August 7, 2020

Ref: 12970.00/14424.00

Sudbury Conservation Commission
275 Old Lancaster Road
Sudbury, MA 01776

Re: Supplemental Submission
Applicants' Response to Comments from July 8, 2020, Public Hearing
Sudbury-Hudson Transmission Reliability and Mass Central Rail Trail Project

Sudbury Conservation Commission Members,

The Applicants, the Massachusetts Department of Conservation and Recreation ("DCR") and NSTAR Electric Company d/b/a Eversource Energy ("Eversource"), are providing this supplemental information in response to comments received from members of the Commission, as well as from the public, during the public hearing held for the Project on July 8, 2020. Each comment is presented in bold text, and the Applicants' response is provided in plain text.

1. **Disturbed areas associated with the work at Bridge 128 will be replanted with 85 trees and 60 shrubs. Disturbed areas associated with the work at Bridge 127 will be replanted with 78 trees and 135 shrubs. Tree species include gray birch, red maple, serviceberry, and black oak to replace primarily white pine that will be removed. The applicant should look at increasing the diversity of proposed trees which should include coniferous species to replace the primarily white pine that is proposed to be removed, that provide year- around shading for this coldwater fishery.**

   White pine has been added to the planting plans provided in the attached Eversource plan set.

2. **Disturbed areas will also be seeded with an herbaceous mix that includes eight species which are not on the Commission's approved list. Species proposed to restore jurisdictional areas should only include species on the Commission approved plant list.**

   Sudbury's Native Plant List states that it is not an all-inclusive list. Species in the herbaceous seed mix were selected based on a variety of factors including proposed site conditions, ability to provide wildlife habitat, site stabilization characteristics, and current species diversity. The Applicants have confirmed that all proposed species are native to Middlesex County, Massachusetts, using Native Plant Trust's Go Botany website. The one exception, red fescue (*Festuca rubra*), was in the original mix due to its site stabilization benefits. However, we have removed it from the seed mix and increased the percentages of Canada wild rye (*Elymus canadensis*), little bluestem (*Schizychyrium scoparium*), and upland bentgrass (*Agrostis perennans*).

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3. **The applicant has modified the proposed seed mix to include woody shrub species. The applicant should explain how seeding disturbed areas following construction substantially restores vegetation removed for construction to comply with the limited project provision, which requires that the surface vegetation and contours be substantially restored.**

   This question was addressed previously in response to Comment 7 of the Applicants' Response to Comments letter dated June 25, 2020. However, in addition, the Applicants have modified the restoration plan to include supplemental shrub plantings in 23 areas. See the response to Comment 33 below for additional information about this proposed modification.

4. **The applicant should explain how the project is in compliance with the Sudbury Wetlands Administration Bylaw, which does not allow for this limit project provision.**

   Section 5.2 of the submitted NOI demonstrates compliance with applicable sections of the Sudbury Wetlands Administration Bylaw.

5. **The applicant should provide information on how the seed mix/plantings will be watered to ensure their survival.**

   For one year following planting, the contractor will be responsible for watering during the growing season whenever natural rainfall is below one inch per week. Watering will be applied thoroughly enough to saturate the soil in seeded areas and in the root zone of each planted tree and shrub.

6. **The project proposes 248,164 s.f. of alteration to Adjacent Upland Resource Area (AURA): 94,645 s.f. permanent alteration with installation of rail trail and 153,519 s.f. of temporary impact but revegetated following construction. The expectation of the Sudbury Wetlands Administration Bylaw is the restoration of the values and functions provided by the AURA to pre-exiting conditions following construction, at a rate similar to that required for wetland replication under the Bylaw. The applicant should explain how the project meets the mitigation requirement for impacts to AURA.**

   This was addressed previously in response to Comment 16 of the Applicants' Response to Comments letter dated June 25, 2020.

7. **There is 1 Certified Vernal Pool, 12 certifiable vernal pools, and 7 presumed vernal pools within the site. Many of these vernal pools are located directly adjacent to the rail bed. The project proposes to alter 82,692 s.f. of land within 100 feet of these vernal pools: 33,139 s.f. of permanent alteration is proposed with the installation of the rail trail; 49,553 s.f. of temporary alteration which will be revegetated. The applicant should enhance proposed mitigation adjacent to vernal pools to restore the slope within the limit of work to ensure no negative impacts to the vernal pools from erosion, loss of shading, loss of food source, and/or loss of shelter.**

   The Applicants have enhanced proposed mitigation adjacent to vernal pools by adding woody species to the proposed seed mix and have identified an opportunity to plant additional woody specimens

adjacent to VP-13. Please refer to the response to Question 33 for more details regarding the analysis undertaken to add additional woody specimens within the limits of work.

8. **The applicant has obtained approval from the Natural Heritage and Endangered Species Program for the project which places conditions that need to be adhered to in order for the project to be permittable. NHESP implemented a Time of Year (TOY) Restriction from October 1 – June 30 for work within Hop Brook; and a TOY restriction for work within 450 feet a vernal pools March 1 – May 15. The applicant states that this restriction is only for construction and the applicant still plans on traversing land within 450 feet of vernal pools during this restricted time. The applicant should implement a strategy to prevent unintended casualties, besides assuming vernal pool species are not likely to be present during the day.**

   In addition to the syncopated silt fence and TOY restriction, an Environmental Monitor will conduct sweeps during the active migratory season prior to vehicles traveling down the Project Site within vernal pool buffers.

