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**TOWN OF ASHLAND MASSACHUSETTS**  
**OFFICE OF**  
**CONSERVATION COMMISSION**  
101 MAIN STREET, 01721

March 25, 2019

Matthew Waldrip  
Eversource  
247 Station Drive, SE 2122  
Westwood, MA. 02090

**Subject: 95-926 Eversource Transfer Line**  
**Response to March 20 Revisions**

Dear Mr. Waldrip,

On March 20, 2019, your consultant, TRC, submitted revised documents that included the following:

- Cover letter from TRC, dated March 19, 2019
- Revised plans dated March 18, 2019
- Supplemental information to the previously submitted Stormwater Management Permit , dated March 2019
- A narrative, dated March 19, 2019 that was written in response to my January 8, 2019, comments.
- A narrative on the most recent wetland delineation, dated March 19, 2019

On March 22, 2019, I was able to review the response narrative, and have provided my comments within this letter. On the wetland delineation document, I recommend revising the document to reference the plan sheet number next to each resource item within that document. I was able to briefly review the plans, and briefly review the supplemental information for the Stormwater Management Permit Application on March 25, 2019. In reviewing these documents, I have provided comments as attached hereto.

Please feel free to contact me with any questions, comments or concerns.

Kindest Regards,

*Maeghan Dos Anjos*

Maeghan Dos Anjos  
Conservation Agent, Town of Ashland

## GENERAL COMMENTS

### **1. Hopkinton: I understand that you have filed a NOI with the Town of Hopkinton.**

#### **Response**

A Notice of Intent filed under the Massachusetts Wetlands Protection Act and the Town of Hopkinton Wetlands Protection Bylaw was submitted to the Hopkinton Conservation Commission on December 18, 2018.

[MDA Response:](#) Have you received an Order of Conditions from the Town of Hopkinton's Conservation Commission?

### **2. General Permit: I see that you have filed for and received authorization for an Army Corps General Permit. From your documentation, it appears that you received this on November 20, 2019. Do you have a copy that you may provide to me? Electronic is fine.**

#### **Response**

A paper copy and electronic copy of the Army Corps authorization was previously included in the Stormwater Management Permit Application submitted on January 4, 2019.

[MDA Response:](#) Received.

### **3. 401 Water Quality Certification: I understand that this is under review. I have a copy of the Application**

#### **Response**

The 401 Water Quality Certification application was submitted to both the MassDEP Northeast Regional Office and MassDEP Central Regional Office on September 14, 2018. A site visit was held with MassDEP on November 7, 2018.

[MDA Response:](#) Please forward me the copy of the Certificate from the Northeast Regional Office.

### **4. Stormwater Management Permit: A locally regulated permit is necessary. This was sent to you in an e-mail yesterday [December 20, 2018] with the link for the Bylaw.**

#### **Response**

A paper copy and electronic version of the Stormwater Management Permit application was submitted on January 4, 2019 to the Town of Ashland. Maeghan Dos Anjos requested an updated application to address items in accordance with Town of Ashland bylaw Chapter 343, Section 7.6. A supplement to the Stormwater Management Permit application has been provided in Attachment A.

[MDA Response:](#) Wellhead protection zones are not demarcated on the plans or described in the narrative to the Stormwater Management Permit (7.6.10.1). The closest proximity is within the Ashland State Park to the southwest of delineated wetlands near Cold Spring Brook.

Public wells and private wells are not referenced in the narrative or plans (7.6.10.9).

An emergency response plan is missing (7.6.15).

A stormwater management plan was not submitted, but TRC's response is that one is not needed given the nature of the work. Erosion controls are shown on the plans, except for silt sacs in catch basins. (7.6.16.a).

Contact information was submitted in regards to the Right of Way. The Contact Information of private owners is not necessary at this time (7.6.10).

Scenic Roads should be called out on plans, and listed in a narrative. (7.6.16.a. 6.)

Nearby stormwater management systems and BMPs should be demarcated on plans. Some catch basins are shown, but drain lines are missing, and other nearby structural BMPs are not shown (7.6.16.a.9).

Seasonal high groundwater is not demarcated in the narrative (7.6.16.a.11).

