

## EPA Official Record

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**Notes ID:** A164F5AD70C4709E85257AD800706183

**From:** Ann Williams/R1/USEPA/US

**To:** Chet Myers <cmyers@apexc.com>

**Copy To:** Cynthia Catri/R1/USEPA/US@EPA; ElaineT Stanley/R1/USEPA/US@EPA; Gary Davis <gary.davis@state.ma.us>; Jackie Leclair/R1/USEPA/US@EPA; Jay Borkland <jborkland@apexc.com>; "Sneeringer, Paul J NAE" <Paul.J.Sneeringer@usace.army.mil>; Mike Marsh/R1/USEPA/US@EPA

**Delivered Date:** 08/09/2012 05:47 PM EST

**Subject:** RE: Are you interested in a 1:00 p.m. meeting next Tuesday? (UNCLASSIFIED)

Hi all,

I'd like to weigh in here briefly. Mike and Jackie are both out of the office until Monday, and Jackie and I will be in a meeting until sometime Monday afternoon. So we're not going to be able to have the necessary internal discussion to address Chet's questions until late Monday afternoon at the earliest. We thought it would be helpful to understand clearly what Apex is proposing with the revised mitigation plan and have the opportunity to ask questions. I think it's premature to make any firm conclusions about how we would react to any specific information. We thought it would be efficient to try to have such a meeting on Tuesday at 1 pm, before the 3 pm meeting. A multiagency meeting might be equally beneficial, but that's going to take longer to set up and will be complicated with vacation schedules, etc.. Therefore, we would like to proceed stepwise, with an initial meeting on Tuesday at 1 and then take stock regarding best next steps.

Thanks,

Ann

▼ Chet Myers ---08/09/2012 05:37:11 PM---Hi Paul, Even if the re-designed Stormwater Drainage Swale Mitigation Area does not (as previously a

From: Chet Myers <cmyers@apexc.com>

To: "Sneeringer, Paul J NAE" <Paul.J.Sneeringer@usace.army.mil>

Cc: Jay Borkland <jborkland@apexc.com>, Gary Davis <gary.davis@state.ma.us>, Ann Williams/R1/USEPA/US@EPA, Cynthia Catri/R1/USEPA/US@EPA, Jackie Leclair/R1/USEPA/US@EPA, ElaineT Stanley/R1/USEPA/US@EPA

Date: 08/09/2012 05:37 PM

Subject: RE: Are you interested in a 1:00 p.m. meeting next Tuesday? (UNCLASSIFIED)

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Hi Paul,

Even if the re-designed Stormwater Drainage Swale Mitigation Area does not (as previously anticipated) mitigate for all of the impacts incurred by the project, it is not clear that all portions of the Stormwater Drainage Swale Mitigation Area should be dropped completely. A portion of the Stormwater Drainage Swale Mitigation Area could

remain and compensate for some of the impacts incurred by the project.

However, if USACE has engineering concerns about every portion of the Stormwater Drainage Swale Mitigation Area (even with the re-designed project, which is intended to eliminate USACE engineering concerns), then it may be prudent to eliminate the Stormwater Drainage Swale Mitigation Area. It is not clear that a meeting with only USEPA would be able to answer this question.

Chet Myers  
Apex Companies, LLC  
O) 617-728-0070 M) 617-908-5778

-----Original Message-----

From: Sneeringer, Paul J NAE [mailto:Paul.J.Sneeringer@usace.army.mil ]  
Sent: Thursday, August 09, 2012 5:28 PM  
To: Chet Myers  
Cc: Jay Borkland; Gary Davis; Ann Williams; Cynthia Catri; Jackie Leclair; ElaineT Stanley  
Subject: Are you interested in a 1:00 p.m. meeting next Tuesday? (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Chet:

We were looking to have the Successional Marsh Mitigation discussion at 1:00 p.m. rather than 3:00 p.m., because we already have a full agenda for the 3:00 p.m. meeting.

The 1:00 p.m. meeting was proposed to be only with the EPA - South Terminal Team (including me) and Commonwealth/Apex. EPA wants to get a better idea if the design for the Successional Marsh Mitigation work can be modified to avoid impacts to existing salt marsh areas and there would still be adequate space to create/restore adequate salt marsh (and possibly freshwater wetland) mitigation. We figured if there is not adequate space to at least complete the salt marsh mitigation requirements that the Successional Marsh Mitigation work should be dropped completely. Therefore, the engineering discussion with the Corps Levee Safety Office personnel can wait.

With this information in mind, please confirm if Apex is willing to take part in a 1:00 meeting next Tuesday. Thanks.

Paul Sneeringer  
(978) 505-9216 (cell)  
(978) 318-8491 (W)

-----Original Message-----

From: Chet Myers [mailto:cmyers@apexcos.com ]  
Sent: Thursday, August 09, 2012 5:02 PM  
To: Sneeringer, Paul J NAE  
Cc: Jay Borkland; Gary Davis  
Subject: Tuesday Meeting

Hi Paul,

We heard back from Gary Davis, and it sounds like he won't be able to meet at 1 pm on Tuesday, and he suggested that we discuss the Stormwater Drainage Swale Mitigation Area at our 3 pm meeting instead.

Just to check, was the 1 pm meeting going to involve USACE personnel? We felt it was important to discuss the engineering aspects of the mitigation measure with USACE (i.e. maintaining the hydraulic nature of the drainage swale) before discussing the environmental aspects with EPA. We had put the USACE meeting off because EPA had indicated that they wanted to attend, but it wasn't clear if the 1 pm meeting would involve USACE personnel or was just an EPA meeting.

Thanks,

< <http://www.apexcos.com/> >

Chet Myers

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Classification: UNCLASSIFIED

Caveats: NONE