final say in which type of bridge is selected?

A: GK: We do not pick the design of the bridge, but we do make a determination as to the width of the channel. As we have discussed, channel width impacts which bridge type is practical, so indirectly we have a say. Our decision could dictate the design.

Q: SK: One more: does Quirk own the shipyard?

A: PM: Quirk owns a good bit of it, but Jay Cashman also owns a large piece. I know that Mr. Quirk has discussed installing a marina there. Everything I see suggests he will keep his word about keeping it a maritime facility.

Q: JC: With regard to the bridge permit, there's the public comment period and then you do your review. Do you have a specific time frame for that?

A: GK: Our processing time is generally around nine months to a year. Sometimes we do better and sometimes we don't. We do our analysis and review and we get input from resource management agencies like DEP and Fish and Wildlife. After the public review process, and assuming no outstanding public controversies, I like to think within six months, maybe four we can issue a permit. A case like this, where things have been going on a long time, we want to get this bridge replaced with something permanent. We want to move this process along as fast as we can.

Q: JC: So you will wait for comments from FHWA with regard to the adequacy of the EA?

A: GK: As they finish that, we'll be looking at the comments made and working cooperatively with them. FHWA won't fund the project or let the state advertise the job without our permits so usually we try to move hand-in-hand.

Q: SK: Mike, what does your timeframe look like right now?



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A: MOD: We are filing the EA with FHWA next week. They'll review it for 30 days, we will address their comments and then re-file it with them. After that, they would issue it for public comment.

Q: SK: So it is from that date that we would hope to get the 45 day comment period?

A: MOD: That is correct.

Q: GP: Just to be very clear: there are three levels at which this job could be permitted: the categorical exclusion, the lowest, the environmental assessment, the middle, and the environmental impact statement with a notice of intent. That's the highest. I know you attempted to get the categorical exclusion for this and I think you should have filed an EIS with NOI a long time ago, but we're at an EA and you'll be looking at the impacts: physical geology, soils geology, water and wetlands resources, wildlife and fisheries, traffic, noise, air quality, pedestrians and bicycles; land use, social, economics and the environment, visual impacts, public parks, historic and cultural resources, hazardous waste and construction permits, is that correct?

A: MOD: That sounds like a thorough listing. I'm surprised either one of us can rattle it off from memory, but it sounds right to me.

Q: GP: You have held public meetings and never shared any data on any of those points with us. Those meetings are our opportunity to get into the process. How can we get into the process if you won't share data with us? Then, you use the meeting minutes as evidence in the EA that there has been a community process. Can you explain how we've had input?

A: MOD: The meetings give you an opportunity to become involved with the project by giving us your opinions and giving you the opportunity to ask us to address your questions and concerns.

C: GP: You have done a good job telling the community about bridge structures and channel widths, but you haven't given us an opportunity to talk about the items that I listed just now in the presence of any sort of data that would let us make an informed comment.

A: MOD: Gary, I've made it clear to you on many occasions that I will talk with you as much as you wish about whatever issue you would like, but I will not and cannot give out information that is an ingredient of the EA prior to the filing of that document.



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Q: GP: All right. Let me ask you this: you have said numerous times that MEPA is off the table, but that NEPA mirrors MEPA. Do you stand by the NEPA process? I've never seen a process like this in my life, never.

A: MOD: It isn't me that stands by NEPA, it's the EOEA and FHWA that stands by it. They dictate the policies and procedures I and the rest of MassDOT follow. It's not my rules and processes, these rules and processes are set up by the legislature who sets up the state agencies. This is not a personal choice by me at all.

Q: GP: Do you feel you are in compliance with NEPA?

A: MOD: I am trying to comply with NEPA to the best of my abilities. In the end, I will let FHWA make the decision as to whether or not I am in compliance.

C: SK: Gary, I don't want to challenge you here, but I think Mike is taking the right approach. I wouldn't let raw information go out the door until I was sure it was right. I certainly wouldn't let DPW give out raw data that I hadn't looked over, but I don't think you have to wait for the EA to discuss the issues you want to discuss. Send me a list of the areas you want to look at and we can have a neighborhood meeting to talk about them.

A: GP: Let me throw out my worst fear on this that I've been holding onto for 13 months. I've been dealing with permitting processes for 23 years in various capacities and let's just focus on noise. What happens if they have done a quickie job on noise and Jim and I look at their readings, based on what we've done locating the power plant and the MWRA facility and we don't agree with them? There's no trust here. I have 11 years of baseline materials some of which supersedes the work MassDOT has done for this project. I know they have visited our neighborhood and taken the readings. Our hope 13 months ago was to sit down and have an honest conversation and share that information with DOT, but now things have become confrontational. Say we get the EA and the noise is at a certain level and we say that number is wrong and we're back doing again what we could have done 13 months ago.

Q: SK: All right, if you have data and the neighborhood agrees with it, then why can't we share it with MassDOT?

A: GP: It isn't as simple as that. It isn't worked up. I don't think we have time at this point to work it up meaningfully.



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A: SK: I thought you had said you had data to share right now. Let me ask you this: is there a way for your group to come up with specific terms and say we believe the noise level should be a given value?

A: GP: I don't think that's helpful at this point.

A: SK: Then I don't know what it is you want. I'm not going to try to get draft data from Mike. I have things that change significantly internally just within my office. It doesn't make sense to let out raw information. Gary, I want you to have your say, I'm not going toe-to-toe with you, but I can't figure out what it is you want.

C: MOD: That is exactly the situation we've been in for the past several months.

A: GP: No, I understand, I am now clear on the process. We'll get the information as part of the EA. I don't think we can progress any further until we see it.

C: SK: Well, that case, thank you for the meeting, thank you to everyone for attending, if you want to hold some community meetings, please be in touch.



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End of Meeting

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These minutes are a close representation of what transpired at the meeting summarized herein, but should not be considered a verbatim transcript. Contact information provided by meeting attendees has been removed to protect their privacy.