9. **Portions of the work are located with Zone II Wellhead Protection Zone. Impacts to Bank, Bordering Vegetated Wetlands, Land Under Waterways, and Riverfront Area contribute to recharge to groundwater. The project will need to ensure any impacts to these resource areas will not impact their recharge function. The Applicant needs to ensure that potential contamination from the excavation of the rail bed and potential release of contaminants will not negatively impact the Zone II Wellhead Protection Zone. The applicant should explain why they will not seek a letter from the Water District confirming they have no concerns with potential impacts the project could have to the Zone II Wellhead Protection Zone. The applicant should also explain why they are not willing to install monitoring wells to confirm the project results in no migration of contaminants during construction.**

   Compliance with the performance standards for Bank, BVW, LUWW, and RFA are discussed within Section 5 of the NOI. By complying with the performance standards, the Project demonstrates that it protects the interests of the Wetlands Protection Act and Sudbury Bylaw Regulations, including recharge. In addition, Standard 3 of the Massachusetts Stormwater Management Standards identifies environmentally sensitive site design, low impact development, and stormwater BMPs as appropriate measures for minimizing loss of annual recharge. The Project includes all of these measures and, unlike a typical development project with extensive impervious surfaces that uses structural BMPs to re-route stormwater to other areas entirely, the Project design provides for stormwater to recharge within the immediate vicinity of the bike path footprint. The stormwater will discharge to conveyances in adjacent vegetated areas where stormwater will naturally infiltrate, and although DEP's stormwater protocols currently do not provide recharge credit for this non-structural stormwater BMP, EPA's guidance recognizes the volume reductions achieved from this BMP type. This is also addressed in response to BETA's stormwater comment SW8 in the Applicants' Response to Comments letter dated July 30, 2020.

With regard to the Water District, the Applicants are aware of the District's concerns, which were stated in a letter to the EFSB dated June 27, 2017. The District asked the EFSB to take the following "concerns" into consideration when making a final siting decision: (1) that construction of the transmission main and the future use of herbicides to keep the right of way clear may contaminate the water supply, (2) potential for damage to water lines crossed by the underground transmission line, and (3) "potential use of hazardous coolant materials" for the underground transmission line. With regard to the crossing of water lines by the transmission line, Eversource will coordinate with the Water District to locate water lines within the Project's footprint prior to construction. The underground transmission line will be installed beneath water lines at road crossings and the water lines will be protected from any damage and will not be impacted by the Project. With regard to the use of hazardous coolant materials for the transmission line, the transmission line will be a cross-linked polyethylene (solid dielectric) cable and will not contain any coolant materials. With regard to herbicide use, the EFSB has precluded Eversource from using herbicides, and DCR has committed to using herbicides in accordance with Vegetation Management Plans and only as a last resort where mechanical means have not been successful in managing specific species (e.g., Japanese knotweed, bittersweet, and poison ivy) that present a threat to the bike path or bike path users. With regard to construction of the transmission line, the Applicants have demonstrated that the work involving soil excavation and groundwater dewatering along the MBTA ROW will not create any greater risk to surrounding water supplies than existing conditions.

As discussed within the response to Comments 64 and 77 in the Applicants' Response to Comments letter dated June 25, 2020 and the Soil and Groundwater Analytical Results and Subsurface Media Management Memo that was attached to the June 25, 2020 letter, impacted groundwater was not encountered and is not anticipated to be encountered during construction activities. Therefore, additional monitoring wells are not necessary.

10. **The applicant has provided two Draft Stormwater Pollution Prevention Plan (SWPPP), one for each Phase of the project. Not all sections have been completed. A fully executed SWPPP will need to be submitted prior to commencement of work.**

    A final SWPPP will be prepared and can be submitted to the Commission as a special condition prior to start of construction.

11. **The SWPPP states that the project will be discharging stormwater into the municipal system. The applicant should explain where this is occurring and what methods are implemented to ensure only clean water is being discharged to the Town system. The applicant should provide confirmation that connections to the Town stormwater system have been reviewed and approved by the Department of Public Works.**

    This was addressed previously in response to Comment 16 of the Applicants' Response to Comments letter dated June 25, 2020.There are no direct discharges to Sudbury's municipal drainage system.

12. **The SWPPP includes non-stormwater discharges including washing vehicles and pavement. The applicant should provide information on where these activities will occur.**

    If it is necessary to clean construction equipment of mud and debris before it leaves the ROW, this would be done at the construction entrance track pads adjacent to public roadways.

13. **The SWPPP states that Polyester mesh compost filter tubes are called out for erosion controls. These are not the jute or biodegradable tubes discussed in the Notice of Intent. The applicant should confirm what is being proposed for erosion controls and be consistent throughout all documents with both materials, installation instructions, and locations. Most jute or biodegradable filter tubes do not have an extended life expectancy. They are also not recommended for any steep slopes, such as those present on site. The applicant should explain the appropriateness of this erosion control barrier given the duration of the project and site conditions.**

    The SWPPP was revised to accurately state that the compost filter tubes shall be jute mesh, or another approved biodegradable material, as indicated in the Notes on sheet 124 of the Eversource NOI plans. As shown on sheet 124 of the plans, Type A erosion control is a combination of a compost filter tube and silt fence, which is appropriate for steep slopes. Compost filter tubes will not be used on steep slopes as the sole erosion control measure. An Environmental Monitor will inspect all erosion controls until the site is stabilized and any damaged or deteriorated controls will be replaced.

14. **The SWPPP calls for stabilizing stockpiles that will be present for more than 14 days, but the Final Environmental Impact Report Certificate specifies stockpiling of material within the ROW will be limited in size and duration (1 week maximum). The applicant should modify the SWPPP accordingly.**

    The SWPPP is a document that is prepared in accordance with the USEPA requirements for the Construction General Permit, which requires that stockpiles that are present for more than 14 days be stabilized. The SWPPP was revised to state that stockpiles will be stabilized if they will be present for more than one week.

