



March 11, 2020

Mr. David Mercer, Chair
Hudson Conservation Commission
78 Main Street
Hudson, MA 01749

Attn: Pam Helinek, Agent

Via email: phelinek@townofhudson.org & Hand Delivery

Reference: Wetland Peer Review – Notice of Intent
Sudbury-Hudson Transmission Reliability and MA Central Rail Trail Project
Eversource and DCR -Hudson, Massachusetts
WDA JN-0920.20.03

Dear Mr. Mercer and Members of the Conservation Commission:

WDA Design Group (WDA) is pleased to submit this report of findings pursuant to our review of the Notice of Intent and plan documents. As requested by the Commission we are writing in support of our peer review of the above noted Notice of Intent (NOI) for the 4.7-mile section of the proposed Eversource and Mass Central Rail Trail (MCRT) Project in Hudson along the existing decommissioned MBTA Rail line/right of way and Town roadways. The NOI was prepared and submitted by Vanasse Hangen Brustlin, Inc. (VHB) and the Department of Conservation and Recreation (DCR) on January 2, 2020. The project was filed as a Limited Project under provisions of the WPA specifically 310 CMR 10.53(3)(d) and (6) respectively. The initial NOI public hearing was opened and presented to the Commission by VHB/DCR on January 20, 2020. The second public hearing is scheduled for March 19, 2020. As of this writing the Department of Environmental Protection (DEP) has yet to issue a Department file number or any potential comments for the project. As the Commission is aware, closure of the public hearing and a final determination on the status of the project (Order of Conditions either approving or denying the project) cannot occur until the DEP has issued the file number.

WDA was provided the following NOI application documents for review via a link through the Conservation Commission webpage and/or via electronic copy from the Applicant's Engineer, VHB.

- Notice of Intent, 01-02-2020 (198 pgs.);
- Stormwater Management Report (808 pgs.)
- Wildlife Habitat Evaluation (202 pgs.)
- Transmission Line Plans along MBTA ROW (164 shts.)
- Mass Central Rail Trail Plans (31 shts.)
- Transmission Line Plans along Roadways (23 shts.)
- ORAD Approved Plans (24 shts.)
- VHB Presentation – 01-16-2020 (64 pgs.)

Subsequently on February 7, 2020 WDA was provided the following revised or updated information by VHB;

- DCR_MCRT Wayside NOI Revised Sheets (3 shts.);
- Eversource_Hudson NOI Revised Sheets (20 Shts.)
- Hudson NOI Supplemental Submission Impact Calculations (6 pgs.)
- Sudbury-Hudson Transmission Line Plans along MBTA ROW (164 shts.)

WDA reviewed the NOI Plans and stormwater management report and calculations to assess compliance with the MA Wetlands Protection Act and Regulations (310 CMR 10.00). We offer the following comments to aid the Conservation Commission in determining whether the project meets the performance standards of the WPA and Regulations and could be adequately conditioned and permitted with the issuance of an Order of Conditions (Order) governing the work:

GENERAL NOI COMMENTS:

The linear project entails work within three other Towns, namely Marlborough, Stow and Sudbury with the section of the project in Hudson which runs approximately 4.7 miles through Town, with approximately 3.3 miles of the route within the inactive MBTA ROW (average ROW of 82' wide), while the remainder is generally within existing paved roadways. The majority of the areas subject to Commission review are located along the MBTA ROW and associated with two perennial waterbodies, one unnamed stream and Fort Meadow Brook (associated Riverfront Areas), as well as intermittent streams, bordering land subject to flooding, land under waterbodies and waterways, isolated land subject to flooding and buffer zones. Portions of the project are located within areas mapped as Priority Habitat by the Natural Heritage and Endangered Species Program (NHESP). Aside from the mapped habitat and four (4) State identified species, two certified vernal pools are located along or within the project scope (others have been identified as "certifiable"). Further detail on the resource areas as well as the NHESP information and findings by MA Division of Fish and Wildlife (MA DFW) as it pertains to the MA Endangered Species Act (MESA) is contained within the NOI and submitted Wildlife Habitat Evaluations.

