Town of Ashland
MASSACHUSETTS

Maeghan Dos Anjos
Conservation Agent

COMMENTS ON FILING

Date: 9/30/2019

Application Type: NOI File No. 95-0926

Check here if a Stormwater Management Permit was filed. ☒

Applicant Name: Eversource

Project Address: Right of Way- Various Streets

Instructions to the Applicant/Representative: Use this form to respond to comments, and send revised plans or documents separately. Note eight copies of revisions will need to be submitted to the Conservation Agent, and a pdf will also need to be submitted. In addition, CAD files shall also be submitted for revised plans.

Comments:

1. ~~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.~~

Agent's Response ~~Have you received an Order of Conditions from the Town of Hopkinton's Conservation Commission?~~

Response ~~The Town of Hopkinton Conservation Commission issued an Order of Conditions approving the Project on April 16, 2019.~~

Agent's Response The Agent received a copy of Hopkinton's Order of Conditions from a resident in Town. The comment is closed.

2. ~~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.~~

Agent's Response: Received. Comment closed.

3. I understand that the 401 Water Quality Certification 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.

Agent's Response: Please forward me the copy of the Certificate from the Northeast Regional Office.

Response: Eversource will forward a copy of the 401 Water Quality Certificate when it is issued by MassDEP.

Agent's Response: I will await for the 401 Water Quality Certification. When is this expected?

Response: The MassDEP is working on the 401 Water Quality Certification. We anticipate that MassDEP will issue by December 2019.

4. ~~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.~~

Response ~~According to MassDEP, no portion of the Project is located within a Zone II Interim Wellhead Protection Area. In Ashland, the closest Zone II Wellhead Protection Area is further than approximately 4,800 feet to the south of the Project and therefore is not depicted on the project plans (DEP, 2012. Approved Wellhead Protection Areas (Zone II)).~~

Agent's Response: Received. Comment closed.

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

Response ~~Mark Oram, Town of Ashland Health Department Director/Agent, provided the Town of Ashland private wells database in MS excel format. This database file was cross referenced with the Project location and the closest private well is located along Captain Eames Circle. Although the database doesn't specify where the well is located along Captain Eames Circle, the closest possible location of the well is greater than 250 feet east of Cedar Street and beyond the terminus of the Project.~~

~~Additionally, in the email correspondence with Mark Oram regarding wells located within proximity to the Project, Mark indicated that "there are no known wells to my knowledge of any private wells on properties where the present Eversource gas line is located".~~

Agent's Response Received. I am confirming with Mark Oram. Confirmed with Mark. This comment is closed.

6. ~~A locally regulated permit is necessary. This was sent to you in an e-mail yesterday 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.~~

Agent's Response ~~The Stormwater Management Permit was received, but was missing several pieces of information. Supplemental information was provided on August 19, 2019. See comment numbers 4-6 8, and 35-39.~~

7. ~~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.~~

Agent's 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.

Response

In accordance with the MEPA circulation requirements, electronic and hard copies of the SEIR were sent to the following Town of Ashland Departments on August 31, 2018:

- Conservation Commission;
- Planning Board;
- Board of Health; and
- Board of Selectmen.

A hard copy and CD were also provided to the Ashland Public Library. See Attachment C for FedEx delivery confirmations.

Agent's Response

Received. The comment is closed.

8.

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. Note, Amanda has since left and we now have a Town Planner, Peter Matchak.

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.

Agent's Response

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

Response

The Scenic Roads crossed by the Project in Ashland (i.e., Chestnut Street and Cedar Street) are identified on the construction permit plans (see Sheet 30 and Sheet 40 in Attachment B, respectively).

The Scenic Roads are identified in the narrative of the Scenic Roads Permit application, which was filed with the Ashland Planning Board on June 3, 2019.

Agent's Response

A Scenic Road Permit was filed with the Planning Board and the hearing is scheduled for in September 2019. Received comment closed.

9. 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.

Agent's Response: Partially closed. A condition is needed in the permit for a peer review that will be monitoring the work within jurisdictional areas.

Response: The company is amenable to funding a third party peer review for construction monitoring on behalf of the town of Ashland's conservation commission. The company will also have an environmental inspector conduct weekly inspections as part of the company's Stormwater Pollution Prevention Plan (SWPPP). Additionally, the company trains all its contractors on federal, state, and local permit conditions prior to start of work.