15. **The Soil and Groundwater Analytical Memo states that the Final Environmental Impact Report (FEIR) addresses notification and construction protocol to be implemented if contamination is encountered at the Project Site, including identifying the parties that will be notified, potential construction-period dewatering activities and related permitting requirements. The Conservation Commission should also be included in the contact list, should contaminated soils be encountered that require additional evaluation or special handling.**

    The Conservation Commission will be added to the list for notification if contaminated soils that require additional evaluation or special handling are encountered within areas of the Commission's jurisdiction.

16. **Excess soil not reused within the Project Site will be stockpiled temporarily at laydown areas outside of the ROW and the Conservation Commission jurisdictional areas. The applicant should identify where materials will be taken to. The applicant should also confirm that only soils removed**

from the Sudbury section of the ROW will be reused within Sudbury and/or clean fill will be brought in to use on site.

The issue regarding stockpiling was addressed previously in response to Comment 17c in the Applicants' Response to Comments letter dated June 25, 2020. It was also addressed in responses to Comments W23 and W27 in the Applicants' letter dated June 25, 2020, responding to BETA's peer review comments. Given the length of the segment between White Pond Road in Hudson and Dutton Road in Sudbury, it is possible that some soil from Hudson may be reused in Sudbury within this same segment. However, it is not expected that soils from other segments in Hudson will be reused in Sudbury.

17. **The applicant should provide information on dust control measures that will be implemented during construction. This is typically achieved by spraying exposed soils with water. A special condition should be included that prohibits any use of water from wetland resource areas to be used for dust management.**

    Dust will be controlled in accordance with Eversource's BMP manual (Section 3.12). Control measures can include sprinkling exposed soils with water and/or using calcium chloride. In addition, stockpiles, if present, will be covered with plastic sheets or tarps to minimize dust as outlined in Section 3.13 of the Eversource BMP manual. The entire Eversource BMP manual, including the sections referenced here, was not included in the NOI due to the size of the document. However, it is included with this supplemental submission as a reference.

18. **Dewatering of construction areas to proposed to be achieved by overland flow to vegetated upland area, including Buffer Zone, Adjacent Upland Resource Area and Riverfront Area (outer riparian); dewatering to a filter bag surrounded by straw wattles or other erosion control measures, or discharged within the existing trench. The applicant should explain how discharging into the existing trench provides sufficient dewatering during construction and when this methodology would be used. The applicant should also confirm that dewatering activities will not introduce contaminants into non-contaminated areas.**

    Dewatering into an existing trench is the preferred method and typically provides sufficient recharge capacity. This common method of dewatering is most effective in sandy granular soils with a high hydraulic conductivity and infiltration rate, which are prevalent within the Project Site. Sampling conducted in advance of the Project has not identified significant contaminants in soil or groundwater along the ROW. This method of dewatering keeps groundwater localized and will not significantly alter current site conditions given the limited volumes and duration of dewatering that are anticipated.

19. **The FEIR Certificate states that a Corridor Management Plan will be developed which incorporates specific measure to protect state-listed species during vegetation management activities. The Draft Corridor Management Plan provided states that they will provide annual Vegetation Management**

Plan to NHESP for review and approval. This should also be provided to the Commission to review for area within wetland jurisdiction.

Eversource can provide a copy of the VMP to the Commission. The Commission is encouraged to review this document and provide comment through the Department of Agriculture's review process, and copies of the approved VMP are provided to the chief elective officers, board of health, and Conservation Commission in affected communities. A separate review or approval of the VMP under the NOI process is not necessary. An updated Corridor Management Plan, with the Operations and Maintenance Plan/Long-Term Pollution Prevention Plan as an attachment, is included as an attachment to this letter.

20. **The Corridor Management Plan states that mowing will be avoided between April 1 and November 1, but if done during this time period then turtle sweeps will be conducted ahead of the mower with a mower height of 10 inches. This only addresses (the) area within NHESP jurisdiction and does not protect non state-listed species from this activity. The applicant should commit to not mowing areas over the Eversource duct bank and water quality swales (within wetland jurisdictional areas) between April 1 and November 1, unless needed for safety purposes, without prior approval of the Conservation Commission.**

    The Applicants cannot make the commitment that is proposed in this comment. The Corridor Management Plan does not state that mowing will be avoided between April 1 and November 1. It states that if mowing is conducted during between April 1 and November 1 within habitat mapped for eastern box turtles, sweeps of the work area ahead of the mower will be conducted by a qualified individual to remove any turtles. There is no time of year restriction on mowing outside of the mapped habitat areas.

21. **Trash receptacles are included in the Corridor Management Plan. Trash receptacles should be shown on the plan and/or conditioned to be located outside jurisdictional areas. The applicant should confirm whether there will be other trail amenities, such as benches, kiosks, and dog waste receptacles, and if so, where such amenities will be located.**

    DCR will not install any trash receptacles on the corridor, and this provision has been removed from the CMP. DCR does plan various pullouts, benches and signs, and these are shown on the DCR plans.

22. **Debris from the trail is to be blown from paved surfaces at least once every two weeks. The applicant should provide information on how this is conducted, what machinery is used, and what efforts are employed to keep debris from being blown into the directly adjacent wetlands, especially as many of these are vernal pools.**

    The CMP was revised to clarify that this refers only to plant debris (e.g., leaves, branches, etc.) and not trash. The plant debris will be blown from the path by using leaf blowers, but a note will be added to the CMP to avoid blowing plant debris directly into vernal pools.

23. **The applicant states that Eversource Engineers have determined that the existing culverts/drainage pipes under the ROW do not need to be replaced as they will not affect the operation and**

maintenance of the transmission line. The Commission requests Eversource provide the structural report on the structural integrity of the culverts for review. The analysis should also include the projected lifespan of these culverts with regards to the anticipated lifespan of the transmission line and rail trail. DCR should confirm that they will be taking responsibility to repair/replace failed culverts under the trail as they continue to degrade.

