



Friends of the Assabet River National Wildlife Refuge

*Working with the United States Fish and Wildlife Service
And serving our local communities*

Sudbury Conservation Commission
Department of Public Works Building
75 Old Lancaster Road
Sudbury, MA 01776

April 9, 2020

Re: Notice of Intent for Eversource Transmission & DCR Bike Trail

Dear Sudbury Conservation Commission:

The Friends of the Assabet River National Wildlife Refuge, is a 501 (c) 3 non-profit organization founded in 2000 to work with the United States Fish and Wildlife Service (USFWS) on the conservation and protection of the Assabet River National Wildlife Refuge (ARNWR) and collaborate with refuge staff to provide services to the Refuge and its visitors. Our work involves extensive invasive plants control using mechanical methods, educational programming for the visitor, staffing of the Visitor Center, and support of refuge wildlife management including re-introduction of Blandings Turtles. The Friends of the ARNWR write to share our concerns for, and comments on, the jointly filed Notice of Intent for the use of the abandoned railbed for an underground utility line and segment of DCR Rail Trail through the heart of the Refuge and the extensive surrounding conservation areas state, federal, municipal and private. Because of these lands and our work on them we strenuously object to the Eversource proposal to use this contaminated rail bed for its utility line.

On weekends, when the Visitor Center is open, visitors who come from local communities and out of state are eager to share their experiences on the trails, especially their positive impressions of the

quiet trails and numerous wildlife sightings. The results of our Friends 2020 survey which was sent to our 920 subscribers included feedback that 93.6% of respondents indicated that they valued the open space at the refuge. Also highly valued are hiking at 88.6% and bird watching at 67.1%. Each year the Friends of ARNWR receive generous donations from our supporters and we have maintained a steady membership over the 20 years since the refuge was established. Our speaker series provides our members and the surrounding communities with free access to wildlife science, research, projects, management techniques and identification among other topics.

The Friends of the ARNWR have consistently opposed the Eversource plan since 2016 because the Eversource proposal is located in the wrong place. We attach two prior comment letters from former Presidents of the Friends: Dave Manjarrez dated 2016 during the MEPA review and the affidavit of Elizabeth Truebenbach, dated 2019. As these letters reflect, this project belongs in the public streets not in woodland containing protected species habitat which we have worked to improve, or a few feet from sensitive Vernal Pools or requiring the excavation of contaminated rail bed or extensive fill in floodplain of three major tributaries and their feeder streams containing cold water fisheries.

We are also very concerned, as are MassDEP and other Conservation Commissions, about the extensive clear cutting to make a permanent 22 foot to 50-foot utility corridor. In our experience this level of disturbance will only remove native habitat and invite invasive plant species such as Japanese Knotweed, Bittersweet and Buckthorn. This in turn leads to an inclination to mow extensively and to use of herbicides. Neither belongs in this setting.

After reviewing the NOI for the Eversource Transmission Utility Line and DCR Rail Trail, Friends of the ARNWR is motivated to voice opposition to this dual project based on the unavoidable damage to the fragile ecosystems that support native wildlife including state listed species which includes the

Refuge. In this regard, it is our mission to protect the ARNWR refuge habitat for native plant and animal species for present and future generations.

This project has the potential to endanger wildlife as curiosity leads people off the rail trail, and lead to an increase in pollution from litter, increase in potentially harmful interactions between people and wildlife including the intentional or unintentional feeding of wildlife and wildlife ingestion of litter. Dogs are not allowed on the Refuge and the rail trail would permit dogs who have been shown to cause stress and injury to wildlife that are already acclimated to the nourishing habitats that meet their basic needs. Other risks include toxic dog waste not being picked up and the potential introduction of invasive plants in disturbed areas.