The Project is proposed in two (2) phases, summarily Phase 1 would be completed by Eversource and would entail vegetation clearing, installation of erosion controls removal of the existing rails, site preparation, installation of underground transmission line vault or duct banks, grading, stormwater controls, new bridge over the Fort Meadow Brook and final gravel base (MBTA ROW) or re-paving (roadways) plantings and seeding.

Phase II would be completed by DCR as part of the MA Central Rail Trail Project, and would entail paving of the 10' wide pathway over the 14' wide gravel base along the MBTA ROW, localized clearing and earthworks, new pathway north of Wilkins Street (adjacent to ARRT parking area), connection of the MCRT to the ARRT in that location, installation of signage, benches, bike racks, loaming, seeding, additional plantings and removal of all erosion control barriers (ECB's) once all areas stabilized (and approved by CC), preparation of as-built plans.

NOI APPLICATION CONTENTS (OUTLINE/DEP AND OTHER FORMS):

The submitted MCRT Plan Set (31 sheets) bears the seal and signature of a Professional Engineer on the Cover Sheet only. The Sudbury-Hudson Transmission Reliability Plans (164 sheets) have no seal or signature on any sheet. Revised sheets provided to WDA to date did not have a Professional Stamp nor revision date. WDA has requested that revised plans have a revision date and be included in a bound set (if only stamped on cover page) or all sheets receive a

Professional Stamp (PE, PLS or RLA as applicable) and full date (not just month and year). 250 CMR 5.01 requires plans delineating property boundaries and other zoning and non-zoning boundaries, as well as all dimensions of the various boundaries and any offsets to the various boundaries be established and signed/sealed by a Professional Land Surveyor or Professional Engineer registered in MA.

The Application contained the required signatures and pages by the separate owners of the properties. The Applicants filed the project as a Category 2e (inland limited projects minus road crossings and agriculture) and associated filing fee of \$750. This appears to be the correct Category and fees, and copies of the checks to the State (\$362.50) and Town of Hudson (\$387.50) were included in the NOI application package.

The application also included the applicable abutters list for those abutters within 100' of the project and required abutter notification. It appears that the abutters and proper notification were addressed appropriately by the Applicants. The Commission received confirmation of abutter notification in the form of the certified mailing "green cards" at the Public Hearing on January 20, 2020.

SITE VISIT AND WETLAND REVIEW MCRT EXTENSION - ARRT PARKINGG/NORTH SIDE OF WILKINS STREET

The ORAD issued February 5, 2018 confirmed the resource area boundaries (BVW, BLSF, ILSF, LUWW, Riverfront) along the 4.7-mile route through Hudson, with 3.3 miles of that along the inactive MBTA ROW in Hudson. As part of the recent NOI submittal specifically for that new section of the proposed MCRT connection to the Assabet River Rail Trail (ARRT) along the north side of Wilkins Street (adjacent to existing ARRT parking), there was a small area of bordering wetland that had yet to be confirmed as it was out of the original ANRAD scope. WDA was requested to review this area with VHB as part of the new NOI. We met Ms. Kinsella (VHB) at the ARRT parking area on February 5, 2020 to review wetland flags BP-1 through BP-8 located west of the parking area and adjacent to wooded/mown lawn areas of the property. No snow or ice was located on the ground during our field review. The site has areas of historic disturbance, given the current and past use of the property, with paved parking and trail, mowed lawn areas, and stormwater controls. One flag, BP-4 was noted as missing, although we located the tree it had been tied too and Ms. Kinsella re-tied a new flag and labeled at that original location. We reviewed a small low, "pitted" area which projects easterly into the mowed lawn area slightly, located between flags BP-4 and BP-5. This area had indicators of hydrology and hydric soils, as well as remnants of sensitive fern (*Osmunda cinnemomea*) and we agreed to a new flag location here to pick up this slight bump out in the delineated boundary. Ms. Kinsella added new wetland flag BP-4A between BP-4 and BP-5. This flag location and revised wetland boundary are shown on the revised plan, DCR sheet C-01. The remaining flag locations accurately delineate the wetland boundary. This plan should be updated with a revision date and incorporated into the latest plan set submitted to the Commission.

