



November 13, 2020

Ref: 12970.00/14424.00

Sudbury Conservation Commission
275 Old Lancaster Road
Sudbury, MA 01776

Re: Supplemental Submission
Sudbury-Hudson Transmission Reliability and Mass Central Rail Trail Project
DEP File No. 301-1287

Dear Members of the Conservation Commission,

The Applicants, the Massachusetts Department of Conservation and Recreation (“DCR”) and NSTAR Electric Company d/b/a Eversource Energy (“Eversource”), are providing this supplemental submission to address remaining points raised during the prior hearings and assist the Commission in its identification of appropriate conditions for an Order to be issued for the Project.

1. The Applicants were asked to confirm the accuracy of the descriptions of existing drainage structures in Table 4 in the NOI and on Eversource’s NOI plans. Two corrections were noted:
 - › Drainage Structure 127D is correctly identified in Table 4, but it is called out as a “culvert” on sheet 58 of Eversource’s NOI plans. This callout will be updated, and the revised sheet will be submitted with the final set of plans.
 - › Table 4 states that Drainage Structure 126D is going to be abandoned in place. However, as clarified in the Applicants’ July 30, 2020 response to BETA’s comment letter, Pipe #126D will be replaced to maintain local drainage patterns, and the plans have been updated to reflect this change
2. The Applicants can agree to a special condition requiring a structural engineer to conduct an inspection of the culverts prior to construction to determine whether: (a) they are still functioning hydrologically, and (b) can withstand the planned construction activities, and that a report be provided to the Commission. If any culvert is found to not meet these requirements or is damaged during construction, it shall be replaced with a culvert that meets current MA Stream Crossing Standards to the maximum extent practicable, as determined by the Commission or its agent, during construction. If a culvert requires replacement in the future, DCR will be responsible.

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3. The Commission requested that the Applicants provide information regarding compliance with the MassDEP Stormwater Management Standards in the hypothetical scenario of the underground transmission line being constructed as a standalone project without the Mass Central Rail Trail. As demonstrated in the attached memorandum, the hypothetical standalone transmission project would comply fully with the applicable Stormwater Management Standards.
4. It has been asked during the hearings whether Eversource's vehicle access along the MCRT for future inspections of the transmission line means that the MCRT does not qualify for the provision at 310 CMR 10.05(6)(m)6 stating that the Stormwater Management Standards shall apply to bike paths designed for pedestrian and nonmotorized vehicle access to the maximum extent practicable. As stated in the NOI, Eversource vehicles will use the paved MCRT to access the transmission line facility for inspection once every three years. DCR vehicles will also access the MCRT for maintenance as they do for all of their rail trails. This limited use by inspection and maintenance vehicles does not change the fact that the MCRT is a path designed for pedestrian and nonmotorized vehicle access.
5. Questions also have been raised about the crane mat installations at the two Hop Brook bridges, and about how dewatering would be conducted at the two Hop Brook bridges and an area near Union Avenue, relative to the Limited Project performance standard at 310 CMR 10.53(3)(d)2, which states: "Best available measures shall be used to minimize adverse effects during construction."

As indicated previously, if dewatering is necessary, water will not be discharged directly into any waterbodies, BVW, Isolated Vegetated Wetlands, or inner 100' of RFA. In addition, the Applicants have described the standard methodologies that are available and the general dewatering methodology that will be implemented during construction to prevent adverse impacts to resource areas. However, to address concerns about dewatering at the two Hop Brook bridges and near Union Avenue, and about crane mat installation at the two Hop Brook bridges, the Applicants would agree to a special condition requiring that reasonable funds will be provided for an independent environmental monitor to work with the Commission and to observe the crane mat installations at the two Hop Brook bridges, and to be notified in advance if dewatering is required within jurisdictional areas at the two Hop Brook bridges and near Union Avenue. The independent monitor may inspect the work site before dewatering commences if the inspection can occur within 24 hours of notification.



6. In connection with the Limited Project standard at 310 CMR 10.53(3)(d)3, the Commission requested additional information regarding the restoration of surface vegetation within Riverfront Area. The table below provides a calculation of the area of revegetation within Riverfront Area.