Agent's Response:

10. ~~The Technical Review 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.~~

Agent's Response: The comment is closed.

11. ~~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.~~

Agent's Response: Received. The comment is closed.

12. ~~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.~~

Agent's 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.~~

Response ~~A detailed peer review was conducted along the entire Project easement in the Town of Ashland to verify wetland resource areas and evaluate proposed project facilities. Eversource has provided updated permit plans and supporting information in response to the peer review that captures all updates including the revised wetland lines. Accordingly, Eversource assumed no further field reviews were needed. However, if the Commission deems it necessary, the applicant will attend another site inspection.~~

Agent's Response ~~At the August 26, 2019 Conservation Commission Meeting, the Commission indicated that they did not feel a need to do another site walk as Matt Varrell (Peer Review) had verified that he was confident that the flags are accurate. Comment closed.~~

13. ~~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).~~

Agent's Response The points were added to the plans, and the GPS points were submitted. This comment is closed.

14. ~~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.~~

Agent's Response ~~Given that the Peer Review has reviewed wetland flags and adjustments were made based on recommendations, I am confident that this item is closed.~~

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

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

Agent's Response ~~Received. However, the numbers needed to be revised given the change in flags. See below:~~

Response ~~The Project will temporarily impact approximately 0.68 acres of the 25-foot No Disturbance Zone within the Project easement. Due to the linear nature of the Project, the 25-foot No Disturbance Zone will be subject to construction activities consistent with the area of the Project located outside the 25-foot No Disturbance Zone. Construction activities for the Project consist of worksite preparations, vegetation clearing, establishment of erosion controls, trenching, backfilling, restoration methods, final inspections and pipe marking.~~

Agent's Response Received. the comment is closed.

16. Silt sacs were not mentioned in the narrative

Response 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.

Agent's 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.

Response: Catch basin inlet protection BMPs are identified on the plans (see Attachment B, Detail Drawing No. D-190-36-D12).

Agent's Response: One sheet was missing a call out for a silt sac to be installed into a catch basin. The sheet shall be revised.

However, on the note of dewatering, a condition shall be added to the Order of Conditions (if approved by the Commission), requiring stamped plans to be submitted to the Conservation Commission or Agent for approval. The plans shall be reviewed, and approved by Town staff prior to it's implementation.

Response: **Silt sac call-out labels have been added to all catch basins identified in the project area on the permit drawings. This includes catch basins at Pennock Road and Hardwick Road (Sheet D-190-36-C13), Winesap Way (Sheets D-190-36-C15 and C16), Joanne Drive (Sheets D-190-36-C31 and C32), Prospect Street (Sheet D-190-36-C32), Wayside Lane (D-190-36-C36), and Brimstone Way (Sheet D-190-36-C37). The updated construction permit drawings are provided in Attachment A.**

Agent's Response:

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

Response: ~~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).~~

Agent's Response: Received. The Comment is closed.

18. 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.

Response

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.

Agent's Response

Note that the Wetlands Protection Act defines tempoary disturbances as being within, but no more than 30 days. Flood storage may need to be compensated for work within the flood plain if work will take longer than 30 days in a given area. How many days do you anticipate that work will take place with BLSF?

Response

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. I am concerned that if a flooding event occurs, this area will not have compensatory storage necessary to make up for the staged equipment or materials used during such an event.

Agent's Response

The concern that I have here is the land's ability to absorb water during a flood event, especially if it takes place during that 8-10 week phase of work. If this occurs, what is your plan to prevent downstream and upstream impacts? Single family homes are located at the base of that large wetland system. How quickly can materials, and swamp mats be

removed if a flood event is anticipated? Can work in this area be avoided to alleviate these concerns?

Response

The Company understands, and takes very seriously the Commission's concern for potential loss of the land's ability to absorb water during a flood event. Swamp mats are proposed as a best management practice to minimize impacts to the soils and vegetation within bordering vegetated wetlands (BVW) and bordering land subject to flooding (BLSF). By nature, the mats will protect the wetland system from rutting and deposition of sediment but will not create a watertight barrier within the BVW and BLSF. While work is occurring in the two floodplain areas, the contractor and environmental inspector will monitor weather reports to gain advanced notice of significant precipitation events. If significant flooding is anticipated, the contractor will remove some of the mats in the BVW/BLSF to facilitate water flow. Mats can be removed in less than one day. The remaining mats will be anchored in place to keep them from floating during a significant flood event. The easement within the two floodplain areas is surrounded by woodlands so it is highly unlikely that the mats could float off the easement during a flooding event.