Following the field review outlined above, we reviewed the area adjacent to the Fort Meadow Brook bridge. WDA had not seen this area since our past peer review observations of soil borings in 2018. As the Commission is aware, the old rail and wooden bridge is proposed to be removed and replaced by a full span bridge/timber walkway. Since 2018 apparently someone had set the existing railroad bridge on fire, much of the old bridge structure except for several supporting pilings/beams is now gone, with the old steel rails crossing over and above the brook. Some of the fire debris is now incorporated below the rails and against the pilings with the remains of an old beaver dam and other concentrated debris accumulated from natural stream transport.

FORT MEADOW BROOK BRIDGE CROSSING AND BEAVER DAM

We were made aware that the Commission had raised questions during the January 20, 2020 hearing as to concerns over possible beaver dam removal at the FMB bridge as part of the proposed bridge replacement and whether removal of a beaver dam here could have detrimental impacts to either, or both, upstream and downstream wetlands and potential erosion and sedimentation if a dam were to be removed. It was our recollection that during our site observations of soil borings adjacent to the dam in 2018 that only limited remains of a beaver dam existed in this location, with no visible signs of being actively maintained. It appeared at that time, and in seeing later photos from the same area in 2019, that the dam was not actively maintained by beavers as large breaks in the debris and flow over, or through it were observed. This is similar to what Ms. Kinsella and we observed during our February 5, 2020 site visit as well. Although we did see several small, new cuttings in the area and some possible plant material against a small portion of the old dam, but still with large open and flowing areas. During our site visit Ms. Kinsella indicated that the Hudson DPW had a contract with a wildlife company to maintain the beavers (trap and eradicate, as it is unlawful to live trap and relocate beaver in MA) in this area since 2013 as their presence had created flooding and impact to the adjacent low lying infrastructure and water supply wells (potential contamination of well from fecal and other pathogens).

Since that visit we requested additional information regarding the beaver control program in this area. Apparently, Hudson DPW has contracted with Mustoe Trapping Service (MTS), a licensed (by MA DFW) problem animal control company, and they have provided additional information regarding beavers at Fort Meadow Brook. They said that they have been removing beavers from that site about once a year since 2013 and that this site is considered a no-tolerance zone for beaver activity because the beaver damming floods the town's low-lying infrastructure and local water supply well(s). Their contract is to remove the beavers only, not any dams, and that removing the beavers allows the unmaintained dams to degrade, which allows the impounded water to drop or maintain levels naturally. Apparently, MTS went out on February 11, 2020 to look at the dam at the bridge and they said that there is no current beaver activity at that location. They noted that there is beaver activity downstream and that beavers are coming up to feed, which is why we observed a few recent cuttings, but the beavers aren't living there. They also noted that the dam is not currently active, and that half of the dam is completely blown out (notably the western side where we and Ms. Kinsella observed the water flowing through and over).

It appears that the beaver control is a required and permitted practice in this area, and any temporary damming by the FMB bridge is, and has been naturally maintained via storm events, natural course of stream flow, etc. It should be noted that other debris is located within the damming area, such as remains of bridge debris from the fire and natural accumulation of material that flows downstream in the river. Based upon our observations over periods of the last two years, it appears that the water level both upstream and downstream here is more maintained and controlled by natural events, than a long term, well established beaver dam creating a large backwater condition. With the past observed flows over and through the dam and around the existing pilings, the proposed removal of some accumulated debris (only to existing stream bed depth) and cutting to stream bed depth of existing pilings should not significantly impact or change adjacent wetlands or flow patterns in this area. It seems that no action is required by the Commission as to potential removal of the remaining dam debris, other than requiring that the work is overseen by a qualified specialist and materials taken off-site are disposed of accordingly and that all work in this area follows that shown on final approved plans and any Order issued regulating the work.