This project would effectively introduce a hard edge barrier to wildlife corridors on the southern portion of the refuge. The destructive methods for clearing the right of way will seriously jeopardize the integrity of the fragile ecosystems in the area. The quality and success of the restoration plans are likely be insufficient in replicating the current natural state of the beneficial habitats. The success of restoration attempts is uncertain, leading to permanent loss of species. As the Assabet River Rail Trail includes an unpaved section that runs 1.9 miles through the north side of the refuge along the Assabet River, Friends of the ARNWR are making an appeal for not paving the DCR rail trail in this section and creating a dirt road.

The wildlife found to inhabit the proposed construction area was identified by Susan Morse in Wildlife Study2 and Map Section C is the southern portion of the Refuge. Link to map: <https://sudbury.ma.us/conservationcommission/wildlife-study-2-map/>. Moose, mink, river otter, fisher and beaver, among others were noted. NHESP Certified and Potential Vernal Pools are also identified.

In the ARNWR Visitor Center exhibit hall, models of wetland and forest flora and fauna that visitors can expect to see as they explore the refuge are depicted. Many from the Wildlife Study2 are

included in the displays. We cannot to come to terms with the idea that these habitat areas that we and visitors to Assabet River NWR cherish and are so interested in learning about and viewing on the refuge will be destroyed.

The Eversource project is planned along the wrong route. We strongly urge that this utility line be installed underground along developed roadways to minimize disturbance.

Sincerely,

Paula Goodwin, President

Friends of the Assabet River National Wildlife Refuge

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF FISH & GAME
DIVISION OF FISHERIES & WILDLIFE

In the Matter of:)
)
Conditional No-Take Determination)
NHESP File No. 15-34327 - Eversource) Docket No. 2018-91-RL
)
Sudbury, MA)
)

AFFIDAVIT OF ELIZABETH TRUEBENBACH

I, Elizabeth Truebenbach, do hereby depose and state that I joined in supporting Protect Sudbury, Inc. because I am President of the Friends of the Assabet River National Wildlife Refuge (Friends of ARNWR), an 501(c)(3) non-profit organization founded in 2000 to work with the United States Fish and Wildlife Service (USFWS) on the conservation and protection of the Assabet River National Wildlife Refuge (ARNWR), which borders the inactive MBTA Right of Way (ROW) where Eversource plans to install power lines.

The Friends of ARNWR have supported Protect Sudbury's opposition to the Eversource plan since 2016. See the attached letter from then president of Friends of ARNWR, Dave Manjarrez. As president, I have a duty to our members to protect and improve the ARNWR habitat for native plant and animal species. I have considerable knowledge of ARNWR as I have been an active volunteer working with the Board of Directors of the Friends of ARNWR and with the USFWS staff of ARNWR for seventeen years, fulfilling at various times the offices of president, treasurer and director, as well as being a member of the Assabet Keeping Track (AKT) animal survey team which collected biological data on ARNWR for USFWS.

Friends of ARNWR has over 200 member families in towns throughout the Massachusetts Metrowest area and beyond. Our mailing list reaches over 850 individuals who visit ARNWR because it offers a large undisturbed natural space where they can observe nature and be outside in quiet and natural surroundings. As an officer and director, I speak with our members, and with the public in general, and their prime concern is for conserving and improving ARNWR's natural habitat, now and for future generations. This is evidenced by the support provided by our members and donors for over ten years that enables Friends of ARNWR to provide publicity and financial support for the USFWS head-starting project to reintroduce to the refuge the Blandings Turtle, a Massachusetts threatened species. A description of this project from our website is attached.

As a trained animal tracker and life-long student of natural science, I am aware of the sensitive nature of the habitat along the inactive MBTA Right of Way, as is evidenced by the dwindling numbers of species of special concern or threatened. I have specifically noted that I no longer hear Whip-poorwill in ARNWR, which was common 15 years ago.

