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Attachment D-5: Chapter 91 Minor Modification

Pictured: Jupiter's Callisto | BESS in Harris County, TX

Prepared For:

Massachusetts Department of Energy Resources

Electric Distribution Companies:

Fitchburg Gas & Electric Light Company d/b/a Unitil

Massachusetts Electric Company and Nantucket Electric Company,
each d/b/a National Grid

NSTAR Electric Company d/b/a Eversource Energy

Applicant Information

Applicant:

Trimount ESS LLC

Contact:

Sam Malin
Vice President, Origination
sam.malin@jupiterpower.io
(512) 541-5240

Ford Martin
Associate, Origination
ford.martin@jupiterpower.io
(512) 629-6179

Address:

1108 Lavaca St, Suite 110-349
Austin, TX 78701





Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

One Winter Street Boston, MA 02108 • 617-292-5500

Maura L. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Rebecca L. Tepper
Secretary

Bonnie Heiple
Commissioner

October 22, 2024

Trimount ESS LLC d/b/a Jupiter Power, Hans Detweiler
c/o Stephanie Krueel, Vanasse Hangen Brustlin, Inc.
99 High Street, 10th Floor
Boston, MA 02110

Re: Chapter 91 Administrative Request No. 24-WWAR-0095-APP - Minor Project Modification to Chapter 91 DPW Licenses 1712 and 1491; Alford Street Right-of-Way, Mystic River Designated Port Area (DPA), Filled Tidelands of the Mystic River, Boston, Suffolk County

Dear Mr. Detweiler:

The Massachusetts Department of Environmental Protection Waterways Regulation Program (the “Department”) received the request on September 25, 2024, for a Minor Project Modification to install additional underground utilities within filled tidelands of the Mystic River, in the City of Boston. This request included the following materials:

- Letter of request;
- Appendix A containing the following figures:
 - Figure 1 titled “*Site Location Map, BESS Minor Project Modification, Everett MA*”, prepared by VHB, Inc., dated August 14, 2024.
 - Figure 2 titled “*Conceptual Site Plan, BESS Minor Project Modification, Everett MA*”, prepared by VHB, Inc., dated August 14, 2024; and
- Appendix B containing copies of the following Chapter 91 Waterways Licenses:
 - Department of Public Works (DPW) License No. 1712, issued on September 3, 1935.
 - DPW License No. 2429, issued on October 19, 1941.

The proposed work consists of the installation of an underground cable within the Beacham, Robin, Dexter, and Alford Streets rights-of-way, of which, an approximate 100-linear foot segment of cable within Alford Street will be located within filled tidelands of the Mystic River subject to jurisdiction under M.G.L. Chapter 91 and 310 CMR 9.00.

This information is available in alternate format. Please contact Melixza Esenyie at 617-626-1282.

TTY# MassRelay Service 1-800-439-2370

MassDEP Website: www.mass.gov/dep

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Minor Project Modification to DPW License Nos. 1712 & 2429
Alford Street Right-of-Way, Mystic River DPA, Mystic River, Boston, Suffolk County

The project site is located within filled tidelands authorized by DPW License No. 1712 and DPW License No. 2429, and the proposed work is eligible for consideration as a Minor Project Modification pursuant to 310 CMR 9.05(3)(a). Based on the review of the materials relative to the standards at 310 CMR 9.22(3), the proposed cable installation complies with the provisions at 310 CMR 9.22(3)(a), as the work involves structural alterations confined to the existing footprint of previously licensed fill being altered and represents an insignificant deviation from the original specifications of the license, in terms of size, configuration, materials, or other relevant design or fabrication parameters. In addition, the work also complies with the provisions at 310 CMR 9.22(3)(c), as it involves installation of additional utility lines in an existing right-of-way within previously authorized filled tidelands connecting to new or existing structures and will not restrict or impair access to water-dependent uses.

In accordance with the evaluation above, the Department hereby determines that the proposed work does not require additional Chapter 91 authorization. The Department will retain this correspondence approving the Minor Project Modification along with the referenced submittal in our records. Work must conform to and be consistent with the submitted documentation. This Departmental action does not relieve you of the requirement to obtain all other applicable local, State and Federal authorizations.

If there are any questions, please contact the Waterways Regulation Program at dep.waterways@mass.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. J. Padien", with a stylized flourish at the end.

Daniel J. Padien, Program Chief
Waterways Regulation Program

cc: Boston Conservation Commission
Hans Detweiler, Jupiter Power