A structural report was not prepared for the culvert inspection. The results of the culvert inspection were provided in Table 4 of the NOI. If a culvert requires replacement in the future, DCR will be responsible. Additional information regarding culverts was provided previously in the response to Comment 70 in the Applicants' Response to Comments letter dated June 25, 2020.

24. **Trimming and removal of hazard trees and those that appear to be causing root damage to the pavement are included in the Corridor Management Plan. This should be modified to include Conservation Commission approval for trees work within wetlands jurisdiction.**

    Trimming and removal of hazard trees will be undertaken when identified since this may represent an imminent danger to the public. The Conservation Commission will be notified of any hazard tree removal within jurisdiction. Any trees to be removed within jurisdictional areas because of root damage to the path will be discussed with the Conservation Commission agent for the appropriate regulatory course of action.

25. **This Corridor Management Plan includes herbicide treatment and includes management under an approved Eversource's Vegetation Management Plan (VMP), should DCR not construct their portion of the project. The applicant should clarify when herbicide treatments are anticipated, including methodology, and provide a typical VMP for other DCR rail trails as well as Eversource utility corridors, for review.**

    The CMP does not discuss the use of herbicides. If DCR does not construct the rail trail, every four years Eversource will manage the vegetation over the duct bank and gravel access road only and all other areas will be allowed to revegetate. Herbicides will not be used by Eversource. This information has also been added to the revised CMP attached to this letter. DCR's use of herbicides was addressed in response to BETA's W36 and W37 comments in the June 25, 2020, letter submitted to the Commission.

26. **The Corridor Management Plan should include invasive species management. Section 3.3 of the NOI should be incorporated into the Plan which includes spot treatment for species that cannot effectively be managed by other methods, such as Japanese knotweed. An invasive species management plan, extending at least 3 years beyond the completion of Phase II should be provided for all areas that will be disturbed.**

    The Corridor Management Plan acknowledges that invasive plant species will be managed in accordance with DCR's best management practices for managing terrestrial invasive plants. The long-term management of invasive species was addressed in response to Comment 10 in the Applicants' Response to Comments letter dated June 25, 2020.

27. **The applicant should confirm that NHESP has reviewed and approved the Eastern Box Turtle Protection Plan. Turtle sweeps will not be conducted during construction during the dormant season as turtles are presumed to be hibernating. The applicant should confirm whether this will be confirmed by the radio tracking that is being conducted to confirm turtles are dormant.**

    NHESP has reviewed and approved the Eastern Box Turtle Protection Plan. All radio tracked turtles will be tracked until they hibernate to confirm that they are dormant.

28. **The Operation and Maintenance and Long Term Pollution Prevention Plan includes elements that are not part of the proposed site such as catch basins and appears to have contradictory statements on management of the vegetation over the duct, for example, the Maintenance of Landscaped Areas section states that maintenance on the shoulder will include mowing of the 2-foot shoulder biweekly with an annually mow of 5 feet beyond the shoulder, but the Appendix notes the annual mow of a 25 foot vegetated filter strip. The applicant should clarify.**

    There is one catch basin, one flared end section, and two headwalls to be constructed as part of this Project in Sudbury. These structures are identified in the OMP/LTPPP since they are part of the stormwater management system and will require periodic maintenance to ensure proper operation. Mowing of the two-foot-wide vegetated path shoulders will be conducted biweekly and the five-foot area over the duct bank will be mowed annually. In addition, the swales and areas of increased infiltration will be inspected and mowed as needed or annually at a minimum to maintain proper water quality treatment function. Beyond that, no mowing will be conducted. A 25-foot vegetated filter strip is not part of the Project's stormwater management system. The updated OM/LTPPP is provided as an attachment to this supplemental submission.

29. **The DEP Environmental Notification Form letter dated July 7, 2017 identifies six additional contaminated sites in close proximity to the ROW including lead generated from the former Rod and Gun Club at 33 Bulkley Road from 2005 and contamination from Mullen Lumber at 39 Union Avenue. DEP advised that recovered groundwater may require treatment and monitoring for VOCs, and soil excavated near Bulkley Road should include testing for lead. The application is silent on this request regarding potential lead contamination.**

    As shown on the Eversource plan set, the area of the ROW near the former Rod and Gun Club at 33 Bulkley Road site (station 507+00 to station 516+00) is a "fill" area, i.e., material will be added to raise the ground surface by as much as 8 feet. In addition, the 21E reports for the Gun Club site indicate that lead was not detected above DEP's reportable concentration in soil samples collected near the ROW.

30. **The application states that the contractor is responsible for cleaning all equipment and timber mats prior to mobilizing to the site, to minimize transport of invasive species. This standard needs to be applied, however, to the mobilization of equipment throughout the corridor as there are**

areas impacted by invasive species, but there are other areas that have very few invasive species. The applicant needs to ensure that invasives will not be transported within the corridor.

In addition to cleaning all equipment and timber mats prior to mobilizing to the site, the Project will prevent invasive species from becoming re-established within the Project footprint as described in the Applicants' response to BETA's comments dated June 25, 2020. We understand Japanese knotweed is of particular concern and areas that contain this species will be mapped prior to construction and soil from these areas will not be reused. Furthermore, DCR's long-term vegetation management will address any invasive species that appear post-construction, as described in Section 3.3 of the NOI.

31. **There are a few areas, such as at the bridges, and the section between Boston Post Road and bridge 127 where dewatering is going to be needed no matter what the conditions are at the time of construction. The applicant should provide a specific dewatering plan for areas that will require dewatering, to guide the contractor on how to appropriately deal with dewatering. This can be modified at the time of construction, with Conservation approval, but a dewatering plan should be provided as part of the NOI submittal.**

    The dewatering methods were identified within the response to Comment 8 in the Applicants' Response to Comments letter dated June 25, 2020. The contractor will select and use one of the identified methods in a work area depending on the field conditions at the time of construction.

