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July 14, 2017

CERTIFICATE OF THE SECRETARY OF ENERGY AND ENVIRONMENTAL AFFAIRS
ON THE
ENVIRONMENTAL NOTIFICATION FORM

PROJECT NAME	: Sudbury Hudson Transmission Reliability Project
PROJECT MUNICIPALITY	: Hudson, Marlborough, Stow, and Sudbury
PROJECT WATERSHED	: Sudbury River, Concord River
EEA NUMBER	: 15703
PROJECT PROPONENT	: NSTAR Electric Company d/b/a Eversource Energy
DATE NOTICED IN MONITOR	: May 24, 2017

Pursuant to the Massachusetts Environmental Policy Act (MEPA; M.G. L. c. 30, ss. 61-62I) and Section 11.06 of the MEPA regulations (301 CMR 11.00), I have reviewed the Environmental Notification Form (ENF) and hereby determine that this project is not subject to the requirement to file a Mandatory Environmental Impact Report (EIR). The Proponent intends to proceed through the MEPA review process on a voluntary basis and has requested that I issue a Scope for a Draft EIR (DEIR). The DEIR should be prepared in accordance with the Scope included in this Certificate.

The Project is proposed to relieve potential overloads on elements of the area transmission system and maintain reliable electric service to customers of this system. Under certain operating conditions, supply to approximately 80,000 customers in the greater Marlborough area cannot be maintained and could create thermal overloads. The Proponent is required to maintain its transmission system consistent with the reliability standards and criteria developed by the North American Electric Reliability Corporation (NERC), the Northeast Power Coordinating Council (NPCC), and the New England Independent System Operator (ISO-NE). The project will specifically address reliability within the Marlborough Subarea of Sub-Area D.

I have received comments from legislators, municipal representatives, State Agencies, environmental advocacy groups, and residents. Some comments reflect support for the project because it will enhance the reliability of electric service, avoid overhead transmission lines, and facilitate development of the Massachusetts Central Rail Trail (MCRT). The majority of comments identify concerns regarding wetland resource and rare species impacts, habitat fragmentation, soil and drinking water supply contamination, and identify the need for additional information and analysis in the DEIR. Many of these comment letters also request analysis of routing alternative consisting of installation of the transmission line within public roadways.

The Scope contained herein is intended to support identification of the environmental impacts of the project and thoughtful consideration and analysis of measures to avoid, minimize, and mitigate impacts. Review of the DEIR will provide another opportunity for State Agencies, municipalities and the public to provide input on the project and its environmental impacts. I am aware that the Proponent has a consolidated Petition pending before the Energy Facilities Siting Board (EFSB).¹ The Proponent should submit a copy of this Certificate and the DEIR submittal to the EFSB to facilitate coordination between review processes.

Project Description

As described in the ENF and supplemental information provided during the review period², the project includes the construction of a 9-mile, 115-kilovolt (kV) underground transmission line extending from Eversource's substation on Boston Post Road (Route 20) in Sudbury (the "Sudbury Substation") to Hudson Light & Power Department's substation at Forest Avenue in Hudson (the "Hudson Substation") and upgrades to both substations. The project will be installed primarily along an inactive railroad right-of-way (ROW) owned by the Massachusetts Bay Transportation Authority (MBTA). The Department of Conservation and Recreation (DCR) maintains a lease over a 6.7-mile a portion of the ROW corridor to develop a portion of the Massachusetts Central Rail Trail (MCRT).³

As described in the ENF, work includes clearing and maintenance of a 30-foot (ft) wide corridor along the ROW to construct a 22-wide construction platform comprised of a 14-ft wide access road, 4-ft wide duct bank offset from the access road by 1-ft, splice vaults (located approximately every 1,500 to 1,800-ft), and 3-ft of additional construction area to facilitate installation of the duct bank. The ENF indicates that splice vault locations will be located partially underneath the access road with manhole covers adjacent to the road and in the shoulder. At each splice vault location, the limits of clearing will be expanded to a total width of 40-ft for a length of 50-ft to accommodate temporary work pads for installation of the vault. Following construction, the Proponent will maintain a 30-ft wide corridor; of which, 22-ft (comprised of the access road, duct bank, and shoulder) will be maintained cleared of trees and woody shrubs. The remaining shoulder will contain limited woody vegetation with a maximum

¹ Consolidated docket number EFSB 17-02/D.P.U. 17-82/17-83

² Revised ENF Form and cover letter, dated 6-12-17, from Marc Bergeron (VHB, Inc.) to Page Czepiga (MEPA Office) which was provided to the ENF distribution list. References to the ENF in this Certificate include this supplemental information.

³ The MCRT is a 23-mile long shared use path through the municipalities of Berlin, Bolton, Hudson, Stow, Sudbury, Wayland, Weston, and Waltham. The MCRT (EEA#15123) completed MEPA review in 2014.

height of 15 ft. Three bridges are located over waterbodies along the ROW and the ENF assumes these bridges will be rehabilitated and repaired to facilitate the duct bank installation across all existing culverts and bridges.

Project Site

The majority of the project corridor follows the approximately 8-ft wide MBTA ROW. The project corridor originates at the Sudbury Substation and travels northwest along the MBTA ROW, passing through short sections of Marlborough and Stow before entering Hudson, where it exits the MBTA ROW and travels underground within public roadways for 1.3 miles to terminate at the Hudson Substation. The ROW was formerly the Massachusetts Central Railroad corridor which was used for passenger and/or freight service until approximately 1970. Portions of the ROW contain remnants of the single track railroad (ballast, tracks, and ties) and sections of the ROW are used by residents for passive recreation. The ROW traverses through or near developed and undeveloped areas, including conservation and open space held and/or managed by the Town of Sudbury, City of Marlborough, Sudbury Valley Trustees (SVT), and the U.S. Fish and Wildlife Service. These areas include: the Assabet River National Wildlife Refuge, Great Meadows National Wildlife Refuge, Marlborough-Sudbury State Forest, Memorial Forest, Hop Brook Conservation Land, and Marlborough Desert Conservation Area.

Portions of the project corridor are located in *Priority* and *Estimated Habitat* as mapped by the Division of Fisheries and Wildlife's (DFW) Natural Heritage and Endangered Species Program (NHESP). The project corridor is located within a half-mile radius of 15 Certified Vernal Pools/Outstanding Resource Waters (ORW). The project corridor will cross Fort Meadow Brook, Hop Brook (a designated coldwater fishery resource), Dudley Brook, and several other unnamed streams. It will also traverse the following wetland resource areas: Bank, Bordering Vegetated Wetlands (BVW), Bordering Land Subject to Flooding (BLSF), and Riverfront Area. Portions of the project corridor are located within the Zone II Wellhead Protection Areas for municipal public water supply wells in the Towns of Hudson and Sudbury. Comments from the Massachusetts Historical Commission (MHC) indicate that the project corridor is located within and adjacent to historic and archaeological resources identified in the *Inventory of Historic Assets of the Commonwealth* (the Inventory) and/or the State and/or National Registers of Historic Places.

Environmental Impacts and Mitigation

The project will alter 26.7 acres of land, comprised in part of a discontinued railroad ROW and existing roadways. As described in the ENF, the project will impact the following overlapping wetland resource areas: Bank (12 lf permanent /20 lf temporary), BVW (12,962 sf permanent/832 sf temporary), BLSF (55,482 sf permanent/13,640 sf temporary), and Riverfront Area (170,302 sf permanent/69,007 sf temporary). Permanent wetland impacts are associated with the construction of the construction platform to install the access road and transmission line. Other wetland impacts are primarily temporary, construction-related impacts associated with tree clearing to allow for equipment access. Approximately 5 acres of work will occur within mapped rare species habitat.

The ENF indicates wetland impacts will be avoided, minimized, or mitigated by locating the access road and duct bank outside of resource areas when feasible; providing wetland replication at a ratio of 1:1 to mitigate permanent impacts to BVW; and providing compensatory storage to mitigate permanent fill within BLSF. The Proponent will prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with its NPDES CGP. Erosion control measures (ECMs) and best management practices (BMPs) will be implemented to minimize and mitigate potential stormwater runoff impacts within the project corridor and wetland resource areas. As described in the ENF, impacts to rare species and their habitat will be minimized through development of species-specific protection plans, implementation of time-of-year restrictions, and wildlife surveys as may be required by NHESP. The ENF indicates impacts to historic and archaeological resources will be addressed through review under Section 106 of the National Historic Preservation Act (36 CFR 800).

Jurisdiction and Permitting

The project is undergoing MEPA review and requires an ENF pursuant to Sections 11.03(1)(b)(1), 11.03(3)(b)(1)(d) and (f), and 11.03(7)(b)(4) of the MEPA regulations because it requires State Agency Actions and will result in the alteration of: greater than 25 acres of land, greater than 5,000 sf of BVW, greater than ½ acre of any other wetlands (BLSF and Riverfront Area), and it will result in the construction of an electric transmission line with a Capacity of 69 or more kV, provided that the transmission lines are one or more miles in length along New, unused or abandoned ROW, respectively. The project may also trigger the ENF threshold at 301 CMR 11.03(1)(b)(3), conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97 and the ENF threshold at 301 CMR 11.03(2)(b)(2), taking of an endangered or threatened species or species of special concern, provided that the project will disturb greater than two acres of designated priority habitat.

The project will require a Section 401 Water Quality Certification (401 WQC) from the Massachusetts Department of Environmental Protection (MassDEP), a State Highway Access Permit from the Massachusetts Department of Transportation (MassDOT), licenses and/or easements from MBTA/MassDOT, and a consolidated Petition to Construct (M.G.L. c 164, § 69H, 69J and 72) and Zoning Exemptions (M.G.L. c. 40A, §3) from the Massachusetts Energy Facilities Siting Board (EFSB) and the Department of Public Utilities (DPU). The project may require a Conservation and Management Permit (CMP) from NHESP and a Chapter 91(c.91) Permit from MassDEP. The project may require from MassDOT of an Approval for Construction on a Former Railroad pursuant to M.G.L. c.30 §54A. The Proponent intends to execute a Memorandum of Understanding with DCR to address the permitting and construction of the MCRT-related aspects of the Project. The project is subject to the MEPA Greenhouse Gas (GHG) Emissions Policy and Protocol.

The project will require Orders of Conditions from the Hudson, Stow, and Sudbury Conservation Commissions, or in the case of an appeal, Superseding Order(s) of Conditions from MassDEP. The project will require consultation with the Massachusetts Historical Commission (MHC) in accordance with Section 106 of the National Historic Preservation Act of 1966, submittal of a Pre-Construction Notification (PCN) to the U. S. Army Corps of Engineers

(ACOE) under the General Permits for Massachusetts in accordance with Section 404 of the Federal Clean Water Act, and a National Pollutant Discharge Elimination System Construction General Permit (NPDES CGP) from the United States Environmental Protection Agency (EPA).

Because the project requires a Land Transfer from the MBTA and numerous Permits, several of which confer broad scope jurisdiction, subject matter jurisdiction is functionally equivalent to full scope jurisdiction, in accordance with 301 CMR 11.01(2)(a)(3). Therefore, MEPA jurisdiction for this project extends to all aspects of the project that are likely, directly or indirectly, to cause Damage to the Environment as defined in the MEPA regulations.

SCOPE

General

The DEIR should follow Section 11.07 of the MEPA regulations for outline and content, as modified by this scope.

Project Description and Permitting

The DEIR should include a detailed description of the proposed project and describe any changes to the project since the filing of the ENF. The ENF noted that a preliminary engineering assessment determined that bridge structures can be rehabilitated to accommodate a utility crossing. The DEIR should include the referenced engineering assessment and identify and describe the necessary repairs and improvements required at each stream crossings/bridge location. The DEIR should include updated site plans as necessary to reflect the substation improvements, the limit of work, modifications to infrastructure design; temporary and permanent access roadways; construction staging areas; and proximity to identified coldwater fisheries resources, wetland resource areas and vernal pools, and ORWs; and wetland impact areas and mitigation areas. The plans should clearly identify the limits of the MBTA ROW in relation to the limits of work for the project, including any construction access, staging, and laydown areas.

As the project corridor traverses numerous protected conservation areas, the DEIR should clarify whether compliance with the Article 97 Disposition Policy is required for any portion of the project. The DEIR should provide a brief description and analysis of applicable statutory and regulatory standards and requirements, and a description of how the project will meet those standards. The DEIR should include a list of required State Agency Permits, Financial Assistance, or other State approvals and provide an update on the status of each of these pending actions. It should clarify whether the project will require approval from MassDOT pursuant to M.G.L. c. 30 §54A. The DEIR should include an update on the federal permitting process, including coordination efforts and anticipated compliance with regulatory and permitting standards and mitigation requirements.

Comments from DCR indicate that the Proponent and DCR intend to execute a Memorandum of Understanding (MOU) to outline roles and responsibilities for permitting and

construction of the MCRT. The DEIR should include a draft MOU, or, at a minimum, it should identify the timeframe for development of the MOU and provide a discussion regarding roles and responsibilities of DCR and the Proponent. The DEIR should identify and describe how the project will be designed to comply with DCR's standards for rail trails, including any proposed improvements to the bridge crossings.

The DEIR should identify the applicable standards set by the DPU or other applicable regulatory agency that govern the required minimum distances between structures, transmission lines and related equipment, vegetation management requirements, and other design criteria.

Alternative Analysis

The ENF does not include a detailed alternatives analysis for the project. It does indicate that the Proponent reviewed the use of other existing linear corridors including transmission line, highway, railroad, and pipeline ROWs. As described in the ENF, the Proponent eliminated these alternative as they were either overly circuitous, or of insufficient width to construct the transmission line. The ENF did not describe the selection criteria for the alternatives analysis or identify other linear corridors that were evaluated. The ENF indicates that the Proponent investigated routing alternatives for the project including several options along different roadways. In addition, an overhead transmission line within the MBTA ROW was considered. According to the ENF, the Proponent eliminated the overhead transmission route because it would require tree clearing within the full width of the ROW (approximately 80-ft wide) and result in greater environmental impacts compared to an underground installation. Subsequent to a review of various roadway routing options as an alternative to the Preferred Alternative, the Proponent indicated a roadway alternative would be impractical. The ENF indicates that it would result in greater impacts to the natural and/or developed environment. The DEIR did not provide a narrative, comparison of environmental impacts, or project plans to support selection of the Preferred Alternative.

The Petition to the EBSB included a detailed alternatives analysis that evaluated alternatives to a transmission project and alternative routes. I expect the alternatives analysis in the DEIR should, at a minimum, analyze and include a supporting narrative for each of the following alternatives:

- No-Build Alternative;
- Non-Transmission Alternative (NTAs);
- Alternative Transmission Solution;
- Noticed Variation (overhead transmission line along MBTA ROW); and
- Routing Alternatives within different roadways (including but not limited to the Noticed Alternative Route: 10.3 mile transmission line within public roadways); and
- the Preferred Alternative.

The DEIR should identify the criteria used to select the Preferred Alternative, should document why various alternatives were dismissed, and should identify how the Preferred Alternative will avoid, minimize and mitigate Damage to the Environment in accordance with the MEPA regulations. A graphic should be included identifying key features for each

transmission line alternative and potential environmental impact areas (i.e., habitat, wetlands, Zone I and IIs, cold water fisheries, etc.). The DEIR should include a comparison of the environmental impacts associated with the No-Build, Noticed Variation Alternative, Routing Alternatives and the Preferred Alternative and a summary table of anticipated wetlands, rare species, land alteration, public water supply protection areas, cold water fisheries, traffic, and construction period impacts.

The DEIR should include a discussion of construction methodologies and site design measures that have been incorporated into the Preferred Alternative to further avoid and minimize Damage to the Environment. I note that additional recommendations provided in this Certificate and identified in comment letters (including but not limited to: reductions in roadway width, locating duct bank within footprint of access road, horizontal directional drilling (HDD) at wetland crossings, use of smaller construction equipment to limit construction access clearing, etc.) may result in a modified design that enhances the project's ability to avoid, minimize, or mitigate Damage to the Environment. The DEIR should commitments that will be adopted to further reduce the impacts of the project since the filing of the ENF, or, if certain measures are infeasible, the DEIR should discuss why these measures will not be adopted.

The ENF should include an analysis of various transmission line alternatives to meet the needs in the Massachusetts/southern New Hampshire study area identified in the Greater Boston Area Updated Transmission Needs Assessment. It should incorporate the analysis provided to EFSB regarding the potential of NTAs such as new generation, energy efficiency, demand response programs, and distributed generation, either alone or in combination with a reduced transmission project, to meet the identified need within the load area. If EFSB requires review of additional alternatives prior to submission of the DEIR, those alternatives should be included in the DEIR.

Land Transfer

The project is located within the MBTA ROW. The ENF did not identify the need for a Land Transfer from the MBTA. The DEIR should clarify whether a Land Transfer (as defined at 301 CMR 11.02) from MassDOT/MBTA will be required to install the transmission line within the ROW. The DEIR should disclose the duration and terms of the Land Transfer and indicate whether the Land Transfer includes the entirety of the ROW or only a portion of the ROW. The area of the Land Transfer should be identified on a project plan. The DEIR should clarify the party responsible for maintenance of the ROW.

Land Alteration

The ENF indicates that the project will alter approximately 26.7 acres of land. The DEIR should quantify the total amount of alteration associated with the proposed project and include a breakdown showing the amount of alteration for each project element (i.e. construction staging, stockpiling, access roads, etc.). The DEIR should clarify the location, type and amount of alteration in previously undisturbed areas. The DEIR should include site plans that clearly locate and delineate areas proposed for development and those to be left undisturbed.

The majority of the alteration is associated with clearing of the 30-ft minimum width along the length of the corridor. The DEIR should clarify whether maintenance of the 30-ft wide corridor will extend to vegetation outside of but overhanging the 30-ft corridor or be limited to vegetation located within a 30-ft width as measured on the ground. The DEIR should characterize the type of land clearing proposed (i.e., stump removal and grinding, use of wood chips, etc.). The DEIR should demonstrate that the amount of clearing has been limited to the maximum extent practicable. As indicated above, I expect that additional recommendations provided in this Certificate and in comment letters may result in a modified design and/or construction methodologies/design features that will reduce the amount of land alteration.

The DEIR should discuss how the ROW will be maintained over time to limit encroachment by vegetation (native or invasive), limit impacts to habitat and wildlife, cold water fisheries, groundwater wells, and identify the type and frequency of maintenance activities. The DEIR should also discuss the Proponent's policies and procedures for notifying municipalities and property owners about proposed tree clearing along the ROW in conjunction with the project. The DEIR should discuss the implementation of measures to limit unauthorized access by off-highway vehicles to the access road.

The ENF indicates that cut and fill will be required to provide a level working area and notes that no excess soils will be generated from construction activities. It does not indicate whether the project will require blasting. The DEIR should include existing and proposed conditions plans that conceptually identify proposed areas of cut and fill, soil stockpile areas, and areas that may require blasting. The DEIR should provide estimates of cut and fill volumes to achieve proposed grades to demonstrate the feasibility of meeting a balanced import/export ratio on-site. If blasting is proposed, the DEIR should indicate whether blast materials will be processed and reused on-site or whether they will be exported. In addition, the Proponent should use blasting materials that do not contain perchlorate to avoid impacts to water quality and wetlands.

Wetlands/Stormwater

The project includes wetland resource areas and activities that trigger both Federal, State and local wetland permitting jurisdiction, each with its own performance standards and regulations. The DEIR should provide detailed plans and a narrative describing work within wetland areas. I received comments from the Town of Sudbury and others that request resource areas be delineated prior to submittal of the DEIR and used as the basis for identifying impacts and determining appropriate mitigation measures. The DEIR should clarify how wetland boundaries were determined. If boundaries were delineated, the Proponent should note how and when the delineation occurred and provide site plans with the delineation data. It should clearly describe proposed improvements to stream crossings/bridges, summarize existing c.91 authorizations, and clarify whether the project will require a new or modified c.91 Permit from MassDEP. The DEIR should clarify the potential amount of permanent impact and temporary wetland alteration; identify the project's consistency with the Wetland Protection Act (WPA), its implementing regulations (310 CMR 10.00) and associated performance standards; and demonstrate compliance with 401 WQC standards. The DEIR should describe and identify wetland replication and compensatory flood storage areas for any impacts that cannot be

avoided. I refer the Proponent to comments from the Town of Sudbury which identify flood storage volume as a critical issue.

Comments from the DFW, Marlborough Conservation Commission, OARS, SVT, and others identify native brook trout habitat in proximity to the project. The DEIR should identify proximate coldwater fishery resources and describe potential impacts to said resource. The Proponent should consult with the DFW prior to preparing the DEIR to identify measures that can be implemented to avoid, minimize, and mitigate impacts to coldwater fishery resources. The DEIR should identify the locations and limits of the vernal pools relative to proposed work, identify potential impacts to the vernal pools, and propose measures to avoid, minimize, and mitigate said impacts. It should clarify whether the project will result in a discharge to an ORW. Finally, the DEIR should specifically discuss how the location of the duct banks, splice vaults, and the width and location of the access road were determined to avoid or reduce wetland impacts while meeting engineering requirements. I refer the Proponent to MassDEP's comment letter which identifies additional considerations to reduce wetland impacts.

The DEIR should identify work activities and associated impacts to wetland resource areas that will be subject to ACOE review. I refer the Proponent to comments from the ACOE which provide guidance on this issue. The DEIR should identify applicable ACOE performance standards and regulations to assist in determining the potential overlap or conflict with State wetland permitting requirements. The DEIR should include narrative and supporting data or graphics as necessary to demonstrate that the project can meet all applicable performance standards and regulations.

Given the proximity of wetland resource areas, the DEIR should include a construction sequencing narrative and plan that describes how the site grading and work activities will occur while avoiding/minimizing impacts to proximate environmental resources. At a minimum, the construction sequencing plan should address staging logistics, erosion control measures, tree clearing, site grading, and construction methodology and sequencing. The DEIR should also describe potential monitoring and mitigation (i.e., supplemental plantings, regrading, etc.) efforts to ensure that wetlands will not be permanently impacted and to limit the likelihood of repopulation with invasive species.

The DEIR should clearly outline a comprehensive wetland mitigation program that meets ACOE, MassDEP, and local bylaw requirements and performance standards. This mitigation program should include construction period measures, post-construction period monitoring and restoration, and measures to promote wildlife habitat and prevent the establishment of invasive species.

The DEIR should evaluate potential impacts from stormwater runoff during construction and post-construction. It should discuss how proposed changes in site drainage may impact hydrology and water quality of local river systems (including coldwater fishery), public water supplies, vernal pools and other wetlands resources on and adjacent to the site. The DEIR should demonstrate that the project will be designed in compliance with the Wetlands Regulation's performance standards, including the Stormwater Management Standards, and the 401 WQC

Regulations (314 CMR 9.06(6)(a)). The DEIR should also demonstrate that stormwater management for the transmission line and the MCRT project are coordinated.

Rare Species

Comments from NHESP identify additional information required to determine the extent of impacts to rare species and their habitats, including but not limited to existing conditions assessments, site-specific habitat quality and an expanded alternative analyses. This information should be provided to NHESP prior to the filing of the DEIR to facilitate NHESP review of the project and support a determination as to whether a take is likely. Comments from NHESP identify a concern regarding the cumulative impacts of this project and future development of the MCRT. The Proponent should consult with NHESP prior to preparing the DEIR. The DEIR should provide a summary of completed habitat assessments and an update on discussions with NHESP, including whether the project is likely to result in a take. If NHESP indicates that the project would result in a take, the DEIR should specifically address how CMP requirements will be met. The DEIR should identify design features and/or mitigation commitments that are incorporated into the project to avoid, minimize, and mitigate impacts to rare species and their habitat.

Water Supply

I received many comments from the Towns of Sudbury and Hudson, legislators, OARS, SVT, and citizens that identify a concern regarding the project's proximity to public and private drinking wells. The DEIR should include plans that depict the Zone I and II areas in relation to the limits of work and that identify private drinking water wells within 100-feet of the ROW. The DEIR should address the applicability of the Massachusetts Pesticide Board's Rights of Way Management Regulations (333 CMR 11.00) herbicide application restrictions regarding sensitive areas (Section 11.04).

Solid/Hazardous Waste

The ENF indicates that the project site is regulated under the Massachusetts Contingency Plan (MCP) and Chapter 21.E (Release Tracking Numbers (RTNs) 3-0024573 and 3-0002640). I refer the Proponent to comments from MassDEP which identify six additional sites with RTNs in close proximity to the project. Comments from MassDEP note that recovered groundwater may require treatment and ambient air may require monitoring for Volatile Organic Compounds (VOCs). The DEIR should describe in detail how it will comply with M.G.L. c. 21E during construction.

Comments from MassDEP note that any soil excavated near the area of RTN 3-0024573 should be tested for lead as the site may contain lead shot. The ENF indicated that soils generated from installation of the underground transmission line will be used as fill material for construction of the access road. As noted in comments from the Marlborough Conservation Commission, Town of Sudbury, MassDEP, OARS, SVT, and members of the public, the historic rail uses increase the likelihood of encountering hazardous materials during the construction process. The DEIR should include an update on any soil sampling or site assessment activities

that have occurred since the ENF was filed and should propose remediation and mitigation measures as appropriate. The DEIR should also describe how the project will comply with MassDEP's "*Best Management Practices for Controlling Exposure to Soil during the Development of Rail Trails*" during construction activities. It should include plans that identify the location of soil stockpile areas in relation to water supply wells.

Climate Change

Executive Order 569: Establishing an Integrated Climate Change Strategy for the Commonwealth (EO 569) was issued on September 16, 2016. EO 569 recognizes the serious threat presented by climate change and directs agencies within the administration to develop and implement an integrated strategy that leverages state resources to combat climate change and prepare for its impacts. The Order seeks to ensure that Massachusetts will meet GHG emissions reduction limits established under the Global Warming Solution Act of 2008 (GWSA).

The GHG Policy and requirements to analyze the effects of climate change through EIR review is an important part of this statewide strategy. These analyses advance proponents' understanding of a project's contribution and vulnerability to climate change.

Greenhouse Gas (GHG) Emissions

The project is subject to the MEPA Greenhouse Gas Policy and Protocol (GHG Policy) because it exceeds thresholds for a mandatory EIR. The DEIR should identify GHG emissions of the project and include mitigation commitments to reduce construction period carbon dioxide (CO₂) emissions and identify construction BMPs that will be utilized to minimize the leakage of Sulfur Hexafluoride (SF₆) gas, a potent GHG. I encourage the Proponent to consider other measures to reduce GHG emissions such as identification and replacement of non-premium efficiency substation transformers and other components with new premium efficient units to reduce parasitic losses. The DEIR should identify changes to substation capacity that could be implemented in conjunction with the project to improve its ability to accommodate the interconnection of distributed renewable energy generation.

Climate Change Adaptation and Resiliency

The DEIR should discuss potential effects of climate change on the project in the context of improving reliability and resiliency of the system. The DEIR should identify any potential impacts and address how the project will be designed to adapt and/or sustain such impacts. To assist in the evaluation of climate change resiliency and adaptation measures the Proponent should review EEA's *Climate Change Adaptation Report* (September 2011) (<http://www.mass.gov/eea/docs/eea/energy/cc/eea-climate-adaptation-report.pdf>).

Transportation

The project corridor will require crossing Route 20 and Route 62. The Proponent must obtain a State Highway Access Permit from MassDOT for this proposed work. The DEIR should

describe how the road crossings will be constructed, potential impacts to state jurisdictional roadways, and identify the need and duration for any roadway shutdowns.

Historic and Archaeological Resources

As indicated earlier, the project requires review pursuant to Section 106 of the National Historic Preservation Act of 1966 (36 CFR 800), and Massachusetts General Laws Chapter 9, Section 26-27C (301 CMR 11). The ACOE, in consultation with MHC acting as the State Historic Preservation Officer (SHPO), will review the project to determine whether it would result in an adverse effect. Comments from MHC request additional information to evaluate the potential effects of the proposed work. I expect that the Proponent will provide the information identified in MHC's comment letter to, MHC, the ACOE, and the local historical commissions for review and comment prior to submitting the DEIR.

MHC has requested that the Proponent conduct an archaeological reconnaissance survey (950 CMR 70) and a reconnaissance-level historic properties survey to identify and locate significant resources. The DEIR should provide an update on the project's potential impacts to historical and archaeological resources and the outcome of any consultations with ACOE and MHC. I refer the Proponent to comments from Rebecca Cutting and Raymond Phillips which identify additional resources to assist in identifying historic elements in the project area. The DEIR should describe additional field work or surveys and the development of avoidance and mitigation plans.

Construction Period Impacts

The project must comply with MassDEP's Solid Waste and Air Pollution Control regulations, pursuant to M.G.L. c.40, s.54. The DEIR should discuss the use of alternative types of equipment for the construction of all, or part, of the project that may serve to reduce land alteration and the clearing required to accommodate construction access. The DEIR should describe potential construction period impacts (including but not limited to traffic management, materials management, parking, air quality and noise impacts) and outline feasible measures that can be implemented to eliminate or minimize these impacts in a draft Construction Management Plan (CMP). The draft CMP should identify construction access and truck traffic routes, staging areas, and how passive recreation use located adjacent to or along portions of the corridor will be safely maintained or impacted throughout the construction period. The DEIR should also address notification and construction protocols to be implemented if contamination is encountered at the site during construction and potential construction-period dewatering activities and related permitting requirements.

Because portions of the corridor are located in close proximity to residences, I strongly encourage the Proponent to ensure contractors install emission control devices on all off-road vehicles in an effort to reduce emissions of volatile organic compounds (VOCs), carbon monoxide (CO) and particulate matter (PM) from diesel-powered equipment. Off-road vehicles are required to use ultra-low sulfur diesel fuel (ULSD).

Mitigation and Draft Section 61 Findings

The DEIR should provide a separate chapter summarizing proposed mitigation measures including draft Section 61 Findings for each anticipated State Agency Action. The DEIR should contain clear commitments to implement these mitigation measures, estimate the individual costs of each proposed measure, identify the parties responsible for implementation, and include a schedule for implementation.

Response to Comments

The DEIR should contain a copy of this Certificate and a copy of each comment letter received. To ensure that the issues raised by commenters are addressed, the DEIR should include direct responses to comments to the extent that they are within MEPA jurisdiction. This directive is not intended to, and shall not be construed to enlarge the scope of the DEIR beyond what has been expressly identified in this Certificate. I recommend that the Proponent use either an indexed response to comments format, or a direct narrative response.

Circulation

In accordance with Section 11.16 of the MEPA Regulations and as modified by this Certificate, the Proponent should circulate a hard copy of the DEIR to each State Agency and Municipal agency from which the Proponent will seek permits. The Proponent must circulate a copy of the DEIR to all other parties that submitted individual written comments.

In accordance with 301 CMR 11.16(5), the Proponent may circulate copies of the DEIR to these other parties in CD-ROM format or by directing commenters to a project website address. However, the Proponent should make available a reasonable number of hard copies to accommodate those without convenient access to a computer and distribute these upon request on a first-come, first-served basis. The Proponent should send correspondence accompanying the CD-ROM or website address indicating that hard copies are available upon request, noting relevant comment deadlines, and appropriate addresses for submission of comments. An electronic copy of the filing should also be provided to the MEPA Office on a CD-ROM or USB drive. A copy of the DEIR should be made available for review at the Hudson, Marlborough, Stow, and Sudbury Public Libraries.

July 14, 2017

Date

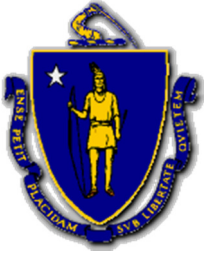
Matthew A. Beaton

Comments received:

6/7/2017	Stow Conservation Commission
6/12/2017	State Representative Gentile and State Senator Eldridge
6/12/2017	James Gish, Protect Sudbury (with multiple attachments)
6/13/2017	Andrea Smith
6/15/2017	Dylan Murphy
6/15/2017	Harrison Murphy
6/15/2017	Felicia Murphy
6/16/2017	Town of Hudson, Thomas Moses, Executive Assistant
6/18/2017	Svetlana Semenova
6/18/2017	Jason Santelli
6/20/2017	Massachusetts Department of Transportation (MassDOT)
6/20/2017	Matt Murphy
6/20/2017	SudburySasquatch@gmail.com
6/24/2017	Lloyd C. Stenquist
6/24/2017	Dana E. Stenquist
6/24/2017	Alyssa Brito
6/27/2017	Natalya Hazzard
6/27/2017	Suzanne and Everett Beaulieu Jr.
6/27/2017	Steve Tipps
6/27/2017	Shailesh Desai
6/27/2017	Wendy Hewitt
6/28/2017	Christopher Catatao
6/28/2017	Jayashree Paranjape
6/29/2017	Elisa Pearmain-Hovestadt
6/29/2017	Nicole Catatao
6/29/2017	OARS, Inc.
6/29/2017	Karen Mercandante
6/29/2017	Laurel Cohen
6/29/2017	State Representative Kate Hogan
6/29/2017	Natural Heritage and Endangered Species Program (NHESP)
6/30/2017	Rebecca Cutting (1 of 2)
6/30/2017	Rebecca Cutting (2 of 2)
6/30/2017	Sudbury Valley Trustees (SVT)
7/1/2017	Christine Nelson
7/2/2017	Maureen E. Campbell
7/3/2017	Town of Sudbury, George Pucci, KP Law, P.C.
7/3/2017	Daniel E. Carty
7/3/2017	Hudson Conservation Commission
7/3/2017	Akshay Desai
7/3/2017	U.S. Fish and Wildlife Service (US FWS)
7/4/2017	Bill Schineller
7/4/2017	Omkar Desai
7/4/2017	Raymond Phillips
7/4/2017	Protect Sudbury

7/4/2017	Nicholas Pernice
7/4/2017	Daniel A. DePompei
7/4/2017	Department of Conservation and Recreation (DCR)
7/5/2017	Massachusetts Historical Commission (MHC)
7/5/2017	Marlborough Conservation Commission
7/6/2017	Department of Energy Resources (DOER)
7/7/2017	Massachusetts Department of Environmental Protection (MassDEP)
7/10/2017	Division of Fisheries and Wildlife (DFW)
7/11/2017	U.S. Army Corps of Engineers (ACOE)

MAB/PRC/prc



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF
ENERGY AND ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENERGY RESOURCES
100 CAMBRIDGE ST., SUITE 1020
BOSTON, MA 02114
Telephone: 617-626-7300
Facsimile: 617-727-0030

Charles D. Baker
Governor

Matthew A. Beaton
Secretary

Karyn E. Polito
Lt. Governor

Judith F. Judson
Commissioner

6 July 2017

Matthew Beaton, Secretary
Executive Office of Energy & Environmental Affairs
100 Cambridge Street
Boston, Massachusetts 02114
Attn: MEPA Unit

RE: Sudbury to Hudson Transmission Reliability Project

Cc: Arah Schuur, Director of Energy Efficiency Programs, Department of Energy Resources
Judith Judson, Commissioner, Department of Energy Resources

Dear Secretary Beaton:

The DOER commends the proponent for the decision to submit an Environmental Impact Report (EIR) notwithstanding that the as-proposed project does not exceed any of the mandatory thresholds which would require the submittal and approval of an EIR.

The DOER is tasked with the review and comment on EIR related submittals to the MEPA office with regard to compliance with the portions of the MEPA Greenhouse Gas (GHG) Protocol and Policy (the Policy) which address stationary sources.

Although the Massachusetts electric supply system (ESS) (both transmission and distribution) represents a sizeable stationary source of GHG emissions, the DOER notes that the topic of the project's estimated GHG emissions was not included in the ENF.

The stationary source GHG emissions of the ESS are primarily due to

- Transmission Lines and Substations are Indirect Stationary Sources of GHG emissions due to the added fuel consumption by the grid generators in order to make up for parasitic line and other operating energy (MWH) losses.
- Fugitive emissions of SF6 insulating gas, a potent GHG, from substations are a Direct Stationary Source of GHG emissions

Sudbury to Hudson Transmission Reliability Project

The Energy Section of the ENF cites consistency with state, municipal, regional and federal plans and policies for enhancing energy facilities and services.

Among those cited are:

- The Restructuring Act which mandates the minimization of environmental impacts consistent with cost impacts.
- The Green Communities Act – which “can be expected to result in greater renewable supplies”
- The Global Warming Solutions Act – which sets state-wide emission reduction targets.

In order to extend the consistency of the EIR, regarding matters related to GHG emissions, with the statutes cited, and to comply with the Policy, the DOER suggests that the proponents include a section addressing GHG emissions in the next submittal. This section should include information about the projected emissions of GHG and efforts included in the design and/or operation that will mitigate emissions and further enable the interconnection of more distributed renewable energy projects to the distribution systems which will be connected to the proposed transmission line.

The following comments are intended to provide guidance for the content and organization of a GHG section.

Description of a Base and mitigated As-proposed Case:

The Base Case predicated on meeting only the regulatory and company standards currently in force related to the design and construction of this both the T-line and the related substation scope.

The As-proposed Case should include a description of any measures included in the as-proposed design which will mitigate the emission of greenhouse gases beyond the level by the Base Case

Mitigation

The mitigated as-proposed case should include a discussion of available mitigation measures that could be applied to the project. This discussion should also include a statement of any measures that will be implemented, further evaluated, or will not be implemented. Measures that will not be implemented should be accompanied by an explanation with enough detail to demonstrate a justification. For example, a simple statement that the option would cost too much should be accompanied with supporting details.

The DOER offers several potentially applicable measures for consideration:

- T-line Related:

Sudbury to Hudson Transmission Reliability Project

- Increase the operating voltage in order to decrease the losses per linear foot.
 - Increase the conductance (reduce the impedance).
- *Substation Related:* The need to do substantial work on both substations represents a significant opportunity to implement measures which would directly reduce stationary emissions and would offset emissions by displacing fossil fuel generated energy with energy generated using renewable sources.
 - Direct Reduction
 - Install equipment and institute special measures to prevent fugitive emissions of SF6 insulating gas both during the construction and operation of the two substations.
 - Replace older non-premium efficiency substation transformers and any other components with substantial parasitic losses with new premium efficient units.
 - Reduction of emissions from fossil fueled generation from their displacement by lower emitting generation using renewable fuels such as solar and wind.
 - Upgrade the capacity of the substations to accommodate the interconnection of an additional amount of distributed renewable energy generation (e.g. increasing the ground fault rating of relays and breakers; increasing the capacity of transformers; upgrading grounding for step down transformers; automation to track minimum load; any other measures to accommodate reverse power flow from distributed generators)

Estimated Emissions and Reductions:

For each of the cases above the proponent should provide a calculation of the estimated annual GHG emissions in US short tons per year.

In converting the MWH losses to tons of GHG the proponent should use the most recent published GHG emission factor for marginal emitting generation as published by the ISO-NE.

Suggested methods for computing the estimated GHG emissions and reductions:

$$T\text{-Line Emissions} = (L \times \text{lpf} \times \text{GEF} / 2000)$$

L = length of service in linear feet; lpf = MWH per year loss per linear foot of the service; GEF = Grid Emission Factor

$$\text{Substations Emissions} = \text{Sum of annual MWH losses for each significant component} \times \text{GEF}$$

$$\text{SF6 emissions} = \text{Sum of projected fugitive emissions} \times \text{SF6 emission factor}$$

Sudbury to Hudson Transmission Reliability Project

Increasing the substations' capacity for the interconnection of additional distributed renewable generation:

$$\text{Reduced Emissions} = (\text{MWHap} - \text{MWHb}) \times \text{GEF}$$

Where

MWHb = MWH renewable distributed generation which could be added to the distribution circuits which are connected to the base case substations

MWHap = MWH renewable distributed generation which could be added to the distribution circuits which are connected to the the as-proposed substations.

Estimated Reductions:

Provide a table showing the estimated emissions for the base and as-proposed case for each measure and for the entire project.

John Ballam

John Ballam, P.E.

Manager of Engineering and CHP Program

Massachusetts Department of Energy Resources

Czepiga, Page (EEA)

From: Wilkinson, Sarah A CIV USARMY CENAE (US) <Sarah.A.Wilkinson@usace.army.mil>
Sent: Tuesday, July 11, 2017 8:59 AM
To: Czepiga, Page (EEA)
Subject: NAE-2017-01406 (NSTAR Electric Company dba Eversource Energy Sudbury, Marlborough, Stow, & Hudson, MA)

Page,

Please consider the bellow as comment to Secretary Beaton on the proposed project: Sudbury-Hudson Transmission Reliability Project (MEPA EEA 15703

A Corps permit would be needed for the proposed project, mitigation may or may not be required (depends on total area to be filled).

In Corps application, the applicant should frame impacts in terms of permanent vs. temporary fill placement in wetlands:

1. fill X square feet of wetland for installation of X transmission poles 2. mechanically clear X square feet of wetland 3. place X square feet of temporary mats in wetlands for construction access (if applicable) 4. place X square feet of fill for construction road

Plans should clearly reflect Corps jurisdictional boundary (wetland line) and jurisdictional impacts at each location.

When a Corps application is filed, the applicant is required to notify SHPO/THPOs of proposed project and those agencies supply comment letters to the Corps if possible/necessary. The Corps would also initiate Sec. 7 consultation with the USFWS if there are potential impacts to federally listed species.

If you have any questions feel free to contact me.

Sincerely,

Sarah Wilkinson
Biologist/Project Manager
U.S. Army Corps of Engineers
Regulatory Division, Massachusetts Branch
696 Virginia Road
Concord, MA 01742
(978) 318-8513



July 4, 2017

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs
Attn: Page Czepiga, MEPA Office
100 Cambridge Street, Suite 900
Boston, Massachusetts 02114

Re: EOEEA # 15703 Sudbury-Hudson Transmission Reliability Project ENF

Dear Secretary Beaton:

The Department of Conservation and Recreation ("DCR" or "Department") has reviewed the Environmental Notification Form ("ENF") submitted by Eversource (the "Proponent") for its Sudbury-Hudson Transmission Reliability Project (the "Project").

As stated in the ENF, the Project will construct, operate, and maintain a new 115-kV underground electric transmission line for a 9-mile section between substations in Sudbury and Hudson. Approximately 6.7 miles will be constructed within the right-of-way of an abandoned railroad line owned by the Massachusetts Bay Transit Authority ("MBTA"). The Proponent is also proposing to conduct improvements to the two substations to accommodate the new line. The transmission line is intended to address identified thermal and voltage problems, and help meet electric demand.

In 2010, DCR obtained a lease over 23 miles of the MBTA corridor through the towns of Sudbury, Wayland, Weston, and Waltham to develop a portion of the Mass Central Rail Trail ("MCRT"). The Project as proposed will facilitate development of the 6.7-mile stretch of the MCRT. DCR understands the Proponent holds an existing easement and will obtain other rights from the MBTA to allow for the underground construction of the line and project-related work along a portion of the same corridor.

DCR submits the following comments in response to the proposal:

Mass Central Rail Trail

The Mass Central Rail Trail will provide a multi-use pathway from Boston to Northampton, along a former railroad corridor. The development of a multi-use rail trail in the Sudbury area will provide the missing link in the regional MCRT from downtown Sudbury past New England farmland and forests, to the Assabet River Rail Trail in Hudson and the Bruce Freeman Rail Trail. The MCRT presents a unique opportunity to provide public open space, promote regional connectivity and local commerce, encourage outdoor recreation and the health benefits derived therefrom, and inspire environmental and historic appreciation.

The Proponent will construct the gravel base of the MCRT in conjunction with the construction of the transmission line, to conform to DCR standards for rail trails. Later, DCR would construct the paved

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Department of Conservation and Recreation
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www.mass.gov/dcr



Charles D. Baker
Governor

Karyn E. Polito
Lt. Governor

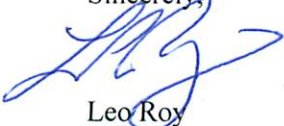
Matthew A. Beaton, Secretary, Executive
Office of Energy & Environmental Affairs

Leo Roy, Commissioner
Department of Conservation & Recreation

surface and related improvements on the gravel base, after which this section of the MCRT could be opened to the general public. The Proponent will also reinforce three bridges that cross waterbodies along the corridor. DCR and the Proponent intend to execute a Memorandum of Understanding ("MOU") to outline roles and responsibilities for permitting and construction for the MCRT-related aspect of the Project to be implemented by the Proponent. DCR will work with the Proponent to realize the public's use of the MCRT as a multi-use pathway for pedestrians and non-motorized bicycles, and believes it will result in substantial cost savings to the Commonwealth. DCR supports the proposed underground option, as it will greatly maintain the scenic and aesthetic qualities of the MCRT. DCR's mission includes the conservation of our natural, cultural and historic resources. We appreciate that this Project goes through some environmentally sensitive areas, such as the Hop Brook Corridor, and urges the Proponent to take all reasonable steps to protect these resources during the design and construction of this Project.

Thank you for the opportunity to comment on the FEIR. If you have questions regarding our comments please contact Paul Jahnige at 413-586-8706 ext. 21 or paul.jahnige@state.ma.us.

Sincerely,



Leo Roy
Commissioner

cc: Patrice Kish, Tom LaRosa (DCR)

Czepiga, Page (EEA)

From: Schluter, Eve (FWE)
Sent: Monday, July 10, 2017 2:36 PM
To: Czepiga, Page (EEA)
Cc: Holt, Emily (FWE)
Subject: Sudbury-Hudson Transmission Reliability Project (EEA#15703; NHESP 15-34327)

Dear Page,

Please accept the following additional comments from DFW for the above-referenced project. Please let me know if you have any questions.

Eve

Fisheries surveys of the Assabet River have yielded American Eel (*Anguilla rostrata*), Banded Sunfish (*Enneacanthus obesus*), Black Crappie (*Pomoxis nigromaculatus*), Blacknose Dace (*Rhinichthys atratulus*), Bluegill (*Lepomis macrochirus*), Brook Trout (*Salvelinus fontinalis*), Brown Bullhead (*Ameiurus nebulosus*), Brown Trout (*Salmo trutta*), Carp (*Cyprinus carpio*), Chain Pickerel (*Esox niger*), Creek Chubsucker (*Erimyzon oblongus*), Fallfish (*Semotilus corporalis*), Golden Shiner (*Notemigonus crysoleucas*), Largemouth Bass (*Micropterus salmoides*), Pumpkinseed (*Lepomis gibbosus*), Rainbow Trout (*Oncorhynchus mykiss*), Redbreast Sunfish (*Lepomis auritus*), Redfin Pickerel (*Esox americanus*), Spottail Shiner (*Notropis hudsonius*), Tessellated Darter (*Etheostoma olmstedii*), Tiger Trout (*Salmo trutta x Salvelinus fontinalis*), White Sucker (*Catostomus commersoni*), Yellow Bullhead (*Ameiurus natalis*) and Yellow Perch (*Perca flavescens*). Additionally, the river is annually stocked in the spring with Brook Trout, Brown Trout, Rainbow Trout and/or Tiger Trout.

Fisheries surveys of Fort Meadow Brook have yielded American Eel (*Anguilla rostrata*), Brown Bullhead (*Ameiurus nebulosus*), Chain Pickerel (*Esox niger*), Largemouth Bass (*Micropterus salmoides*), Pumpkinseed (*Lepomis gibbosus*), Redfin Pickerel (*Esox americanus americanus*) and Yellow Bullhead (*Ameiurus natalis*).

Hop Brook is a coldwater fishery resource. Fisheries surveys have yielded American Eel (*Anguilla rostrata*), Bluegill (*Lepomis macrochirus*), Brook Trout (*Salvelinus fontinalis*), Chain Pickerel (*Esox niger*), Fallfish (*Semotilus corporalis*), Golden Shiner (*Notemigonus crysoleucas*), Green Sunfish (*Lepomis cyanellus*), Pumpkinseed (*Lepomis gibbosus*), Redfin Pickerel (*Esox americanus americanus*), Redbreast Sunfish (*Lepomis auritus*), White Sucker (*Catostomus commersoni*), Yellow Bullhead (*Ameiurus natalis*) and Yellow Perch (*Perca flavescens*).

Fisheries surveys of Dudley Brook have yielded Creek Chubsucker (*Erimyzon oblongus*), Pumpkinseed (*Lepomis gibbosus*), Redfin Pickerel (*Esox americanus americanus*), White Sucker (*Catostomus commersoni*) and Yellow Bullhead (*Ameiurus natalis*).

The proposed project also crosses three unnamed tributaries for which the Division currently has no fisheries survey information.

Consultation with the Division of Fisheries and Wildlife should occur for any proposed work, including crossing structures and/or directional drilling within these resource areas.

Everose Schlüter

Chief of Regulatory Review
Natural Heritage & Endangered Species Program
Massachusetts Division of Fisheries & Wildlife
1 Rabbit Hill Road, Westborough, MA 01581



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Eastern Massachusetts National Wildlife Refuge Complex
73 Weir Hill Road
Sudbury, MA 01776-1420



July 3, 2017

Executive Office of Energy and Environmental Affairs

Attn: MEPA Office

Page Czepiga, EEA#: 15703

100 Cambridge Street, Suite 900

Boston, MA 02114

Re: EEA#: 15703 Sudbury-Hudson Transmission Reliability Project

Dear Ms. Czepiga:

The preferred "Primary Route" for the proposed Eversource Sudbury-Hudson Transmission Reliability Project abuts the Great Meadows and Assabet River National Wildlife Refuges in Sudbury. These refuges, part of the U.S. Fish and Wildlife Service (Service), are managed to conserve wildlife and provide opportunities for the public to engage in wildlife-dependent public use. We have reviewed the Environmental Notification Form (ENF) submitted by Eversource. Our comments are provided in an effort to ensure that the impacts of the development of an underground 115-kV transmission line are adequately and accurately addressed in the Environmental Impact Report (EIR).

The proposed "Primary Route" utilizes an existing abandoned railroad right-of-way that passes by and through preserved conservation lands and priority habitat designated by the Massachusetts Natural Heritage and Endangered Species Program. Eversource has identified a "Noticed Alternative Route" which would run the proposed transmission lines under existing city streets. Given the vast difference in environmental impacts of these two routing methods, it is imperative that both alternatives be fully evaluated in the EIR.

The impacts to wetlands and vernal pools along the abandoned railroad right-of-way need to be clearly elucidated. Impacts come from the placement of temporary and/or permanent fill, and the reduction of shading from vegetation removal. These are high-quality wetlands which, if filled, will be difficult to replicate. A long-term management plan with native vegetation composition and survival requirements must be identified.

The area that Eversource indicates needs to be kept clear of vegetation (22' wide, no vegetation higher than 15') is wider than would be necessary if the abandoned railroad bed were to be converted to a rail trail. Many rail trails maintain a canopy over the trail, which provides both shade and wildlife habitat. The EIR should describe impacts associated with an increase in habitat fragmentation to migratory birds, and the impact of increased temperatures as a result of the vegetation clearance along the railroad bed.

Additionally, the impact of vegetation clearance on visitors walking on the railroad right-of-way, as well as those specifically engaged in wildlife observation and photography, should be described.

The EIR should include a description of the impacts of the construction of the transmission line and the long-term maintenance of the transmission corridor on the specific land management goals of the adjacent conservation owners, including the Sudbury Valley Trustees, the Department of Conservation and Recreation, and the towns of Sudbury, Hudson and Marlborough.

Specific comments on the ENF follow:

- Page 11. The Service reviews permit applications submitted to the U.S. Army Corps of Engineers for impacts on fish and wildlife.
- Page 13. We appreciate the willingness of Eversource to work with the Service and local land management agencies to develop a vegetative management strategy along the corridor. The Service is willing to engage in an open and constructive dialogue should the proposed "Primary Route" be selected. Please note that we have informed the Energy Facilities Siting Board that we prefer the "Noticed Alternative Route" as it avoids environmental impacts altogether.
- Page 15. The federally-threatened Northern Long-eared Bat may be present in this area. The Service's New England Field Office in Concord, New Hampshire should be consulted.
- Page 64. The map should identify the Great Meadows National Wildlife Refuge.
- Pages 71 and 72. The maps should identify the Assabet River National Wildlife Refuge.

Please contact me at 978-579-4026 or at libby_herland@fws.gov if you have any questions about these comments.

Sincerely,



Elizabeth A. Herland
Refuge Manager



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Central Regional Office • 8 New Bond Street, Worcester MA 01606 • 508-792-7650

Charles D. Baker
Governor

Karyn E. Polito
Lieutenant Governor

Matthew A. Beaton
Secretary

Martin Suuberg
Commissioner

July 7, 2017

Secretary Matthew A. Beaton
Executive Office of Environmental Affairs
100 Cambridge Street, 9th Floor
Boston, MA 02114

Attention: MEPA Unit – Page Czepiga

Re: Environmental Notification Form (ENF)
Sudbury-Hudson Transmission Reliability Project
Sudbury, Marlborough, Stow, Hudson
EEA #15703

Dear Secretary Beaton,

The Massachusetts Department of Environmental Protection's ("MassDEP") Central and Northeast Regional Offices have reviewed the ENF dated May 15, 2017 and the Corrected ENF dated June 12, 2017 for the Sudbury-Hudson Transmission Reliability Project (the "Project") in Sudbury, Marlborough, Stow, and Hudson. The Project is proposed by NSTAR Electric Company d/b/a Eversource Energy of Westwood (the "Proponent"). The Proponent proposes to construct, operate, and maintain an approximately 9-mile, 115-kilovolt underground transmission line extending from the Sudbury Substation on Boston Post Road in Sudbury ("Sudbury Substation") to Hudson Light & Power Department's ("HLPD") substation at Forest Avenue in Hudson ("Hudson Substation") (the "New Line"). The New Line and related improvements at Sudbury Substation comprise the Project.

The Project will be installed primarily along an inactive railroad right-of-way ("ROW") owned by the Massachusetts Bay Transportation Authority ("MBTA"). Construction of the Project within the MBTA ROW will result in impacts to wetland resources as a result of tree clearing and creation of the construction platform. The Project will alter 26.7 acres of land and alter 13,794 square feet ("sf") of Bordering Vegetated Wetland ("BVW"), 69,122 sf of Bordering Land Subject to Flooding ("BLSF"), and 239,309 sf of Riverfront Area. Wetland resource area impacts include both temporary and permanent impacts, and in many locations resource areas overlap. The Proponent estimates that the Project will also alter 10.28 acres of Buffer Zone, with 7.36 acres of permanent Buffer Zone alteration.

The Project is under MEPA review because it meets or exceeds the following review threshold:

- 11.03 (1)(b)1 - Direct alteration of 25 or more acres of land
- 11.03 (3)(b)1.d - Alteration of 5,000 or more square feet of bordering vegetated wetlands
- 11.03(3)(b)1.f - Alteration of ½ acre or more of any other wetlands
- 11.03(7)(b)4 - Construction of electric transmission lines with a capacity of 69 or more kV, provided that the transmission lines are one or more miles in length along, new, unused or abandoned right of way.

The Project requires the following State Agency Permits:

- EFSB/DPU - Approval to construct, G.L. c. 164, § 69J and 72 and Request for zoning exemptions, G.L. c. 40A, §3
- MassDEP - 401 Water Quality Certification
- Massachusetts Historical Commission - Project Notification Form
- MassDOT - State Highway Access Permit
- NHESP - Conservation and Management Permit (to be determined)

The Proponent has noted that as a result of corrections to the ENF, the Project does not exceed any mandatory Environmental Impact Report (“EIR”) threshold; however, the Proponent is voluntarily seeking review of the Project through the EIR process.

MassDEP offers the following comments on the Project:

Wetlands

The Project will cross Fort Meadow Brook, Hop Brook, Dudley Brook and several other unnamed streams. The Proponent should quantify proposed impacts, if any, to Bank and/or Land Under Waterway associated with these proposed crossings. The corrected ENF depicts vernal pools along the route of the Project, and the impact table initially submitted with the ENF lists vernal pool impacts; however, because the Proponent does not discuss vernal pool impacts in the narrative MassDEP is uncertain if the Project will directly impact these resources. In the EIR, the Proponent should identify the locations and limits of the vernal pools in better detail relative to the location of the Project and consider relocating the access road and ROW to avoid alteration to vernal pools.

MassDEP notes that there is a discrepancy between the May 15, 2017 ENF cover letter and the corrected ENF narrative concerning the length of the Project that will occur within roadways. The cover letter states that roadway work will be comprised of 2.3 miles, while the ENF narrative describes 1.3 miles of roadway construction. The EIR should clarify the amount of construction within public roadways.

The Proponent is required to submit Notices of Intent (NOI) to the Sudbury, Stow, and Hudson Conservation Commissions and obtain Final Orders of Conditions under the Wetlands Protection Act and its regulations. Upon receipt of copies of the NOI applications, the MassDEP Northeast and Central Regional Offices may provide Project-specific comments to the Conservation Commissions and the Proponent as part of the file number issuance notification letters.

Although the Project qualifies as a limited project under 310 CMR 10.53(d), the Project design should meet all performance standards identified in the Massachusetts Wetlands Protection Act Regulations 310 CMR 10.00 for work proposed in each wetland resource area affected, including

mitigation requirements. The Proponent should submit additional information considering ROW and access road re-designs that may avoid or further reduce wetland impacts. The EIR should discuss whether the Proponent can minimize wetland impacts by utilizing directional drilling.

MassDEP requests that the NOI filings include additional information describing the siting and hydrologic conditions of BVW replication areas, the work associated with the reuse of existing bridges, the volume of fill proposed in BLSF along with proposed incremental compensatory storage, and Wildlife Habitat Evaluations for all resource area impacts above the thresholds contained in 310 CMR 10.00. A 401 Water Quality Certification is required from MassDEP under 314 CMR 9.00 because greater than 5000 square feet of Bordering Vegetated Wetland is proposed to be filled for the Project. Depending on the final design of the Project, Chapter 91 permitting may be required for the proposed re-use of bridge structures and the crossings over Fort Meadow, Dudley, and Hop Brooks.

Certain construction activities associated with the Project, such as grading and the installation of splice vaults, will require the Proponent to clear areas wider than the proposed permanent 30-foot wide access road and transmission line. In the EIR, the Proponent should provide a detail of the splicing vaults and a cross-section view of the proposed transmission line and duct bank. The Proponent should also describe the duct bank and whether any of the splicing vaults will be located within wetland resource areas. Where feasible and to avoid wetland resource area impacts, the splicing vaults should be located out of wetland resource areas. The ENF states that all areas of temporary clearing will be “allowed to grow back.” MassDEP recommends that the Proponent develop a protocol for re-vegetating areas of temporary disturbance that discourages the growth of invasive species and provides restoration with a diversity of native species. The Proponent should also develop a long-term vegetation management plan to maintain the 30’ wide ROW along the length of the 9-mile corridor.

A portion of the Project will occur along the route of the regional Mass Central Rail Trail (MCRT) planned by the Massachusetts Department of Conservation and Recreation. The ENF does not include information describing which sections of the Project will overlap with the MCRT or whether the Project encompasses the footprint of the MCRT. The Proponent should identify in the EIR what the overlapping work will entail and any additional wetland resource area impacts.

An extremely small portion of the Project appears to pass through the Desert Conservation Area, Article 97 conservation land in Marlborough. The Proponent should confirm that additional permitting is not required for work on Article 97 parcels and/or consider moving the limit of work to avoid the Desert Parcel.

The ENF states that the Project “will be designed to comply with the MADEP Stormwater Management Policy (2008).” MassDEP requests that the Proponent meet all Massachusetts Stormwater Management Standards as required in the Wetlands Protection Act Regulations, 310 CMR 10.05(6)(k-q), and the Water Quality Certification Regulations, 314 CMR 9.06(6)(a). The EIR should provide information on how the Proponent will meet the Stormwater Management Standards for the Project.

Water Supply

Portions of the Project appear to be within the Zone II Wellhead Protection Areas for municipal public water supply wells in the Towns of Hudson and Sudbury. MassDEP notes that the Project is not a prohibited use under the groundwater supply protection section of the Drinking Water Regulations at 301 CMR 22.21. Proponent should confirm that the Project does not pass through a Zone I for any public water supply well.

Bureau of Waste Site Clean Up

Soil generated from installation of the underground transmission line will be used as fill material for construction of the adjacent access road. A significant portion of the Project will be constructed along a former railroad ROW. Historic rail road operations involved the use of materials that contained hazardous chemicals (creosote and arsenic from railroad ties, arsenic weed-control sprays and arsenic contaminated slag used as railroad bed fill), and may have involved petroleum spills (diesel, lubricating oil) from train operations. The Proponent should consult MassDEP's "Best Management Practices for Controlling Exposure to Soil during the Development of Rail Trails" for measures to limit exposure to workers and adjacent residents/trespassers. The document may be found at the following link: <http://www.mass.gov/eea/docs/dep/cleanup/laws/railtrail.pdf>

The Proponent identified two release tracking numbers for sites within the Project area (RTNs 3-0024573 and 3-0002640, both located in Sudbury). MassDEP identified six other sites that appear to be proximate to the Project. These include RTNs 3-0018895, 2-0000248, 2-0010785, 2-0017024, 2-0000275 and 2-0010202. RTN 2-0018895 is located in Sudbury and the remaining five sites are located in Hudson. Three of the sites (RTN 3-0002640 in Sudbury and RTNs 2-0000248 and 2-0010785 in Hudson) have reported groundwater contamination consisting of volatile petroleum hydrocarbons (VOCs). The two sites in Hudson achieved Class B-1 Response Action Outcome Statements, in 1994 (2-0000248), and 1999 (2-0010785). RTN 3-0002640 in Sudbury is still in a Temporary Solution (formerly known as Class C-1 RAO) with periodic groundwater monitoring ongoing. The Proponent should be aware of the location of these sites if dewatering activities are required during construction of the underground transmission line. Recovered groundwater may require treatment and monitoring for VOCs in ambient air may be needed. Additionally, soil excavated near the area of RTN 3-0024573 should include testing for lead. This site was the location of the former Sudbury Rod & Gun Club, so lead shot may potentially be present near the MBTA ROW.

Portions of the Project are near the Town of Hudson's public water supply wells. Care should be taken to control erosion of soil that potentially contains railroad related contaminants such as arsenic and petroleum and avoid stockpiling in those areas.

Air Quality

The Proponent has stated that the Project will not exceed air quality thresholds. Additionally, the Proponent has requested GHG Policy de minimus exemption of this Project. However, if the Project involves the use of gas insulated switchgear (GIS), the Proponent must follow the state and federal regulations regarding reducing sulfur hexafluoride emissions from that switchgear. Sulfur hexafluoride (SF6) is a very potent greenhouse gas.

Construction Related Dust, Odor, Noise

The clearing/grading operations, demolition, and construction activities associated with this Project have the potential to generate dust, odor and/or noise. The Proponent should determine the applicability of the MassDEP's dust, odor, noise, construction, demolition and noise regulations pursuant to the Air Pollution Control Regulations 310 CMR 7.09 and 310 CMR 7.10.

The Proponent should propose measures in the EIR to prevent or alleviate dust, noise, and odor nuisance conditions, which may occur during the demolition and construction where the transmission line

is close to residential and commercial properties in many locations. The Proponent has only described anti-idling mitigation measures to be taken during construction.

Demolition and/or Solid Waste

The Project includes the demolition of existing rail bed and construction of a new transmission line with associated upgrades to the Hudson and Sudbury Substations. The demolition activities may result in asphalt, brick and concrete (ABC) and metal debris. If ABC debris will be crushed at the site of generation and used for fill in accordance with 310 CMR 16.03(2)(b)5, then MassDEP and the Board of Health must be notified at least 30 days prior to commencement of the crushing operation. If the debris is not crushed on-site and used for fill, then other requirements apply.

In addition, asphalt paving, brick, concrete, and metal are banned from disposal at Massachusetts landfills and waste combustion facilities. Wood wastes are banned from Massachusetts landfills. For more information see <http://www.mass.gov/eea/agencies/massdep/recycle/solid/massachusetts-waste-disposal-bans.html> and <http://www.mass.gov/eea/docs/dep/recycle/solid/a-thru-cd/cdbanfaq.pdf>.

MassDEP appreciates the opportunity to comment on the Project. If you have any questions regarding these comments, please do not hesitate to contact Stella Tamul, Central Regional Office MEPA Coordinator, at (508) 767-2763.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Mary Jude Pigsley", written in a cursive style.

Mary Jude Pigsley
Regional Director

cc: Commissioner's Office, MassDEP

Czepiga, Page (EEA)

From: ddepompei@verizon.net
Sent: Tuesday, July 04, 2017 11:49 PM
To: Czepiga, Page (EEA)
Subject: MEPA EEA 15703; Sudbury to Hudson Reliability Project

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA) Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114

In the matter of the Eversource Sudbury-Hudson transmission line project, to date, Eversource has only filed an ENF for the “preferred” option, i.e. the MBTA ROW underground transmission line. However, there are two other options listed in the filing to the EFSB, the aboveground MBTA ROW route, and an under-street route. Both of these routes should also be subject to the filing of an ENF and EIR.

No engineering plans for the route have been presented to date for an underground route with multiple complications including changing elevations of +/- 15 feet or more, considerable amounts of bedrock, and wetlands. These complications could lead the EFSB to reconsider the aboveground line with its additional associated environmental impacts. Because the above ground option has not been ruled out either by Eversource or the EFSB, Eversource should be required to file an ENF and EIR for it. Without ENFs for all three proposed options, there is no way that the state agencies can effectively assess environmental impact.

By Eversource’s own assessment in the EFSB filing, the under-street route has virtually no environmental impact, and evaluation of the current filing should take that into consideration. In the absence of an ENF for the under-street route, there would be no formal statement of its impact, and therefore state agencies would be unable to effectively compare each route in the existing filing. As MEPA requires state agencies to take all feasible measures to avoid, minimize and mitigate damage to the environment, MEPA should require an ENF for all three routes. This would allow state agencies fully scrutinize the impacts of all three routes and understand that the in- street option avoids and minimizes the enormous environmental impacts of both MBTA routes with likely no mitigation required.

Of particular concern is how transmission lines will be constructed through water crossings, as there is major potential for harm to species and disruption of wetlands and waterways. The MEPA scoping site visit looked at a very small section of the MBTA route, thus underplaying the significant impact of the project. MEPA should require all state agencies involved to conduct a more thorough examination of the entire route, accompanied by the Sudbury and Hudson Conservation Commissions as they are intimately familiar with the area and can best provide information that others would miss.

Given that there are multiple viable under-street options with virtually NO environmental impacts as well as an existing solution from NGRID which simply upgrades existing infrastructure, MEPA needs to conduct careful analysis of route selection methodology and the MBTA routes should both be rejected outright. This would be in keeping with the Commonwealth's Sustainable Development "Smart Growth" Principles that discourage new construction and disturbance within natural areas.

Dozens of environmental organizations, including Mass. Audubon, Mass. Chapter of the Sierra Club, Sudbury Valley Trustees, Environmental League of Massachusetts, Clean Water Action, US Dept. of the Interior Fish and Wildlife, and others have expressed alarm at the MBTA routes – both overhead and below ground.

MEPA needs to ensure that all agencies are FULLY cognizant of the concerns from these esteemed environmental groups and the environmental consequences of both the aboveground and below ground along the MBTA right of way:

1) Wildlife habitat fragmentation of one of the region's largest natural areas, including five different conservation lands, including Assabet River National Wildlife Refuge, Marlboro-Sudbury State Forest, Sudbury Valley Trustees Memorial Forest, and Hop Brook Marsh Conservation Land and Marlborough Desert Natural Area. The majority of the areas are part of NHESP priority habitat (PH 687). These areas harbor diverse wildlife with several different habitat types and are home to several threatened and endangered species of plants and animals. (USFWS, Audubon, Marlborough Con Comm)

Among the species and habitats at risk are Eastern Brook Trout, a great blue heron rookery, salamanders, Blanding's turtles, wood turtles, Eastern Box Turtle, and the recently state-listed whip-poor-will.

There are sensitive habits within the above: wetlands, vernal pools, turtle nesting sites, and cold water streams and the MBTA right of way routes put these at risk and:

1. Create conditions unsuitable for certain wildlife species including impacts to isolated populations, altered wildlife behaviors, decline of resident species, disruption of movement corridors, increase in habitat fragmentation
 2. Allows entry of invasive species and a pathway for predators (USFWS, SVT)
 3. Large, interconnected areas of forestland and wetlands are vital for ecological health and integrity, and the MBTA routes bisect these connected spaces.
 4. Destruction of unusual plant populations
 5. Disturbance and alteration of breeding habitat of recently state-listed whip-poor-will.
- 2) Large-scale permanent destruction of conservation lands (ELM, SVT)
1. Irreparable immediate and ongoing damage by construction and maintenance (ELM, SVT)
- 3) Negative impacts from use of herbicides to environmentally sensitive areas (USFWS, SVT)

4) Potential for ground-water pollution from toxic chemical cocktails of herbicides

1. Although both the state and US EPA have approved glyphosate and other herbicides for use, there is growing evidence for both human impact in the form of cancer by international bodies and the World Health Organization. We can't risk taking a chance with the health of the population of the impacted towns.
 2. There is also considerable research on the impacts of glyphosate on threatened and endangered species, particularly amphibians such as the salamanders found all along the route.
 3. The proposed route is in close proximity to five certified (and an additional five with certified data collected) vernal pools containing the species in question
- 5) Likely increase of unauthorized uses of ATVs and dirt bikes which cause significant damage to natural resources (USFWS, SVT)

6) Destruction and/or contamination of highly important water resources important to humans and wildlife (CWA,OARS)

1. Impact on threatened and vulnerable Eastern brook trout habitat in the Sudbury River tributaries by diminishing shade cover, warming of river temperatures and potential pollution from construction activities and herbicide usage.
 2. The proposed transmission line crosses over Zone II areas in Sudbury and the Cranberry Bog Well in Hudson. Potential pollution by any herbicides or other runoff from construction activities in these areas is unacceptable. As stated above, recent research has shown that run off of glyphosate into water resource areas can and does happen. Sudbury's wells are located in an aquifer with a high vulnerability to contamination due to the absence of hydrological barriers that can prevent contaminant migration.
 3. Disruption of existing contaminants from previous rail line use is likely to impact these water resources. It is not uncommon to find arsenic, creosote and other hazardous chemicals in old rail beds. Flattening the rail bed and removing old rail- road ties for clear-cutting will disturb these contaminants and has a high risk of dispersing them into the surrounding water resources.
- 7) Mitigation of these impacts is not feasible. (Audubon) Eversource's mitigation measures such as "financial contribution toward land acquisition" cannot mitigate for permanent loss of wildlife habitat and loss of life.

