

Town of Sudbury

CONSERVATION COMMISSION

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Wetlands • Conservation Land Management • Land Protection • Stormwater

March 15, 2016

Bev Schultz
Eversource Project Manager
Eversource
One NSTAR Way
Westwood, MA 02090

Re: Sudbury to Hudson Transmission Line Project

Dear Ms. Schultz,

The Sudbury Conservation Commission has reviewed the Eversource material presented to the Selectmen on Feb. 2, 2016. The Commission will be involved in the project in two diverse ways. One, as the regulatory authority under the Wetlands Protection Act and the wetland bylaw. No specific comments can be provided at this time in this capacity as no plan has been presented. There is no information available to determine if the project meets performance standards of these laws and regulations. We do note that much of the area within and abutting the MBTA rail line property is within sensitive wetland areas. The regulatory authority is somewhat limited as the project appears to qualify as a Limited Project under 10.53 and therefore may not need to meet the strict adherence to the WPA. The project appears to need local wetland bylaw permitting and the performance standards under the bylaw will be more restrictive. The proposed facility must cross over or go under Hop Brook and its extensive associated wetland, floodplain, and NHESP priority habitat area as well as other sensitive areas along the proposed route.

The state and local wetland regulations will be applied, as they are to all projects, to the extent necessary to ensure the performance standards are met and there is no net loss of wetland and regulated adjacent upland natural resource values and functions.

The second form of involvement of the Conservation Commission is as a direct abutter to the proposed transmission line with approximately 3,825 linear feet of abutting property line with the Hop Brook Marsh Conservation Land. This 93-acre parcel of wetland, floodplain, meadow and forest was purchased by the Town of Sudbury from the Sudbury Rod and Gun Club in 1967. It was the first parcel of conservation land purchased by the Town for the use and passive enjoyment of the trails by the public. It is the most actively used of the town's conservation lands and abuts more residential properties in town than any other conservation land.

The Eversource 2/2/16 presentation states that there were route selection guidelines. What were they? Viable alternatives appeared to be dismissed without clear reasoning as to why. What was the criteria used by Eversource in rejecting alternative routes? Cost estimates are incomplete and not available for the alternative routes considered. What were considered the "obvious flaws" that caused a route to be eliminated?

Did these flaws include:

-Disruption and alteration of the natural resources in the area will occur due to construction. Whether or not the transmission is above or below ground, the clear cutting will fragment areas of essential wildlife and biological essential uses. Along the proposed 4.3 miles in Sudbury the property contains or directly abuts 5,930 linear feet within state priority and estimated habitat areas; 6,145 linear ft. abutting protected town open space with public access; and at least eight perennial stream crossings; and ten vernal pools (5 certified and 5 with certified data collected).

-Disruption and enjoyment of the use of the Hop Brook conservation land by the public during and after the proposed Eversource Transmission line construction should be considered as part of the alternatives Eversource considered. Issues such as access, staging areas, emergency access and turn-around areas, etc. are likely to fall outside the 82.5' of the MBTA-owned parcel. The MBTA land is 82.5' in width. The proposed transmission line poles are expected to be up to 105' in height. Assuming these poles are approximately centered within the MBTA property, best case scenario has the required vegetation management area occurring 22.5' outside the MBTA land. Eversource has not addressed how they plan to deal with this; eminent domain takings? If so, has that been figured into the total project cost?

-Disruption and alteration caused by construction impacts particularly on trestle and areas with wetland directly adjacent to raised rail bed where abutting rail bed is wetland.

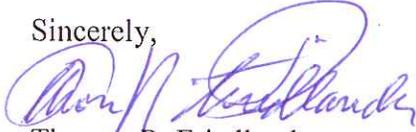
-Disruption and alteration of the natural resources in the area that will occur due to maintenance. These will include tree removal outside the 82.5' MBTA-owned land and might result in eminent domain takings of conservation land. This will trigger Article 97 of the MA Constitution. Has the taking of Article 97 land replacement been figured into the project costs?

-Disruption and alteration for further maintenance by chemical herbicides as is Eversource's practice throughout the state. Eversource uses foliar spraying of herbicides for vegetation control. How might this use effect public land and the environment? The chemical used for herbicide treatment has been glyphosate products, notably Rodeo or Round Up. In 2014, the World Health Organization declared these products "probably human carcinogens". How will the vegetation be treated to eliminate it on the gravel access road and keep the height down within the pole wire zone, border zone, and on private property?

The Sudbury Conservation Commission therefore requests that all information, including evaluation criteria, regarding the Preferred and Alternative routes be made public and that other

options are given additional, comprehensive attention. For example, underground along the Hudson Road route will have far less environmental impact. We believe that the preferred alternative within the MBTA rail line property is a *significantly* flawed alternative regardless of whether or not the transmission line is above or below ground. We believe other alternatives exist that will have much less impact on the abutting properties, the natural resources that Sudbury has worked very hard to permanently protect, and the environmental values and functions of the area, particularly the adjacent conservation lands.

Sincerely,



Thomas R. Friedlander
Chairman, Sudbury Conservation Commission

Cc:

Governor Charlie Baker
Lt. Governor Karen Polito
Sudbury Town Manager
Sudbury Board of Selectmen
Joanne O'Leary, Eversource
Protect Sudbury
Representative Carmine Gentile
Senator Barrett
Senator Eldridge
John Laidler, Boston Globe
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