- 5. SEIR: I see from your application that you applied for a Single Environmental Impact Report, and received the Secretary's Certificate. Could you send me a copy? Electronic is fine.**

**Response**

A hard copy and electronic copy of the Secretary's certificate on the Single Environmental Impact Report was previously included in the Stormwater Management Permit Application submitted on January 4, 2019.

**MDA Response:** In speaking with Department heads, the SEIR was not submitted to the Board of Health, Conservation Commission, or Planning. The Certificate was attached within the Stormwater Management Application, dated January 4, 2019.

- 6. DCS: There is a Conservation Restriction on one of the properties. The property is owned by a land trust. Given the Conservation Restriction, you should demarcate the lots on the affiliated sheets (Sheets C34 through Sheets C38). I have attached plans and the deed for your convenience. You will also need to get comments from the Division of Conservation Services before the hearing is closed.**

**Response**

On January 25, 2019 TRC contacted Denise Pires (Program Coordinator) and John Gioia (Program Manager) with the Department of Conservation Services (DCS), Conservation Restriction Review Program to request comments on the Company's proposed pipeline replacement work within the existing Eversource easement on the Great Bend Farm Trust parcels. Ms. Pires stated that she was not aware of any case where the DCS has provided comments regarding a proposed Project passing through a property with a conservation restriction. Ms. Pires referred TRC to her manager, Mr. John Gioia, for additional feedback. Mr. Gioia reviewed the Town of Ashland Conservation Agent's email and attached deed and plans and concluded that the DCS does not provide comments of this nature. Mr. Gioia indicated that the DCS assists landowners and organizations with establishing conservation restrictions on properties, but they do not provide comments regarding proposed projects on conservation restriction properties.

The Great Bend Farm Trust Conservation Restriction parcel is identified on sheets C34 through C38 of the updated construction permit plan set (see Attachment B):

**MDA Response:** Received. The point where the work crosses the property line of the CR should be demarcated in the field with permanent bounds. Bounds should be placed at the point of entry and the exit point.

7. **Planning Board:** *The project may require a review with the Planning Board. The scenic roads are listed in Chapter 249-15. Chapter 249, Article III appears to speak about the requirements. You should correspond with our Assistant Planner Amanda Molina Dumas*

**Response**

During the technical review meeting held by the Town of Ashland on February 5, 2019, the Ashland Assistant Planner determined that the Company must apply for a Scenic Road Permit in accordance with Town of Ashland Bylaw Chapter 249-15. The Project crosses two Scenic Roads in the Town of Ashland, Chestnut Street and Cedar Street. The Company is preparing the application materials for submission to the Town of Ashland Planning Board.

**MDA Response:** Please inform me when the application is submitted. In the meantime, scenic roads should be called out on the plans, and listed in a narrative.

**PEER REVIEW AND TECHNICAL REVIEW**

8. **Peer Review:** *I am going to recommend to the Conservation Commission that we go to Peer review for a few stages. One stage is an initial review of the NOI, plans and Wetland Lines. The other is for during construction. Our bylaws include information on peer review.*

**RESPONSE**

The Town of Ashland Conservation Commission drafted a peer review request letter and sent it to potential candidates following its February 25, 2019 meeting.

**MDA Response:** Three quotes were received, and were provided to Eversource, and the Conservation Commission members on March 18, 2019. The quotes were revised, and are scheduled to be reviewed on March 25, 2019.

9. **Technical Review:** *This was recommended to you. From speaking with Katelyn and seeing Matt's e-mail, I understand that Eversource is discussing this internally, as they have already met individually among Department Heads.*

**RESPONSE**

A technical review meeting was held with Town of Ashland department heads on February 5, 2019.

**MDA Response:** This is correct. There were only written comments from the building inspector. Also, Ms. Amanda Molina Dumas (Assistant Planner) stated that permits would be necessary for scenic roads.

**CAD FILES/SHAPEFILES**

10. **I need the CAD files used to create the plans. They need to be georeferenced to State Plane NAD 83 ft. Please send these to me prior to the pre-hearing site walk.**

**RESPONSE**

The shapefiles and CAD files of the wetland resource areas were provided to the Town of Ashland on January 4, 2019.

**MDA Response:** These were received. Also, additional shapefiles were received on March 25, 2019. See comment number 31.