Given the scale and severity of these impacts, permitting for this project on the MCRT RoW should be denied,

Should this project be determined to be necessary, the underground option within RoWs along existing roads is the only option that truly addresses the MEPA mission.

Thank You,

Daniel A. DePompei, 35 Haynes Road, Sudbury MA 01776

I am not an abutter.

Czepiga, Page (EEA)

From: Nicholas Pernice <nicholas12357@yahoo.com>
Sent: Tuesday, July 04, 2017 11:06 PM
To: Czepiga, Page (EEA)
Subject: Fw: Eversource Sudbury-Hudson transmission line project. Docket EEA 15703

July 4, 2017

Secretary of Energy and Environmental Affairs

Executive Office of Energy and Environmental Affairs (EEA)

Attn: MEPA Office

Page Czepiga, EEA No. 15703

100 Cambridge Street, Suite 900

Boston MA 02114

RE: Eversource Sudbury-Hudson transmission line project.

To whom it may concern:

To date, Eversource has only filed an ENF for the “preferred” option, i.e. the MBTA ROW underground transmission line. There are two other options listed in the filing to the EFSB, the aboveground MBTA ROW route, and an under-street route. Both of these routes should also be subject to the filing of an ENF and EIR.

No engineering plans for the route have been presented so far for an underground route with multiple complications including changing elevations of +/- 15 feet or more, considerable amounts of bedrock, and wetlands. These complications could lead the EFSB to reconsider the aboveground line, which would be highly destructive to the surrounding conservation area, especially due to the amount of clear cut associated with the above ground line. Eversource should be required to file an ENF and EIR for the above ground route. Without ENFs for all three proposed options, there is no way that the state agencies can effectively assess environmental impact.

By Eversource’s own assessment in the EFSB filing, the under-street route has virtually no environmental impact. In the absence of an ENF for the under-street route, there would be no formal statement of its impact, and therefore state agencies would be unable to compare each route in the existing filing. As MEPA requires state agencies to take all feasible measures to avoid, minimize and mitigate damage to the environment, MEPA should require an ENF for all three routes. This would allow state agencies fully scrutinize the impacts of all three routes and understand that the in- street option avoids and minimizes the enormous environmental impacts of both MBTA routes with likely no mitigation required.

Of particular concern is how transmission lines will be constructed through water crossings, as there is major potential for harm to species and disruption of wetlands and waterways. The MEPA scoping site visit looked at a very small section of the MBTA route, thus underplaying the significant impact of the project. MEPA should require all state agencies involved to conduct a more thorough examination of the entire route.

Given that there are multiple viable under-street options with virtually NO environmental impacts as well as an existing solution from NGRID which simply upgrades existing infrastructure, MEPA needs to conduct careful analysis of route selection methodology and the MBTA routes should both be rejected outright. This would be in keeping with the Commonwealth's Sustainable Development "Smart Growth" Principles that discourage new construction and disturbance within natural areas.

Dozens of environmental organizations, including Mass. Audubon, Mass. Chapter of the Sierra Club, Sudbury Valley Trustees, Environmental League of Massachusetts, Clean Water Action, US Dept. of the Interior Fish and Wildlife, and others have expressed alarm at the MBTA routes - both overhead and below ground.

MEPA needs to ensure that all agencies are FULLY cognizant of the concerns from several esteemed environmental groups and the environmental consequences of both the aboveground and belowground along the MBTA right of way including the effects upon:

1. Wildlife habitat of one of the region's largest natural areas, including diverse wildlife with several different habitat types including threatened and endangered species of plants and animals such as: the Eastern Brook Trout, great blue heron rook- ery, salamanders, Blanding's turtles, wood turtles, Eastern Box Turtle, and recently state-listed whip-poor-will.
2. Sensitive habits and wetlands including vernal pools, turtle nesting sites, and cold water streams-- the MBTA right of way routes put these at risk.
3. Large-scale permanent destruction of conservation land; irreparable immediate and ongoing damage by construction and maintenance and negative impacts from the use of herbicides to environmentally sensitive areas.
4. Potential for ground-water pollution from toxic chemical cocktails of herbicides, including glyphosate used to control vegetation along utility corridors.
5. Likely increase of unauthorized uses of ATVs and dirt bikes and associated damage to natural resources.
6. Destruction and/or contamination of highly important water resources important to humans and wildlife.
7. Impact on threatened and vulnerable Eastern brook trout habitat from the diminishing shade cover, warming of river temperatures and potential pollution from construction activities and herbicide usage.
8. The proposed transmission line crosses over Zone II areas in Sudbury and the Cranberry Bog Well in Hudson. Potential pollution by any herbicides or other runoff from construction activities in these areas is unacceptable. Sudbury's wells are located in an aquifer with a high vulnerability to contamination due to the absence of hydrological barriers that can prevent contaminant migration.
9. Disruption of existing contaminants from previous rail line use is likely to impact these water resources from the arsenic, creosote and other hazardous chemicals located in the old rail beds and the flattening of the rail bed and removing of old rail- road ties for clear-cutting. There is also a high risk of dispersing them into the surrounding water resources.

Mitigation of these all of these impacts is not feasible. Eversource's mitigation measures such as "financial contribution toward land acquisition" cannot mitigate for permanent loss of wildlife habitat and loss of life. Therefore permitting for this project should be denied, or at the very least, an EIR should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with detail.

Thank you for your attention,

Nicholas Pernice

255 Peakham Road Sudbury Mass. 01776



July 4, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA) Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114

Re: Sudbury-Hudson Transmission Reliability Project, EEA#15703

Dear Ms. Czepiga:

In the matter of the Eversource Sudbury-Hudson transmission line project, to date, Eversource has only filed an ENF for the "preferred" option, i.e. the MBTA ROW underground transmission line. However, there are two other options listed in the filing to the EFSB, the aboveground MBTA ROW route, and an under-street route. Both of these routes should also be subject to the filing of an ENF and EIR.

No engineering plans for the route have been presented to date for an underground route with multiple complications including changing elevations of +/- 15 feet or more, considerable amounts of bedrock, and wetlands. These complications could lead the EFSB to reconsider the aboveground line with its additional associated environmental impacts. Because the above ground option has not been ruled out either by Eversource or the EFSB, Eversource should be required to file an ENF and EIR for it. Without ENFs for all three proposed options, there is no way that the state agencies can effectively assess environmental impact.

By Eversource's own assessment in the EFSB filing, the under-street route has virtually no environmental impact, and evaluation of the current filing should take that into consideration. In the absence of an ENF for the under-street route, there would be no formal statement of its impact, and therefore state agencies would be unable to effectively compare each route in the existing filing. As MEPA requires state agencies to take all feasible measures to avoid, minimize and mitigate damage to the environment, MEPA should require an ENF for all three

routes. This would allow state agencies fully scrutinize the impacts of all three routes and understand that the in-street option avoids and minimizes the enormous environmental impacts of both MBTA routes with likely no mitigation required.

Of particular concern is how transmission lines will be constructed through water crossings, as there is major potential for harm to species and disruption of wetlands and waterways. The MEPA scoping site visit looked at a very small section of the MBTA route, thus underplaying the significant impact of the project. MEPA should require all state agencies involved to conduct a more thorough examination of the entire route, accompanied by the Sudbury and Hudson Conservation Commissions as they are intimately familiar with the area and can best provide information that others would miss.

Given that there are multiple viable under-street options with virtually no environmental impacts as well as a solution from NGRID, which simply upgrades existing infrastructure, MEPA needs to conduct careful analysis of Eversource's route selection methodology. The scoring system is severely flawed in its weighting of impacts and inclusion of impact on "built environment" and "constructability" in assessing environmental impact. Several of the weighting scores are also flawed, in particular, valuing impact on conservation land, which will be permanent, as a 3 out of 5, where as temporary traffic disruption is a 5. Because of this, it appears that routes that are entirely viable, with minimal impact on the natural environment were eliminated early in the process and are not therefore being assessed for comparison to the impacts of the MBTA ROW routes. The MBTA routes should both be rejected outright, in keeping with the Commonwealth's Sustainable Development "Smart Growth" Principles that discourage new construction and disturbance within natural areas.

Dozens of environmental organizations, including Mass. Audubon, Mass. Chapter of the Sierra Club, Sudbury Valley Trustees, Environmental League of Massachusetts, Clean Water Action, US Dept. of the Interior Fish and Wildlife, and others have expressed alarm at the MBTA routes – both overhead and below ground.

MEPA needs to ensure that all agencies are FULLY cognizant of the concerns from these esteemed environmental groups and the environmental consequences of both the aboveground and below ground along the MBTA right of way:

- 1) Wildlife habitat fragmentation of one of the region's largest natural areas, including five different conservation lands, including Assabet River National

Wildlife Refuge, Marlboro- Sudbury State Forest, Sudbury Valley Trustees Memorial Forest, and Hop Brook Marsh Conservation Land and Marlborough Desert Natural Area. The majority of the areas are part of NHESP priority habitat (PH 687). These areas harbor diverse wildlife with several different habitat types and are home to several threatened and endangered species of plants and animals. The town of Sudbury has invested over \$25 million since 2001 to protect some of these spaces, in addition to sums spent by private land trusts (Sudbury Valley Trustees), the State and Federal governments.

Among the species and habitats at risk are Eastern Brook Trout, a great blue heron rookery, the blue spotted salamander, wood turtles, Eastern Box Turtle, and the recently state-listed whip-poor-will.

There are sensitive habits within the above: wetlands, vernal pools, turtle nesting sites, and cold water streams and the MBTA right of way routes put these at risk and:

- Create conditions unsuitable for certain wildlife species including impacts to isolated populations, altered wildlife behaviors, decline of resident species, disruption of movement corridors, increase in habitat fragmentation, edge effects
- Allows entry of invasive species and a pathway for predators
- Large, interconnected areas of forestland and wetlands are vital for ecological health and integrity, and the MBTA routes bisect these connected spaces.
- Destruction of unusual plant populations
- Disturbance and alteration of breeding habitat of recently state-listed whip-poor-will.

2) Large-scale permanent destruction of conservation lands from irreparable immediate and ongoing damage by construction and maintenance

3) Negative impacts from use of herbicides to environmentally sensitive areas. No details of the full vegetation management plan have been provided.

4) Potential for ground-water pollution from toxic chemical cocktails of herbicides

- Although both the state and US EPA have approved glyphosate and other herbicides for use, there is growing evidence for both human impact in the form of cancer by international bodies and the World Health Organization

and the state of California. We can't risk taking a chance with the health of the population of the impacted towns.

- There is also considerable research on the impacts of glyphosate on threatened and endangered species, particularly amphibians such as the salamanders found all along the route.
- The proposed route is in close proximity to five certified (and an additional five with certified data collected) vernal pools containing the species in question

5) Likely increase of unauthorized uses of ATVs and dirt bikes, which cause significant damage to natural resources

6) Destruction and/or contamination of highly important water resources important to humans and wildlife, including wetlands and rivers. Sudbury is a low lying area with extensive river resources, five of which run near or under the MBTA ROW route. Those five rivers are the Sudbury River, Landham Brook, Dudley Brook, Wash Brook, and Hop Brook. These wetlands and water sources provide ground water filtration, flood control, cold water fisheries, and drinking ground water for this region.

- Impact on threatened and vulnerable Eastern brook trout habitat in the Sudbury River tributaries by diminishing shade cover due to tree clearing, warming of river temperatures and potential pollution from construction activities and herbicide usage. A full wetlands impact of the loss of shading needs to be included.
- The proposed transmission line crosses over Zone II areas in Sudbury and the Cranberry Bog Well in Hudson. Potential pollution by any herbicides or other runoff from construction activities in these areas is unacceptable. As stated above, recent research has shown that run off of glyphosate into water resource areas can and does happen. Sudbury's wells are located in an aquifer with a high vulnerability to contamination due to the absence of hydrological barriers that can prevent contaminant migration.
- Disruption of existing contaminants from previous rail line use is likely to impact these water resources. It is not uncommon to find arsenic, creosote and other hazardous chemicals in old rail beds. Flattening the rail bed and removing old railroad ties for clear-cutting will disturb these contaminants and has a high risk of dispersing them into the surrounding water resources. Details of disposal of excess soil generation and methods of screening for hazardous materials need to be specified.

7) According to Mass Audubon, mitigation of these impacts is not feasible. Eversource's mitigation measures such as "financial contribution toward land acquisition" cannot mitigate for permanent loss of wildlife habitat and loss of life.

Given the scale and severity of these impacts, permitting for this project should be denied, but at the very least, an EIR for all three proposed routes should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with details.

Thank you,

Raymond Phillips

President, Protect Sudbury Inc.

July 4, 2017

ELECTRONIC DELIVERY

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114

Re: NSTAR Electric Company d/b/a Eversource Energy, ESFB 17-02

Dear Ms. Czepiga:

Please accept my comments on the Environmental Notification prepared by VHB for the Eversource Sudbury-Hudson Transmission Reliability Project. I am a 30 year resident of Sudbury and a direct abutter to the proposed project.

Sudbury is fortunate to have a plentiful supply of groundwater that sustains (primarily through one well field) its public water supply. Over the years, the Town of Sudbury and Sudbury Valley Trustees have acquired surrounding wetlands along the rail line in order to protect these groundwater flows. Under state regulations governing public water systems at 310 CMR 22.00, the "Zone 2", the "zone of contribution" is to be protected by various means including acquisition and zoning. Sudbury has enacted several such bylaws to protect its aquifer, floodplains and wetlands. The streams that originate in the Memorial Forest area feed the Raymond Road wellfield. They are remarkable for their clarity and sustain cold water fisheries due to their cool subsurface origin. The Town is fortunate to have such protected resources. What I find particularly disturbing is the Petitioner's ignorance of these facts and even those contained within their own petition.

For example, the petitioner clearly indicates in their filing that the 9.1 mile railroad right of way is likely to be highly contaminated due to its history as a railroad. In Appendix 5-3, Page 2 of 11 they reference DPU's own guidelines with respect to rail bed contamination.

"Some historic railroad operations involved the use of chemicals that may have resulted in presence today of contamination. The most commonly reported contamination along rail line includes metals, pesticides (such as lead arsenate), and constituents of oil or fuel (petroleum products). These chemicals have been associated with normal railroad operations and are likely to be found anywhere along the line. For example, it would not be uncommon to find arsenic (up to ten times natural background levels) present in the soil along a right-of-way from old railroad ties dipped in an arsenic solution, arsenic weed control sprays, and arsenic-laced slag used as railroad bed fill. Lubricating oil and diesel that dripped from the trains are likely sources of the petroleum product found along the lines. Other sources of contaminants associated with historic railroad operations may include coal ash from engines, creosote from ties, and polynuclear aromatic hydrocarbons ("PAHs") from the diesel exhaust."

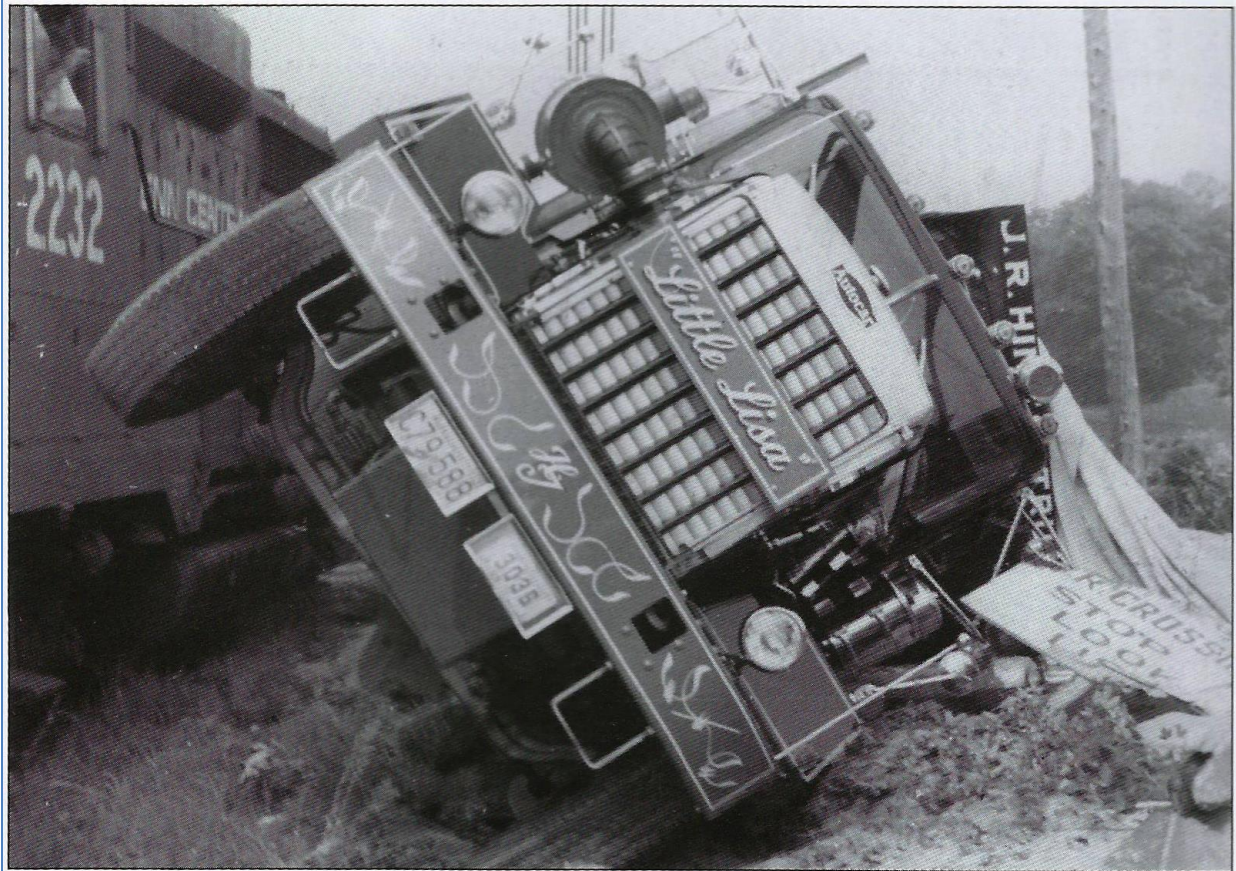
The question is not, if the rail bed is contaminated, rather it is, how much contamination exists and to what degree. The petitioner ignores the history and nature of this land throughout their petition, particularly with respect to the potential impact upon the local water supply.

The former Central Massachusetts was an active rail corridor for close to 100 years. (1881 to ~ 1980). In fact, the South Sudbury Union Station was the intersection point between the Central Mass line and the Framingham and Lowell line, thus making South Sudbury one of a small number of stations which served both of New England's two largest and busiest railroads. The crossing point ('diamond crossing') these two lines is still visible today. (see photo below)



"Diamond Crossing" South Sudbury Station 2016

These diamond crossings were inherently dangerous and were often the point at which major accidents occurred, usually resulting in overturned locomotive engines and freight cars potentially handling highly toxic materials. After a review of the literature regarding the history of this railroad such accidents have occurred at this specific location as well as others along this 9.1 mile stretch of the railroad. One such accident occurred in Sudbury in 1955. See image below.



The new truck "Little Lisa" ran into a train, resulting in this unique photograph at the intersection of the B&M railroad line at 394 Boston Post Road in 1955. George Halloran used to be the gatekeeper for the crossing, which was extremely dangerous. The railroad provided a little white shack for him to sit in with a heater, and when a train came, he would crank down the gates to stop traffic. This accident happened after he was laid off without a replacement.

The presence of both the known and unknown contaminants on this 9.1 mile stretch, poses a significant threat to both the Town of Sudbury's drinking water supply. The proposed construction technique on the 'preferred' route is the trenching of a 4' x 5' area running the length of 9.1 miles. The Petitioner intends to dig up this contaminated soil and then placing it back into the trenched area. This would then create a more permeable surface and an easier path into the underlying groundwater. This disruption will facilitate the release of both the existing rail bed contaminants as well as other known contaminants into the water table. In fact, within Sudbury, the 'preferred' route will intersect the Wellhead Protection Area for the Raymond Road Aquifer, which supplies five of the town's wells. (Appendix 5-7; page 2)

These are the same wells that have had a history of contamination that originated from a former Raytheon site located in close proximity to the railroad bed. These are the same wells that the Massachusetts Department of Environmental Protection noted in their Source Water Assessment and Protection (SWAP) report prepared for the Town of Sudbury in 2002 noted as being "located in aquifers

with a high vulnerability to contamination due to the absence of hydrogeologic barriers (i.e. clay) that can prevent contaminant migration.”

In 1990 and 1991, groundwater testing revealed trichloroethene (TCE) near the eastern border of the rail bed in what was the former location for a Raytheon property. TCE is classified as a toxic substance and carcinogen.

In 2007 and 2008, testing found TCE in the groundwater, prompting the DEP to issue another advisory because the Raytheon property is near the town’s Raymond Road drinking water well field. According to documents in the public domain, the DEP issued a temporary solution for the contamination, ordering the company to monitor the groundwater every five years because it is close to the well field. In 2013, the testing also revealed Freon 11 in the groundwater, according to a report. Ultimately, according to the Superintendent of the Sudbury Water District the TCE contamination did reach one of the Raymond Road wells resulting in constant monitoring and ongoing costly water treatment techniques. Also, disturbing is that the Sudbury Water District cannot possibility test for all potential forms of contamination. It is more probably than not, that the contamination would go undetected for years until sickness developed in the population and was then finally traced back to the drinking water.

The potential for the already identified contamination, along with other unknown contamination to reach these wells is significantly increased through both the proposed construction techniques as well and the planned removal of ~ 22,000 trees along this 9.1 mile stretch. A typical large tree, on average, retains approximately 100 gallons of water. With this magnitude of tree loss, as much as 2.2 million additional gallons of water will flow through the now more permeable surface of the rail bed and into the water table. These additional gallons of continuous flow into the ground water table and through areas of contamination already identified as ‘high risk’ by DPU in their 2002 SWAP report, will in all likelihood result in a level of contamination at the well heads that cannot be remediated and that will adversely impact human health.

Either the underground or aboveground utility line proposals that follow the MBTA right-of-way would have significant negative environmental impacts. Please require that Eversource outline the environmental impacts of a street-based alternative, should a line indeed prove necessary, in existing public ways as was done several decades ago when the Sudbury power station was constructed. We are confident that a comparison of the environmental impacts of these alternatives will reveal the significant short-term and lasting environmental impact of a line that follows the MBTA right of way.

Sudbury has a rich Native American history with countless documented and yet to be documented historic and religious Native American sites. Eversource’s EFSB petition and ENF provides, at best, a cursory overview of a number of such sites. Upon even a brief review of the historical information available, it is clear that numerous Native American sites of significant historic and religious importance exist either on or adjacent to the MBTA ROW. (Please see enclosed excerpt from “The History of Sudbury – 1638 – 1889” by Alfred Hudson) I request that a full and complete accounting of these sites be included in the requested EIR.

Finally, we are particularly concerned that review and permitting of this project by the Energy Facilities Siting Board not proceed without the MEPA review being completed and a Secretary's Certificate issued on a completed and accepted Environmental Impact Report. The EIR provides essential information that must be considered in the decision-making on this project by the EFSB and other state parties.

Thank you again for considering these comments as MEPA determines the scope for the environmental impact analysis.

Regards,

Raymond Phillips
40 Whispering Pine Road
Sudbury, MA 01776

Excerpt from:

THE
HISTORY OF SUDBURY,
MASSACHUSETTS.
1638 - 1889.
BY
ALFRED SERENO HUDSON.

In several such spots in Sudbury, various relics have been found, notable among which is one by the river meadow, just east of the Jonathan Wheeler place. It is between the meadow margin and the Water Row road, and has an area of one or two acres. It is a light, sandy upland, in places, almost or quite without sod. Arrow-heads and plummets have been found there in abundance, and of a kind of stone unlike any native to the neighborhood. These relics have not only been unearthed there by the plow or spade, but some have been uncovered by the wind. Another place where relics have been found in abundance is on the Coolidge estate, by the Lanham Meadows, a little south of the East Sudbury depot. This spot is also of a light, sandy soil, and has a sand pit within it. A little farther north in this district, on the Frank Walker estate, arrow-heads and parts of a mortar or stone kettle were found ; while southerly of Lanham Brook, on the Albert Larkin estate, on an upland some rods west of the house, arrow-heads have been quite numerous.

Another place worthy of mention is at South Sudbury, on the east side of Mill Brook, on what was lately the farm of Israel How Brown. The spot is a little southeasterly of a rock by the brook called " Great Rock," and midway between that and the Goodnow Library. On this place, which is a light, loamy upland, within the space of a few rods have been plowed up quite a quantity of loose, discolored stones, that look as if they had been subjected to the action of fire, and also coal and charred pieces of wood. The nature of the

place at South Sudbury is such as would be favorable to Indian occupation. Before the mill was erected there was probably quite a fall to Hop Brook, and for some distance the shoal, sparkling stream might form a fine fishing place in the season of the alewives or shad.

In the west part of the town, at a sandy spot between the Solomon Dutton and Otis Parmenter places, Indian relics have also been extensively found.

At North Sudbury there were likewise indications of the presence of these former inhabitants. Says Mr. John Maynard, "I have found on my land, east of Cedar Swamp, a stone axe, part of a tomahawk, a gouge, chisel, flaying knife, and other strange things ; also about four hundred heads, one-half of them broken. I have plowed over seven or eight collections of paving stones that were discolored by fire, that I suppose were the hearthstones of Indian wigwams."

There are some parts of the town which we will especially notice as being places that were perhaps occupied by the Indians in considerable companies. These are the neighborhood of Nobscot, the River, Weir Hill, and Cochituate Pond.

In the vicinity of Nobscot there is little doubt but that Indians once made their homes ; as tradition, record and relics give evidence of it. As we shall notice further on, a noted Indian by the name of Jethro had a wigwam near there, and it is supposed the Indians had a lookout there. At the base of the hill, along the plain land, on the estate of Hubbard Brown, by the brook, and also on the land south of the Framingham road, more or less stone relics have been discovered.

The old "Indian wash-bowl," so called, is pointed out in a field about east of the hill. This is an excavation shaped like a wash-bowl, formed in a large rock, and may have been made by nature or art. Probably it was never used as a washing place by the Indians, but, if made or used by them at all, it may have been for grinding corn.

That the Indians largely frequented the neighborhood of the river is quite evident. They probably lived along almost its whole course, as relics of them have been found here and there from one bound of the town to the other. On the east side of the river was an Indian burial place. (See chapter on

cemeteries.) An Indian skeleton has been exhumed by the roadside at Sand Hill. This was discovered when the road was built, by a person who was passing by. He drew it from the bank, together with several Indian relics. The " old Indian bridge " was supposed to be southerly of Sand Hill, over West Brook, and formed a crossing in the direction of Heard's Pond. The home of Karte was not far from the river. From his wigwam home on the hill, he could easily reach the mooring place of his birch canoe, or look down upon the expanse of broad meadow lands, green with their covering in Summer, or brown with the frosts of Fall.

Perhaps catch a glimpse of the canoe of Tahatawan as it glided up the Musketahquid.

But the places where it is supposed the Indians were more numerous than at any other point along the river were toward the town's northeast bound. Near this point were fording and fishing places. One of these was at Weir Hill, below Sherman's Bridge. The very locality of this place is favorable for Indian occupancy. It is situated at a point of the river where, as we have been informed, at low water the river can be forded. On its opposite bank a hill extends almost to the stream, and on either side the meadow bank is hard, which is a circumstance rare on the river course. At this place tradition says there was an Indian fishing weir, which old inhabitants state was about northeast of Weir Hill ; and from this the hill has derived its name. The fishing weir was an important thing for the Indians, as by means of it large quantities of fish could be taken. The principle of construction was the placing across the river of an obstruction, as perhaps some kind of a fence, which, running diagonally from either bank to the centre of the stream, left a small aperture at the apex, where the fish could be taken in a wicket work or net. Such an apparatus, at a favorable place on the river, would supply fish for a considerable village. These fish served not only a present purpose, but were dried and preserved for future use. Another inducement for Indians to locate in this part of the town was a good fording place just below Weir Hill, which is at or near a small hill called Mount Headley, and is between the river and the county road. That this locality was improved by the Indians is evident from the quantities of relics that have been found

there. Both about here and at Weir Hill more or less of these have been picked up ; and, at the latter place, their hearthstones have been unearthed by the plowshare, with the coals still upon them.

As has been stated, there are indications that the Indians once dwelt in considerable numbers about Cochituate Pond.

The region about there was favorable to Indian occupation, not only on account of the lake itself, but because of its nearness to the falls of Sudbury River (Saxonville). The name of the locality has been spelled Wachittuate, Cochituet, Chochichawicke, Coijchawicke, Catchchauitt, Charchittawick, Katchetuit, Cochichawauke, Cochichowicke. The word as now spelled is found in a record dated 1644, in connection with laying out the Glover farm. 44 The southwest bounds are the little river that issueth out of the Great Pond at Cochituate .” This record, as well as others, also shows that originally the term was applied, not to the pond, but to the region near the outlet. Temple states that the word signifies, “place of the rushing torrent,” or, 44 wild dashing brook.” On the westerly side of the pond was an Indian fort, and, near by, a permanent settlement.

Czepiga, Page (EEA)

From: Omkar Desai <omkardesai1201@gmail.com>
Sent: Monday, July 03, 2017 8:53 PM
To: Czepiga, Page (EEA)
Subject: Eversource Reliability Project

Hello Page,

As you know, Eversource is planning on building a power reliability project that will connect their Hudson and Sudbury power plants. While Eversource says this project will benefit both towns, the project is clearly dangerous. This project is planned to go through a rail bed, which is now a right-of-way. To do this, Eversource will cut down the trees along 8.9 miles of forest, 60 feet on each side of the rails. The environmental impact this would cause would be bad, but the project goes further. To stop unwanted growth, Eversource will spray pesticides, detailed in this [plan](#) (page 9). While this will not only affect the forest and wildlife nearby, two of the pesticides, Rodeo has an ingredient called glyphosate which has been linked to causing cancer, while Krenite S, another pesticide, has ammonium fosamine, which is a cholinesterase inhibitor, which prevents the body from breaking down acetylcholine (allows for muscle contraction). Normally, these pesticides would only affect the abutters. However, the rail bed is near a water source for Hudson, which is then collected and added to the general supply. This would cause these harmful effects to affect everyone in our town. Eversource has refused to declare the dangers of this project to our town, and has only added a safer option of an under road route after being forced to by the towns. They have been caught lying again and again, and it is clear that they do not hold the safety of Hudson and Sudbury as a priority, and the safety of our environment.

Sorry for the amateur chemistry lesson, and for writing such a long letter, but I hope you will help protect our towns and our forests.

Thank you,

Omkar Desai

Czepiga, Page (EEA)

From: Akshay Desai <akshaydesai1201@gmail.com>
Sent: Monday, July 03, 2017 7:54 PM
To: Czepiga, Page (EEA)
Attachments: IMG_6148.jpg

Hi Page,

I am one of the abutters in the Eversource transmission project on the MBTA ROW. My family lives just feet away from the Right of Way, as you can see in the attached photo. In the same photo, the Right of Way is heavily forested; this means that, in order to build these powerlines along the right of way, Eversource will cause catastrophic damage to the environment. They will destroy thousands of trees, and in order to prevent the trees from growing again, will dump herbicides along the right of way, which will prevent anything from growing there ever again. I think that the environmental damage alone merits preventing Eversource from building this project along the right of way.

There are some other points to consider:

In the matter of the Eversource Sudbury-Hudson transmission line project, to date, Eversource has only filed an ENF for the “preferred” option, i.e. the MBTA ROW underground transmission line. However, there are two other options listed in the filing to the EFSB, the aboveground MBTA ROW route, and an under-street route. Both of these routes should also be subject to the filing of an ENF and EIR.

No engineering plans for the route have been presented to date for an underground route with multiple complications including changing elevations of +/- 15 feet or more, considerable amounts of bedrock, and wetlands. These complications could lead the EFSB to reconsider the aboveground line with its additional associated environmental impacts. Because the above ground option has not been ruled out either by Eversource or the EFSB, Eversource should be required to file an ENF and EIR for it. Without ENFs for all three proposed options, there is no way that the state agencies can effectively assess environmental impact.

By Eversource’s own assessment in the EFSB filing, the under-street route has virtually no environmental impact, and evaluation of the current filing should take that into consideration. In the absence of an ENF for the under-street route, there would be no formal statement of its impact, and therefore state agencies would be unable to effectively compare each route in the existing filing. As MEPA requires state agencies to take all feasible measures to avoid, minimize and mitigate damage to the environment, MEPA should require an ENF for all three routes. This would allow state agencies fully scrutinize the impacts of all three routes and understand that the in-street option avoids and minimizes the enormous environmental impacts of both MBTA routes with likely no mitigation required.

Of particular concern is how transmission lines will be constructed through water crossings, as there is major potential for harm to species and disruption of wetlands and waterways. The MEPA scoping site visit looked at a very small section of the MBTA route, thus underplaying the significant impact of the project. MEPA should require all state agencies involved to conduct a more thorough examination of the entire route, accompanied by the Sudbury and Hudson Conservation Commissions as they are intimately familiar with the area and can best provide information that others would miss.

Given that there are multiple viable under-street options with virtually NO environmental impacts as well as an existing solution from NGRID which simply upgrades existing infrastructure, MEPA needs to conduct careful analysis of route selection methodology and the MBTA routes should both be rejected outright. This would be in keeping with the Commonwealth’s Sustainable Development “Smart Growth” Principles that discourage new construction and disturbance within natural areas.

Dozens of environmental organizations, including Mass. Audubon, Mass. Chapter of the Sierra Club, Sudbury Valley Trustees, Environmental League of Massachusetts, Clean Water Action, US Dept. of the Interior Fish and Wildlife, and others have expressed alarm at the MBTA routes - both overhead and below ground.

MEPA needs to ensure that all agencies are FULLY cognizant of the concerns from these esteemed environmental groups and the environmental consequences of both the aboveground and below ground along the MBTA right of way:

1. Wildlife habitat fragmentation of one of the region's largest natural areas, including five different conservation lands, including Assabet River National Wildlife Refuge, Marlboro-Sudbury State Forest, Sudbury Valley Trustees Memorial Forest, and Hop Brook Marsh Conservation Land and Marlborough Desert Natural Area. The majority of the areas are part of NHESP priority habitat (PH 687). These areas harbor diverse wildlife with several different habitat types and are home to several threatened and endangered species of plants and animals. (USFWS, Audubon, Marlborough Con Comm)

Among the species and habitats at risk are Eastern Brook Trout, a great blue heron rookery, salamanders, Blanding's turtles, wood turtles, Eastern Box Turtle, and the recently state-listed whip-poor-will.

There are sensitive habits within the above: wetlands, vernal pools, turtle nesting sites, and cold water streams and the MBTA right of way routes put these at risk and:

- a. Create conditions unsuitable for certain wildlife species including impacts to isolated populations, altered wildlife behaviors, decline of resident species, disruption of movement corridors, increase in habitat fragmentation
- b. Allows entry of invasive species and a pathway for predators (USFWS, SVT)
- c. Large, interconnected areas of forestland and wetlands are vital for ecological health and integrity, and the MBTA routes bisect these connected spaces.
- d. Destruction of unusual plant populations
- e. Disturbance and alteration of breeding habitat of recently state-listed whip-poor-will.
2. Large-scale permanent destruction of conservation lands (ELM, SVT)
 - a. Irreparable immediate and ongoing damage by construction and maintenance (ELM, SVT)
3. Negative impacts from use of herbicides to environmentally sensitive areas (USFWS, SVT)
4. Potential for ground-water pollution from toxic chemical cocktails of herbicides
 - a. Although both the state and US EPA have approved glyphosate and other herbicides for use, there is growing evidence for both human impact in the form of cancer by international bodies and the World Health Organization. We can't risk taking a chance with the health of the population of the impacted towns.
 - b. There is also considerable research on the impacts of glyphosate on threatened and endangered species, particularly amphibians such as the salamanders found all along the route.
 - c. The proposed route is in close proximity to five certified (and an additional five with certified data collected) vernal pools containing the species in question
5. Likely increase of unauthorized uses of ATVs and dirt bikes which cause significant damage to natural resources (USFWS, SVT)
6. Destruction and/or contamination of highly important water resources important to humans and wildlife (CWA,OARS)
 - a. Impact on threatened and vulnerable Eastern brook trout habitat in the Sudbury River tributaries by diminishing shade cover, warming of river temperatures and potential pollution from construction activities and herbicide usage.
 - b. The proposed transmission line crosses over Zone II areas in Sudbury and the Cranberry Bog Well in Hudson. Potential pollution by any herbicides or other runoff from construction activities in these areas is unacceptable. As stated above, recent research has shown that run off of glyphosate into water resource areas can and does happen. Sudbury's wells are located in an aquifer with a high vulnerability to contamination due to the absence of hydrological barriers that can prevent contaminant migration.
 - c. Disruption of existing contaminants from previous rail line use is likely to impact these water resources. It is not uncommon to find arsenic, creosote and other hazardous chemicals in old rail beds. Flattening the rail bed and removing old railroad ties for clear-cutting will disturb these contaminants and has a high risk of dispersing them into the surrounding water resources.
7. Mitigation of these impacts is not feasible. (Audubon) Eversource's mitigation measures such as "financial contribution toward land acquisition" cannot mitigate for permanent loss of wildlife habitat and loss of life.

Given the scale and severity of these impacts, permitting for this project should be denied, but at the very least, an EIR should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with details.

Thank you,

Akshay Desai





CONSERVATION COMMISSION

78 Main Street, Hudson, MA 01749
(978) 562-2948

Paul Byrne, Chairman *Joseph Rodrigues* *Marianne Iarossi*
David Mercer *Emilie Schuler* *Brandon Parker* *Jason Weksner*

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Page Czepiga, EEA 15703
100 Cambridge Street, Suite 900
Boston, MA 02114

July 3, 2017

Re: Environmental Notification Form
 Sudbury-Hudson Transmission Reliability Project
 EEA No. 15703

Dear Secretary Beaton:

The Town of Hudson Conservation Commission offers the following comments on the Environmental Notification Form ("ENF") filed by Eversource Energy ("Eversource") regarding the Sudbury-Hudson Transmission Reliability Project (the "Project"). The Project proposes construction of approximately nine miles of new 115-kV transmission line through Sudbury, Marlborough, Stow and Hudson.

The Commission believes that the preferred route described by Eversource, under the ground along a Right of Way ("ROW") through an inactive railroad corridor owned by the Massachusetts Bay Transportation Authority ("MBTA"), has greater environmental impacts than stated in the ENF. The rating of "3" for disruption of Conservation Land use is too low to account for the loss of important protected public land and for the negative impact on water and wetland resource areas, protected ecosystems and valuable wildlife habitat. The Commission strongly recommends careful consideration of the alternative route, under existing roads.

The preferred route would disturb soils potentially contaminated with wood preservatives, heavy metals and other contaminants deposited from years of train operations. In addition, the machinery and fuels involved in construction, and future disturbance and pollution caused by the use of the access road(s) once in place, pose a threat of environmental harm.

The Project's environmental impacts extend well beyond water and wetlands. The Project would result in the loss of over one million square feet of mature forestland, which would have a large impact on soils and wildlife, and would alter the local microclimate by changing the winds, temperatures, moisture and light. This could have a potentially devastating impact on fish and other wildlife that depend on a limited range of water temperatures for living or breeding. A specific example are the native brook trout that rely on a cold water habitat.

Mature and healthy forests are comprised of a mix of tree growth. Clearing the ROW for 6.7 miles, at a width of 30' to 50', of all trees, young and old, would result in a loss of over 26 acres of trees. This is a significant clearing of trees, especially considering the bogs, vernal pools, streams and other wetlands adjacent to the ROW. The loss of habitat and the contribution to climate change, the impacts on water absorption and soil erosion, and the potential for invasive growth to take root in disturbed areas are critical concerns that cannot be fully mitigated.

The ENF discusses protection of endangered species, which impacts a small percentage of the land to be cleared. However, as natural areas in the region are rapidly shrinking, remaining large areas of habitat such as the MBTA ROW are critical to protect wildlife regardless of their endangered status. In addition, in the near future NHESP will be publishing changes to the endangered species and protected habitats lists, which may impact the Project analysis.

The Project would alter approximately 320,000 square feet of jurisdictional wetland resource areas and permanently fill nearly 13,000 square feet of bordering vegetated wetlands, a significant environmental impact. Wetlands are protected resources which perform critical functions including flood control and pollution filtering, and are a valuable habitat for diverse wildlife. Wetland replication may be attempted, but it is extremely difficult and more frequently fails than succeeds. In addition, the construction of replication areas frequently results in the cutting of more trees and the loss of more upland forest.

Wetland resource areas were rated differently in the different towns, with areas protected by local bylaws getting points only in those towns. Although Hudson doesn't currently have a local wetlands protection bylaw, its natural resources are as valuable as

those in other communities. The loss of potential vernal pools, buffer zones for vernal pools and intermittent streams, and other bylaw-protected resources should receive as much weight in Hudson as in neighboring towns.

The Commission feels that not enough attention and weight was paid to the proximity of the Project to the watersheds and aquifers surrounding the five Hudson town wells (the Chestnut, Cranberry and Kane wellhead areas), which provide water for over 20,000 people. The ROW transverses two Zone II protection areas and is close to several Zone 1 protection areas associated with those wellhead areas. Eversource must provide baseline information to establish the water quality in these wellhead areas and develop a plan to ensure that water quality remains at or above present levels. The rating of “3” for wellhead areas is insufficient.

If the preferred route were to be approved, the Commission feels strongly that the development and implementation of a comprehensive management plan would be required for the entire corridor, including a policy on pesticide application, invasive control, mowing, and other activities in perpetuity. In particular no herbicides could be allowed in Zone I and Zone II of public wells, within 100 feet of a certified or potential Vernal Pool, or within 100 feet of a Bordering Vegetated Wetland or other jurisdictional wetland resource area. In addition, a Storm Water Pollution Prevention Plan would be required to protect groundwater during construction, and measures would be required to prevent increased storm water runoff during construction and future operation of the Project. The depth, flow, recharge and quality of groundwater must be maintained in order to ensure safe operation of public wells. All hazardous and contaminated materials in and along the ROW would need to be identified and mitigated, and no liquid contaminants could be used during construction. The protective environmental measures required for construction, the mitigation required after construction, and the maintenance costs to manage the environmental impacts of ongoing use of the corridor would all add significant costs to the Project.

MEPA review must include careful consideration of the Project’s alternatives. The environmental impacts have been understated for the Project’s impacts along the MBTA ROW, and overstated for the alternative Project design for installation of the transmission lines entirely under existing roads. The Project’s alternative route under existing roads must be better assessed, described, and compared to the Preferred Route along the ROW, to ensure that feasible alternatives with less environmental impacts are carefully considered and vetted during the MEPA process.

All of the information discussed above must be part of the documentation provided to and considered by MEPA in its review of the Project’s environmental impacts, avoidance, minimization, and mitigation, and environmental alternatives, right up

though the Final Environmental Impact Statement (FEIR) and the Certificate issued by the state Secretary of Energy and Environmental Affairs. The Commission feels that it is imperative that a full environmental review is conducted and that the EIR process be completed.

In conclusion, if the cost of the Project were calculated using a full cost accounting, including the costs of lost environmental services, the potential of increased flooding and pollution due to the loss of water absorption and filtering by wetlands and tree roots, contributions to climate change, and the other environmental impacts discussed above, it would be much higher than the current estimates indicate.

Thank you for your consideration of our concerns.

For the Commission,



Pam Helinek
Conservation Agent, Town of Hudson

cc: Tom Moses, Executive Assistant, Town of Hudson
State Senator Jamie Eldridge
State Representative Kate Hogan
Alison Field-Juma, OARS
Debbie Dineen, Sudbury Conservation Commission
Priscilla Ryder, Marlborough Conservation Commission

July 3, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114
Emailto:Page.Czepiga@state.ma.us

Dear Ms. Czepiga – It is with great concern that I write to you in reference to the Eversource Sudbury-Hudson transmission line project, EEA No. 15703, and specifically the “Environmental Notification Form – CORRECTED June 9, 2017” and the accompanying letter sent to you from Marc Bergeron of VHB on June 12, 2017. Copies of both are available here <https://s3-us-west-2.amazonaws.com/cdn.sudbury.ma.us/wp-content/uploads/sites/260/2017/06/MEPA-ENF-Correction-2017-06-12.pdf?version=9d16b0f684d93b5ee45cae68925bf479>.

My questions/comments are outlined below; I appreciate you taking the time to review.

- (1) On June 12, 2017 there was a MEPA Scoping session held at Lincoln-Sudbury Regional High School at 6pm as well as field visits earlier in the day yet copies of both of revised ENF as well as the VHB notes were only made available to the public mere hours before the meeting. This was not enough time for anyone to review the documents for accuracy and completeness. Based on this alone the corrections should have been rejected and the MEPA sessions rescheduled.
- (2) At the MEPA Scoping Session handouts were made available to the public titled “Overview of MEPA Review Process”, in which section “Q: What is the purpose of the MEPA Scoping Session” had the following passage
“There will be time allocated for comments from members of the public. To assist in informing the Scope of the EIR, it is most helpful if comments focused on:
 - Clarification of issues to assist you in preparing written comments;
 - Identification of other measures that can be implemented to further avoid, minimize, or mitigate project impacts; or
 - Recommendation of data/analysis to require in the Scope of the EIR

Given the latitude described above public comment was limited to only 3 minutes. As one that was present in the hall that evening, and was eventually granted an additional 3 minutes, this simply was not enough time to relay anything of substance whatsoever related to a project of critical significance such as this.

- (3) In VHB’s June 12th letter they made the following corrections:
 - a. Page 2: Does this project meet or exceed a mandatory EIR threshold? Revise the response from “yes” to “no”.
 - b. Which MEPA review threshold(s) does the project meet or exceed? Correct the form to reflect that the Project does not alter one or more acres of bordering vegetated wetland. The correct MEPA review thresholds met or exceeded include:
 - ☐ 301 CMR 11.03 (1)(b)1. Direct alteration of 25 or more acres of land
 - ☐ 301 CMR 11.03 (3)(b)1.d. Alteration of 5,000 or more square feet of bordering

vegetated wetlands

- ☐ 301 CMR 11.03(3)(b)1.f. Alteration of ½ acre or more of any other wetlands
- ☐ 301 CMR 11.03(7)(b)4. Construction of electric transmission lines with a capacity of 69 or more kV, provided that the transmission lines are one or more miles in length along, new, unused or abandoned right of way.

My question is why was the initial submission incorrect? The fundamentals of the project did not change yet VHB and Eversource changed their answers. Did they not perform research prior to their original submittal? Is there reason to believe they performed research with this submittal?

(4) Again from VHB's June 12th letter:

Page 3: New acres of land altered, Square feet of new bordering vegetated wetlands alteration, and Square feet of new other wetland alteration. Note that these numbers include the footprint of both tree clearing and permanent fill impacts. The revised ENF form reflects the total impact only. **In addition, the square feet of new "other wetland" alteration, that previously included local and state buffer zones, was revised to exclude buffer zones and to correctly present wetland areas only.**

Should buffers be excluded? And why wasn't this caught in the first submittal? See comment for #3 above.

(5) Again from VHB's June 12th letter:

Page 9: Is there an Outstanding Resource Water (ORW) on or within a half-mile radius of the project site? Revised the response to "yes" and added detail that there are 15 Certified Vernal Pools (as mapped by NHESP) within a half-mile radius of the Project.

Why didn't they note the vernal pools in their previous submittal? See comment for #3 above.

(6) Again from VHB's June 12th letter:

Page 12: I.A. Does the project meet or exceed any review thresholds related to land? Revised the response to "yes", the Project involves alteration of 25 or more acres of land.

Why was this incorrect in their previous submittal? See comment for #3 above.

(7) Again from VHB's June 12th letter:

Page 16: I.A. Will the project meet or exceed any review thresholds related to wetlands, waterways, and tidelands? Corrected the response to identify that the Project involves alteration of more than 5,000 square feet of bordering vegetated wetland and alteration of ½ or more acre of any other wetlands.

Why was this incorrect in their previous submittal? See comment for #3 above.

(8) From "Environmental Notification Form – CORRECTED June 9, 2017", page 2
Identify any financial assistance or land transfer from an Agency of the Commonwealth, including the Agency name and the amount of funding or land area in acres:

None

This is simply factually incorrect. This land is owned by the MBTA and currently under lease by the Department of Conservation and Recreation (DCR), both agencies of the Commonwealth. As part of the Eversource/MBTA/DCR "agreement" the MBTA stands to receive a significant financial payment for the use for corridor. Why was this omitted?

- (9) From "Environmental Notification Form – CORRECTED June 9, 2017", page 3

Has any project on this site been filed with MEPA before?

Yes (EEA # 15123)

It is important to note this as it serves as a good reference point. EEA #15123 was submitted by the DCR for the Mass Central Rail Trail (MCRT) project. Throughout this submittal I will reference two related documents; "Certificate of the Secretary of Energy and Environmental Affairs on the Expanded Environmental Notification Form" dated Jan 10 2014 (<http://www.mass.gov/eea/docs/dcr/projects/mcrt/certificate-20140110.pdf>) and "Mass Central Rail Trail – Wayside Branch Expanded Environmental Notification Form" dated November 2013 (<http://www.mass.gov/eea/docs/dcr/projects/mcrt/mcrt-expanded-notification.pdf>).

While a good reference point please understand that these projects are not identical; the MCRT called for cutting a 19' path and allowing for regrowth, not the 30' to 40' clear cut and permanent vegetation control that Eversource proposes.

Also of note – it was determined that the MCRT project did not merit further MEPA review due in large part to "financial hardship". From "[Mass Central Rail Trail – Wayside Branch Expanded Environmental Notification Form](#)", pages B2 – B3 "**Project Will Result in an Undue Hardship for the Proponent**" The requirement to prepare an EIR would cause an undue hardship for the Massachusetts Department of Conservation and Recreation...As with many state agencies, DCR has limited financial resources to support conservation and recreation goals and areas in the Commonwealth. Rather than expending funding on environmental analyses associated with the preparation of an EIR for the MCRT-WB, finances conserved could be utilized for constructing improvements and developing important conservation and recreation resources in order to meet the needs of the general public." I do not agree that environmental impact should be decided on whether a project can or can't afford to move forward but that decision was made in the case of DCR and the MCRT. This most certainly should not be a factor in considering a project proposed by Eversource; they certainly are not facing "financial hardship".

- (10) From "Environmental Notification Form – CORRECTED June 9, 2017", page 4 "Construction of the Project will serve the public interest by increasing the reliability of the regional electric transmission system. In addition, the Project provides the opportunity to couple construction of the New Line with the development of a portion of the planned regional Mass Central Rail Trail ("MCRT"), a multi-use trail that will be managed by the Massachusetts Department of Conservation and Recreation. The proposed MCRT, traversing the state from west to east, will bring a number of advantages to its users, surrounding communities, and the Commonwealth as a whole."

From the MEPA website "MEPA further requires that state agencies "use all practicable means and measures to minimize damage to the environment," by studying alternatives to the proposed

project, and developing enforceable mitigation commitments, which will become conditions for the project if and when they are permitted.”. I do not believe a recreational trail, while socially beneficial, either minimizes environmental damage, mitigates it, or is a viable alternative. It should not be considered as part of this review; either the environment will be damaged or it won't.

- (11) From “Environmental Notification Form – CORRECTED June 9, 2017”, page 5
“It is assumed that the duct bank can be installed above all existing culverts along the ROW. There are three existing bridges over waterbodies along the ROW. Based on a preliminary engineering review, the Company plans to reuse the existing bridge structures and rehabilitate them to accommodate a utility crossing. The bridge improvements will also incorporate the future multi-use path in accordance with DCR’s proposed design plans.”

Looking at <http://www.mass.gov/eea/docs/dcr/projects/mcrt/mcrt-expanded-notification.pdf> page A-23 in reference to Bridge #127 over Hop Brook in Sudbury “Due to extensive repairs required at this location, full bridge replacement is a viable alternative to rehabilitation.” If they are going to use a recreational trail as a “benefit” to this project they need to account for all water crossings, including bridges and culverts.

- (12) From “Environmental Notification Form – CORRECTED June 9, 2017”, page 6
“Other roadway options, including routes located entirely in roadways, would result in greater impacts to the natural and/or developed environments than the proposed route.”

From the MEPA website <http://www.mass.gov/eea/agencies/mepa/about-mepa/> “MEPA further requires that state agencies “use all practicable means and measures to minimize damage to the environment,” by studying alternatives to the proposed project, and developing enforceable mitigation commitments, which will become conditions for the project if and when they are permitted.” Eversource makes a one sentence comment about the environmental impacts of the roadway option, saying only that they would result in greater impacts. This should not be allowed with backing information. Just because they say so does not mean it is true!

- (13) From “Environmental Notification Form – CORRECTED June 9, 2017”, page 7
“Final details regarding the overall wetland-related mitigation approach will be determined when final design is complete. Mitigation plans will be included in the various permit applications to be submitted to local, state, and federal regulatory agencies for review, and the permits issued will contain conditions specifying the mitigation required..”

From the MEPA website <http://www.mass.gov/eea/agencies/mepa/about-mepa/> “MEPA further requires that state agencies “use all practicable means and measures to minimize damage to the environment,” by studying alternatives to the proposed project, and developing enforceable mitigation commitments, which will become conditions for the project if and when they are permitted.” This should be the time and place to discuss mitigation, not once the damage is done.

- (14) From “Environmental Notification Form – CORRECTED June 9, 2017”, page 7 under Rare Species
“Typical mitigation options under a CMP may include offsite habitat protection or funding of programs that directly benefit the affected species. Offsite habitat

protection typically requires the acquisition of land, under fee ownership or conservation restriction, for permanent habitat conservation. Other mitigation options consist of financial contribution toward land acquisition, conservation research funding, habitat management, or other programs that directly benefit the affected species...”

While this certainly is not unique to this project it does seem to run counter to common sense. We will allow for the killing of rare species but make up for it by funding programs to help save that species?

- (15) From “Environmental Notification Form – CORRECTED June 9, 2017”, page 9 under Rare Species
“Does the project site include Estimated and/or Priority Habitat of State-Listed Rare Species?
(http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/priority_habitat/priority_habitat_home.htm) Yes (Specify: PH 687/EH 648, PH1516/EH 38)”

A non-functional hyperlink was provided. Thus this answer should be deemed incomplete and unacceptable.

- (16) From “Environmental Notification Form – CORRECTED June 9, 2017”, page 9 under Water Resources
“Is there an Outstanding Resource Water (ORW) on or within a half-mile radius of the project site? Yes ... There are 15 certified vernal pools within a half-mile radius of the Project.

It should be noted that the vernal pools are all within feet of the project, not just a half-mile.

- (17) From “Environmental Notification Form – CORRECTED June 9, 2017”, page 9 under Water Resources
“Are there any impaired water bodies on or within a half-mile radius of the project site? No”.

I believe this to be factually incorrect. Looking at <http://www.mass.gov/eea/docs/dcr/projects/mcrt/mcrt-expanded-notification.pdf> page A-39 Table 6 both Hop Brook and Wash Brook are noted as Impaired Category 5. It is also worth noting that these bodies are not just within a half mile of the project, the project will be built in and over them.

- (18) From “Environmental Notification Form – CORRECTED June 9, 2017”, page 10 under Solid and Hazardous Waste
“If the project will generate solid waste during demolition or construction, describe alternatives considered for re-use, recycling, and disposal of, e.g., asphalt, brick, concrete, gypsum, metal, wood: The Project may generate solid waste including railroad tracks and ties, pavement, and minor amounts of construction debris such as wood pallets and wooden spools. The Company will recycle all such material as required by regulation.”.

This is inconsistent with earlier and later statements in the document. They say here that “The Project may generate solid waste” where in other places they elaborate on how

it will generate solid waste (railroad ties debris, etc.). This is clearly a case where they are softening their answer rather than being honest and transparent.

- (19) From “Environmental Notification Form – CORRECTED June 9, 2017”, page 12 under Land Section, Section II D,E

“D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97? No.”

“E. Is any part of the project site currently subject to a conservation restriction, preservation restriction, agricultural preservation restriction or watershed preservation restriction? No”

In 1972 Massachusetts voters approved Article 97, granting people the right to a clean environment and authorizing the Commonwealth to acquire conservation easements. Article 97 was intended to be a legislative ‘check’ to ensure that lands acquired for conservation purposes were not converted to other inconsistent uses. This project runs next to or through conservation land. I would I would ask that the section D answer be checked for accuracy as I believe it should have been answered “yes”

Similarly I would ask that the section E answer be checked for accuracy. I do not believe there to be any agricultural restrictions but there may be conservation, preservation, and/or watershed restrictions in the path of this project.

- (20) From “Environmental Notification Form – CORRECTED June 9, 2017”, page 13 under Land Section, Sections III B 3

“Describe the project’s consistency with that plan with regard to open space impacts: The Project will be built within an existing inactive MBTA corridor and will not have any direct impacts to open space”

I do not understand how they can answer that there will be no direct impact when they will be cutting down thousands of trees. I do not think it would be any more direct.

- (21) From “Environmental Notification Form – CORRECTED June 9, 2017”, page 14 under Rare Species Sections I A, B, C

“A. Will the project meet or exceed any review thresholds related to rare species or habitat (see 301 CMR 11.03(2))? To be determined. The Company will continue to work with NHESP to minimize impacts to habitat for the listed species to the extent possible.”

“B. Does the project require any state permits related to rare species or habitat? There is a possibility that the Project may require a Conservation and Management Permit. The Company is continuing to coordinate with NHESP to finalize plans to avoid and minimize impacts to rare species and habitat..”

“C. Does the project site fall within mapped rare species habitat (Priority or Estimated Habitat?) in the current Massachusetts Natural Heritage Atlas (attach relevant page)? Yes . The Project ROW crosses two areas of mapped habitat: PH 1516/EH 38 in the vicinity of the Sudbury Substation, and PH 687/EH 648, in the vicinity of Hop Brook and the large complex of conservation lands at the municipal borders of Sudbury, Marlborough, and Hudson.”

Eversource replied "To be determined" in section A. Are TBDs allowed in a decision as critical as this? In section B they answer "The company is continuing to coordinate with NEHSP to finalize plans...." Is their progress to date available, or is there any evidence that they have met and discussed? Finally in section C they acknowledge PH 1516/EH 38 and PH 687/EH 648 but I believe that PH 1305/EH 485 should also be considered as Blandings turtles, and threatened species in Massachusetts, are known to inhabit Sudbury.

- (22) From "Environmental Notification Form – CORRECTED June 9, 2017", page 14 under Rare Species Section II A

"1. Have you consulted with the Division of Fisheries and Wildlife Natural Heritage and Endangered Species Program (NHESP)? Yes if yes, have you received a determination as to whether the project will result in the "take" of a rare species? No."

"2. Will the project "take" an endangered, threatened, and/or species of special concern in accordance with M.G.L. c.131A (see also 321 CMR 10.04. To be determined. The Company will continue to work with NHESP to minimize impacts to habitat for the listed species to the extent possible."

Eversource replied "No" in section 1. When will the determination be made, and should that be done prior to MEPA review? In section 2 they again answer "to be determined" with regards to NHESP. Again when will this be completed and should that be done prior to MEPA review?

- (23) From "Environmental Notification Form – CORRECTED June 9, 2017", page 15 under Rare Species Section II A

"4. Has the site been surveyed for rare species in accordance with the Massachusetts Endangered Species Act? No."

Per <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/> The Massachusetts Endangered Species Act protects rare species and their habitats by prohibiting the "Take " of any plant or animal species listed as Endangered, Threatened, or Special Concern by the MA Division of Fisheries & Wildlife. "Take" is defined as, "in reference to animals to harass, harm, pursue, hunt, shoot, hound, kill, trap, capture, collect, process, disrupt the nesting, breeding, feeding or migratory activity or attempt to engage in any such conduct, or to assist such conduct, and in reference to plants, means to collect, pick, kill, transplant, cut or process or attempt to engage or to assist in any such conduct. Disruption of nesting, breeding, feeding or migratory activity may result from, but is not limited to, the modification, degradation or destruction of Habitat." Permits for "taking" rare species for scientific, educational, conservation, or management purposes can be granted by the Division of Fisheries & Wildlife.

Included in the Massachusetts List of Endangered, Threatened and Special Concern Species include those called out I PH 1516/EH 38 and PH 687/EH 648 and PH 1305/EH 485. Thus I believe a survey is warranted prior to a MEPA submittal.

- (24) From "Environmental Notification Form – CORRECTED June 9, 2017", page 16 under Wetlands, Waterways, and Tidelands Section, IIA
"Will the project require a Variance from the Wetlands regulations? No."

I ask that MEPA investigate this matter further as I believe variances would be covered under M.G.L. c.131A, section 3 Exceptions and section 5 Habitat alteration permits. Section 3 states "The director may permit the taking, possession, purchase, sale, transportation, exportation or shipment of any species appearing on the list of endangered or threatened species or species of special concern developed by the director pursuant to section four for scientific, conservation, management or educational purposes, or for or from propagation in captivity and may permit the taking of special concern species for the purposes of falconry pursuant to regulations promulgated by the director. The director may permit the removal, capture, or destruction of any species appearing on the list of endangered or threatened species or species of special concern developed by the director pursuant to section four to protect human health, when a public health hazard exists as certified by the department of public health." Section 5 details out how and when alterations are allowed. I am not sure how Eversource can definitely answer No to this when they have so many "to be determined" answers in related sections and how section 3 and section 5 do not seem to have been addressed.

- (25) From "Environmental Notification Form – CORRECTED June 9, 2017", page 16 under Wetlands, Waterways, and Tidelands Section, III A

"A. Does the project site contain waterways or tidelands (including filled former tidelands) that are subject to the Waterways Act, M.G.L.c.91? {no answer given} if yes, is there a current Chapter 91 License or Permit affecting the project site? {no answer given} if yes, list the date and license or permit number and provide a copy of the historic map used to determine extent of filled tidelands: Potential navigable waters the Project will cross include: Fort Meadow Brook in Hudson and Hop Brook in Sudbury."

I believe this to be an incorrect and incomplete answer and would ask MEPA to investigate further. In Sudbury Wash Brook and Dudley Brook, in addition to Hop Brook, and navigable waters and should trigger a Chapter 91 permit. The answer is incomplete as even though Hop Brook was identified they did not provide the date and permit number as well as the historic map as requested.

- (26) From "Environmental Notification Form – CORRECTED June 9, 2017", page 16 under Wetlands, Waterways, and Tidelands Section, III B

"B. Does the project require a new or modified license or permit under M.G.L. c.91? {no answer given} if yes, how many acres of the project site subject to M.G.L. c.91 will be for non-water-dependent use? Current Change Total If yes, how many square feet of solid fill or pile-supported structures (in sf)? To be determined upon final design. It is the Company's intention to stay within the original footprint for these crossings, which would not require a new or modified Chapter 91 license or permit.

As mentioned previously in my submittal it is very likely that Bridge #127 over Hop brook would need to be replaced, and multiple culverts along this path have also failed and/or collapsed. Please investigate this answer as I do not believe this to be correct.

I appreciate your attention to this matter. In my six minutes presenting during the June 12 scoping session I mentioned that being a normal citizen I found these discrepancies, omissions, and errors in about an hour. I would imagine that trained professionals might find more. I simply as that Eversource's answers be fact-checked. Our environment is too critical – and irreplaceable – to be risked, especially when there are available alternatives that would avoid these issues altogether.

Given the scale and severity of these impacts and unanswered questions, permitting for this project should be denied, but at the very least, an EIR should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with details.

Thank you,

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City of Marlborough Conservation Commission

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July 5, 2017

Matthew Beaton, Secretary
Executive Office of Energy and Environmental Affairs
Attn: MEPA Office - Page Czepiga e-mail: page.czepiga@state.ma.us
100 Cambridge St., Suite 900
Boston, MA 02114

Re: EEA# 15703, Sudbury-Hudson Transmission Reliability Project

Dear Secretary Beaton;

On behalf of the Marlborough Conservation Commission, we offer the following comments on the Sudbury Hudson Transmission Reliability Project presented by Eversource Energy EEA# 15703. A very small portion of the project passes through property within the City of Marlborough known as the Desert Natural Area managed by the Marlborough Conservation Commission. Given that this project is being scoped for an EIR we offer the following comments.

1. Alternative route - Given the sensitive nature of the unique pitch pine scrub oak habitat and the ecological value of the property that the railroad tracks run through at the Desert Natural Area, Memorial Forest, Hop Brook Reservation and Assabet River Wildlife Refuge it seems that the route along the existing roadway would have the least environmental impact overall. We would encourage an environmental analysis between the existing road route and the railroad line alternative to better understand the short and long term ecological impacts to this habitat which we have invested much time and lots of funding from many sources to restore.
2. Habitat restoration efforts - Over the past 20 years the city has invested time and money and received numerous grants to help restore the unique pitch pine scrub oak habitat of the Desert Natural Area. Together with the Sudbury Valley Trustees in 2014 we conducted a prescribed burn as encouraged and funded by NHESP, NRCS and private foundation funding. We have also prepared a forest stewardship plan with funds from DCR; and an invasive plant removal project summer 2017 with funds from the MassWildlife Habitat Management Grant Program. As noted in the ENF this area is in a Priority Habitat for species of special concern. Therefore, we encourage you to require a more detailed analysis of the short-term construction impacts and the long-term

maintenance impacts such a project would have on this unique habitat area in Marlborough, Sudbury and Hudson. In addition, the streams that run through the Desert Natural Area are one of the few cold water native brook trout streams in the area due to the unique soils and wooded areas that can produce clean cold oxygenated water. An analysis of construction and long-term maintenance impacts on the brook trout habitat should also be required. See comments from OARS who has done a much more detailed study of this area's unique qualities. We are so proud to boast that we have this native brook trout habitat so close to Boston and have been working very hard to ensure it remains. With global warming impacts on the horizon everything we can do to keep the streams cool and tree covered is our only hope in keeping this native brook trout habitat viable. When considering environmental impacts and costs of the project as described in the ENF it states that "through a detailed evaluation of the potential environmental impacts and cost of each route, the Company determined that the proposed underground route will minimize environmental impacts while keeping the cost of the project as low as possible." (Pg. 6) We ask that the cumulative environmental costs of our restoration efforts and long-term land management goals also be considered in the EIR analysis of the project alternatives.

3. Ongoing maintenance - More discussion and explanation is required to determine what the long-term maintenance and disturbance would be for a utility corridor of this type. Tree clearing and changes to the area during construction must be properly mitigated. A discussion and analysis of what type of long term maintenance along this corridor is required. This should include information about: the tree clearing width; what type of Pesticide/herbicide use is required and at what intervals; can the tree canopy grow back to create a canopy over the trail, or must it be kept clear and open?? Given the sensitive nature of the stream to heat and pollution, and the unique habitat along this corridor what will the impact of such a corridor be to the adjacent habitat types
4. Corridor width- transmission line and access Rd. During the site visit on June 12, 2017 there was discussion of narrowing the corridor width which was feasible over the bridges. It was unclear why the corridor for the utility which is described as 22 feet wide (with maintenance of a 30-foot-wide corridor) could not be reduced to 14 feet and have the duct bank under the access road. A narrower corridor width would reduce heat, allow for better tree covered corridor over time and have overall less disturbance. This should be analyzed as well if the railroad corridor is to be used at all. Limiting corridor width and tree clearing is essential to reducing environmental impacts. Most bike paths allow for trees to grow overhead and recreate a canopy over the trail. The narrower the corridor the more likely it will be to have tree cover throughout. We understand through the ENF and site visit discussions that the tree canopy would need to be cleared

during construction to allow for cranes and equipment. However, what is the long-term tree canopy impact?

5. Contaminated soil removal plan - When the Assabet River Rail trail was constructed in Marlborough arsenic and lead were found in some sections of the ROW corridor where pesticides had been used for maintenance. A discussion in the EIR as to how these areas will be tested, and contaminated soils removed should be included.

We have invested lots of time and money through state, federal and private funded projects to restore the pitch pine scrub oak habitat in the Desert Natural Area which abuts this proposed utility project. We are seeing the return of breeding birds to the area because of this effort. We hope the EIR will adequately study and explore the short and long term impacts a utility corridor of this type would have and discuss clearly any mitigation, alternatives etc. to avoid and minimize degradation to this unique habitat.

We appreciate the opportunity to comment. Should you have any questions, I can be reached at 508-460-3768 or pryder@marlborough-ma.gov

Sincerely,


Priscilla Ryder
Conservation Officer

e-mail:

Marlborough Con. Com.
Arthur Vigeant, Mayor
State Senator Jamie Eldridge
State Representative Danielle Gregoire
Libby Herland, US Fish & Wildlife Service
Alison Field Jumma – OARS
Lisa Vernegaard, Sudbury Valley Trustees
Debbie Dineen, Sudbury Conservation Commission
Pam Helinek, Hudson Conservation Commission
Carmin Gentile – State Representative

July 3, 2017

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BY ELECTRONIC MAIL (page.czepiga@state.ma.us)

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Sudbury-Hudson Transmission Reliability Project
EEA# 15703
(Town of Sudbury)

Dear Ms. Czepiga:

This firm serves as Town Counsel to the Town of Sudbury (hereafter the “Town or “Sudbury”). Please accept these comments on behalf of the Town for consideration by Secretary Beaton in response to the Environmental Notification Form (“ENF”) submitted by Eversource Energy (hereafter “Proponent” or “Eversource”).