NOI PLAN CONTENTS (TRANSMISSION LINES ALONG MBTA ROW):

1. The 164 Sheet plan set as provided does not bear the seal or signature of a Professional Engineer or Professional Land Surveyor. Sheet 1 is missing (possibly a cover sheet with stamp). The plans are all dated "Jan 2020" in the title blocks. WDA recommends that final plan sets have a final revision date (not just month and year) in the title block, or if a plan has no changes as submitted, then "no change" noted in revision blocks or stamped and dated cover. The Commission would reference final stamped and dated plans in an Order, and therefore will require a clearly identified date(s) on those final plans.
2. It appears in areas where streams/bank are delineated those flag label callouts are shown on the plans. Although the approved wetland and vernal pool boundary locations are shown, the actual wetland or vernal pool flag label callouts are not. The final plans should have the wetland and vernal pool flag labels shown.
3. The erosion control barrier north of Station 120+70 should be extended up the slope to approximately Station 120+50.
4. At Station 123+50 to 124+10, north side, the revised plan shows this callout as "275 SF Disturbance to 100' RFA", while the original plan had this called out as "275 Permanent Impact to 100' RFA". The Supplemental Document as provided by VHB on February 7, 2020, specifically Table 12, Station 109+90 to 124+90 lists the 275 of alteration under the Temporary Impacts. The document should reflect this 275 SF within the Permanent Impact column.
5. Approximately 52,129 SF of alteration is proposed within the RFA between Stations 105+90 to 124+90 (plan Sheets 25-27), yet no restoration plantings aside from the "General Construction Corridor Seed Mix" is called for (Plan Sheet 131, Schedule C). It appears that there are areas along this stretch that could accept shrub and or tree plantings without potential impact to the subsurface transmission line vault, or the 2' wide gravel shoulders. We would recommend that the Applicants review this area and provide some additional plantings for work within this RFA and show those changes on revised Plan Sheets submitted to the Commission.
6. There are no callouts on Plan Sheet 131 (Planting Schedule) for plantings within Riverfront Areas, although some of the referenced Stations noted for crane mat restoration areas (Schedule A; notably Stations 147+25 to 150+25) are located within RFA associated with Fort Meadow Brook and the crane mat restoration there will occur within RFA. The Planting Schedule should reflect any RFA areas that are to receive supplemental/restorative plantings (shrubs/trees) beyond the noted seed mixes and beyond just crane mat footprints.
7. WDA has requested that VHB submit two additional details to the Commission for review and clarification, specifically on Plan Sheet 130 for the proposed crane mats near FMB. We have requested that a typical cross section of the existing right of way (ROW) near FMB be added showing the reference location of the adjacent bordering vegetated wetland, flood elevation and water elevation. Secondly a cross section detail of the proposed crane mat showing detail of the construction of the mat and materials as it relates to the existing ROW, wetlands, and erosion controls to be utilized on or around the crane mats.

8. On Plan Sheets 29-30 and 184-188, and as further detailed in VHB Supplemental Letter dated February 7, 2020 (attachment A, Table 1 and attachment B, Table 8) in regards to work within the BLSF, the calculations show that there is a net increase of flood storage of 435.50 cubic yards between Stations 142+30 to 154+90. Based upon our review of the cross sections and other information we agree with the calculations. Please note that the net gain of flood storage along the ROW is accomplished by removing a portion of the existing top surface grade, down to the final grade for the paved pathway. This elevation change will result in a net gain of flood storage but will mean that portions of the final pathway would be inundated (up to 1-1.2' depth) during 100-year flood events. This may not be a Commission issue, but more of a safety concern. The Commission may inquire of the Applicants regarding signage that alerts path users of potential flooding danger in those specific locations.
9. On Plan Sheets 27-28 and 180, and as further detailed in VHB Supplemental Letter dated February 7, 2020 (attachment C, Table 10) in regards to work within the ILSF, the Table indicates a total of 760 SF of temporary disturbance, yet on Sheet 180, the cross sections indicate that the grade of the ROW will be cut down and resulting in a overtopping of the proposed pathway from the ILSF elevation of 194.2' to the adjacent BLSF elevation of 192.3'. Is this shown correctly and if the ILSF elevation is allowed to overtop the pathway and flow into the BLSF, is there a flood increase potential. The Engineer may need to clarify this area and flood calculations for the Commission.
10. On Sheet 31, there appears a hatched area (cross hatch) near Station 165+55 to 168+00 indicating a "vernal pool" this appears to be an error on the plan. This does not show on prior ORAD or current MCRT plans.
11. On Sheet 25, Station 107+90, there is an existing 30" clay culvert that runs SE to NW under the ROW conveying an unnamed perennial stream and connecting wetland 1 to Wetland 2. The culvert is shown as to be retained. Since the culvert is proposed to be retained is there documentation as to its age, current condition and future viability. The Commission should request documentation from the Applicant and Engineer as to the status of the culvert and a contingency plan in case of damage during construction.
12. On Sheet 35, Station 206+10, there is an existing 24" clay culvert that runs SW to NE under the ROW conveying and unnamed intermittent stream and connecting wetland 10 to Wetland 11. The culvert is shown as to be retained. Since the culvert is proposed to be retained is there documentation as to its age, current condition and future viability. The Commission should request documentation from the Applicant and Engineer as to the status of the culvert and a contingency plan in case of damage during construction.
13. The Commission should discuss with the Applicant regarding a weekly/biweekly site inspection/construction monitoring report (aside from any required SWPPP/EPA NPDES reporting), or a schedule that is appropriate to the level of work. The report should note where work is occurring, type of work, weather conditions, and if any erosion control or other issues are identified and timeframes for repair or remediation. A point of contact/report preparer should be identified to the Commission and the report could be emailed directly to the CC Agent. The Commission could make this a Special Condition in the Order.
14. Wetland and other resource area flags as approved by the ORAD, or under a new Order should be refreshed in the field prior to the start of construction (the Commission could condition this to be just the flags directly