32. **The applicant should explain how the timber mats will be positioned to provide a level surface given the currently steep slopes on which the mats will be positions and any alteration that would be needed to the slope to support the crane on an up to 7-foot high stacked platform. The applicant should explain the comment that stacked timber mats is just one method that may be used and identify other methods that the Commission should consider. The applicant should provide an architectural rendering for both bridges showing implementation of construction mats and installation of the transmission line at these crossings.**

    To be clear, the Project is not considering any other methods for bridge reconstruction/rehabilitation. The Project will use timber mats, which will be stacked at the bridge locations. As shown in the crane mat sections on Sheet 125 of the Eversource plan set, the crane mats will be stacked with increasing width as they increase in elevation, and each layer of mats may require some temporary minor grading to provide a level surface for placement. At both bridges, erosion controls will be installed before any grading occurs, and geotextile fabric will be laid under and wrapped around the mats to further prevent sediment from entering the wetland or waterway. Once the bridge work is completed and the mats are removed, the slopes will be restored to a maximum 2:1 slope, will be stabilized with jute mesh erosion control fabric, and will be replanted with vegetation as shown on the planting plans on Sheets 134 and 135 of the Eversource plan set.

33. **The applicant has provided a planting schedule by station. The applicant should submit a detailed planting plan specifying the square footage of each altered area, vegetation removed in each area**

by size and species, and the planting schedule for each of these areas for the Commission to evaluate whether the functions and values provided by these areas will be substantially restored.

The plans attached to this response include a detailed planting plan for the areas at Bridges 127 and 128, and 23 additional areas of woody plantings within Riverfront Area and AURA where space allowed. The available space for supplemental plantings is limited by the narrow Project footprint, within which: 1) the area over the duct bank is not suitable for planting, 2) areas within 4 feet of the bike path pavement must be avoided to maintain safe clearance from branch hazards for trail users, 3) slopes steeper than 2:1 should be avoided as they result in low planting success, and 4) long narrow areas would result in linear plantings that are not consistent with the goal of a natural landscape. The updated plans identify these locations, including details prescribing the species, spacing, and number of plantings of each species proposed for each area. Proposed shrub plantings within the 23 additional areas of woody plantings include summersweet clethra (*Clethra alnifolia*), alternate-leaved dogwood (*Swida alternifolia*), northern bayberry (*Myrica pensylvanica*), and American hazelnut (*Corylus americana*). The number of proposed plants per area is based on the area available for planting and is summarized in the table below.

Area	Stationing	Area (SF)	Number of Additional Plantings
Area 1	437+00 – 437+85	444	30 of each species except for summersweet for a total of 30 plants
Area 2	409+05 – 409-55	183	4 of each species except for summersweet for a total of 12 plants
Area 3	519+55 – 521+00	North – 923 South – 1,369	North – 16 of each species for a total of 64 plants South – 23 of each species for a total of 92 plants
Area 4	523+30 – 523+80	154	5 of dogwood and bayberry for a total of 10 plants
Area 5	433+15 – 534+55	North – 691 South – 1,192	North - 12 of each species for a total of 48 plants South – 20 of each species for a total of 80 plants
Area 6	586+45 – 587+50	North – 705 South – 597	North – 12 of each species for a total of 48 plants South – 10 of each species for a total of 40 plants
Area 7	601+00 – 601+90	1,071	18 of each species for a total of 72 plants
Area 8	700+00 – 701+00	314	5 of each species for a total of 20 plants
Area 9	706+30 – 707+50	944	16 of each species for a total of 64 plants
Area 10	712+15 – 713+20	601	10 of each species for a total of 40 plants
Area 11	717+50 – 718+55	829	14 of each species for a total of 56 plants

Area 12	717+50 – 718+55	862	15 of each species for a total of 60 plants
Area 13	719+85 – 720+55	457	8 of each species for a total of 32 plants
Area 14	722+25 – 722+95	343	6 of each species for a total of 24 plants
Area 15	722+00 – 722+50	242	4 of each species for a total of 16 plants
Area 16	729+95 – 731+45	896	15 of each species for a total of 60 plants
Area 17	731+95 – 732+95	1,081	18 of each species for a total of 72 plants
Area 18	734+55 – 737+95	1,769	30 of each species for a total of 120 plants
Area 19	734+45 – 741+00	5,949	100 of each species for a total of 400 plants
Area 20	752+55 – 753+20	668	11 of each species for a total of 44 plants
Area 21	751+50 – 753+50	1,618	28 of each species for a total of 112 plants
Area 22	762+00 – 762+50	196	3 of each species for a total of 12 plants
Area 23	764+50 – 766+55	677	11 of each species for a total of 44 plants
Total	-	**19,675**	**1,336 additional shrub plantings**

34. **The applicant states that the wetland replication area will be monitored for invasive species until 75% cover is achieved. To be in compliance with standard expectations of the Commission for replication areas, this should be modified to 90% cover, which is particularly important due to the extent of invasive species present.**

    Although this "standard expectation" of the Commission is not stated as a performance standard within the Sudbury Wetlands Administration Bylaw or Bylaw Regulations, the Applicants will monitor for invasive species until 90% cover is achieved if this requirement is included as a condition in the OOC.

35. **The applicant agrees to not store or refuel vehicles within the inner riparian zone or bordering land subject to flooding. This activity should also be required to occur outside the buffer zone, with the exception of the cranes. For the cranes, the applicant should develop secondary containment**

protocols to contain any fluids that may leak from these vehicle as they will be positioned at the river's edge.