In its revised ENF, the Proponent asserts that with revised threshold figures, the Proponent is not required to submit an Environmental Impact Report (“EIR”) but that it has committed to “voluntarily” proceed through the EIR process. However, in light of the uncertainty as to the accuracy of the threshold calculations based upon the incomplete state of the data compiled by the Proponent to date (e.g., no approved resource area delineations, flagging, etc.), the Town urges the Secretary to require a full Draft and Final EIR process. As discussed and confirmed at the MEPA site visit which was held in Sudbury on June 12, 2017, the obvious impacts which this project would have upon sensitive and protected land and jurisdictional resource areas mandate a full EIR process with binding conditions and requirements on the Proponent. Also as discussed and confirmed at the site visit and subsequent scoping session, MEPA has specifically stated that written comments on the Proponent’s ENF should focus upon what should be included in the Scope that identifies the issues and analysis that should be addressed in the Draft Environmental Impact Report (“DEIR”). This is consistent with a mandatory, versus a voluntary process, and the Town trusts that this is how the Secretary is viewing this matter.

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The Town's Conservation Commission, Planning and Community Development Department, and Public Works Department have carefully reviewed the ENF and prepared a number of comments. The Town has also had the ENF reviewed by an environmental consulting firm, Horsley Witten Group, which has also provided comments on what should be included in the Scope of the DEIR. For ease of reference, I have compiled all comments in this single comments letter.

In general, and despite the revised ENF where clarifications to resource area impacts have been asserted, the need for such extensive impacts to jurisdictional resources are not well defined in the ENF. There are discrepancies throughout the document, beginning with reference to an overhead line as the preferred project alternative in the cover letter to the ENF, and continuing with further more substantive discrepancies throughout the ENF, as noted below. Further information is needed to properly understand how the construction and operation of the proposed transmission line will impact wetlands, vernal pools, rare species, and wildlife habitat. The ENF is also deficient in quantifying the total alteration that will occur, e.g. access roads, construction parking, storage and staging areas are not accounted for. In addition, more information is needed to properly evaluate threats to groundwater quality and associated impacts to public and private drinking water wells. Perhaps most significantly, the ENF provides an inadequate review of project alternatives. More information should be presented on alternatives that would avoid and minimize impacts to these sensitive environmental resources.

MEPA Requirements – Avoid or Minimize and Mitigate

MEPA regulations require that a project proponent take all feasible measures to avoid Damage to the Environment or, to the extent Damage to the Environment cannot be avoided, to minimize and mitigate Damage to the Environment to the maximum extent practicable.

Certainly, the interest of “avoidance” was not considered with the choice of the underground route along the long-abandoned rail line/right-of-way owned by the Massachusetts Bay Transportation Authority in Sudbury (the “MBTA ROW”). There will be 13,794 sq. ft. of tree clearing of which 12,962 sq. ft. is permanent fill within bordering vegetated wetland. This alteration does not even account for indirect alteration to biological changes that have been documented to occur through the use of herbicides as part of Eversource's routine maintenance methods.

Sudbury is a town that relies 100% on groundwater wells for its potable water supply. With the exception of a few large businesses in the Rt. 20 area which have individual wastewater treatment systems, the Town has almost 100% reliance on subsurface sewage disposal systems. What the Town puts in the ground, it takes out as its drinking water.

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Sudbury is mostly a low-lying geological lakebed. It has large areas of floodplain mostly near the Sudbury River, Wash Brook, Landham Brook, Dudley Brook and Hop Brook, all of which flow under or adjacent to the MBTA ROW on both the eastern and western side of this project. These rivers have expansive floodplains. Loss of flood storage volume is a critical issue. In 2009, flooding in Sudbury was so severe that the Boston duck boats were brought in on the Wayland/Sudbury line to ferry people to and from their homes, as Sudbury became virtually an island.

The Town is relying on MEPA to require the Proponent to first determine the best alternative that does not result in damage to the environment and then require necessary mitigation for any unavoidable environmental value and function losses. The Town depends on it, and therefore requests that the Scope of the DEIR require a complete revision to the alternatives analysis.

Alternatives referenced in the Proponent's petition to the Energy Facilities Siting Board ("EFSB") were not part of the ENF, including an alternative project involving enhancement of already in-place overhead electric infrastructure which serves the intended project area, as well as under-the-streets options, and no-build alternatives. These alternatives and ranking system should be required in the DEIR, along with detailed analyses which are particular to the MEPA review standards. There are already substantial questions as to whether the ranking system is fatally flawed and skewed to favor a pre-determined outcome. Scope of the DEIR should also require the Proponent to provide further detail justifying why this project is superior to its alternatives and thus justifies its choice to seek to "minimize and mitigate" as opposed to "avoid" Damage to the Environment, as will be the inevitable result of a project within the abandoned MBTA ROW.

The Town requests that the Scope of the EIR require a robust analysis of the actual damage to the environment that will occur from construction, operation and maintenance of this proposed project. The environmental consequences of Eversource's preferred alternative are extraordinary and potentially devastating. Sudbury stands willing to work with Eversource to identify a realistic alternative that preserves the values and functions that the current environment provides. The Scope of the DEIR should include a requirement detailing the Proponent's efforts to work with relevant federal, state, and local regulatory agencies to achieve a solution to its professed electricity enhancement needs which do not involve devastating impacts to protected resource areas. The ENF, even as clarified in the revised ENF, provides very little details regarding these impacts, and the Town urges that the DEIR provide a much more robust alternatives analysis that takes into consideration the ways in which the project can avoid and minimize impacts to wetland resources, rare species, wildlife habitat, water quality, and public and private drinking water supplies.

In Sudbury, the MBTA ROW directly abuts 6,145 linear feet of protected town open space with public access. It contains or directly abuts 5,930 linear feet within state priority and estimated habitat areas. It has at least eight perennial stream crossings; and ten vernal pools (5 certified and 5 with certified data collected) located within 100' of the ROW centerline. Not one, but two National

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Wildlife Refuges, the Great Meadows National Wildlife Refuge and the Assabet River National Wildlife Refuge, have a total of 4,185 linear feet of property line abutting the MBTA ROW in the project area. These lands were all purchased through citizen tax dollars for the purposes of permanent protection of natural resources of the Town, the Commonwealth and the nation.

In addition, the Eversource transmission line directly abuts 2,155 linear feet of parcels that are permanently protected under a recorded perpetuity conservation restriction in accordance with G.L. Chapter 184 s. 31-33. An additional 1,035 linear feet of the MBTA ROW abut a farm (Stone Tavern Farm) that was purchased for permanent agricultural use with local and state funds under the Massachusetts Agricultural Preservation Program. Lastly, 1,995 linear feet of the ROW directly abuts Town of Sudbury land acquired for wetland and water supply protection.

There are over 7,000 acres of permanently preserved land with property directly abutting the MBTA ROW in Sudbury alone. This is as close to wilderness area as you can get in Boston MetroWest. Construction, operation and maintenance of an underground transmission line facility will severely degrade the existing experience on the extensive abutting passive recreation trails. The Town values protected lands and has worked hard to ensure permanent protection. Sudbury alone has invested over \$25 million in the purchase of open space for conservation purposes since 2001 under the Massachusetts Community Preservation Act ("CPA"). Sudbury was one of the first communities to adopt the CPA and adopted it at the full maximum contribution of 3%.

The Sudbury Conservation Commission will serve as the regulatory authority under the Massachusetts Wetlands Protection Act and the more restrictive Sudbury Wetland Bylaw, but has had no meaningful contact with the Proponent to date.

The proposed facility must cross over or go under Hop Brook and its extensive associated wetland, floodplain, and NHESP priority habitat area as well as other sensitive areas along the proposed route. In addition to serving as a regulatory authority for this project, the Conservation Commission is also a direct abutter to the proposed transmission line with approximately 3,825 linear feet of abutting property line with the Hop Brook Marsh Conservation Land. This 93-acre parcel of wetland, floodplain, meadow and forest was purchased by the Town of Sudbury from the Sudbury Rod and Gun Club in 1967. It was the first parcel of conservation land purchased by the Town for the use and passive enjoyment of the trails by the public. It is the most actively used of the Town's conservation lands and abuts more residential properties in Town than any other conservation land. As was clearly seen during the MEPA site visit on June 12, 2017, which included a visit to this area along the proposed project route, this is clearly one of those "last special places" in the Commonwealth which is demanding of preservation and protection in its natural state. Details concerning the Proponent's intended disturbance of this area and its consequences must be included as a requirement in the Scope of the DEIR.

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Issues such as access, staging areas, emergency access and turn-around areas, etc. are likely to fall outside the 82.5' of the MBTA-owned parcel. The MBTA land is 82.5' in width. Eversource has not addressed how they plan to deal with access to areas outside the MBTA ROW – whether by eminent domain takings or otherwise. Costs for such issues do not appear to be included into the total project cost. It is also difficult to see how access needs will fail to trigger issues under Article 97 of the Massachusetts Declaration of Rights, as there are several Article 97 parcels along the MBTA ROW. No details on these issues have been provided, nor has the cost of replacement of protected lands been factored into the project cost. A required analysis of such issues should be included in the Scope of the DEIR.

The Scope of the DEIR should also require analysis of the disruption and alteration caused by construction impacts, particularly on trestle and areas with wetland directly adjacent to raised rail bed where abutting rail bed is wetland. Sudbury is located within a 10,000 year-old lake bed. This creates some unusual sand plain habitat that is rare in Massachusetts. These lakebed deposits have high sand content that creates a very rare and fragile ecosystem that supports only very specific species of vegetation. Changes to the areas in and near these sand deposits will result in vegetation changes that will have an impact to plants and animals all the way up the food chain.

Contamination and Hazardous Materials Management

Eversource has stated that the transmission line construction will require a cut and fill method to provide a level surface. The state has recognized old rail beds contain numerous contaminants. In order to address the contamination issue and contain the spread of the contaminants, the construction of rail trails require capping of the rail bed. This is accomplished by a prohibition on removing material to lower grades and infiltrating runoff on the rail bed. The DEIR should address how the contamination (coal ash and PAHs in particular) will be contained. Eversource has stated that significant digging will be required for the installation of the transmission lines and especially for the 10' x 30' splice vaults located every 1500 to 1800 feet. Cross section designs, volume of material to be removed, and disposal of excess material plans should be documented.

The ENF states that “no excess soil is anticipated to be generated from construction activities.” No explanation is provided for this statement and the installation of the duct bank and splice vaults would suggest that excess soils will be generated during construction. The ENF also states that if existing soils are removed, they will be stockpiled for “characterization prior to disposal.” No information on the presence of past releases of hazardous materials along the abandoned MBTA ROW is provided. More detail is needed on how soils will be screened for the presence of hazardous materials during the construction process to insure that hazardous materials are properly identified and managed during the construction process, and this should be a further requirement in the Scope of the DEIR.

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Dewatering is likely to be required for the installation of the underground lines and splice vaults in numerous areas. The Proponent should be required to assess whether this dewatering brings contaminants to the surface that will be discharged into surface waters.

The Scope of the DEIR must also require Eversource to address disruption and alteration for further maintenance by chemical herbicides as is Eversource's practice throughout the state. Eversource uses foliar spraying of herbicides for vegetation control. The Scope of the DEIR must require Eversource to identify its intent to use herbicides in the proposed project area and how its intended use shall affect public land and the environment. The chemical used for herbicide treatment has been glyphosate products, notably Rodeo or Round Up. In 2014, the World Health Organization declared these products "probably human carcinogens," and recent national news reports and related studies have raised dramatic public health concerns over the use of such products. Eversource must provide details as to how vegetation will be treated to eliminate it on the gravel access and maintenance roads and keep the vegetation height down within the project zone, border zone, and on private property.

Loss of Shading

Eversource has stated that it will be necessary to clear the air space above the ROW, which will result in significant loss of shading and wildlife habitat features. Removing the canopy, especially those canopy areas that shade wetlands, will result in chemical and biological alterations to the wetlands. The full impact of these altered wetlands were not factored into Eversource's total wetland alteration calculations, and must be included in the DEIR.

Mitigation

On the issue of mitigation, the ENF does not offer any wetland replication, compensatory flood storage volume, or any other type of replacement or offset to the important nature's services that will be lost under Eversource's preferred alternative. These free nature's services provide quality drinking water, protect the Town from flood damage, provide wildlife habitat, protect state-designated cold water fisheries, provide quality passive recreation, and attenuate pollutants in runoff from developed areas. The discussion on proposed mitigation measures is presented as theoretical, and provides no concrete commitment to providing appropriate mitigation. The Town requests that the Scope of the DEIR require that the mitigation section within the DEIR provide a robust discussion of how the unavoidable impacts to wetlands, rare species habitat, and vernal pool habitat will address all applicable statutes and regulations at the federal, state, and local levels. The Scope should also include a required evaluation of whether improvements to wildlife habitat and hydrologic connectivity would be appropriate for wetlands previously impacted by the former train tracks. Specifically, the Proponent should provide appropriate mitigation measures that will

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contribute to the protection of the interests in the Massachusetts Wetlands Protection Act and the Sudbury Wetlands Bylaw that also addresses the Federal Clean Water Act and the Massachusetts Endangered Species Act.

MBTA/Eversource Lease

The actual conditions in the lease agreement should be included as part of the DEIR. MBTA may require conditions that are not disclosed in the ENF materials but may impact damage to the environment.

Historic and Archeological Interests

It is also unclear whether Eversource will undertake a state historic review process under the state act or a federal Section 106 process. Either way, more information must be provided detailing the impacts to historic, archeological and cultural resources, and the regulatory process Eversource intends to follow, and what, if any, related steps have been taken to date.

In-Depth Alternatives Analysis-Design and Build

Assuming, for the sake of argument, that the Proponent provides an alternatives analysis which justifies its selection of a preferred alternative which is unable to avoid damage to the environment, the ENF provides little to no discussion of design and build alternatives for the preferred project that could reduce impacts to environmental resources. Most importantly, there is no information to document the need for a cleared area in the MBTA ROW that is 30 feet in width in order to support a four foot wide duct bank in which the transmission lines will be located. The Town questions the size of the project footprint, and why impacts to vegetated areas within the MBTA ROW need to be so much greater than they will be in the existing streets where the transmission line will be built in Hudson.

The Proponent should be required to provide a more robust discussion on the alternatives considered, including a comparison of estimated resource area impacts. The alternatives analysis, at a minimum, should evaluate an alternative within the proposed location where the transmission line is built below the access road, minimizing the width of clearing that is needed, as well as the feasibility for directional drilling beneath wetlands.

Previous MEPA Filing

The ENF indicates that the "Project provides the opportunity to couple construction of the New Line with the development of a portion of the planned regional Mass Central Rail Trail ("MCRT") (in reference to EEA #15123; Final Record of Decision (FROD) issued on February 12, 2014). However, the MCRT proponent, Massachusetts Department of Conservation and Recreation

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(“DCR”), proposed a 10-foot wide, 23-mile shared use path for the “Mass Central Rail Trail – Wayside Branch.” The pathway allowed for 2-foot vegetated shoulders and was to be constructed within a 19-foot wide corridor within the MBTA ROW. As stated in the FROD, “This corridor largely follows and is centered on the existing single wide track, ties and ballast” (p. 2).

A 4.6-mile segment of the MCRT project is proposed to be constructed in Sudbury. Reported environmental impacts for the entire 23-mile long corridor that extends through the municipalities of Berlin, Bolton, Hudson, Stow, Sudbury, Wayland, Weston, and Waltham, include the following:

permanent and temporary wetlands impacts that include the alteration of 4,150 square feet (sf) of Bordering Vegetated Wetlands (BVW)~ 475,504 sf of Bordering Land Subject to Flooding (BLSF), 466,599 sf of Riverfront Area, and 2,140 linear feet (lf) of Bank. [p. 3]

It is important to note that the wetlands impacts reported for the DCR project are far less in comparison to those proposed for the installation of this transmission line project, even as they have been clarified. In particular, the reported impacts to BVW along the entire 23-mile MCRT project are a fraction of what is proposed here. Further, the multi-use trail proposed width reductions in sensitive areas to further reduce resource area impacts. This observation confirms the questions regarding the extent of the project footprint and further merits the need for justification on the part of the Proponent for a 30-foot width project footprint.

The Proponent should be required to explore alternatives that allow for a narrower footprint, particularly in sensitive areas. For instance, the proposed transmission line project necessitates a much wider road and shoulder width plus additional workspace to construct splice vaults and installation of the duct bank, with an additional 8 feet of clearing in a 30-foot wide corridor footprint. Yet, in areas within existing roadway, the footprint is much narrower. If it is appropriate and feasible to install the line below an active roadway, it stands to reason that the duct bank could be installed beneath the proposed access road on the MBTA ROW, particularly as the proposed access road will experience minimal traffic. Further, if it is feasible to extend the transmission line across the existing bridge over Hop Brook, which is approximately 15 feet wide, why then is a 30-foot clearing width needed for the remainder of the line? The ENF states that the Proponent “plans to reuse the existing bridge structures and rehabilitate them to accommodate utility crossing” (p. 5). If so, it stands to reason that additional alternatives to the 4-foot wide duct bank could be accommodated, including placing the duct bank within the footprint of the access road. The Scope of the DEIR should require further analysis of these issues and questions.

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A reduction in the width of cleared area would significantly reduce the impacts to environmental resources, specifically wetlands, vernal pools, and rare species. It would also reduce the need to clear vegetation in the future, which could improve the protection of public and private drinking water supplies.

The ENF indicates that the splice vaults will be placed every 1,500 to 1,800 linear feet necessitating additional temporary alteration. This suggests that there is flexibility of up to 300 feet in the distance between these structures. The Proponent should be required to demonstrate in the alternatives analysis that the splice vaults and associated handholes be sited in a way that avoid and minimize impacts to wetland resource areas and buffer zones.

Wetlands Impacts

The ENF describes wetland alterations as involving 13,794 sq. ft. (0.32 ac) of tree clearing and 12,962 sq. ft. of permanent BVW fill. As clarified in the revised ENF, these areas overlap, and it is claimed that 832 sq. ft. of the cleared BVW will be allowed to grow back over time. While the original ENF presented resource area impacts broken out as “tree clearing” vs. “permanent” which may have resulted in overestimating the total impacts, the revised ENF presents this data as “permanent” vs. “temporary” impacts. It is unclear whether temporary impacts equate to tree clearing. It is also unclear whether other resource areas will also be allowed to grow back (as emergent wetlands or shrub swamps) and how the total amount of new other wetland alteration (p. 2 as compared to the table on p. 17) was derived.

In addition, the revised ENF now discloses impacts to inland Bank (32 linear feet), and acknowledges impacts to an Outstanding Resource Water (ORW) (vernal pool).

These impacts are associated with a consistent 30-foot wide cleared area with additional temporary cleared areas to accommodate splice vaults, and creation of the construction platform. However, there does not appear to be any indication within the ENF that these impact areas are based upon on-the-ground, surveyed resource area delineations. The Proponent should be required to clarify this point. If no delineation has occurred along the MBTA ROW, then the resource areas should be delineated in the field and this information should be presented clearly in the DEIR such that the impacts are more accurately defined. This information should be used as the basis for identifying sensitive areas for protection, and for determining appropriate mitigation measures.

Temporary Alterations

The ENF states that 22 feet of the future 30-foot wide corridor will be maintained free of woody vegetation, but that “some plantings with limited woody vegetation may be allowed to grow up to a height of 15 feet (p. 5). The Town questions how these areas will be maintained (cutting?

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herbicide use?), and whether there has been any consideration for managing the inevitable spread of non-native invasive plant species in areas where temporary disturbance will occur, particularly in sensitive wetland and buffer areas. The Town also requests that the Proponent present a Vegetation Management Plan.

Also, the ENF states that “No temporary impacts to wetland[s] are anticipated from construction of the Project” (p. 7) which appears to be contradictory to the proposed temporary wetland impacts reported elsewhere. This statement should be clarified, as it was not removed in the revised ENF, yet temporary impacts to resource areas are presented in the table on p. 17.

Wildlife Impacts

As the project will result in wetland disturbance beyond the regulatory thresholds for BVW, inland Bank, and Riverfront Area, at a minimum, a comprehensive wildlife habitat evaluation should be conducted within the project corridor. This will require the preparation of an “Appendix A” (Simplified Wildlife Habitat Evaluation) as well as an “Appendix B” (Detailed Wildlife Habitat Evaluation) as triggered by the magnitude of the proposed wetland alterations and presence of Important Wildlife Features and or the nature of the Activity for each resource area affected. For instance, as noted above, the abandoned MBTA ROW abuts town/state and federal open space including Great Meadows National Wildlife Refuge. The project also has the potential to disrupt wildlife corridors and fragment habitat.

The Sudbury Wetlands Bylaw and associated Regulations further protect wetland resources and adjacent upland resource areas, particularly with respect to the protection of wildlife habitat values, and require the protection of non-disturbance areas within adjacent uplands, for both general and rare wildlife habitat. Under Section 7.3, “no project may have a significant adverse project/site-specific impact or an adverse cumulative impact on wildlife habitat for more than two growing seasons.” The local regulations also take into account indirect effects on a project-basis. Further, the local regulations require that projects proposed in wetland resource areas and within adjacent upland areas seek practical alternatives to locate the project outside these areas.

The scope of the EIR should include a required robust discussion on how wildlife impacts will be avoided and minimized, proposed mitigation for said impacts, how vegetation in the ROW will be managed to protect values of the adjacent open space, and whether the use of herbicides or pesticides will be prohibited in these sensitive areas.

Rare Species and Vernal Pool Habitat Impacts

The ENF reports potential impacts in two areas of Estimated Habitat of Rare Wildlife/ Priority Habitat of Rare Species, potentially adversely affecting habitat for four state-listed Species of Special Concern, including two turtles, a salamander, and a bird:

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Priority Habitat 1516 and Estimated Habitat 38:

<i>Scientific Name</i>	<i>Common Name</i>	<i>Taxonomic Group</i>	<i>State Status</i>
Ambystoma laterale	Blue-Spotted Salamander	Amphibian	Special concern

Priority Habitat 687 and Estimated Habitat 648:

<i>Scientific Name</i>	<i>Common Name</i>	<i>Taxonomic Group</i>	<i>State Status</i>
Terrapene carolina	Eastern Box Turtle	Reptile	Special concern
Glyptemys insculpta	Wood Turtle	Reptile	Special concern
Caprimulgus vociferous	Eastern Whip-poor-will	Bird	Special concern

However, the ENF contains no usable information to evaluate impacts, and instead indicates that the Proponent will continue to work with the Massachusetts Natural Heritage and Endangered Species Program (“NHESP”) to determine impacts and mitigation measures. As the regulatory authority, NHESP will review the project under the Massachusetts Wetlands Protection Act and the Massachusetts Endangered Species Act and determine whether the project would have an adverse effect on rare species habitat, and whether or not the project could result in a regulatory “take” of one or more protected species.

The Town requests that the Proponent further explore impacts to rare species in conjunction with NHESP and that the DEIR present greater detail on how rare species will be protected and impacts mitigated.

The ENF indicates that a total of 1,136 sq. ft. of vernal pool habitat will be permanently impacted with an additional 0.02 acre of temporary tree clearing as a result of this project. The Environmental Constraints maps identify at least half a dozen additional Potential Vernal Pools (“PVPs”) in close proximity to the project footprint. However, the ENF provides no additional discussion regarding protection of these sensitive areas. Certified vernal pools are regulated as Outstanding Resource Waters (ORWs). The Town requests that the DEIR also discuss how impacts to vernal pools will be avoided or minimized and mitigated.

Maintenance of Vegetation and Potential Impacts to Drinking Water Supplies

The ENF discusses how vegetation will need to be managed in the future, but does not discuss how this will take place. If pesticide or herbicide applications are proposed, this needs to be disclosed and evaluated in detail to ensure that nearby private wells are protected. According to 333

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CMR 11, pesticide applications within a right of way are prohibited within 50 feet of a private well. Applications must also be limited within 50-100 feet of a private well. The locations of private wells in proximity to the ROW are not disclosed by the Proponent and need to be accurately mapped. In addition, the regulations do not differentiate where pesticides can be applied upgradient or downgradient of a private well. If a pesticide is applied to vegetation on the downgradient of a private well, the risk to those drinking the water is likely to be limited, unless the well is pumped at a high rate. However, pesticides applied within 50-100 feet upgradient of a well have the potential to impact drinking water quality. Depending on the depth to groundwater, and the permeability of the aquifer, there is a potential for contamination and this should be assessed in detail. The Scope of the DEIR should include a requirement that the Proponent provide information on how vegetation will be maintained, and also locate private wells within 200 feet of the ROW. The Scope of the DEIR should also require the Proponent to map groundwater flow directions near the wells and groundwater flow velocities and determine the travel time to each well from where pesticides are applied. This will allow a more complete analysis of the private well impacts.

The DEIR should include a list of pesticides proposed for use. The list should include the trade names as well as the chemical names, a discussion of sorption and mobility potential, half lives, and health advisory levels.

Similarly potential water quality impacts may occur to the public drinking water supplies. The proposed Eversource transmission line is located within both Zone II and within the Local Water District wellhead protection areas to the Town of Sudbury drinking water supply wells. These wells are located at a distance of approximately 1,800 feet downgradient of the proposed transmission line with groundwater moving from the transmission line towards the wells. Proposed pesticide applications should be assessed based upon the estimated application rates, time of travel calculations, and published half-life, mobility, and health risks of the chemicals proposed to be utilized, and must be prohibited where the safety of drinking water sources is threatened.

Access Road Construction and Stormwater Management

The ENF does not provide any information on the design of the access road along the MBTA ROW. In the areas where the project is under the jurisdiction of the Massachusetts Wetlands Protection Act, the design must comply with the Massachusetts Stormwater Standards including the need for post-construction treatment of stormwater from any new or redeveloped impervious surface. It is assumed that vehicles will use the road in the future to maintain the transmission line. As such, the Proponent must document how the proposed plan will be in compliance with the State's Stormwater Management Standards. The Town requests that these standards be met for the entire project in order to prevent stormwater discharges from causing or contributing to the pollution of the surface waters and groundwaters of the Commonwealth, which in turn will provide protection of public and private drinking water supplies.

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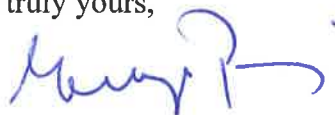
The FROD for the MCRT describes the proposed stormwater design for the rail trail depending on the existing drainage conditions, utilizing country drainage within pervious areas and closed drainage for impervious areas. The Scope of the DEIR for the transmission corridor should require the proposed stormwater management design which at a minimum is consistent with the stormwater management planned for the MCRT project.

The ENF states that a Stormwater Pollution Prevention Plan ("SWPPP") will be implemented during construction. The SWPPP should specify that refueling of vehicles and equipment will only take place on a paved surface where spills can be identified and remediated. Refueling should not take place along the right of way where it may be difficult to contain a spill.

Conclusion

The Town appreciates your consideration of the foregoing comments and requests as to what should be included in the Scope of the DEIR, in an effort to ensure that the Proponent takes all feasible measures to avoid or minimize and mitigate damage to the environment.

Very truly yours,



George X. Pucci

GXP/man

cc: Town Manager (by electronic mail)
Jeffrey M. Bernstein, Esq. (by electronic mail)
Catherine J. Keuthen, Esq. (by electronic mail)
Cheryl A. Blaine, Esq. (by electronic mail)

Czepiga, Page (EEA)

From: Maureen Campbell <mecampbell66@verizon.net>
Sent: Sunday, July 02, 2017 8:06 AM
To: Czepiga, Page (EEA)
Subject: Eversource project

June 21, 2017

Secretary of Energy and Environmental Affairs
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In the matter of the Eversource Sudbury-Hudson transmission line project, to date, Eversource has only filed an ENF for the “preferred” option, i.e. the MBTA ROW underground transmission line. However, there are two other options listed in the filing to the EFSB, the aboveground MBTA ROW route, and an under-street route. Both of these routes should also be subject to the filing of an ENF and EIR.

No engineering plans for the route have been presented to date for an underground route with multiple complications including changing elevations of +/- 15 feet or more, considerable amounts of bedrock, and wetlands. These complications could lead the EFSB to reconsider the aboveground line with its additional associated environmental impacts. Because the above ground option has not been ruled out either by Eversource or the EFSB, Eversource should be required to file an ENF and EIR for it. Without ENFs for all three proposed options, there is no way that the state agencies can effectively assess environmental impact.

By Eversource’s own assessment in the EFSB filing, the under-street route has virtually no environmental impact, and evaluation of the current filing should take that into consideration. In the absence of an ENF for the under-street route, there would be no formal statement of its impact, and therefore state agencies would be unable to effectively compare each route in the existing filing. As MEPA requires state agencies to take all feasible measures to avoid, minimize and mitigate damage to the environment, MEPA should require an ENF for all three routes. This would allow state agencies fully scrutinize the impacts of all three routes and understand that the in-street option avoids and minimizes the enormous environmental impacts of both MBTA routes with likely no mitigation required.

Of particular concern is how transmission lines will be constructed through water crossings, as there is major potential for harm to species and disruption of wetlands and waterways. The MEPA scoping site visit looked at a very small section of the MBTA route, thus underplaying the significant impact of the project. MEPA should require all state agencies involved to conduct a more thorough examination of the entire route, accompanied by the Sudbury and Hudson Conservation Commissions as they are intimately familiar with the area and can best provide information that others would miss.

Given that there are multiple viable under-street options with virtually NO environmental impacts as well as an existing solution from NGRID which simply upgrades existing infrastructure, MEPA needs to conduct careful

analysis of route selection methodology and the MBTA routes should both be rejected outright. This would be in keeping with the Commonwealth's Sustainable Development "Smart Growth" Principles that discourage new construction and disturbance within natural areas.

Dozens of environmental organizations, including Mass. Audubon, Mass. Chapter of the Sierra Club, Sudbury Valley Trustees, Environmental League of Massachusetts, Clean Water Action, US Dept. of the Interior Fish and Wildlife, and others have expressed alarm at the MBTA routes - both overhead and below ground.

MEPA needs to ensure that all agencies are FULLY cognizant of the concerns from these esteemed environmental groups and the environmental consequences of both the aboveground and below ground along the MBTA right of way:

Wildlife habitat fragmentation of one of the region's largest natural areas, including five different conservation lands, including Assabet River National Wildlife Refuge, Marlboro-Sudbury State Forest, Sudbury Valley Trustees Memorial Forest, and Hop Brook Marsh Conservation Land and Marlborough Desert Natural Area. The majority of the areas are part of NHESP priority habitat (PH 687). These areas harbor diverse wildlife with several different habitat types and are home to several threatened and endangered species of plants and animals. (USFWS, Audubon, Marlborough Con Comm)

Among the species and habitats at risk are Eastern Brook Trout, a great blue heron rookery, salamanders, Blanding's turtles, wood turtles, Eastern Box Turtle, and the recently state-listed whip-poor-will.

There are sensitive habits within the above: wetlands, vernal pools, turtle nesting sites, and cold water streams and the MBTA right of way routes put these at risk and:

Create conditions unsuitable for certain wildlife species including impacts to isolated populations, altered wildlife behaviors, decline of resident species, disruption of movement corridors, increase in habitat fragmentation

Allows entry of invasive species and a pathway for predators (USFWS, SVT)

Large, interconnected areas of forestland and wetlands are vital for ecological health and integrity, and the MBTA routes bisect these connected spaces.

Destruction of unusual plant populations

Disturbance and alteration of breeding habitat of recently state-listed whip-poor-will.

Large-scale permanent destruction of conservation lands (ELM, SVT)

Irreparable immediate and ongoing damage by construction and maintenance (ELM, SVT)

Negative impacts from use of herbicides to environmentally sensitive areas (USFWS, SVT)

Potential for ground-water pollution from toxic chemical cocktails of herbicides

Although both the state and US EPA have approved glyphosate and other herbicides for use, there is growing evidence for both human impact in the form of cancer by international bodies and the World Health Organization. We can't risk taking a chance with the health of the population of the impacted towns.

There is also considerable research on the impacts of glyphosate on threatened and endangered species, particularly amphibians such as the salamanders found all along the route.

The proposed route is in close proximity to five certified (and an additional five with certified data collected) vernal pools containing the species in question

Likely increase of unauthorized uses of ATVs and dirt bikes which cause significant damage to natural resources (USFWS, SVT)

Destruction and/or contamination of highly important water resources important to humans and wildlife (CWA,OARS)

Impact on threatened and vulnerable Eastern brook trout habitat in the Sudbury River tributaries by diminishing shade cover, warming of river temperatures and potential pollution from construction activities and herbicide usage.

The proposed transmission line crosses over Zone II areas in Sudbury and the Cranberry Bog Well in Hudson. Potential pollution by any herbicides or other runoff from construction activities in these areas is unacceptable. As stated above, recent research has shown that run off of glyphosate into water resource areas can and does happen. Sudbury's wells are located in an aquifer with a high vulnerability to contamination due to the absence of hydrological barriers that can prevent contaminant migration.

Disruption of existing contaminants from previous rail line use is likely to impact these water resources. It is not uncommon to find arsenic, creosote and other hazardous chemicals in old rail beds. Flattening the rail bed and removing old railroad ties for clear-cutting will disturb these contaminants and has a high risk of dispersing them into the surrounding water resources.

Mitigation of these impacts is not feasible. (Audubon) Eversource's mitigation measures such as "financial contribution toward land acquisition" cannot mitigate for permanent loss of wildlife habitat and loss of life.

Given the scale and severity of these impacts, permitting for this project should be denied, but at the very least, an EIR should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with details.

Thank you,
Maureen E. Campbell
10 Marion street
Hudson, MA 01749

Quotes below, from letters of support here: <http://www.protectsudbury.org/official-support/>):

George Bachrach, Environmental League of Mass.

Lisa Vernegaard, Sudbury Valley Trustees

"Routing this utility line along the right-of-way would undo much of the significant investment that the Commonwealth, the U.S. Fish and Wildlife Service, the Town of Sudbury, the City of Marlborough, private foundations, and individual donors have already made in protecting and caring for one of the metrowest region's most important natural areas. Eversource did not accurately consider the environmental impacts of its Preferred Routes when evaluating the three options and the Environmental League of Massachusetts believes that the permanent damage to topography, wildlife, and vegetation in this unique area cannot be understated."

Ms. Vernegaard adds:

"This impact is forever. The impacts of street-based route (none of which are environmental), while real, are temporary and can be addressed in the foreseeable future.

Becky Smith, Clean Water Action

"Our environment is already overburdened by toxic chemicals. Increased use of herbicides to maintain vegetation along the transmission right of way will worsen this problem and bears particular concerns for vernal pools and wetlands. Worse, the use of herbicides, with their potential carcinogens, poses a threat to human health by potential contamination of area wells and aquifers providing drinking water for 18,000 Sudbury residents."

Emily Norton, Massachusetts Sierra Club

"As wild lands, wildlife, recreation areas, and historic districts are increasingly at risk in our country, our obligation to current and future citizens is to do everything in our power to ensure that we preserve every precious natural resource that we currently enjoy. We understand that Eversource is putting forth the above-ground line as a "lowest" cost proposal. We believe, to the contrary, that it and any other route through conservation lands represents the highest-cost proposal and should be discarded. We cannot afford to dismiss the consequences of failing to ignore the value to humankind of unbroken forest and wetlands, wildlife and clean water."

John Clarke, Mass. Audubon

“In calculating the costs of constructing lines through and adjacent to protected lands, the full costs and availability (or lack thereof) of mitigation lands of equivalent natural resource value must also be considered. The Executive Office of Energy and Environmental Affairs’ policy on disposition of lands protected under Article 97 of the state Constitution requires not merely consideration of the market value of the impacted lands but also the natural resource value. In rapidly developing suburbs such as Sudbury and Hudson, land available for replacement conservation is limited, and it is not feasible to fully mitigate for the fragmentation effects on large blocks of woodland.”

Sent from my T-Mobile 4G LTE Device

June 29, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114
Emailto:Page.Czepiga@state.ma.us

Christine Nelson
31 Parmenter Road
Hudson, MA 01749

As an abutter to the Eversource Sudbury-Hudson transmission line and a member of Protect Hudson, I would like to highlight numerous reasons why the proposed route along the inactive MBTA ROW is not a viable location for this project, if this project is indeed necessary in the first place.

In the matter of the Eversource Sudbury-Hudson transmission line project, to date, Eversource has only filed an ENF for the “preferred” option, i.e. the MBTA ROW underground transmission line. However, there are two other options listed in the filing to the EFSB, the aboveground MBTA ROW route, and an under-street route. Both of these routes should also be subject to the filing of an ENF and EIR.

No engineering plans for the route have been presented to date for an underground route with multiple complications including changing elevations of +/- 15 feet or more, considerable amounts of bedrock, and wetlands. These complications could lead the EFSB to reconsider the aboveground line with its additional associated environmental impacts. Because the above ground option has not been ruled out either by Eversource or the EFSB, Eversource should be required to file an ENF and EIR for it. Without ENFs for all three proposed options, there is no way that the state agencies can effectively assess environmental impact.

By Eversource’s own assessment in the EFSB filing, the under-street route has virtually no environmental impact, and evaluation of the current filing should take that into consideration. In the absence of an ENF for the under-street route, there would be no formal statement of its impact, and therefore state agencies would be unable to effectively compare each route in the existing filing. As MEPA requires state agencies to take all feasible measures to avoid, minimize and mitigate damage to the environment, MEPA should require an ENF for all three routes. This would allow state agencies fully scrutinize the impacts of all three routes and understand that the in-street option avoids and minimizes the enormous environmental impacts of both MBTA routes with likely no mitigation required.

Of particular concern is how transmission lines will be constructed through water crossings, as there is major potential for harm to species and disruption of wetlands and waterways. The

MEPA scoping site visit looked at a very small section of the MBTA route, thus underplaying the significant impact of the project. MEPA should require all state agencies involved to conduct a more thorough examination of the entire route, accompanied by the Sudbury and Hudson Conservation Commissions as they are intimately familiar with the area and can best provide information that others would miss.

Given that there are multiple viable under-street options with virtually NO environmental impacts as well as an existing solution from NGRID which simply upgrades existing infrastructure, MEPA needs to conduct careful analysis of route selection methodology and the MBTA routes should both be rejected outright. This would be in keeping with the Commonwealth's Sustainable Development "Smart Growth" Principles that discourage new construction and disturbance within natural areas.

Dozens of environmental organizations, including Mass. Audubon, Mass. Chapter of the Sierra Club, Sudbury Valley Trustees, Environmental League of Massachusetts, Clean Water Action, US Dept. of the Interior Fish and Wildlife, and others have expressed alarm at the MBTA routes - both overhead and below ground. In addition, the Sudbury and Hudson Board of Selectmen oppose the use of the MBTA ROW as well as both the Sudbury and Hudson Conservation Commissions.

MEPA needs to ensure that all agencies are FULLY cognizant of the concerns from these esteemed environmental groups and the environmental consequences of both the aboveground and below ground along the MBTA right of way:

- 1) Wildlife habitat fragmentation of one of the region's largest natural areas, including five different conservation lands, including Assabet River National Wildlife Refuge, Marlboro-Sudbury State Forest, Sudbury Valley Trustees Memorial Forest, and Hop Brook Marsh Conservation Land and Marlborough Desert Natural Area. The majority of the areas are part of NHESP priority habitat (PH 687). These areas harbor diverse wildlife with several different habitat types and are home to several threatened and endangered species of plants and animals. (USFWS, Audubon, Marlborough Con Comm)

Among the species and habitats at risk are Eastern Brook Trout, a great blue heron rookery, salamanders, Blanding's turtles, wood turtles, Eastern Box Turtle, and the recently state-listed whip-poor-will.

There are sensitive habits within the above: wetlands, vernal pools, turtle nesting sites, and cold water streams and the MBTA right of way routes put these at risk and:

- a. Create conditions unsuitable for certain wildlife species including impacts to isolated populations, altered wildlife behaviors, decline of resident species, disruption of movement corridors, increase in habitat fragmentation
- b. Allows entry of invasive species and a pathway for predators (USFWS, SVT)
- c. Large, interconnected areas of forestland and wetlands are vital for ecological health and integrity, and the MBTA routes bisect these connected spaces.
- d. Destruction of unusual plant populations

- e. Disturbance and alteration of breeding habitat of recently state-listed whip-poor-will.
- 2) Large-scale permanent destruction of conservation lands (ELM, SVT)
 - a. Irreparable immediate and ongoing damage by construction and maintenance (ELM, SVT)
- 3) Negative impacts from use of herbicides to environmentally sensitive areas (USFWS, SVT)
- 4) Potential for ground-water pollution from toxic chemical cocktails of herbicides
 - a. Although both the state and US EPA have approved glyphosate and other herbicides for use, there is growing evidence for both human impact in the form of cancer by international bodies and the World Health Organization. We can't risk taking a chance with the health of the population of the impacted towns.
 - b. There is also considerable research on the impacts of glyphosate on threatened and endangered species, particularly amphibians such as the salamanders found all along the route.
 - c. The proposed route is in close proximity to five certified (and an additional five with certified data collected) vernal pools containing the species in question
- 5) Likely increase of unauthorized uses of ATVs and dirt bikes which cause significant damage to natural resources (USFWS, SVT)
- 6) Destruction and/or contamination of highly important water resources important to humans and wildlife (CWA,OARS)
 - a. Impact on threatened and vulnerable Eastern brook trout habitat in the Sudbury River tributaries by diminishing shade cover, warming of river temperatures and potential pollution from construction activities and herbicide usage.
 - b. The proposed transmission line crosses over Zone II areas in Sudbury and the Cranberry Bog Well in Hudson. Potential pollution by any herbicides or other runoff from construction activities in these areas is unacceptable. As stated above, recent research has shown that run off of glyphosate into water resource areas can and does happen. Sudbury's wells are located in an aquifer with a high vulnerability to contamination due to the absence of hydrological barriers that can prevent contaminant migration.
 - c. Disruption of existing contaminants from previous rail line use is likely to impact these water resources. It is not uncommon to find arsenic, creosote and other hazardous chemicals in old rail beds. Flattening the rail bed and removing old railroad ties for clear-cutting will disturb these contaminants and has a high risk of dispersing them into the surrounding water resources.
 - d. The Project would be constructed in close proximity to the watersheds and aquifers surrounding the five Hudson town wells (the Chestnut-1, Chestnut-2, Chestnut-3, Cranberry, and Kane wells), which provide water for over 20,000 people. The MBTA ROW traverses two Zone II protection areas associated with those wells, and appears to be close to, or within, one or more Zone I protection areas.

- 7) Mitigation of these impacts is not feasible. (Audubon) Eversource's mitigation measures such as "financial contribution toward land acquisition" cannot mitigate for permanent loss of wildlife habitat and loss of life.

Given the scale and severity of these impacts, permitting for this project should be denied, but at the very least, an EIR should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with details.

Thank you,

Christine M. Nelson



Sudbury Valley Trustees

Conservation, Collaboration, and Community since 1953

June 30, 2017

Executive Office of Energy and Environmental Affairs

Attn: MEPA Office

Page Czepiga, EEA No. 15703

100 Cambridge Street, Suite 900

Boston MA 02114

Re: Comments on EEA #15703, Sudbury-Hudson Transmission Reliability Project

Dear Ms. Czepiga:

Please accept our comments on the Environmental Notification prepared by VHB for the Eversource Sudbury-Hudson Transmission Reliability Project.

Sudbury Valley Trustees (SVT) is an abutter to the project, owning 4,000 linear feet along the MBTA right-of-way that is being proposed by Eversource as their "Primary Route." This 220 acre SVT property is known as the General Federation of Women's Clubs Memorial Forest (commonly known as "Memorial Forest"). SVT has managed this land and abutting conservation lands owned by the Women's Federation for over 20 years. Additionally, as a regional conservation organization, SVT's mission is to protect natural areas and wildlife habitat throughout a 36-town region west of Boston.

The Primary Route, as well as the Noticed Variation, both located along the MBTA abandoned rail line, will severely impact a globally rare natural community, several listed rare species, a rich assemblage of wetland resource areas, and hundreds of acres of conservation lands that were protected with local, state and federal tax dollars, and the scenic character of this wilderness area located only 25 miles from Boston.

The Desert Natural Area, south of Hudson Road, in the City of Marlborough and Town of Sudbury is comprised of 900 acres of high quality conservation lands composed of a diverse mix of forests, barrens, wetlands and cold water streams. **Pitch Pine-Scrub Oak Barrens are recognized as a globally unique natural community that hosts 32 state-listed species plus eight "species of Greatest Conservation Need" as defined by the Massachusetts State Wildlife Action Plan.** These 900-acres, along with the additional 2,300 acres of national wildlife refuge located north of Hudson Road, create an incredible wilderness that supports a great diversity of wildlife and a recreational resource for thousands of people in the Metrowest region. The United States Government, Commonwealth of Massachusetts, Town of Sudbury, City of Marlborough and SVT have invested a tremendous amount of public and private resources in the acquisition and management of these lands. Over the last 25 years these conservation owners have worked in partnership to clean up what used to be a dangerous back land of shooting sprees and burning cars.

Today, one can find safe and well-maintained trails, cold water streams that support native brook trout and a diverse array of wildlife habitats including pitch pine-scrub oak barrens.

The entire length of the proposed Eversource underground route that runs through this area is part of a **Priority Habitat for rare species**. Those species include whip-poor-will, Eastern box turtle, and blue spotted salamander. Whip-poor-wills have declined precipitously at the Desert Natural Area over the last 30 years. In a survey conducted by the Lloyd Center for the Environment in 2015, SVT documented the presence of three state-listed moth species: Pine Barrens Zanclognatha (*Zanclognatha Martha*), Coastal Swamp Metarranthis (*Metarranthis pilosaria*), and Gerhard's underwing (*Catocala herodias gerhardi*). The **only whip-poor-will** that has been heard calling in the last three years of surveys has been next to the MBTA ROW, by the three-town junction. Additionally, the **ONLY** remaining population in this area of the **watch-listed species wild lupine** is located on the MBTA ROW at the three-town junction. Both the above and below ground option on the ROW will destroy this lupine population and directly disrupt breeding habitat of the whip-poor-will.

Please see our additional comments detailed in our letter to the Energy Facilities Siting Board, attached.

The Eversource proposed powerline along the MBTA ROW will jeopardize the ecological integrity of this precious resource in myriad ways. We request that MEPA direct Eversource to address the short (aka "temporary" construction impacts) and long-term, recurring impacts of the following issues associated with its preferred alternative as well as a street-based and no build alternative in its Environmental Impact Report.

1. Impact on globally rare pitch-pine scrub oak natural community and restoration efforts at this site.
2. Impact on the known rare species present at this site including whip-poor-will, blue-spotted salamander, Eastern box turtle, wood turtle, Pine Barrens Zanclognatha (*Zanclognatha Martha*), Coastal Swamp Metarranthis (*Metarranthis pilosaria*), Gerhard's underwing (*Catocala herodias gerhardi*) and the watch-listed wild lupine.
3. Impacts on wetlands, vernal pools, streams and public water supply. Eversource must finalize wetlands delineations. The most recent corrections to the Environmental Notification appear to erroneously suggest that the wetlands impacts do not meet regulatory thresholds. Based on personal knowledge and analysis of the site, it is clear that significant wetlands resources will be impacted. Further, Eversource must describe changes in both hydrology and temperature that will be expected as a result of permanently removing the forest canopy along the corridor.
4. Impact of long-term use of herbicides on flora, fauna and water quality.
5. Impact of invasive species that may be brought onto the site inadvertently in fill material and invasive plant introduction that typically occurs after major soil disturbance such as this type of construction.
6. Impact of higher rates of predation on ground nesting species including turtles and whip-poor-wills due to the presence of a new movement corridor for common predators such as skunk, raccoon, and fox.
7. Impact of increased "edge effects" created by this long corridor which disrupts the continuity of habitats and alters micro-climates. The rate of brown cowbird nest parasitism is documented to increase along these types of edges.
8. The impacts of increased disturbance and reduced resilience of important habitat in light of climate change. Significant changes in climate require conservation land managers to

reduce disturbances in order to ameliorate the potential significant impacts of increased storm intensity and droughts.

9. Impacts from potential increase in illegal motorized vehicle use. These types of utility corridors are known to increase the use and facilitate the access by illegal ATVs, which are already a problem at this site.

Either the underground or aboveground utility line proposals that follow the MBTA right-of-way would have significant negative environmental impacts. Please require that Eversource outline the environmental impacts of a street-based alternative, should a line indeed prove necessary, in existing public ways as was done several decades ago when the Sudbury power station was constructed. We are confident that a comparison of the environmental impacts of these alternatives will reveal the significant short-term and lasting environmental impact of a line that follows the MBTA right of way.

Finally, we are particularly concerned that review and permitting of this project by the Energy Facilities Siting Board not proceed without the MEPA review being completed and a Secretary's Certificate issued on a completed and accepted Environmental Impact Report. The EIR provides essential information that must be considered in the decision-making on this project by the EFSB and other state parties.

Thank you again for considering these comments as you outline the scope for the environmental impact analysis.

Sincerely,



Lisa Vernegaard
Executive Director

enc: SVT letter to EFSB dated June 15, 2017

cc:

US Congresswoman Niki Tsongas
US Congresswoman Katherine Clark
State Senator Jamie Eldridge
State Representative Carmine Gentile
State Representative Danielle Gregoire
State Representative Kate Hogan
Libby Herland, US Fish & Wildlife Service
Leo Roy, Commissioner, Mass. Department of Conservation and Recreation
George Peterson, Commissioner, Mass. Dept. of Fish & Game
Martin Suuberg, Commissioner, Department of Environmental Protection
Mark C. Kalpin, Esq., Public Member, EFSB
Melissa Murphy-Rodrigues, Town Manager, Town of Sudbury

Tom Moses, Executive Assistant, Town of Hudson
Arthur Vigeant, Mayor, City of Marlborough
Alison Field-Juma, OARS
Protect Sudbury
Protect Hudson
Gary Crago, Greater Boston Trout Unlimited



Sudbury Valley Trustees

June 15, 2017

Stephen August, Esq., Presiding Officer
Energy Facility Siting Board
One South Station
Boston, MA 02110

By email to: dpu.efiling@state.ma.us; Stephen.August@state.ma.us

Re: Public Comment Hearing – EFSB 17-02/D.P.U. 17-82/17-83
Eversource Proposed 115kV line from Sudbury to Hudson

Dear Presiding Officer August:

Please accept and enter Sudbury Valley Trustees' written comments on the above-captioned proposal as part of the administrative record of the Public Comment Hearing for the referenced three (3) petitions filed by Eversource with the Energy Facilities Siting Board ("EFSB").

Sudbury Valley Trustees (SVT) is an abutter to the project, owning 4,000 linear feet along the MBTA right-of-way that is being proposed by Eversource as their "Primary Route." This 220 acre SVT property is known as the General Federation of Women's Clubs Memorial Forest (commonly known as "Memorial Forest"). SVT has managed this land and abutting conservation lands owned by the Women's Federation for over 20 years. Additionally, as a regional conservation organization, SVT's mission is to protect natural areas and wildlife habitat throughout a 36-town region west of Boston.

We strongly oppose both the proposed Primary Route (underground) along the MBTA and the noticed variation (above ground). The Primary Route will severely impact a globally rare natural community, several listed rare species, a rich assemblage of wetland resource areas, hundreds of acres of conservation lands that were protected with local, state and federal tax dollars, and the scenic character of this wilderness area located only 25 miles from Boston.

We strongly encourage the EFSB to direct Eversource to use the Noticed Alternative route along existing public roads. While the short-term financial cost of the roadways alternative may be higher, this option does not trigger the significant short and long-term environmental impacts generated by the MBTA routing option.

The Desert Natural Area, south of Hudson Road, in the City of Marlborough and Town of Sudbury is comprised of 900 acres of high quality conservation lands composed of a diverse mix of forests, barrens, wetlands and cold water streams. **These 900-acres, along with the additional 2,300 acres of national wildlife refuge located north of Hudson Road, create an incredible**

wilderness that supports a great diversity of wildlife and a recreational resource for thousands of people in the Metrowest region. The United States Government, Commonwealth of Massachusetts, Town of Sudbury, City of Marlborough and SVT have invested a tremendous amount of public and private resources in the acquisition and management of these lands. Over the last 25 years these conservation owners have worked in partnership to clean up what used to be a dangerous back land of shooting sprees and burning cars. Today, one can find safe and well-maintained trails, cold water streams that support native brook trout and a diverse array of wildlife habitats including pitch pine-scrub oak barrens.

Pitch Pine-Scrub Oak Barrens are recognized as a globally unique natural community that hosts 32 state-listed species plus eight “species of Greatest Conservation Need” as defined by the Massachusetts State Wildlife Action Plan. Chris Buelow, Restoration Ecologist with the Massachusetts Natural Heritage & Endangered Species Program, offered his opinion of the Desert Natural Area through which the proposed Eversource utility would run:

"Inland Pine Barrens such as those occurring in the Desert Natural Area are globally rare natural communities and represent one of the highest conservation priorities in Massachusetts for preserving regional biodiversity. Unfortunately, the majority of Inland Pine Barren communities that remain in the state are now highly degraded due to nearly a century of fire suppression across the landscape. Considering the rarity of this community-type and its general continued decline across its range, it's very exciting to see the restoration and management efforts that are taking place at The Desert. Opportunities to restore functioning Inland Pine Barren communities have become increasingly rare across the Northeast, making the work undertaken at The Desert an important project in the regional conservation of this important resource."

The Desert Natural Area is part of an **Important Bird Area** designated by MassAudubon. Additionally "SVT's pitch pine-scrub oak restoration project will help stem the decline of bird species that depend on early successional habitat, such as the Eastern Whip-poor-will, Prairie Warbler, and Brown Thrasher. Early successional habitat is a natural component of pitch pine-scrub oak forests, and thoughtfully applied forestry and prescribed burns can effectively restore the ecological function in these systems." (Jeff Ritterson, Forest Conservation Bird Fellow, MassAudubon)

Since 2009, SVT's members and the City of Marlborough have invested tens of thousands of private and public dollars in habitat restoration of this unique resource. These efforts have been supported by grants from the USDA Natural Resources Conservation Service, National Fish & Wildlife Foundation, Massachusetts Division of Forestry, MassWildlife, and the Sudbury Foundation.

The entire length of the proposed Eversource underground route that runs through this area is part of a **Priority Habitat for rare species**. Those species include whip-poor-will, Eastern box turtle, and blue spotted salamander. Whip-poor-wills have declined precipitously at the Desert Natural Area over the last 30 years. In a survey conducted by the Lloyd Center for the Environment in 2015, SVT documented the presence of three state-listed moth species: Pine Barrens Zanclognatha (*Zanclognatha Martha*), Coastal Swamp Metarranthis (*Metarranthis pilosaria*), and Gerhard's underwing (*Catocala herodias gerhardi*). The **only whip-poor-will** that has been heard calling in the last three years of surveys has been next to the MBTA ROW, by the three-town junction. Additionally, the **ONLY** remaining population in this area of the watch-listed species wild lupine is located directly in the center of the MBTA ROW at the town junction of Hudson, Marlborough and Sudbury. Both the above and below ground option on the ROW will destroy this lupine population and directly disrupt breeding habitat of the whip-poor-will.

The proposed power line on the ROW will impact significant wetland resource areas. As summarized by the Town of Sudbury's Conservation Coordinator, Debbie Dineen, the proposed underground route abuts five certified vernal pools plus five vernal pools which have been documented to support vernal pool breeding amphibians. The utility line will cross Hop Brook plus 7 other perennial streams. These deteriorating railroad bridges will require reconstruction adding to direct wetland habitat destruction and disturbance.

Based on SVT's experience, utility companies have an inconsistent (at best) track record for the management of their rights of ways. They typically hire contractors to conduct clearing and herbiciding work and they do not adequately supervise those contractors. SVT has experience with Eversource where their utility line bisects conservation land that we and the Ashland Town Forest own. In that instance the contractors were "blowing" wood shrapnel into the abutting trails while people were walking the trails because they failed to notify the landowners or put up signage. In the case with the Kinder Morgan gas pipeline that bisects the Desert Natural Area running north-south, their contractors plowed through two streams even though they had just been instructed to only use hand tools at stream crossings. A year later, we are still waiting for them to restore the stream banks and wetland areas.

Eversource claims that their proposal to run an underground utility along the MBTA ROW will meet the Town of Sudbury's Master Plan goals of creating an East-West rail trail. These two projects have distinctly different impacts, footprints and purposes and should not be considered together.

The Eversource proposed powerline along the MBTA ROW will jeopardize the ecological integrity of this precious resource in myriad ways:

1. Significantly alter the wilderness character of this natural area treasured by thousands of residents of Metrowest Boston and beyond;
2. Undo the tremendous financial investment that has been made by federal, state, and local governments; private foundations, and individuals;
3. Destroy or significantly damage habitat for rare species;
4. Harm wetlands, vernal pools, streams and public water supply by direct alteration, altering hydrological connection or by contaminating water quality through the use of herbicides for long-term management;
5. Create a long, linear open corridor that creates a pathway for invasive plants into the interior, especially during construction. Invasive plants will further degrade the habitat;
6. Because common predators such as skunk, raccoon, and fox are likely to use this corridor, we can expect greater predation on ground nesting species including turtles and several species of birds;
7. The long corridor will also create more "edge effects," disrupting the continuity of habitats and altering micro-climates. The rate of brown cowbird nest parasitism is documented to increase along these types of edges;
8. Increase disturbance and reduce resilience of important habitat in light of climate change. Significant changes in climate require conservation land managers to reduce disturbances in order to ameliorate the potential significant impacts of increased storm intensity and droughts;
9. These types of corridors are known to increase the use and facilitate the access by illegal ATVs, which are already a problem at this site.

The EFSB is charged with evaluating proposed utility sitings “to determine whether the Project would provide a reliable energy supply with a minimum impact on the environment at the lowest possible cost.” (M.G. L. c. 164, Sections 69H and 69J.) Clearly, there is an alternative route, under the paved streets, that does have a minimum impact on the environment. By Eversource’s own admission in materials provided to the public, the Noticed Alternative Route is as reliable and as operationally flexible as the Primary Route, and it has significantly less environmental impact. For the reasons stated above, the Primary Route is not consistent with the public interest of protecting this environmentally sensitive area.

Sudbury Valley Trustees, on behalf of its 3000 members, urges the EFSB to deny Eversource’s petition to construct the power line under either the Primary Route or via a combined overhead/underground design (the Noticed Variation). Only the Noticed Alternative, under the existing streets, should be permitted.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Vernegaard", with a stylized flourish at the end.

Lisa Vernegaard
Executive Director

Czepiga, Page (EEA)

From: ritchcutts@aol.com
Sent: Friday, June 30, 2017 1:29 PM
To: Beaton, Matthew (EEA); Czepiga, Page (EEA)
Subject: MEPA Comment Letter - Eversource Sudbury-Hudson Transmission Line - Part 2
Attachments: Comment Ltr - EFSB - Cutting, HR - June 12 2017.pdf; Exhibit 1 - EFSB - Cutting Comment Ltr.pdf; Exhibit 2 - EFSB - Cutting Comment Ltr.pdf; Exhibit 3 - EFSB - Cutting Comment Ltr.pdf; Exhibit 4 - EFSB - Cutting Comment Ltr.pdf

Dear Secretary Beaton and MEPA reviewer Ms. Czepiga,

Attached you will find Exhibit A to my comment letter on MEPA EEA#15703

I am sending my comment in two parts due to the size of the exhibits.

Thank you for your patience and attention,

Rebecca Cutting
Sudbury

June 12, 2017

H. Rebecca Cutting, Esq.
381 Maynard Road
Sudbury, MA 01776
ritchcutts@aol.com

Stephen August, Esq., Presiding Officer
Energy Facilities Siting Board
One South Station
Boston, MA 02110

Re: Public Comment Hearing – EFSB 17-02/D.P.U. 17-82/17-83
Eversource Proposed 115kv line from Sudbury to Hudson

Dear Presiding Officer August:

Please accept and enter my written comments on the above-captioned proposal as part of the administrative record of the Public Comment Hearing for the referenced three (3) petitions filed by Eversource with the Energy Facilities Siting Board ("EFSB"). I am a life-long resident of Sudbury but I am not an abutter to the proposed project ("the Project"). I attended the Public Comment Hearing held in Sudbury on May 24, 2017, but did not speak at the hearing. However, as set forth in the "Notice of Adjudication and Notice of Public Comment Hearing", I submit these written comments to the record.

I am an attorney with a private environmental practice in Massachusetts, recently retired from the litigation group of the Department of Environmental Protection. I am a member of the local land trust, Sudbury Valley Trustees ("SVT"), which owns and manages the "Memorial Forest" which abuts much of Project to the south of the rail line. I have also supported Protect Sudbury's efforts to realign the Project to installation in existing public ways rather than over the abandoned Central Mass. Railway ("the rail line").

I am familiar with the petitions before you (proposed for consolidation) and the facts of these matters. I have concluded that, under the broad "public interest" inquiry required by G.L. c. 164, § 72, the Project as presently proposed in the "Primary Route" and "Noticed Variation to the Primary Route" is not consistent with the "public interest" due to the extensive impacts, and for the reasons, set forth herein. Further, that what may be perceived as "local concerns" are sufficiently broad impacts so as to qualify as "general public interests" e.g., avoiding damage to unique habitat, significant loss of property value/tax revenues and threats to public water supply. Use of the MBTA right of way, while apparently less costly in dollars will cause long term damage to significant and broad public interests. If this "reliability project" is indeed as necessary as represented (and it appears it may not be), then there are at least two alternatives that should be considered: additional routing along the existing Northboro to Hudson line and placement entirely in existing active public ways, not just in Hudson. Although on paper the MBTA right of way is a nice straight line, on the ground it poses numerous issues, such as the number of bridge replacements in sensitive areas, which a public way route will not.

Because commenters at the hearing frequently mentioned the “Memorial Forest” area, I have attached (**Exhibit 1**)¹ information from the SVT website which I commend to you at www.svtweb.org. Here you will find additional information on the environmental significance of this unique area which has come to be known as “the Desert”. Ironically, however, this area is as far from that moniker as could be possible. It is, instead, a habitat similar to that of Cape Cod’s pitch pine/oak forests and both are products of fire, high water table and deep sandy soils lain down (as Mr. Porter of the Sudbury Conservation Commission explained at the hearing) by glacial lakes that once occupied the area². As explained in Exhibit 1 these “...Pitch Pine Barrens are **globally rare natural communities** and represent one of the **highest conservation priorities in Massachusetts** for preserving regional biodiversity.” (emphasis added).

As a consequence of these sandy soils and high water table, this area and the area to the north of the rail line, the Assabet River National Wildlife Refuge (a nationally owned refuge under U.S. Fish & Wildlife management), was once in cranberry cultivation. At the time (1920-40), Middlesex County produced more cranberries than any other in the Commonwealth. Those farms were displaced by the Army during World War II in order to hide munitions³, later becoming the national wildlife refuge that it is today.

There are species here that one only expects to find on Cape Cod as well as other inland species that thrive in its unique and extensive wooded wetlands fed by the deep sandy soils⁴. I attach a 2013 letter from Massachusetts “Natural Heritage and Endangered Species Program” of the Division of Fisheries and Wildlife (“NHESP”) listing the state-listed rare species that can be found in this area. See, Exhibit 2. Consequently, NHESP has been very involved in advising the restoration efforts at Memorial Forest, on City of Marlborough Conservation Lands and the Assabet River National Wildlife Refuge.

These same soils also provide substantial groundwater flows to major streams that flow through, and sustain, Sudbury’s Raymond Road wellfields. Attached are several maps showing the context of the rail line (**Exhibit 3**). On these maps Cranberry Brook and Trout Brook are shown as they feed into Hop Brook, a major tributary to the Sudbury River. The broad Hop Brook marshes to the east and south of the rail line sustain the aquifer from which the Raymond Road wellfields draw. These wellfields are a critical major source of Sudbury’s public water supply and lie along the path of the Project just south of Route 20. This wellfield has been threatened in the past with industrial contamination in groundwater flows in the same direction as the Project.

As you heard at the hearing, Sudbury is fortunate to have a plentiful supply of groundwater that sustains (primarily through this one well field) its public water supply. Over the years, the Town and SVT have acquired surrounding wetlands along the rail line in order to protect these groundwater flows. Under state regulations governing public water systems at 310 CMR 22.00, the “Zone 2”, the “zone of

¹ Exhibit 1 explains the collaborative restoration effort with a goal of enhancing biodiversity that has been undertaken at Memorial Forest between state, local and federal conservation entities: Mass. DCR, USFWS, the City of Marlborough (using MassWildlife grant funds) and the Town of Sudbury.

² The Cape Cod sandy soils were the result of terminal and lateral moraines laid down by the retreating glacier. In Sudbury such moraines, eskers and drumlins acted as dams creating vast glacial lakes that covered such areas as “The Desert”.

³ The refuge became Army property, passing from a munitions depot to use for Army activities related to Natick Laboratories and Fort Devens and finally exsessed by the Dept. of Defense to the U.S. Fish & Wildlife Service in or about 2003.

⁴ The Plymouth/Carver aquifer is another example of how such soils retain groundwaters essential to pure drinking water. Cape Cod relies upon its sandy aquifer for all of its drinking water and is known as “a sole source aquifer”.

contribution" is to be protected by various means including acquisition and zoning. Sudbury has enacted several such bylaws to protect its aquifer, floodplains and wetlands. The streams that originate in the Memorial Forest area feed the Raymond Road wellfield. They are remarkable for their clarity and sustain cold water fisheries due to their cool subsurface origin. The Town is fortunate to have such protected resources. The disturbance of railbed contaminated soils including the deep trenching for the cable itself (5' x 4') and backfilling will not serve the Town's interests in this substantial public benefit, nor will herbiciding the right of way.

Finally, as the EFSB may have previously heard, there are two other local public conservation entities whose properties lie along the rail line: (1) Sudbury's Hop Brook Conservation Land; and (2) Marlboro State Forest. Thus, within the 4.6 miles within Sudbury, four (4) conservation organizations (3 public and one private) have extensive holdings. Hop Brook, as Sudbury's Conservation Administrator, Debbie Dineen, explained at the Public Comment Hearing was Sudbury's first conservation land acquisition entirely publicly funded by federal and state funds as well as local taxes. Such contrary uses betray the public trust that these investments were intended to preserve. Marlboro State Forest in Hudson and Marlboro is a DCR⁵ property and thus also publicly funded open space.

I am sure that I was not alone at the hearing in finding the Eversource video oddly both overly glib and contradictory of prior information that the residents have been able to glean from Eversource's various presentations. If I recall correctly, there was mention of a width of impacts that did not match either the dimensions of the right of way or the clear cutting to eighty-two (82) feet that we were led to believe was necessary for the overhead option. Although Eversource has changed its preferred option to underground this may not in fact reduce impacts. The supplemental work descriptions attached to the petitions illustrate this. Although the underground route ostensibly reduces permanent clear cutting to thirty (30) feet or more for roots, the vault installations, construction staging areas and permanent access will require clear cutting well beyond the 30-50 feet of the cable installation. In fact, there has been considerable research done on the impacts of the originally preferred overhead pole installation versus the now preferred underground installation. The findings indicate that in addition to the soil disturbances of vaults, staging and access, the MBTA retained right to rekindle rail use will necessitate that the underground cable will have to be offset from the center line involving more cutting and filling in wetland and other sensitive habitat areas than the overhead might. Of course the overhead lines in such close proximity to such densely residential areas pose another set of risks. Eversource's filings do not address these issues except in the most glossy of terms, entirely lacking in specifics.

The disturbance of contaminated soils along the rail line in such immediate proximity to sensitive protected species (amphibians in particular) and their habitats cannot be overlooked. I attach a copy of DEP's⁶ protocol for rail trails, "Best Management Practices for Controlling Exposure to Soil during the Development of Rail Trails" (**Exhibit 4**) which explains the procedures for much less intrusive bike trail projects on rail lines and how such contamination needs to be assessed prior to construction and managed accordingly. Thus far, there has been no mention by Eversource of such potential contamination impacts of the Project except a reference to this document.

In addition, the video added a feature that we had not heard much about, the large subsurface access chambers or vaults set about every quarter mile (every 1,500 feet) that would require disturbance beyond the underground option's purported thirty (30) to fifty (50) foot clear cut. This is a

⁵DCR is the Massachusetts Department of Conservation and Recreation - manager of state forests and parks.

⁶ The Massachusetts Department of Environmental Protection, Bureau of Waste Site Cleanup.

heavily wooded right of way with sizeable wetlands and streams. The vault size indicated to many of us at the hearing that their installation may well require work outside the right of way adding to the clearing, filling and potential contamination impacts as well as potentially encroaching on private and/or public land. Sudbury's prior experiences with Eversource do not inspire much faith in their ability to avoid private damage and encroachment. Thus, clarity on the extent of all of the aspects of the work seems not only useful but essential at an early stage in these proceedings. By way of example, I estimate that four (4) of these vaults will fall along the "Memorial Forest" frontage. Yet, this is not the end of the planned disturbance along the fifty to one hundred foot wide right of way, there will also be staging areas during construction and "access roadways" in addition to the installation itself. Thus far, there has been no mention at all of how the impacts from any of these installations are to be addressed.