adjacent to, or within 50' etc. of proposed work areas, instead of all flags associated with the 4.7 mile route that may not be close to work areas).

15. The Commission should discuss with the Applicants how and where refueling of construction vehicles will occur and unless unfeasible for certain aspects, re-fueling should occur outside of sensitive areas or buffer zones.
16. All erosion control measures from Phase 1 (Eversource) should remain and be maintained accordingly until Phase II (DCR path paving) is complete and all areas fully stabilized. Erosion controls should not be removed until stabilized areas are reviewed by the Commission or their Agent and ECB's approved for removal. Although this is noted as a General Condition #18 in the DEP Order of Conditions Form 5, the Commission could expand or further define the erosion control conditions if they deem necessary and add that as a Special Condition in the Order.

NOI PLAN CONTENTS (MASS CENTRAL RAIL TRAIL):

1. This 31-sheet plan set as provided has the seal and signature of a Professional Engineer on the cover sheet only. The date under the signature is January 2, 2020. The plans are all dated "Jan 2020" in the title blocks. WDA recommends that final plan sets have a final revision date in the title block (not just month and year), or if a plan has no changes as submitted, then "no change" noted in revision block or on stamped and dated cover sheet. The Commission would reference final stamped and dated plans in an Order, and therefore will require a clearly identified date(s) on those final plans.
2. WDA received three revised sheets on February 7, 2020 from VHB for the MCRT plan set, specifically sheets C-01, C-03 and C-07. Sheet C-01 was updated to show the new wetland flag BP-4A and updated wetland boundary and a revised callout for "612 SF of pavement and 983 SF of loam and seed in the 200' RFA". Sheets C-03 and C-07 were updated with callouts referencing SF of pavement and loam and seed in the RFA and pavement and loam and seed in BLSF respectively. These plans did not have a professional stamp or revision date.
3. Sheet C-01 of the MCRT plans shows work located within both the 100' buffer zone and outer 200' RFA. Most of the work proposed here is located within previously disturbed or maintained areas adjacent to the paved ARRT parking area and trailhead. Although there is work proposed in the outer 200' RFA it is located as mentioned in disturbed areas and the existing paved ARRT is located between the proposed work area and the actual perennial water body. The Applicant has shown adequate erosion control measures and proposed stabilization and plantings in this area.
4. Sheets C-04 and C-05 show planting symbols and species callouts for plantings in disturbed ILSF areas. Sheet C-09 shows planting within disturbed buffer zone (adjacent to Wetland #9). How were these locations determined for plantings, while other areas within RFA or adjacent to vernal pools or other BVW's do not indicate any additional tree/shrub vegetation beside the noted seed mix.
5. As noted previously in the review of the MBTA ROW Plans (comment #5), approximately 52,129 SF of alteration is proposed within the RFA between Stations 105+90 to 126+70, yet no restoration plantings aside from the "General Construction Corridor Seed Mix" is called for (Plan Sheet 131 of MBTA ROW Plans, Schedule C). It appears that there are areas along this stretch that could accept shrub and or tree plantings without potential impact to the subsurface utility vault, or the 2' wide gravel shoulders. We would recommend that the Applicants