## **SITE VISIT**

**11. Site Walk: On that note, I am waiting to hear back regarding this site walk. I can do the afternoons on Thursday, January 3, 2019, Thursday January 10, and any time on Tuesday, January 8.**

### **RESPONSE**

The site visit was conducted on Tuesday, January 8 at 10:00am.

**MDA Response:** A site walk was held to the wetland systems that were shown on the plans that have a date of August 8, 2018. However, given the fact that the plans were revised to show revised wetland delineations along Pennock Road, and another long near West Union Street, another site inspection will be necessary.

**12. During the site visit on January 8, 2019, the Conservation Agent requested that the USACE wetland and upland data plot points be provided**

### **RESPONSE**

The USACE wetland and upland data plot points have been incorporated into the permit construction plans (see Attachment B).

**MDA Response:** These were reflected in the plans, and were provided via e-mail as a shapefile.

**13. During the site visit on January 8, 2019, the Conservation Agent requested that the Company review and verify the western boundary of Wetland A17-5-W, located east of the Pennock Road crossing**

### **RESPONSE**

In response to feedback received during the site visit, the western boundary of Wetland A17-5-W was reexamined in the field. Based on this field visit and Town file research, this area appears to have been the location of a wetland replication area for the original subdivision project. The wetland characteristics in this area show signs of soil disturbance and invasive species. To address the Commission's comment, the boundary was moved slightly to the west to capture this disturbed replication area.

**MDA response:** Are revised flags, and all previous flags shown on the Attachment B?

## **COMMENTS ON NOI NARRATIVE**

**14. Please include the area of temporary impacts to the No Disturb Zone. This can be added in as a Memo or revised narrative**

### **RESPONSES**

The Project will temporarily impact approximately 0.32 acres within the 25-foot No Disturbance Zone.

**MDA Response:** In what ways, and which locations? Dredging, filling, altering, grading, excavating etc.

**15. Silt sacs were not mentioned in the narrative**

**RESPONSES**

Dewatering methods will be based on site-specific conditions in accordance with Eversource's BMPs Manual. Likely dewatering methods will include overland flow and the use of a filter bag within a straw bale containment area placed in a well vegetated upland location, where possible. Overland flow may be used if a discharge location is available where there is no potential for discharged water to flow overland into wetlands or waterbodies. Water may be discharged overland without any filtering to well-drained, vegetated upland areas that allow for natural infiltration into soils.

Eversource will use a combination of filter bags and a straw bale containment area for dewatering when there is the potential for discharged water to flow overland into wetlands or waterbodies. Potential dewatering sites will be located in well-vegetated areas within the easement or approved work areas. Discharges will be located outside of wetlands and over 100 feet from a streambank or waterbody, if practicable. Trench water or other forms of turbid water will not be directly discharged onto exposed soil or into any wetland or waterbody. Frac tanks may be used for water storage in the event adequate discharge space is not available.

**MDA Response:** Please note that I was talking about silt sacs to be placed into catch basins, not dewatering items. They will also need to be inspected during before, after, and during storm events.

**16. Which FIRM was used to determine the Bordering Land Subject to Flooding (BLSF). The narrative should be revised or a memo issued.**

**RESPONSES**

The Federal Emergency Management Agency Flood Insurance Rate maps used to determine the boundaries of Bordering Land Subject to Flooding (BLSF") included Map 25017C0626F (effective 7/7/2014) and Map 25017C0627F (effective 7/7/2014).

**MDA Response:** Received. I have no other further comments for this.

**17. Page 24 needs further detailing regarding Bordering Land Subject to Flooding. The pipe is going from 6 inches to 12 inches. Is this true for the section of the project that enters BLSF? Your narrative states that the trench will be back filled and will not impact the land's ability to for flood storage capacity. Please elaborate on that. In my opinion, doubling the size of the pipe can impact the land's ability to hold water during a flooding event.**

**RESPONSES**

The Company is proposing to replace the existing 6-inch diameter pipeline with a twelve-inch diameter pipeline within the existing Transfer Line easement. Pipeline construction will occur in two BLSF areas. As detailed in Section 4.1 of the NOI, the Project will result in temporary disturbance of 1.14 acres of BLSF and upon the completion of construction through BLSF the trench will be backfilled and graded to pre-construction contours. The replacement pipeline will be installed adjacent to the existing pipeline with a minimum of three feet of backfill cover over the pipe. Once the pipe is installed the trench will

be backfilled and the pre-construction topographic conditions will be restored. Since there will be no topographical differences aboveground and no additional fill material added to the ground surface, the Project is not anticipated to cause an increase or contribute incrementally to an increase in the horizontal extent and/or level of flood water during peak flows. As such, the replacement pipeline is not anticipated to affect the flood storage capacity of the flood plain in any way.

