



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
METROPOLITAN BOSTON - NORTHEAST REGIONAL OFFICE

WILLIAM F. WELD
Governor

ARGEO PAUL CELLUCCI
Lt. Governor

MAY 15 1997

TRUDY COXE
Secretary

DAVID B. STRUHS
Commissioner

Metropolitan District Commission
20 Somerset Street
Boston, MA 02108
ATTN: Paul DiPietro

WETLANDS\QUINCY
DEP File No: 59-196
Flows in Town River

and

U.S. Army, Corps of Engineers
424 Trapelo Road
Waltham, MA 02254
ATTN: Joseph Ignazio,
Impact Analysis Branch

Dear Sirs:

As you are aware, the above-referenced project was permitted by a variance issued under the Wetlands Protection Act (the Act) in March of 1989. A major concern at that time was for the protection of the stream's fish run from construction impacts. For instance, pages 7 and 8 of the March 17, 1989 variance document discuss this matter, concluding with the DEP Commissioner's statement that "it is critically important for making the project permissable under the Act." This concern is echoed in Condition 1 of the March 24, 1989 Water Quality Certificate (87W-045).

In late April of 1997, DEP received information that stream flows were significantly reduced, presumably by the construction activities. As a result, significant smelt egg mortalities resulted.

The Department is interested in learning exactly what happened at the site. Consequently, we ask for the following information:

. USGS stream gage data for the entire month of April, and the average April daily flow since 1987.

. Exactly what work was occurring, which led to the altered flows, where that work occurred, its duration and what permits allowed that work.

. What person(s), employed by what agency, that agency's address, did the work, and what person(s) authorized that work.

. Please furnish all applicable parts of contracts requiring or authorizing that work.

. Please furnish a detailed description of all steps to be taken, as well as when they will be implemented, to prevent recurrence of this incident. Included in that description should be a discussion of mechanisms to compel all involved parties to comply with those steps.

Please furnish the requested information expeditiously, but in no case later than ten days after the postmark date of this letter.

I suggest that you contact Ralph Perkins of my staff should you have any questions or comments.

Sincerely,



James A. Sprague, Section Chief
Wetlands and Waterways

cc: Brad Chase, Division of Marine Fisheries, 30 Emerson Avenue,
Gloucester, MA 01930

Conservation Commission, City Hall, Quincy, MA 02169