review this area and provide additional plantings for work within the RFA and show those changes on revised Plan Sheets. It should be clarified if plantings will be the responsibility of DCR after paving in this area (Phase II) or Eversource following Phase 1 completion, or a combination.

6. See comments #11 and #12 in MBTA ROW plan review section regarding clay cross culverts.
7. See Comment #13 In MBTA ROW review.
8. See comment #15 in MBTA review.
9. According to the NOI submittal materials, DCR will be responsible for invasive species management as part of any on-going future path management. Is this to be a condition in perpetuity.
9. All erosion control measures from Phase 1 (Eversource) should remain and be maintained accordingly until Phase II (DCR path paving) is complete and all areas fully stabilized. Erosion controls should not be removed until stabilized areas are reviewed by the Commission or their Agent and ECB's approved for removal. Although this is noted as a General Condition, #18 in the DEP Order of Conditions Form 5, the Commission could expand or further define the erosion control conditions if they deem necessary and add that as a Special Condition in the Order.

NOI PLAN CONTENTS (TRANSMISSION LINES ALONG ROADWAYS):

1. The Applicant's Engineer, VHB has submitted that the work associated with these plans are exempt from WPA jurisdiction pursuant to 310 CMR 10.02(2)(b)1 and 2. Specifically, 310 CMR 10.02(b)2.i. "that the installation of underground utilities within existing paved or unpaved roadways within 100-foot Buffer Zone or Riverfront Area is exempt. Accordingly, impacts to these resources are not included for the portion of the transmission line within existing public roadways". We agree with this categorization as it meets the exemption as noted, and the Applicant is proposing erosion control and stabilization measures as part of the work as categorized in 310 CMR 10.02(b)1.
2. Based upon our review of the work within the noted roadways proposed on these plans, it appears that Sheets 4,5,12-14 have work within the 100' buffer zone, and erosion control barriers are shown protecting off-site adjacent resource areas. Sheets 16 and 17 would have work within the 100' buffer zone to adjacent wetlands, although the buffer zone is not shown on these two sheets. The buffer zone and adequate erosion controls should be shown on these two sheets and revised, and dated sheets issued to the Commission.
3. Sheets 6-8 and 12-15 have work shown within Riverfront Area. The roadway utility work within the RFA is exempt under 310 CMR 10.58(6)(b) which refers to the 310 CMR 10.02 (2)(b) 1 and 2 "minor activities". These sheets appear to have adequate erosion controls along perimeter work areas, but the Commission should ask the Applicant to clarify if "silt sacks" are being utilized in catch basins which may have associated culvert discharge points within RFA or Buffer Zone areas.
4. Please note that under the exemption provision for underground utilities that all trenches are to be closed at the completion of the workday. The Commission could make that a Special Condition in any future Order. All erosion control measures should remain and be maintained accordingly until final paving is complete. Erosion

controls should not be removed until areas are reviewed by the Commission or their Agent and ECB's approved for removal.

WILDLIFE HABITAT COMMENTS:

The Applicants representative, VHB, completed and submitted Detailed Wildlife Habitat Evaluations ("WHE") in support of the Notice of Intent ("NOI") on behalf of the co-applicants (Eversource and DCR). The submittal included the Appendix B: Detailed The "Project" which includes completion of a portion of the regional Massachusetts Central Rail Trail ("MCRT") and construction of a new 115-kilovolt ("kV") underground electric transmission line ("the underground transmission line"). Approximately 2,350 linear feet of priority habitat is mapped along a portion of the project in Hudson. The Applicants submitted that both the transmission line installation and MCRT qualify as limited projects according to the Wetlands Protection Act Regulations at 310 CMR 10.53(3)(d) and 10.53(6), respectively.