**MDA Response:** [Where, and how will excavated soils be staged in this area? Where will equipment be staged?](#)

**18. How many days do you anticipate that work will take place with BLSF?**

**RESPONSES**

Two BLSF areas are crossed by the Project. One BLSF area is located east of West Union Street and is associated with a perennial tributary to Cold Spring Brook. The second BLSF area is located east of Metropolitan Avenue and is associated with Cold Spring Brook. The Company estimates a duration of 8 – 10 weeks to complete construction work at each BLSF crossing location. This duration includes clearing, timber mat set-up, erosion control placement, trench excavation, pipe installation, trench backfilling, and site restoration (regrading, seeding and mulching). This duration is an estimate and is subject to change based on field conditions encountered at the time of construction.

**MDA Response:** [See question in No. 17.](#)

**19. In the Alternative Analysis, you mention that the HP Feed Line alternative construction would need to be completed "before the system is realized". Why is this? Also, I assume HP stands for high-pressure? Please advise.**

**RESPONSES**

The High Pressure ("HP") Feed Line Alternative is a totally independent project that has been evaluated by the Company to determine if it would meet the stated needs of the Transfer Line Replacement Project. The HP Feed Line Alternative would involve the installation of a new 5.08-mile pipeline to provide an alternative source of gas directly from the Framingham (Route 9) Gate Station in Framingham to the Pond Street Gate Station in Ashland. The Pond Street Gate Station serves municipalities throughout the Greater Framingham area. The proposed Transfer Line Replacement Project is superior to the HP Feed Line Alternative as it relates to operational gas pressure. Construction of the HP Feed Line Alternative would supply natural gas from the Tennessee Gas Pipeline transmission line to the Pond Street Gate Station inlet at a pressure of 259 psig. Although these gas pressures are higher than what is currently being provided by the existing Transfer Line at the Pond Street Gate Station (115-130 psig under high demand periods), they are still significantly lower than the 364 psig inlet pressure rating that would be supplied at the Pond Street Gate Station by the proposed Project. As such, from a reliability and operational standpoint, the HP Feed Line Alternative does not fully meet the need of the Project to provide the same pressure increase at the Pond Street Gate Station compared to the proposed Project. The HP Feed Line Alternative also would not allow for the increase in pressure to be maintained at Pond Street via either additional capacity from Algonquin Gas Transmission or the transmission of additional liquefied natural gas (LNG) or TGP through the enlarged Transfer Line. Instead, a separate pipeline would need to be constructed to obtain a pressure increase at the Pond Street Gate Station.

Section 5.1 of the Notice of Intent Narrative submitted on December 19, 2018 states that the High Pressure ("HP") Feed Line Project Alternative would not allow for any incremental benefit because the entire construction process would need to be complete before any potential benefit of the system was

realized. In contrast, the proposed replacement Project allows for incremental benefits to the overall system at the completion of each constructed pipeline segment over the five-year construction period. The HP Feed Line alternative would also involve a longer construction duration with many more obstacles that would increase both the time and cost to construct.

**MDA Response:** Received. I have no further comments for this.

**20. The method chosen has the "highest level of natural environmental impacts to wetland resource areas, wetland buffer zone and open space land. . ." This is extremely concerning to me. The Alternatives Analysis should include a more elaborate description of each method evaluated and why they would be ineffective. This should be outlined within the narrative despite the Attachment F.**