The Applicants can agree not to store or refuel vehicles within the inner riparian zone, bordering land subject to flooding, or buffer zone, with the exception of the areas immediately adjacent to road crossings. The Applicants must retain the ability to refuel at road crossings to avoid excessive fuel use and traffic on public roadways to move equipment out of these jurisdictional areas.

The spill prevention approach at the cranes includes the use of erosion controls at the perimeter of the crane mats to protect the adjacent wetlands and waterways, thorough and repeated equipment inspections as well as regular preventive maintenance to ensure equipment is in good working order, and a robust spill prevention, control, and countermeasures plan. All equipment will be checked at the beginning and end of each day and regularly throughout the day for evidence of leaks and other hazards. At each crane, a 55-gallon spill kit containing emergency cleanup and spill containment materials is required to be kept on site and accessible at all times. The construction superintendent responsible for daily operations will designate at least three other site personnel to receive spill prevention and cleanup training, each of whom will be responsible for a particular phase of prevention and cleanup. The cranes will be fueled by experienced fueling technicians who will drive a refueling vehicle to the crane location and transfer the fuel via a fueling hose, similar to the way home heating oil is provided. An impervious basin will be placed under the hose and connection areas to provide protection during refueling.

36. **Best Management Practices submitted with the Notice of Intent refers to the use of hay bales. This should be modified to limit any confusion the contractor may have.**

    The Best Management Practices Manual submitted with the NOI is Eversource's standard BMP guidance for all projects. However, project-specific plans dictate what is used during construction, and the plans for this Project state that straw will be used. Hay will not be used on the Project Site.

37. **The applicant should explain why they are proposing pavement for this section of the Mass Central Rail Trail (MCRT) when other sections of the MCRT are not paved.**

    DCR evaluated various surface options for the MCRT – Wayside and determined that asphalt is the best choice for balancing accessibility, recreational use, environmental protection, alternative transportation, and long-term maintenance. Asphalt is the recommended standard by AASHTO for meeting full accessibility. It also performs best over time and serves the greatest number of users, especially less mobile users and users with devices with narrow wheels. Other potential surfaces, such as "stone dust," do not meet accessibility requirements or serve the full range of users. Surfaces such as "stabilized aggregate," while meeting accessibility requirements, do not serve as many users, do not hold up as well over time, and do not provide any additional permeability or other environmental benefit or cost savings.

38. **As recommended by DEP in their ENF Comment Letter, the applicant should 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. DEP further recommends the applicant develop a long-term vegetation management plan to maintain the 30-foot ROW.

Managing invasive species was addressed in response to Comments 6, 22, and 45 in the Applicants' Response to Comments letter dated June 25, 2020. The Project design has advanced since the issuance of the DEP's comment letter on the ENF and no longer includes maintaining a 30-foot-wide ROW.

39. **The Memorandum of Understanding should include Joint and Severable Liability to ensure the obligations of the project are fulfilled.**

    As set forth in several of the General Conditions in DEP's WPA Form 5 Order of Conditions (OOC), the OOC issued for the Project will apply to each permittee and to any successor party in control of the property subject to the OOC.

40. **The applicant should provide information on impacts on wildlife due to habitat fragmentation that the project may create, both during construction and from the higher density use of the trail by visitors and dogs.**

    The Project will not result in habitat fragmentation, which is a wildlife habitat concept that generally refers to disruption of contiguous undisturbed areas. The MBTA ROW is located near several abutting areas of conservation land, including the Assabet River National Wildlife Refuge, the City of Marlborough's Desert Conservation Area, and the Sudbury Valley Trustees' ("SVT") Memorial Forest, that have several existing trails and roads cutting through them, several of which are wide enough to be visible in aerial photography. In the Memorial Forest and Desert Conservation Area, SVT and the City of Marlborough have been actively managing for the pitch pine–scrub oak natural community with tree clearing and prescribed burns, including a burn plan originally planned for 2020 as approved by the Conservation Commission. On the Wildlife Refuge property, there is a system of cart paths and roadways, and the US Fish and Wildlife Service has also planned to conduct prescribed burns on the refuge property. Accordingly, the replacement of the rail line with the bike path will not create habitat fragmentation in an otherwise contiguous undisturbed area. In fact, the Massachusetts Division of Fisheries and Wildlife's mapping of interior forest in this area does not identify these areas around the ROW as unfragmented forest like the larger contiguous area well south of the ROW.

41. **The applicant should explain how the restoration of the site following construction minimizes predation and harassment of animals crossing the ROW from the additional exposure due to loss of vegetation.**

    See the response to Comment 40 above.

42. **The applicant should provide information on what will be done to enhance the local population of wild lupine at this site and what they will do to improve habitat for declining insects.**

    The Project is not proposing any measures to "enhance" the wild lupine population, which is not a state-protected species. However, DCR is exploring the possibility of including a specification for a

year of local lupine seed collection and dispersal/propagation within this area of the corridor. In addition, the Project will incorporate measures to protect the existing population that is present outside of the Project's footprint. It should also be noted that this is a non-jurisdictional area.

NHESP has identified Priority Habitat for two state-listed insects along the MBTA corridor. Based on consultation with NHESP, the Applicants will plant lowbush blueberry (*Vaccinium angustifolium*) to provide larval food sources for the Coastal Swamp Metarranthis (*Metarranthis pilosaria*). In addition, several of the species proposed in the herbaceous seed mix (e.g., *Penstemon digitalis*, *Solidago caesia*, *Symphyotrichum* spp.) as well as the supplemental plantings (e.g., *Clethra alnifolia*, *Ilex verticillata*, *Myrica pensylvanica*, *Pontederia cordata*, *Swida amomum*, *Swida alternifolia*, *Vaccinium corymbosum*) will provide food sources for insects.

