

Sudbury Conservation Commission
Department of Public Works Building
275 Old Lancaster Rd
Sudbury, MA 01776

Sudbury Planning Board
Flynn Building
278 Old Sudbury Rd.
Sudbury, MA 01776

BY EMAIL AND HARD COPY

November 23, 2020

Re: Eversource Sudbury-Hudson Reliability Project; Eversource/MCRT NOI

Members of the Conservation Commission and Planning Board:

In light of the PFAS contamination discovered near the Sudbury Hudson border as recently discussed at the November 2nd Conservation hearing on the Eversource/DCR Project, and the fact that the Phase II study for that site has discovered that White Pond and groundwater on the Sudbury/Hudson line contain approximately 60 ppt PFAS, an amount clearly above the current MCL state standard of 20 ppt for PFAS-6, as well as the potential exacerbation of this PFAS contamination and impacts to wetlands from Eversource's planned dewatering in the area as part of its project, I strongly urge the Commission to deny the wetlands permit currently before them.

I also ask the Planning Board to consider the impacts of stormwater discharges in this area of contaminated PFAS groundwater, as it would seem prudent that in an area that contains sensitive natural resources and extensive wetlands (specifically, Vernal Pools, Cold Water Fishery and Protected Species) Eversource be instructed to test and identify all sources of potential contamination associated with its project there. In fact, the Commission should request that Eversource conduct additional groundwater testing all along the MBTA Right of Way, in order to avoid excavations and discharges that would further contaminate areas of concern. It is clear from the Notice of Intent and subsequent filings that the impacts from cutting/filling, removal of tons of contaminated railbed soils and dewatering in areas of known or potential groundwater contamination are extensive. In addition, due to the fact that within the 4.5 miles of project length located in Sudbury, only 3 groundwater samples were taken (between the former Raytheon site and Union Avenue/Station Road) with no sampling done in the westernmost sections of the ROW closest to the known areas of PFAS contamination or in the section east of Boston Post Road, more precautions should be taken.

While Eversource has so far avoided testing near known contaminated sites that border the project route, including the Boyd/Precision Coating PFAS site in Hudson, responsible for the pollution of both private and public drinking water wells in that area, pollution prevention and protection of groundwater and public and private drinking water sources, as well as any potential

water supply resources are wetland values currently existing under the Wetland Protection Act and Sudbury Wetland Bylaws. Sudbury Zoning Bylaw Article IX, section 4210 regarding Water Resource Protection Overlay Districts (WRPOD) expressly states that its designed purpose is *(a) to promote the health, safety, and general welfare of the community; (b) to protect, preserve and maintain the existing and potential water supply and ground water recharge areas within the Town; (c) to preserve and protect present and potential sources of water supply for the public health and safety; (d) to conserve the natural resources of the Town; (e) to prevent the pollution of the environment; and (f) to provide for monitoring of ground and surface water quality in areas of present and potential water supply sources to accomplish detection of potential contamination at an early stage, thereby minimizing damage to such sources.*

Due to the size and scope of this project, the threat to the Hudson, Sudbury and Stow water supply is real. It is well known that the contamination in the Hudson/Sudbury border area is present, but so far Eversource has not offered any adequate mitigation measures to further contain the spread. I am providing a link to a recent PBS article entitled, *Toxic synthetic 'forever chemicals' are in our water and on our plates* <https://www.pbs.org/wgbh/nova/article/pfas-synthetic-chemicals-water-toxic/>, which discusses why PFAS, (polyfluoroalkyl substances) even at very low levels (parts per trillion) are so dangerous to our health; how their effects on the human body result in cell damage linked to such diseases as kidney cancer, ulcerative colitis and birth defects, and how PFAS due to the strength of their molecular bond are so resistant to breaking down once allowed to seep into surrounding soil and groundwater.

There also exists a real potential for further contamination of groundwater and soil from groundwater discharged and or rerouted over and through the many well-documented toxic spill sites located along the projected route of the project. These sites include the former Sudbury Rod and Gun Club where high levels of lead have been detected in the past, the former Raytheon site and auto body and machine companies located at Station Road where TCE and other chemicals have been found, and the gasoline leaks from underground tanks producing benzene, toluene and other BTEX pollution in soil and groundwater at Landham Road. Of course, of prime concern are the toxic waste chemicals deposited by the 100-plus years of train use located all along the ROW. Train use pollution in railbed soil consists of such contaminants as arsenic and creosote from ties, asbestos from brakes and TPH/PAH, from oil, coal, transmission fluid and diesel.