## **RESPONSES**

From an environmental standpoint, the primary advantage of the Noticed Alternative (in-street route) over the Preferred Route (existing easement route) is the lack of direct impacts to wetland resource areas. This is because the Noticed Alternative would be located entirely within public roads in Ashland including Frankland Road, West Union Street, Union Street, Main Street, Prospect Street, Fruit Street and Cedar Street. Although the Preferred Route will impact wetlands and waterbodies within the existing Transfer Line easement, all impacts will be temporary in nature. The Preferred Route is part of an existing pipeline easement that has been in place and maintained and operated for more than 65 years. The proposed wetland and land use impacts that will occur from construction of Preferred Route will be temporary in nature and occur within the limits of the existing easement. Comprehensive construction mitigation measures will be employed to ensure impacted areas are restored. For example, wetland areas will be restored to pre-construction conditions by segregating topsoil in unsaturated wetlands during trenching activities to then backfill (and reestablish) hydric soils. Segregating topsoil in unsaturated wetlands preserves the native seed [not if there are invasive seeds or plants present; these would outcompete native seeds quickly] source to facilitate re-growth of herbaceous vegetation once pipeline installation is complete. Preconstruction contours will be reestablished to ensure wetland hydrology is not altered. The Company will also incorporate appropriate erosion and sedimentation controls to ensure that naturally vegetated areas bordering the disturbed areas are not adversely affected during construction. The Company will conduct annual post-construction monitoring of all wetland and waterbody crossings to document restoration progress and determine if any corrective actions are needed. **[You state that "the Company will] conduct inspections. Is "the Company" Eversource, or TRC? When would inspections be done, and how often will they occur? Who orders these inspections, and why?]**

Although wetland and waterbody impacts are an important consideration of the Project, there are many other aspects of the Noticed Alternative that make it less desirable when compared to the Preferred Route. These other aspects include but are not limited to noise impacts from construction, traffic impacts, operational disadvantages, and timetable of construction as described below.

The Noticed Alternative does not directly cross noise receptors but its location within roadways means there are more noise receptors adjacent to the construction work areas that may be affected during construction. There would be disturbances to these abutters along the Noticed Alternative Route during construction even though construction of the pipe trench is not occurring on these properties. Generally, these abutting properties would experience construction noise, airborne dust, traffic disruption and detours. Specifically, with regard to traffic, construction of the Noticed Alternative would result in community traffic impacts as a result of road work detours and lane closures during the summer

construction season in Ashland. Even with traffic mitigation measures, such as police details and construction detours, construction and repaving of this route would have a significant adverse effect on local traffic. In addition, this route is located within roadway layouts that have existing subsurface utilities including sewer, water, and gas distribution lines as well as stormwater drainage and overhead electric and telecommunications. Construction is further constrained by the relatively narrow road widths of Frankland Road and Cedar Street. In addition, the Town of Ashland resurfaced Frankland Road in 2017. Should the Noticed Alternative interfere with other proposed municipal utilities in the future, the Company would be required to re-locate the newly installed Transfer Line pipeline, which would result in even more traffic impacts, as well as added costs.

The siting of the pipeline within the roads along the Noticed Alternative has a higher risk of third-party [\[could you provide examples of “third-party” entities as referenced here?\]](#) damage [\[why is this and in what ways?\]](#), when compared to the Preferred Route, which would require repairs and the associated traffic impacts. In-street work will also slow down the rate of production during construction when compared to construction of Preferred Route and extend the overall duration of construction.

There is also an operational disadvantage associated with the placement of the pipeline in public streets. By routing the replacement pipeline off of the existing Transfer Line easement, Eversource will have only two opportunities to connect the constructed pipeline segments back into the existing 6-inch diameter Transfer Line at the end of the construction season to obtain incremental gas flow benefits to the system over the five-year construction period. Accordingly, Eversource would not be able to achieve the Project goals of increased pressure and capacity on a yearly basis.

While construction along the Noticed Alternative will largely avoid impacts to wetland resource areas, when compared to the Preferred Route, the Company believes that the increased community disruption, construction noise, higher risk of third-party damage, along with the system operational and constructability constraints outweigh those temporary environmental impacts that will occur within an already established and maintained pipeline easement.

[MDA Response:](#) Please see comments in blue brackets in TRC response. Also, while I understand the other factors given the EFSB system, the Conservation Commission is an environmental protection department within the Town of Ashland. So traffic, noise, and other similar factors, is out of the jurisdiction of the Conservation Commission. Therefore, under each wetland system, stream, bank, Bordering Land Subject to Flooding, riverfront, you should speak to protection of the interests within the Wetlands Protection Act and mitigations. To further explain this, I recommend an additional narrative should be submitted to outline each resource area, and bullet each interests under each resource area, and how those interests will be protected.