In addition, I lend my voice and experience to that of those who spoke at the hearing describing Eversource's unfathomable course of conduct in Sudbury, and perhaps elsewhere. It was not always so. When the underground cables were laid up Goodman's Hill, Boston Edison was a very good "neighbor" explaining impacts to the residents and mitigating those and providing and explaining safety considerations. I remember it well as I grew up on Goodman's Hill and watched the progress of the work with great interest.

By contrast, when Eversource decided to clear along its overhead lines off Pelham Island Road and Landham Road in South Sudbury in recent years, they simply showed up with their machinery and clear cut the area including landscaping on residential lots. No notice was given to residents or to the Town nor was any civil explanation offered beyond the necessity of the devastating and over blown work. The Sudbury Selectmen attempted to intervene to alter the nature of the conflict and were met with similar, remarkable, incivility from Eversource. This has spawned an unfortunate climate of mistrust which Eversource's conduct in these particular matters has only reinforced; the public was not informed of meetings with the Selectmen until just before Eversource filed its initial petition. It would seem that this public utility has forgotten this aspect of the public interest. Residents of the Town appreciate the reliability of their electric power and, not only do not deserve to be misled or overpowered by this utility, but are owed simple courtesies of notice and explanation. These simple courtesies are particularly compelling when the utility is a public utility and when its actions directly affect private property and public health.

The foregoing observations lead me to another topic which Eversource has repeatedly denied, most recently at its public meeting with the Sudbury Board of Selectmen on October 26, 2016; the impact on property values of the proposed use of the rail line for the Project. Two sets of facts bear repeating and reinforcing: (1) the Sudbury Assessors have found that properties abutting the rail line are devalued by 15%; and (2) properties along the rail line are declining further in value as a result of failed real estate transactions.

At the Public Comment Hearing you heard from one Sudbury realtor, Carole Daniels⁷, who cited a number of specific examples of residential properties within three hundred (300) feet of the Project that were unable to sell after substantial price reductions or only sold after making such substantial reductions. One of these cases she cited included a \$94,000 loss in value. I ask that the EFSB take these substantial property losses into account when weighing the public benefits of this project. While these are private properties, as several at the Public Comment Hearing pointed out, the loss of tax revenue to Sudbury will be a clear public detriment. The number of such properties suffering substantial loss in value is such that it creates a class of persons whose interests are being harmed. None of these impacts

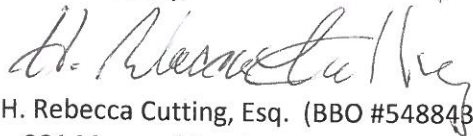
⁷ Carole Daniels has been a realtor in Sudbury for 30 years, Hearing Statement (oral).

have been taken into account in Eversource's cost estimates and they do not exist in the public way option.

In closing, I wish to underscore the comments of Julie Lieberman made at the Public Comment Hearing, that the underlying assumptions made in 2009, were overestimated at the time and are clearly outdated at this late date. I do not think it unreasonable and well within the authority of the EFSB to ask Eversource to revisit by way of an update, the need for this particular redundancy project. In addition, there is a fourth alternative that was presented by National Grid which should be re-examined in light of the cost of the Eversource proposals before you; to install backup along the existing Northboro to Hudson corridor. This option is also more proximate to the communities to be benefitted as well as being less detrimental to significant public interests of safety and environment than the current Eversource proposals before you.

Thank you for your consideration of these comments.

Sincerely,



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Enc.

cc: Sudbury Valley Trustees
Protect Sudbury
Sudbury Cons. Commn. & Selectmen

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DESERT NATURAL AREA PITCH PINE-SCRUB OAK BARRENS HABITAT RESTORATION



<http://northernwoodlands.org/articles/article/tarheels-pitch-pine-colonial-america>

At SVT's Memorial Forest in Sudbury, which is part of a much larger Desert Natural Area, we have been working with our abutting conservation land owners and the Massachusetts Natural Heritage & Endangered Species Program (MNHESP) to restore the former expanses of Pitch Pine – Scrub Oak Barrens. Across the Northeast region of the United States this natural community type has been diminishing due to fire suppression, vegetative succession, invasive species, and land development. This habitat provides homes for several rare species and other species experiencing population declines. Of note at the Desert Natural Area are whip-poor-wills and wild lupine, which we have observed precipitously declining over the last 20 years.

By selectively cutting trees and re-introducing fire to this ecosystem, we will rejuvenate habitat that supports the native diversity of this landscape. Visitors will enjoy a walk through a pleasingly diverse array of habitats and be provided the chance to see or hear a greater diversity of wildlife. An additional benefit of this management is that it will help to prevent wild fires that could wipe out substantial sections of forest and harm nearby homes.

>> [Curent Project Status](#)

>> [Conservation Significance](#)

- >> [Project Description](#)
- >> [Photos and Videos](#)
- >> [Funding](#)
- >> [FAQ: 2013 \(Phase I\) \(http://www.svtweb.org/properties/stewardship/desert-na-restoration/fire-faqs\)](http://www.svtweb.org/properties/stewardship/desert-na-restoration/fire-faqs)
- >> [FAQ: 2016 \(Phase II\) \(http://www.svtweb.org/properties/stewardship/desert-na-restoration/memorial-forest-restoration-phase-ii-faqs\)](http://www.svtweb.org/properties/stewardship/desert-na-restoration/memorial-forest-restoration-phase-ii-faqs)

CURRENT PROJECT STATUS

Help Us to Help the Birds! Birds have begun nesting in and around our restoration areas. These rare birds, including whip-poor-will and American woodcock, nest on or near the ground. We are asking visitors to please leash your dogs in the [Bird Nesting Zones](http://www.svtweb.org/sites/default/files/imce/20/desert_birdnestingzones.pdf) (http://www.svtweb.org/sites/default/files/imce/20/desert_birdnestingzones.pdf). These zones are located around trail points C, D, E, F and P in Marlborough and Sudbury (http://www.svtweb.org/sites/default/files/imce/20/desert_birdnestingzones.pdf).

The City of Marlborough is implementing invasive plant control on their land this spring. Most of this work will be occurring on the Old Concord Road trail. The City will work to reduce invasive plant abundance over the next few years. Funding is being provided by MassWildlife's Habitat Management Grant program.

Phase II of our efforts to restore the globally rare Pitch-pine/scrub oak barrens at Memorial Forest was completed this past winter. We ask all visitors to stay on marked trails so that our restoration can be successful.



Phase II of the habitat restoration includes heavy thinning of 15 acres, where white pines are being removed and pitch pine (seen here) are left standing.

(http://www.svtweb.org/sites/default/files/imce/20/20161226_110036s.jpg)

The Phase II management area is located between the old rail line, Hop Brook and Cranberry Brook. **Unit A** (http://www.svtweb.org/sites/default/files/Phase2_IllustrationAerial.pdf), 15 acres, was heavily thinned (50%) in preparation for a burn that will likely take place in 3 to 5 years. We will be observing regeneration and conducting surveys over the next couple of years to evaluate conditions. The work in this unit is very similar to what occurred in the 14-acre unit that was burned in May, 2014. **Unit B** (http://www.svtweb.org/sites/default/files/Phase2_IllustrationAerial.pdf), 35 acres, was thinned and no further action will be taken for approximately 10 years or more. **(Please see map of Units A and B** (http://www.svtweb.org/sites/default/files/Phase2_IllustrationAerial.pdf).)

The Phase I management area, 14 acres located near trail points E and F, has grown back vigorously. Due to excessive regrowth of tree oaks (rather than scrub oak), we will be mowing the area and conducting

selective herbicide treatments next year.

Find out more about the ongoing habitat management project below. SVT hosted a presentation about the project last year, slides from the presentation can be found at these links:

>> **SVT's Desert Natural Area Presentation**

(http://www.svtweb.org/sites/default/files/DesertPresentation_SVT_20150429.pdf)

>> **DCR's Marlboro-Sudbury State Forest Hansen Lot Presentation**

(http://www.svtweb.org/sites/default/files/HansenLotPresentation_DCR_20150429.pdf)

(http://www.svtweb.org/sites/default/files/Phase2_IllustrationAerial.pdf)



The Massachusetts Department of Conservation & Recreation (DCR) Bureau of Forestry **has finalized a prescription that is posted on their web site.**

(<http://www.mass.gov/eea/docs/dcr/stewardship/forestry/manage/forest-product/hansen-prescription.pdf>) Their proposal includes thinning of dying red pine stands, improving oak and white pine stands and 23 acres of pitch pine-scrub oak habitat restoration.

Over the last five years, SVT has been removing and treating invasive plants throughout the Memorial Forest. Many volunteer groups have been manually removing glossy buckthorn. SVT hired a contractor to conduct cut and dab treatments of larger invasive shrubs along the Cranberry Brook and Hop Brook corridors (with necessary approvals from the Sudbury Conservation Commission). These efforts will improve plant diversity over time and mitigate the spread of invasive plants to other areas.

The City of Marlborough is focusing on continued invasive plant control over the next couple of years, before conducting any further tree removal or prescribed fire. The City was recently awarded a grant from MassWildlife to implement invasive plant control this spring, 2017.

Biological monitoring includes an annual breeding bird survey, vegetation monitoring, and insect surveys. Vernal pool monitoring and wildlife observation will also continue. All of these efforts allow us to evaluate the success of the management and adapt as necessary.

See our **Prescribed Fire FAQ Page** (**<http://www.svtweb.org/properties/stewardship/desert-na-restoration/fire-faqs>**) and a **list of resources for additional information**

(<http://www.svtweb.org/properties/stewardship/desert-na-restoration/prescribed-fire-links>) to learn more information about this project and prescribed fire in the northeast, or download our

Prescribed Fire FAQs brochure

(<http://www.svtweb.org/www.sudburyvalleytrustees.org/sites/default/files/SVTFireFAQBrochureW>

CONSERVATION SIGNIFICANCE

This project is part of a larger statewide and regional effort to protect biological diversity. Below are quotes from some of our partners and other conservation professionals.

"In the impressive protected confluence area of Sudbury, Marlborough, Hudson, and Stow, a legacy of our heritage is being thoughtfully restored by the Sudbury Valley Trustees. The rare pitch pine/scrub oak habitat is reappearing, a local version of Myles Standish State Forest and the New Jersey Pine Barrens.

Bulging with uncommon plants and animals on sandy soils, even sustained by occasional fire, the place will highlight a key piece of the region's history. Like priceless resources in a museum or a town library, this habitat warrants our careful restoration and sustained protection. Imagine an inspirational and educational spot so close to us all!" - Richard T. T. Forman, SVT Board Member, and editor, *Pine Barrens: Ecosystem and Landscape*

"Inland Pine Barrens such as those occurring in the Desert Natural Area are globally rare natural communities and represent one of the highest conservation priorities in Massachusetts for preserving regional biodiversity. Unfortunately, the majority of Inland Pine Barren communities that remain in the state are now highly degraded due to nearly a century of fire suppression across the landscape. Considering the rarity of this community-type and its general continued decline across its range, it's very exciting to see the restoration and management efforts that are taking place at The Desert. Opportunities to restore functioning Inland Pine Barren communities have become increasingly rare across the Northeast, making the work undertaken at The Desert an important project in the regional conservation of this important resource." - Chris Buelow, Restoration Ecologist, Massachusetts Natural Heritage & Endangered Species Program (<http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/>)

"Pitch Pine - Scrub Oak Barrens are an important habitat for many species, including some that depend specifically on barrens habitat. Sudbury Valley Trustees' efforts at the Desert Natural Area is highly beneficial for a suite of plants and wildlife including many rare and declining species. This is exactly the kind of stewardship that is needed in Massachusetts if we are to save our natural heritage statewide and regionally. Much of this habitat has been lost or is highly degraded in the Northeast. Larger and functioning habitats based on natural processes or those that mimic natural processes are more resilient to threats including those from impending climate change. Furthermore, having been involved in similar barrens management across Massachusetts, visitors overwhelmingly enjoy these habitats after restoration finding the open woodlands and small clearings both aesthetically and recreationally interesting." - Russ Hopping, Ecology Program Director, The Trustees (<http://www.thetrustees.org/>)

"SVT's pitch pine-scrub oak restoration project in Memorial Forest will help stem the decline of bird species who are dependent on early successional habitat, such as the Eastern Whip-poor-will, Prairie Warbler, and Brown Thrasher. Early successional habitat is a natural component of pitch pine-scrub oak forests, and thoughtfully applied forestry and prescribed burns can effectively restore the ecological function in these systems." - Jeff Ritterson, Forest Bird Conservation Fellow, MassAudubon (<http://www.massaudubon.org/our-conservation-work/wildlife-research-conservation>) (Learn more about the **State of Birds** (<http://www.massaudubon.org/our-conservation-work/wildlife-research-conservation/statewide-bird-monitoring>) in Massachusetts.)

"Grassroots Wildlife Conservation, a non-profit dedicated to rare species conservation in Massachusetts, is fully in support of Sudbury Valley Trustees' management plan to thin existing forest in the Desert Natural Area and to maintain the resulting savanna, meadow and scrub habitat with occasional prescribed fires. We know, from our own experience, that non-forested and thinly wooded areas of sandy upland are among the rarest and most critical habitat features in our Massachusetts landscape. Dozens of rare and declining species, from birds such as brown thrasher and blue-winged warbler, to reptiles such as eastern box turtles and black racers, to insects, such as frosted elfin butterflies and twelve-spotted tiger beetles, to rare wildflowers, including New England blazing star and butterfly milkweed, depend on open areas with dry, sandy soil. In the past, frequent natural fires would have maintained many open sandplains in New England. Grassroots Wildlife Conservation commends the SVT for their

innovative and well-considered management actions and proposals for greatly boosting the value of the Desert Natural Area to our local biodiversity." - Bryan Windmiller, Executive Director, Grassroots Wildlife Conservation (<http://www.grassrootswildlife.org/>)

PROJECT DESCRIPTION

The Desert Natural Area (<http://www.svtweb.org/properties/page/memorial-forest>), located in Sudbury and Marlborough, is a 900-acre ecosystem complex within a larger area of over 4,000 acres of protected conservation lands. This ecosystem complex contains fire and disturbance-dependent communities of pitch pine-scrub oak barrens in a habitat mosaic with red maple swamps, cold-water streams, and associated wetlands.

In 2009, abutting landowners came together to define overall management goals for the ecosystem complex. Cooperating landowners include USF&WS Assabet River National Wildlife Refuge (DCR), Massachusetts Department of Conservation & Recreation (DCR), City of Marlborough, Town of Sudbury, Massachusetts General Federation of Women's Clubs (MGFWC) and Sudbury Valley Trustees (SVT). In 2010, Marlborough, Sudbury, MGFWC, and SVT each had Forest Stewardship Plans prepared for their respective properties based on the ecological goals established by the group. In 2016, the DCR finalized a **forest prescription** (<http://www.mass.gov/eea/docs/dcr/stewardship/forestry/manage/forest-product/hansen-prescription.pdf>), including 23 acres targeted for pitch pine-scrub oak barrens restoration. The USFWS ARNWR is in the planning stage for the southern unit of the refuge.

THE ECOLOGICAL GOALS FOR THE DESERT NATURAL AREA ARE:

- >> Restore pitch pine-scrub oak barrens
- >> Control invasive species
- >> Enhance habitats for migratory bird species that are declining in population (such as whip-poor-will, Eastern towhee and brown thrasher)
- >> Maintain rare turtle habitat (Eastern box turtle and wood turtle)
- >> Maintain high quality cold water streams (Cranberry Brook and Trout Brook)
- >> Maintain vernal pools and upland habitat required by vernal pool breeding amphibians.

In addition to these ecological goals, partners intend to maintain high quality passive recreational opportunities, preserve cultural and archeological resources and educate the public about the resources and management of the area.

Two coldwater streams, Cranberry and Trout Brooks, run through the Desert Natural Area. These streams provide high quality habitat to native brook trout and a diversity of macroinvertebrates. Such high quality streams are uncommon in the Metrowest Boston area. Management will be designed to protect the integrity of these streams.

There are several vernal pools that provide critical breeding habitat for blue and yellow spotted salamanders, and wood frogs. These pools are also important to turtles for spring feeding. SVT initiated long term monitoring of the vernal pool on their property. Care will be taken with any management actions to assure protection of upland habitat requirements of the vernal pool obligate species.

Recreational access and trail improvements have been on-going for many years by all of the landowners in the Desert. There is an on-going effort to eliminate illicit off-road vehicle use. SVT updated a trail map for the entire area. There are over six miles of trails open for passive recreation. Most landowners permit hunting and mountain bike riding although these activities are not allowed on MGFWC land.

INVASIVE SPECIES CONTROL

Mapping of invasive plant species and distribution was completed in 2009 and 2010. Since 2011, SVT and the City of Marlborough have used mechanical methods and selective herbicide application to reduce the abundance and extent of invasive plants. Use of herbicides is essential for certain species such as Oriental bittersweet, black swallow-wort, phragmites and Japanese knotweed as well as for very large shrubs. We regularly organize volunteers to conduct manual removal of invasive plants where appropriate. These are on-going efforts.

SVT and the Town of Sudbury are implementing biological control of purple loosestrife in the marshes along Hop Brook. The Galerucella beetle is an insect from Eurasia that feeds exclusively on purple loosestrife. We have released these beetles in the Hop Brook Marsh. For more information on this program, please visit **SuAsCo Cisma's site (<http://cisma-suasco.org/projects/partner-projects>)**.

Invasive plant control was initially funded by a grant from the National Fish & Wildlife Foundation's (NFWF) Pulling Together Initiative. This work continued with funding from the Sudbury Foundation and the Foundation for MetroWest.

PITCH PINE-SCRUB OAK BARRENS RESTORATION

The goals of this project are to restore pitch pine-scrub oak barrens habitat, including habitat for rare and declining species; and to educate area residents about the ecology, management, and significance of the barrens ecosystem. Relict pitch pine-scrub oak barrens are located on SVT, Marlborough, DCR and ARNWR property. Across the region this natural community type has been languishing due to fire suppression, natural vegetative succession, invasive species, and land development.

Ideally, this project will restore 50 - 100 acres of an imperiled natural community that is targeted for protection in the **Massachusetts Wildlife Action Plan (<http://www.mass.gov/eea/agencies/dfg/dfw/wildlife-habitat-conservation/state-wildlife-conservation-strategy.html>)**. We anticipate that several rare and declining species of flora and fauna will benefit from habitat restoration including: whip-poor-will, prairie warbler, Eastern towhee, brown thrasher, barrens buckmoth, frosted elfin (butterfly), slender clearwing (moth), purple tiger beetle, wild lupine, and box and wood turtles. This project will also help prevent wildfires that could pose a health and safety risk to nearby residential areas.

Sudbury Valley Trustees, the City of Marlborough, and the DCR are partnering with the Massachusetts Natural Heritage and Endangered Species Program (MNHESP) to implement this project on their lands. Tim Simmons, former Restoration Ecologist with the MNHESP provided extensive technical expertise and guidance over the first seven years of this project. His successor, Chris Buelow, has offered his assistance as the project progresses. Additionally, the U.S. Fish & Wildlife Service (USFWS) is providing technical and

logistical support. The USFWS hopes to conduct similar management on their property in the near future.

The project is being implemented in phases. In the first phase, SVT and Marlborough implemented a prescribed fire on 14 acres located at the town boundary, on either side of the gas pipeline (trail intersection "E"). The first controlled burn took place on May 7, 2014 under the supervision of Joel Carlson, Northeast Forest & Fire Management, LLC. The burn was preceded by site preparation that included the mowing of shrubs and trees up to 6 inches in diameter. (**Read a Metrowest Daily News article about the burn.** (<http://www.metrowestdailynews.com/article/20140508/NEWS/140506782>))

See our **Prescribed Fire FAQ Page** (<http://www.svtweb.org/properties/stewardship/desert-na-restoration/fire-faqs>) and a **list of resources for additional information** (<http://www.svtweb.org/properties/stewardship/desert-na-restoration/prescribed-fire-links>) to learn more information about this project and prescribed fire in the northeast, or download our **Prescribed Fire FAQs brochure** (<http://www.svtweb.org/sites/default/files/SVTFireFAQBrochureWeb.pdf>).

SVT is initiating the second phase at their Memorial Forest in late fall, 2016 (**see map** (http://www.svtweb.org/sites/default/files/Phase2_IllustrationAerial.pdf)). "Unit A," depicted as 5a on the forest stewardship plan, will be heavily mowed and thinned in preparation for a prescribed fire to occur within a few years. "Unit B," depicted as 4 on the forest stewardship plan, will be thinned only at this time. DCR proposes to conduct thinning of various types on their land in 2015, conditions permitting. Using adaptive management, partners will adjust the phasing and scale of management actions to accommodate practical logistics and to respond to on-the-ground ecological conditions. The proposed methods have been developed through a 12-year cooperative research and management program conducted by UMASS and MassWildlife.

SVT and the City of Marlborough collaborated on outreach to local communities. DCR is now joining that collaboration. We will continue to host public forums and site walks. Informational signage will be maintained on site. An informational brochure was produced and distributed to neighbors, other stakeholders and the general public.

FOREST STEWARDSHIP PLANS FOR CONSERVATION LANDS WITHIN THE DESERT NATURAL AREA:

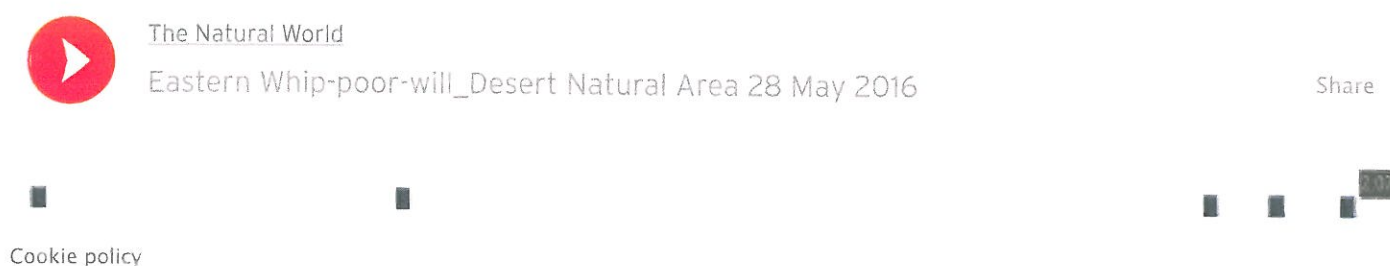
- >> **Forest Stewardship Plan for SVT's General Federation of Women's Clubs of Massachusetts Memorial Forest** (http://www.svtweb.org/sites/default/files/imce/20/svt_memorial_forest_stewplan.pdf)
- >> **Forest Stewardship Plan for The City of Marlborough's Desert Natural Area** (http://www.svtweb.org/sites/default/files/imce/20/marlboro_dnarea_stewplan.pdf)
- >> **Forest Stewardship Plan for the Town of Sudbury's Hop Brook Brook Conservation Area** (<http://sudbury.ma.us/departments/Conservation/doc6010/HopBrookConservationAreaForestStewar>)
- >> **Forest Management Proposal for the Department of Conservation & Recreation Bureau of Forestry** (<http://www.svtweb.org/sites/default/files/imce/20/hansen-lot.pdf>)

PHOTOS AND VIDEOS

The audio player below features the calls of about a dozen bird species, recorded at the site a month after the burn by Chris Renna.



This recording was made by Norm Levey from the burn area on May 28, 2016 and features the calls of eastern whip-poor-wills.



FUNDING

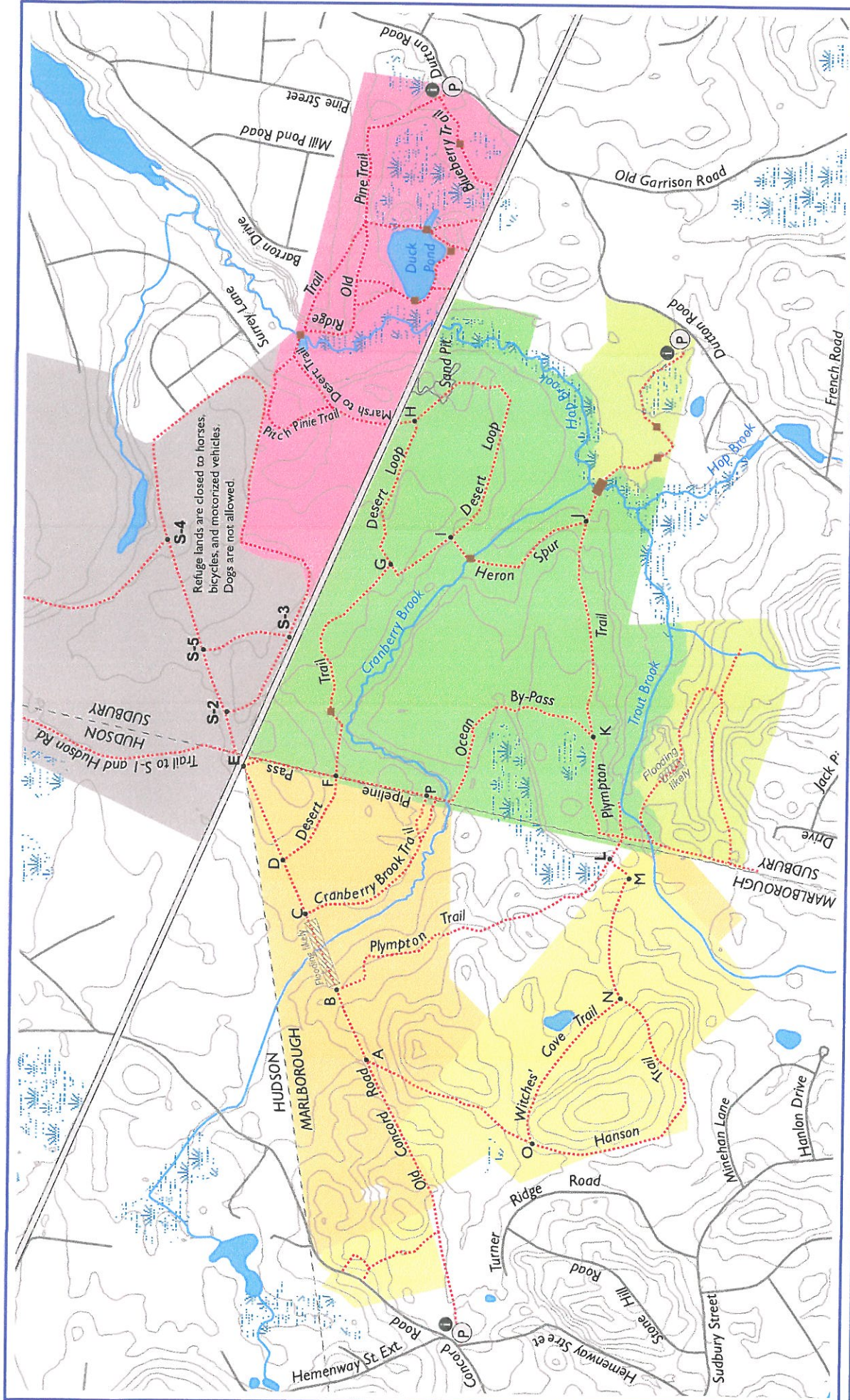
This project has required a concerted fundraising effort. The City of Marlborough received funding from the DCR Community Forestry program to prepare their land for the first phase controlled burn. SVT was granted a contract with the USDA Environmental Quality Incentives Program (EQIP) and the Massachusetts Landowner Incentives Program (LIP). The National Fish & Wildlife Foundation's Pulling-Together Initiative provided funding for initial invasive plant control throughout the Desert Natural Area and for the prescribed fire.

The Sudbury Foundation granted funds for continued restoration work in 2015 and 2016. Foundation for Metrowest has provided funding to support invasive plant control.

THIS PROJECT IS SUPPORTED BY GRANTS FROM:

- >> [The Sudbury Foundation \(http://www.sudburyfoundation.org/\)](http://www.sudburyfoundation.org/)
- >> [Foundation for Metrowest \(http://www.foundationformetrowest.org/\)](http://www.foundationformetrowest.org/)
- >> [National Fish & Wildlife Foundation's Pulling Together Initiative \(http://www.nfwf.org/AM/Template.cfm?Section=Charter_Programs_List&CONTENTID=25307&TEMPLATE=/CM/HTMLDisplay.cfm\)](http://www.nfwf.org/AM/Template.cfm?Section=Charter_Programs_List&CONTENTID=25307&TEMPLATE=/CM/HTMLDisplay.cfm)
- >> [USDA NRCS Environmental Quality Incentives Program \(EQIP\) \(http://www.ma.nrcs.usda.gov/programs/eqip/index.html\)](http://www.ma.nrcs.usda.gov/programs/eqip/index.html)
- >> [Massachusetts Department of Conservation and Recreation Forest Stewardship Program \(http://www.mass.gov/dcr/stewardship/forestry/service/steward.htm\)](http://www.mass.gov/dcr/stewardship/forestry/service/steward.htm)

- >> [MassWildlife Landowner Incentives Program \(LIP\)](http://www.mass.gov/dfwele/dfw/habitat/grants/lip/lip_home.htm)
(http://www.mass.gov/dfwele/dfw/habitat/grants/lip/lip_home.htm)
- >> [TRAIL MAPS \(HTTP://WWW.SVTWEB.ORG/PROPERTIES\)](http://WWW.SVTWEB.ORG/PROPERTIES)
- >> [STEWARDSHIP \(/PROPERTIES/STEWARDSHIP\)](#)
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 - >> [PRESCRIBED FIRE LINKS \(/PROPERTIES/STEWARDSHIP/DESERT-NA-RESTORATION/PRESCRIBED-FIRE-LINKS\)](#)
 - >> [PHASE II FAQS \(/PROPERTIES/STEWARDSHIP/DESERT-NA-RESTORATION/MEMORIAL-FOREST-RESTORATION-PHASE-II-FAQS\)](#)
 - >> [PROJECTS \(/PROPERTIES/STEWARDSHIP/PROJECTS\)](#)
 - >> [STEWARDSHIP POLICIES \(/PROPERTIES/STEWARDSHIP/STEWARDSHIP-POLICIES\)](#)
 - >> [YOUTH STEWARDS \(/PROPERTIES/STEWARDSHIP/YOUTH-STEWARDS\)](#)
- >> [REGULATIONS \(/PROPERTIES/REGULATIONS\)](#)
- >> [NATURE SIGHTINGS \(/PROPERTIES/NATURE-SIGHTINGS\)](#)
- >> [TRAIL GUIDE \(/PROPERTIES/TRAIL-GUIDE\)](#)
- >> [WOLBACH FARM \(/PROPERTIES/WOLBACH-FARM\)](#)
- >> [GLACIAL FEATURES WALK \(/GLACIALFEATURESWALK\)](#)
- >> [LETTERBOXING \(/PROPERTIES/LETTERBOXING\)](#)



Memorial Forest Sudbury, MA





MassWildlife

Commonwealth of Massachusetts

Division of Fisheries & Wildlife

Wayne F. MacCallum, *Director*

June 19, 2013

Gene Crouch
Vanasse Hangen Brustlin, Inc.
PO Box 9151
101 Walnut St
Watertown MA 02471

RE: Project Location: former Massachusetts Central Railroad
Town: BERLIN, HUDSON, SUDBURY, WAYLAND, WESTON, WALTHAM
NHESP Tracking No.: 13-32295

To Whom It May Concern:

Thank you for contacting the Natural Heritage and Endangered Species Program of the MA Division of Fisheries & Wildlife (the "Division") for information regarding state-listed rare species in the vicinity of the above referenced site. Based on the information provided, this project site, or a portion thereof, is located **within** *Priority Habitats* 1305, 687, 1516 (PH 1305, PH 687, PH 1516) and *Estimated Habitats* 485, 648, 38 (EH 485, EH 648, EH 38) as indicated in the *Massachusetts Natural Heritage Atlas* (13th Edition). Our database indicates that the following state-listed rare species have been found in the vicinity of the site:

PH 1305, EH 485

<u>Scientific name</u>	<u>Common Name</u>	<u>Taxonomic Group</u>	<u>State Status</u>
<i>Emydoidea blandingii</i>	Blanding's Turtle	Reptile	Threatened

PH 687, EH 648

<u>Scientific name</u>	<u>Common Name</u>	<u>Taxonomic Group</u>	<u>State Status</u>
<i>Glyptemys insculpta</i>	Wood Turtle	Reptile	Special Concern
<i>Terrapene carolina</i>	Eastern Box Turtle	Reptile	Special Concern

PH 1516, EH 38

<u>Scientific name</u>	<u>Common Name</u>	<u>Taxonomic Group</u>	<u>State Status</u>
<i>Botaurus lentiginosus</i>	American Bittern	Bird	Endangered
<i>Ambystoma laterale</i>	Blue-Spotted Salamander	Amphibian	Special Concern
<i>Gallinula chloropus</i>	Common Moorhen	Bird	Special Concern
<i>Ixobrychus exilis</i>	Least Bittern	Bird	Endangered
<i>Podilymbus podiceps</i>	Pied-Billed Grebe	Bird	Endangered

The species listed above are protected under the Massachusetts Endangered Species Act (MESA) (M.G.L. c. 131A) and its implementing regulations (321 CMR 10.00). State-listed wildlife are also protected under the state's Wetlands Protection Act (WPA) (M.G.L. c. 131, s. 40) and its implementing regulations (310 CMR 10.00). Fact sheets for most state-listed rare species can be found on our website (www.nhesp.org).

www.masswildlife.org

Division of Fisheries and Wildlife

Temporary Correspondence: 100 Hartwell Street, Suite 230, West Boylston, MA 01583

Permanent: Field Headquarters, North Drive, Westborough, MA 01581 (508) 389-6300 Fax (508) 389-7890

An Agency of the Department of Fish and Game

Please note that projects and activities located within Priority and/or Estimated Habitat must be reviewed by the Division for compliance with the state-listed rare species protection provisions of MESA (321 CMR 10.00) and/or the WPA (310 CMR 10.00).

Wetlands Protection Act (WPA)

If the project site is within Estimated Habitat and a Notice of Intent (NOI) is required, then a copy of the NOI must be submitted to the Division so that it is received at the same time as the local conservation commission. If the Division determines that the proposed project will adversely affect the actual Resource Area habitat of state-protected wildlife, then the proposed project may not be permitted (310 CMR 10.37, 10.58(4)(b) & 10.59). In such a case, the project proponent may request a consultation with the Division to discuss potential project design modifications that would avoid adverse effects to rare wildlife habitat.

A streamlined joint MESA/WPA review process is available. When filing a Notice of Intent (NOI), the applicant may file concurrently under the MESA on the same NOI form and qualify for a 30-day streamlined joint review. For a copy of the NOI form, please visit the MA Department of Environmental Protection's website: <http://www.mass.gov/dep/water/approvals/wpaform3.doc>.

MA Endangered Species Act (MESA)

If the proposed project is located within Priority Habitat and is not exempt from review (see 321 CMR 10.14), then project plans, a fee, and other required materials must be sent to Natural Heritage Regulatory Review to determine whether a probable "take" under the MA Endangered Species Act would occur (321 CMR 10.18). Please note that all proposed and anticipated development must be disclosed, as MESA does not allow project segmentation (321 CMR 10.16). For a MESA filing checklist and additional information please see our website: www.nhesp.org ("Regulatory Review" tab).

We recommend that rare species habitat concerns be addressed during the project design phase prior to submission of a formal MESA filing, as avoidance and minimization of impacts to rare species and their habitats is likely to expedite endangered species regulatory review.

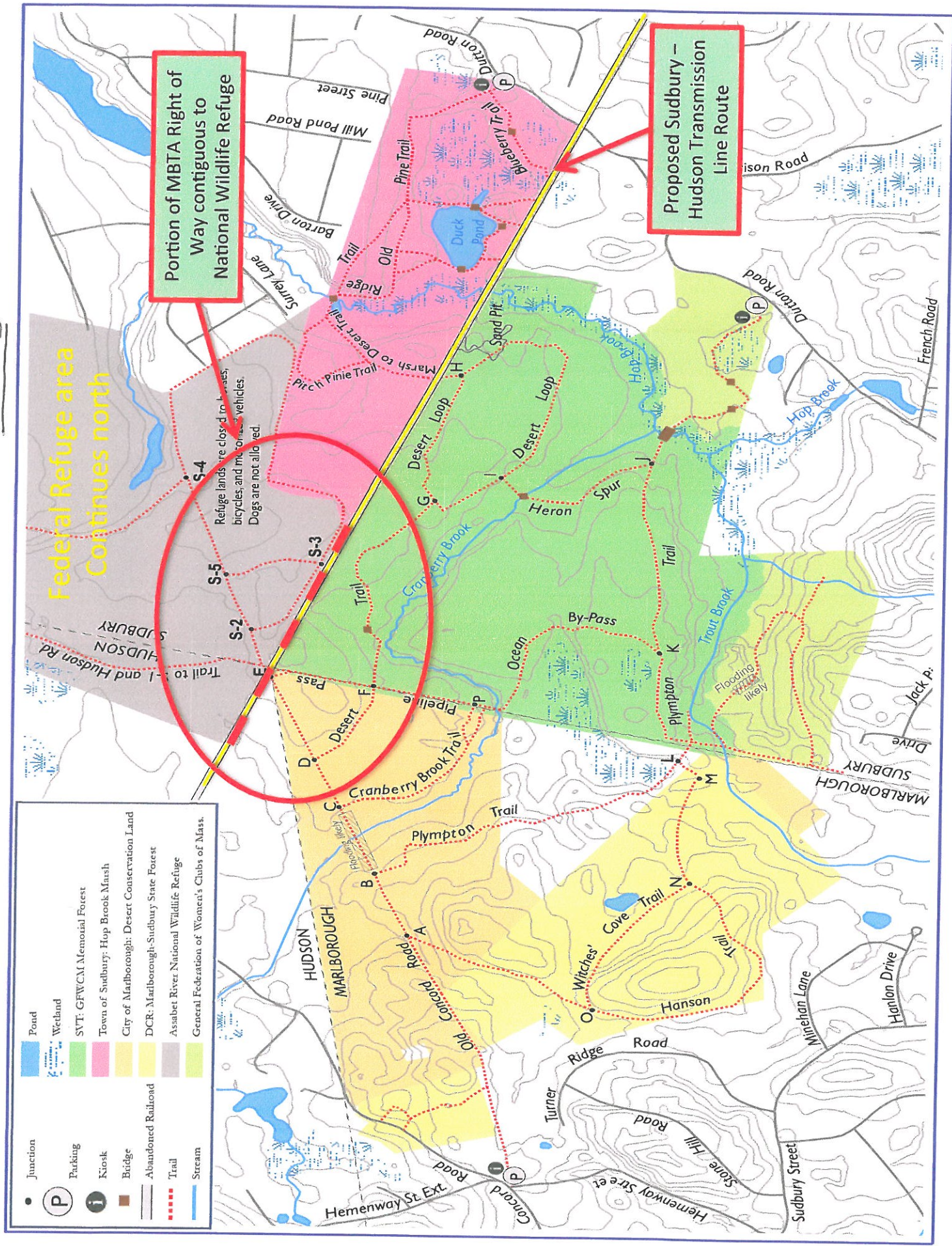
This evaluation is based on the most recent information available in the Natural Heritage database, which is constantly being expanded and updated through ongoing research and inventory. If you have any questions regarding this letter please contact Lauren Glorioso, Endangered Species Review Assistant, at (508) 389-6361.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. French". The signature is fluid and cursive, with the first name "Thomas" and last name "French" clearly legible.

Thomas W. French, Ph.D.
Assistant Director

Century
Exhibit 3



Desert Natural Area Prescribed Burn info

An additional consideration is that the Eversource project will bisect the Desert Natural Area, a nationally important fire dependent community. This 900-acre ecosystem, which includes the southern part of the Assabet River National Wildlife Refuge, lies within the larger 4,000 acres of protected lands highlighted on previous slides. This ecosystem is the site of former expanses of Pitch Pine-Scrub Oak Barrens, among the most imperiled natural communities in the world and contribute significantly to the biological diversity of the northeast. Across the Northeast region of the United States this natural community type has been diminishing due to fire suppression, vegetative succession, invasive species, and land development. In Massachusetts 30% of Listed (Rare) Species Require Fire-Dependent Habitats. This habitat provides homes for several rare species and other species experiencing population declines.

Because of its imperiled status, in 2009, a partnership of local, state and federal agencies have created a restoration management plan, which includes cutting and prescribed burns. The USDA Natural Resources Conservation Service and others have provided funding for the Desert Natural Area restoration project.

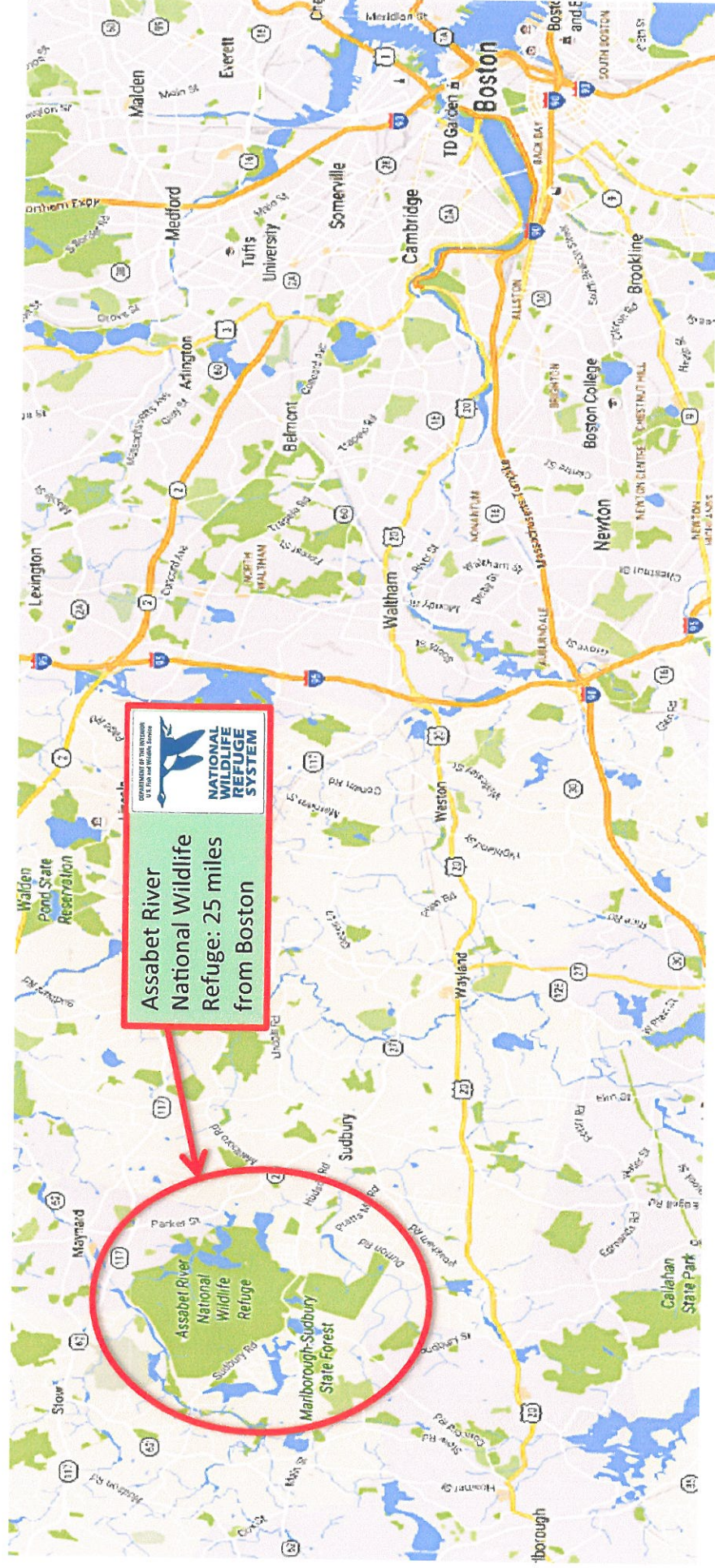


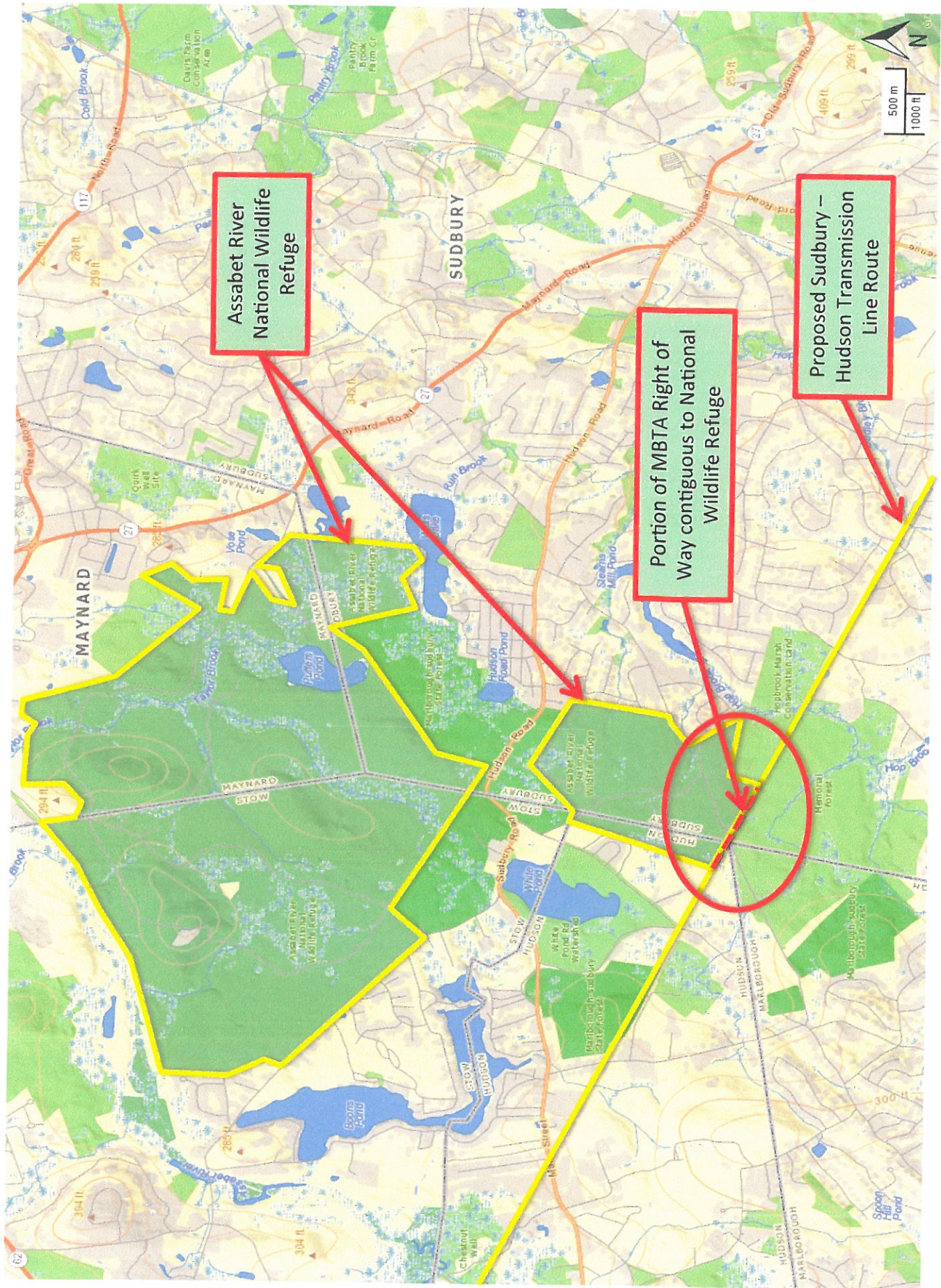
Spring 2014 controlled burn at the Desert Natural Area.

More info here: http://www.svtweb.org/sites/default/files/DesertPresentation_SVT_20150429.pdf & <http://www.svtweb.org/properties/stewardship/desert-na-restoration>

Eversource Sudbury-Hudson Transmission Line and the Assabet River National Wildlife Refuge

Eversource's proposed route for the Sudbury-Hudson Transmission line bisects a patchwork of federal, state, municipal and land trust protected and conserved lands. In all, it is over 4,000 acres, including the federally protected Assabet River National Wildlife Refuge.







COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

MITT ROMNEY
Governor

KERRY HEALEY
Lieutenant Governor

ELLEN ROY HERZFELDER
Secretary

ROBERT W. GOLLEDGE, Jr.
Commissioner

Best Management Practices for Controlling Exposure to Soil during the Development of Rail Trails

This document summarizes **Best Management Practices ("BMPs")** that should be considered before, during, and after former railroad lines are converted to recreation trails. These BMPs have been developed to eliminate or minimize potential exposures to residual oil or hazardous materials commonly found along railroad rights-of-way being converted to rail trails. This document also identifies locations and conditions for which the application of BMPs alone may not be sufficiently protective of public health and the environment.

These BMPs have been developed specifically for situations where a municipality has acquired a property interest in a rail corridor from the Massachusetts Bay Transportation Authority (MBTA) in order to convert the corridor to a rail trail¹. This fact sheet is relevant to municipalities: (1) with specific knowledge of a release of oil or hazardous materials through testing or other means and/or (2) without specific knowledge of a release, that seek to prevent the exposure of persons to oil or hazardous materials that may be present in such corridor until a responsible person conducts response action under MGL Chapter 21E.

Background Information

The waxing and waning of railroad activity in Massachusetts over the past century has left the Commonwealth a legacy of under-utilized rights-of-way that may be redeveloped for new rail service (such as the Amtrak Downeaster and the Greenbush line) or recreational trails (such as the Minuteman Trail or the Mass Central Rail-Trail).

When active, these railroad lines were important transportation corridors serving the citizens and industries of Massachusetts. Now many communities are actively seeking to convert former railroad lines to create new links -- trails that link:

- commuter's homes to workplaces;
- children's schools to the playgrounds;
- tourists' curiosity to the region's history; and
- communities to their neighbors.

¹ More specifically, only for those situations addressed under Chapter 46 of the Acts of 2003

This information is available in alternate format. Call Debra Doherty, ADA Coordinator at 617-292-5565. TDD Service - 1-800-298-2207.

Many former rail lines were abandoned years ago and appear to be nearly reclaimed by nature. Other lines run parallel to active lines, or reveal rusted rails threading through industrial areas. In some instances adjacent industrial activities, historic loading practices, leaks during material transfers or storage, and repair activities have contaminated soil with oil or hazardous materials. In addition, residual contamination is often found along the length of the line, incidental to the maintenance and use of the railway itself.

Redevelopment of former rail lines to recreational trails can be accomplished in a way that protects public health and the environment. It requires recognizing potential problems and implementing actions to safeguard nearby residents, workers, and trail users throughout the life of the project.

Residual Contamination from Railroad Operations

Some historic railroad operations involved the use of chemicals that may have resulted in presence today of contamination. The most commonly reported contamination along rail lines includes metals, pesticides² (such as lead arsenate), and constituents of oil or fuel (petroleum products). These chemicals have been associated with normal railroad operations and are likely to be found anywhere along the line. For example, it would not be uncommon to find arsenic (up to ten times natural background levels) present in the soil along a right-of-way from old railroad ties dipped in an arsenic solution, arsenic weed-control sprays, and arsenic-laced slag used as railroad bed fill³. Lubricating oil and diesel that dripped from the trains are likely sources of the petroleum product found along the lines. Other sources of contaminants associated with historic railroad operation may include coal ash from engines, creosote from ties, and polynuclear aromatic hydrocarbons ("PAHs") from the diesel exhaust.

The BMPs outlined in this document are specifically designed to be protective of public health and provide a practical alternative to extensively testing for and possibly removing these "typical" residues expected from the historic operation of a rail line⁴.

In some instances, a rail corridor may have been open for a relatively short time, during a period of time or in a region where chemicals were not used by the rail operator. Application of the BMPs would not provide any significant benefit in those instances. In the absence of good historic information, the only sure way to know whether residuals pose a risk to trail users is to collect environmental samples along the corridor. Location-specific sampling results may then be used to modify these measures or obviate the need for their use.

Elevated Contamination from Railroad Operations or Other Sources

Several potential sources of contamination along a rail line may pose significant health and environmental risks worthy of closer examination. These sources include operations at switching and repair yards, railroad accidents involving hazardous cargoes, and releases of chemicals on rail spurs and properties that abut rail lines, but which are unrelated to the railroad operations. The latter two examples may

² The application of pesticides consistent with their labeling is excluded from the definition of a "release" under M.G.L. Chapter 21E.

³ Sampling along the abandoned Greenbush Line in the Fall of 2003, prior to its rehabilitation for commuter rail service, indicates the presence of arsenic concentrations up to 205 mg/kg, with 16% of the results greater than the MCP S-1 soil standard of 30 mg/kg, and 25% greater than the proposed standard of 20 mg/kg.

⁴ Consistent with Section 8C of Chapter 46 of the Acts of 2003 (<http://www.state.ma.us/legis/laws/seslaw03/sl030046.htm>), the BMPs described in this document suitably prevent access to the residual oil or hazardous materials expected to be present along a railroad right-of-way.

involve almost any chemical, such as the phosphorus trichloride released in an April 3, 1980, tank car incident in Somerville, or the asbestos released from the Zonolite processing plant in Easthampton. The contamination in rail yards is somewhat more predictable, including petroleum; metals; pesticides and organic compounds emanating from equipment cleaning areas; fueling areas; maintenance and repair activities; and the railroad beds themselves.

An MCP Phase 1⁵ level of investigation, tailored to the nature of the contaminant and source, would be appropriate to address these sources of elevated chemical contamination. A Phase 1 Preliminary Investigation would typically contain sufficient information in the following areas to determine the need for a Response Action or further detailed investigation:

- General Disposal Site Information (description of location and potential receptors in the area);
- Disposal Site Map (description of the property itself, with buildings, drains, and sampling locations noted);
- Disposal Site History (description of ownership, releases, chemical use, management of waste, compliance history);
- Site Hydrogeological Characteristics (description of groundwater flow, borings, wells, and the results of any investigations);
- Nature and Extent of Contamination (description of evidence of releases, laboratory results, thickness of NAPL, approximate location of contamination);
- Migration Pathways and Exposure Potential (description of contamination in air, water, soil, and discussion of potential human and environmental receptors);
- Evaluation for Immediate Response Actions; and
- Conclusions.

The results of such an investigation would be used to determine appropriate measures to implement to eliminate or reduce current and future exposure to the contaminated soils. Such measures could be similar to the BMPs proposed in this guidance, more extensive than these BMPs, or less stringent, depending on the outcome of the investigation.

Identifying Areas of Concern

As described above, locations along rail corridors could exhibit a wide range of chemical contamination, depending on the use of the line and adjacent properties. Trail developers can conduct historic research to categorize segments of a rail corridor by level of concern.

DEP has identified four categories of interest for the purpose of implementing the soil BMPs. Any given rail-trail may be comprised of one or more of these areas.

Residential, undeveloped or rural rights-of-way

These are stretches along a rail line that border historically residential, undeveloped or rural properties. These areas are likely to have been affected only by the normal operation of the rail line, with a residual level of contamination. The BMPs outlined in this document are considered appropriate for these locations, absent evidence of a specific release.

⁵ The general content of a Phase I "Initial Site Investigation Report" is described in the Massachusetts Contingency Plan, 310 CMR 40.0483.

Stations and crossings

These relatively small stretches along a right-of-way would be expected to be associated with contamination elevated over the residual levels, due to more frequent/intense use of pesticides to improve sight lines and greater frequency/intensity of human activities. The BMPs outlined in this document are considered appropriate for these locations, absent evidence of a specific release.

Industrial corridors

Many rail-trails include segments that pass through industrial areas, even the predominantly rural trails of western and central Massachusetts. These stretches have a higher *potential* for contamination within the right-of-way that is unrelated to the historic railroad use. The BMPs outlined in this document may not be sufficiently protective of public health and the environment at these locations. A preliminary review is recommended in order to establish whether site-specific concerns indicate a need for further investigation, including soil testing. Absent a site-specific concern, the BMPs outlined in this document are considered appropriate for these locations.

Switching and Repair Yards

As discussed earlier, switching and repair yards have a greater range of potential contaminants of concern and a higher likelihood that the contaminants are present at significant levels. The BMPs outlined in this document are not considered sufficient by themselves to protect public health and the environment at these locations, absent further investigation.

Figure 1 outlines the decision-making steps trail developers should follow in identifying locations of interest along the corridor they are developing and whether the BMPs apply without the need for further site investigation, including soil testing.

Goals of Best Management Practices

DEP's goals in publishing BMPs for use in developing rail-trails include:

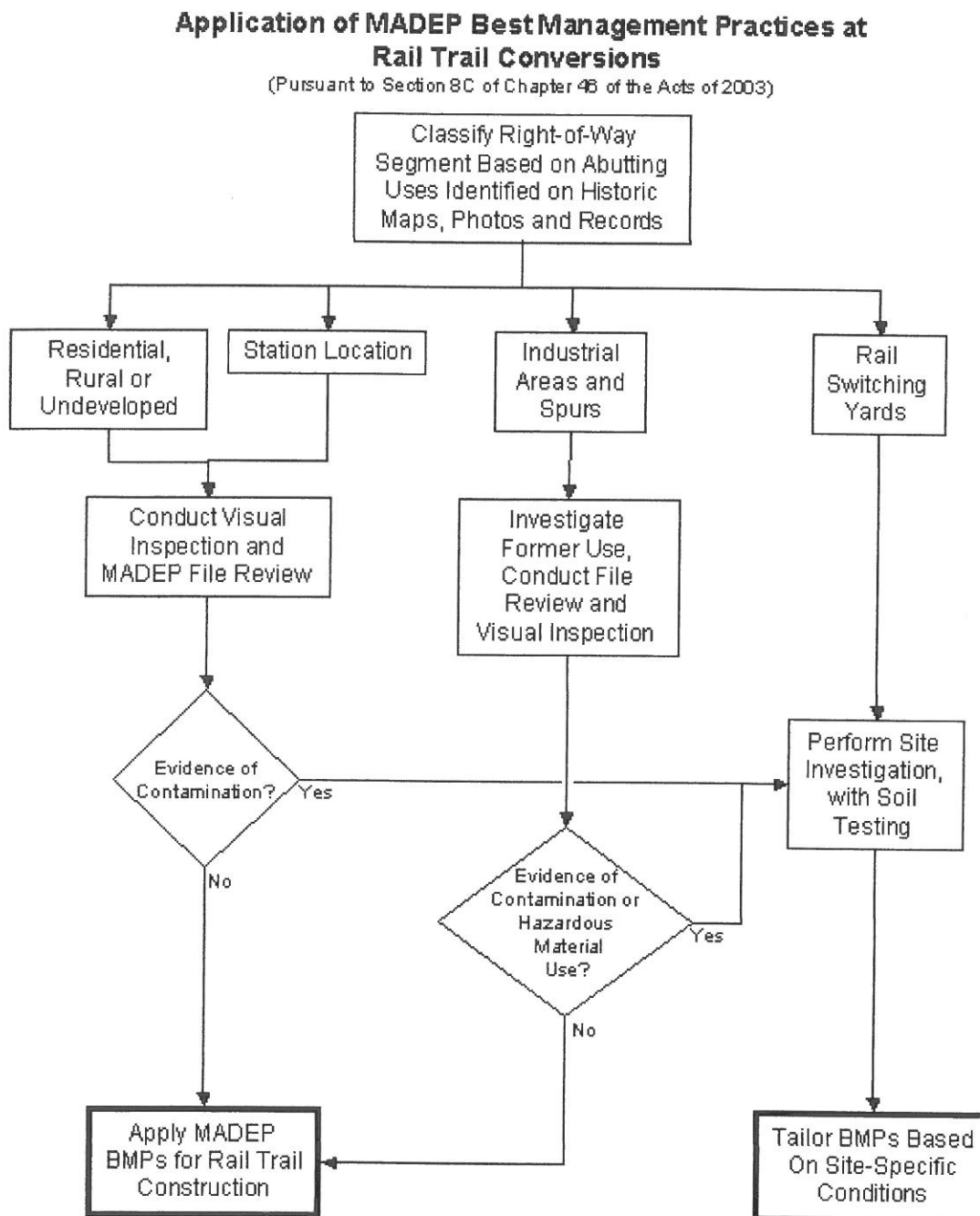
- promoting rail-trail conversions that are both health-protective and cost-effective⁶;
- recognizing the potential presence of oil or hazardous material along the right-of-way;
- recognizing the potential health and environmental risks associated with developing the right-of-way;
- expediting trail development to prevent (or minimize) risk to current users of "beaten paths" along inactive rail corridors;
- preventing (or minimizing) exposures to oil or hazardous material before, during, and after construction of rail-trails; and
- preventing (or minimizing) off-site migration of contaminants before, during, and after the construction of rail-trails.

These BMPs are intended to be applied to those rail corridor segments where residual contamination from historic railroad operations is assumed to be present. Trail developers always have the option to conduct soil testing to rule-out the presence of contamination and tailor soil management practices to actual site conditions.

In addition to reducing risk of exposure to contaminants, the focus of this guidance, trails promote public health by encouraging active and healthy lifestyles.

The application of these BMPs to any portion of a rail corridor converted to residential use in conjunction with rail trail development is not appropriate. Only a site-specific investigation, including soil testing, can determine whether conversion to residential use is health protective.

Figure 1



BMP Applicability

These BMPs were developed primarily for residential or rural rights-of-way, and stations and crossings. The BMPs will also be applicable in many industrial corridors, but those locations may need case-by-case review to determine the likelihood of contamination beyond the residual levels assumed here.

DEP does not believe that these BMPs are, by themselves, sufficient and appropriate for use without more extensive site investigation in industrial areas with known or likely non-railroad sources, or in rail yards.

Note that the focus of these BMPs is the potentially contaminated soil along the right-of-way and the human exposures and environmental exposures that may result from improperly managing that soil at or near the surface. This document is not intended to be a summary of all environmental requirements, such as wetlands permitting or Underground Storage Tank (UST) removal that may apply to a project. Municipalities developing rail trails are also obligated to contain the further release or threat of release of oil or hazardous materials from any structure or container within the corridor.

Phases of Project/Exposures of Concern

Rail-trail development occurs in three main phases, or time periods. Each phase has unique exposures that must be considered to identify appropriate BMPs. These phases are pre-construction, construction, and post-construction.

Pre-Construction Phase

The pre-construction phase covers the period up to the time construction actually begins. Depending on project finances and construction sequences, this phase may last several years as communities seek funds to develop a project. Trail design also occurs during the Pre-construction Phase.

While the right-of-way is not a designated rail-trail at this point, a potential may exist for people to be exposed to contaminated soil on or from the right-of-way. Dirt bikers, hikers, or children taking shortcuts, and adjacent residents may receive runoff or dust from the rail bed in its unimproved condition. Many future rail-trails also serve as utility corridors. Workers repairing or installing subsurface utilities (such as sewer lines) may have the highest potential for exposure, albeit short-term.

During trail design, developers should identify which soils will be handled during construction and plan the areas where people will congregate once the trail has been completed.

As the final grades are established, areas for playgrounds identified, and trailheads located, long-term exposures may be created to any contaminated soil remaining along the trail. By following the design guidelines provided below, designers can ensure that any long-term exposures are eliminated or minimized.

If any soil will be excavated from the right-of-way and reused off-site, the potential for exposure should also be considered.

Construction Phase

The construction phase has the potential to create significant exposures to contaminated soil as the old rail line is cleared, the right-of-way is prepared, and the trail is constructed. While construction activities may be sporadic and short-term on any given stretch of the line, the project itself may continue for many months, or even longer than a year.

The receptors of concern during the construction phase include:
demolition workers (clearing the brush; and removing the rails, ties, ballast, and debris);
construction workers (grading and shaping the trail; and creating, moving, and dissipating soil stockpiles);
adjacent residents (inhaling dust generated from the project; exploring the partially-built trail; coming in contact with soil pushed onto their property, etc...); and
environmentally sensitive areas/species.

Post –Construction Phase

After construction, trail managers must monitor activities along the trail corridor to ensure that the steps taken to reduce exposure remain effective. Trail managers should be involved in decisions to excavate material from the trail corridor to ensure that users are protected both during and after such excavation. Workers repairing or installing subsurface utilities (such as sewer lines) may have the highest potential for exposure, albeit short-term. Maintenance activities will be necessary to ensure the integrity of the trail surface, structures and landscaping that help serve to eliminate exposures.

Recommended BMPs

Absent analytical evidence to the contrary, all soil along the right-of-way should be presumed to have at least residual levels of lead, arsenic, and PAHs from historic railroad operations, as described above. The following BMPs should be considered for the pre-construction, construction, and post-construction phases of rail-trail development, as appropriate.

Pre-Construction

1. Conduct a thorough, pre-construction paper review of the right-of-way and adjacent properties.
 - Investigate the rail line history; locate old stations, crossings, spurs, and rail yards. The Valuation Plans and historic aerial photos for the properties abutting the rail line can provide much of this information⁷.
 - Investigate site use and the history of adjacent properties; identify commercial and industrial stretches. The Valuation Plans and Sanborn Insurance maps can provide much of the information for the snapshot in time when they were developed. Local historical societies may have information on leading local industrialists and their local businesses.
 - Review the existing list of known or suspected disposal sites to see if any are located along the right-of-way⁸

⁶Rails-to-Trails Conservancy provides additional guidance in its publication “Acquiring Rail Corridors” p 95-97. (http://www.trailsandgreenways.org/resources/development/acquis/arc_book.asp)

- Inquire with neighbors, fire department personnel or the local historical society for further information on train crashes, accidents, and other incidents that may have released chemicals.⁹
2. Conduct a thorough, visual inspection of the right-of-way, looking for:
 - contaminated soil as evidenced by discoloration, odors, differences in soil properties, pipes, or buried debris;
 - signs of illegal dumping of waste from businesses or industry (not simply household trash);
 - stressed vegetation or “dead zones”;
 - areas of soil run-off, both away from the right-of-way and toward the right-of-way;
 - signs of wind erosion sufficient to create a dust inhalation exposure;
 - signs of public use of the existing right-of-way (condoned or trespassing), such as dirt-bike trails, play forts, beverage cans, and fire pits.
 3. Control current (pre-construction) exposures to soil in areas of concern by implementing one or more of the following measures, as indicated by site conditions:
 - install signs to redirect people from areas of concern; or
 - strategically place barriers to control use in the areas of concern; or
 - implement other measures to eliminate contact with soils in areas of concern.

In the event these three measures do not prove successful, trail developers should consider covering areas of exposed soil or planting bushes (such as puckerbrush) to divert people away from areas of concern.

Design Guidelines to Reduce Exposure

While developing the design for the trail, the design engineer or architect should follow these guidelines in order to reduce potential exposures.

1. Within the tread way¹⁰ and in areas designated for recreational use along the trail (such as rest areas, picnic areas, and playgrounds), eliminate contact with potentially contaminated soil by implementing one or more measures, as appropriate:
 - Place potentially contaminated soil under pavement or an equivalent layer of compacted stone dust; or
 - Place potentially contaminated soil under at least 12 inches of clean fill and mark with a geosynthetic barrier immediately above the potentially contaminated soil; or
 - Remove and appropriately dispose of potentially contaminated soil off-site. Replace with clean material (soil, stone dust, wood chips, etc.) to establish the path and maintain grade.

⁷The Massachusetts DEP databases (<http://Mass.Gov/dep/cleanup/sites/sdown>) have spills information from the early 1980's and list known and suspected locations of contamination by street address. If evidence exists that an off-site source may have contaminated the right-of-way, further investigation is needed. DEP files may contain sufficient information to determine whether the right-of-way has been affected.

⁸If evidence exists that an incident may have contaminated the right-of-way, further investigation is indicated. DEP files may contain sufficient information to determine the extent of the problem.

⁹The tread way includes any area intended for active use including jogging side paths and equestrian trails

2. Outside of the tread way, control contact with potentially contaminated soil by implementing one or more measures to minimize or eliminate contact with potential residual contamination, including:
 - Design landscaping, including the nature, location, and density of plantings, that channels recreational users of the trail to the tread way, disrupts the creation of informal tread ways (such as single track trails) and directs users away from potentially contaminated soil;
 - Create areas of congregation, such as benches, rest areas, and scenic areas, that draw recreational users of the trail and encourage congregation away from potentially contaminated soil;
 - Install signs informing users of upcoming congregation areas and/or advising users to remain on the path;
 - Stabilize the soil through plantings, grading, or other erosion control measures;
 - Install guardrails, curbing, or fences in areas to encourage users to stay the tread way; or
 - Implement other design features that would minimize or eliminate contact with residual contamination in the soil.
3. The design should identify areas where potentially contaminated soil will be removed and areas within the corridor where such soils can be safely stored temporarily so that the Construction Contractors can re-use as much material on-site as possible.

During Construction

The following BMPs presume the trail construction includes excavation, movement, placement and grading of soil. Trail construction activities that involve no movement of soil may be carried out with the application of standard dust control measures, such as spraying soil with water.

The following guidelines should be followed during construction involving soil grading and excavation and be incorporated into the construction bid documents in order to ensure the proper handling of soils during trail construction:

1. Hire an independent environmental monitor or task existing staff to oversee the Construction Contractor¹¹. The monitor will:
 - Verify that construction-related plans and training are in place before construction begins ;
 - Oversee all excavation,
 - Visually inspect material that will be moved, and
 - Ensure proper management of soil along the right-of-way and the implementation of BMPs.

During construction, the environmental monitor should be present whenever known contaminated soil will be excavated and should inspect construction-related BMPs several times each week.

¹⁰For example, a municipality may enter into an agreement with Mass Highway to manage a trail construction funded with federal transportation appropriations. The agreement should require that the construction contract include provisions requiring the contractor to follow the BMPs and the directions of the independent environmental monitor.