Total Area of Project in MWPA RFA	156,480 square feet
Total Area of Project in MWPA RFA with dense vegetation along the rail bed ⁽¹⁾ ⁽²⁾	122,347 square feet
Total Area of Project in MWPA RFA that is presently vegetated to be paved for the MCRT	26,747 square feet
Total Area of MWPA RFA that is presently vegetated to be restored with native vegetation	95,600 square feet <i>i.e.</i> , 78% of 122,347 square feet ⁽²⁾

- (1) The total length of the Project Site that passes through MWPA RFA is 6,088 linear feet. Of this, the area of the rail bed within a length of 2,985 linear feet has dense vegetation, and the remaining length of 3,103 linear feet of the rail bed has little or no vegetation.
- (2) Within the length of 3,103 linear feet that passes through MWPA RFA where the rail bed has little or no vegetation, much of the adjacent area contains a dirt path also devoid of vegetation that has been established by walkers, bikers and horseback riders. However, the area of this dirt path has been assumed to be presently vegetated and is included in the calculation of the total area that is presently vegetated in rows 2 and 4 of the table. Thus, the calculation that 78% of the MWPA RFA will be substantially restored is conservative.
7. The Applicants' LSP has reviewed the letter provided by Partner Engineering and Science, Inc., ("Partner") on behalf of Protect Sudbury, Inc., dated November 2, 2020. As indicated in the attached letter, Partner's comments do not present any additional issues for the Commission to address within the jurisdiction of the MWPA and the Sudbury Wetlands Bylaw.
8. As requested by Lori Capone, Conservation Agent, the Applicants have revised the planting plans at Bridges 127 and 128 to replace some of the proposed shrubs with additional tree specimens and increase the size of the eastern white pines where possible. The planting plans for Bridge 127 and Bridge 128 were revised and now include 18 trees and 68 shrubs, and 49 trees and 190 shrubs, respectively. This is the maximum density based on size and spacing requirements. In addition, the other supplemental planting areas have now been incorporated into the landscaping plans and the plants have been visually laid out to replace the general hatching on the construction plans. However, the number of shrub plantings (i.e., 1,336 individuals) has not changed. Updated plans are attached.
9. The Applicants have continued to evaluate mitigation measures that will contribute to the protection of the interests identified in the MWPA and the Sudbury Wetlands Bylaw. The Applicants have already proposed the following mitigation measures: (a) planting 55 shrubs, one tree, and 77 ferns along nine vernal pool margins where appropriate, (b) planting an additional 1,336 shrubs within jurisdictional areas, and (c) removing refuse within the ROW outside of the limit of work where such refuse can be removed without machinery and without impacts to wetland resource areas.



As additional mitigation, Eversource is proposing to provide funding for an independent environmental monitor to inspect crane mat installation and dewatering near the Hop Brook bridge locations (see item 5 above). Eversource also is offering to provide \$300,000 for the implementation of future ecological improvement projects in Sudbury identified and approved by the Commission. The example identified in the Applicants' October 15, 2020 response letter, i.e., areas where common reed (*Phragmites australis*) and Japanese knotweed (*Polygonum cuspidatum*) could be removed on the SVT property adjacent to the MBTA ROW, was presented to suggest the type of improvement project that could be funded in this way. A special condition could be added to the Order requiring Eversource to work with the Commission to establish the parameters of how the funding will be established and how such projects would be implemented, e.g., a third party contractor acceptable to the Commission could be selected and paid through the fund and separate projects could be undertaken once access has been authorized by property owners in Sudbury who are interested in having invasive species removed from wetlands on their property.

We look forward to meeting with the Commission on November 23rd to address any questions about this supplemental information.

Sincerely,

Two handwritten signatures in blue ink. The first signature is on the left and the second is on the right.

Katie Kinsella and Gene Crouch

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

Attachments: Memorandum – Hypothetical Standalone Underground Transmission Line Stormwater Management Standards Compliance

Memorandum - Response to Comments from Partner Engineering and Science, Inc.

Updated Planting Plan Sheets for Bridges 127 and 128 and Supplemental Planting Areas