## **21. Were stream crossing standards evaluated under this NOI?**

### **RESPONSES**

As described in the introduction of the Massachusetts Stream Crossing Standards, the stream crossing standards are “intended for new permanent crossings (highways, railways, roads, driveways, bike paths, etc.) and, when possible, for replacing existing permanent crossings.” The Project does not include any permanent structures or permanent crossings of streams. All of the proposed Project stream crossings are located within the existing pipeline easement and will temporarily disturb the stream beds and banks. Given the temporary impact and proposed stream restoration measures, the Massachusetts Stream Crossing Standards were not incorporated into this NOI. However, all stream crossings will be

conducted using industry accepted best management practices to minimize potential disturbance to waterbodies. These BMPs will include the use of “dry” crossing trench techniques (dam and pump or flume), temporary bridge crossings, and proper restoration measures including the use of erosion control blankets, seeding, and mulching.

**MDA Response:** Received. I have no further comments on this.

#### PERMIT PLAN COMMENTS

**22. *There appears to be a wetland system on Sheet 13 that contains no flags shown. Can you confirm this wetland system? It is Northwest of point 62+00 on the plans.***

##### **RESPONSE**

The referenced wetland is located north of the existing Transfer Line easement between Hardwick Road and Pennock Road. Given its location outside of the easement, this wetland will not be impacted during construction. Due to its location outside the easement, the wetland boundary was approximated based on field observations, topographic survey, and aerial imagery but was not field delineated. The wetland boundary is shown on the revised plans (see Attachment B).

**MDA Response:** Received. I have no further comments on this.

**23. *The erosion control line does not appear to be on individual sheets, rather on a detail. Please revise plans to show the erosion control line.***

##### **RESPONSE**

The plans have been updated to show the erosion control lines on individual sheets (see Attachment B), rather than on a detail sheet as previous submitted.

**MDA Response:** Attachment B was submitted and is received. Erosion control barriers are shown on the plans.

**24. *I noticed that riparian zones were marked as a buffer rather than the inner riparian and outer riparian. Please revise plans to include this***

##### **RESPONSE**

The plans have been updated to show the inner riparian zone (0-100-foot) and the outer riparian zone (100-200-foot) of the 200-foot riverfront areas crossed by the Project (see Attachment B).

**MDA Response:** Attachment B was submitted and is received. Changes were made to the plans.

**25. *The banks to the streams should also be flagged and shown on the plans.***

##### **RESPONSE**

The permit construction plans have been updated to show the waterbody flags (see Attachment B).

**MDA Response:** Attachment B was submitted and is received. I see a polygon layer for waterbodies. I do not see a layer for Top of bank flags.

**26. *The Mean Annual High Water Line should also be shown on the plans***

##### **RESPONSE**

In accordance with 310 CMR 10.58(2), the Mean Annual High Water Line of a river is the line that is apparent from visible markings or changes in the character of soils or vegetation due to the prolonged presence of water and that distinguishes between predominantly aquatic and predominantly terrestrial land. Field indicators of bankfull conditions shall be used to determine the mean annual high-water line. Bankfull field indicators include but are not limited to: changes in slope, changes in vegetation, stain lines, top of point bars, changes in bank materials, or bank undercuts. As outlined in 310 CMR 10.58(2)(a), in most rivers, the first observable break in slope is coincident with bankfull conditions and the mean annual high-water line. Most of the mean annual high-water lines crossed in Ashland were identified to be concurrent with the banks of the waterbodies. One waterbody, A17-9-PS1, did have a mean annual high-water line that was not coincident with the waterbody banks, and this has been identified on the Permit Construction Plans (see Attachment B).