VHB submitted required information to the MA DFW NHESP Program in September 2018 as the Massachusetts Endangered Species Act (MESA) and its implementing regulations (321 CMR 10.00) are administered through the MA DFW. Following review by the Division, they issued a decision (NHESP File #15-34327, see Attachment H of Notice of Intent submittal) on October 19, 2018 and subsequently on May 17, 2019 indicating that if certain conditions are followed that a "no-take" of any of the four (4) State listed species identified within the project corridor would occur. The Applicants also have to follow the Eastern Box Turtle Protection Plan and Corridor Management Plan (submitted under separate cover to the Division) and other well defined conditions as specified by the Division as outlined in those documents, such as time of year restrictions for the whip-poor-will (May-July 31), eastern box turtle (10/31-3/31) and work near vernal pools (3/1-5/14). Additional requirements for monitoring and tracking by biologists. The Applicants have noted protective controls and specified restorative plantings within Priority Habitat and/or adjacent to Vernal Pools on the specific plan sheets (MBTA Plan Sheets 41-43 and 131) and details of brush piles, snags etc. as shown as attachments in the NOI documents.

If the Commission does not yet have a copy of the Corridor Management Plan and Box Turtle Protection Plan, they should request one be submitted for their records and any future reference.

The Commission may want to request that a copy of the NHESP Permits (15-34327) be recorded along with the Order, or at a minimum refer to those documents as a Special Condition in the Order. Additionally, they may wish to reference the specific time of year restrictions as Special Conditions in the Order.

ENGINEERING/STORMWATER MANAGEMENT COMMENTS:

1. The overall method of stormwater management appears to be adequate relative to the MassDEP Stormwater Management Regulations (10 Standards). We note the following exceptions or inconsistencies in the plans and stormwater management report:
2. The engineer should review the Checklist for Stormwater Report. It appears some items may be applicable for Stormwater Standards 3,4,5 and 9, but have not been checked. (completed)
3. There is a statement in the Stormwater Report (pg. 49) stating the *check dams result in an "effective" longitudinal slope of two percent in all swales*. Is there a calculation or reference to support this?


4. The Stormwater Report Section 3 Regulatory Compliance, Standard 9: Operation and Maintenance Plan references an Operation and Maintenance (O&M) Plan, but O&M Plan was not provided for review.
5. The plans indicate portions of the path will be flooded during the larger design storm events. Is there a policy in place regarding access to the path when flooded? Will this policy be posted along the path with signage or other means?
6. Some of the HydroCAD output data says "Tc<2dt may require smaller dt". The engineer should review the time of concentration settings used in the HydroCAD analysis and revise as appropriate.
7. The construction near Stations 132+00 to 131+50 show a cut along the path that will lower the existing grade elevation between an Isolated Land Subject to Flooding(ILSF) and Bordering Land Subject to Flooding(BLSF). The ILSF is shown at elevation 194.2' and the BLSF is shown at elevation 192.3 on the Cross-Section drawings. It appears lowering the existing grade will allow the Isolated Land Subject to Flooding to drain into the Bordering Land Subject to Flooding. The engineer should document what impacts this will have on the ILSF and BLSF flood plain elevations and the land within and abutting these resource areas.

Based on our review of the submitted narratives, forms, plan sets, details and NHESP permitting documents and consideration of the Limited Project status within the NOI submittal discussed herein and at the Public Hearings, it appears that the project satisfies the performance standards for Limited Projects and exemptions noted within the WPA (310 CMR 10.00) and MESA Regulations (321 CMR 10.00). If the Applicants can sufficiently address any additional requirements or concerns of the Commission, it appears that an Order of Conditions with Special Conditions permitting and regulating the work associated with the project, could be issued by the Commission.

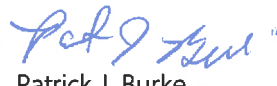
We thank you for the opportunity to work with the Hudson Conservation Commission and trust the comments noted above represent a fair and accurate assessment of the submittal materials. Please contact us should you have any questions or require further clarification on any of these comments.

Sincerely,

WDA DESIGN GROUP, INC.



Brian P. Waterman
Wetland Specialist



Patrick J. Burke
Review Engineer

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