2. Minimize or eliminate exposure of construction workers to potentially contaminated soil.
 - Prepare site-specific soil management and health and safety plans.
 - Have employees and subcontractors complete a safety-training program covering the potential hazards associated with working with contaminated soil likely to be present along a rail line, before excavation work begins.
 - Educate employees and subcontractors in identifying contaminated soil and on handling and disposal procedures for contaminated soil.
 - Hold regular meetings to discuss and reinforce the health and safety procedures.
 - Prevent visible dust during excavation, transportation, and placement operations. Implement dust control measures, such as spraying soil with water, during excavation or grading operations. Exercise caution to prevent soil spillage during transport.
3. Minimize or eliminate exposure of adjacent residents and curious trespassers to potentially contaminated soil.
 - Prevent visible dust during excavation, transportation, and placement operations. Implement dust control measures, such as spraying soil with water, during excavation or grading operations. Exercise caution to prevent soil spillage during transport.
 - Install temporary signs and/or security fence to surround and secure areas where potentially contaminated soil may pose an Imminent Hazard to human health.
 - Avoid temporary stockpiling of potentially contaminated soils. Take the following precautions stockpiling, as necessary:
 - Identify long-term stockpile locations that are away from residences, schools or playgrounds;
 - Cover the stockpile with plastic sheeting or tarps to prevent dust generation and erosion;
 - Install a berm, hay bales, and/or silt fences around the stockpile to prevent runoff from leaving the area;
 - Do not stockpile in or near storm drains or watercourses; and
 - Clean-up materials should be staged near the storage area.
4. Minimize or eliminate the migration of potentially contaminated soil off-site.
 - Protect gutters, storm drains, catch basins, and other drainage system features on the site with hay bales and/or silt fences during construction. They should be cleaned following the completion of site work.
 - Prevent visible dust during excavation, transportation, and placement operations. Implement dust control measures, such as spraying soil with water, during excavation or grading operations.
 - Exercise caution to prevent soil spillage during transport.
 - Stabilize exposed areas of potentially contaminated soil and prevent run-off.
5. Prevent new leaks and spills and notify DEP, as appropriate, if they occur.
6. Transport and dispose potentially contaminated soil in accordance with the applicable rules and regulations of the United States Department of Transportation (USDOT), the United States Environmental Protection Agency (USEPA), and the Massachusetts Department of Environmental Protection (MADEP) (the specifications for the off-site management of contaminated soil supersede the procedures outlined in this BMP).

Post- Construction

1. Establish a protocol to ensure that future workers performing maintenance or construction within the right-of-way are made aware of the need for appropriate BMPs, including:
 - Posting of signage indicating that a permit from the trail manager is necessary before any excavation of the corridor begins.
 - Sending notice of the existence of such requirement to easement holders and the municipal engineer and/or public works department; and
 - Developing Standard Operating Procedures with local utilities, easement holders, DPWs, and other municipal offices for work in the right-of-way.
2. Establish a procedure for the trail manager to periodically travel the corridor and inspect the integrity of the trail surface, structures and landscaping and require appropriate action to correct any problems observed.

DEP Contact

For further information, please contact Paul Locke in the DEP Bureau of Waste Site Cleanup at (617) 556-1160 or Paul.Locke@state.ma.us.

Czepiga, Page (EEA)

From: ritchcutts@aol.com
Sent: Friday, June 30, 2017 1:24 PM
To: Beaton, Matthew (EEA); Czepiga, Page (EEA)
Subject: MEPA Comment Letter - Eversource Sudbury-Hudson Transmission Line - Part 1
Attachments: Comment Ltr MEPA EEA#15703 - June 30, 2017.pdf; mass-central-rail-trail-evaluation-of-existing-bridges-rev1 (1)- Exhibit C to MEPA Comment Ltr.pdf; MEPA Public Comment Ltr - EEA#15703 - Exhibit B.pdf

Dear Secretary Beaton and MEPA Reviewer Ms. Czepiga,

Please accept my personal comment letter for the record in EEA# 15703.

My contact information is at the signature line in the comment letter. I apologise for the incorrect address. I realize that it should have been 100 Cambridge St., Suite 900.

I hope this clerical error is not a problem. Please advise and I will revise and rescan if required.

I am sending a third exhibit (my EFSB filing and exhibits by separate email).

Rebecca Cutting
Sudbury

June 30, 2017

H. Rebecca Cutting, Esq.
381 Maynard Road
Sudbury, MA 01776
ritchcutts@aol.com

Matthew Beaton, Secretary
Executive Office of Energy & Environmental Affairs
One South Station
Boston, MA 02110

Re: Public Comment – Eversource - MEPA Filing – EEA#15703
Proposed 115kv line from Sudbury to Hudson
Environmental Notification Form (as amended June 12, 2017)

Dear Secretary Beaton:

Please accept and enter my written comments on the above-referenced Environmental Notification Form (“ENF”) as part of the administrative record for EEA#15703, under the “Massachusetts Environmental Policy Act”, M.G.L. c. 30, §§ 61 through 62H inclusive (“the Act”) and the regulations promulgated thereunder at 301 C.M.R. 11.00 (“the Regulations”). I attended the site visit and public meeting held on June 12, 2017 by MEPA staff, Page Czepiga and provided oral comments both at the site and at the public meeting. I will reiterate those comments here and provide additional information that I believe will prove useful to the MEPA review process.

I am an attorney with a private environmental practice in Massachusetts, recently retired from the litigation group of the Department of Environmental Protection. I have resided in Sudbury for over 50 years observing its transformation from rural agricultural to commercial and residential uses. I am also a long-standing member of the local land trust, Sudbury Valley Trustees (“SVT”), which owns and manages the “Memorial Forest” which abuts much of the westerly section of the 115kv power line (“the Project”) proposed to be located on the abandoned Massachusetts Central Railway right of way (the “ROW”)¹. I have also supported the local citizens’ group, “Protect Sudbury”, which opposes the use of the ROW and seeks to relocate the proposed 115kv power line (“the Project”) to existing public ways rather than over the ROW. I support the positions of both organizations but write to you only in my individual capacity and not as a representative of either group.

I believe that MEPA staff person, Ms. Czepiga, obtained a clear sense of the opposition to the present alignment on the ROW during the site visit and the ensuing public meeting. The opposition is clearly not mere “nimby-ism” when one considers the breadth of the opposing parties: the Town of Sudbury, residents of both Hudson and Sudbury, the local land trust as well as concerns expressed by Representative Carmine Gentile and Senator Jamie Eldridge. In addition, the abutting federal wildlife

¹ The ROW is an abandoned rail line once owned and operated by the Boston & Maine RR. It was transferred by takings in 1977 to the MBTA. Boston & Maine’s retained right of rail use was allowed to be abandoned by order of the U.S. District Court for Mass. in 1980. In 2010 the MBTA executed a lease with DCR establishing a “Corridor” for DCR, fifteen (15) feet wide with two (2) foot shoulders on either side for use as a rail trail. Under this lease the MBTA retained rights for “ancillary uses” and for “other uses as MBTA may permit”. A copy of this lease is attached hereto as **Exhibit 1**. More recently the MBTA and Eversource have negotiated a draft of an “Option Agreement” to use the ROW for installation of the Project.

refuge, Assabet River NWR and DCR's Marlboro State Forest will be impacted. While the ROW appears as a conveniently straight shot from the Sudbury power station to the end point at the Hudson power station, we all know that at the time of construction in the late 1800's rail lines were typically put through wetlands as they were considered expendable and unusable. This ROW extends through extensive wetlands from east to west; it is a classic example of this practice. Since the turn of the century we have come to understand the connection between public health and safety (water supply, flood control, damage prevention and recreational opportunities) and wetland protection. This proposal to use the old railbed is a perfect example of the wrong use of key wetlands. Wetlands protected by the application of considerable public funds (as well as private) that should not now be undercut where there are viable alternatives.

Consequently, I ask that your Secretariat direct the involved agencies, including the Energy Facilities Siting Board ("EFSB") to reconsider and seriously review the other options. Specifically, to look back at the proposal that came before the EFSB to install a redundant/backup line on the existing Northboro to Hudson utility corridor. Also, in that look back to ascertain that the data that ISO relied upon in determining the need for this redundancy project remains valid. There has been testimony in the EFSB public hearing (toward the end of the hearing) that indicates that the original demand projections and peaks have not proven in the passage of time since to be true. See, Exhibit A (letter) attached. Finally, please also consider the alternative of placing the line, should it indeed prove necessary, in existing public ways as was done several decades ago when the Sudbury power station was constructed. Each of these avoids the considerable environmental impacts of the present proposal on the ROW.

On the wetlands impacts, I am not alone in finding that the filing of a "Corrected" Environmental Notification Form ("CENF") on the same day as the site visit and public meeting was very troubling, putting the public at a distinct disadvantage in providing meaningful comments to Ms. Czepiga on that same day. Aside from this unfortunate and unfair timing, the CENF, as was noted at the public meeting by Selectman Daniel Carty, contains multiple inconsistencies and contradicts itself; clearly a sign of hasty development and lack of reliability. Consequently, as I stated at the public meeting (repeating a request of the Sudbury Conservation Administrator), the delineation of the "Bordering Vegetated Wetland" ("BVW") should be closely scrutinized to ensure that the last minute assertion of the Applicant (Eversource) that the wetland review threshold at 301 CMR 11.03(3)(b)1.d, for BVW is not in fact triggered as the CENF asserts. Having walked the ROW along wetlands in Sudbury and Hudson I believe it is entirely possible that other wetland review thresholds will be triggered by both construction impacts and by the installation of the line itself and the necessity of repairing the numerous bridges. See Exhibit C attached.

I urge you and your staff to ensure to your own satisfaction that the wetland delineations are in fact accurate. For example, I believe that other review thresholds may be triggered such as for inland bank under 301 CMR 11.03 (3)(b)1.b and for "other wetlands" under (b)1.f. As was noted on the site walk, there is a remarkable density of vernal pools immediately adjacent to the ROW; many within a few feet or less. Perhaps more notable is the presence of protected lupine and ground nesting birds directly on the ROW which triggers the threshold for "state species" at 301 CMR 11.03(2)(b)2 for priority "habitat". Please assure yourself that such thresholds have not been overlooked prior to issuing your certificate on the ENF/CENF.

Finally, the assertions by the Applicant that movement of soils for construction access and cutting of trees, canopy and other vegetation will pose merely "temporary impacts" is disingenuous. It is a known fact that removal of tree cover and canopy so proximate to vernal pools and other wetlands can, and most likely will, constitute an "alteration" under the "Wetlands Protection Act", G.L. c. 131, s. 40 and regulations. Thermal changes are the most obvious impacts but destruction of habitat cover and changes to drainage are also implicated. See, 310 CMR 10.04 definitions of "Activity" (changes in physical characteristics) and "Alter" (changes in wetland conditions). Also consider the impacts of disturbing contaminated soils along the ROW. I have attached my comments to the EFSB which include at Exhibit 4 a copy of the DEP protocol for soils management for bike trails. The Project however, is a much more extensive proposal in terms of its width, the installation of splice box vaults and bridge repairs.

I leave to others a more detailed description of the unique habitat which has been protected over many decades by public and private funds in the area of the "Memorial Forest". Suffice to say it is a product of glacial lake sediments that mimic the Cape Cod, Plymouth/Carver areas although twenty miles inland. These sandy soil aquifers provide significant volumes of quality groundwater to public water supplies at both Sudbury's Raymond Road wellfield and Hudson's Cranberry Well. They warrant protection so as to avoid loss of future supply and the unnecessary costs of treatment for contamination. As they are highly permeable soils with high water tables use of herbicides along the ROW should be examined carefully. I suggest that maintenance cutting alone will be sufficient should the ROW be the chosen route.

As you may be aware, Sudbury was the first colonial town established beyond the tides' influence, an outpost west of Watertown, described by early colonials as rich grasslands high as the shoulders of their horses. It was the site of one of the most devastating battles in Massachusetts early history during the King Philip War in 1675-76 (Haynes Garrison to Mill Village). The ROW passes through the Mill Village area where the Sudbury Historical Commission has preserved the "Old Signal House", all along the ROW are hummocks and highlands used prehistorically. A cultural resource survey should be required for both prehistoric and historic impacts. When the Assabet River NWR wished to build on similar terrain on Puffer Pond just to the north of the ROW significant prehistoric resources were identified. Please consider such a survey requirement for the work along the ROW should it be the chosen route.

Finally, I wish to note for your consideration and reconciliation the lease agreement between DCR and the MBTA regarding this ROW and its future use as a rail trail. The Applicant has asserted that installation of the power line on or under the ROW will be of assistance to DCR. I do not find this assertion credible except as a source of funding at the expense of the environment. This is because, at present the abandoned ROW is heavily wooded, surrounded by protected open space and wetlands; a pleasant rural experience for future bikers. The estimated width of the rail trail is about nineteen (19) feet or less lying within the existing footprint of the rail ties. By contrast, the width of the subsurface power line will be more than four times that at eighty (80) finished feet (not including construction impacts described as "temporary"). Construction access roads, installation of splicing vaults and removal of vegetation for thirty (30) feet on both sides will create extensive impacts. This is beyond the scope of a bike trail and is inconsistent with rail trail use and enjoyment. I urge you to discuss this with DCR. The Applicant's assertions of compatibility of both projects is not sustained on the facts. In this context the MEPA filing made by DCR for the Central Mass Rail Trail is instructive as to impacts especially the large number of stream crossings where extensive bridge repair will be required. See, Exhibit C attached. Please ensure that such impacts will be appropriately minimized by considering the alternative locations for the Project mentioned earlier in this letter.

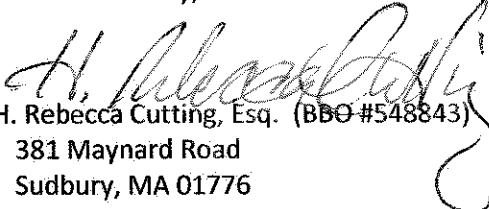
Thank you and your staff for considering these comments. I am attaching several exhibits as listed below that I hope will be of assistance to you in your collective deliberations:

Exhibit A – My comments to the EFSB

Exhibit B – A listing compiled by Applicant for EFSB on required permits

Exhibit C – A compilation of the MCRT MEPA information on bridges

Sincerely,


H. Rebecca Cutting, Esq. (BBO #548843)
381 Maynard Road
Sudbury, MA 01776
ritchcutts@aol.com

Enc.

cc: Sudbury Valley Trustees
Protect Sudbury
Sudbury Cons. Commn. & Selectmen

Cutting - Exhibit B

REGULATORY AGENCY	PROGRAM / PERMIT	JURISDICTIONAL TRIGGER	STATUS
FEDERAL			
USEPA	NPDES General Permit for Storm Water Discharges from Construction Activities	Land disturbance greater than one acre	Projected filing Aug 2018; projected issuance Sept 2018
USACE	404 Clean Water Act General Permit for Massachusetts Pre-Construction Notification Form	Discharge of dredged or fill material to Waters of the U.S. in the Commonwealth of Massachusetts; Permanent impacts >5,000 sf but less <1 acre	Projected filing Nov 2017; projected issuance July 2018
FAA	FAA Form 7460-1 for Obstruction Evaluation / Airport Airspace Analysis	Proximity to airport	Projected filing Sept 2017; projected issuance Nov 2017
STATE			
BFSB/DPU	G.L. c. 164, § 72, approval to construct ("Section 72 Petition"); G.L. c. 40A, § 3, request for zoning exemptions ("Zoning Petition"); BFSB approval under MGL c. 164 § 69I.	New transmission line with a design rating of more than 69 kV within a new transmission corridor; new transmission; grant of required zoning exemptions	Filed on April 21, 2017; projected issuance Sept 2018
EPA	MEPA ENF/EIR 301 CMR 11.00	Alteration of one or more acres of bordering vegetated wetlands	ENF filed on May 15, 2017; DEIR projected filing Sept 2017; FEIR projected filing Dec 2017; projected issuance Feb 2018
MassDEP	Individual 401 Water Quality Certificate 314 CMR 9.00	Discharge of dredged or fill material to Waters of the U.S. in the Commonwealth of Massachusetts; Permanent impacts >5,000 sf but less <1 acre	Projected filing Nov 2017; projected issuance July 2018
NHESP	MESA Project Review Checklist	For work in mapped Priority Habitat	Projected filing July 2017; projected determination Sept 2017
MassDOT	Chapter 91 Minor Modification Letters	For work on bridge crossings	Projected filing Dec 2017; projected provisional approval Jan 2018
MHC	State Highway Access Permit, G.L. c. 81, § 21/G.L. c. 85, § 2	Construction within or over a state roadway	Projected filing Apr 2018; projected issuance Aug 2018
LOCAL			
Conservation Commissions (Sudbury, Stow, Hudson)	G.L. c. 9, § 27C, Determination of effect on historic and archaeological properties; Project Notification Form ("PNE" or ENF)	Historic and prehistoric cultural resources	ENF (that served as the PNE) was filed on May 15, 2017.
Board of Selectmen (Sudbury, Hudson)	Massachusetts Wetlands Protection Act ("WPA") and municipal wetland non-zoning bylaw filings, as necessary; Notice of Intent	Alteration of jurisdictional wetland resource areas	Projected filing for geotechnical investigations July 2017; projected issuance Sept 2017.
Tree Warden (Sudbury, Stow, Hudson, Marlborough)	Grants of Location (or other temporary / permanent easements)	Construction over or within local streets.	Projected filing for Project Dec 2017; projected issuance June 2018.
	Public Shade Tree Removal Petition - if required	Removal of public shade tree	Projected filing Apr 2018; projected issuance Aug 2018.
			Projected filing 2018; projected issuance Sept 2018



Mass Central Rail Trail Evaluation of Existing Bridges

Wayside Branch - Waltham to Berlin

Summary of Evaluation

Ten existing bridge structures are included in this evaluation; five steel structures and five timber structures. Four of the five steel bridges are recommended National Register Eligible; 2 lattice thru trusses and 2 deck plate girder bridges. The fifth steel bridge, a thru-plate girder constructed in 1960 is not National Register Eligible, however is in the best condition of all the structures and can be converted for the rail trail use with minor modifications. None of the timber bridges are eligible for the national register. All are multi-bent timber pile trestle bridges with timber beams supporting either an open tie/track deck or a wood deck supporting ballast, ties and track.

Steel Structures:

One of the deck plate girder bridges is partially submerged and will require raising the bridge and approach profiles unless the water level under the bridge can be lowered (this wetland area could possibly be flooded due to a beaver dam obstruction downstream from the bridge). For this bridge an alternative option to rehabilitation of the existing superstructure is proposed; installation of a new superstructure that would allow for adequate freeboard under the span, with a comparable cost to rehabilitation of the existing superstructure.

The paint on the four older structures is virtually gone with the steel covered with a rust patina. It is recommended that any necessary steel repairs be made and the bridges completely cleaned and repainted before retrofitting the bridges with new decks and bridge railings. It is noted that cleaning and painting these structures will require a significant portion of the rehabilitation costs.

The 1960 thru-plate girder bridge over I95/ Route 128 was last painted in 1988, and complete cleaning and painting of this bridge could be postponed for several years. The north elevation of this bridge is accessible by a catwalk, and consequently has been tagged with graffiti along with the interior faces of the girders. Cleaning and painting these areas is being recommended for cosmetic purposes. Conversion of this bridge to a rail trail will eliminate the need for the catwalk, and it is recommended that it be removed from the bridge.

Typically a new timber deck with timber bridge railings would be proposed for these steel structures. The 1960 thru-plate girder bridge has a steel plate deck with ballast, so this bridge will only require paving of the trail over the bridge (along with some upgrading of the deck drainage). For the lattice truss bridge over Linden Street in Waltham, a reinforced concrete bridge deck is proposed versus a timber deck, to minimize ice formation hazards to pedestrians and vehicles passing under the bridge. For the other three steel bridges, cost estimates assume the use of pressure treated timber for the decking and railings. If funding is available to upgrade the lumber to IPE, the lifespan of the timber components would be significantly increased.

The cost estimates for the steel structures includes miscellaneous steel repairs, cleaning and painting the steel, new transverse timber beams/ties to support a new timber deck and bridge railings on three of the bridges, construction of a new reinforced concrete deck and bridge railings on one bridge, and paving and drainage improvements to the ballasted deck thru-girder bridge. Repairs and modifications

to the substructure elements are also included. As previously noted, for one of the deck plate girder bridges, a cost estimate for an alternative replacement superstructure is provided.

Timber Structures:

All five bridges are located over water ways. Two of these bridges (located over the Sudbury and Assabet Rivers) should be further evaluated for hydraulic requirements and adequacy, before consideration is given to investing capital to rehabilitate these bridges for the proposed rail trail. Both bridges have multiple timber pile bents within the waterways and have some damage due to debris collision. It is also noted that adjacent highway bridges have been recently reconstructed as single span structures eliminating piers in the waterways near both bridge locations.

The other three bridges are located over smaller brooks, and although hydraulic studies may not be required, the multi-span bent configurations result in the buildup of debris against the pile bents impeding the stream flows. At one of these bridges where what appears to be a beaver dam, the obstruction resulted in the washout of the approach backfill behind the end pier and timber backwall.

Ideally all five bridges should be replaced with new bridges to eliminate the multiple pier configurations within the waterways. The age of these structures is unknown, and all will require significant repairs to retrofit the bridges for the proposed rail trail use.

If budget constraints do not permit the complete replacement of these bridges and hydraulic analysis results do not dictate the need to replace the structures, reusing the timber pile bents and as many other elements as possible will greatly reduced construction costs and construction impact on the wetland environments would be limited. Despite the weathered state of the timber pile bents and some isolated decay/damage that would need to be repaired and reinforced, these pile bents have sufficient structural integrity to support the proposed rail trail bridge retrofits. Some pile caps with advanced decay will need to be replaced, as well as some of the diagonal pile bracing. All bridges have end timber pile bents with timber backwalls supporting the approach backfill. These timber backwalls are generally decayed and will need to be removed and replaced. Widening of the approaches to provide for the proposed 14 feet wide trail, will also require u-wing walls adjacent to the new backwalls. The replacement backwalls and the new wingwalls should be constructed with a material other than timber such as; precast concrete, cast in- place concrete or concrete block.

The retrofitting these bridges for the proposed rail trail will require replacement of, and/or additional longitudinal timber beams, a new timber deck and timber bridge railings. The cost estimates for retrofitting these bridges assumes the use of pressure treated timber for the replacement and additional beams, new decking and bridge railings. Upgrading of the lumber to IPE is not recommended, since the lifespan of the re-used substructure components is expected to be less than that of the IPE deck and bridge railings.

The cost estimates for the timber bridges includes any repairs to substructure elements, replacement of or additional timber bridge beams, and the cost to construct new timber bridge decks and railings.

Steel Bridges Recommended for Rehabilitation:

Linden Street, Waltham: 1894 Riveted Lattice Thru Truss on Stone Abutments

Single span: 122 ft. (backwall to backwall)

Width: 15' – 3" clear between truss elements

Deficiencies:

- Some minor impact damage to secondary bracing members under the deck
- No paint remaining on the steel
- Cracked, loose and missing mortar in the stone abutments

Proposed Rehabilitation:

- Remove and dispose of existing timber ties and steel rails
- Repair bent, cracked/ broken gusset plates and bracing angles
- Clean and paint steel
- Replace mortar joints in the abutments
- Construct new concrete bridge deck, curbs and bridge railings (a concrete slab with curbs is recommended since this bridge is over roadway and pedestrian traffic to prevent ice hazards below)

Cost Estimate for Rehabilitation:

• Demolition – remove and dispose of existing track and ties:	\$ 12,000.00
• Miscellaneous steel repairs:	\$ 10,000.00
• Clean and paint steel:	\$500,000.00
• New reinforced concrete deck:	\$230,000.00
• New Bridge Railings:	\$ 40,000.00
• Replace mortar joints in abutments:	\$ 20,000.00
• Police Details (Allowance):	<u>\$ 75,000.00</u>

Total:	\$887,000.00
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Route 128, Waltham: 1960 Two Span Thru Plate Girder on Concrete Abutments and Pier

Two Spans: 118'-6" (each span)

Transverse floor beams and longitudinal diaphragms support a steel plate deck and curbs with ballast

Width: 14 feet clear between steel plate curbs

Deficiencies:

- Paint is in fair condition, except for graffiti on the inside face of the both girders and on the outside face of the north girder (accessible by a catwalk). The underside of floor beams, diaphragms and deck plate has peeling paint. Bridge was last painted in 1988.
- Verify adequacy of existing bridge drainage, make upgrades as required.

Proposed Rehabilitation:

- Remove and dispose of existing timber ties and steel rails
- Clean and paint steel (cover graffiti surfaces only), entire structure will require future painting
- Upgrade bridge drainage system
- Pave pathway over the bridge
- Install a timber guardrails along the inside face of the girders
- Remove the catwalk along the north side of the bridge (potential safety hazard)

Cost Estimate for Rehabilitation:

- | | |
|--|--------------------|
| • Demolition – remove and dispose of track and ties and catwalk: | \$50,000.00 |
| • Clean and paint steel (cover graffiti surfaces only): | \$100,000.00 |
| • Upgrade bridge drainage (Allowance): | \$40,000.00 |
| • Timber guardrails: | \$10,000.00 |
| • Police Details (Allowance): | \$75,000.00 |
| • Grade and pave pathway over bridge: | <u>\$25,000.00</u> |

Total: \$300,000.00





Over MBTA Fitchburg Line, Weston: 1896 Riveted Lattice Thru Truss on Stone Abutments

Truss Span: 98 feet, Approach decks built on granite U-wingwalls: East End 15 feet, West End 24 feet

Width: 15' – 6" clear between truss elements

Deficiencies:

- No paint remaining on the steel
- Cracked, loose and missing mortar in the stone abutments and wingwalls
- Timber ties are in fair condition, but will need to be replaced to widen the bridge deck

Proposed Rehabilitation:

- Remove and dispose of existing timber ties and steel rails
- Clean and paint steel
- Replace mortar joints in the abutments
- Construct new timber bridge deck and railings
- Construct new backwalls/wingwalls to facilitate widening of the bridge deck to 14 feet

Cost Estimate for Rehabilitation:

• Demolition – remove and dispose of existing track and ties:	\$20,000.00
• Clean and paint steel:	\$500,000.00
• New timber transverse beams:	\$65,000.00
• New timber deck and bridge railings:	\$75,000.00
• New backwalls/wingwalls at approaches:	\$25,000.00
• Replace mortar joints in abutments:	\$20,000.00
• Temporary Protective Shielding:	\$20,000.00
• MBTA Flagmen (Allowance):	<u>\$75,000.00</u>

Total: \$800,000.00





#127 Hop Brook, Sudbury: 1881 Riveted Plate Deck Girder, Stone Abutments, Timber Piers

Total Length: 47'-3" (abutment to abutment)*

*Bottom of girders was submerged 12 inches at time of field visit. Previous study indicates this bridge is identical to #128 Hop Brook, Sudbury, which has three continuous spans supported on two intermediate timber bents.

Width: 12 feet out to out of timber tie deck, girder spacing 5'-9" center to center

Deficiencies:

- Bottom of Girders are submerged (possibly due to flooding of wetland from beaver dams)
- No paint remaining on the steel
- Timber ties are in poor condition, and will need to be replaced to widen the bridge deck
- Condition of abutments and intermediate piers cannot be determined due to flooding

Option 1: Proposed Rehabilitation

- Investigate the cause of flooding and rectify if possible
- If water level cannot be lowered, the bridge seats need to be raised and the girders reset (this will require considerable additional costs for raising the approach pathway profiles to meet the new bridge deck elevation)
- Remove and dispose of existing timber ties and steel rails
- Complete miscellaneous repairs to steel as required
- Clean and paint steel
- Install new timber transverse beams
- Construct new timber bridge deck and railings
- Replace mortar joints in the abutments
- Construct new backwalls/wingwalls to facilitate widening of the bridge deck and approaches to the proposed 14 feet trail width and raising of the bridge deck elevation and approaches
- Repairs/ replacement of intermediate piers

Cost Estimate for Rehabilitation:

• Demolition – remove and dispose of existing track and ties:	\$ 5,000.00
• Miscellaneous steel repairs:	\$15,000.00
• Clean and paint steel:	\$75,000.00
• New timber transverse beams:	\$16,000.00
• New timber deck and bridge railings:	\$20,000.00
• New backwalls/wingwalls, adjust approach profiles:	\$50,000.00
• Replace mortar joints in abutments:	\$ 4,000.00
• Rebuild/raise bridge seats:	\$20,000.00
• Repair/ replace intermediate piers:	\$20,000.00
• Lift and reset steel girders:	\$10,000.00
• Water control for substructure repairs:	<u>\$15,000.00</u>

Total: \$250,000.00

Option 2: Superstructure Replacement:

For this bridge an alternative option to rehabilitation of the existing superstructure is proposed; installation of a new superstructure that would allow for adequate freeboard under the span, with a comparable cost to rehabilitation of the existing superstructure.

Cost Estimate for Rehabilitation:

• Demolition – remove and dispose entire superstructure:	\$10,000.00
• New steel beams:	\$150,000.00
• New timber transverse beams:	\$16,000.00
• New timber deck and bridge railings:	\$20,000.00
• New backwalls/wingwalls:	\$20,000.00
• Replace mortar joints in abutments:	\$ 4,000.00
• Rebuild/raise bridge seats:	\$20,000.00
• Water control for substructure repairs:	<u>\$15,000.00</u>

Total: \$255,000.00





#128 Hop Brook, Sudbury: 1881 Riveted Plate Deck Girder, Stone Abutments, Timber Piers

Total Length: 43'-6" (abutment to abutment)

Three continuous spans supported on two intermediate timber bents

Width: 10 feet out to out of timber tie deck, girder spacing 5'-9" center to center

Deficiencies:

- No paint remaining on the steel, graffiti on inside faces of girders
- Timber ties are in poor condition, and will need to be replaced to widen the bridge deck
- Damp debris on bridge seats
- Missing, loose mortar joints in the stone abutments
- Ends of timber pier caps display some decay

Proposed Rehabilitation:

- Remove and dispose of existing timber ties and steel rails
- Complete miscellaneous steel repairs as required
- Clean and paint steel
- Replace mortar joints in the abutments
- Repair/replace pier caps
- Modify backwall to facilitate widening of bridge and approach to the proposed 14 feet trail width
- Construct new timber bridge deck and railings

Cost Estimate for Rehabilitation:

• Demolition – remove and dispose of existing track and ties:	\$ 4,500.00
• Miscellaneous steel repairs:	\$ 5,000.00
• Clean and paint steel:	\$60,000.00
• Replace mortar joints in abutments:	\$ 3,000.00
• Repair/replace timber pier caps (includes temporary shoring):	\$10,000.00
• Modify backwalls for widening of the bridge:	\$20,000.00
• New timber transverse beams:	\$15,000.00
• New timber deck and bridge railings:	\$17,500.00
• Water control for substructure repairs:	<u>\$ 5,000.00</u>

Total: \$140,000.00





Timber Bridges Recommended for Rehabilitation or Replacement:

Clematis Brook, Waltham: Timber Pile Trestle (open timber tie deck)

Total length: 126 feet, 12 spans (vary from 10 feet to 11 feet)

Width: 10 feet out to out of timber ties, 12 feet out to out of pile bent caps

Superstructure: Timber ties supported on 4 timber beams

Substructure: 11 Intermediate pile bents and 2 end pile bents with timber backwalls

Deficiencies

- Timber ties are in poor condition, and need to be replaced to widen the bridge deck
- Timber backwalls have decay and need to be replaced
- Ends of timber pile caps display some decay
- Accumulating debris in stream is against the upstream side of the timber pile bents

Proposed Rehabilitation:

- Remove and dispose of existing timber ties and steel rails
- Remove timber backwalls and reconstruct new backwalls and wingwalls to support backfill
- Repair/ replace timber pile caps as required
- Clear stream bed of accumulated debris against the pile bents
- Install new additional longitudinal timber beams and construct new timber deck and railings

Cost Estimate for Rehabilitation:

• Demolition – remove and dispose of existing track and ties:	\$12,500.00
• Remove timber backwalls and construct new backwalls/wingwalls:	\$20,000.00
• Repair/ replace timber pile caps:	\$25,000.00
• Additional new timber beams:	\$42,500.00
• New timber deck and bridge railings:	\$51,000.00
• Clear debris from stream:	<u>\$ 500.00</u>

Total: \$151,500.00





Bruce's Pond, Hudson: Timber Pile Trestle (open timber tie deck)

Total length: 109 feet, 9 spans (vary 12 feet +/-)

Width: 12 feet out to out of timber ties, every 4th tie extends 5 feet to support a catwalk on the north side of the bridge, 16 feet out to out of pile bent caps

Superstructure: Timber ties supported on 4 timber beams

Substructure: 8 Intermediate pile bents and 2 end pile bents with timber backwalls

Deficiencies

- Timber ties are in poor condition, and need to be replaced to widen the bridge deck
- Timber backwalls have decay and need to be replaced
- One timber pile displays some decay
- Minor fire damage to timber ties and beams (damage to beams not significant)

Proposed Rehabilitation:

- Remove and dispose of existing timber ties, steel rails, remains of timber catwalk and fencing
- Remove timber backwalls and reconstruct new backwalls and wingwalls to support backfill
- Repair deteriorated timber pile (cut out decay/ splice/plate and bolt repair section)
- Install additional longitudinal beams and construct new timber deck and railings

Cost Estimate for Rehabilitation:

- | | |
|--|--------------------|
| • Demolition – remove and dispose of existing track and ties: | \$13,500.00 |
| • Remove timber backwalls and construct new backwalls/wingwalls: | \$20,000.00 |
| • Additional new timber beams: | \$37,000.00 |
| • New timber deck and bridge railings: | \$44,000.00 |
| • Repair timber pile: | <u>\$ 1,500.00</u> |

Total: \$116,000.00





Assabet River, Hudson: Timber Pile Trestle (timber deck with ballast)

Total length: 97 feet, 8 spans (vary 12 feet +/-)

Width: 14 feet out to out of timber deck curbs

Superstructure: 9 Timber beams, timber deck and curbs, ballasted timber ties/track

Substructure: 7 Intermediate pile bents and 2 end pile bents with timber backwalls/wingwalls

Deficiencies

- Ballasted timber deck supports significant vegetation growth (trees up to 8 inch in diameter); the condition of the wood deck is suspect to decay, will likely need replacement
- Timber beams appear to be sound, some decay at top of beams can be expected
- Timber backwalls and wingwalls have decay and need to be replaced
- Some cross bracing on the timber pile bents is split, cracked and weathered, and at two locations has been cut off near the waterline on the upstream side of the bridge (possibly damaged from floating debris)
- Condition of piles below the waterline could not be determined

Proposed Rehabilitation:

Further in depth evaluation of this bridge should include an underwater inspection of timber piles and a hydraulic analysis of the bridge before consideration is given to investing capital to rehabilitate this bridge for the proposed rail trail. If it is determined that this structure warrants rehabilitation, the following is required:

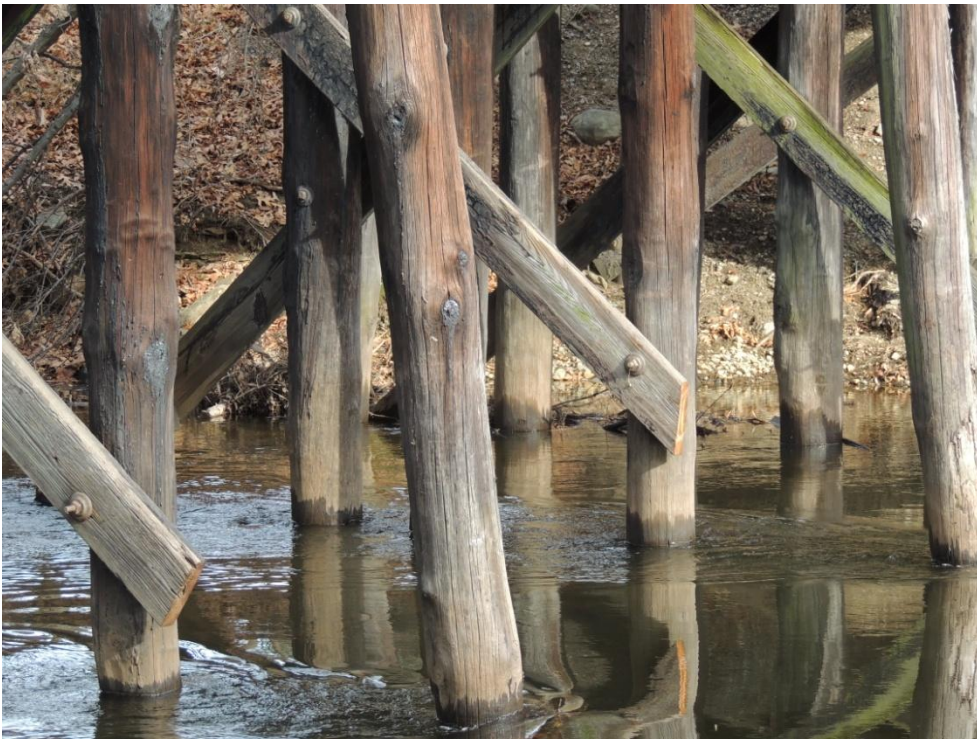
- Remove and dispose of trees, timber ties, steel rails, and ballast
- Remove and dispose of timber curbs and timber decking
- Replace any deteriorated timber beams
- Remove timber backwalls and wingwalls; reconstruct new backwalls and wingwalls to support backfill
- Repair deteriorated timber pile cross bracing
- Construct new timber deck and railings

Cost Estimate for Rehabilitation:

- | | |
|--|--------------------|
| • Demolition – remove/ dispose of existing track, ties, ballast and trees: | \$19,000.00 |
| • Remove/ dispose of timber curbs and decking: | \$13,500.00 |
| • Replace deteriorated beams as required: | \$15,000.00 |
| • Remove timber backwalls and construct new backwalls/wingwalls: | \$20,000.00 |
| • New timber deck and bridge railings: | \$39,000.00 |
| • Repair timber pile cross bracing: | <u>\$ 3,500.00</u> |

Total: \$110,000.00





Great Meadows Wildlife Refuge Sudbury River, Sudbury: Timber Pile Trestle (timber deck with ballast)

Total length:	118 feet, 10 spans (vary 12 feet +/-)
Width:	14 feet out to out of timber deck curbs
Superstructure:	9 Timber beams, timber deck and curbs, ballasted timber ties/track
Substructure:	9 Intermediate pile bents and 2 end pile bents with timber backwalls/wingwalls

Deficiencies

- Ballasted timber deck, the condition of the wood deck is suspect to decay, will likely need replacement
- Timber beams have some decay, expect some will require replacement
- Timber pile caps display some decay , with splits, cracks and weathering, suspect some may require repair or replacement
- One timber pile at mid span on the upstream side of the bridge is severed possibly damaged by floating debris, and will need to be spliced/reinforced
- Condition of piles below the waterline could not be determined
- Cross bracing on the timber pile bents is split, cracked and weathered

Proposed Rehabilitation:

Further in depth evaluation of this bridge should include an underwater inspection of timber piles and a hydraulic analysis of the bridge before consideration is given to investing capital to rehabilitate this bridge for the proposed rail trail. If it is determined that this structure warrants rehabilitation, the following is required:

- Remove and dispose timber ties, steel rails, and ballast
- Remove timber curbs and timber decking
- Repair severed timber pile
- Repair deteriorated timber pile cross bracing
- Repair/ replace deteriorated timber pile caps as required
- Replace deteriorated timber beams as required
- Construct new timber deck and railings

Cost Estimate for Rehabilitation:

• Demolition – remove/ dispose of existing track, ties, ballast:	\$ 9,000.00
• Remove/ dispose of timber curbs and decking:	\$ 6,000.00
• Remove timber backwalls and construct new backwalls/wingwalls:	\$20,000.00
• Repair timber pile:	\$ 5,000.00
• Repair timber pile cross bracing:	\$ 5,000.00
• Repair/ replace timber pile caps:	\$ 10,000.00
• Replace deteriorated timber beams:	\$20,000.00
• New timber deck and bridge railings:	<u>\$47,500.00</u>

Total: \$122,500.00





Fort Meadow Brook, Hudson: Timber Pile Trestle (open timber tie deck)

Total length: 50 feet, 4 spans (12'-6" each)

Width: 12 feet out to out of timber ties

Superstructure: Timber ties supported on 4 timber beams

Substructure: 3 Intermediate pile bents and 2 end pile bents with timber backwalls

Deficiencies

- Entire structure is in poor condition; timber ties, beams, pile caps and backwalls (timber piles may be able to be re-used)
- Heavy debris built up against the pile bents on the upstream side of the bridge (possibly a beaver dam) is obstructing the flow and the west approach has washed out behind the end pile bent and backwall.
- An attempt has been made to divert the flow around the obstruction using flexible drainage conduits

Proposed Rehabilitation: As noted above, the timber piles are the only elements that could possibly be re-used for rebuilding of this bridge. The current multiple pile bent configuration has facilitated the collection of debris, and the removal of these pile bents and a complete replacement of this bridge with a new single span structure would be the ideal option for this bridge location. If budget considerations dictate reusing of the existing timber piles and rebuilding of the bridge, the following items with estimated costs will be necessary:

- Remove and dispose of existing timber ties and steel rails, timber beams and timber pile caps
- Remove timber backwalls and reconstruct new backwalls and wingwalls to support backfill
- Restore west approach embankment
- Replace timber pile caps
- Install new timber beams, new timber deck and railings
- Obtain approval to design and install water level control devices (WLCD) to regulate the water level behind the beaver dam obstruction to avoid future washouts of the adjacent embankments

Cost Estimate for Rehabilitation:

• Demolition – remove and dispose track, ties beams and pile caps:	\$10,000.00
• Remove timber backwalls and construct new backwalls/wingwalls:	\$30,000.00
• Restore west approach embankment:	\$ 3,000.00
• Replace timber pile caps:	\$ 7,000.00
• Install new timber beams:	\$25,000.00
• Install new timber decking and railings:	\$20,000.00
• Water control for substructure repairs:	\$20,000.00
• Install water level control devices:	<u>\$ 5,000.00</u>

Total: \$120,000.00







The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Massachusetts Historical Commission

June 30, 2017

Secretary Matthew A. Beaton
Executive Office of Energy & Environmental Affairs
Attn: Page Czepiga, MEPA Unit
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Sudbury-Hudson Transmission Reliability Project, Sudbury, Marlborough, Stow and Hudson, MA.
MHC # RC.62384. EEA # 15703.

Dear Secretary Beaton:

Staff of the Massachusetts Historical Commission have reviewed the Massachusetts Environmental Policy Act (MEPA) Environmental Notification Forms (ENF) for the project referenced above. The proposed project consists of construction of an approximately 9 mile underground transmission line, including construction of an access corridor within an existing MBTA former railroad right-of-way in the towns of Sudbury, Marlborough, Stow and Hudson.

The project requires review and permitting by the US Army Corps of Engineers. The MHC will review the project under Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800) and looks forward to consultation with the Corps. The MHC proposes to coordinate the MHC's state historic preservation review for the state agency permitting and funding, and for the MEPA review (950 CMR 71.04 (2) & (3)). The MHC recommends that project planners provide project information to the Local Historical Commissions (and local Historic District Commissions as appropriate) in the towns referenced above for concurrent review and comment. Copies of any written comments received from potential interested and consulting parties should be provided to the Corps and the MHC.

The ENF does not include sufficient information for the MHC to ascertain the project area of potential effect, including potential off-right-of-way (ROW) project impact areas, such as stormwater management structures, equipment and materials storage and staging areas. Additional information is required for the MHC to comment on the area of potential effect, eligibility opinions, and effects to significant historic and archaeological resources. Project planners should submit scaled existing and proposed conditions project plans for the preferred project alternative to the Corps, and to the MHC and other consulting parties, when they become available.

The ENF (pg. 31-32) includes a preliminary identification of historic and archaeological resources within the preliminary project right-of-way. The project impact area is within and adjacent to historic and archaeological resources included in the MHC's Inventory of Historic Assets of the Commonwealth and/or State and/or National Registers of Historic Places. Reuse and rehabilitation of historical bridges is proposed. Repair and rehabilitation specifications for significant bridges should be developed in accordance with the Secretary of the Interior's Standards and Guidelines for Rehabilitation (36 CFR 67).

The MHC understands that an EIR is categorically required for the proposed project and offers the following comments concerning the scope of the EIR.

The MHC requests that an archaeological reconnaissance survey (950 CMR 70) and a reconnaissance-level historic properties survey be conducted for the currently proposed project area of potential effect. The survey should include a matrix of effects to known historic and archaeological resources. The survey should include an updated archaeological sensitivity assessment of the currently proposed impact areas and recommendations for intensive (locational) archaeological survey, if warranted, in order to locate and identify any significant archaeological resources that may be affected by the project.

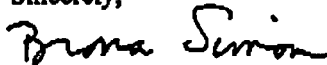
The results of the surveys should be incorporated into ongoing project planning to develop project alternatives that would avoid adverse effects to potentially significant historic and archaeological resources. The draft research designs and survey methodologies for the surveys, including a State Archaeologist's permit application (950 CMR 70) should be submitted to the Corps and MHC for review and comment (36 CFR 800.4(a)).

The MHC notes that the former railroad corridor contains extant railroad-related historic archaeological resources, such as the site of the former Sudbury Railroad Station (MHC # SUD.HA.26) and tool house (SUD.282). Measures to avoid, minimize or mitigate adverse effects to significant railroad-related historic and archaeological resources, including historic property and/or archaeological site avoidance and protection plans, may be required for the project.

The MHC looks forward to reviewing the draft EIR and information requested above.

These comments are offered to assist in compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (36 CFR 800), M.G.L Chapter 9, Sections 26-27C (950 CMR 70-71) and MEPA (301 CMR 11). If you have any questions or require additional information, please contact Jonathan K. Patton at this office.

Sincerely,



Brona Simon
State Historic Preservation Officer
Executive Director
State Archaeologist
Massachusetts Historical Commission

xc: Denise Bartone, Eversource
Barbara Newman, USACOE-NED
Kate Atwood, USACOE-NED
EFSC
Patrice Kish, DCR
Local Historical Commissions; Towns of Sudbury, Marlborough, Stow and Hudson
Sudbury Historic District Commission
Marc Bergeron, VHB, Inc.
Marty Dudek, Commonwealth Heritage Group

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114
Emailto:Page.Czepiga@state.ma.us

In the matter of the Eversource Sudbury-Hudson transmission line project, I urge that the Commonwealth seek to AVOID the 'permanent, negative, environmental impacts' which would be caused by siting a transmission line along the MBTA corridor. I urge the Secretary to require thorough evaluation of ALTERNATIVES, including a full ENF and EIR of not only Eversource's preferred option, but also of Eversource's overhead option along the MBTA RoW, and of the under-street option Eversource has included in their petition.

Lest Eversource, ISO-NE, the EFSB, or other agencies within EEA and state government assert that the need is so urgent that there is no time for this analysis, please dismiss that notion. The immediate need for this project has not been proven; need is being considered in parallel with the MEPA process by the EFSB.

I am attaching an email I sent to Secretary Beaton, Dec 15, 2016, a full 7 months ago, urging what I am again asking for now.

In addition to addressing the environmental impacts which are being raised in comments to EFSB and MEPA by others, I also ask that Secretary Beaton require as part of the EIR thorough survey and identification of historical and archaeological assets along each of the proposed routes. The Hop Brook corridor is an area of particular interest, where native Americans lived, fished, traveled, and worshipped.

Sincerely,
Bill Schineller
37 Jarman Rd
Sudbury, MA 01776

Schwalbert, Nick (EEA) <nick.schwalbert@state.ma.us>

To:

Bill Schineller

Dec 15, 2016 at 1:37 PM

Hi Bill,

I have passed the email along. Thank you again for reaching out.

Nicholas Schwalbert

617-626-1022

From: Bill Schineller [mailto:bschineller@yahoo.com]

Sent: Thursday, December 15, 2016 12:50 PM

To: Schwalbert, Nick (EEA)

Cc: Ray Phillips

Subject: Re: letter from Protect Sudbury for Secretary Matt Beaton concerning Eversource project

Hi Nick,

Time has passed and lots has happened since I last wrote your office regarding this issue.

Secretary Beaton met with Protect Sudbury, he was involved we believe in facilitating a meeting we had with Eversource VP Jim Hunt.

And Secretary Beaton 'urged Eversource to make this easy on everyone'.

Unfortunately, although Eversource developed an under street alternative, they continue to prefer their proposed route through MBTA corridor between Sudbury and

Hudson. Bisecting conservation lands and watershed, destroying unfragmented forest and threatening the water supply of 2 towns.

They prefer this instead of under street alternatives which they acknowledge 'do not have the permanent negative environmental impact that the MBTA routes do'.

They have failed Secretary Beaton's request to 'make this easy on everyone'.

I spoke to MEPA last week and learned that they are anticipating Eversource filing one Environmental Notification Form (ENF) for their preferred MBTA route.

They also plan to submit their petition to the Siting Board this month.

It concerns me that an ENF for the under-street alternative Eversource developed will not be filed.

My concern is that this biases the Siting Board, because the MBTA route will be further along in the MEPA process.

Agencies have told me that they don't want to start processes all over again at late stages, and thus accept worse solutions over better ones simply because they want to get it over with. This makes me very uncomfortable about my state government.

I left a voice message for Secretary Beaton last week but have not heard back.

I do not have his direct email or Alex Cahill's email at my disposal, so will you please forward my request to Secretary Beaton and to Alex today?

I request that MEPA and the Siting Board require fully developed ENF for all of the viable alternatives, including:

- the under street route Eversource plans to include in their Siting Board petition

- under street routes following Route 20 commercial corridor through Sudbury

This will prevent bias in the Siting Board process, and ultimately let the Siting Board come to a better decision sooner. ('easy on everyone')

I would be happy to speak with Secretary Beaton immediately.

Sincerely,

Bill Schineller

Protect Sudbury, Inc. (<http://protectsudbury.org>)

Director and Government Lead

bschineller@yahoo.com or govt@protectsudbury.org

cell: 508-308-5921



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581
p: (508) 389-6300 | f: (508) 389-7890
MASS.GOV/MASSWILDLIFE

Jack Buckley, *Director*

June 29, 2017

Secretary Matthew A. Beaton
Executive Office of Environmental Affairs
Attention: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge St.
Boston, Massachusetts 02114

Project Name:	<i>Sudbury-Hudson Transmission Reliability Project</i>
Proponent:	<i>NSTAR Electric Company d/b/a Eversource Energy</i>
Location:	<i>Ludlow, Wilbraham, & Hampden, MA</i>
Document Reviewed:	<i>Environmental Notification Form (ENF)</i>
Project Description:	<i>Construction of underground transmission line</i>
EEA No.:	<i>15703</i>
NHESP Tracking No.	<i>15-34327</i>

Dear Secretary Beaton:

The Natural Heritage & Endangered Species Program (NHESP) of the Massachusetts Division of Fisheries & Wildlife (Division) has reviewed the Environmental Notification Form (ENF) for the *Sudbury-Hudson Transmission Reliability Project* and would like to offer the following comments.

Portions of the proposed project are located within *Priority Habitat* and *Estimated Habitat* as indicated in the 13th Edition of the *MA Natural Heritage Atlas* and therefore it requires review through a direct filing with Division for compliance with the Massachusetts Endangered Species Act (MESA, MGL c.131A) and its implementing regulations (321 CMR 10.00). Review of the NHESP database indicates that the proposed project will occur within the habitat of multiple animal species which are state-listed and protected in accordance with the MESA.

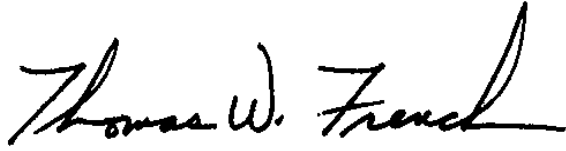
In anticipation of filing the proposed project for compliance with MESA, the project proponent initiated consultation with the Division on potential rare species concerns associated with the proposed work. The Division requires additional information to determine the extent of impacts to rare species and their habitats, including but not limited to, site-specific assessments of habitat quality and existing conditions and alternative analyses for impact minimization and avoidance. Finally, as described in the ENF, there may be future projects within the ROW (e.g. Mass Central Rail Trail). The Division is concerned that these additional projects could lead to cumulative impacts to rare species and their habitats and pursuant to the MESA Regulations they should be reviewed in their entirety.

The Division will not render a final decision until the MEPA review process and associated public and agency comment period is completed, and until all required MESA filing materials are submitted by the proponent to the Division. As our MESA review is ongoing, no alteration to the soil, surface, or vegetation and no work associated with the proposed project shall occur until the Division has made a

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final determination. We look forward to continued careful coordination with the proponent on the details of the project design and implementation. If you have any questions or need additional information, please contact Eve Schlüter, Ph.D., Chief of Regulatory Review at (508) 389-6346 or eve.schluter@state.ma.us.

Sincerely,

A handwritten signature in black ink that reads "Thomas W. French". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Thomas W. French, Ph.D.
Assistant Director

cc: Vivian Kimball, VHB
Hudson Board of Selectmen
Hudson Conservation Commission
Hudson Planning Department
Sudbury Board of Selectmen
Sudbury Conservation Commission
Sudbury Planning Department
DEP Central Regional Office, MEPA Coordinator
DEP Northeastern Regional Office, MEPA Coordinator



The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133-1054

KATE HOGAN
STATE REPRESENTATIVE
STATE HOUSE, ROOM 130
TEL. (617) 722-2130
Kate.Hogan@MAhouse.gov

CHAIR
Committee on Public Health

June 29, 2017

The Honorable Matthew A. Beaton
Secretary, Executive Office of Energy and Environmental Affairs
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston, MA 02114

RE: Sudbury-Hudson Transmission Reliability Project

Dear Secretary Beaton,

Thank you for the opportunity to provide comments regarding the proposed Sudbury-Hudson Transmission Reliability Project. As the state Representative for the Third Middlesex District, which includes the towns of Hudson and Stow, I appreciate the efforts of Eversource Energy to improve the delivery of power to our region. However, as was communicated in a March 2016 letter from Senator Jamie Eldridge, Representative Carmine Gentile, and me, the detrimental impacts of Eversource's chosen method to improving the system's reliability – the company's Primary Route – are too significant to overlook. As MEPA seeks to identify alternative measures, consistent with the project's purpose, that would avoid these impacts, I offer my support for the Noticed Alternative Route.

After meeting with dozens of concerned constituents, including abutters to the proposed Primary Route, I believe the cited impacts to our natural environment should be weighed heavily and with great consideration for the residents who cherish this land. As noted in the March 2016 letter, "over the past few decades, residents have proactively voted to protect open space along the proposed route, and state and federal agencies, and elected officials, have gone to great lengths to protect this area from development." However, according to the Corrected Environmental Notification Form, the Primary Route, which would install an underground electric transmission line within the existing Massachusetts Bay Transportation Authority railroad corridor, calls for clear-cutting a 30-foot-wide path of trees and shrubs – disturbing protected habitats for rare species as well as cultural resources along the route. As a state Representative for this region, and as a local resident who has spent time enjoying the very conservation land that would be affected, I maintain that the potential damage the proposed project would inflict on our wildlife is deserving of the office's utmost scrutiny.

As MEPA reviews this project through the Environmental Impact Report process, I implore you to consider the Noticed Alternative Route, comprised of an entirely underground route within public roads in the towns of Hudson, Stow, and Sudbury. This clear and reasonable alternative would remove the threat to our much-loved protected lands by avoiding the railroad corridor altogether.

Thank you for your consideration. If you should need any further information, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in blue ink that reads "Kate Hogan".

Kate Hogan
State Representative
Third Middlesex District

Czepiga, Page (EEA)

From: Gleasondale Village <gleasondalevillage@gmail.com>
Sent: Thursday, June 29, 2017 3:30 PM
To: Czepiga, Page (EEA)
Subject: Eversource Sudbury, Stow, Hudson project

Secretary of Energy and Environmental Affairs

Attn: MEPA office

Page Czepiga, EEA No. 15703

100 Cambridge Street, Suite 99

Boston, MA 02114

Email: Page.Czepiga@state.ma.us

I am writing to ask that you please protect our water, wildlife and our trees and use the Alternative Noticed route under the streets of Hudson, Stow and Sudbury instead of using the MBTA ROW.

Once sullied, we will never be able to get this beautiful area back.

Many of us live near the rivers and wetlands in this area and have private wells.

Thank you for your time.

Laurel Cohen

481 Gleasondale Road

Stow, MA 01775

June 29, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114
Emailto:Page.Czepiga@state.ma.us

I realize in the matter of the Eversource Sudbury-Hudson transmission line project you have received many fact filled letters with reasons why this project should NOT flow through the MBTA row from Sudbury to Hudson. As a concerned citizen I have attended the meetings and read some other the information regarding the Eversource proposal. I find it so hard to fathom that a company would want to destroy wetlands , wild life habitats and risk contaminating the drinking water of an entire town when they could just go underground along established roads.

I believe Eversource feels it would be more cost effective to proceed along the row, but I do not see how that determination can be made. Regardless, if this project is allowed to travel on the proposed route, Eversource will be endangering the Town of Hudson's water supply. They will be using caustic chemicals to keep their lines free from vegetation regrowth. These chemicals will leach into the surrounding water supplies and eventually contaminate the drinking water of Hudson. I believe every citizen is entitled to clean drinking water. We should not be indebted to the Nestle Corporation for our water.

I was so saddened to see that the towns on the cape lost their appeal with regards to the spraying of herbicides along their aquafer. This leads me to believe that if Eversource wins this battle we also will have not voice against the spraying of these caustic chemicals. I am asking as a resident of Hudson and in particular for the health of my five year old granddaughter also a resident, that you do not let Eversource use the row for their transmission project.

There is a safer route available to them, going under the roads. Please think about the consequences and do not put a corporation's interests before those of the people.

Thank you,

Karen Mercadante
5 Parmenter Rd.
Hudson, MA 01749



BOARD OF DIRECTORS

June 29, 2017

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Executive Office of Energy and Environmental Affairs
Attn. MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge St., Suite 900
Boston MA 02114

Re: Comments on EEA #15703, Sudbury-Hudson Transmission Reliability Project

Dear Ms. Czepiga,

OARS would like to submit our comments on the above project as described in the Environmental Notification Form (rev. 6/12/17) and site visit and public meeting held June 12, 2017 both of which we attended. OARS is the watershed organization for the Assabet, Sudbury and Concord River watersheds which make up the Concord Basin. Our mission is to protect and preserve the water resources of the 400-square mile area.

OARS has studied in depth the coldwater fisheries resources present in the conservation areas in Sudbury, Marlborough and Hudson through which the project runs and continues to monitor their condition. We are concerned about the impact of the construction and maintenance of the proposed transmission line on these resources. There has been considerable public investment in this research, including by Mass. Environmental Trust, USGS Conte Fish Research Lab, UMass Amherst, and by volunteers at Sudbury Valley Trustees, Trout Unlimited, and OARS. There has also been major public and private investment in land acquisition to protect the wildlife and water supply resources that the project area contains.

We are particularly concerned that review and permitting of this project by the Energy Facilities Siting Board not proceed without the MEPA review being completed and a Secretary's Certificate issued on a completed and accepted Environmental Impact Report. The EIR provides essential information that must be considered in the decision-making on this project by the EFSB and other state parties.

Starting in 2012, OARS assessed the ecological health of small trout streams in Sudbury, Marlborough and Hudson. These streams have some of the few remaining native Eastern brook trout (*Salvelinus fontinalis*) populations in eastern Massachusetts. Aside from being one of nature's most beautiful fish, the Eastern brook trout is a keystone species in the northeastern US. They inhabit flowing, highly oxygenated, coldwater streams and once occupied most of the coldwater streams in the eastern US. Today, geographically-isolated populations remain in only about 10% of the subwatersheds in eastern Massachusetts. The survival of these remaining populations is threatened by the pressures of human development including streamflow and temperature changes due to loss of natural vegetation, undersized road culverts, non-point source pollution, and climate change.

This goal of this research collaboration was to assess and protect brook trout habitat in the three Sudbury River tributaries known to have wild brook trout populations: Hop Brook, Cranberry Brook and Trout Brook. This work included assessing current conditions and is part of a state-wide project to monitor climate change effects through longer-term stream and air temperature logging, which continues today. Trout and Cranberry Brooks are both state-designated Coldwater Fishery Resources (CFRs). Our research determined that the stream quality in both Trout and Cranberry Brooks was good to excellent within the protected areas of Memorial Forest, the Desert Natural Area, and adjoining protected areas. See attached maps and Figure 5-24 of Eversource's EFSB filing. The main factor that degraded the ratings in these protected areas was whether the stream was shaded. Hop Brook is more degraded but still used by brook trout to travel between the other brooks.

The proposed transmission line would cross Hop Brook just downstream of Trout and Cranberry Brooks. Clearing and maintaining a 30-foot wide transmission line corridor will result in loss of shading by the existing trees and bushes, resulting in warmer temperatures. During the summer our monitoring shows that the water approaches the warmest allowable temperature before fish health is affected. Every effort needs to be taken to prevent further warming and clearing the tree overstory could have a negative effect. We're particularly concerned that fish and their habitat could be exposed to herbicide if herbicide is used to maintain the open corridor.

The following comments relate directly to the scoping of the Environmental Impact Report. There must be an Alternatives Analysis that includes an alternate route and a no-build alternative. The rest of the comments generally pertain to the route described in the ENF.

1. Alternatives. Alternatives to this very environmentally-sensitive route must be considered. Putting the transmission line under already-existing streets would result in far less ecological damage, both in the short and long terms. We ask that a thorough and detailed analysis of the under-street route be provided in the DEIR. In particular the long-term impacts should be described, including the impacts of vegetation maintenance. The DEIR should also include a No-build Alternative with the same level of environmental impact analysis as the other alternatives to provide a comparative baseline.

2. Stream crossings. Unless great care can be taken to protect the streams during construction and suitable stream crossings designed, burying the transmission lines along the rail route risks permanently damaging the natural courses and connectivity of the streams. The proponent should provide detailed designs for all stream and wetland crossings. and where the duct bank will be located under the service road/rail trail to minimize environmental impact (Eversource EFSB filing Figure 5-16, Sheet 1). These crossings should meet the state's Stream Crossing Standards. These criteria also apply to any alternate routes. The cleared corridor could encourage the use of ATVs and dirt bikes which can cause erosion and damage streams if they do not use the bridge to cross. How this will be controlled in the period before a rail trail is constructed should be addressed.

3. Contamination. The DEIR should contain a thorough analysis of the rail bed ballast and soils for environmental contaminants, and a plan for how to protect the surrounding environment and water resources from these contaminants, including removal and immobilization. MA DEP's Best Management Practices for Controlling Exposure to Soil during the Development of Rail Trails (Eversource EFSB filing Appendix 5-3) was reference by Eversource for guidance for final grading, restoration, and demobilization (Eversource EFSB filing Section 5.5, Page 5-16). The BMPs do not provide guidance for the extensive excavation and soil removal associated with the duct bank and splice vault construction.

4. Vegetation management—invasive plants. The proponent needs to confirm that no fill would be introduced to any work sites that could contain the seeds, roots or other viable material from invasive species. The ENF states that where the clearing for construction is wider than the final 22-foot width, “these areas will be allowed to grow back” (pg. 5). Instead, the proponent should plant and maintain appropriate native vegetation in order to insure that invasive plants don’t take hold. Large trees should be physically protected from damage by construction equipment and replaced where damaged with trees of comparable ecological value.

5. Vegetation management—long-term. The use of herbicides along the route of the transmission line should be avoided, and mechanical methods used to maintain the corridor. Short- and long-term impacts of herbicide use should be fully described in the DEIR. The impacts on wildlife, particularly sensitive fish species, and on local drinking water wells should be evaluated. The use of herbicides as a long-term management technique is particularly problematic due to the repeated exposure over many years or decades.

6. Stormwater. There should be no discharge of pollutants into the stormwater runoff of the corridor, whether chemical, salt, sand or silt, oil, thermal (see below), or other contamination. During construction it is essential that equipment neither deposit contaminants nor disturb the soil in such a way that contaminants are released beyond the immediate construction area. Vernal pools should receive special protection. Wherever possible green infrastructure should be used to capture, treat and recharge all stormwater on site.

7. Thermal impacts. The 22-foot wide corridor would be hotter in the summer than the route that is currently completely shaded due to the grown-in trees. Measurements of changes in stormwater runoff temperatures should be provided along with the impact on stream temperatures. The coldwater fishery resource streams should be shown as such on project maps.

To damage one of the few remaining healthy wild brook trout habitats which has been protected through major public and private investment is not in the interest of either the Commonwealth or the local communities.

Thank you for the opportunity to comment on the ENF for the proposed project. We hope that the DEIR will fully assess alternatives to the currently proposed route. We have very few ecologically-rich protected areas left and should make every effort to avoid degrading them in any way.