**MDA Response:** Attachment B was submitted and is received

**27. Sheets 21-25 go through property that is owned by the Department of Conservation and Recreation. I would like to see comments from DCR regarding this.**

**RESPONSE**

The Company has consulted with the Department of Conservation and Recreation on the crossing of Ashland State Park. The DCR filed comments with the Executive Office of Energy and Environmental Affairs (EOEEA) during the review of the expanded Environmental Notification Form and attended the MEPA site visit. The Company responded to DCR's comments and questions on the EENF and included updated information in its Single Environmental Impact Report (SEIR). The SEIR addressed Project construction and access, Article 97 Land Disposition, and the jurisdictional determination received from the DCR's Office of Dam Safety. The DCR issued a comment letter on October 5, 2018 in response to the SEIR further detailing construction measures in the park, invasive species control, and the Article 97 Land Disposition process. A copy of the Ashland Notice of Intent (NOI) was provided to Nathaniel Tipton with the DCR for review and comment on January 11, 2019. No comments have been received from DCR to date on the NOI.

**MDA Response:** Provide copies of the comments from DCR when received.

**28. Similarly, sheets 34-38 go through property owned by a Land Trust and it is in a deeded Conservation Restriction. The area of the CR should be demarcated on those sheets. As mentioned previously, the deed and plans are attached.**

**RESPONSE**

The permit construction plans have been updated to identify crossings of the Great Bend Farm Trust conservation restriction parcel (see Attachment B).

**MDA Response:** Attachment B was submitted and is received. Each sheet calls out the CR when entering and when exiting. Permanent bounds shall be placed in the field, at the point where the easement crosses the property with the CR. This should be added as a condition to the Order of Conditions.

**29. Stockpiles should be shown on the plans. Stockpiles must be placed outside of resource areas, and the 25' No Disturb Zone. The plans shall state the stockpiles shall be wrapped with erosion control**

**RESPONSE**

The Company proposes to stockpile excavated topsoil and subsoil immediately adjacent to the trench through both wetlands and uplands on a Project-wide basis. This method is proposed to minimize the amount of truck traffic along the construction easement and reduce the duration of the excavation and backfilling operations. Within wetlands, the stockpiles will be located adjacent to the trench on equipment mats. The topsoil and subsoil will remain segregated on the equipment mats during trench installation.

**MDA Response:** How would truck traffic be impeded if stockpiles are located about 26 feet from a wetland, or from a bank of a stream? There are points where work crosses open space properties where traffic would be of no concern. Stockpiles should not be in resource area. Regardless, stockpiles should be demarcated on plans, as well as staging and access.

**30. Access to the site should be explained or demarcated in the narrative and in the plans**

**RESPONSE**

Access to the Project will come from the roads that are intersected by the Project. As indicated on the Permit Construction Plans (see Attachment B), potential access entry/exit points in the Town of Ashland include Hardwick Road, Pennock Road, Winesap Way, West Union Street, Metropolitan Avenue, Chestnut Street, Prospect Street, Stagecoach Drive, Wayside Lane, Carriage House Path and Cedar Street. In addition, the Company will be requesting permission from the Department of Conservation and Recreation to access the existing easement through Ashland State Park via the existing trail system.

**MDA Response:** Received. Access should be demarcated on plans.

**31. In looking at the Shapefile, it appears that the points for the flags are incorrect. Can you look at it and let me know? (See below). I think 4 should be 3, and 5 should be 4, and 6 should be 5, and 3 should be 6.**

**RESPONSE**

The Project shapefile has been updated and will be provided to the Ashland Conservation Agent.

**MDA Response:** It appears that the shapefile for the "Wetland\_Flags" were revised. Shapefiles were received on Monday, March 25, 2019. The files that were received as shown below:

- Mean Annual High Water Line
- Delineated Wetland boundary
- Wetland flags
- USACE Data Points
- Stream Flags
- Delineated Waterbody Boundary
- Delineated stream Centerline
- Ashland 25' No disturb Zone
- 200 foot RFA
- 100 ft Buffer
- 100 ft Inner Riparian Zone
- Delineated Wetland Polygon
- Approximated Wetlands

Note that these shapefiles do not contain any MetaData within ArcCatalog. Top of bank flags seem to be missing.

**ADDITIONAL COMMENTS: March 25, 2019**

- 32. The 25 foot No Disturb Zone should be called out on the plans, similarly to how the 100 foot Buffer Zone is called out.***
- 33. References to the Eversource BMP Manual should be reevaluated with respect to crucial construction details. Details should be provided within the plan instead of having reference to a BMP manual.***
- 34. Vague statements should be further described, perhaps in the legend sheet.***