The current strategy employed by DCR and Eversource, to avoid and evade by omission, continues to plague the entire permit process of the project. While the majority of the town of Sudbury's residents oppose this project, as evidenced by the multiple legal proceedings brought forward by the Town and its residents, all despite the existence of alternatives, DCR and Eversource continue to proceed with their project in a reckless and destructive manner. Their construction and mitigation plans are incomplete. More study should be done to find out about the potential for groundwater and stormwater flow coming East from Hudson through or under PFAS contaminated soil. More testing should be done in the area surrounding White Pond and the Massachusetts Fire Fighting Academy. More testing should be done in the areas surrounding the numerous documented toxic waste spill sites located along the MBTA right of way, *before*

any permits filed in Sudbury by both Eversource and DCR are approved, and any real, permanent damage is done to our town, it's water resources and current and potential private and public drinking water sources.

Additionally, I wish to alert the Commission to the disingenuous actions by the Department of Conservation and Recreation, DCR, Eversource's partner in this project. Even though DCR presented their trail project to Sudbury's Board of Selectpersons in 2016, and studied it as early as 2013, DCR has not worked with Sudbury on this project at all since. There has been no MCRT or DCR community outreach on this project, despite DCR's claims of stated practice of collaboration with local communities on its bike paths. DCR continues to maintain that it would use herbicides, "Roundup" to control vegetation along the route if constructed, even though the Energy Facilities Siting Board in their Final Decision on the project ordered Eversource not to use any at all on the Right of Way, and to report back to them if DCR failed to agree to also not use herbicides in its vegetation management plan. This EFSB requirement arose when the Town of Hudson, in its final argument before the EFSB, requested that herbicides not be used in the Zone IIs of its wellfields as a result of the very serious problems it was, and still is, having with PFAS contamination in its drinking water.

So far, the Memorandum of Understanding between Eversource and DCR that would govern vegetation management along the ROW has remained in "draft" form for years and as such, is in non-compliance with EFSB requirements. Furthermore, DCR's current Vegetation Management Plan submitted to permit reviewers reserves the right to use herbicides possibly in areas of Vernal Pools and other sensitive environmental areas, as well as in Zone II Water Supply Protection Areas, contrary to what was requested by Hudson and so ordered by the EFSB. In light of these actions by DCR, I find it hard to give any credence to DCR's insistence that it collaborates with communities and has conservation interests at heart. DCR's mission statement to *protect, promote and enhance our common wealth of natural, cultural and recreational resources ... improving outdoor recreational opportunities and natural resource conservation* is one they have obviously chosen to forget. Not one of the construction activities or mitigation plans associated with this project does anything to enhance our town's resources or recreational opportunities. The fact that this project is so highly impactful to miles of conservation areas, wetland, protected habitat and open space, begs the question as to how it could be considered a "limited" project in the first place, and how it could be considered "recreational" at all.

It is highly illogical to allow DCR to apply the same standards to building a rail trail that is so closely connected to an underground transmission project of this size and scope that it would apply in constructing a standard or normal 8 to 10-foot wide rail trail. The current project would involve trenching through contaminated soil and or groundwater and would incorporate numerous massive splice vaults required to be buried along the route. These vaults would require 20-plus feet of clear cut (40 to 50 feet during construction) a construction practice not normally used for a standard bike trail. The loss of tree canopy alone from the removal of approximately 24 acres of forest assures that this rail trail should not be considered "standard" or "normal."

There is also a greater risk of water runoff in this project due to the width of the clearing and the steep slopes that exist in many places along the Right of Way. In addition, the depth of the groundwater to be encountered during excavation in many places along the ROW is quite shallow, as it is in much of Sudbury, which has experienced severe flooding in the past. The fact that this project passes through numerous sensitive environmental areas and drinking water sources, would create a large amount of stormwater runoff through contaminated soil and would increase the risk of flooding in the region, all leads to the conclusion that the project poses risks well beyond those of any “normal” bike trail and portends to catastrophic events that far outweigh any benefits to the town and region in terms of its “recreational” value.