Yours sincerely,



Alison Field-Juma
Executive Director

cc: US Congresswoman Niki Tsongas
US Congresswoman Katherine Clark
State Senator Jamie Eldridge
State Representative Carmine Gentile
State Representative Danielle Gregoire
State Representative Kate Hogan
Libby Herland, US Fish & Wildlife Service
Benjamin Letcher, USGS Conte Fish Research Laboratory
Matthew Beaton, Secretary EOEEA, and Chairman, Energy Facilities Siting Board

Angela M. O'Connor, Chairman, Department of Public Utilities
Leo Roy, Commissioner, Mass. Department of Conservation and Recreation
George Peterson, Commissioner, Mass. Dept. of Fish & Game
Martin Suuberg, Commissioner, Department of Environmental Protection
Mark C. Kalpin, Esq., Public Member, Environmental, EFSB
Melissa Murphy-Rodrigues, Town Manager, Town of Sudbury
Tom Moses, Executive Assistant, Town of Hudson
Arthur Vigeant, Mayor, City of Marlborough
Lisa Vernegaard, Sudbury Valley Trustees
Ray Philips, President, Protect Sudbury
Gary Crago, Greater Boston Trout Unlimited



FOR THE ASSABET SUDBURY & CONCORD RIVERS

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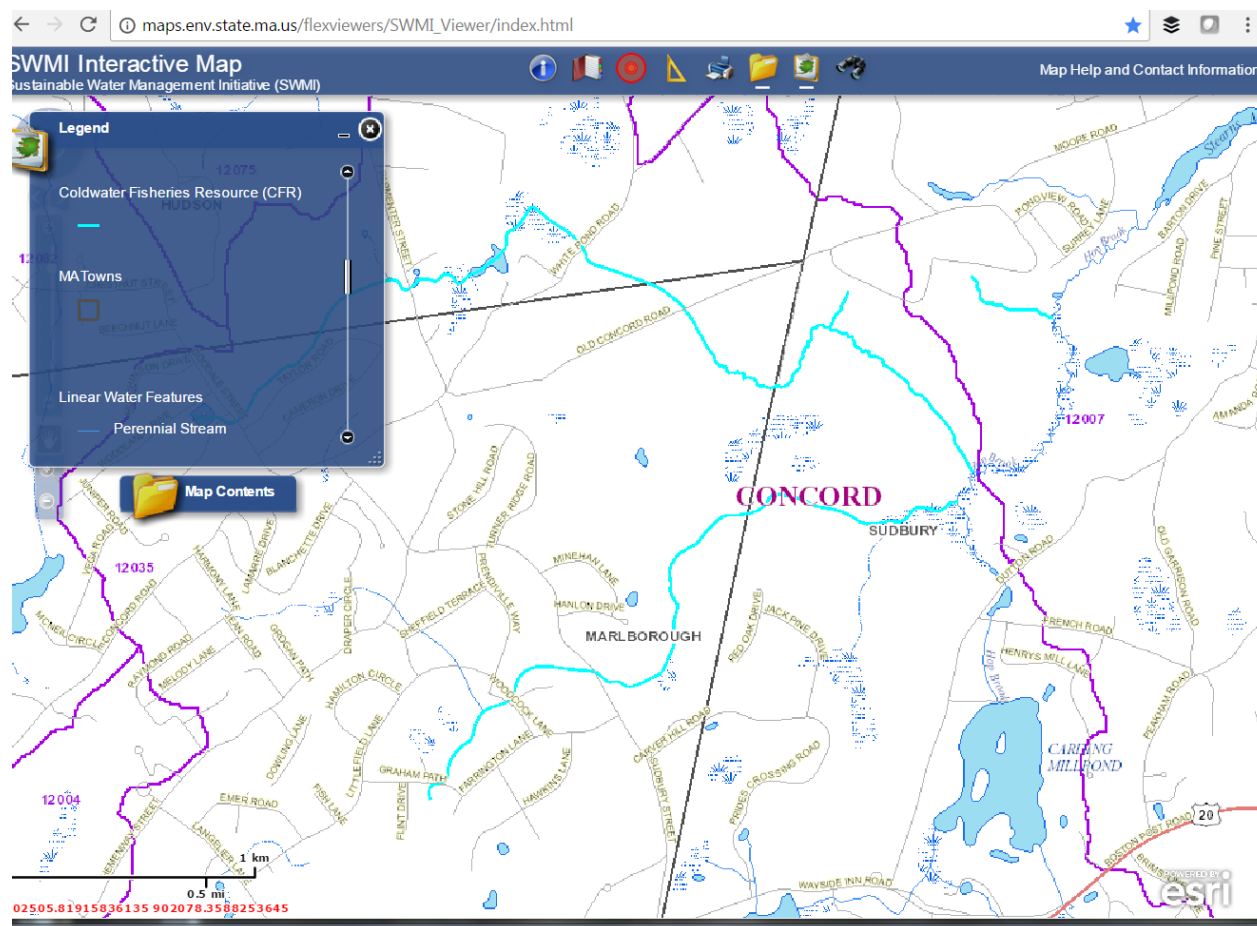
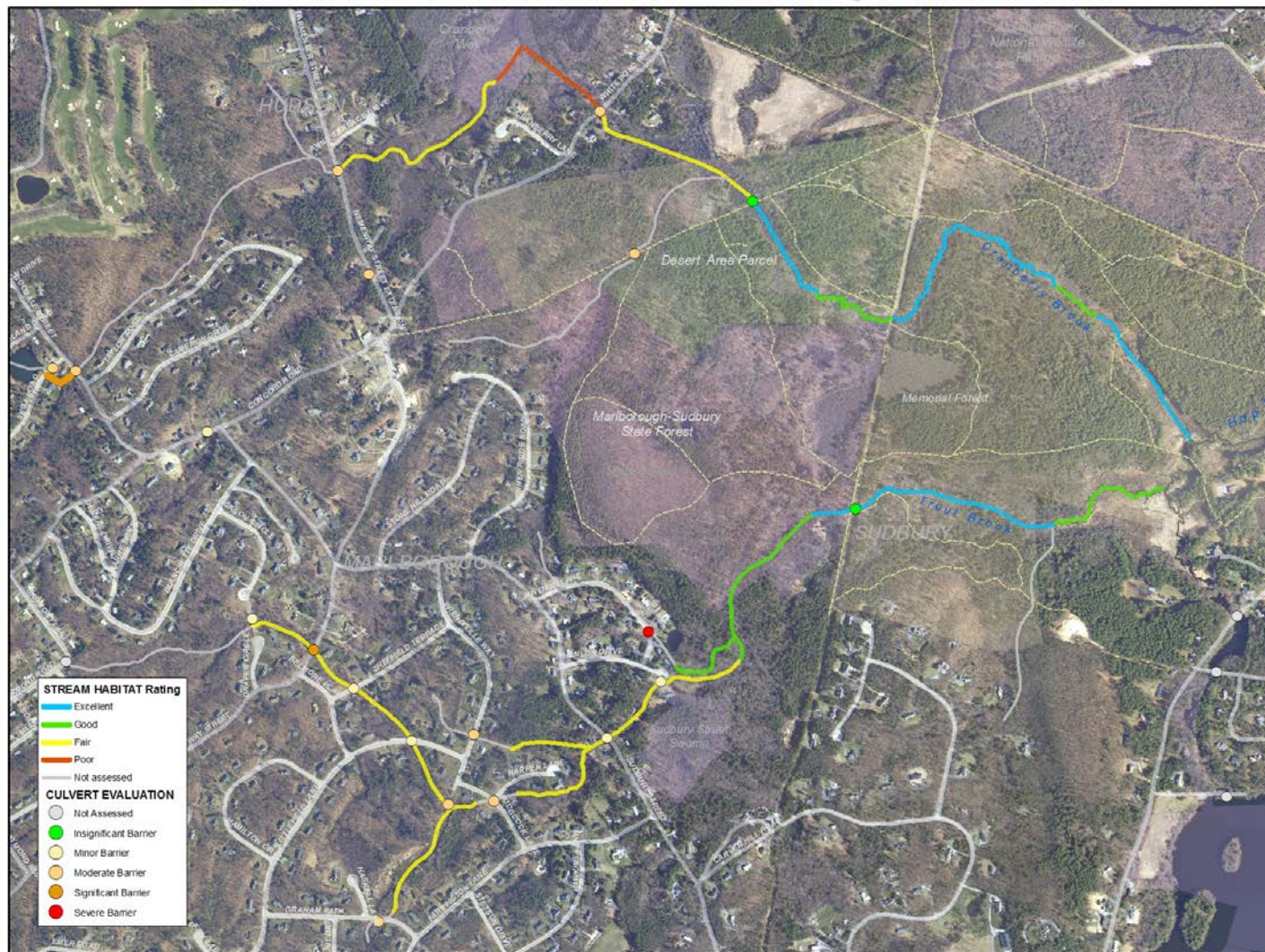


Fig. 1 Coldwater Fishery Resources

Habitat and Culvert Evaluations - Cranberry & Trout Brooks



1:13,000 Base map data from Mass GIS (NAD 1983 MA State Plane). Hydrographic features data from USGS National Hydrography Dataset. S. Flint, OARS, Sept 2014

Fig. 2 Habitat assessments

Czepiga, Page (EEA)

From: Nicole Catatao <nicole.marie.jalbert@gmail.com>
Sent: Thursday, June 29, 2017 5:52 AM
To: Czepiga, Page (EEA)
Subject: Fwd: Eversource Sudbury-Hudson transmission line project
Attachments: Town of Hudson Intervention letter to EFSB. (1).pdf

Hi Page,

In the matter of the Eversource Sudbury-Hudson transmission line project, to date, Eversource has only filed an ENF for the "preferred" option, i.e. the MBTA ROW underground transmission line. However, there are two other options listed in the filing to the EFSB, the aboveground MBTA ROW route, and an under-street route. Both of these routes should also be subject to the filing of an ENF and EIR.

No engineering plans for the route have been presented to date for an underground route with multiple complications including changing elevations of +/- 15 feet or more, considerable amounts of bedrock, and wetlands. These complications could lead the EFSB to reconsider the aboveground line with its additional associated environmental impacts. Because the above ground option has not been ruled out either by Eversource or the EFSB, Eversource should be required to file an ENF and EIR for it. Without ENFs for all three proposed options, there is no way that the state agencies can effectively assess environmental impact.

By Eversource's own assessment in the EFSB filing, the under-street route has virtually no environmental impact, and evaluation of the current filing should take that into consideration. In the absence of an ENF for the under-street route, there would be no formal statement of its impact, and therefore state agencies would be unable to effectively compare each route in the existing filing. As MEPA requires state agencies to take all feasible measures to avoid, minimize and mitigate damage to the environment, MEPA should require an ENF for all three routes. This would allow state agencies fully scrutinize the impacts of all three routes and understand that the in- street option avoids and minimizes the enormous environmental impacts of both MBTA routes with likely no mitigation required.

Of particular concern is how transmission lines will be constructed through water crossings, as there is major potential for harm to species and disruption of wetlands and waterways. The MEPA scoping site visit looked at a very small section of the MBTA route, thus underplaying the significant impact of the project. MEPA should require all state agencies involved to conduct a more thorough examination of the entire route, accompanied by the Sudbury and Hudson Conservation Commissions as they are intimately familiar with the area and can best provide information that others would miss.

Given that there are multiple viable under-street options with virtually NO environmental impacts as well as an existing solution from NGRID which simply upgrades existing infrastructure, MEPA needs to conduct careful analysis of route selection methodology and the MBTA routes should both be rejected outright. This would be in keeping with the Commonwealth's Sustainable Development "Smart Growth" Principles that discourage new construction and disturbance within natural areas.

Dozens of environmental organizations, including Mass. Audubon, Mass. Chapter of the Sierra Club, Sudbury Valley Trustees, Environmental League of Massachusetts, Clean Water Action, US Dept. of the Interior Fish and Wildlife, and others have expressed alarm at the MBTA routes - both overhead and below ground.

MEPA needs to ensure that all agencies are FULLY cognizant of the concerns from these es- teemed environmental groups and the environmental consequences of both the aboveground and below ground along the MBTA right of way:

- 1) Wildlife habitat fragmentation of one of the region's largest natural areas, including five different conservation lands, including Assabet River National Wildlife Refuge, Marlboro- Sudbury State Forest, Sudbury Valley Trustees Memorial Forest, and Hop Brook Marsh Conservation Land and Marlborough Desert Natural Area. The majority of the ar- eas are part of NHESP priority habitat (PH 687). These areas harbor diverse wildlife with several different habitat types and are home to several threatened and endangered species of plants and animals. (USFWS, Audubon, Marlborough Con Comm)

Among the species and habitats at risk are Eastern Brook Trout, a great blue heron rook- ery, salamanders, Blanding's turtles, wood turtles, Eastern Box Turtle, and the recently state-listed whip-poor-will.

There are sensitive habits within the above: wetlands, vernal pools, turtle nesting sites, and cold water streams and the MBTA right of way routes put these at risk and:

- a. Create conditions unsuitable for certain wildlife species including impacts to isolated populations, altered wildlife behaviors, decline of resident species, disruption of movement corridors, increase in habitat fragmentation
 - b. Allows entry of invasive species and a pathway for predators (USFWS, SVT)
 - c. Large, interconnected areas of forestland and wetlands are vital for ecological health and integrity, and the MBTA routes bisect these connected spaces.
 - d. Destruction of unusual plant populations
 - e. Disturbance and alteration of breeding habitat of recently state-listed whip-poor-will.
- 2) Large-scale permanent destruction of conservation lands (ELM, SVT)
 - a. Irreparable immediate and ongoing damage by construction and maintenance (ELM, SVT)
 - 3) Negative impacts from use of herbicides to environmentally sensitive areas (USFWS, SVT)
 - 4) Potential for ground-water pollution from toxic chemical cocktails of herbicides
 - a. Although both the state and US EPA have approved glyphosate and other herbicides for use, there is growing evidence for both human impact in the form of cancer by international bodies and the World Health Organization. We can't risk taking a chance with the health of the population of the impacted towns.
 - b. There is also considerable research on the impacts of glyphosate on threatened and endangered species, particularly amphibians such as the salamanders found all along the route.
 - c. The proposed route is in close proximity to five certified (and an additional five with certified data collected) vernal pools containing the species in question
 - 5) Likely increase of unauthorized uses of ATVs and dirt bikes which cause significant damage to natural resources (USFWS, SVT)
 - 6) Destruction and/or contamination of highly important water resources important to humans and wildlife (CWA,OARS)
 - a. Impact on threatened and vulnerable Eastern brook trout habitat in the Sudbury River tributaries by diminishing shade cover, warming of river temperatures and potential pollution from construction activities and herbicide usage.
 - b. The proposed transmission line crosses over Zone II areas in Sudbury and the Cranberry Bog Well in Hudson. Potential pollution by any herbicides or other runoff from construction activities in these areas is unacceptable. As stated above, recent research has shown that run off of glyphosate into water resource areas can and does happen. Sudbury's wells are located in an aquifer with a high vulnerability to contamination due to the absence of hydrological barriers that can prevent contaminant migration.
 - c. Disruption of existing contaminants from previous rail line use is likely to impact these water resources. It is not uncommon to find arsenic, creosote and other hazardous chemicals in old rail beds. Flattening the rail bed and removing old rail- road ties for clear-cutting will disturb these contaminants and has a high risk of dispersing them into the surrounding water resources.
 - 7) Mitigation of these impacts is not feasible. (Audubon) Eversource's mitigation measures such as "financial contribution toward land acquisition" cannot mitigate for permanent loss of wildlife habitat and loss of life.

Given the scale and severity of these impacts, permitting for this project should be denied, but at the very least, an EIR should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with details.

Thank you,

Nicole Catatao - Concerned Hudson abutter at 12 Orchard Drive Hudson Ma 01749

I've attached a letter from the Tow of Hudson.

Quotes below, from letters of support here: <http://www.protectsudbury.org/official-support/>:

George Bachrach, Environmental League of Mass.

Lisa Vernegaard, Sudbury Valley Trustees

“Routing this utility line along the right-of-way would undo much of the significant investment that the Commonwealth, the U.S. Fish and Wildlife Service, the Town of Sudbury, the City of Marlborough, private foundations, and individual donors have already made in protecting and caring for one of the metrowest region’s most important natural areas. Eversource did not accurately consider the environmental impacts of its Preferred Routes when evaluating the three options and the Environmental League of Massachusetts believes that the permanent damage to topography, wildlife, and vegetation in this unique area cannot be understated.”

Ms. Vernegaard adds:

“This impact is forever. The impacts of street-based route (none of which are environmental), while real, are temporary and can be addressed in the foreseeable future.

Becky Smith, Clean Water Action

“Our environment is already overburdened by toxic chemicals. Increased use of herbicides to maintain vegetation along the transmission right of way will worsen this problem and bears particular concerns for vernal pools and wetlands. Worse, the use of herbicides, with their potential carcinogens, poses a threat to human health by potential contamination of area wells and aquifers providing drinking water for 18,000 Sudbury residents.”

Emily Norton, Massachusetts Sierra Club

“As wild lands, wildlife, recreation areas, and historic districts are increasingly at risk in our country, our obligation to current and future citizens is to do everything in our power to ensure that we preserve every precious natural resource that we currently enjoy. We understand that Eversource is putting forth the above-ground line as a “lowest” cost proposal. We believe, to the contrary, that it and any other route through conservation lands represents the highest-cost proposal and should be discarded. We cannot afford to dismiss the consequences of failing to ignore the value to humankind of unbroken forest and wetlands, wildlife and clean water.”

John Clarke, Mass. Audubon

“In calculating the costs of constructing lines through and adjacent to protected lands, the full costs and availability (or lack thereof) of mitigation lands of equivalent natural resource value must also be considered. The Executive Office of Energy and Environmental Affairs’ policy on disposition of lands protected under Article 97 of the state Constitution requires not merely consideration of the market value of the impacted lands but also the natural resource value. In rapidly developing suburbs such as Sudbury and Hudson, land available for replacement conservation is limited, and it is not feasible to fully mitigate for the fragmentation effects on large blocks of woodland.”

McGREGOR & LEGERE

ATTORNEYS AT LAW, P.C.

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FAX (617) 338-0737

LUKE H. LEGERE, ESQ.
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(617) 338-6464 ext. 126

VIA HAND DELIVERY AND E-MAIL

June 15, 2017

Stephen August, Esq.
Presiding Officer
MA Energy Facilities Siting Board
One South Station
Boston, MA 02110

**RE: NSTAR Electric Company d/b/a Eversource Energy
Sudbury-Hudson Transmission Reliability Project
EFSB 17-02 / D.P.U. 17-82 / D.P.U. 17-83**

Dear Presiding Officer August:

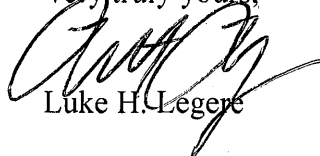
Enclosed for filing in the above-referenced matter, please find the Town of Hudson's Petition for Leave to Intervene as a Full Party, Notices of Appearance, and a Certificate of Service.

Please do not hesitate to contact me with any questions regarding this filing as follows:

Luke H. Legere
McGregor & Legere, P.C.
15 Court Square, Suite 500
Boston, MA 02108
(617) 338-6464
llegere@mcgregorlaw.com

Thank you for your attention to this matter.

Very truly yours,



Luke H. Legere

Enclosures

cc: Catherine J. Keuthen, Esq. (by e-mail and first-class mail)
Cheryl A. Blaine, Esq. (by e-mail and first-class mail)
Thomas Moses, Town of Hudson (by e-mail only)



Printed on recycled paper.

**Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 164, §69J
For Approval to Construct, Operate and Maintain
A New 115-kV Transmission Line in the Towns of
Sudbury, Hudson and Stow and the City of
Marlborough and to Make Modifications to an
Existing Substation in Sudbury**

**Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 40A, §3
for Exemptions from the Operation of the Sudbury,
Hudson and Stow Zoning Bylaws**

**Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 164, §72
For Approval to Construct, Operate and Maintain
A New 115-kV Transmission Line in the Towns of
Sudbury, Hudson and Stow and the City of
Marlborough**

DPU 17-83

Pursuant to G.L. c. 30A, §10, 980 CMR 1.05(1), and the Notice of Adjudication and Notice of Public Comment Hearing (“Notice”) issued by the Energy Facilities Siting Board (“Siting Board” or “EFSB”), the Town of Hudson (the “Town”) hereby petitions the Siting Board for leave to intervene as a full party in the above-captioned consolidated proceedings.

1. The Town is a municipal corporation, duly organized under the laws of the Commonwealth, with an address of 78 Main Street, Hudson, Massachusetts 01749.

2. On April 20, 2017, NSTAR Electric Company d/b/a Eversource Energy (“Eversource”) filed with the EFSB a petition for approval to construct, operate, and maintain (the “Petition”) an approximately 9-mile, 115-kV underground transmission line through the municipalities of Hudson, Sudbury, Stow and Marlborough, and to make improvements to Eversource’s Sudbury Substation (the “Project”). The proposed transmission line would extend from the existing substation in Sudbury to the Hudson Light & Power Department’s substation at Forest Avenue in Hudson. Eversource’s “Preferred Route” for the Project would largely follow an inactive railroad right-of-way (“ROW”) owned by the Massachusetts Bay Transportation Authority (“MBTA”). The Siting Board docketed the matter as EFSB 17-02.

3. On April 20, 2017, Eversource filed two petitions with the Department of Public Utilities (“DPU”) requesting:

- a. Exemptions from the operation of the Hudson, Sudbury and Stow Zoning Bylaws pursuant to G.L. c. 40A, § 3 (docketed as DPU 17-82); and
- b. Approval to construct, operate and maintain a new 115-kV transmission line in the municipalities of Hudson, Sudbury, Stow and Marlborough pursuant to G.L. c. 164, § 72 (docketed as DPU 17-83).

4. Also on April 20, 2017, Eversource filed a Motion to Consolidate the three matters referenced above.

5. On April 27, 2017, the Chairman of DPU issued a Referral Order, pursuant to G.L. c. 25, § 4 and 220 CMR 1.09(3), referring the two DPU matters for review and approval or rejection by the EFSB pursuant to G.L. c. 164, § 69H(2).

6. Presiding Officer Stephen J. August issued a Consolidation Order dated April 27, 2017, consolidating the proceedings pursuant to 980 CMR 1.09(2).

7. G.L. c. 30A, §10 provides that the Siting Board may “allow any person showing that he may be substantially and specifically affected by the proceeding to intervene as a party in the whole or any portion of the proceeding”

8. The Town seeks to intervene in this proceeding as a full party, with all of the rights and opportunities recited in 980 CMR 1.05(1)(h), because it will be substantially and specifically affected by the proceeding.

9. More than half of the Project’s proposed transmission line would be located in Hudson under the “Preferred Route” and “Noticed Variation Route”. Specifically, those routes propose to construct 4.65 miles of the 9-mile transmission line in Hudson: 3.27 miles would be in the MBTA ROW in Hudson, while the final 1.3 miles of the Project would be installed within public roadways in Hudson. Similarly, the “Noticed Alternative Route” to place the transmission lines entirely under existing roadways would total 10.46 miles in length, of which almost half, 4.09 miles, would be constructed within public roadways in Hudson.

10. The Project would have substantial and specific environmental impacts on the Town, as it is proposed in close proximity to municipal drinking water supplies, natural resources, and residential neighborhoods.

11. The Project bisects one of the largest and most pristine wetland and wildlife systems remaining in Hudson and the immediately surrounding area, which includes parts of the Assabet River National Wildlife Refuge, the Desert Natural Area, and the Marlborough-Sudbury State Forest in Hudson. In addition, the Project’s “Preferred Route” comes within 1,500 feet of Lake Boon, a state-designated Great Pond, and crosses a stream flowing into Lake Boon. It also crosses Fort Meadow Brook, a tributary to the Assabet River.

12. The Project would be constructed in close proximity to the watersheds and aquifers surrounding the five Hudson town wells (the Chestnut-1, Chestnut-2, Chestnut-3, Cranberry, and Kane wells), which provide water for over 20,000 people. The MBTA ROW traverses two Zone II protection areas associated with those wells, and appears to be close to, or within, one or more Zone I protection areas.

13. The Project would disturb soils contaminated with wood preservatives and possibly other heavy metals deposited from years of train operations and track maintenance.

14. The Project would result in new alteration of slightly less than 14,000 square feet of bordering vegetated wetlands (including nearly 13,000 square feet of permanent fill), and more than 242,000 square feet of other wetland resource areas, generating a very large environmental impact. Wetlands are protected resources which perform critical functions including flood control and pollution filtering, and are a valuable habitat for diverse wildlife. The Project's wetlands impacts are either located within Hudson, or are part of the larger wetland system that encompasses and directly affects the quality of Hudson's wetland resources.

15. The Project would result in the substantial loss of mature forestland as a result of clearing approximately 6.7 miles of the MBTA ROW (3.27 miles in Hudson) at a width of 30 to 50 feet. This clearing of vegetation will have a large impact on soils and wildlife, and would alter the local microclimate by changing the winds, temperatures, moisture and light. These are mature and healthy forests, comprised of a mix of tree growth. This is significant clearing, especially considering the bogs, steams and other wetlands adjacent to the ROW. The loss of habitat, impacts on water absorption, increased soil erosion, and the potential for invasive plant species to take root in disturbed areas will either take place within Hudson, or within the ecosystem that includes and directly affects the quality of Hudson's natural resources.

16. The Project would impact habitat for state-listed endangered wildlife species, including habitat use by such species in certified and potential vernal pools along the Project's "Preferred Route". Specifically, no fewer than two state-certified vernal pools and two potential vernal pools are located within or in extremely close proximity to the ROW in Hudson.

17. Greenhouse gas emissions from machinery and fuels involved in construction pose a threat of environmental harm from the Project as well.

18. The Project would substantially and specifically impact the Town financially. The "Preferred Route", "Noticed Alternative Route", and "Noticed Variation Route" all propose significant work under existing roadways in Hudson. Coordinating this work with the Town would necessarily involve a significant amount of time and effort for the Hudson Public Works Department, Police Department, and other Town Officials and boards. In addition, impacts to traffic patterns and flow will negatively impact Hudson's businesses and residents.

19. Eversource's petition for exemptions from the Hudson Zoning Bylaw substantially and specifically affects the Town, which has a legal interest in applying and enforcing the provisions of its Zoning Bylaw. The Hudson Zoning Bylaw was duly adopted by the Town in an exercise of its corporate powers, in order to protect the Town and its residents from deleterious uses and structures, and to promote the public health, safety and welfare, as well as to provide for orderly and appropriate land use. Eversource is seeking substantial waivers which will negatively impact the Town, its neighborhoods, its residents, and real estate values.

20. Hudson's Zoning Bylaw is in place to avoid and minimize impacts to Hudson residents, and would be important to protect public health, safety and welfare during and after construction of the Project, especially concerning environmental issues such as water, light, odor,

noise pollution, congestion, and aesthetics. Hudson's noise regulations would be particularly important to protect residents during all construction.

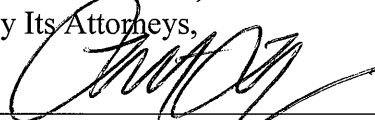
21. Eversource's proposal to construct, operate and maintain the Project would have direct and wide-ranging effects on the Town and its residents. Consequently, the Town will be substantially and specifically affected by the outcome of these proceedings and wishes to intervene as a full party to protect its interests and the interests of its residents.

22. No other party can adequately represent the Town's interests as the public entity responsible for a variety of public services and functions, including without limitation managing the Town's supply and distribution of water, implementing, protecting and enforcing the Town's Zoning Bylaw and other laws concerning public health, safety, and nuisance issues including traffic, noise and pollution.

23. Allowing the Town to intervene will not affect the orderly conduct of this proceeding. No party will be prejudiced by the Town's intervention in this proceeding.

Wherefore, for the reasons set forth above, the Town of Hudson respectfully requests that its Petition for Leave to Intervene as a Full Party be ALLOWED.

Respectfully submitted,
Town of Hudson,
By Its Attorneys,



Luke H. Legere, BBO #664286

llegere@mcgregorlaw.com

Gregor I. McGregor, BBO # 334680

gimcg@mcgregorlaw.com

McGregor & Legere, P.C.

15 Court Square, Suite 500

Boston, MA 02108

(617) 338-6464

(617) 338-0737 (FAX)

Dated: June 15, 2017

**COMMONWEALTH OF MASSACHUSETTS
ENERGY FACILITIES SITING BOARD**

Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 164, §69J
For Approval to Construct, Operate and Maintain
A New 115-kV Transmission Line in the Towns of
Sudbury, Hudson and Stow and the City of
Marlborough and to Make Modifications to an
Existing Substation in Sudbury

EFBSB 17-02

Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 40A, §3
for Exemptions from the Operation of the Sudbury,
Hudson and Stow Zoning Bylaws

DPU 17-82

Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 164, §72
For Approval to Construct, Operate and Maintain
A New 115-kV Transmission Line in the Towns of
Sudbury, Hudson and Stow and the City of
Marlborough

DPU 17-83

NOTICE OF APPEARANCE OF COUNSEL

I hereby give notice of my appearance as counsel for the Town of Hudson in the above-captioned matter.

Respectfully submitted,



Luke H. Legere, BBQ #664286

McGregor & Legere, P.C.

15 Court Square, Suite 500

Boston, MA 02108

(617) 338-6464 (Phone)

(617) 338-0737 (FAX)

llegere@mcgregorlaw.com

Dated: June 15, 2017

**Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 164, §69J
For Approval to Construct, Operate and Maintain
A New 115-kV Transmission Line in the Towns of
Sudbury, Hudson and Stow and the City of
Marlborough and to Make Modifications to an
Existing Substation in Sudbury**

EFSB 17-02

**Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 40A, §3
for Exemptions from the Operation of the Sudbury,
Hudson and Stow Zoning Bylaws**

DPU 17-82

**Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 164, §72
For Approval to Construct, Operate and Maintain
A New 115-kV Transmission Line in the Towns of
Sudbury, Hudson and Stow and the City of
Marlborough**

DPU 17-83

I hereby give notice of my appearance as counsel for the Town of Hudson in the above-captioned matter.

Respectfully submitted,

Gregor & McGregor, BBO # 334680
McGregor & Legere, P.C.
15 Court Square, Suite 500
Boston, MA 02108
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(617) 338-0737 (FAX)
gimcg@mcmgregorlaw.com

Dated: June 15, 2017

**Petition of NSTAR Electric Company d/b/a
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A New 115-kV Transmission Line in the Towns of
Sudbury, Hudson and Stow and the City of
Marlborough**

Dated: June 15, 2017

Czepiga, Page (EEA)

From: Jayashree Paranjape <paranjj@hotmail.com>
Sent: Wednesday, June 28, 2017 5:43 PM
To: Czepiga, Page (EEA)
Subject: Eversource Sudbury-Hudson transmission line project
Attachments: IMG_6148.jpg

Hi Page,

I am one of the abutters in the Eversource transmission project on the MBTA row. As you can see from the attached picture. Rail road is literally just a few feet away from my drive way and will destroy the property even if it is done underground. I also have young children who will be adversely affected and our property value will go down substantially.

Some points to consider

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Thank you,

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Jayashree Paranjape

29 Parmenter Road

Hudson, MA, 01749

H: 774.317.8249

C: 508.902.8397

paranij@hotmail.com



June 21, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114
Emailto:Page.Czepiga@state.ma.us

RECEIVED
JUN 29 2017
MEPA

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Thank you,



Elisa Pearmain-Hovestadt
127 White Pond Rd
Hudson, MA 01749
(978) 562-3268

I live on the edge of a wetland that would be effected by above or below ground power lines. My view would be ruined & the woods that I love to walk in severely damaged! Under road only!

Quotes below, from letters of support here: <http://www.protectsudbury.org/official-support/>):
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Czepiga, Page (EEA)

From: Christopher Catatao <ccatatao@gmail.com>
Sent: Wednesday, June 28, 2017 7:02 AM
To: Czepiga, Page (EEA)
Subject: Eversource Sudbury-Hudson transmission line project
Attachments: Town of Hudson Intervention letter to EFSB. (1).pdf

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Thank you,

Chris Catatao - Concerned Hudson abutter at 12 Orchard Drive Hudson Ma 01749

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McGREGOR & LEGERE

ATTORNEYS AT LAW, P.C.

15 COURT SQUARE – SUITE 500
BOSTON, MASSACHUSETTS 02108
(617) 338-6464
FAX (617) 338-0737

LUKE H. LEGERE, ESQ.
E-mail: llegere@mcgregorlaw.com
(617) 338-6464 ext. 126

VIA HAND DELIVERY AND E-MAIL

June 15, 2017

Stephen August, Esq.
Presiding Officer
MA Energy Facilities Siting Board
One South Station
Boston, MA 02110

**RE: NSTAR Electric Company d/b/a Eversource Energy
Sudbury-Hudson Transmission Reliability Project
EFSB 17-02 / D.P.U. 17-82 / D.P.U. 17-83**

Dear Presiding Officer August:

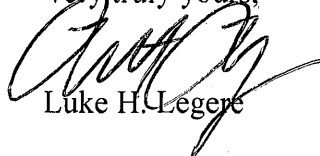
Enclosed for filing in the above-referenced matter, please find the Town of Hudson's Petition for Leave to Intervene as a Full Party, Notices of Appearance, and a Certificate of Service.

Please do not hesitate to contact me with any questions regarding this filing as follows:

Luke H. Legere
McGregor & Legere, P.C.
15 Court Square, Suite 500
Boston, MA 02108
(617) 338-6464
llegere@mcgregorlaw.com

Thank you for your attention to this matter.

Very truly yours,



Luke H. Legere

Enclosures

cc: Catherine J. Keuthen, Esq. (by e-mail and first-class mail)
Cheryl A. Blaine, Esq. (by e-mail and first-class mail)
Thomas Moses, Town of Hudson (by e-mail only)



Printed on recycled paper.

**Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 164, §69J
For Approval to Construct, Operate and Maintain
A New 115-kV Transmission Line in the Towns of
Sudbury, Hudson and Stow and the City of
Marlborough and to Make Modifications to an
Existing Substation in Sudbury**

**Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 40A, §3
for Exemptions from the Operation of the Sudbury,
Hudson and Stow Zoning Bylaws**

**Petition of NSTAR Electric Company d/b/a
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Sudbury, Hudson and Stow and the City of
Marlborough**

DPU 17-83

Pursuant to G.L. c. 30A, §10, 980 CMR 1.05(1), and the Notice of Adjudication and Notice of Public Comment Hearing (“Notice”) issued by the Energy Facilities Siting Board (“Siting Board” or “EFSB”), the Town of Hudson (the “Town”) hereby petitions the Siting Board for leave to intervene as a full party in the above-captioned consolidated proceedings.

1. The Town is a municipal corporation, duly organized under the laws of the Commonwealth, with an address of 78 Main Street, Hudson, Massachusetts 01749.

2. On April 20, 2017, NSTAR Electric Company d/b/a Eversource Energy (“Eversource”) filed with the EFSB a petition for approval to construct, operate, and maintain (the “Petition”) an approximately 9-mile, 115-kV underground transmission line through the municipalities of Hudson, Sudbury, Stow and Marlborough, and to make improvements to Eversource’s Sudbury Substation (the “Project”). The proposed transmission line would extend from the existing substation in Sudbury to the Hudson Light & Power Department’s substation at Forest Avenue in Hudson. Eversource’s “Preferred Route” for the Project would largely follow an inactive railroad right-of-way (“ROW”) owned by the Massachusetts Bay Transportation Authority (“MBTA”). The Siting Board docketed the matter as EFSB 17-02.

3. On April 20, 2017, Eversource filed two petitions with the Department of Public Utilities (“DPU”) requesting:

- a. Exemptions from the operation of the Hudson, Sudbury and Stow Zoning Bylaws pursuant to G.L. c. 40A, § 3 (docketed as DPU 17-82); and
- b. Approval to construct, operate and maintain a new 115-kV transmission line in the municipalities of Hudson, Sudbury, Stow and Marlborough pursuant to G.L. c. 164, § 72 (docketed as DPU 17-83).

4. Also on April 20, 2017, Eversource filed a Motion to Consolidate the three matters referenced above.

5. On April 27, 2017, the Chairman of DPU issued a Referral Order, pursuant to G.L. c. 25, § 4 and 220 CMR 1.09(3), referring the two DPU matters for review and approval or rejection by the EFSB pursuant to G.L. c. 164, § 69H(2).

6. Presiding Officer Stephen J. August issued a Consolidation Order dated April 27, 2017, consolidating the proceedings pursuant to 980 CMR 1.09(2).

7. G.L. c. 30A, §10 provides that the Siting Board may “allow any person showing that he may be substantially and specifically affected by the proceeding to intervene as a party in the whole or any portion of the proceeding”

8. The Town seeks to intervene in this proceeding as a full party, with all of the rights and opportunities recited in 980 CMR 1.05(1)(h), because it will be substantially and specifically affected by the proceeding.

9. More than half of the Project’s proposed transmission line would be located in Hudson under the “Preferred Route” and “Noticed Variation Route”. Specifically, those routes propose to construct 4.65 miles of the 9-mile transmission line in Hudson: 3.27 miles would be in the MBTA ROW in Hudson, while the final 1.3 miles of the Project would be installed within public roadways in Hudson. Similarly, the “Noticed Alternative Route” to place the transmission lines entirely under existing roadways would total 10.46 miles in length, of which almost half, 4.09 miles, would be constructed within public roadways in Hudson.

10. The Project would have substantial and specific environmental impacts on the Town, as it is proposed in close proximity to municipal drinking water supplies, natural resources, and residential neighborhoods.

11. The Project bisects one of the largest and most pristine wetland and wildlife systems remaining in Hudson and the immediately surrounding area, which includes parts of the Assabet River National Wildlife Refuge, the Desert Natural Area, and the Marlborough-Sudbury State Forest in Hudson. In addition, the Project’s “Preferred Route” comes within 1,500 feet of Lake Boon, a state-designated Great Pond, and crosses a stream flowing into Lake Boon. It also crosses Fort Meadow Brook, a tributary to the Assabet River.

12. The Project would be constructed in close proximity to the watersheds and aquifers surrounding the five Hudson town wells (the Chestnut-1, Chestnut-2, Chestnut-3, Cranberry, and Kane wells), which provide water for over 20,000 people. The MBTA ROW traverses two Zone II protection areas associated with those wells, and appears to be close to, or within, one or more Zone I protection areas.

13. The Project would disturb soils contaminated with wood preservatives and possibly other heavy metals deposited from years of train operations and track maintenance.

14. The Project would result in new alteration of slightly less than 14,000 square feet of bordering vegetated wetlands (including nearly 13,000 square feet of permanent fill), and more than 242,000 square feet of other wetland resource areas, generating a very large environmental impact. Wetlands are protected resources which perform critical functions including flood control and pollution filtering, and are a valuable habitat for diverse wildlife. The Project's wetlands impacts are either located within Hudson, or are part of the larger wetland system that encompasses and directly affects the quality of Hudson's wetland resources.

15. The Project would result in the substantial loss of mature forestland as a result of clearing approximately 6.7 miles of the MBTA ROW (3.27 miles in Hudson) at a width of 30 to 50 feet. This clearing of vegetation will have a large impact on soils and wildlife, and would alter the local microclimate by changing the winds, temperatures, moisture and light. These are mature and healthy forests, comprised of a mix of tree growth. This is significant clearing, especially considering the bogs, steams and other wetlands adjacent to the ROW. The loss of habitat, impacts on water absorption, increased soil erosion, and the potential for invasive plant species to take root in disturbed areas will either take place within Hudson, or within the ecosystem that includes and directly affects the quality of Hudson's natural resources.

16. The Project would impact habitat for state-listed endangered wildlife species, including habitat use by such species in certified and potential vernal pools along the Project's "Preferred Route". Specifically, no fewer than two state-certified vernal pools and two potential vernal pools are located within or in extremely close proximity to the ROW in Hudson.

17. Greenhouse gas emissions from machinery and fuels involved in construction pose a threat of environmental harm from the Project as well.

18. The Project would substantially and specifically impact the Town financially. The "Preferred Route", "Noticed Alternative Route", and "Noticed Variation Route" all propose significant work under existing roadways in Hudson. Coordinating this work with the Town would necessarily involve a significant amount of time and effort for the Hudson Public Works Department, Police Department, and other Town Officials and boards. In addition, impacts to traffic patterns and flow will negatively impact Hudson's businesses and residents.

19. Eversource's petition for exemptions from the Hudson Zoning Bylaw substantially and specifically affects the Town, which has a legal interest in applying and enforcing the provisions of its Zoning Bylaw. The Hudson Zoning Bylaw was duly adopted by the Town in an exercise of its corporate powers, in order to protect the Town and its residents from deleterious uses and structures, and to promote the public health, safety and welfare, as well as to provide for orderly and appropriate land use. Eversource is seeking substantial waivers which will negatively impact the Town, its neighborhoods, its residents, and real estate values.

20. Hudson's Zoning Bylaw is in place to avoid and minimize impacts to Hudson residents, and would be important to protect public health, safety and welfare during and after construction of the Project, especially concerning environmental issues such as water, light, odor,

noise pollution, congestion, and aesthetics. Hudson's noise regulations would be particularly important to protect residents during all construction.

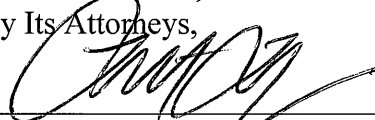
21. Eversource's proposal to construct, operate and maintain the Project would have direct and wide-ranging effects on the Town and its residents. Consequently, the Town will be substantially and specifically affected by the outcome of these proceedings and wishes to intervene as a full party to protect its interests and the interests of its residents.

22. No other party can adequately represent the Town's interests as the public entity responsible for a variety of public services and functions, including without limitation managing the Town's supply and distribution of water, implementing, protecting and enforcing the Town's Zoning Bylaw and other laws concerning public health, safety, and nuisance issues including traffic, noise and pollution.

23. Allowing the Town to intervene will not affect the orderly conduct of this proceeding. No party will be prejudiced by the Town's intervention in this proceeding.

Wherefore, for the reasons set forth above, the Town of Hudson respectfully requests that its Petition for Leave to Intervene as a Full Party be ALLOWED.

Respectfully submitted,
Town of Hudson,
By Its Attorneys,



Luke H. Legere, BBO #664286

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(617) 338-6464

(617) 338-0737 (FAX)

Dated: June 15, 2017

**COMMONWEALTH OF MASSACHUSETTS
ENERGY FACILITIES SITING BOARD**

Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 164, §69J
For Approval to Construct, Operate and Maintain
A New 115-kV Transmission Line in the Towns of
Sudbury, Hudson and Stow and the City of
Marlborough and to Make Modifications to an
Existing Substation in Sudbury

EFBSB 17-02

Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 40A, §3
for Exemptions from the Operation of the Sudbury,
Hudson and Stow Zoning Bylaws

DPU 17-82

Petition of NSTAR Electric Company d/b/a
Eversource Energy Pursuant to G.L. c. 164, §72
For Approval to Construct, Operate and Maintain
A New 115-kV Transmission Line in the Towns of
Sudbury, Hudson and Stow and the City of
Marlborough

DPU 17-83

NOTICE OF APPEARANCE OF COUNSEL

I hereby give notice of my appearance as counsel for the Town of Hudson in the above-captioned matter.

Respectfully submitted,



Luke H. Legere, BBQ #664286

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DPU 17-82

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For Approval to Construct, Operate and Maintain
A New 115-kV Transmission Line in the Towns of
Sudbury, Hudson and Stow and the City of
Marlborough**

DPU 17-83

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Respectfully submitted,

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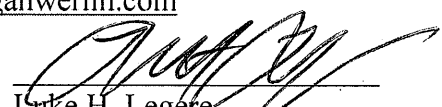
DPU 17-83

CERTIFICATE OF SERVICE

I hereby certify that, pursuant to 980 C.M.R. 1.03(4), true copies of the Town of Hudson's Petition for Leave to Intervene as a Full Party and Notices of Appearance were served on June 15, 2017 by first-class mail, and e-mail, upon the following counsel identified on the Notice of Adjudication and Notice of Public Comment Hearing.

Catherine J. Keuthen, Esq.
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ckeuthen@keeganwerlin.com

Cheryl A. Blaine, Esq.
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cblaine@keeganwerlin.com


Luke H. Legere
McGregor & Legere, P.C.

Dated: June 15, 2017

June 27, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114
Emailto:Page.Czepiga@state.ma.us

In the matter of the Eversource Sudbury-Hudson transmission line project, to date, Eversource has only filed an ENF for the “preferred” option, i.e. the MBTA ROW underground transmission line. However, there are two other options listed in the filing to the EFSB, the aboveground MBTA ROW route, and an under-street route. Both of these routes should also be subject to the filing of an ENF and EIR.

No engineering plans for the route have been presented to date for an underground route with multiple complications including changing elevations of +/- 15 feet or more, considerable amounts of bedrock, and wetlands. These complications could lead the EFSB to reconsider the aboveground line with its additional associated environmental impacts. Because the above ground option has not been ruled out either by Eversource or the EFSB, Eversource should be required to file an ENF and EIR for it. Without ENFs for all three proposed options, there is no way that the state agencies can effectively assess environmental impact.

By Eversource’s own assessment in the EFSB filing, the under-street route has virtually no environmental impact, and evaluation of the current filing should take that into consideration. In the absence of an ENF for the under-street route, there would be no formal statement of its impact, and therefore state agencies would be unable to effectively compare each route in the existing filing. As MEPA requires state agencies to take all feasible measures to avoid, minimize and mitigate damage to the environment, MEPA should require an ENF for all three routes. This would allow state agencies fully scrutinize the impacts of all three routes and understand that the in-street option avoids and minimizes the enormous environmental impacts of both MBTA routes with likely no mitigation required.

Of particular concern is how transmission lines will be constructed through water crossings, as there is major potential for harm to species and disruption of wetlands and waterways. The MEPA scoping site visit looked at a very small section of the MBTA route, thus underplaying the significant impact of the project. MEPA should require all state agencies involved to conduct a more thorough examination of the entire route, accompanied by the Sudbury and Hudson Conservation Commissions as they are intimately familiar with the area and can best provide information that others would miss.

Given that there are multiple viable under-street options with virtually NO environmental impacts as well as an existing solution from NGRID which simply upgrades existing infrastructure, MEPA needs to conduct careful analysis of route selection methodology and the MBTA routes should both be rejected

outright. This would be in keeping with the Commonwealth's Sustainable Development "Smart Growth" Principles that discourage new construction and disturbance within natural areas.

Dozens of environmental organizations, including Mass. Audubon, Mass. Chapter of the Sierra Club, Sudbury Valley Trustees, Environmental League of Massachusetts, Clean Water Action, US Dept. of the Interior Fish and Wildlife, and others have expressed alarm at the MBTA routes - both overhead and below ground.

MEPA needs to ensure that all agencies are FULLY cognizant of the concerns from these esteemed environmental groups and the environmental consequences of both the aboveground and below ground along the MBTA right of way:

- 1) Wildlife habitat fragmentation of one of the region's largest natural areas, including five different conservation lands, including Assabet River National Wildlife Refuge, Marlboro-Sudbury State Forest, Sudbury Valley Trustees Memorial Forest, and Hop Brook Marsh Conservation Land and Marlborough Desert Natural Area. The majority of the areas are part of NHESP priority habitat (PH 687). These areas harbor diverse wildlife with several different habitat types and are home to several threatened and endangered species of plants and animals. (USFWS, Audubon, Marlborough Con Comm)

Among the species and habitats at risk are Eastern Brook Trout, a great blue heron rookery, salamanders, Blanding's turtles, wood turtles, Eastern Box Turtle, and the recently state-listed whip-poor-will.

There are sensitive habits within the above: wetlands, vernal pools, turtle nesting sites, and cold water streams and the MBTA right of way routes put these at risk and:

- a. Create conditions unsuitable for certain wildlife species including impacts to isolated populations, altered wildlife behaviors, decline of resident species, disruption of movement corridors, increase in habitat fragmentation
- b. Allows entry of invasive species and a pathway for predators (USFWS, SVT)
- c. Large, interconnected areas of forestland and wetlands are vital for ecological health and integrity, and the MBTA routes bisect these connected spaces.
- d. Destruction of unusual plant populations
- e. Disturbance and alteration of breeding habitat of recently state-listed whip-poor-will.
- 2) Large-scale permanent destruction of conservation lands (ELM, SVT)
 - a. Irreparable immediate and ongoing damage by construction and maintenance (ELM, SVT)
- 3) Negative impacts from use of herbicides to environmentally sensitive areas (USFWS, SVT)
- 4) Potential for ground-water pollution from toxic chemical cocktails of herbicides
 - a. Although both the state and US EPA have approved glyphosate and other herbicides for use, there is growing evidence for both human impact in the form of cancer by international bodies and the World Health Organization. We can't risk taking a chance with the health of the population of the impacted towns.

- b. There is also considerable research on the impacts of glyphosate on threatened and endangered species, particularly amphibians such as the salamanders found all along the route.
 - c. The proposed route is in close proximity to five certified (and an additional five with certified data collected) vernal pools containing the species in question
- 5) Likely increase of unauthorized uses of ATVs and dirt bikes which cause significant damage to natural resources (USFWS, SVT)
- 6) Destruction and/or contamination of highly important water resources important to humans and wildlife (CWA, OARS)
 - a. Impact on threatened and vulnerable Eastern brook trout habitat in the Sudbury River tributaries by diminishing shade cover, warming of river temperatures and potential pollution from construction activities and herbicide usage.
 - b. The proposed transmission line crosses over Zone II areas in Sudbury and the Cranberry Bog Well in Hudson. Potential pollution by any herbicides or other runoff from construction activities in these areas is unacceptable. As stated above, recent research has shown that run off of glyphosate into water resource areas can and does happen. Sudbury's wells are located in an aquifer with a high vulnerability to contamination due to the absence of hydrological barriers that can prevent contaminant migration.
 - c. Disruption of existing contaminants from previous rail line use is likely to impact these water resources. It is not uncommon to find arsenic, creosote and other hazardous chemicals in old rail beds. Flattening the rail bed and removing old railroad ties for clear-cutting will disturb these contaminants and has a high risk of dispersing them into the surrounding water resources.
- 7) Mitigation of these impacts is not feasible. (Audubon) Eversource's mitigation measures such as "financial contribution toward land acquisition" cannot mitigate for permanent loss of wildlife habitat and loss of life.

Given the scale and severity of these impacts, permitting for this project should be denied, but at the very least, an EIR should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with details.

The state conservation land boundry is feet from my property line and the MBTA row is about 1/4 mile as the crow flies. I have lived at this location since 1984. The wildlife and forest are a treasure that should not be disturbed. Just this week, I heard Barred Owls calling and "arguing" just a few feet into the forest. The bats fly over my house and across the tree tops at dusk every night. Wood frogs, ribbon and garter snakes slither away as I mow my lawn. I recently heard the Hermit Thrush's ethreal song again for the first time after being absent for several years. A toad has staked its claim in my small patch of corn.

My water is from my shallow well and filtered by the sandy soil that most likely a result of the same glaciers that created the unique desert area nearby. My water is clear and clean and fresh. I am terrified that my and the town's water supply will be poluted by the disturbance by removal of the tracks, and the ongoing application of herbicides to maintain the ROW if the lines are overhead or underground.

Because of the wetlands, high water table and the variations in the height and width of the ROW I do not believe it will be possible for Eversource to successfully install an all-underground solution. I believe they would have to revert to some overhead towers in some places, which is even more terrifying and tragic.

I am not interested in the bike path that Eversource and the DCR are proposing as part of the project. The existing paths with overhead canopy coexist to form a natural, quiet environment for people walking, biking, snowshoeing, or horseback riding. Nature has been healing the scars made when the tracks were laid down and trains ran down the ROW. The cutting of trees, destroying water supplies, digging through wetlands, breaking down existing banks, creating new banks will be scars that will change the ecology and habitat forever. Those are deep scars that will never heal.

Governor Baker is awarding grants to protect water supplies and talks of the importance of protecting water supplies, watersheds, and rivers. "As Massachusetts continues to experience serious drought conditions, these grants are an important tool for the state to help municipalities ensure they have enough clean water," said Governor Charlie Baker. "Today's water conservation and planning grants will support local projects that protect water quality, provide habitat improvements, upgrade water supply operations, and mitigate the impacts of water withdrawal."

"This year's drought has reminded everyone of the need for municipalities and water suppliers to plan ahead and ensure the sustainability of their water supply sources," said Lieutenant Governor Karyn Polito. **"With these grants, our Administration partners with local officials to help them improve the ecological condition of their watersheds and manage the demand placed on those resources."**

The grants are part of the Water Management Act (WMA) Grant Program, an effort by the Executive Office of Energy and Environmental Affairs (EEA) and the Massachusetts Department of Environmental Protection (MassDEP) **to maintain healthy rivers and streams and, where possible, improve degraded water resources over time.** The WMA Grant Program helps water suppliers by providing grants for watershed planning projects, demand management, minimizing for the impacts of existing withdrawals, and mitigating for increased water withdrawal impacts.

"Clean and safe water for residents is a basic, but critical requirement for state and local officials to fulfill," said Energy and Environmental Affairs Secretary Matthew Beaton. "As local officials address growing water demand, it is critical to implement mitigation projects that will increase stream flow, better manage wastewater and stormwater, and **protect aquatic habitats.**"

"It is important for the Commonwealth to assist local officials in their management of these vital natural resources," said MassDEP Commissioner Martin Suuberg. "These projects will protect local watersheds, improve or increase in-stream flow, and improve the efficiency of water use within that water basin."

I cannot conceive how anything to do with the Eversource project align with any aspect of protecting or minimizing impact to on our town's water, streams, watershed and protect aquatic habitats as the Governor and Lieutenant Governor so profess.

Thank you,

Wendy Hewitt

597 Main Street, Hudson, MA 01749 • 508-612-2220

Quotes below, from letters of support here: <http://www.protectsudbury.org/official-support/>):

George Bachrach, Environmental League of Mass.

Lisa Vernegaard, Sudbury Valley Trustees

“Routing this utility line along the right-of-way would undo much of the significant investment that the Commonwealth, the U.S. Fish and Wildlife Service, the Town of Sudbury, the City of Marlborough, private foundations, and individual donors have already made in protecting and caring for one of the metrowest region’s most important natural areas. Eversource did not accurately consider the environmental impacts of its Preferred Routes when evaluating the three options and the Environmental League of Massachusetts believes that the permanent damage to topography, wildlife, and vegetation in this unique area cannot be understated.”

Ms. Vernegaard adds:

“This impact is forever. The impacts of street-based route (none of which are environmental), while real, are temporary and can be addressed in the foreseeable future.

Becky Smith, Clean Water Action

“Our environment is already overburdened by toxic chemicals. Increased use of herbicides to maintain vegetation along the transmission right of way will worsen this problem and bears particular concerns for vernal pools and wetlands. Worse, the use of herbicides, with their potential carcinogens, poses a threat to human health by potential contamination of area wells and aquifers providing drinking water for 18,000 Sudbury residents.”

Emily Norton, Massachusetts Sierra Club

“As wild lands, wildlife, recreation areas, and historic districts are increasingly at risk in our country, our obligation to current and future citizens is to do everything in our power to ensure that we preserve every precious natural resource that we currently enjoy. We understand that Eversource is putting forth the above-ground line as a “lowest” cost proposal. We believe, to the contrary, that it and any other route through conservation lands represents the highest-cost proposal and should be discarded. We cannot afford to dismiss the consequences of failing to ignore the value to humankind of unbroken forest and wetlands, wildlife and clean water.”

John Clarke, Mass. Audubon

“In calculating the costs of constructing lines through and adjacent to protected lands, the full costs and availability (or lack thereof) of mitigation lands of equivalent natural resource value must also be considered. The Executive Office of Energy and Environmental Affairs’ policy on disposition of lands protected under Article 97 of the state Constitution requires not merely consideration of the market value of the impacted lands but also the natural resource value. In rapidly developing suburbs such as Sudbury and Hudson, land available for replacement conservation is limited, and it is not feasible to fully mitigate for the fragmentation effects on large blocks of woodland.”

June 26, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114
Emailto:Page.Czepiga@state.ma.us

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- cancer by international bodies and the World Health Organization. We can't risk taking a chance with the health of the population of the impacted towns.
- b. There is also considerable research on the impacts of glyphosate on threatened and endangered species, particularly amphibians such as the salamanders found all along the route.
 - c. The proposed route is in close proximity to five certified (and an additional five with certified data collected) vernal pools containing the species in question
- 5) Likely increase of unauthorized uses of ATVs and dirt bikes which cause significant damage to natural resources (USFWS, SVT)
- 6) Destruction and/or contamination of highly important water resources important to humans and wildlife (CWA,OARS)
- a. Impact on threatened and vulnerable Eastern brook trout habitat in the Sudbury River tributaries by diminishing shade cover, warming of river temperatures and potential pollution from construction activities and herbicide usage.
 - b. The proposed transmission line crosses over Zone II areas in Sudbury and the Cranberry Bog Well in Hudson. Potential pollution by any herbicides or other runoff from construction activities in these areas is unacceptable. As stated above, recent research has shown that run off of glyphosate into water resource areas can and does happen. Sudbury's wells are located in an aquifer with a high vulnerability to contamination due to the absence of hydrological barriers that can prevent contaminant migration.
 - c. Disruption of existing contaminants from previous rail line use is likely to impact these water resources. It is not uncommon to find arsenic, creosote and other hazardous chemicals in old rail beds. Flattening the rail bed and removing old railroad ties for clear-cutting will disturb these contaminants and has a high risk of dispersing them into the surrounding water resources.
- 7) Mitigation of these impacts is not feasible. Eversource's mitigation measures such as "financial contribution toward land acquisition" cannot mitigate for permanent loss of wildlife habitat and loss of life.

Given the scale and severity of these impacts, permitting for this project should be denied, but at the very least, an EIR should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with details.

Thank you,

Shailesh Y Desai,
29 Parmenter Road,
Hudson, 01749

Quotes below, from letters of support here: <http://www.protectsudbury.org/official-support/>):

George Bachrach, Environmental League of Mass.

Lisa Vernegaard, Sudbury Valley Trustees

“Routing this utility line along the right-of-way would undo much of the significant investment that the Commonwealth, the U.S. Fish and Wildlife Service, the Town of Sudbury, the City of Marlborough, private foundations, and individual donors have already made in protecting and caring for one of the metrowest region’s most important natural areas. Eversource did not accurately consider the environmental impacts of its Preferred Routes when evaluating the three options and the Environmental League of Massachusetts believes that the permanent damage to topography, wildlife, and vegetation in this unique area cannot be understated.”

Ms. Vernegaard adds:

“This impact is forever. The impacts of street-based route (none of which are environmental), while real, are temporary and can be addressed in the foreseeable future.

Becky Smith, Clean Water Action

“Our environment is already overburdened by toxic chemicals. Increased use of herbicides to maintain vegetation along the transmission right of way will worsen this problem and bears particular concerns for vernal pools and wetlands. Worse, the use of herbicides, with their potential carcinogens, poses a threat to human health by potential contamination of area wells and aquifers providing drinking water for 18,000 Sudbury residents.”

Emily Norton, Massachusetts Sierra Club

“As wild lands, wildlife, recreation areas, and historic districts are increasingly at risk in our country, our obligation to current and future citizens is to do everything in our power to ensure that we preserve every precious natural resource that we currently enjoy. We understand that Eversource is putting forth the above-ground line as a “lowest” cost proposal. We believe, to the contrary, that it and any other route through conservation lands represents the highest-cost proposal and should be discarded. We cannot afford to dismiss the consequences of failing to ignore the value to humankind of unbroken forest and wetlands, wildlife and clean water.”

John Clarke, Mass. Audubon

“In calculating the costs of constructing lines through and adjacent to protected lands, the full costs and availability (or lack thereof) of mitigation lands of equivalent natural resource value must also be considered. The Executive Office of Energy and Environmental Affairs’ policy on disposition of lands protected under Article 97 of the state Constitution requires not merely consideration of the market value of the impacted lands but also the natural resource value. In rapidly developing suburbs such as Sudbury and Hudson, land available for replacement conservation is limited, and it is not feasible to fully mitigate for the fragmentation effects on large blocks of woodland.”

Czepiga, Page (EEA)

From: Steve Tipps <stipps01@verizon.net>
Sent: Tuesday, June 27, 2017 3:39 PM
To: Czepiga, Page (EEA)
Subject: Eversource Sudbury-Hudson transmission line project

June 27, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114

In the matter of the Eversource Sudbury-Hudson transmission line project, to date, Eversource has only filed an ENF for the “preferred” option, i.e. the MBTA ROW underground transmission line. However, there are two other options listed in the filing to the EFSB, the aboveground MBTA ROW route, and an under-street route. Both of these routes should also be subject to the filing of an ENF and EIR.

No engineering plans for the route have been presented to date for an underground route with multiple complications including changing elevations of +/- 15 feet or more, considerable amounts of bedrock, and wetlands. These complications could lead the EFSB to reconsider the aboveground line with its additional associated environmental impacts. Because the above ground option has not been ruled out either by Eversource or the EFSB, Eversource should be required to file an ENF and EIR for it. Without ENFs for all three proposed options, there is no way that the state agencies can effectively assess environmental impact.

By Eversource’s own assessment in the EFSB filing, the under-street route has virtually no environmental impact, and evaluation of the current filing should take that into consideration. In the absence of an ENF for the under-street route, there would be no formal statement of its impact, and therefore state agencies would be unable to effectively compare each route in the existing filing. As MEPA requires state agencies to take all feasible measures to avoid, minimize and mitigate damage to the environment, MEPA should require an ENF for all three routes. This would allow state agencies fully scrutinize the impacts of all three routes and understand that the in-street option avoids and minimizes the enormous environmental impacts of both MBTA routes with likely no mitigation required.

Of particular concern is how transmission lines will be constructed through water crossings, as there is major potential for harm to species and disruption of wetlands and waterways. The MEPA scoping site visit looked at a very small section of the MBTA route, thus underplaying the significant impact of the project. MEPA should require all state agencies involved to conduct a more thorough examination of the entire route, accompanied by the Sudbury and Hudson Conservation Commissions as they are intimately familiar with the area and can best provide information that others would miss.

Given that there are multiple viable under-street options with virtually NO environmental impacts as well as an existing solution from NGRID which simply upgrades existing infrastructure, MEPA needs to conduct careful analysis of route selection methodology and the MBTA routes should both be rejected outright. This would be

in keeping with the Commonwealth's Sustainable Development "Smart Growth" Principles that discourage new construction and disturbance within natural areas.

Dozens of environmental organizations, including Mass. Audubon, Mass. Chapter of the Sierra Club, Sudbury Valley Trustees, Environmental League of Massachusetts, Clean Water Action, US Dept. of the Interior Fish and Wildlife, and others have expressed alarm at the MBTA routes - both overhead and below ground.

MEPA needs to ensure that all agencies are FULLY cognizant of the concerns from these esteemed environmental groups and the environmental consequences of both the aboveground and below ground along the MBTA right of way:

1. Wildlife habitat fragmentation of one of the region's largest natural areas, including five different conservation lands, including Assabet River National Wildlife Refuge, Marlboro-Sudbury State Forest, Sudbury Valley Trustees Memorial Forest, and Hop Brook Marsh Conservation Land and Marlborough Desert Natural Area. The majority of the areas are part of NHESP priority habitat (PH 687). These areas harbor diverse wildlife with several different habitat types and are home to several threatened and endangered species of plants and animals. (USFWS, Audubon, Marlborough Con Comm)

Among the species and habitats at risk are Eastern Brook Trout, a great blue heron rookery, salamanders, Blanding's turtles, wood turtles, Eastern Box Turtle, and the recently state-listed whip-poor-will.

There are sensitive habits within the above: wetlands, vernal pools, turtle nesting sites, and cold water streams and the MBTA right of way routes put these at risk and:

- a. Create conditions unsuitable for certain wildlife species including impacts to isolated populations, altered wildlife behaviors, decline of resident species, disruption of movement corridors, increase in habitat fragmentation
- b. Allows entry of invasive species and a pathway for predators (USFWS, SVT)
- c. Large, interconnected areas of forestland and wetlands are vital for ecological health and integrity, and the MBTA routes bisect these connected spaces.
- d. Destruction of unusual plant populations
- e. Disturbance and alteration of breeding habitat of recently state-listed whip-poor-will.
2. Large-scale permanent destruction of conservation lands (ELM, SVT)
 - a. Irreparable immediate and ongoing damage by construction and maintenance (ELM, SVT)
3. Negative impacts from use of herbicides to environmentally sensitive areas (USFWS, SVT)
4. Potential for ground-water pollution from toxic chemical cocktails of herbicides
 - a. Although both the state and US EPA have approved glyphosate and other herbicides for use, there is growing evidence for both human impact in the form of cancer by international bodies and the World Health Organization. We can't risk taking a chance with the health of the population of the impacted towns.
 - b. There is also considerable research on the impacts of glyphosate on threatened and endangered species, particularly amphibians such as the salamanders found all along the route.
 - c. The proposed route is in close proximity to five certified (and an additional five with certified data collected) vernal pools containing the species in question
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Given the scale and severity of these impacts, permitting for this project should be denied, but at the very least, an EIR should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with details.

Thank you,

Steve

*Steve Tipps, Ph.D
Fox River Research
27 Parmenter Road
Hudson, MA 01749
978-567-1937*

Quotes below, from letters of support here: <http://www.protectsudbury.org/official-support/>):

George Bachrach, Environmental League of Mass.

Lisa Vernegaard, Sudbury Valley Trustees

"Routing this utility line along the right-of-way would undo much of the significant investment that the Commonwealth, the U.S. Fish and Wildlife Service, the Town of Sudbury, the City of Marlborough, private foundations, and individual donors have already made in protecting and caring for one of the metrowest region's most important natural areas. Eversource did not accurately consider the environmental impacts of its Preferred Routes when evaluating the three options and the Environmental League of Massachusetts believes that the permanent damage to topography, wildlife, and vegetation in this unique area cannot be understated."

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Thomas Moses
Executive Assistant
Town of Hudson
78 Main Street
Hudson, MA 01749
tmoses@townofhudson.org

June 16, 2017

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs
Commonwealth of Massachusetts
100 Cambridge Street, Suite 900
Boston, MA 02114

Re: Sudbury-Hudson Transmission Reliability Project (EEA #15703)

Dear Secretary Beaton:

Please accept my comments on the above-referenced project on behalf of the Town of Hudson. I will restrict my comments to two issues, flawed evaluation of the noticed variation and the noticed alternative route by the applicant, and inadequate consideration of the vulnerability of the Town of Hudson's drinking water supply. Other aspects of the Environmental Notification Form will be addressed by other boards and/or officials from Hudson.

Flawed Evaluation of Alternatives

Appendix A of this letter lists the environmental criteria used by Eversource in their Energy Facilities Siting Board submission (EFSB 17-02), Table 4-5 "Scoring Matrix" on pages 4-27 and 4-28. I reformatted this information to show each option separately. Note that the totals do not match exactly to Table 4-5, perhaps due to rounding and/or formula differences.

More importantly, Table 4-6 on page 4-29 of EFSB 17-02 is supposed to be a summary of the totals in Table 4-5 and ranks the projects from lowest impact to highest. There are some serious inconsistencies between Tables 4-5 and 4-6.

For example, the total score for Options 2A, 2B and 11, respectively, in Table 4-5 are 27.26, 17.60 and 21.37. In Table 4-6 they are 29.03, 19.37 and 25.41. Table 4-6 is completely inconsistent with the detailed calculations.

In Appendix A the totals indicate that Option 2B (underground along the MBTA right of way) has the least impact with a score of 17.66, Option 11 (underground in-street) is next with 21.46, and Option 2A (overhead along the MBTA right of way until Forest Avenue) has the greatest impact at 27.34.

Including constructability criteria with environmental criteria, as Eversource has done for this alternatives analysis, is a miscategorization. If anything, constructability is a subset of cost criteria (and may even be redundant). For the purposes of MEPA review, the last four constructability criteria should be ignored.

Backing these criteria out, the revised ranking is Option 11 – 14.69; Option 2B – 15.86; and Option 2A – 25.54. This correction alone changes the order of preference in favor of the in-street option. These results are listed in my Appendix B.

Examining the weighting that Eversource subjectively created for each category reveals serious flaws in their assumptions. These flaws err in favor of Option 2B. The criteria place too much importance on temporary effects. The first three criteria plus the Scenic Roadways criterion deal primarily with the construction phase. These criteria should be weighted to reflect their transient nature.

At the MEPA scoping session on June 12, 2017 Eversource stated that they will only have a 20-year lease with the MBTA. The weighting at the very most should reflect the percentage of time that the construction period comprises of the entire lease, which would certainly be less than 4 out of 20 years, or 20%. Therefore, the weighting should be no more than 1 out of 5, also 20%.

Finally, and of critical importance to the Town of Hudson, is that Eversource's weighting of the impact to public water supplies as a 3 is certainly not reflective of community prioritization. Without these water supplies, there are no communities. This is Hudson's highest priority and should be assigned a weighting of 5.

Appendix C reformats the project rankings using this improved weighting. This further separates Option 11 from the others as the least impactful on the environment.

The table below displays the evolution of the ranking discussed in the paragraphs above, up to and including the use of improved environmental weighting. Green depicts the option with the least impact to the environment, yellow in the middle and red the most impact.

	Appx A Raw Score	Appx B Environ only	Appx C Improved Weights
2A (OH)	27.34	25.54	25.41
2B (UG)	17.66	15.86	17.66
11 (streets)	21.46	14.69	11.08

Removing non-environmental criteria from the evaluations establishes the in-street option as having the least environmental impact. By improving the relative weights of the criteria that advantage becomes more pronounced. The in-street option is then unquestionably better from an environmental perspective.

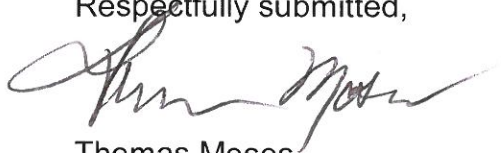
Vulnerability of Public Water Supply

Attached after the appendices are aerial views showing two sections of the right of way route with the approximate locations of all of the Town's wells. Also attached are relevant sections of Eversource's hydrological study (VHB, Groundwater Hydrology Assessment: Hudson, MA Public Community Water System). That study states that the soil in the area is extremely porous and that there is rapid exchange between surface water and the aquifers. "The aquifer materials are highly transmissive to the flow of water" (page 3). "Permeability is approximately 90 ft/day" (page 3). "The aquifer is sensitive to surface spills and sources of contamination. Spilled liquids could rapidly seep down to the water table and enter the groundwater" (page 6). Because of this, Hudson's well sites are extremely vulnerable to both construction activity and herbicidal vegetation management along the right of way. As recently as November 14, 2016 our wells recorded elevated fecal coliform counts, probably from area wildlife. In response we were required to notify the public. Construction and vegetation management increases several fold the likelihood that harmful contaminants will be introduced into the groundwater.

Finally, MEPA should consider that Eversource has admitted to (though has shown no proof of) a limited 20-year lease arrangement with the MBTA. If we take them at their word, we must also recognize that the MBTA could have granted a much longer lease. That creates the chance that the lease may not be extended or renewed. This would mean that disruptions that occur during construction with either of the right of way options may recur in 20 years. This, of course, is not an issue with in-street infrastructure, where further disruption is not anticipated. This is yet another reason to consider the in-street option as the option with the least harmful environmental impacts.

Eversource did a poor job on their ENF and had to file a "corrected" ENF. Because of this and the reasons outlined in this letter, the Town of Hudson is requests that MEPA require Eversource to complete a comprehensive Environmental Impact Report with alternatives analyses and with proper consideration of Hudson's drinking wells.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Thomas Moses', is written over the typed name.