43. The applicant should provide specific information on the source of any fill used, the sources of any fill certifications, and its appropriateness for the geology and habitat at this site.

As stated within the response to comment W5 in BETA's peer review comment letter and Comment 6 in the Applicants' Response to Comments letter dated June 25, 2020, the Project will only use certified weed free clean fill/loam. The contractor will be responsible for sourcing and certifying the quality of the loam.

44. The applicant should explain the proposed Ordinary Borrow that will be used on site and where is it coming from. Any soils added or brought into the site should be similar to the sandy soils that are already present at the site rather than "loam" in the section of the utility/rail trail corridor that is located between the Marlborough-Hudson town line and Dutton Rd.

See the response to Comment 43 above for ordinary borrow. In the area between the Marlborough-Hudson town line and Dutton Road, the Applicants will use sand borrow for all restored areas outside of the rail trail shoulders. For the shoulders the Applicants will use dense graded gravel to provide a safe surface for trail users, as sand can pose a hazard to bicyclists.

45. What is "Fluidized Thermal Backfill" that will be added above the buried utility line? What are the contents of such substance? What are its typical uses and has it been previously used in a conservation setting?

Fluidized Thermal Backfill (FTB) is a form of low strength concrete that is placed over the concrete duct bank to fill in voids and create a stable substrate to support the surface installed above the trench area. Similar to concrete it is composed of cement, fly ash, sand, gravel/aggregate, and water. FTB is typically used above underground duct banks to ensure that heat can dissipate into the surrounding native soils and not build up in any one location. In transmission line applications, FTB is used wherever underground transmission lines are installed including public roadways, off road rights of way, and in conservation settings along such routes.

46. Explain the applicability of Best Management Practices for Controlling Exposure to Soil during the Development of Rail Trails guidance, and any anticipated impacts from the mixing and topsoil with underlying soils. Provide copies of soil boring logs and monitoring well construction diagrams for

all subsurface investigations conducted within the MBTA ROW in the Town of Sudbury, including, but not limited to: B28, MP27, SB33/MW33, MP28, SB36, MP29, SB34, MP30, SB48, , SB35/MW35, MP31, MP32, MP33, SB49, MP34, SB42/MW42, SB40, MP35, SB41, MP36, SB-51, SB-50, MP37, SB-37, SB- 38, MP38, SB-39, MP39 and MP40. Provide copies of laboratory reports for all soil and groundwater analyses completed for samples collected within the MBTA ROW in the Town of Sudbury, including, but not limited to soil borings and/or groundwater monitoring wells B28, MP27, SB33/MW33, MP28, SB36, MP29, SB34, MP30, SB48, , SB35/MW35, MP31, MP32, MP33, SB49, MP34, SB42/MW42, SB40, MP35, SB41, MP36, SB-51, SB-50, MP37, SB-37, SB-38, MP38, SB-39, MP39 and MP40.

The applicability of the Rail Trail guidance was addressed in response to Comment 86 in the Applicants' Response to Comments letter dated June 25, 2020. Soil boring logs, monitoring well construction diagrams, and the analytical laboratory reports are provided as an attachment.

47. **Have other pervious trail surfaces been consider?**

See the response to Comment 37.

48. **Are there accommodations for horses, as they currently use this area?**

This was addressed in response to Comment 55 in the Applicants' Response to Comments letter dated June 25, 2020.

49. **How many manholes are needed in total along the line in Sudbury? How far apart are they and how wide do the sections with manholes have to be built? How many manholes in total for the entire project? How much surface area does that equal?**

As described in Section 3.1 of the NOI and shown on the plans, manhole locations require a work area 40 feet wide for a length of 50 feet and are spaced approximately every 1,500 to 1,800 feet. Section 3.1.5 of the NOI identifies that a total of 13 manholes will be installed in Sudbury, with seven located within the Commission's jurisdiction. There are no manholes within BVW, BLSF, or LUWW. Given a 2,000-square-foot footprint (40 feet by 50 feet) for each manhole, these 13 manholes will have a total surface area of 26,000 square feet. There is a total of 22 manholes proposed within the MBTA ROW in Hudson and Sudbury.

50. **Has DCR ever built a rail trail along an abandoned rail line that did not have a utility corridor associated with it, where the utility corridor was later built adjacent and within the rail line and already built rail trail?**

No, DCR has not built a rail trail along an abandoned rail trail where a utility line was then constructed later and *within* the already built rail trail. However, rail trails and utility lines have been constructed within the same corridor. This was addressed in response to Comment 72 in the Applicants' Response to Comments letter dated June 25, 2020.

51. **Does DCR plan on funding and maintaining rest areas? Are there rest stops and planned areas for handicapped access points located in town or in the conservation areas along the route? Who pays for this construction and maintenance?**

    Rest stops, pullouts, and access points to adjacent public ways are shown on DCR's plans. DCR is responsible for construction and maintenance of these features.

52. **What happens to all the dirt that has to be moved when leveling out the berm that the train used to run on and where is it stored both during and after construction? How many tons and what happens if it rains? What happens to the dirt of the berm when digging out the area for the manholes and the buried vaults for the lines? Will they be using the same dirt already there? If so, will it be tested it for train contaminants?**

    Please refer to the cross sections in Eversource's NOI plans for existing and proposed grades and cut/fill sections.

    The issue regarding stockpiling was addressed in response to Comment 17c in the Applicants' Response to Comments letter dated June 25, 2020. It was also addressed in responses to Comments W23 and W27 in the Applicants' Response to Comments letter dated June 25, 20202 to BETA's peer review. See the response to Comment 43 for clean fill.

    This question raises several items that are addressed separately throughout these questions. Please refer to those comments and answers.