Friends of ARNWR is also a supporter of SuAsCo CISMA (the Sudbury Assabet and Concord Rivers Cooperative Invasive Species Management Area) and we have volunteer groups working on ARNWR to improve the habitat by controlling invasive plants. Our organization's volunteers, with financial support from Friends of ARNWR for tools and native plants, have put hundreds of hours into improving the habitat of ARNWR by removing invasive plant species and replacing them with ones that better support our native wildlife. The ARNWR biological staff have identified the portion of ARNWR that abuts the ROW, i.e., the portion south of Hudson Road in Sudbury, as largely free of invasive plants because of limited historical human activity. The Eversource proposal to install a major electric power line involving major clear cutting and

soil disturbance will create the broken forest edges that are conducive to the growth and spread of invasive such as glossy buckthorn, bittersweet and Japanese knotweed, which seriously reduce the ability of habitat to support our native species of plants and animals. As Libby Herland, ARNWR manager until recently, mentioned in her letter of May 28, 2016 [attached] there are also invasive animal species, such as the cowbird, that also take advantage of broken forest edges to displace our native species. Also, Eversource's proposal to control vegetation with herbicides is contradictory to Friends of ARNWR efforts to control invasive plants without herbicides and greatly reduces the meaning and benefit of the volunteer hours spent manually removing invasives to avoid the use of dangerous herbicides. The Eversource proposal would greatly endanger the health of the southern section of ARNWR by creating a new open edge for invasive species to invade the refuge lands.

I also find it very disturbing that there is no plan to protect the lupine that grow directly in the ROW near the gas line crossing. I can only assume that it will simply be wiped out when the paving for utility vehicles is done. Lupine is a key food plant for several threatened species that are indicator species for interior Pine Barrens, such as ARNWR and the adjacent conservation lands. Sudbury Valley Trustees prescribed burns in this area have been an effort to improve the habitat for indicator species like lupines and several threatened moths. The Division of Fisheries and Wildlife should not allow a project that is in direct opposition to maintaining what habitat already exists for these species.

ARNWR and the contiguous conservation lands are the largest conserved space in eastern Massachusetts. Not only does that present a very important asset for animals that require large territories and for animal populations to mix and move, but these lands are home to a habitat type that has become rare in New England. I am deeply distressed that a project would

be allowed that will create a wide habitat break in the middle of this important conservation block. If this project is allowed to complete, I will have failed in the responsibility entrusted to me by the members of the Friends of ARNWR: the responsibility to protect this precious land and its wildlife. I feel strongly that this is a particular injury to my personal efforts to improve and preserve wildlife and the habitats they depend upon. The Division needs to reconsider its "No-Take" decision as it did not consider the wide range of organizations and people affected by this decision by providing conditions that would give this Priority Habitat long term protections and thus prevent further detriment to listed species..

Signed under pains and penalties of perjury this 21 day of January 2019,

Elizabeth Truebenbach
Elizabeth Truebenbach

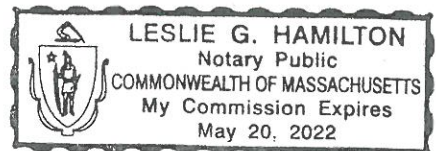
COMMONWEALTH OF MASSACHUSETTS

County of Middlesex,ss

On this 21 day of January, 2019 before me, the undersigned notary public, personally appeared Elizabeth Truebenbach, and proved to me through satisfactory evidence of identification, which was MA drivers license, to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his/her knowledge and belief.

Notary Public: Leslie Hamilton

My Commission expires: 5/20/2022





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.

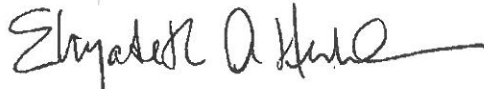
A wider corridor could become an attractive nuisance in that it would appeal to unauthorized all terrain vehicle (ATV) riders and motorized dirt bike riders. There are many places throughout the Commonwealth where this unauthorized use occurs under transmission lines. State and local municipalities do 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



August 13, 2016

Dear Sirs:

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 stake-holders 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,

Dave Manjarrez

Eversource Energy Contacts:

Sudbury to Hudson Transmission Line Project – Project Manager

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Project Outreach Specialist (business/residential)

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Other Contacts:

U.S. Senator Elizabeth Warren, roger_lau@warren.senate.gov

U.S. Senator Edward Markey, mark_gallagher@markey.senate.gov

U.S. Congresswoman Niki Tsongas, Katie.Enos@mail.house.gov

U.S. Congresswoman Katherine Clark, Wade.Blackman@mail.house.gov

Governor Charlie Baker, Massachusetts State House, Office of the Governor, Room 280, Boston, MA 02133

Matthew Beaton, Secretary MA EOEAA via chief of staff: Alexandra.Cahill@state.ma.us

George Peterson, Commissioner Department of Fish and Game, George.peterson@state.me.us

Mark Boyle, MBTA, mboyle@mbta.com

Rob Garrity, MBTA, rob.garrity@state.ma.us

State Senator Jamie Eldridge, James.Eldridge@masenate.gov

State Senator Michael Barrett, Mike.Barrett@masenate.gov

State Representative Carmine Gentile, carmine.gentile@mahouse.gov

State Representative Danielle Gregoire, Danielle.Gregoire@mahouse.gov

State Representative Kate Hogan, Kate.Hogan@mahouse.gov

Melissa Murphy Rodrigues, Sudbury Town Manager, rodriguesM@sudbury.ma.us

Tome Moses, Executive Assistant, Hudson, tmoses@townofhudson.org

Arthur Vigeant, Mayor, City of Marlborough, mayor@marlborough-ma.gov

Other Concerned Parties:

Elizabeth A. Herland, Wildlife Refuge Manager for the Eastern Massachusetts National Wildlife Refuge Complex, libby_herland@fws.gov

Lisa Vernegaard, Executive Director, Sudbury Valley Trustees, lvnegaard@svtweb.org

Elfriede Parker, Acting President, General Federation of Women's Clubs of Massachusetts, EParker6749@verizon.net

Jim Gish, Protect Sudbury, jwgish@gmail.com,

Steve Gabeler, Protect Sudbury, sg2n3055@verizon.net

Leslie G. Hamilton, Protect Sudbury, Hamilton & Hamilton, P.C., 393 Totten Pond Road, 4th Floor, Waltham, MA 02451, Tel: [781-894- 8700 x2](tel:781-894-8700), Fax: [781-894- 8702](tel:781-894-8702)

The Rare Blanding's Turtle Needs Your Help to Survive!

The Blanding's Turtle Project, a conservation initiative being led by the U.S. Fish & Wildlife Service since 2006, is now in jeopardy due to a lack of funds. In order to continue this research, donations are needed to purchase and maintain field equipment.



- The Blanding's turtle is a semi-aquatic freshwater species that is listed as a Threatened Species in Massachusetts.
- Since 2006, the US Fish and Wildlife Service (USFWS) has made an effort to establish a new population at the Assabet River National Wildlife Refuge (NWR) by moving juveniles and hatchlings from Oxbow NWR.
- One half of these hatchlings are directly released to the wetland, while the other half is raised in captivity for nine months to increase their rate of growth and survival upon release the following spring (head-starting).
- Several of the Blanding's turtles at Assabet River NWR carry transmitters which allow the researchers to gather information on movement and habitat preferences, and make it easier to recapture the turtles to re-measure them.
- Funds are needed to purchase 40 VHF transmitters, at a cost of \$150 per transmitter, and 800 cans of sardines, which are used as bait for turtle traps, at a cost of \$1 per can. Funds are also needed to hire a wildlife technician to extend the field work season into the fall.

In the past, this conservation effort has cost the USFWS about \$50,000 annually, supplied through a combination of donations, grants, and federal funding. However, the government sequester has resulted in almost **no funding** for this project for 2013, and it's likely there will be no funding in 2014. Current research and analysis of past data will be discontinued if new sources of funds are not found.

[Donate](#)



You can also send a check, made out to FARNWR, with "Blanding's Turtle Project" written on the memo line, to:

FARNWR
P.O. Box 27
Hudson, MA 01749