Thomas Moses
Executive Assistant

Appendix A

Option 2A - overhead along the MBTA right of way

	weight	Score	Ext
Residential Land Uses	5	0.10	0.50
Commercial/Industrial Uses (Total Building Units)	4	0.21	0.84
Sensitive Receptors (Total Parcels)	5	0.13	0.65
Cultural Resources	2	0.32	0.64
Scenic Roadways (miles)	4	0.08	0.32
Potential for Traffic Congestion	5	0.27	1.35
Potential to Encounter Subsurface Contamination	1	0.31	0.31
Public Shade Trees	1	1.00	1.00
Tree Clearing (acres)	5	0.96	4.80
Wetland Resource Areas (acres)	5	0.93	4.65
Public Water Supplies (miles)	3	0.83	2.49
Conservation Lands (miles)	3	1.00	2.99
State-Listed Rare Species Habitat (acres)	5	1.00	5.00
Route Length	1	0.81	0.81
Trenchless Crossings	3	0.07	0.21
Existing Utility Density	3	0.15	0.45
Hard Angles (> 30 degrees)	1	0.33	0.33
Total Weighted Score			27.34

Option 2B - underground along the MBTA right of way

	weight	Score	Ext
Residential Land Uses	5	0.10	0.50
Commercial/Industrial Uses (Total Building Units)	4	0.21	0.84
Sensitive Receptors (Total Parcels)	5	0.13	0.65
Cultural Resources	2	0.32	0.64
Scenic Roadways (miles)	4	0.07	0.28
Potential for Traffic Congestion	5	0.27	1.35
Potential to Encounter Subsurface Contamination	1	0.31	0.31
Public Shade Trees	1	0.26	0.26
Tree Clearing (acres)	5	0.37	1.85
Wetland Resource Areas (acres)	5	0.35	1.75
Public Water Supplies (miles)	3	0.83	2.49
Conservation Lands (miles)	3	1.00	2.99
State-Listed Rare Species Habitat (acres)	5	0.39	1.95
Route Length	1	0.81	0.81
Trenchless Crossings	3	0.07	0.21
Existing Utility Density	3	0.15	0.45
Hard Angles (> 30 degrees)	1	0.33	0.33
Total Weighted Score			17.66

Option 11 - underground in-street

	weight	Score	Ext
Residential Land Uses	5	0.18	0.90
Commercial/Industrial Uses (Total Building Units)	4	0.15	0.60
Sensitive Receptors (Total Parcels)	5	0.42	2.10
Cultural Resources	2	0.23	0.46
Scenic Roadways (miles)	4	0.82	3.28
Potential for Traffic Congestion	5	0.84	4.20
Potential to Encounter Subsurface Contamination	1	0.45	0.45
Public Shade Trees	1	-	-
Tree Clearing (acres)	5	-	-
Wetland Resource Areas (acres)	5	0.03	0.15
Public Water Supplies (miles)	3	0.85	2.55
Conservation Lands (miles)	3	-	-
State-Listed Rare Species Habitat (acres)	5	-	-
Route Length	1	0.93	0.93
Trenchless Crossings	3	0.67	2.01
Existing Utility Density	3	0.98	2.94
Hard Angles (> 30 degrees)	1	0.89	0.89
Total Weighted Score			21.46

Appendix B

Option 2A - overhead along the MBTA right of way

	weight	Score	Ext
Residential Land Uses	5	0.10	0.50
Commercial/Industrial Uses (Total Building Units)	4	0.21	0.84
Sensitive Receptors (Total Parcels)	5	0.13	0.65
Cultural Resources	2	0.32	0.64
Scenic Roadways (miles)	4	0.08	0.32
Potential for Traffic Congestion	5	0.27	1.35
Potential to Encounter Subsurface Contamination	1	0.31	0.31
Public Shade Trees	1	1.00	1.00
Tree Clearing (acres)	5	0.96	4.80
Wetland Resource Areas (acres)	5	0.93	4.65
Public Water Supplies (miles)	3	0.83	2.49
Conservation Lands (miles)	3	1.00	2.99
State-Listed Rare Species Habitat (acres)	5	1.00	5.00
Total			25.54

Option 2B - underground along the MBTA right of way

	weight	Score	Ext
Residential Land Uses	5	0.10	0.50
Commercial/Industrial Uses (Total Building Units)	4	0.21	0.84
Sensitive Receptors (Total Parcels)	5	0.13	0.65
Cultural Resources	2	0.32	0.64
Scenic Roadways (miles)	4	0.07	0.28
Potential for Traffic Congestion	5	0.27	1.35
Potential to Encounter Subsurface Contamination	1	0.31	0.31
Public Shade Trees	1	0.26	0.26
Tree Clearing (acres)	5	0.37	1.85
Wetland Resource Areas (acres)	5	0.35	1.75
Public Water Supplies (miles)	3	0.83	2.49
Conservation Lands (miles)	3	1.00	2.99
State-Listed Rare Species Habitat (acres)	5	0.39	1.95
Total			15.86

Option 11 - underground in-street

	weight	Score	Ext
Residential Land Uses	5	0.18	0.90
Commercial/Industrial Uses (Total Building Units)	4	0.15	0.60
Sensitive Receptors (Total Parcels)	5	0.42	2.10
Cultural Resources	2	0.23	0.46
Scenic Roadways (miles)	4	0.82	3.28
Potential for Traffic Congestion	5	0.84	4.20
Potential to Encounter Subsurface Contamination	1	0.45	0.45
Public Shade Trees	1	-	-
Tree Clearing (acres)	5	-	-
Wetland Resource Areas (acres)	5	0.03	0.15
Public Water Supplies (miles)	3	0.85	2.55
Conservation Lands (miles)	3	-	-
State-Listed Rare Species Habitat (acres)	5	-	-
Total			14.69

Appendix C

Option 2A - overhead along the MBTA right of way

	weight	Score	Ext
Residential Land Uses	1	0.10	0.10
Commercial/Industrial Uses (Total Building Units)	1	0.21	0.21
Sensitive Receptors (Total Parcels)	1	0.13	0.13
Cultural Resources	2	0.32	0.64
Scenic Roadways (miles)	1	0.08	0.08
Potential for Traffic Congestion	5	0.27	1.35
Potential to Encounter Subsurface Contamination	1	0.31	0.31
Public Shade Trees	1	1.00	1.00
Tree Clearing (acres)	5	0.96	4.80
Wetland Resource Areas (acres)	5	0.93	4.65
Public Water Supplies (miles)	5	0.83	4.15
Conservation Lands (miles)	3	1.00	2.99
State-Listed Rare Species Habitat (acres)	5	1.00	5.00
Total			25.41

Option 2B - underground along the MBTA right of way

	weight	Score	Ext
Residential Land Uses	1	0.10	0.10
Commercial/Industrial Uses (Total Building Units)	1	0.21	0.21
Sensitive Receptors (Total Parcels)	1	0.13	0.13
Cultural Resources	2	0.32	0.64
Scenic Roadways (miles)	1	0.07	0.07
Potential for Traffic Congestion	5	0.27	1.35
Potential to Encounter Subsurface Contamination	1	0.31	0.31
Public Shade Trees	1	0.26	0.26
Tree Clearing (acres)	5	0.37	1.85
Wetland Resource Areas (acres)	5	0.35	1.75
Public Water Supplies (miles)	5	0.83	4.15
Conservation Lands (miles)	3	1.00	2.99
State-Listed Rare Species Habitat (acres)	5	0.39	1.95
Total			15.76

Option 11 - underground in-street

	weight	Score	Ext
Residential Land Uses	1	0.18	0.18
Commercial/Industrial Uses (Total Building Units)	1	0.15	0.15
Sensitive Receptors (Total Parcels)	1	0.42	0.42
Cultural Resources	2	0.23	0.46
Scenic Roadways (miles)	1	0.82	0.82
Potential for Traffic Congestion	5	0.84	4.20
Potential to Encounter Subsurface Contamination	1	0.45	0.45
Public Shade Trees	1	-	-
Tree Clearing (acres)	5	-	-
Wetland Resource Areas (acres)	5	0.03	0.15
Public Water Supplies (miles)	5	0.85	4.25
Conservation Lands (miles)	3	-	-
State-Listed Rare Species Habitat (acres)	5	-	-
Total			11.08



200 ft



Appendix 5-6

RE: Eversource Energy, Sudbury-Hudson Transmission Reliability Project File:
Groundwater Hydrology Assessment: Hudson MA Public Community Water System
February 3, 2017
Page 3 of 7



Memorandum

Attachment for the locations of the wells, aquifers, Wellhead Protection Areas, and Eversource Project and Noticed Variation.

The Fort Meadow Brook Aquifer that the Kane and Chestnut Street wells obtain water from is an unconfined, stratified sand-and-gravel aquifer of glacial origin that extends over a one square-mile area between Chestnut Street on the west, Main Street to the south, Boons Pond to the east, and Sudbury Road to the north. The glacial deposits of sand and gravel originated from outwash-plain and ice-contact deposits during glacial melting approximately 10,000 years ago. These deposits are deep, ranging to approximately 100 feet below ground surface, and are underlain by poorly-sorted, dense, glacial till. The aquifer materials are highly transmissive to the flow of water, with measured transmissivities on the order of 11,600 to 19,600 ft²/day, averaging 15,000 ft²/day (Whitman & Howard, 1991). Permeability is approximately 90 ft/day on average, and groundwater flow velocities range from approximately 2 to 3.1 ft/day (Whitman & Howard, 1988).

The Fort Meadow Brook Aquifer is recharged with water from a combination of precipitation onto the overlying land surface, and to a large degree from water infiltrating from the Assabet River and Fort Meadow Brook. The natural groundwater flow direction is to the north, but the pumping of these wells captures water from the Assabet River located to the north, and induces localized radial flow towards the wells from all directions (Whitman & Howard, 1991).

The groundwater aquifer that the Cranberry well obtains water from is also an unconfined, stratified sand-and-gravel aquifer of glacial origin. The glacial deposits of sand and gravel originated in post-glacial lakes and streams from outwash-plains, kettleholes, and ice-contact deposits such as kames and eskers during glacial melting approximately 10,000 years ago. These deposits are less deep than at the Fort Meadow Brook Aquifer, grading below depths of approximately 40 feet into finer-grained materials that are unsuitable for productive wells. Drilling refusal, likely on the underlying bedrock, has been encountered between 70 and 100 feet below grade in the general area. The aquifer materials are highly transmissive to the flow of water (Earth Tech, 2000).

The Cranberry aquifer is recharged primarily with water from precipitation onto the overlying land surface, and to a smaller degree from water infiltrating from the Hop Brook tributary and adjacent wetlands. The natural groundwater flow direction is generally to the southeast, parallel to the Hop Brook tributary, but is complex and variable, and the pumping of the Cranberry well may induce localized radial flow (Earth Tech, 2000).

III. Description of the Eversource Project and Noticed Variation

The Sudbury-Hudson Transmission Reliability Project would consist of electric transmission lines that would follow the unused MBTA corridor through the Town of Hudson and surrounding towns. VHB understands that both the Project and Noticed Variation would follow the existing MBTA right-of-way.

Appendix 5-6

RE: Eversource Energy, Sudbury-Hudson Transmission Reliability Project File:
Groundwater Hydrology Assessment: Hudson MA Public Community Water System
February 3, 2017
Page 6 of 7



Memorandum

Meadow Brook Aquifer) and 3 (Cranberry Bog Aquifer) of the Attachment. Groundwater would be able to continue flowing as it does presently, beneath the structures. Due to the high permeability and transmissivity of the sand and gravel materials in the aquifer, groundwater would be able to flow readily around and under the structures. Potentially, minor amounts of groundwater mounding could occur on the upgradient side of the structures which would develop the hydraulic gradient sufficient to counteract any minor impediment to flow that might be caused by the manhole structure.

For the Noticed Variation, the caissons would extend below the groundwater level; however, due to the small size of the caissons relative to the distance between each, groundwater would simply flow under and around the caissons without any impact.

V. Conclusions and Recommendations

Neither the Project or Noticed Variation would have any appreciable effect on groundwater flow rates or directions, nor would either option impact the yield of the Hudson municipal wells.

With the Project, for the majority of the length of the route within Hudson and its Wellhead Protection Areas, subsurface Project features would be placed above the elevation of the groundwater, and thus could not affect it. In the localized segment of the Project near the Fort Meadow Brook crossing, deeper project components (manholes) would slightly extend into the water table, but would not alter groundwater flow rates or directions because construction would enter only a small fraction of the aquifer, which is highly permeable, allowing groundwater to flow under and around the structures in the same rates and directions and it does presently.

For the Noticed Variation, due to the small size of the caissons relative to the spacing, groundwater would simply flow under and around them without any impact.

Because the overburden is highly permeable sand and gravel, the aquifer is sensitive to surface spills and sources of contamination. Spilled liquids could rapidly seep down to the water table and enter the groundwater. Therefore VHB recommends development and implementation of a Spill Prevention and Response Plan to address project construction equipment, fuels, lubricants, and any other liquid or hazardous materials that may be on site during construction. Best Management Practices should be established for spill prevention and cleanup. If over 1,320 gallons of oil are to be stored above-ground, a Spill Prevention, Control, and Countermeasure Plan ("SPCC Plan") stamped by a professional engineer would be required in accordance with United States Environmental Protection Agency ("EPA") regulation Title 40 CFR 112, Oil Pollution Prevention.

Czepiga, Page (EEA)

From: sonnic135@comcast.net
Sent: Tuesday, June 27, 2017 12:54 PM
To: Czepiga, Page (EEA)
Subject: Eversource Sudbury-Hudson Transmission Line Project

June 27, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114
Emailto:Page.Czepiga@state.ma.us

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No engineering plans for the route have been presented to date for an underground route with multiple complications including changing elevations of +/- 15 feet or more, considerable amounts of bedrock, and wetlands. These complications could lead the EFSB to reconsider the aboveground line with its additional associated environmental impacts. Because the above ground option has not been ruled out either by Eversource or the EFSB, Eversource should be required to file an ENF and EIR for it. Without ENFs for all three proposed options, there is no way that the state agencies can effectively assess environmental impact.

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significant impact of the project. MEPA should require all state agencies involved to conduct a more thorough examination of the entire route, accompanied by the Sudbury and Hudson Conservation Commissions as they are intimately familiar with the area and can best provide information that others would miss.

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Among the species and habitats at risk are Eastern Brook Trout, a great blue heron rookery, salamanders, Blanding's turtles, wood turtles, Eastern Box Turtle, and the recently state-listed whip-poor-will.

There are sensitive habits within the above: wetlands, vernal pools, turtle nesting sites, and cold water streams and the MBTA right of way routes put these at risk and:

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2. Allows entry of invasive species and a pathway for predators (USFWS, SVT)
3. Large, interconnected areas of forestland and wetlands are vital for ecological health and integrity, and the MBTA routes bisect these connected spaces.
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 3. Disruption of existing contaminants from previous rail line use is likely to impact these water resources. It is not uncommon to find arsenic, creosote and other hazardous chemicals in old rail beds. Flattening the rail bed and removing old railroad ties for clear-cutting will disturb these contaminants and has a high risk of dispersing them into the surrounding water resources.
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Given the scale and severity of these impacts, permitting for this project should be denied, but at the very least, an EIR should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with details.

Thank you,

Suzanne and Everett Beaulieu Jr.
4 Orchard Drive
Hudson, MA 01749

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“Routing this utility line along the right-of-way would undo much of the significant investment that the Commonwealth, the U.S. Fish and Wildlife Service, the Town of Sudbury, the City of Marlborough, private foundations, and individual donors have already made in protecting and caring for one of the metrowest region’s most important natural areas. Eversource did not accurately consider the environmental impacts of its Preferred Routes when evaluating the three options and the Environmental League of Massachusetts believes that the permanent damage to topography, wildlife, and vegetation in this unique area cannot be understated.”

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June 21, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114
Emailto:Page.Czepiga@state.ma.us

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Natalya Hazzard
Principal Contracts Analyst
Endoscopy Sales Operations
Boston Scientific Corporation

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Czepiga, Page (EEA)

From: Alyssa Brito <abrito@gmail.com>
Sent: Saturday, June 24, 2017 11:04 PM
To: Czepiga, Page (EEA)
Subject: Eversource route through Hudson

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)

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“As wild lands, wildlife, recreation areas, and historic districts are increasingly at risk in our country, our obligation to current and future citizens is to do everything in our power to ensure that we preserve every precious natural resource that we currently enjoy. We understand that Eversource is putting forth the above-ground line as a “lowest” cost proposal. We believe, to the contrary, that it and any other route through conservation lands represents the highest-cost proposal and should be discarded. We cannot afford to dismiss the consequences of failing to ignore the value to humankind of unbroken forest and wetlands, wildlife and clean water.”

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“In calculating the costs of constructing lines through and adjacent to protected lands, the full costs and availability (or lack thereof) of mitigation lands of equivalent natural resource value must also be considered. The Executive Office of Energy and Environmental Affairs’ policy on disposition of lands protected under Article 97 of the state Constitution requires not merely consideration of the market value of the impacted lands but also the natural resource value. In rapidly developing suburbs such as Sudbury and Hudson, land available for replacement conservation is limited, and it is not feasible to fully mitigate for the fragmentation effects on large blocks of woodland.”

Alyssa Brito

Czepiga, Page (EEA)

From: Dana Stenquist <destenquist@gmail.com>
Sent: Saturday, June 24, 2017 5:49 PM
To: Czepiga, Page (EEA)
Subject: No PowerLines on MBTA row-direct abutter

June 21, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114

In the matter of the Eversource Sudbury-Hudson transmission line project, to date, Eversource has only filed an ENF for the “preferred” option, i.e. the MBTA ROW underground transmission line. However, there are two other options listed in the filing to the EFSB, the aboveground MBTA ROW route, and an under-street route. Both of these routes should also be subject to the filing of an ENF and EIR.

No engineering plans for the route have been presented to date for an underground route with multiple complications including changing elevations of +/- 15 feet or more, considerable amounts of bedrock, and wetlands. These complications could lead the EFSB to reconsider the aboveground line with its additional associated environmental impacts. Because the above ground option has not been ruled out either by Eversource or the EFSB, Eversource should be required to file an ENF and EIR for it. Without ENFs for all three proposed options, there is no way that the state agencies can effectively assess environmental impact.

By Eversource’s own assessment in the EFSB filing, the under-street route has virtually no environmental impact, and evaluation of the current filing should take that into consideration. In the absence of an ENF for the under-street route, there would be no formal statement of its impact, and therefore state agencies would be unable to effectively compare each route in the existing filing. As MEPA requires state agencies to take all feasible measures to avoid, minimize and mitigate damage to the environment, MEPA should require an ENF for all three routes. This would allow state agencies fully scrutinize the impacts of all three routes and understand that the in-street option avoids and minimizes the enormous environmental impacts of both MBTA routes with likely no mitigation required.

Of particular concern is how transmission lines will be constructed through water crossings, as there is major potential for harm to species and disruption of wetlands and waterways. The MEPA scoping site visit looked at a very small section of the MBTA route, thus underplaying the significant impact of the project. MEPA should require all state agencies involved to conduct a more thorough examination of the entire route, accompanied by the Sudbury and Hudson Conservation Commissions as they are intimately familiar with the area and can best provide information that others would miss.

Given that there are multiple viable under-street options with virtually NO environmental impacts as well as an existing solution from NGRID which simply upgrades existing infrastructure, MEPA needs to conduct careful analysis of route selection methodology and the MBTA routes should both be rejected outright. This would be in keeping with the Commonwealth’s Sustainable Development “Smart Growth” Principles that discourage new construction and disturbance within natural areas.

Dozens of environmental organizations, including Mass. Audubon, Mass. Chapter of the Sierra Club, Sudbury Valley Trustees, Environmental League of Massachusetts, Clean Water Action, US Dept. of the Interior Fish and Wildlife, and others have expressed alarm at the MBTA routes - both overhead and below ground.

MEPA needs to ensure that all agencies are FULLY cognizant of the concerns from these esteemed environmental groups and the environmental consequences of both the aboveground and below ground along the MBTA right of way:

1) Wildlife habitat fragmentation of one of the region's largest natural areas, including five different conservation lands, including Assabet River National Wildlife Refuge, Marlboro-Sudbury State Forest, Sudbury Valley Trustees Memorial Forest, and Hop Brook Marsh Conservation Land and Marlborough Desert Natural Area. The majority of the areas are part of NHESP priority habitat (PH 687). These areas harbor diverse wildlife with several different habitat types and are home to several threatened and endangered species of plants and animals. (USFWS, Audubon, Marlborough Con Comm)

Among the species and habitats at risk are Eastern Brook Trout, a great blue heron rookery, salamanders, Blanding's turtles, wood turtles, Eastern Box Turtle, and the recently state-listed whip-poor-will.

There are sensitive habits within the above: wetlands, vernal pools, turtle nesting sites, and cold water streams and the MBTA right of way routes put these at risk and:

- a. Create conditions unsuitable for certain wildlife species including impacts to isolated populations, altered wildlife behaviors, decline of resident species, disruption of movement corridors, increase in habitat fragmentation
 - b. Allows entry of invasive species and a pathway for predators (USFWS, SVT)
 - c. Large, interconnected areas of forestland and wetlands are vital for ecological health and integrity, and the MBTA routes bisect these connected spaces.
 - d. Destruction of unusual plant populations
 - e. Disturbance and alteration of breeding habitat of recently state-listed whip-poor-will.
- 2) Large-scale permanent destruction of conservation lands (ELM, SVT)
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- 4) Potential for ground-water pollution from toxic chemical cocktails of herbicides
- a. Although both the state and US EPA have approved glyphosate and other herbicides for use, there is growing evidence for both human impact in the form of cancer by international bodies and the World Health Organization. We can't risk taking a chance with the health of the population of the impacted towns.
 - b. There is also considerable research on the impacts of glyphosate on threatened and endangered species, particularly amphibians such as the salamanders found all along the route.
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- a. Impact on threatened and vulnerable Eastern brook trout habitat in the Sudbury River tributaries by diminishing shade cover, warming of river temperatures and potential pollution from construction activities and herbicide usage.
 - b. The proposed transmission line crosses over Zone II areas in Sudbury and the Cranberry Bog Well in Hudson. Potential pollution by any herbicides or other runoff from construction activities in these areas is unacceptable. As stated above, recent research has shown that run off of glyphosate into water resource areas can and does happen. Sudbury's

wells are located in an aquifer with a high vulnerability to contamination due to the absence of hydrological barriers that can prevent contaminant migration.

c. Disruption of existing contaminants from previous rail line use is likely to impact these water resources. It is not uncommon to find arsenic, creosote and other hazardous chemicals in old rail beds. Flattening the rail bed and removing old railroad ties for clear-cutting will disturb these contaminants and has a high risk of dispersing them into the surrounding water resources.

7) Mitigation of these impacts is not feasible. (Audubon) Eversource's mitigation measures such as "financial contribution toward land acquisition" cannot mitigate for permanent loss of wildlife habitat and loss of life.

Given the scale and severity of these impacts, permitting for this project should be denied, but at the very least, an EIR should be required to address all of the above concerns. In addition, all items marked TBD in the ENF need to be presented with details.

Thank you,

Dana E. Stenquist

159 White Pond Road

Hudson, MA 01749

Quotes below, from letters of support here: <http://www.protectsudbury.org/official-support/>:

George Bachrach, Environmental League of Mass.
Lisa Vernegaard, Sudbury Valley Trustees

"Routing this utility line along the right-of-way would undo much of the significant investment that the Commonwealth, the U.S. Fish and Wildlife Service, the Town of Sudbury, the City of Marlborough, private foundations, and individual donors have already made in protecting and caring for one of the metrowest region's most important natural areas. Eversource did not accurately consider the environmental impacts of its Preferred Routes when evaluating the three options and the Environmental League of Massachusetts believes that the permanent damage to topography, wildlife, and vegetation in this unique area cannot be understated."

Ms. Vernegaard adds:

"This impact is forever. The impacts of street-based route (none of which are environmental), while real, are temporary and can be addressed in the foreseeable future.

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Dana E. Stenquist
508-259-1223
destenquist@gmail.com
Crouss and Stenquist Inc.
Custom Builders
www.candsbuilders.com

Czepiga, Page (EEA)

From: Lloyd Stenquist <l.c.stenquist@gmail.com>
Sent: Saturday, June 24, 2017 5:44 PM
To: Czepiga, Page (EEA)
Subject: No Powerlines on MBTA ROW - direct abutter

June 21, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114

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159 White Pond Road

Hudson, MA 01749

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Czepiga, Page (EEA)

From: Sudbury Sasquatch <sudburysasquatch@gmail.com>
Sent: Tuesday, June 20, 2017 3:07 PM
To: Czepiga, Page (EEA)
Subject: EFSB17-02 Sudbury Project is Bad for Sasquatch

Dear Ms. Czepiga-

I am a biped who often wanders and forages along the MBTA right of way that Eversource is proposing to destroy. While Sasquatch are usually excluded from the political process, I hope that you will hear me out. Please don't let Eversource dig up and destroy my habitat. The path is used for transportation and recreation for Sasquatch and human alike. Also, many of my animal and bird friends can be found within this little oasis. This proposal, whether it goes underground or overground, will cause profound harm to humans, Sasquatch, animals, and birds. It makes no sense. The human idea of progress is baffling to us Sasquatch.

Not only will trees be destroyed and the ground disturbed, releasing all sorts of chemicals into the streams and hot tubs (humans call them Vernal Pools), but the chemicals that Eversource will use will also seep into the water and adhere to birds and animals. Feet the size of mine are particularly susceptible to what we call 'Monsanto Foot.' Trust me, it's not pretty.

As you know, Sasquatch are hide and seek champions. It's bad enough that a bunch of lousy TV shows are always running around in the woods trying to film us. Please don't make it harder by tearing down all the trees.

Please tell Secretary Beaton that this project is bad. He strikes me as the most Sasquatch-friendly of Governor Bakers's cabinet.

Thank you for your time,

Sudbury Sasquatch

Czepiga, Page (EEA)

From: Matt Murphy <mattmurphy2727@gmail.com>
Sent: Tuesday, June 20, 2017 9:29 AM
To: Czepiga, Page (EEA)
Subject: Sudbury-Hudson Transmission Line Project EFSB17-02
Attachments: Turtle.JPG

Ms. Czepiga-

I am writing to express my opposition to the project proposed by Eversource as EFSB17-02. I am a direct abutter to the right-of-way, where I often walk with my children. We see foxes, deer, coyotes, owls, turtles, and many other species of wildlife.

The project is unnecessary, as the peak loads described therein are inaccurate. Eversource's bid was also shady at best, as it seems to have fraudulently undercut that of another utility company.

The project, either over or under ground on the ROW, will kill tens of thousands of trees and forever alter acres of precious habitat, including some beloved conservation land here in Sudbury.

The fact that we are considering cutting down trees to install unnecessary power lines in 2017 boggles my mind. Please put the lines under the road or don't build them at all.

Respectfully,
Matt Murphy
111 Horse Pond Road
Sudbury, MA 01776





Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, MassDOT Secretary & CEO



June 20, 2017

Matthew Beaton, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114-2150

RE: Sudbury: Sudbury-Hudson Transmission Reliability Project – ENF
(EEA #15703)

ATTN: MEPA Unit
Page Czepiga

Dear Secretary Beaton:

On behalf of the Massachusetts Department of Transportation, I am submitting comments regarding the proposed Sudbury-Hudson Transmission Reliability Project in Sudbury, Hudson, Stow, and Marlborough, as prepared by the Office of Transportation Planning. If you have any questions regarding these comments, please contact J. Lionel Lucien, P.E., Manager of the Public/Private Development Unit, at (857) 368-8862.

Sincerely,

David J. Mohler
Executive Director
Office of Transportation Planning

DJM/jll

cc: Jonathan Gulliver, Acting Administrator, Highway Division
Patricia Leavenworth, P.E., Chief Engineer, Highway Division
Barry Lorion, P.E., Acting District 3 Highway Director
Neil Boudreau, State Traffic Engineer
Town of Sudbury, Planning & Community Development Department
Town of Hudson, Planning & Community Development Department
Town of Stow, Planning Department
City of Marlborough, Planning Department
MetroWest/495 TMA
MetroWest Regional Transit Authority (MWRTA)
Montachusett Regional Transit Authority (MART)
PPDU Files



Charles D. Baker, Governor
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Stephanie Pollack, MassDOT Secretary & CEO



MEMORANDUM

TO: David J. Mohler, Executive Director
Office of Transportation Planning

FROM: J. Lionel Lucien, P.E., Manager
Public/Private Development Unit

DATE: June 20, 2017

RE: Sudbury: Sudbury-Hudson Transmission Reliability Project – ENF
(EEA #15703)

The Public/Private Development Unit (PPDU) has reviewed the Environmental Notification Form (ENF) for the proposed Sudbury-Hudson Transmission Reliability project in the communities of Sudbury, Marlborough, Stow, and Hudson. The project involves the construction of a new 115-kV overhead transmissions line approximately nine miles in length, with 2.3 miles within roadways in the Town of Hudson and 7.7 miles within an existing unused right-of-way owned by the Massachusetts Bay Transportation Authority.

The project requires a State Highway Access Permit where the transmission line crosses Route 20 and Route 62. The Proponent has committed to coordinating with MassDOT to ensure construction activities and placement of the new transmission line will not adversely impact traffic on these roads.

MassDOT recommends that no further environmental review be required based on transportation issues. The details of the above and any other access-related issues can be addressed during the permitting process for the project. If you have any questions regarding these comments, please contact me at (857) 368-8862 or Michael Clark at (857) 368-8867.

Czepiga, Page (EEA)

From: Jason Santelli <jason_santelli@yahoo.com>
Sent: Sunday, June 18, 2017 9:34 PM
To: Czepiga, Page (EEA)
Subject: Eversource project in Sudbury

Ms. Czepiga,

as a new resident of Sudbury I would like to express profound concern regarding the high-voltage transmission lines proposed by Eversource. The project would result in serious, permanent damage to the town of Sudbury, including contamination of the public water supply, cancer risk due to EMF proximity, and destruction of cherished wetlands and open space.

The Eversource proposal was prioritized based on antiquated and invalid assumptions regarding cost and regional electricity demand. Alternatives exist and have been presented in detail by Protect Sudbury, including a proposal by National Grid which only requires an upgrade of existing equipment.

We urgently plead that Eversource not be approved to build a new transmission line through Sudbury, either above ground or below, as the project only benefits Eversource and permanently devastates the historic town of Sudbury.

respectfully,
Jason
Santelli 49 Hunt Rd.
Sudbury MA

June 13, 2017

Stephen August Esq.
Energy Facilities Siting Board
One South Station
Boston MA 02100

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs
Attn MEPA Office
100 Cambridge Street, Suite 900
Cambridge, MA 02114

RE: Sudbury-Hudson Transmission Reliability Project/Eversource- Docket EFSB17-02

Dear Sirs,

My name is Andrea Smith and I am a concerned resident of Hudson, MA. I vehemently oppose Docket EFSB17-02, the Eversource planned underground route and alternative overhead route that would decimate our natural resources. I ask you to be thorough in your due diligence as you consider three very important things: 1. if this project is indeed required, 2. what the environmental impact would be, not only for the "short term" but for generations of Massachusetts Residents to come and 3. What the real financial impact of the project would be. I strongly advocate that if this project must occur that it utilizes an entirely underground-within the street/utility corridor pathway and bypasses our greatest natural resources.

What you may not be aware of is this project threatens to destroy one of Massachusetts' greatest crown jewels and would leave a violent and devastating scar on an area that past generations fought to save. I would be doing my ancestors a great disservice to not take up this mantle and fight for what is right for not only myself and my family, but for future generations to come. We are only given one Earth and it is our duty to protect it.

What is it about this area that is so important to protect? The real question is why that's even a question. Do you value clean drinking water for you and your family? So do we. Did you know that if this project is allowed to continue with its proposed route it would impact 26.7 acres of tree clearing, 12,962 square feet of fill placed in bordering vegetated wetlands, 13,794 square feet of other type of wetlands cleared of trees, A staggering 756,436 square feet of tree clearing outside of bordering vegetated wetland. That is over three quarters of a million square feet of trees cleared within wetland areas. In excess of the area of 20 regulation size American football fields to be cleared of trees within wetland areas. More than 12.5 acres of permanent wetland fill.

What's the connection between all this forested area and our drinking water you may ask? Here's the answer: "...forested land protects our drinking water from contamination and the forests are an added natural filter for the water we drink as the leaves, trunks and especially the forest soils naturally filter and clean water. The forest floor contains a thick mat of old branches and leaves that act as a natural sponge allowing even heavy rain storms to slowly filter into the soil. The water then filters through many feet of soil and enters underground streams that constantly feed the streams that flow into our reservoirs. That's why our rivers and streams flow in the summer long after the last rain storm. It's these underground "streams" that our public wells tap into. In Massachusetts, we get about 40 inches of precipitation each year. This is more when compared to many other places in the country or the world, like Tucson, Arizona with 11 inches or Cairo, Egypt at just one inch. Of these 40 inches of precipitation, about half is used by the trees to make oxygen, remove carbon dioxide and make wood and half filters through the soils to the underground "streams" to our streams and reservoirs. This means that each acre of forest near a reservoir or well filters and protects 543,000 gallons of drinking water per year. At 80 gallons used per person per day, that one acre provides the drinking water needs of 19 people. As we pay an average of \$5 per thousand gallons for drinking water delivered to our homes, each forested acre we protect is providing \$2,500 worth of water each year. If we figure the value to us today for this \$2,500 value for years and the present value – it is worth over \$60,000 per acre to us now. This doesn't account for the carbon removed, wood produced and habitat provided by that acre of water supply forest – overall well worth investing for present and future generations..." (Office of Environmental Affairs)

I'd like to take this opportunity to remind you that the board in which you are sitting, the Energy Facilities Siting Board is "charged with ensuring a reliable energy supply for the Commonwealth with a minimum impact on the environment at the lowest possible cost". I sincerely hope you will take this charge seriously as the future of our Commonwealth could be resting in your fate. I think it's pretty clear within 5 minutes of research on the area that this project has the potential of impacting that there is no way that either the proposed Underground route or noticed alternative Overhead route would have a "minimum" impact on the environment and I highly doubt given the variability of the terrain this project intends to cross would it be the "lowest possible cost". Just do the right thing and if you determine this project needs to happen for the greater good not just Eversource's greed, then only in an completely under the street, through the utility corridor route which truly minimizes all the impact and with only minimal disruption-

Zero acres of tree clearing

Zero square feet of fill in bordering vegetated wetlands

Zero square feet of other type of wetlands cleared of trees

Zero acres of permanent wetland fill

Zero threatened species

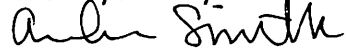
Zero herbicides

Zero conservation areas negatively affected by under street route

Zero abutters experiencing anything more than temporary construction

Where do you want to come out on this, doing what's right, further ruining the future of the world. Money can be raised and replenished a lot faster than Nature and is far less important, try drinking a dollar bill on a scorching hot day.

Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read "Andrea Smith". The signature is fluid and cursive, with the first name "Andrea" written in a more compact, stylized manner and the last name "Smith" written more fully.

Andrea Smith

5 Parkhurst Drive

Hudson, MA 01749

Czepiga, Page (EEA)

From: svetlana.a.semenova@gmail.com
Sent: Sunday, June 18, 2017 9:26 PM
To: Czepiga, Page (EEA)
Subject: Transmission lines in Sudbury

Dear Ms. Czepiga,

I would like to express my deepest concerns regarding the transmission line proposed by Eversource that would go through Sudbury. I am expressing my concerns as a resident of Sudbury as well as an Environmental Economist with 17 years of experience in the field of natural resource economics. I hold an M.S. in Environmental Economics and an M.S. in Environmental Engineering. Over the course of my career, I have worked in environmental policy related to federal regulations as well as environmental litigation, where the primary focus of my work has been quantifying damages to the environment as a result of environment policies as well as natural and man-made disasters.

From my assessment of potential damages to the environment from the Eversource transmission line using the MBTA ROW, there are several natural resources that would be at risk the most.

Wetlands Lost: wetlands provide numerous environmental services. Some of the benefits wetlands provide include water purification, groundwater recharge, flood protection, providing habitat for fish and wildlife, including threatened and endangered species. Using published journal articles, I estimated the average value of lost wetlands in Massachusetts at \$356,132 per acre. Using the number of acres to be affected by the project (60 acres), the estimated annual losses for wetlands would be \$21.4 million. This number represents an annual loss and therefore, the total economic losses would be \$21.4 million per year added up over a certain period of time (typically, 30 years for an economic analysis). As you can see, the economic losses associated with wetlands are likely to be very significant.

Drinking Water: The town of Sudbury is in a unique position when it comes to its drinking water supply. First, Sudbury relies solely on ground water for its drinking water needs. Therefore, any contamination in the recharge area could potentially result in drinking well contamination. This is different from the towns that rely on surface water reservoirs located outside of the town like Quabbin Reservoir supplying water for Weston, Waltham, and other towns. My assessment of potential damages to drinking water from the Eversource project shows that of the total nine drinking water wells, up to five wells are at risk of contamination due to close proximity to the proposed route along the ROW. Secondly, the drinking water gets mixed up from all nine wells before treatment and distribution and therefore, in case of single or multiple well contamination, it presents serious danger of contaminating drinking water for the entire population of Sudbury (18,000 people). This is a very serious and real threat to the drinking water for the entire town.

Threatened and Endangered (T&E) Species: from my experience in environmental litigation, potential harm to T&E species could result in monetizable damages exceeding all the other environmental items affected by the project.

There are many other natural resources that are likely to be affected by the proposed project, including loss of trees, conservation land, wildlife, and other, all of which have economic value associated with them. In aggregate, the impact on the environment from the proposed project is far too great to justify the proposed transmission lines going through Sudbury.

Thank you for your consideration and time on this matter.

If you have any questions, please feel free to contact me at the email address above.

--

Svetlana Semenova
49 Hunt Rd.
Sudbury, MA

Czepiga, Page (EEA)

From: Felicia Murphy <feliciakmurphy@gmail.com>
Sent: Thursday, June 15, 2017 10:53 AM
To: Czepiga, Page (EEA)
Subject: Please Stop Eversource Project in Sudbury, EEA# 15703, Sudbury-Hudson Transmission Line Project

Dear Ms. Czepiga,

The Eversource Project on the ROW is unnecessary and will impact many lives here in Sudbury. Our two young sons and our pets play in our backyard right next to where herbicides will be routinely sprayed and trees will be felled if this goes forward. Our property's value will plummet, along with that of our neighbors. We will miss the peaceful walks on the tracks where we see deer, coyotes, owls, salamanders, turtles, frogs, snakes, and other residents looking to enjoy nature in our sleepy little community. Eversource will drastically change our way of life if they are allowed to put power lines through our backyard and through PRESERVED and PROTECTED (are they really?) lands in Sudbury, destroying beautiful natural habitats of many endangered species. How can this be possible?? Or legal? You have the power to stop this! PLEASE DON'T LET EVERSOURCE RUIN OUR TOWN & THE ENVIRONMENT!!

Sincerely,

-Felicia Murphy
[111 Horse Pond Road](#)
[Sudbury, MA 01776](#)

Czepiga, Page (EEA)

From: harrymurphy01776@gmail.com
Sent: Thursday, June 15, 2017 10:28 AM
To: Czepiga, Page (EEA)
Subject: Stop Eversource Project in Sudbury, EEA# 15703, Sudbury-Hudson Transmission Line Project

Dear Ms. Czepiga,

This project is in the wrong place. Sudbury is historic and beautiful, and the citizens take pride in it. All the wildlife, trees, and history would be destroyed. The value of people's homes would go way down. There are little-to-no benefits in this project. We take our dogs on walks in the woods, and they love it. There are also coyotes and many other animals who would lose their homes because of this project. Destroying all of this would be unnecessary. I strongly wish that this project is disallowed. We love our town, and we will fight until this is stopped.

Please do not allow Eversource to ruin our town.

-Harrison Murphy, Age 12
111 Horse Pond Road
Sudbury, MA 01776

Czepiga, Page (EEA)

From: Dylan Murphy <dylanmurphy01776@gmail.com>
Sent: Thursday, June 15, 2017 10:25 AM
To: Czepiga, Page (EEA)
Subject: Stop Eversource Project in Sudbury, EEA# 15703, Sudbury-Hudson Transmission Line Project

Dear Ms. Czepiga,

I feel that this project has and will never have any need in our lovely town. If this project goes through, I will never have the wonderful walks down the railroad tracks that I have so much enjoyed ever since I was young. I would like you to disapprove this project, for many reasons. Since you have the power to do so, I hope that you will think the same about this terrible project. Another thing, I live right next to this project, and if they put herbicides down, I might get sick and not be able to do anything. To conclude, I would like to say that you should stop this project for the good of our lovely town.

-Dylan Murphy, Age 11
[111 Horse Pond Road](#)
[Sudbury, Massachusetts](#)



June 12, 2017

Secretary of Energy and Environmental Affairs
Executive Office of Energy and Environmental Affairs (EEA)
Attn: MEPA Office
Page Czepiga, EEA No. 15703
100 Cambridge Street, Suite 900
Boston MA 02114
Page.Czepiga@state.ma.us

In the matter of the Eversource Sudbury-Hudson transmission line project, I'd like to raise the following issues:

- 1) Given the last-minute submission by Eversource of a "corrected" ENF, we request a thirty day extension to the comment period to allow for preparation of an adequate response to this significant change in the filing.
- 2) The only ENF filed is for the "preferred" option, i.e. the MBTA ROW underground transmission line. However, there are two other options listed in the filing to the EFSB, the aboveground MBTA ROW route, and an under-street route. Both of these routes should also be subject to the filing of an ENF and EIR.

No engineering plans for the route have been presented and the underground option is likely to be unbuildable because the rail bed often alternates between elevation and depression of upwards of 15 feet. Furthermore, the duct bank would have to be offset from the rail bed, requiring extensive fill or blasting to provide the platform for the underground line. Because of these complications, we are concerned that the EFSB may further consider the aboveground line. The aboveground option has substantially more environmental impacts than that in the current ENF and because it has not been ruled out, either by Eversource or the EFSB, Eversource should be required to file an ENF and EIR for it. Similarly, by not filing an ENF for the under-street route, which has virtually no environmental impacts, no formal statement of impact will be on record with MEPA with which to compare the existing filing. By their own statements in the EFSB filing, Eversource has said the under-street route has virtually no environmental impact, and evaluation of the current filing should take that into consideration.

- 3) Note, in particular, that no details have been given with respect to the means by which the transmission line will be constructed through the water crossings. This is of particular concern, due to the potential for harm to species present and to the impact on existing recreational uses such as boating, hiking, and horseback riding. A raised duct configuration was mentioned during the site visit, but what are the advantages and disadvantages of that from an environmental impact standpoint relative to alternatives such as horizontal-direction drilling? Will the lines at these crossings be well-shielded to prevent EMF exposure during recreational use?
- 4) The site visit today underplays the significant impact had by this project and only looked at a very small part along the impacted route. I urge MEPA to conduct a more thorough examination of the entire route, accompanied by the Sudbury Conservation Commission. Given that there are more viable under-street options and the option of expanding existing facilities, we further urge MEPA to question the underground route in the larger context of whether this route should be granted further consideration at all, and instead just be rejected outright.

The following concerns have been raised by a number of environmental organizations, including Mass. Audubon, Mass. Chapter of the Sierra Club, Sudbury Valley Trustees, Environmental League of Massachusetts, Clean Water Action, US Dept. of the Interior, and others. Some of these organizations will be submitting their own comments.

- 1) Wildlife habitat fragmentation of one of the region's largest natural areas, including five different conservation lands, including Assabet River National Wildlife Refuge, Marlboro-Sudbury State Forest, Sudbury Valley Trustees Memorial Forest, and Hop Brook Marsh Conservation Land and Marlborough Desert Natural Area. The majority of the areas are part of NHESP priority habitat (PH 687). These areas harbor diverse wildlife with several different habitat types and is home to several threatened and endangered species of plants and animals. (USFWS, Audubon, Marlborough Con Comm)

Among the species at risk are salamanders, Blanding's turtles, wood turtles, Eastern Box Turtle, Eastern Brook Trout, and the recently state-listed whip-poor-will.

There are sensitive habitats within the above: wetlands, vernal pools, turtle nesting sites, and cold water streams.

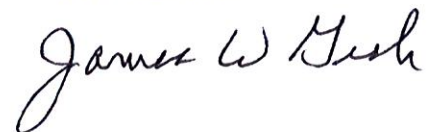
- a. Potential for creating conditions unsuitable for certain wildlife species
 - b. Allows for an increase in invasive species and a pathway for predators (USFWS, SVT)
 - c. Large, interconnected areas of forestland and wetlands are vital for ecological health and integrity.
 - d. Destruction of unusual plant populations
 - e. Disturbance and alteration of breeding habitat of recently state-listed whip-poor-will
- 2) Large-scale permanent destruction of conservation lands (ELM, SVT)

- a. Irreparable immediate and ongoing damage by construction and maintenance (ELM, SVT)
- 3) Impacts from the use of detrimental herbicides to environmentally sensitive *areas* (USFWS, SVT)
- 4) Potential for ground-water pollution from dangerous herbicides
 - a. Although both the state and US EPA have approved glyphosate and other herbicides for use, there is growing evidence for both human impact in the form of cancer by international bodies and the World Health Organization. We can't risk taking a chance with the health of the population of the impacted towns.
 - b. There is also considerable research on the impacts of glyphosate on threatened and endangered species, particularly amphibians such as the salamanders found all along the route. (See References at the bottom of this letter).
 - c. The proposed route is in close proximity to five certified (and five with certified data collected) vernal pools containing the species in question
- 5) Likely increase of unauthorized uses of ATVs and dirt bikes which causes significant damage to the natural resources (USFWS, SVT)
- 6) Destruction and/or contamination of highly important water resources important to humans and wildlife (CWA,OARS)
 - a. Impact on threatened and vulnerable Eastern brook trout habitat in the Sudbury River tributaries by diminishing shade cover, warming of river temperatures and potential pollution from herbicide usage.
 - b. The proposed transmission line crosses over Zone II areas in Sudbury and the Cranberry Bog Well in Hudson. Potential pollution by any herbicides in these areas is unacceptable. As stated above, recent research has shown that run off of glyphosate into water resource areas can and does happen.
 - c. Disruption of existing contaminants from previous rail line use is likely to impact these water resources. It is not uncommon to find arsenic, creosote and other hazardous chemicals in old rail beds. Flattening the rail bed and removing old railroad ties for clear-cutting will disturb these contaminants and has a high risk of dispersing them into the surrounding water resources.
- 7) Mitigation of these impacts is not feasible. (Audubon)

Given the scale and severity of these impacts, a permit for this project should be denied. Barring that, at the very least, an EIR should address all of the above concerns. In addition, all items marked TBD in the ENF need to be fleshed out in detail.

Thank you,

James W. Gish



Director, Environmental and
Community Groups Liaison
Protect Sudbury, Inc.

35 Rolling Ln
Sudbury, MA 01776
jgish@protectsudbury.org

Quotes from letters of support (attached):

George Bachrach, Environmental League of Mass.
Lisa Vernegaard, Sudbury Valley Trustees

"Routing this utility line along the right-of-way would undo much of the significant investment that the Commonwealth, the U.S. Fish and Wildlife Service, the Town of Sudbury, the City of Marlborough, private foundations, and individual donors have already made in protecting and caring for one of the metrowest region's most important natural areas. Eversource did not accurately consider the environmental impacts of its Preferred Routes when evaluating the three options and the Environmental League of Massachusetts believes that the permanent damage to topography, wildlife, and vegetation in this unique area cannot be understated."

Lisa adds:

"This impact is forever. The impacts of street-based route (none of which are environmental), while real, are temporary and can be addressed in the foreseeable future."

Becky Smith, Clean Water Action

"Our environment is already overburdened by toxic chemicals. Increased use of herbicides to maintain vegetation along the transmission right of way will worsen this problem and bears particular concerns for vernal pools and wetlands. Worse, the use of herbicides, with their potential carcinogens, poses a threat to human health by potential contamination of area wells and aquifers providing drinking water for 18,000 Sudbury residents."

Emily Norton, Massachusetts Sierra Club

"As wild lands, wildlife, recreation areas, and historic districts are increasingly at risk in our country, our obligation to current and future citizens is to do everything in our power to ensure that we preserve every precious natural resource that we currently enjoy. We understand that Eversource is putting forth the above-ground line as a "lowest" cost proposal. We believe, to the contrary, that it and any other route through conservation lands represents the highest-cost proposal and should be discarded. We cannot afford to

dismiss the consequences of failing to ignore the value to humankind of unbroken forest and wetlands, wildlife and clean water."

John Clarke, Mass. Audubon

"In calculating the costs of constructing lines through and adjacent to protected lands, the full costs and availability (or lack thereof) of mitigation lands of equivalent natural resource value must also be considered. The Executive Office of Energy and Environmental Affairs' policy on disposition of lands protected under Article 97 of the state Constitution requires not merely consideration of the market value of the impacted lands but also the natural resource value. In rapidly developing suburbs such as Sudbury and Hudson, land available for replacement conservation is limited, and it is not feasible to fully mitigate for the fragmentation effects on large blocks of woodland."

Some recent findings on Glyphosate

- Although glyphosate has not traditionally considered to be an issue for ground-water pollution because it often binds to soil, Danish researchers have found that in some soils and some settings, there is considerable potential for finding its way into drinking water. This may be directly through the soil -- depending on soil type -- or via runoff following rainstorms, into streams, rivers, sewer systems, etc.
- Of the wells tested in the Danish study, glyphosate was found in 8.8% of the wells tested, with 3.4% exceeding the drinking water limit.
- Glyphosate is being detected in both surface and groundwater wherever it is used!

Effects on amphibians

- Growing body of evidence showing increased mortality, grown abnormalities in frogs, toads, salamanders. Despite evidence neither the EU nor the US regulators require direct testing

Effects on aquatic and marine organisms

- Toxic impacts on micro-organisms and further up the food chain on freshwater mussels, for example.
- Freshwater carp showed changes to liver cells and mitochondria at levels 5% and 10% of that expected from normal agricultural practices.
- DNA damage has been observed in exposed fish.
- Evidence of effects on the enzyme acetyl-cholinesterase, vital for proper nerve functioning, resulting in serious health problems and death in brown mussels and eel.

Endocrine disruption

- Evidence of glyphosate and Roundup may be linked to endocrine disruption in animals and human cells.

Questions

- Why do people in countries where glyphosate is used have it in their urine?
- Why isn't testing required for glyphosate in food, feed or water?
- Why isn't testing required for glyphosates in humans?
- Why are there no studies of long-term health consequences for humans?

References (available upon request)

Relyea, R. A. 2012. New effects of Roundup® on amphibians: Predators reduce herbicide mortality while herbicides induce anti-predator morphology. *Ecological Applications* 22:634-647.

Relyea, R. A. 2011. Amphibians are not ready for Roundup®. Pages 267-300 in J. Elliott, C. Bishop, and C. Morrissey, eds. *Wildlife Ecotoxicology—Forensic Approaches*. Springer.

Jones, D. K., J. R. Hammond, and R. A. Relyea. 2011. Competitive stress can make the herbicide Roundup® more deadly to larval amphibians. *Environmental Toxicology and Chemistry* 2:446-454.

Jones, D. K., J. I. Hammond, and R.A. Relyea. 2010. Roundup® and amphibians: The importance of concentration, application time, and stratification. *Environmental Toxicology and Chemistry* 29:2016-2025.

Relyea, R. A. 2005. The lethal impacts of Roundup and predatory stress on six species of North American tadpoles. *Archives of Environmental Contamination and Toxicology* 48:351-357.

Relyea, R. A., and D. K. Jones. 2009. The toxicity of Roundup Original MAX® to 13 species of larval amphibians. *Environmental Toxicology and Chemistry* 28:2004-2008.

Relyea, R. A. 2005. The lethal impact of Roundup® on aquatic and terrestrial amphibians. *Ecological Applications* 15:1118-1124.

.



City of Marlborough Conservation Commission

*140 Main Street
Marlborough, Massachusetts 01752
Tel. (508) 460-3768 Facsimile (508) 460-3747*

*Edward Clancy - Chairman
Allan White
Lawrence Roy
David Williams
Dennis Demers
John Skarin
Karin Paquin*

Priscilla Ryder Conservation Officer

March 30, 2016

Bev Schultz
Eversource Project Manager
One NSTAR Way
Westwood, MA 02090

RE: Hudson to Sudbury Transmission Line Project

Dear Ms. Schultz,

At its meeting on March 24, 2016 the Marlborough Conservation Commission reviewed the Eversource material presented at the Open House you held in Hudson on March 15, 2016 and have the following comments:

The electric power line proposal along the Central Mass rail line would pass by the corner of the Desert Natural Area which is a 900-acre parcel of various conservation lands managed and owned by 5 different entities: State DCR; Federal ARNWR; private Sudbury Valley Trustees land trust; Greater Federation of Women's Clubs; and municipal- Marlborough and Sudbury Conservation Commissions.

Our main concern with this transmission line proposal, although not in Marlborough proper, is that it will bisect a large area which has contiguous open space and harbors diverse wildlife with several different habitat types within its boundaries. It is home to several threatened and endangered species of animals and plants which we have worked hard to protect over the years. A large clear cut of trees along the railroad corridor which was described as being up to 80+ feet wide would change the dynamics of this sensitive area considerably. The ongoing maintenance and clearing required to maintain the above ground lines would also have long term impacts to this habitat area. Therefore, we would be opposed to an above ground transmission line for these reasons.

We know the project is in its conceptual phase at the moment and ask that you take these issues into consideration as you deliberate on the various options that were presented and work to avoid impacts to this important wildlife habitat area.

Page 2

As an abutter to the rail line we would like to be kept informed on this proposal as it moves forward. Please add us to any mailing list regarding this project.

Sincerely,

A handwritten signature in cursive script, appearing to read "Edward Clancy".

Edward Clancy
Chairman

e-mail:

Mayor Vigeant

City Council

Marlborough, Hudson and Sudbury Conservation Commission;

Libby Herland, ARNWR

Michael Waterman, DCR

Lisa Vernegaard, SVT

Joanne O'Leary and Mark Kimball, Eversource

December 15, 2016

Governor Charlie Baker
Massachusetts State House
Office of the Governor
Room 280
Boston, MA 02133

Secretary Matthew Beaton
Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

By email to: Matthew.Beaton@state.ma.us, constituent.services@state.ma.us

Re: Comments on proposed Sudbury-Hudson Transmission Line Project

Dear Governor Baker:

I write to you in regards to the proposed Eversource Energy transmission line project through the municipalities of Sudbury and Hudson, Massachusetts. Clean Water Action has serious concerns with the siting of the proposed project and urges Eversource to pursue an under-street, buried version of the project or otherwise consider non-wires alternatives to addressing area power grid needs. Should they decline to do so, we urge the state to reject the project.

Clean Water Action takes a nuanced view of energy infrastructure and our environment. Our organization seeks to protect water resources and conservation land while supporting development of low- and no-emission energy sources, maintaining grid reliability and keeping energy affordable. As a general practice, Clean Water supports a "no-build" or "low-build" analysis to seek alternative infrastructure development when high-impact projects are proposed.

The Sudbury-Hudson Transmission Line Project raises numerous concerns for Clean Water Action and we urge reconsideration of it. Transmission lines in New England are often costly for ratepayers. As evidenced by this proposal, transmission infrastructure construction can be unpopular amongst residents and highly destructive towards the local environment.

Our particular concerns regarding the proposal include the disturbance and destruction of highly important water resources, the use of detrimental herbicides, and the threat to local conservation lands. The proposed project would run through a number of wetland parcels, vernal pools, and other water resources of ecological and recreational importance.

Other stakeholders, such as OARS - For the Assabet, Sudbury and Concord Rivers, have emphasized the importance of brook trout habitat in the Sudbury River tributaries. Brook trout are an ecologically indicative species and are already under threat, as a majority of their habitat has been wiped out. The construction of the transmission corridor would diminish shade cover and would result in warmer and inhospitable river temperatures and potential pollution due to herbicide usage will negatively impact vulnerable brook trout populations.

Our environment is already overburdened by toxic chemicals. Increased use of herbicides to maintain vegetation along the transmission right of way will worsen this problem and bears particular concerns for vernal pools and wetlands. Worse, the use of herbicides, with their potential carcinogens, poses a threat to human health by potential contamination of area wells and aquifers providing drinking water for 18,000 Sudbury residents.

While we respect your interest in increasing the reliability of electric power in New England, we join our colleagues in firmly arguing that the Sudbury-to-Hudson Transmission Reliability Project is the wrong approach.

Clean Water Action adds its voice to the hundreds of citizens, organizations, and legislators speaking out against this project. We would suggest re-evaluating your energy goals and utilize modern technology to support the increasing integration of community-based clean energy sources to address the concerns of your customers. These alternatives would likely be preferential to ratepayers while avoiding harm to the environment and the immediate neighbors impacted by this project.

Sincerely,

Becky Smith
Campaigns Director
Clean Water Action

CC:

Sen. Ed Markey
Sen. Elizabeth Warren
Cong. Niki Tsongas
Cong. Katherine Clarke
Rebecca Tepper, Office of Attorney General Maura Healey
Sen. Mike Barrett
Sen. James Eldridge
Rep. Carmine Gentile
Jim Hunt, Eversource Energy
Jim Gish, Protect Sudbury, Inc.



Governor Charlie Baker
Massachusetts State House
Office of the Governor
Room 280
Boston, MA 02133

Dear Governor Baker:

We join with Mass Audubon, the Sierra Club, the Sudbury Valley Trustees, and the town of Sudbury in opposing both Preferred Routes highlighted in the Eversource proposal to construct a new 115 kV power line between Sudbury and Hudson. We strongly favor a below-ground street-based alternative route that would bypass the natural areas that the current Preferred Routes put at risk.

Eversource's proposal includes a street-based option as its Noticed Alternative Route, but still highlights the MBTA right-of-way as its Preferred Route with two options; an above ground design and a below ground design. We are:

- In strong support of a street-based route which Eversource has acknowledged to have minimal environmental impacts.
- Strongly opposed to the above-ground option following the MBTA right-of-way due to the unacceptable destruction to conservation areas.
- Strongly opposed to a below-ground option following the right-of-way due to the irreparable damage that construction and maintenance will have on the conservation area.

Routing this utility line along the right-of-way would undo much of the significant investment that the Commonwealth, the U.S. Fish and Wildlife Service, the Town of Sudbury, the City of Marlborough, private foundations, and individual donors have already made in protecting and caring for one of the metrowest region's most important natural areas. Eversource did not accurately consider the environmental impacts of its Preferred Routes when evaluating the three options and the Environmental League of Massachusetts believes that the permanent damage to topography, wildlife, and vegetation in this unique area cannot be understated.

We ask you to urge Eversource to table both Preferred Routes using the MBTA right-of-way and proceed only with the Alternative Route under existing streets.

Sincerely,

George Bachrach
President

cc. Secretary Matt Beaton



Friends of the Assabet River National Wildlife Refuge

*Working with the United States Fish and Wildlife Service
And serving our local communities*

August 14, 2016

Ms. Beverly Shultz
Project Manager
Eversource
One NSTAR Way
Westwood, MA 02090

Dear Ms. Shultz:

I write this letter in support of the June 28, 2016 letter from Elizabeth A. Herland, Wildlife Refuge Manager for the Eastern Massachusetts National Wildlife Refuge Complex ("the Refuge"), and as the President of the Friends of the Assabet River National Wildlife Refuge ("the Friends"). As an organization that works for the betterment and sustainability of the Refuge, we strongly oppose the plan for the new 115 kV above ground power line between Sudbury and Hudson. We believe that power lines should be installed underground along existing roadways so as to lessen the deleterious effects the lines will have on the Refuge, its wildlife, and its visitors.

The Friends is a non-profit organization of volunteers who work with the US Fish and Wildlife Service to protect and enhance the Refuge's flora and fauna. We engage community and other stakeholders to promote maximum use and enjoyment of the Refuge for the surrounding communities while balancing those benefits with the primary goal of protecting its natural resources. Through stewardship activities, education and outreach programs, the Friends work to ensure the Refuge's valuable resources are available for the enjoyment and education of present and future generations. On a monthly basis, the Friends reach out to over 200 members and another 10,000 non-members through emails, programs and seminars.

The Refuge is a remarkably prized resource to Eastern Massachusetts, and in particular to the surrounding communities of Maynard, Hudson, Marlboro, Stow, and Sudbury. These communities would be directly affected by the plan to cut the 82-foot wide transmission corridor along the MBTA abandoned rail line to accommodate large overhead towers and transmission lines. Residents of these and other nearby cities and towns are Friends members and volunteers who have spent years helping to clear and prepare the land to be a better sanctuary for native animals, birds, fish and over 650 plants species. They send their children to Refuge programs to learn about the environment, and to nurture and release endangered Blanding's turtles back into the wild. The proposed corridor would disrupt the natural beauty of the Refuge and impact its plants and wildlife.

I wholeheartedly urge you to save the Refuge's revived pristine beauty and habitat from the adverse effect of Eversource's plan for overhead transmission lines by considering an underground alternative.

Sincerely,

David Manjarrez

David Manjarrez
President



Friends of the Assabet River National Wildlife Refuge

*Working with the United States Fish and Wildlife Service
And serving our local communities*

Friends of the Assabet River National Wildlife Refuge

P.O. Box 27, Hudson, MA 01749-0027

WEB: www.FARNWR.org EMAIL: info@farnwr.org

cc:

U.S. Senator Elizabeth Warren
U.S. Senator Edward Markey
U.S. Congresswoman Niki Tsongas
U.S. Congresswoman Katherine Clark
Governor Charlie Baker
Matthew Beaton, Secretary MA EOEEA
George Peterson, Commissioner Department of Fish and Game
Leo Roy, Commissioner, MA Department of Conservation and Recreation
Mark Boyle, MBTA
State Senator Jamie Eldridge
State Senator Michael Barrett
State Representative Carmine Gentile
State Representative Danielle Gregoire
State Representative Kate Hogan
Melissa Murphy Rodrigues, Sudbury Town Manager
Tome Moses, Executive Assistant, Hudson
Arthur Vigeant, Mary, City of Marlborough
Elizabeth A. Herland, Wildlife Refuge Manager for the Eastern Massachusetts National Wildlife

Refuge Complex

Lisa Vernegaard, Executive Director, Sudbury Valley Trustees
Elfriede Parker, Acting President, General Federation of Women's Clubs of Massachusetts
Leslie G. Hamilton, Protect Sudbury
Jennifer Krowchun, O'Neill and Associates
Beverly O'Leary, Eversource
Mark Kimball, Eversource
David Manjarrez, President, Friends of the Assabet River National Wildlife Refuge
Karen Lund, Treasurer, Friends of the Assabet River National Wildlife Refuge
Kalisa Barratt, Clerk, Friends of the Assabet River National Wildlife Refuge
David Molzan, Director, Friends of the Assabet River National Wildlife Refuge
David Williams, Director, Friends of the Assabet River National Wildlife Refuge
Jan Wright, Director, Friends of the Assabet River National Wildlife Refuge
Joe Fernandez, Director, Friends of the Assabet River National Wildlife Refuge

Dear Governor Baker,

I am writing on behalf of the residents of Sudbury who are seeking your help. Eversource is planning to use the MBTA right-of-way to run high voltage powerlines through Sudbury and Hudson neighborhoods. This will cause irreparable damage to the conservation land and ecology of both communities. Recently, I attended a Sudbury meeting and talked with Eversource representatives. I listened to their plan and viewed their visuals.

The proposed route will go through the Hop Brook reservation land, the Sudbury Valley Trustees Memorial Forest and the Assabet River National Wildlife Refuge. It will travel through multiple DEP Wetland areas, through vernal pools identified by the Natural Heritage and Endangered Species. The damage to ecology and conservation is unmeasurable.

Over 500 Sudbury homes and approximately 100 Hudson homes will be negatively affected by the proposed 8.9 mile long local cut, running through this historic area.

Lines through Sudbury's neighborhoods will clear cut 8.9 mile long 82 foot wide swath along an MBTA right-of-way and erect 75-100 ft towers carrying overhead high voltage wires through Sudbury into Hudson.

The high voltage powerlines will continue into Hudson along the Marlborough State Forest, past wetlands that drain into the Cranberry Bog Well which is Hudson's drinking source, past White Pond and run along the edge of the Charter Oak Golf Course and past Ferjulians's Farm.

Eversource plans to file with the EFSB in April. This matter is time sensitive as Ever source is moving very quickly . Your intervention is extremely needed. This plan would completely destroy the conservation areas.

There is an alternate option- to put the power lines **under the street**. This has been rejected by Eversource. Yes, it is more expensive but we in the Massachusetts Communities place a value on preserving the environment in Sudbury and Hudson- rather than the shortest cheapest route.

Governor Baker, I am respectfully requesting that you meet with Eversource and the Energy Facilities Site Board regarding the route selection of this utility project .

I ask you to consider the short-term savings of taking the shortest, cheapest route versus the long-term cost of the quality of life of the residents. I look forward to your response.

Thank you for your consideration,

Respectfully,

Governor's Councillor Marilyn M. Petitto Devaney



COMMONWEALTH OF MASSACHUSETTS
THE GENERAL COURT
STATE HOUSE, BOSTON 02133 1053

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, Suite 900
Boston, MA 02114

Chairwoman Angela M. O'Connor
Department of Public Utilities
One South Station
Boston, MA 02110

Dear Secretary Beaton and Chairwoman O'Connor:

As legislators representing the communities of Hudson, Marlborough, Stow and Sudbury, we are writing to express our strong opposition to the Eversource plan to construct a transmission line along the abandoned MBTA rail line that runs through these four communities. Instead, we recommend that the Department of Public Utilities (DPU) and the Energy Facilities Siting Board, and therefore the Baker-Polito administration, rule that Eversource build this transmission line under the roads of these four communities.

Over the past month, we have attended Board of Selectmen meetings, public hearings, met with constituents, and received hundreds of calls and emails from residents of these four communities, almost all in unison expressing serious concern over the impact of Eversource's proposed path to build a transmission line to improve reliability of the delivery of power to the region.

While we support improving the system's reliability, we believe the proposed path will not serve our constituents well, for a variety of reasons.

First of all, this proposed transmission line along the MBTA railbed would result in a clear-cutting of at least an 82 feet wide swath of trees and vegetation along the transmission route, having a negative environmental impact on these four communities, and especially on abutters to this proposed transmission route.

This land is important not just for the abutters, however. Rather, a great deal of this land is considered sacred by the residents of Hudson, Marlborough, Stow and Sudbury, and in fact people from across Massachusetts. Over the past few decades, residents have proactively voted

to protect open space along the proposed route, and state and federal agencies, and elected officials, have gone to great lengths to protect this area from development.

This has led to the establishment of the Hop Brook Conservation Land, the Sudbury Valley Trustees Memorial Forest, and the Assabet Valley National Wildlife Refuge, the Marlborough-Sudbury State Forest, and the Cranberry Well property, all publicly-protected land that include wetlands, vernal pools, and significant rivers and streams.

While Eversource has made the point that an alternative route to constructing the transmission route along the MBTA railbed would be more expensive to Eversource ratepayers, we would respectfully respond and ask, what price do you put on the clear-cutting and despoiling of precious conservation land, beautiful views, ecological diversity, and taxpayer-funded open space?

There is a clear and reasonable alternative to the proposed Eversource transmission line route, and we ask that as your review Eversource's application, that you order Eversource to construct its transmission route along the roads of these four Metrowest communities, and not along much-loved protected lands.

Sincerely,



James B. Eldridge
State Senator
Middlesex & Worcester District

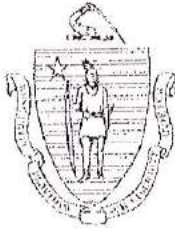


Kate Hogan
State Representative
Third Middlesex District



Carmine L. Gentile
State Representative
Thirteenth Middlesex District

cc: Mark Reed, Director of Government Affairs, Eversource
Mayor *Arthur G. Vigeant*, *City of Marlborough*
Brian Choquette, Manager, Hudson Light and Power Department
Thomas Moses, Executive Assistant, Town of Hudson
William Wrigley, Town Administrator, Town of Stow
Melissa Murphy-Rodrigues, Town Manager, Town of Sudbury



CARMINE L. GENTILE
STATE REPRESENTATIVE
13TH MIDDLESEX DISTRICT
SUDBURY • MARLBOROUGH
WAYLAND • FRAMINGHAM

The Commonwealth of Massachusetts

House of Representatives

State House, Boston 02133-1054

Committees:
Joint Committee on Higher Education
Committee on Technology and
Intergovernmental Affairs
Joint Committee on Elder Affairs
Committee on Global Warming
and Climate Change

STATE HOUSE, ROOM 39
TEL. (617) 722-2014
FAX. (617) 722-2215
Carmine.Gentile@MAhouse.gov

June 20, 2016

Honorable Members of the Joint Committee on
Telecommunications, Utilities and Energy
MA State House
Room 413-F
Boston, MA 02133

Dear Chairman Golden, Chairman Downing, and Honorable Members of the Committee,

I write to you today to respectfully request that you vote H4357, An Act relative to the Energy Facilities
Siting Board (EFSB), favorably out of Committee.

Eversource is currently planning to file a project with the EFSB in September which would severely
impact two communities in my district, Sudbury and Marlborough, together with the Town of Hudson.
The plan previously aired this past spring would clear cut an area of 60 acres in Sudbury to place 100
foot high poles carrying a 115 kilovolt (kv) line. An area large enough to place three (3) Gillette Football
Stadiums would cut through four protected conservation areas, Hop Brook Marsh, Memorial Forest,
Assabet River National Wildlife Refuge and Marlborough-Sudbury State Forest along a path 82 feet
wide.

H.4357 would cause the EFSB to consider a proposal's impact on public health and the environment, not
just the financial costs and prioritize minimum impact on the overall wellbeing of residents abutting a
project over the "lowest possible cost" of the proposal when considering whether or not to grant a
permit.

Eversource has gone back to the drawing board to formulate a pathway for the 115 kilovolt line through
Sudbury, Marlborough and Hudson. However, the plan aired earlier this year would have placed 100
foot high towers and an 82 foot clear cut adjacent to 600 properties negatively impacting property
values substantially and causing approximately 26,795 trees to be removed. Another 1200 properties
are within 3,000 feet of the path previously chosen.

A route underneath existing streets would not disturb sensitive conservation lands or adversely affect
property values.

Cities and towns in the path of new transmission lines should not have to bear the overwhelming brunt of the burdens imposed by projects that bolster regional infrastructure without due consideration of environmental and safety concerns. The project for a new 115 Kv line through my district will benefit municipalities from Northborough through Waltham and communities in Southern New Hampshire.

I respectfully request that you report H.4357 favorably out of Committee as soon as possible and add an emergency preamble.

Sincerely,

A handwritten signature in dark ink, appearing to read "Carmine L. Gentile". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Carmine L. Gentile



The Commonwealth of Massachusetts
MASSACHUSETTS SENATE

SENATOR JAMES B. ELDRIDGE

Office: 1000 State Street, Room 1000

State House, Boston, MA 02133

Phone: 617-725-2000

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June 21, 2016

The Honorable Benjamin Downing, Chair
Joint Committee on Telecommunications, Utilities & Energy
State House Room 413F
24 Beacon Street
Boston, MA 02133

RE: H.4357 - An Act relative to the Energy Facilities Siting Board

Dear Chairman Downing:

The Town of Sudbury is currently the potential site of an overhead high voltage transmission line, designed to provide service to the Town of Hudson and parts of southern New Hampshire. The project would require above ground wires running on poles through neighborhoods and conservation land, the clear cutting of trees 82 feet wide, and the spraying of herbicides in and around their conservation land. The town is understandably concerned about these effects as well as decreased property values, which will negatively impact the Town's budget.

Eversource, the proponent of the project, is planning to file their application with the energy facility siting board in September 2016. The company understands the impacts to the town but is continuing the application process because this is the least expensive option for them.

This bill would add impact language to the energy facility siting board statute that would restrict board-approved projects to those "with minimal impact on the environment, public health, and the overall wellbeing of residents abutting the project." These factors are crucial to the health and safety of, not just Sudbury residents, but all residents of the Commonwealth and the board should consider them when approving new energy projects.

Should you have any questions or concerns, please do not hesitate to contact my office.