53. **Are there water and soil test results for under and near the proposed rail trail? Have they tested at different depths along the rail bed or just at one depth? Have they tested water for pollution near Landham Road and one of the areas most affected in town by toxic waste spills from gasoline products?**

    An environmental due diligence study and sampling program were conducted within the bounds of the Project along the right of way. The details of the subsurface investigation and results of the soil and groundwater sampling program were provided to the Town of Sudbury in the June 25, 2020 supplemental submission.

54. **Since the train has not run for over 50 years, isn't this land and water now considered a natural area. How can you say that your project will "improve" on what is currently there?**

    This question was addressed previously in the response to Comment 7 and in response to Comment C2 in BETA's peer review comment letter in the June 25, 2020 supplemental submission.

55. **Will the heat from the lines underground affect the natural environment and wildlife in any way? What about people walking through along the trail?**

    This was addressed in response to Comment 31 in the Applicants' Response to Comments letter dated June 25, 2020.

56. Have Eversource or the DCR ever built a utility project or rail trail in the state that involves so many spill sites, so many residences, and require the disposal of so much material and upending of so much property adjacent to this amount of wetlands and priority habitat?

Eversource and DCR have constructed projects that involved similar work in and near residential areas and industrial locations, c. 21E sites, and various wetland resource areas.

57. How do you justify a multi-million dollar project that will obviously lower property values and taxes in our town and raise our utility rates at a time when many people are going to be laid off or let go?

This question and the inaccurate claims presented are beyond the scope of issues that the Commission is responsible for in this proceeding.

58. How would the use of horizontal directional drilling or other technology for installation of transmission line under the water crossing at bridge #127 and #128 impact wetlands vs. wetland impacts from (1) installation/construction of a new replacement bridge #127/rehabilitation of #128 and (2) the use of such replacement bridges as attachment surfaces for the transmission line conduit?

See response to Comment 76 in the prior submission dated June 25, 2020. Note that there are no wetland impacts associated with the rehabilitation of Bridge 128 or with attaching the transmission line to the new bridge as proposed.

59. When the lines go over or under the bridges will they be outwardly visible?

As shown on the Bridge Transverse Section detail for Bridge 128 on sheet 160 of the Eversource NOI plans, the transmission line in this location will be beneath the bridge and will not be visible to MCRT users. As shown on the Bridge Transverse Section detail for Bridge 127 on sheet 168 of the Eversource NOI plans, in this location the transmission line will be located on the side of the bridge outside of the timber rub rails, with a fiberglass-reinforced plastic cover on top. The rub rails and cover will make the line less visible to MCRT users.

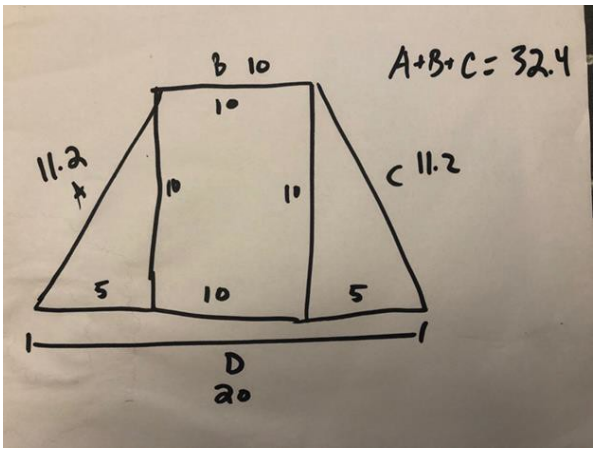
60. With multiple work crews coming from different sides of the ROW, is it possible to reduce the width of the 19-foot construction platform that provides for two way construction traffic?

No, having multiple crews come from different sides of the ROW would not allow for reduction of the construction platform width. Even if a public road-to-public road segment is broken into subsegments for different crews, there will be multiple vehicles travelling within that subsegment as work proceeds in a linear fashion from rail and tie removal to grading to manhole installation to duct bank installation to stabilization.

61. The TOY restrictions shown on the map was very helpful, thank you. Can you show a 20-month calendar of the proposed work? E.g., the proposed timing for particular sections? Using the ROW map or Gantt chart or similar format.

See the response to BETA's W28 provided in the response letter dated June 25, 2020.

62. Has the slope of filled ROW areas been appropriately considered, both in terms of area of impact and mitigation (e.g., amount of re-seeding material needed)? Using a simple overhead calculation rather than accounting for the slope could lead to underestimates for areas such as the section between Hop Brook heading east to Dutton Road, as show in the diagram below. Using an overhead horizontal would results in an impact diameter of 20 (D), when the reality considering the slopes would be a diameter of 32.4 (A+B+C), for however long the length of the impact area travels.



It is standard engineering practice to calculate impact areas horizontally. This is consistent with the Wetlands Protection Act Regulations, which define measurement horizontally (see definition of Buffer Zone at 310 CMR 10.04, and see 310 CMR 10.58(2)(a)3—"Measured horizontally means that the riverfront area extends at a right angle to the mean annual high-water line rather than along the surface of the land").

Should you have any questions concerning this submittal or require additional information, please contact Katie Kinsella at 617.607.2157 or kkinsella@vhb.com, or Gene Crouch at 617.607.2783 or gcrouch@vhb.com.

Sincerely,

Katie Kinsella and Gene Crouch

CC: Denise Bartone - Eversource
Paul Jahnige - DCR
MassDEP - Northeast Regional Office

Attachments:

- Revised plan sheets showing the additional areas of plantings and planting details
- Eversource's Best Management Practices Manual
- Revised Corridor Management Plan with the Operations and Maintenance Plan and Long-term Pollution Prevention Plan attached
- Soil boring and monitoring well logs and analytical lab reports