Indeed, to characterize this project as a “recreation” project is to hide the true nature of its purpose. DCR’s partner, Eversource, has not, as far as I can tell, ever been in the “recreation” business. I would challenge DCR to name one bike trail, the construction in which it was involved, that required the amount of width and type of massive construction challenges that this one requires. Like a child caught in a lie, DCR must now continue to protect its lie. They have gone so far as to assert that their rail trail, despite the impactful and destructive nature of the construction plans that must be put into place prior to it being built, can be compared to Wayland and Weston’s sections of the MCRT. This comparison is made in error: Eversource’s Wayland and Weston high voltage lines have been in place for decades; the ones through Sudbury have not yet been built.

So many questions remain unanswered.

Where will the hundreds of tons of excavated dirt be stored during construction? Will this contribute to dust in the air? How will it affect our residents with asthma or breathing issues?

Will any of the excavated dirt be tested for contaminants prior to being reused or spread over the course of the route? What happens if this soil is contaminated and exposed to rain?

Will motorized vehicles be allowed on the trail once it is finished? According to recent statements made by Eversource’s attorney, not just maintenance trucks but emergency vehicles and ambulances would be allowed on the trail once complete. Is this normal for a rail trail?

Who will pay for insurance along the trail which travels through remote conservation areas and would be under constant threat of flooding? What about the required handicapped access points and necessary easements? Will Sudbury be responsible for additional costs incurred for the maintenance of a trail that is wider than normal and requires such a huge amount of revegetation due to the removal of so much soil and forest?

How will this project affect our historic buildings and bridges? How will it affect the ancient Native American archeological sites known to exist throughout the project area?

How will the heat from the lines placed under the trail affect the environment in the region? What will be the impact of this heat on the protected habitat the project passes through?

And how is the extensive amount of revegetation to be required ever going to perform in the same way and to the same degree that the trees and shrubs that have existed for well over sixty years along the route have performed, in protecting streams, riverbanks, drinking water wells and sensitive wetland areas from pollution, erosion and decay?

These are but a few of a multitude of unanswered questions that lie at the heart of Eversource and DCR's ill-prepared and ill-conceived plan. The fact is, Sudbury is not against rail trails or recreation. We recently voted to spend a sizable sum to purchase the CSX corridor for just this purpose and last year purchased a sizable summer camp. What we are against is mendacity, the type of which is represented here by Eversource and DCR on a grand scale. The truth is: this not a recreation corridor as presented by DCR, but a highly impactful and destructive utility corridor. To call it otherwise is to confuse and obfuscate the true nature of the purpose of the project in a blatant attempt to avoid and evade local bylaws and state environmental regulatory standards.

By continuing to promote a project along the MBTA ROW that the residents of this town from day one, have stated they do not want or need, Eversource continues to abuse its authority and avoid its corporate social responsibility to the customers it serves. DCR as an accomplice to this scheme, continues to act in an unethical fashion by disregarding the wishes of the citizens it was formed to serve. The idea that the Eversource Sudbury-Hudson project will somehow enhance our community and recreational life is laughable, a mirage created by Eversource and its consultants, aided and abetted by DCR who continue to make things up as they go along. Sudbury should not be used as a petri dish for this type of destructive experiment, the results of which are far too risky for both Sudbury and the entire region to sustain, if approved.

As one of a majority of very concerned citizens, I hope and pray that you, members of the Conservation Commission, along with the Planning Board, will continue to perform your duty to "preserve, protect, and improve the Town's valuable water, land, plant, and animal resources for the benefit of present and future generations..." and to safeguard our town from a project which is regarded by a majority of Sudbury's residents as a clear and present danger to our health, safety and environment.

Respectfully submitted,

Nicholas Pernice
Sudbury Resident

CC: Sudbury Planning Board	MA Senator Mike Barrett
Sudbury Board of Selectpersons	MA Representative Carmine Gentile
Sudbury Town Manager	MA Representative Kate Hogan
Sudbury Historical Commission	US Representative Katherine Clark
MA Governor Charlie Baker	US Representative Lori Trahan
MA Attorney General Maura Healey	U.S. Senator Ed Markey
MA Senator Jamie Eldridge	U.S Senator Elizabeth Warren