Sincerely,

James B. Eldridge
State Senator
Middlesex & Worcester



Official Statement from Mass Audubon, March 30, 2016

Mass Audubon generally supports a rigorous alternatives analysis for any project proposing to impact conservation lands protected by Article 97 of the State Constitution, mapped habitat of state- or federally-listed rare species, and/or wetlands. We commend Protect Sudbury and local residents for calling for consideration of alternatives to the routing of this utility line through several protected and sensitive areas. We are hopeful that with your involvement, a revised plan will be developed that meets the needs for electric grid reliability without the extensive impacts initially proposed.

Christina Wiseman on behalf of Jack Clarke
Director of Public Policy & Government Relations



Advocacy Department

Six Beacon Street, Suite 1025 • Boston, Massachusetts 02108
tel 617.962.5187 • fax 617.523.4183 • email jclarke@massaudubon.org

September 12, 2016

Beverly Schultz, Project Manager
Eversource
One NSTAR Way
Westwood, MA 02090

Via Email: Beverly.Schultz@Eversource.com

Re: Eversource Transmission Line, Sudbury to Hudson

Dear Ms. Schultz,

On behalf of Mass Audubon, I am writing to request that Eversource consider alternatives for the proposed Sudbury to Hudson Transmission Reliability Project. We understand that the proposed new 8.9 mile, 115kV transmission line is deemed necessary for system reliability. However, the preferred route has significant, permanent impacts on many other important public interests that must also be considered. Several permanently protected lands would be impacted including the Assabet River National Wildlife Refuge, Marlboro State Forest, Sudbury Valley Trustees Memorial Forest, and Hop Brook Marsh Conservation Land. The effects on these federal, state, local, and nonprofit conservation lands would be significant and ongoing. Large, interconnected areas of forestlands and wetlands are vital for ecological health and integrity. Clearing an 82 foot wide swath through these lands would fragment wildlife habitat, create adverse edge effects, and increase impacts from invasive plants and illegal ATVs (both of which are costly and difficult to manage). The cleared Right-of-Way (ROW), poles, and wires also would impact the character and recreational value of the conserved lands. Vegetation management along the ROW would require frequent use of mechanized mowing or cutting equipment and/or herbicides, all of which have additional impacts on wildlife and the environment.

Mass Audubon understands that the reliability of the electric grid is an important priority for public utilities. As Eversource plans for those projects, both in this instance and in other locations, the full costs of overhead vs. underground lines should be considered in lifecycle terms. Underground lines, including lines constructed within roadways, are more expensive initially. However, they are more reliable, especially in the context of increasingly frequent extreme weather events associated with climate change. Over the many-decades-long service life of the lines, the costs associated with maintaining overhead lines and associated ROW are significant and should be taken into account.

In calculating the costs of constructing lines through and adjacent to protected lands, the full costs and availability (or lack thereof) of mitigation lands of equivalent natural resource value must also be considered. The Executive Office of Energy and Environmental Affairs' policy on disposition of lands protected under Article 97 of the state Constitution requires not merely consideration of the market value of the impacted lands but also the natural resource value. In rapidly developing suburbs such as Sudbury and Hudson, land available for replacement conservation is limited, and it is not feasible to fully mitigate for the fragmentation effects on large blocks of woodland.

We urge Eversource to factor these considerations into alternatives analysis and cost accounting for this and other grid improvement projects, before submitting project proposals to the Energy Facilities Siting Board (EFSB). We also request that the utilities and EFSB plan for and support a transition to greater reliance on distributed, renewable power sources located at or near where the power will be consumed. This can reduce the need for expensive expansion of the grid system while supporting the transition to clean and green energy.

Thank you for considering these comments.

Sincerely,



John J. Clarke
Director of Public Policy & Government Relations

cc: Energy Facilities Siting Board
Conservation Law Foundation

Mass Audubon protects 36,500 acres of land throughout Massachusetts, saving birds and other wildlife, and making nature accessible to all. As Massachusetts' largest nature conservation nonprofit, our wildlife sanctuaries located in cities and towns include 20 nature centers and welcome over half a million visitors annually. From inspiring hilltop views to breathtaking coastal landscapes, serene woods, and working farms, we believe in protecting our state's natural treasures for wildlife and for all people – a vision shared in 1896 by our founders, two extraordinary Boston women. Today, Mass Audubon is a nationally recognized environmental education leader, offering thousands of camp, school, and adult programs that get over 225,000 kids and adults outdoors every year. With more than 125,000 members and supporters, we advocate on Beacon Hill and beyond, and work with conservation science partners, to preserve the natural heritage of our beautiful state for this and future generations. We welcome you to explore a nearby sanctuary, find inspiration, and get involved. Learn how at massaudubon.org.

Protecting the Nature of Massachusetts



FOR THE ASSABET SUDBURY & CONCORD RIVERS

23 Bradford Street · Concord, MA 01742

978 · 369 · 3956

office@oars3rivers.org

www.oars3rivers.org

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September 6, 2016

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Maynard

Beverly Schultz
Project Manager
Eversource
One NSTAR Way
Westwood, MA 02090

Ingeborg Hegemann
Vice President
Stow

Richard Terdoff
Treasurer
Natick

Re: Comments on proposed Sudbury-Hudson Transmission Line Project (corrected)

Dear Ms. Schultz,

Dick Lawrence
Clerk
Hudson

OARS would like to submit our concerns regarding the proposed Sudbury-Hudson Transmission Line which would run through and along several parcels of conservation land in Sudbury and Marlborough to Hudson. OARS has studied the coldwater fisheries resources present in these conservation areas in depth and continue to monitor their condition and we are concerned about the impact of the construction and maintenance of the proposed transmission line on these resources.

Don Burn
Westborough

Robert Donelan
Concord

Lisa Eggleston
Sudbury

Starting in 2012, OARS has assessed the ecological health of small trout streams in Sudbury, Marlborough and Hudson. These streams have some of the few remaining native Eastern brook trout (*Salvelinus fontinalis*) populations in eastern Massachusetts. Aside from being one of nature's most beautiful fish, the Eastern brook trout is a keystone species in the northeastern US. They inhabit flowing, highly oxygenated, coldwater streams and once occupied most of the coldwater streams in the eastern US. Today, geographically-isolated populations remain in only about 10% of the subwatersheds in eastern Massachusetts. The survival of these remaining populations is threatened by the pressures of human development including streamflow and temperature changes due to loss of natural vegetation, undersized road culverts, non-point source pollution, and climate change.

Allan Fierce
Stow

Paul Goldman
Marlborough

Dave Griffin
Maynard

Brian Kilcoyne
Concord

OARS, Trout Unlimited, Sudbury Valley Trustees, the USGS Conte Fish Research Lab, and UMass Amherst collaborated to assess and protect brook trout habitat in the three Sudbury River tributaries known to have wild brook trout populations: Hop Brook, Cranberry Brook and Trout Brook. This work included assessing current conditions and is part of a state-wide project to monitor climate change effects through longer-term stream and air temperature logging, which continues today.

Martin Moran
Hudson

Pam Rockwell
Concord

Peter Shanahan
Acton

The stream quality in both Trout and Cranberry Brooks was good to excellent within the protected areas of Memorial Forest, the Desert Natural Area, and adjoining protected areas. See attached map. The main factor that degraded the ratings in these protected areas was whether the stream was shaded. Hop Brook is more degraded but still used by brook trout to travel between the other brooks.

Lisa Vernegaard
Maynard

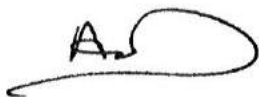
The proposed transmission line would cross Hop Brook just downstream of Trout and Cranberry Brooks. Clearing and maintaining an 82-foot wide transmission line corridor will result in loss of shading by the existing trees and bushes, resulting in warmer temperatures. During the summers our monitoring shows that the water temperatures approach the warmest allowable temperature before fish health is affected. Every effort needs to be taken to prevent further warming. Additional clearing could have a negative effect. The fish and their habitat could be exposed to herbicide should herbicide be used to maintain the open corridor. Lastly, the cleared corridor would encourage the use of ATVs and dirt bikes which are extremely damaging as they cross streams without regard to the erosion and siltation that they create; they are notoriously difficult to control.

Alternatives to this ecologically-damaging route must be considered. Putting the transmission line under already-existing streets would result in far less ecological damage. Some commenters have suggested burying the transmission lines beside the existing railroad bed. Unless great care can be taken to protect the streams during construction and suitable stream crossings designed, burying the transmission lines risks permanently damaging the natural courses and connectivity of the streams. The need to maintain a cleared corridor would still, presumably, necessitate the use of herbicides.

We appreciate the need to increase the reliability of the grid, particularly with climate disruptions that increase the likelihood of damaging wind and ice storms. However to damage one of the few remaining healthy wild trout habitats which has been protected through major public and private investment is not in the interest of either the Commonwealth or the local communities. We share the concerns detailed in letters to you by the owners of the conservation land that would be affected: US Fish and Wildlife Service, Marlborough Conservation Commission and Sudbury Valley Trustees.

Thank you for the opportunity to comment on the proposed transmission line project. We hope that you will take seriously the concerns we have raised and shift your attention to providing a viable alternative for your submission to the Massachusetts Energy Facilities Siting Board and local decision-makers. Please add us to your mailing list so that we may follow the development of this project.

Yours sincerely,

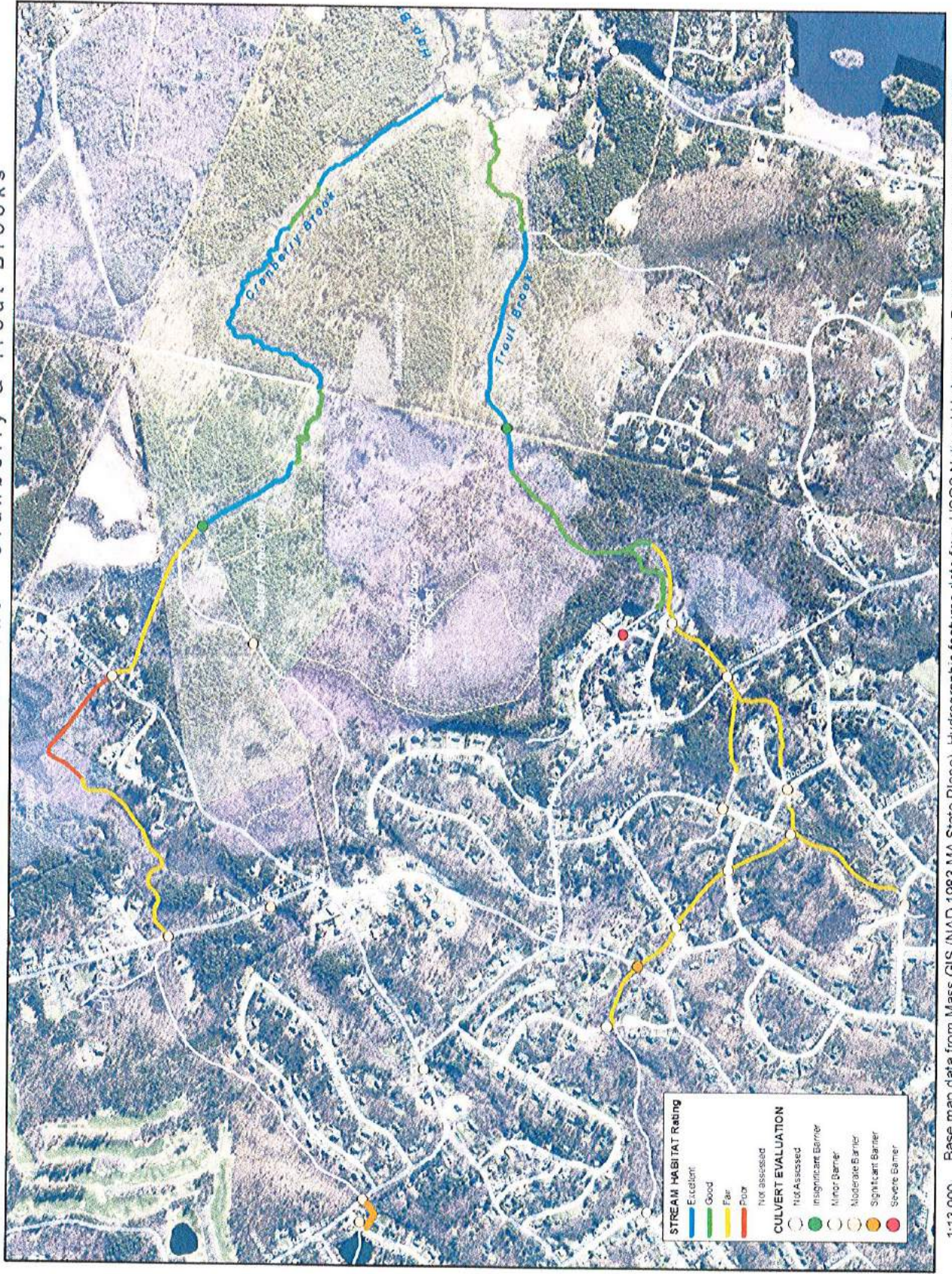


Alison Field-Juma
Executive Director

cc: US Congresswoman Niki Tsongas
US Congresswoman Katherine Clark
State Senator Jamie Eldridge
State Representative Carmine Gentile
State Representative Danielle Gregoire
State Representative Kate Hogan
Libby Herland, US Fish & Wildlife Service
Benjamin Letcher, USGS Conte Fish Research Laboratory
Matthew Beaton, Secretary EOEEA, and Chairman, Energy Facilities Siting Board
Angela M. O'Connor, Chairman, Department of Public Utilities
Leo Roy, Commissioner, Mass. Department of Conservation and Recreation

George Peterson, Commissioner, Mass. Dept. of Fish & Game
Martin Suuberg, Commissioner, Department of Environmental Protection
Mark C. Kalpin, Esq., Public Member, Environmental, EFSB
Melissa Murphy-Rodrigues, Town Manager, Town of Sudbury
Tom Moses, Executive Assistant, Town of Hudson
Arthur Vigeant, Mayor, City of Marlborough
Lisa Vernegaard, Sudbury Valley Trustees
Ray Philips, President, Protect Sudbury
Gary Crago, Greater Boston Trout Unlimited

Habitat and Culvert Evaluations - Cranberry & Trout Brooks





September 27, 2016

Jim Hunt, Vice President for Regulatory Affairs & Community Relations
Beverly Schultz, Project Manager
Eversource
One NSTAR Way
Westwood, MA 02090

Via Email: James.Hunt@Eversource.com, Beverly.Schultz@Eversource.com

Dear Mr. Hunt and Ms. Schultz,

On behalf of the Massachusetts Chapter of the Sierra Club, I am writing to urge you to retract or revise your proposal for the Sudbury-to-Hudson Transmission Reliability Project.

Any siting of a transmission line – either above or below ground – will have significant and permanent deleterious effects on protected lands, threaten the town water supply and devalue residential neighborhoods and historic districts along the path which you call the “preferred” route.

I also question whether this transmission line is really needed. I understand that at the time ISO-NE identified the reliability projects, demand was forecast to be higher than it has proven to be. Massachusetts now leads the nation in energy efficiency, and just approved the largest offshore wind procurement in the country. As costs for renewables drop and demand is managed by efficiency and demand response, old plans become obsolete and need to be revisited. Our focus should be on an energy future that preserves our environment, wildlife and human health and the historic character of our communities. It's time to focus on localized clean electric production and consumption instead of on destructive and unnecessary legacy infrastructure.

If you continue to maintain that this is a necessary reliability project, then, given the adverse consequences of this route along the right-of-way, we ask that you withdraw your proposal in its entirety and allow (and urge) ISO-NE to re-evaluate the previously submitted proposal by National Grid that did not place transmission lines along a totally new path.

As wild lands, wildlife, recreation areas, and historic districts are increasingly at risk in our country, our obligation to current and future citizens is to do everything in our power to ensure that we preserve every precious natural resource that we currently enjoy.

We understand that Eversource is putting forth the above-ground line as a “lowest” cost proposal. We believe, to the contrary, that it and any other route through conservation lands represents the highest-cost proposal and should be discarded. We cannot afford to dismiss the consequences of failing to ignore the value to humankind of unbroken forest and wetlands, wildlife and clean water. I believe Eversource customers would like to believe they are supporting a

company that protects the natural environment of its customers, rather than destroying it as a purported "least cost" solution.

Renewable energy, energy efficiency, energy storage, demand response... these are the solutions of the future. New transmission lines through natural lands is not.

Sincerely yours,



Emily J. Norton
Director, Massachusetts Chapter

Cc:

Sen. Ed Markey
Sen. Elizabeth Warren
Rep. Niki Tsongas
Rep. Katherine Clarke
Sen. Mike Barrett
Sen. Jamie Eldridge
Rep. Carmine Gentile
Matthew Beaton, Secretary of Energy and Environmental Affairs
Brad Campbell, Conservation Law Foundation
George Bachrach, Environmental League of Massachusetts
Jim Gish, Protect Sudbury, Inc.



Sudbury
Historical
Society, Inc.

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Staff

Sally Purrington Hild

Executive Director

Lee Swanson

Curator/Archivist

March 18, 2016

Sudbury Town Manager
and Sudbury Board of Selectmen
Flynn Building
278 Old Sudbury Road
Sudbury, MA 01776

On behalf of the Sudbury Historical Society we would like to go on record as opposing Eversource's proposal to build a transmission route of high tension wires (115K volt) consisting of 70-100 foot high tension power lines directly through the heart of Sudbury. The plan of clear-cutting a path measuring 82 feet wide through 8.9 miles of one of the most historic towns in the state is an assault on Sudbury's historic character and natural environment.

This project will forever change the appearance of the town and its residential neighborhoods where essentially everything in its path will be clear cut close to abutting homes. The route will go over Hop Brook which is listed as a major stream and river by the DEP on their Integrated Rivers List. It will cut through the Hop Brook Conservation land, as well as the Sudbury Valley Trustees Memorial Forest and the Assabet Valley National Wildlife Refuge leaving a scar in its wake. It will disturb DEP wetlands and vernal pools identified by NHESP. Herbicides are proposed to keep vegetation down. These chemicals will eventually enter our streams and rivers causing further destruction to conservation lands and wildlife.

Sudbury has maintained its historic connection back to its 1639 settlement. The town celebrates its rich history with its connection to the King Phillip Wars, to the Revolution in 1775 and its citizens' march to Concord, and to its participation in the Battle of Bunker Hill. Sudbury sent one of every 10 town residents to serve in the Civil War. Sudbury deserves better.

The high tension wires will be the equivalent as having a seven-story wall all along the 8.9 miles. It will destroy the view, the environment, the historic essence, and the town will gain nothing from this intrusion on the landscape. The proposal of Eversource is completely unacceptable and we respectfully ask that you stand with the town to prevent this plan from happening.

Sincerely,

Stewart Hoover
President

Sally Purrington Hild
Executive Director



Sudbury Valley Trustees

Conservation, Collaboration, and Community since 1953

March 28, 2016

Ms. Bev Schultz
Project Manager
Eversource
One NSTAR Way
Westwood, MA 02090

Re: Sudbury to Hudson Transmission Reliability Project

Dear Ms. Schultz:

I am writing to provide comment on Eversource's proposal to construct a new 115 kV power line between Sudbury and Hudson to comply with the mandate from ISO-New England to strengthen the regional electrical grid.

Sudbury Valley Trustees is a regional land trust that owns the 220-acre Memorial Forest. This natural area abuts 4,112 linear feet of the proposed transmission line. Memorial Forest is part of the 900-acre Desert Natural area, which the proposed line would bisect. SVT has been working with five other municipal, state, private, and federal landowners to protect and manage this extraordinary natural area for over twenty years. Memorial Forest and the Desert are home to the globally rare pitch pine-scrub oak barrens community, which in turn hosts several rare and declining plant and animal species. Further, Memorial Forest and the Desert as a whole provide a rare opportunity for visitors to experience a natural area that is free from the effects of industrialization of the modern world. Over the past two decades, SVT and its partners have invested hundreds of thousands of public and private funds in both the protection and restoration of this area – an investment that would be seriously harmed by the construction and maintenance requirements of the proposed overhead line.

Based on these factors, Sudbury Valley Trustees strongly opposes Eversource's proposal to locate an overhead transmission line along an abandoned rail line that is owned by MBTA. If the line is approved as proposed, it will violate the integrity of Memorial Forest and the other conservation lands that abut the right-of-way. While specific plans have not been prepared, impacts would likely include the wholesale destruction or alteration of key natural features in or along the right of way. The following impacts would result from both construction and long-term maintenance activities:

1. Destruction of unusual plant populations.
2. Disturbance and alteration of breeding habitat of the recently state-listed whip-poor-will.
3. Fragmentation of one of the region's largest natural areas. The majority of the natural area is part of a priority habitat designated by the Massachusetts Natural Heritage & Endangered Species Program. The 82.5 foot wide linear clearing required by an overhead power line would alter natural dynamics as well as provide a pathway for predators and invasive plants. Research

has shown that the open/low vegetation environment that characterizes powerline corridors can be significant barriers in the movement of many bird, mammal, and amphibian species.

4. Filling and/or disruption of wetland features in and abutting the right of way.
5. Experience shows that utility lines commonly attract misuse by motorized off-road vehicles. This activity causes significant damage to the natural resources.
6. Negative impacts to visitors' experience. Memorial Forest and the Desert as a whole provide thousands of visitors from the region a rare chance to experience a natural area that is relatively free of industrial incursions. An overhead transmission line would harm this experience significantly.

Based on these adverse environmental impacts, SVT urges Eversource, along with municipal and state decision-makers, to revisit below-ground street-based alternative routes that would bypass both public and private conservation lands.

Sincerely,



Lisa Vernegaard
Executive Director

copies by email to:

Governor Charlie Baker

Melissa Murphy Rodrigues, Sudbury Town Manager

Tom Moses, Executive Assistant, Town of Hudson

Libby Herland, USFWS

Arthur Vigeant, Mayor, City of Marlborough

Elfriede Parker, Acting President, General Federation of Women's Clubs of MA

Priscilla Geigis, MA Department of Conservation and Recreation

MA Senator Jamie Eldridge

MA Senator Michael Barrett

MA Representative Carmine Gentile

MA Representative Danielle Gregoire

MA Representative Kate Hogan

Matthew Beaton, Secretary MA EEOEA; Chair, MA Energy Facilities Siting Board

US Senator Elizabeth Warren

US Senator Edward Markey

US Congresswoman Nikki Tsongas

US Congresswoman Katherine Clark

Britney McNamara, Metrowest Daily News

John Laidler, Boston Globe

Protect Sudbury



Sudbury Valley Trustees

December 7, 2016

Governor Charlie Baker
Massachusetts State House
Office of the Governor
Room 280
Boston, MA 02133

By email to: constituent.services@state.ma.us
Re: Sudbury to Hudson Transmission Reliability Project

Dear Governor Baker:

Last March, we provided our comments on an Eversource proposal to construct a new 115 kV power line between Sudbury and Hudson. In that letter (included), we strongly opposed an above-ground option that followed an MBTA right-of-way through conservation land, and urged Eversource and other decision-makers to revisit a below-ground street-based alternative route that would bypass these natural areas.

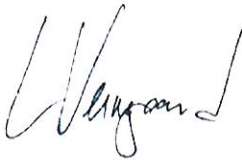
Since then, Eversource has updated its proposal to include a street-based option as its Noticed Alternative Route, but still highlights the MBTA right-of-way as its Preferred Route with two options. Option A is the above ground design and Option B is its below ground design. Based on the information that Eversource has made available, I am writing to reiterate and clarify Sudbury Valley Trustees' (SVT's) comments on the alternatives:

1. SVT strongly supports a street-based route which Eversource has acknowledged to have minimal environmental impacts.
2. SVT strongly opposes the above-ground option that follows the right-of-way. The permanent scale and type of destruction to our conservation areas are unacceptable.
3. Similarly, SVT opposes a below-ground option that follows the right-of-way. Although the width of the decimated swath would be less than the above-ground option, the construction and maintenance impacts will still be significant resulting in irreparable damage to the conservation area. In addition, the perpetual use of herbicides along the right of way is extremely detrimental to this environmentally sensitive area.

Routing this utility line along the right-of-way would undo much of the significant investment that the Commonwealth, the U.S. Fish and Wildlife Service, the Town of Sudbury, the City of Marlborough, private foundations, and individual donors have already made in protecting and caring for one of the metrowest region's most important natural areas. For this reason, it appears that Eversource did not accurately consider the environmental impacts of its Preferred Routes when evaluating the three options. The permanent damage to topography, the wildlife, and the vegetation in this unique area cannot be understated. This impact is forever. The impacts of street-based route (none of which are environmental), while real, are temporary and can be addressed in the foreseeable future.

Based on these comments and the expected adverse impacts that we outlined in our March 28th letter, we ask that you urge Eversource to table both of its Preferred Routes using the MBTA right-of-way. Eversource should only proceed with its Noticed Alternative Route under existing streets.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Lisa Vernegaard', with a stylized flourish at the end.

Lisa Vernegaard
Executive Director

About Sudbury Valley Trustees (SVT). Sudbury Valley Trustees is a regional land trust that protects and cares for natural areas in the 36 communities that surround the Assabet, Sudbury and Concord Rivers. SVT owns the 220-acre Memorial Forest which abuts 4,112 linear feet of the proposed transmission line. Memorial Forest is part of the 900-acre Desert Natural area, which the proposed line would bisect. SVT has been working with five other municipal, state, private, and federal landowners to protect and manage this extraordinary natural area for over twenty years. Memorial Forest and the Desert are home to the globally rare pitch pine-scrub oak barrens community, which in turn hosts several rare and declining plant and animal species. Further, Memorial Forest and the Desert as a whole provide a rare opportunity for visitors to experience a natural area that is free from the effects of industrialization of the modern world. Over the past two decades, SVT and its partners have invested hundreds of thousands of public and private funds in both the protection and restoration of this area – an investment that would be seriously harmed by the construction and maintenance requirements of the proposed preferred routes through the MBTA right-of-way.

copies by email to:

Bev Shultz, Eversource

Melissa Murphy Rodrigues, Sudbury Town Manager

Tom Moses, Executive Assistant, Town of Hudson
Libby Herland, USFWS
Arthur Vigeant, Mayor, City of Marlborough
Elfriede Parker, Acting President, General Federation of Women's Clubs of MA
Priscilla Geigis, MA Department of Conservation and Recreation
MA Senator Jamie Eldridge
MA Senator Michael Barrett
MA Representative Carmine Gentile
MA Representative Danielle Gregoire
MA Representative Kate Hogan
Matthew Beaton, Secretary MA EEOEA; Chair, MA Energy Facilities Siting Board
US Senator Elizabeth Warren
US Senator Edward Markey
US Congresswoman Nikki Tsongas
US Congresswoman Katherine Clark
Britney McNamara, Metrowest Daily News
John Laidler, Boston Globe
Protect Sudbury



May 11, 2016

Matthew Beaton, Chairman
Angela O'Conner, Chairman
Massachusetts Energy and Environmental Affairs
Energy Facility Siting Board
One South Station
Fifth Floor
Boston, MA 02110

Re: Eversource proposed transmission line Sudbury, MA

Dear,

Eversource has proposed a transmission line on an existing right of way (ROW) through Sudbury, owned by Mass Bay Transportation. Approximately 1.7 miles of the ROW is within the Zone II of the Sudbury Water District's gravel pack wells which are the sole source of water for over 18,000 residents of Sudbury.

The District acknowledges that 333CMR11.04, sensitive area restrictions for herbicide use, allows the use of herbicides every 24 months if they are applied selectively by low pressure, using foliar techniques or basal or cut-stump applications in Zone II areas. The District has reviewed Eversource's approved herbicide plan and although it meets the requirements of the regulations, the Sudbury Water District is still very concerned with a proposal for wide scale herbicide use in any manner in the District's Zone II. The District is very proactive when it concerns the protection of its well Zone II areas. Once contamination of the groundwater occurs, it can be extremely costly to remove the contamination, if even possible. The worst case scenario might be to abandon the contaminated well.

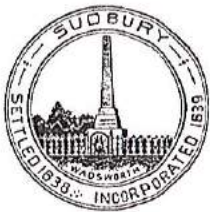
The Sudbury Water District is requesting that the siting board take these concerns into consideration when making a final siting decision for the Eversource proposed transmission line in Sudbury.

If you have any questions regarding this matter kindly contact me at (978) 443-6602 at your earlier convenience.

Sincerely,

Rebecca McEnroe, P.E.
Superintendent

Cc: Melissa Murphy-Rodrigues, Sudbury Town Manager



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Massachusetts State House
Office of the Governor
Room 280
Boston, MA 02133

March 17, 2016

Dear Governor Baker,

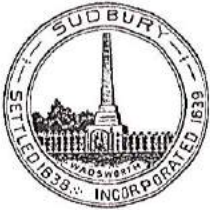
Over the past months, Eversource has introduced a reliability project in Sudbury that has drawn concerns from our elected officials, our town employees and, most importantly, our residents.

This project would run an overhead high voltage transmission line through the heart of Sudbury. The proposed transmission route will run an 115kV above ground power transmission line from Sudbury to Hudson. The proposal includes clear cutting 82 feet of trees and placing a road directly abutting 500 of our neighbors' homes. This proposal runs directly through wetlands, cuts through conservation land and will disturb the habitat of multiple species that call our community home.

This project creates an unfair burden to our community. It would decimate our environment, destroy our land and cause irreparable harm to our community. We have a duty to protect our town.

As a board, we will continue to fight for the well-being of our community. We will commit resources and funds to make certain that Sudbury remains the community we love. Sudbury is a community filled with spirit and history and a place where we respect and treasure our environment. Our community response includes concerns voiced by our Historic Districts Commission, Conservation Commission and others.

Finally, Sudbury is a place where our residents band together. As of today, over 2000 members have joined a Protect Sudbury Facebook page. Residents are motivated and



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organized and ready to do what it takes to defeat this project. We join them in this fight and will work with them to protect our community.

Sincerely,

Board of Selectmen

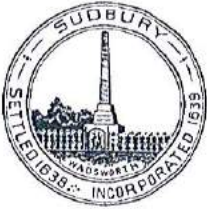
Susan Iuliano, Vice Chair

Robert Haarde

Charles Woodard

Cc:

Joanne O'Leary, Eversource
Protect Sudbury
Representative Gentile
Senator Barrett
Senator Eldridge
John Laidler, Boston Globe
Lt. Governor Karen Polito
Jay Ash, Secretary of Housing and Economic Development
Britney McNamara, Metrowest Daily News
Tom Moses, Town Administrator Hudson
Sudbury Board of Selectmen
Congresswoman Niki Tsongas
Congresswoman Katherine Clark
Senator Edward Markey
Senator Elizabeth Warren



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Ms. Beverly Schultz
Eversource Project Manager
Eversource
1 NSTAR Way
Westwood, MA 02110

RE: SUDBURY TO HUDSON TRANSMISSION LINE

March 24, 2016

Dear Ms. Schultz,

On behalf of the Town, I would like thank you and Eversource for the Open House held in Sudbury on March 16, 2016.

The Open House raised more questions than it answered. As a result, the Board of Selectmen recently met to discuss the proposed Sudbury to Hudson transmission line. The Board continues to have concerns about this project and it is acutely aware of concerns voiced by our residents.

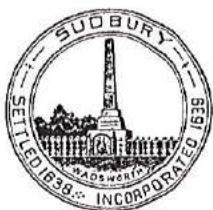
As a result of those conversations, and in an attempt to move forward in a cooperative manner, the Board of Selectmen respectfully makes the following requests.

1. That Eversource representatives meet with the Board of Selectmen to discuss geographically alternative routes and other matters.
2. That Eversource refrain from filing an application with the Energy Facility Siting Board until such conversations have taken place.

We look forward to meeting with you soon and thank you for your consideration of the Town's requests.

Sincerely,

Melissa Rodrigues, Esq. Town Manager on behalf of the
Sudbury Board of Selectmen



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Matthew Beaton
Massachusetts State House
Boston, MA 02133

May 24, 2016

Dear Secretary Beaton,

The Sudbury Board of Selectmen has voted unanimously to oppose the Eversource Sudbury to Hudson Transmission Reliability Project, which would construct 4.3 miles of high voltage transmission lines through Sudbury on the MBTA right-of-way and include the use of potentially dangerous herbicides.

Our Board is deeply concerned about Eversource's plan to clear cut 82-foot wide swaths of protected forest conservation land and use potentially poisonous herbicides to prevent trees, foliage and other plants from growing back. This poses a serious threat to the environment and vital conservation land and creates health and safety risks for residents – including families that live near and abut the proposed project. About 500 homes located within range of air contamination could experience adverse economic and safety impacts.

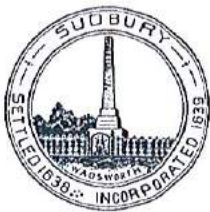
Further, about 1.7 miles of the proposed route falls within a Zone II area of the Sudbury Water District's gravel pack wells, which supply the sole source of drinking water for our 18,000 residents. The Town and the Water District are deeply concerned about potential contamination of the groundwater and possible public health risks. Remediation, if possible, would be extremely costly. The importance of protecting and safeguarding our water supply cannot be overstated, as the recent experience of Flint, Michigan illustrates.

To date, Eversource has failed to provide adequate information about the specific herbicides it plans to use for this project. Instead, the utility continues to circumvent this key issue with lists of various state agencies and manufacturers.

It's no secret that spraying herbicides can harm the environment, hurt plants and animals that inhabit these areas and create public health risks. In fact, one approved vegetation control herbicide is glyphosate, a substance that is banned in several countries and one the World Health Organization's cancer assessment agency has labeled a "probable carcinogen."

Non-toxic alternatives are available and Eversource should commit to implementing a herbicide free policy through Massachusetts. At the very least, additional study and analysis is needed to ensure that the herbicides Eversource has proposed using in the Sudbury to Hudson Transmission Reliability Project will not endanger the environment, animals or public health. In some places, the 82-foot buffer zone this project proposes would actually include private property, thus directly exposing residents to harmful and carcinogenic chemicals.

Respected environmental groups in Sudbury have also formally registered their opposition to the proposed Eversource project and the use of herbicides in any location. The Sudbury Valley Trustees and



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Conservation Commission have been working to protect vital habitats in our community for decades, and both organizations oppose the current Eversource plan due in part to the environmental risks it presents.

The entire Eversource Sudbury to Hudson Transmission Reliability Project is fundamentally flawed due to its environmental, health and safety risks, significant visual pollution, and adverse financial and safety impacts on residents and businesses. In particular, the long-term environmental and health risks from using herbicides far outweigh any short-term financial savings Eversource may generate from using these chemicals.

The Board of Selectmen takes the threat that this project poses very seriously. We request your intervention in this matter and ask that the Eversource Sudbury to Hudson Transmission Reliability Project be postponed until further study and analysis can be undertaken to fully understand the multitude of risks associated with the use of herbicides and the larger impact of this proposal on the town of Sudbury.

Sincerely,

SUDBURY BOARD OF SELECTMEN

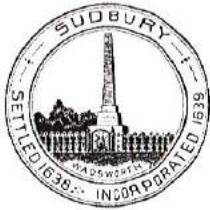
Susan N. Iuliano, Chairman

Charles C. Woodard, Vice-Chairman

Robert C. Haarde

Leonard A. Simon

CC: Rebecca L. McEnroe, Sudbury Water District Superintendent



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For immediate release

Sudbury Selectmen Oppose Eversource Project

The Board of Selectmen strongly opposes the Eversource Sudbury to Hudson Transmission Reliability Project that would construct 4.3 miles of high voltage transmission lines either above or below ground through Sudbury on the MBTA right-of-way. Due to the intrusive nature of the proposal, and the environmental, economic and safety risks it presents, significant more study, information and public input is required.

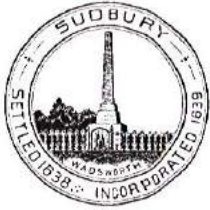
The current Eversource proposal potentially threatens the health and safety of residents, irreparably harms vital conservation land, and poses a long-term financial risk to residents, businesses and therefore this municipality. Not only will the Eversource proposal require the clear cutting of forests and the use of herbicides, it will disturb wetlands and other critical habitats for a number of animal and plant species. It will also create significant visual pollution and result in adverse financial and safety impacts for homeowners.

For all of these reasons, the Board of Selectmen has voted unanimously to oppose the Eversource Sudbury to Hudson Transmission Reliability Project.

We oppose the current proposal, overhead or underground, and will not support any alternative plan that would feature underground lines elsewhere in Sudbury without additional study, analysis and input.

We have retained counsel to represent the interests of Sudbury before the Energy Facilities Siting Board, as well as before DEP under the Massachusetts Environmental Policy Act review. The Board of Selectmen takes the threat this project poses to our community very seriously, and will act accordingly to protect the interests of Sudbury and its residents.

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For immediate release

Sudbury Board of Selectmen 'Deeply Concerned' About Serious Health and Environmental Risks From Dangerous Herbicides used by Eversource

*In letter to state, Board requests intervention by Secretary Beaton on
Eversource's Sudbury to Hudson Transmission Reliability Project*

Sudbury, Mass.— The Sudbury Board of Selectmen recently raised new concerns about the Eversource Sudbury to Hudson Transmission Reliability Project and the use of potentially poisonous herbicides that threaten public health and the environment.

In a letter to Energy and Environmental Affairs Secretary Matthew Beaton, the Board said it is "deeply concerned" about Eversource's plan to clear cut 82-foot wide swaths of protected forest conservation land in Sudbury and use herbicides to prevent trees, foliage and other plants from growing back. The herbicides pose a potentially serious threat to the town's water supply, for residents that live near and abut the proposed project, and for animals and conversation land.

The letter closed with a request for intervention by Secretary Beaton and asked that the Eversource Sudbury to Transmission Reliability Project be postponed until further study and analysis can be done to understand the multitude of risks associated with the use of herbicides.

"The entire Eversource Sudbury to Hudson Transmission Reliability Project is fundamentally flawed and the Board takes the threat that this project poses to our community very seriously," said Susan Iuliano, Chair of the Board of Selectmen. "We are requesting intervention by the state department of Energy and Environmental Affairs so that the Eversource project can be postponed. We strongly believe that further study is needed to determine the impact of herbicide use on the health and safety of residents, our town water supply, and the overall environment."

If approved, the Eversource project would construct 4.3 miles of high voltage transmission lines through Sudbury on an MBTA right-of-way. It would require the destruction of wetlands and other critical habitats for a number of animal and plant species. Hundreds of homes located within range of herbicide air contamination could



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experience adverse health, safety and economic impacts. Just as concerning, about 1.7 miles of the proposed route falls within a Zone II area of the Sudbury Water District's gravel pack wells, which supply the sole source of drinking water for the town's 18,000 residents.

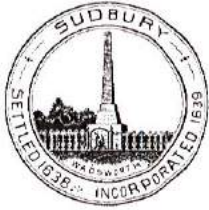
In the letter, the Board also criticized Eversource for failing to provide adequate information about the specific herbicides it would use for the project. The Board added that non-toxic alternatives are available, and that Eversource should commit to implementing a herbicide-free policy throughout Massachusetts.

"The long-term environmental and health risks from using herbicides far outweigh any short-term financial savings Eversource may generate from using these chemicals," the Board wrote in the letter.

Respected environmental groups in Sudbury – including the Sudbury Valley Trustees and the Conservation Commission – also oppose the Eversource project in part due to the environmental risks it presents.

In April, the Sudbury Board of Selectmen, citing a number of health, safety, environmental and economic concerns, voted unanimously to oppose the Eversource Sudbury to Transmission Reliability Project. It has also retained counsel to represent the interests of Sudbury before the Energy Facilities Siting Board and DEP as part of the Massachusetts Environmental Policy Act review. Eversource is expected to submit its application to the state's Energy Facilities Siting Board in September.

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For immediate release

Proposed Eversource Project Would be an “Exorbitant” Financial Burden for Town of Sudbury

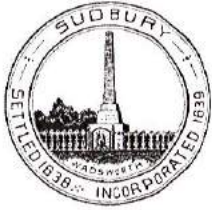
Eversource’s proposed Sudbury to Hudson Transmission Reliability Project will take an economic toll on residents, businesses and town budget.

Sudbury, Mass. (August 2, 2016) – The proposed Eversource Sudbury to Hudson Transmission Reliability Project will take a financial toll on Sudbury, creating new economic burdens for residents, businesses and the Town budget.

The Board of Selectmen expressed their concerns about the “truly exorbitant” costs of the proposed Eversource project in a letter written to state Rep. Thomas Golden and Sen. Benjamin Downing last month. In that letter, Town Manager Melissa Murphy Rodrigues outlined a variety of costs associated with Eversource’s plan to clear-cut a wide swath of protected forest conservation land to make way for 4.3 miles of above-ground high voltage transmission wires – such as potential water contamination, environmental degradation and lower property values, all of which would negatively impact the Town budget.

“The proposed Eversource project provides no direct benefit to the Town of Sudbury,” said Board of Selectmen Chair Susan Iuliano. “Despite this, our residents and businesses are being asked to shoulder an enormous financial burden. Not only does this fundamentally flawed Eversource project negatively impact the quality of life in our community, it presents a number of very serious financial, environmental and public health risks.

The Eversource project, which involves the potential use of herbicides and the clear-cutting of forests, would harm some of the Town’s most valuable conversation land and green space. As a result, the Town could face costs associated with remediation and other efforts to mitigate – as much as possible – the environmental damage created by the project. Additional costs could also result from impacts to the Town water supply. About 1.7 miles of the proposed route falls within a Zone II area of the Sudbury Water District’s gravel pack wells, which supply the sole source of drinking water for the town’s 18,000 residents. If contamination occurs, it would be difficult and expensive to remediate.



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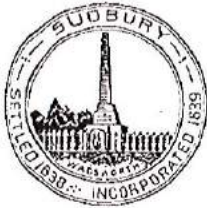
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Another key economic concern is the effect the proposed Eversource project will have on home values and the overall Town budget. Abutters and other homeowners located within close proximity to the project could face a decline in home values. Selling a home in these areas could also become more difficult. As a result, fewer taxes may be collected, resulting in less revenue and less funding for necessary programs, services and infrastructure.

Earlier this spring, the Board of Selectman voted unanimously to oppose the Eversource Sudbury to Hudson Transmission Reliability Project, and the Board continues to actively voice its concerns about it. Eversource is moving forward with plans – which, if approved – would run 4.3 miles of high voltage above-ground power lines through Sudbury neighborhoods, in conservation land, and along a National Wildlife Refuge, while spraying dangerous herbicides within proximity to hundreds of homes. It would also require a massive clear-cutting of local forest, destroying critical habitats for a number of plant and animal species, and creating a number of public health and safety hazards.

The Board of Selectmen will bring these concerns before the state Siting Board as it considers Eversource's Sudbury to Hudson transmission line project. There are paths to achieve transmission reliability without inflicting lasting local harm.

####



Town of Sudbury

CONSERVATION COMMISSION

275 Old Lancaster Rd.
Sudbury, MA 01776
978-440-5472
Email: ConCom@sudbury.ma.us

Wetlands • Conservation Land Management • Land Protection • Stormwater

March 15, 2016

Bev Schultz
Eversource Project Manager
Eversource
One NSTAR Way
Westwood, MA 02090

Re: Sudbury to Hudson Transmission Line Project

Dear Ms. Schultz,

The Sudbury Conservation Commission has reviewed the Eversource material presented to the Selectmen on Feb. 2, 2016. The Commission will be involved in the project in two diverse ways. One, as the regulatory authority under the Wetlands Protection Act and the wetland bylaw. No specific comments can be provided at this time in this capacity as no plan has been presented. There is no information available to determine if the project meets performance standards of these laws and regulations. We do note that much of the area within and abutting the MBTA rail line property is within sensitive wetland areas. The regulatory authority is somewhat limited as the project appears to qualify as a Limited Project under 10.53 and therefore may not need to meet the strict adherence to the WPA. The project appears to need local wetland bylaw permitting and the performance standards under the bylaw will be more restrictive. The proposed facility must cross over or go under Hop Brook and its extensive associated wetland, floodplain, and NHESP priority habitat area as well as other sensitive areas along the proposed route.

The state and local wetland regulations will be applied, as they are to all projects, to the extent necessary to ensure the performance standards are met and there is no net loss of wetland and regulated adjacent upland natural resource values and functions.

The second form of involvement of the Conservation Commission is as a direct abutter to the proposed transmission line with approximately 3,825 linear feet of abutting property line with the Hop Brook Marsh Conservation Land. This 93-acre parcel of wetland, floodplain, meadow and forest was purchased by the Town of Sudbury from the Sudbury Rod and Gun Club in 1967. It was the first parcel of conservation land purchased by the Town for the use and passive enjoyment of the trails by the public. It is the most actively used of the town's conservation lands and abuts more residential properties in town than any other conservation land.

The Eversource 2/2/16 presentation states that there were route selection guidelines. What were they? Viable alternatives appeared to be dismissed without clear reasoning as to why. What was the criteria used by Eversource in rejecting alternative routes? Cost estimates are incomplete and not available for the alternative routes considered. What were considered the "obvious flaws" that caused a route to be eliminated?

Did these flaws include:

- Disruption and alteration of the natural resources in the area will occur due to construction. Whether or not the transmission is above or below ground, the clear cutting will fragment areas of essential wildlife and biological essential uses. Along the proposed 4.3 miles in Sudbury the property contains or directly abuts 5,930 linear feet within state priority and estimated habitat areas; 6,145 linear ft. abutting protected town open space with public access; and at least eight perennial stream crossings; and ten vernal pools (5 certified and 5 with certified data collected).

- Disruption and enjoyment of the use of the Hop Brook conservation land by the public during and after the proposed Eversource Transmission line construction should be considered as part of the alternatives Eversource considered. Issues such as access, staging areas, emergency access and turn-around areas, etc. are likely to fall outside the 82.5' of the MBTA-owned parcel. The MBTA land is 82.5' in width. The proposed transmission line poles are expected to be up to 105' in height. Assuming these poles are approximately centered within the MBTA property, best case scenario has the required vegetation management area occurring 22.5' outside the MBTA land. Eversource has not addressed how they plan to deal with this; eminent domain takings? If so, has that been figured into the total project cost?

- Disruption and alteration caused by construction impacts particularly on trestle and areas with wetland directly adjacent to raised rail bed where abutting rail bed is wetland.

- Disruption and alteration of the natural resources in the area that will occur due to maintenance. These will include tree removal outside the 82.5' MBTA-owned land and might result in eminent domain takings of conservation land. This will trigger Article 97 of the MA Constitution. Has the taking of Article 97 land replacement been figured into the project costs?

- Disruption and alteration for further maintenance by chemical herbicides as is Eversource's practice throughout the state. Eversource uses foliar spraying of herbicides for vegetation control. How might this use effect public land and the environment? The chemical used for herbicide treatment has been glyphosate products, notably Rodeo or Round Up. In 2014, the World Health Organization declared these products "probably human carcinogens". How will the vegetation be treated to eliminate it on the gravel access road and keep the height down within the pole wire zone, border zone, and on private property?

The Sudbury Conservation Commission therefore requests that all information, including evaluation criteria, regarding the Preferred and Alternative routes be made public and that other

options are given additional, comprehensive attention. For example, underground along the Hudson Road route will have far less environmental impact. We believe that the preferred alternative within the MBTA rail line property is a significantly flawed alternative regardless of whether or not the transmission line is above or below ground. We believe other alternatives exist that will have much less impact on the abutting properties, the natural resources that Sudbury has worked very hard to permanently protect, and the environmental values and functions of the area, particularly the adjacent conservation lands.

Sincerely,



Thomas R. Friedlander

Chairman, Sudbury Conservation Commission

Cc:

Governor Charlie Baker

Lt. Governor Karen Polito

Sudbury Town Manager

Sudbury Board of Selectmen

Joanne O'Leary, Eversource

Protect Sudbury

Representative Carmine Gentile

Senator Barrett

Senator Eldridge

John Laidler, Boston Globe

Jay Ash, Secretary of Housing and Economic Development

Britney McNamara, MetroWest Daily News

Tom Moses, Town Administrator, Hudson

Congresswoman, Nikki Tsongas

Congresswoman Katherine Clark

Senator Ed Markey

Senator Elizabeth Warren



Town of Sudbury

Historic Districts Commission

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<http://www.sudbury.ma.us>

March 14, 2015

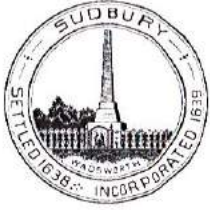
Ms. Patricia Brown, Chair of Selectmen, Sudbury, MA 01776
RE: Eversource Transmission Line Project

Dear Board members,

The following was resolved by the Sudbury Historic Districts Commission on March 3, 2016.

The Historic Districts Commission is strongly opposed to the Eversource Transmission Line Project, Preferred Route (overhead transmission line in an 82 foot wide clear cut way). The proposed route would irreparably damage or destroy protected and unprotected historic Sudbury. The proposed route cuts through the George Pitts Tavern Historic District without any regard for the historic nature of the siting and it will cut through the edge of Wayside Inn Historic District #1 and #2 again without regard to the historic nature of the siting. In addition, the 82 foot wide route would obliterate the archaeological remains of several important unprotected historic sites such as the Wayside Inn Railroad Waiting Room (circa 1897) and the Walker Garrison House (circa 1680).

Sudbury Historic Districts Commission
Voted unanimously by all present members, March 3, 2016



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Melissa Murphy-Rodrigues, Esq.
Town Manager

Massachusetts State House
Office of the Governor
Room 280
Boston, MA 02133

March 14, 2016

Dear Governor Baker,

Since beginning my tenure in Sudbury as Town Manager four months ago, I have learned of an Eversource reliability project that plans to run through Sudbury to Hudson.

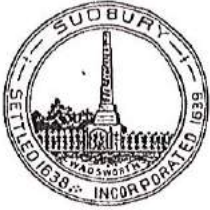
Learning more about the project and hearing from residents about this project daily, I have become more and more concerned about the negative impact on our community.

This transmission route will run a 115kV above ground power transmission line from Sudbury to Hudson. Part of this process will include clear cutting 82 feet of trees and placing a road directly abutting approximately 500 properties. In some areas, a 82 foot clear cut will lead directly to the backdoors of the homes of residents who moved to Sudbury to enjoy the view, the environment and their privacy. This transmission route will go directly through the Hop Brook Conservation Land, the Sudbury Valley Trustees Memorial Forest, and the Assabet Valley National Wildlife Refuge.

The transmission route will be destructive to our conservation lands. It will travel through multiple DEP Wetlands areas, through vernal pools identified by the Natural Heritage & Endangered Species (NHESP) list and over Hop Brook, which is listed as a Major Stream and a River by the DEP on their 2002 and 2012 Integrated Rivers List.

This proposal is unacceptable. The Town of Sudbury will be solely burdened by this project with no benefit to the residents of Sudbury. No other proposal that would be less burdensome has been introduced. Even a discussion of an underground line has been dismissed based merely on cost.

Thousands of residents have come together to oppose this project. While the situation is dire, I continue to be impressed by the residents' tenacity and organization. I'm proud to stand with them.



TOWN OF SUDBURY

Office of the Town Manager

www.sudbury.ma.us

278 Old Sudbury Road
Sudbury, MA 01776-1843

978-639-3381

Fax: 978-443-0756

Email: townmanager@sudbury.ma.us

Melissa Murphy-Rodrigues, Esq.
Town Manager

The community impact caused by this project is significant. The impact on our environment is unacceptable. The burden on Sudbury is unacceptable, the plan is unacceptable and I urge Eversource, our legislators and the State to stand with Sudbury to demand better for our town.

Thank you for your consideration.

Best,

M. Rodrigues Esq.

Melissa Rodrigues, Esq.
Town Manager

Cc:

Joanne O'Leary, Eversource

Protect Sudbury

Representative Gentile

Senator Barrett

Senator Eldridge

John Laidler, Boston Globe

Lt. Governor Karen Polito

Jay Ash, Secretary of Housing and Economic Development

Britney McNamara, Metrowest Daily News

Tom Moses, Town Administrator Hudson

Sudbury Board of Selectmen

Congresswoman Niki Tsongas

Congresswoman Katherine Clark

Senator Edward Markey

Senator Elizabeth Warren



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Eastern Massachusetts National Wildlife Refuge Complex
73 Weir Hill Road
Sudbury, MA 01776-1420



January 11, 2017

Ms. Beverly Schultz, Project Manager
Eversource
One NSTAR Way
Westwood, MA 02090

Dear Ms. Schultz:

I am writing to request an update on the status of the proposed Sudbury to Hudson Transmission Reliability Project, which runs adjacent to the Assabet River National Wildlife Refuge (NWR) in Sudbury and Hudson, MA.

As you know, we have expressed concerns with the proposed project to Eversource both in a letter dated June 28, 2016, and during a meeting at Assabet River NWR held on July 22, 2016, at which time we shared our concerns and visited the proposed site.

On December 8, 2016, I sent emails to Eversource Senior Environmental Engineer Denise Bartone requesting an update on this project. I appreciate the quick response that Eversource had not submitted its Petition to the Energy Facility Siting Board so no environmental permitting for the project had been undertaken yet.

We remain concerned about the proposed project and the impacts that the electric transmission line might have on the Assabet River NWR, and surrounding conservation lands. Our concerns include habitat fragmentation of thousands of acres of conservation land, increased invasive species, impacts from the use of herbicides, and the likely increase of unauthorized uses particularly ATV's and dirt bikes.

We sincerely hope that Eversource more fully develops an alternative proposal that would route electrical transmission cables underground through local streets, thus avoiding these and other environmental impacts including potential impacts to endangered species.

I am requesting the following information from Eversource: a description of any revised alternatives, a timeline for the proposed project, and how concerns expressed by the Assabet River NWR have been considered and addressed. Thank you.

Sincerely,

Elizabeth A. Herland
Wildlife Refuge Manager



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Eastern Massachusetts National Wildlife Refuge Complex
73 Weir Hill Road
Sudbury, MA 01776-1420



June 28, 2016

Ms. Beverly Schultz
Project Manager
Eversource
One NSTAR Way
Westwood, MA 02090

Dear Ms. Schultz:

The preferred route of Eversource's proposed Sudbury to Hudson Transmission Reliability Project runs adjacent to the southern boundary of the 2,333-acre Assabet River National Wildlife Refuge (NWR) in Sudbury and Hudson, MA. The Assabet River NWR is part of the National Wildlife Refuge System, and is administered by the U.S. Fish and Wildlife Service (FWS) out of the Eastern Massachusetts NWR Complex in Sudbury. The refuge is just to the north of the 900-acre Desert Natural Area, which is comprised of multiple conservation ownerships including the Sudbury Valley Trustees and the towns of Sudbury and Marlborough. These comments reflect the concerns of the FWS that the project as currently proposed would have not only on the Assabet River NWR, but also on adjacent conservation lands.

The FWS opposes the installation of an above ground, overhead 115-kilovolt transmission line within the existing Massachusetts Bay Transportation Authority (MBTA) railroad bed. We believe an underground installation would be less disruptive to wildlife habitat and to refuge visitors. We understand that there is a mandate and need to strengthen the regional electrical grid, but it cannot occur at the expense of the few remaining undeveloped open spaces with premier wildlife habitat in this part of Massachusetts. We recommend that Eversource more fully develop an alternative proposal that would route electrical transmission cables underground through local streets, as this configuration would eliminate disruption to natural resources. An alternative underground route along the abandoned MBTA railroad bed is also a possibility, but would still have adverse environmental impacts, and is therefore not our preferred option.

Our concerns mirror those of other organizations and municipalities you have heard from already. One of these concerns is the impact of an 82-foot wide transmission corridor on the Assabet River NWR and our neighboring conservation lands. Even though a corridor currently exists, the railroad tracks are overgrown with vegetation and the corridor is

narrow. An 82-foot wide corridor (or even a narrower corridor if the underground option along the railroad bed) would fragment wildlife habitat. Habitat fragmentation can make lands unsuitable for certain wildlife species by effectively reducing parcel size, which impacts species with large territorial needs. It increases edge habitat which can contribute to increased use by undesirable species such as brown-headed cowbirds, which have been documented to thrive in fragmented habitat and reduce native bird biodiversity. This is an important consideration since so many of the species which exist in this area are State-listed or special concern species, and the majority of the area is priority habitat designated by the Massachusetts Natural Heritage and Endangered Species Program.

The use of herbicides to manage vegetation within this right of way could impact vernal pools, wetlands and any wildlife species utilizing the vegetated areas under and around the powerlines. Even mowing the vegetation under and around the powerline would negatively impact wildlife nesting or feeding in the grasses and shrubby vegetation.


A wider corridor could become an attractive nuisance in that it would appeal to unauthorized all terrain vehicle (ATV) riders and motorized dirt bike riders. There are many places throughout the Commonwealth where this unauthorized use occurs under transmission lines. State and local municipalities do not have the resources to control illegal ATV use. We already have a problem with unauthorized ATV use on the Assabet River NWR and our partner conservation lands, and we dedicate considerable federal law enforcement resources to apprehend these illegal riders. Through effective enforcement, we have managed to minimize damage to wildlife and its habitat on the Assabet River NWR. Enforcement on municipal and private conservation lands is much harder, and none of us have the resources to sufficiently manage any increased illegal and undesirable use by motorized dirt bikes and ATVs.

Additionally, the presence of large overhead towers and transmission lines will adversely impact the outdoor experience of visitors to these conservation lands. The transmission line is an industrial use located within natural open space. It will be an eyesore at best and will reduce our ability to meet the mandated requirements of the National Wildlife Refuge System Improvement Act to provide quality wildlife observation and photography opportunities to the American public.

Lastly, we are concerned about the impact this transmission line will have on our ability to conduct prescribed burns on the Assabet River NWR and adjacent conservation lands. We are working together cooperatively with partners to manage this area as a pine-oak habitat, a habitat in the Commonwealth that supports many rare species and requires periodic burning to maintain its viability and biodiversity. We are working towards management where prescribed burning will be able to take place on multiple ownerships. A large overhead transmission line that bisects the conservation lands will impact the ability to burn effectively and efficiently, and could eliminate some areas from using fire altogether as a habitat management tool.

It is our hope and expectation that you will carefully consider these comments as you move from the conceptual stage to preparing the documents for submission to the Massachusetts Energy Facilities Siting Board. Please add my name to your mailing list so that we may be kept informed of future actions regarding this proposal.

Sincerely,



Elizabeth A. Herland
Wildlife Refuge Manager

cc:

U.S. Senator Elizabeth Warren
U.S. Senator Edward Markey
U.S. Congresswoman Niki Tsongas
U.S. Congresswoman Katherine Clark
Governor Charlie Baker
Matthew Beaton, Secretary MA EOEEA
George Peterson, Commissioner, Department of Fish & Game
Leo Roy, Commissioner, MA Department of Conservation and Recreation
Mark Boyle, MBTA
State Senator Jamie Eldridge
State Senator Michael Barrett
State Representative Carmine Gentile
State Representative Danielle Gregoire
State Representative Kate Hogan
Melissa Murphy Rodrigues, Sudbury Town Manager
Tom Moses, Executive Assistant, Town of Hudson
Arthur Vigeant, Mayor, City of Marlborough
Dave Manjarrez, President, Friends of Assabet River NWR
Lisa Vernegaard, Executive Director, Sudbury Valley Trustees
Elfriede Parker, Acting President, General Federation of Women's Clubs of Massachusetts
Leslie G. Hamilton, Protect Sudbury
Jennifer Krowchun, O'Neill and Associates
Beverly O'Leary, Eversource
Mark Kimball, Eversource



KATHERINE M. CLARK
CONGRESS OF THE UNITED STATES
5TH DISTRICT OF MASSACHUSETTS

October 18, 2016

Governor Charlie Baker
Office of the Governor
Massachusetts State House
Room 280
Boston, MA 02133

Re: Sudbury to Hudson Transmission Reliability Project

Governor Baker,

We are writing to share the serious concerns raised by our constituents regarding the proposed Sudbury to Hudson Transmission Reliability Project. As a mandated project, we are supportive of strengthening the regional electric grid and do not dismiss the demand for more reliable service, but not at the expense of creating potentially lasting damage to the environment, significant economic burdens, and potential health concerns.

We have heard from residents of Sudbury and Hudson, their respective Boards of Selectmen, the U.S. Fish and Wildlife Service, the Friends of the Assabet River National Wildlife Refuge, and area conservation and historical commissions. All are voicing serious concerns about the project and the preferred Eversource route, which would run 4.3 miles of high voltage above-ground power lines alongside neighborhoods, conservation land, and along a National Wildlife Refuge, while spraying herbicides within close proximity of hundreds of homes.

Our understanding is that the preferred Eversource route would require installation of overhead transmission lines and an 82-foot wide clear-cut of the vegetation and growth currently present in the area. The above environmental organizations have conveyed that this would be disruptive to the habitat and that it could potentially create conditions "unsuitable for certain wildlife species, many of which are State-listed or special concern species." They have also expressed concern that the above ground transmission lines could interrupt periodic burning that serves as an important and necessary habitat management tool and adversely impact the outdoor experience for visitors.

The Hudson and Sudbury Selectboards have raised concerns we would like to reiterate regarding the subsequent impact the project could have on the towns' equalized value and levy ceiling, combined with the potential costs associated with remediation to mitigate environmental damage from the project, could negatively impact town budgets, resulting in decreased funding for needed programs, services and infrastructure. Additionally, potential health concerns for residents, specific to the contamination of the drinking water supply resulting from the required spraying of chemicals, have also been raised.

It is our sincere hope that your office will give all due consideration to the issues raised in this letter and will continue to work to address the concerns of all communities impacted by the Eversource Sudbury to Hudson Transmission Reliability Project.

Sincerely,

 Elizabeth Warren
United States Senator

 Niki Tsongas
Member of Congress

 Katherine M. Clark
Member of Congress

October 21, 2016

Governor Charlie Baker
Office of the Governor
Massachusetts State House
Room 280
Boston, MA 02133

Governor Baker,

I write to bring to your attention concerns that have been raised regarding Eversource's proposed Sudbury to Hudson Transmission Reliability Project. Continuing to strengthen our regional electric grid is important but should be done in a way that does not harm the environment and conservation land and is respectful of local communities.

The communities of Sudbury and Hudson that would be impacted by this project, the U.S. Fish and Wildlife Service, and other stakeholders have all expressed concern about the project as it is currently proposed. The preferred route for this project would create an 82-foot wide transmission corridor for high voltage, above-ground power lines through these communities and which could impact a National Wildlife Refuge.

The Fish and Wildlife Service has written that it opposes the installation of an above ground transmission line and associated corridor because of the impacts on the Assabet River National Wildlife Refuge (NWR) and neighboring conservation lands. The Service wrote that the creation of such a transmission corridor would fragment wildlife habitat, which can potentially create conditions "unsuitable for certain wildlife species." The Service continued, "this is an important consideration since so many of the species which exist in this area are State-listed or special concern species." They also expressed concern that the above ground transmission lines could interrupt prescribed periodic burning that serves as an important and necessary habitat management tool and adversely impact the outdoor experience for visitors to these conservation lands. Finally, the Service has stated that the use of herbicides within the right of way "could impact vernal pools, wetlands and any wildlife species utilizing the vegetated areas under and around the powerlines."

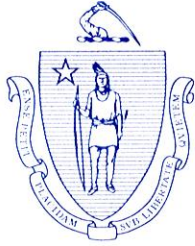
The communities of Hudson and Sudbury that would be affected by this proposed transmission project have also raised concerns. Local residents and community representatives have voiced concerns about the potential impacts on the environment and the potential financial costs that may be imposed upon these communities associated with this proposed project.

I hope that you will closely evaluate these issues and continue to work to address the concerns that have been raised by impacted communities and conservation land management agencies regarding this proposed project.

Thank you for your consideration of this request.

Sincerely,

Edward J. Markey
United States Senator



COMMONWEALTH OF MASSACHUSETTS
THE GENERAL COURT

STATE HOUSE, BOSTON 02133-1053

June 12, 2017

Deirdre Buckley, Director
Executive Office of Energy and Environmental Affairs (EEA)
100 Cambridge St., Suite 900 (9th Floor)
Attn: MEPA Office
Boston MA, 02114

HAND DELIVERED IN SUDBURY

RE: Sudbury-Hudson Transmission Reliability Project

Dear Ms. Buckley,

This letter is sent in opposition to Eversource's plan to build the Sudbury-Hudson Transmission Reliability Project, a proposed 8.9-mile power line passing through Sudbury, Hudson, Stow, and Marlborough along the MBTA right of way (ROW). Our opposition is based upon the following:

1. Failure to adequately demonstrate the immediate need for the New Line;
2. The existence of vetted alternatives that meet ISO New England's reliability goals on existing rights of way at comparable cost;
3. The permanent and lasting damage done to protected and environmentally-sensitive conservation lands;
4. The clear and present danger presented to public health and safety;
5. The irreversible destruction of documented historic settings and artifacts;
6. The unrecoverable financial losses to businesses and homeowners;
7. The documented history of Eversource failing to comply with local by-laws as well as acting with disregard to the rights of homeowners adjacent to existing rights of way; and
8. The serious risk of contamination to the Town of Sudbury's source of drinking water.

This portion of the line abuts over 300 Sudbury properties, and poses a severe threat to town wetlands and conservation areas. The proposed route, if aboveground, would have 82 feet of clear-cut along the entire line, which would result in more than 50 acres of clear-cut in total, a significant fraction of which would be in the Hop Brook Marsh and Memorial Forest conservation areas. This would fragment wetland habitats, harm local bird and amphibian populations, and put the entire ecosystem at risk. Additionally, herbicides would be used to maintain the clear-cut area - this would have a serious impact on the wetlands plants and

animals, and on the Sudbury water aquifer from which the town's drinking water is supplied.

Sudbury residents are dependent on their well water. They do not belong to or receive water from the (MWRA). Massachusetts Water Resources Authority. A substantial portion of the MBTA ROW lies in zone 2 area of the Water District. Zone 2 is the area from which ground water ultimately migrates to the well from which it is pumped.

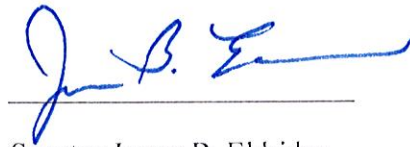
The Sudbury-Hudson Transmission Reliability Project poses grave risks for the scenic wetlands of Sudbury and for the health of town inhabitants – for these reasons we are firmly opposed to the transmission line following the ROW whether above or below ground.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carmine Gentile", written over a horizontal line.

Representative Carmine Gentile

13th Middlesex

A handwritten signature in blue ink, appearing to read "James B. Eldridge", written over a horizontal line.

Senator James B. Eldridge

Middlesex and Worcester



Town of Stow Conservation Commission

**380 Great Road
Stow, Massachusetts 01775**
(978) 897-8615
FAX (978) 897-4534
conservation@stow-ma.gov

June 7, 2007

Secretary Matthew A. Beaton
Executive Office of Energy and Environmental Affairs
Attn MEPA Office
100 Cambridge Street, Suite 900
Cambridge, MA 02114

Stephen August Esq.
Energy Facilities Siting Board
One South Station
Boston MA 02100

RE: Sudbury-Hudson Transmission Reliability Project/Eversource

Dear Sirs:

On behalf of the Stow Conservation Commission I want to thank you for the opportunity to submit comments regarding the proposed Sudbury-Hudson Transmission Reliability Project proposed by Eversource. The Commission voted unanimously at its meeting of June 6, 2017 to submit these comments both to MEPA and to the Energy Facility Siting Board (EFSB).

The proposed project will enhance the reliability of service to the Hudson Light and Power plant which serves the Towns of Stow and Hudson, and is anticipated to result in electricity cost reductions for residents. We have met with Eversource on a number of occasions as they have evaluated alternatives, and throughout that process have urged them to select a preferred alternative that would place the transmission lines underground within the MBTA right of way, rather than overhead or in roads. We are pleased that the Preferred Alternative that has been selected and proposed by Eversource in their filings with MEPA and the EFSB would bury the proposed transmission line within the MBTA Right of Way in a manner that offers the opportunity to advance the proposed Mass Central Rail Trail. This approach also reduces the visual and environmental impact of the project by reducing the amount of clearing that would need to occur relative to overhead lines and eliminating the need for tall transmission line towers.

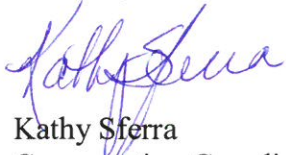
The Town of Stow recently completed an updated Open Space and Recreation Plan in 2016. One of the top recommendations of this plan is to increase the availability of opportunities for recreational walking and bicycling for Stow residents and visitors, a need that was identified in a townwide survey of residents. Even though only a small portion of this project and the rail trail would be located within the boundaries of the Town of Stow, the opportunity to connect with and benefit from this regional recreational resource is significant. In addition, the proposed rail trail would bring the towns in the region a step closer to linking with the Assabet River Rail Trail, now under construction in Maynard and

Acton. We believe that the underground option is far more compatible with this recreational use than an overhead transmission line as it will allow more shading of the corridor as a result of the narrower required width that would need to be cleared.

The proposed project will be subject to review by the Stow Conservation Commission, which will evaluate compliance with the Wetlands Protection Act and the Town of Stow Wetlands Bylaw. We note that no direct alteration of wetlands is proposed to occur in Stow (with the exception of a small amount of riverfront area alteration) nor will any direct or indirect impacts occur to protected Open Space/Article 97 lands in the Town of Stow. We are confident that we will be able to work with Eversource to review any wetlands issues and issue an Order of Conditions for this project.

Thank you again for the opportunity to comment on this project.

Sincerely,



Kathy Sferra
Conservation Coordinator
For the Stow Conservation Commission

Cc: Rep. Kate Hogan
Sen. Jamie Eldridge
Stow Board of Selectmen
Stow Planning Board