The Project as proposed will temporarily occupy an estimated 6,000 cubic feet of surface area in Wetland 7 over a span of approximately 750 feet with equipment mats and Wetland 8 will occupy 26,000 cubic feet of surface area over a span of approximately 1,000 feet. Because this impact is temporary and short term there is no compensatory flood storage necessary for map placement.

The displacement of subsurface soil by the new pipe is estimated at 594 cubic feet in Wetland 7 over the span of approximately 750 feet, which would equate to the volume occupied by less than one pick up truck. In Wetland 8, an estimated 1,080 cubic feet of subsurface soil will be displaced by the new pipe over a span of approximately 1,000 feet. This displacement is expected to be partially offset as the Company will be removing naturally occurring impervious material such as rocks and boulders from the trench that will not be put back following pipe installation. The displacement of soil from the subsurface installation of the new pipe is expected to have an insignificant effect on the land's ability to store flood waters. Accordingly, the Company is of the belief that the project, as proposed, is in compliance with the perfomance standards outlined in 310 CMR 10.55(4) of the Wetlands Protection Act and the Town of Ashland Wetlands Bylaw

With regards to 310 CMR 10.57 (4)(a)2., the mats are not watertight structures/barriers and therefore surface flow is not fully restricted so as to cause an increase in flood stage or velocity. Given these measures, performance standards for BLSF under the WPA will be met.

Agent's Response

Response

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.~~

Response ~~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.~~

Agent's Response

Received. Comment closed.

20.

The method chosen has the "highest level of natural environmental impacts to wetland resource areas, wetland buffer zone and open space land. . ." (pg 32 of NOI Narrative). 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.

Response

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 [1] 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 [2].

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 [3] damage [4], 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.

5. 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.

Agent's Response

1. In your response, you state that segregating the topsoil in unsaturated wetlands preseves the seeds. I respectfully disagree especially if the prevailing plant seeds are invasive. Invasive seeds will easily outcompete native seeds.

2. You state that the Company will do inspections. Is "the Company" Eversource, or TRC? When would these inspections be done and who orders these inspections?

3. Can you provide examples of "third party entities" as referenced in your response?

4. What kind of damage is anticipated, and in what ways?
5. Also, while I understand the other factors given the EFSB process, 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.

6. Note that as of the June 24, 2019 Hearing, a resident brought up a concern that vehicles, mats, and equipment should be washed down, before entering and after leaving a site given the type of invasive plants that are presents in the areas proposed for work.

Response

1. To encourage rapid establishment of native species and to help prevent invasive species that may colonize disturbed and poorly vegetated sites, the following actions will occur within six days of final re-grading:

a) Restored upland areas will be seeded with a Project approved, weed-free seed mix of upland plant species.

b) Restored wetland areas will be seeded with a Project approved, weed-free seed mix of wetland plant species (e.g., New England Wetlands Plants, Inc.'s "New England Wetmix" or "New England Roadside Matrix Wet Meadow Seed Mix").

2. SWPPP inspections will be performed by TRC during construction at the frequency required by the EPA Construction General Permit until the site has reached 70 percent stabilization. Following construction, as required by state and federal permits, inspections would be performed annually during the growing season and would continue until all disturbed areas within the easement that were temporarily impacted by the Project meet the state and federal restoration criteria.

3. The "third party" entities are the owners of other underground utility systems (e.g., sewer, drainage, water, telecommunications) with facilities in the roadway.

4. The in-street alternative has a higher risk of third-party damage because the pipeline would be placed alongside or within roads in proximity to other underground utilities (e.g., sewer, drainage, water, telecommunications), which may require periodic excavation for maintenance, repairs or upgrades. Therefore, the in-street alternative has a higher likelihood that a third-party will be conducting subsurface work near the Transfer Line pipeline, which increases the risk of potential damage to the Transfer Line, when compared to the installation of the new pipeline within the existing permanent easement.

5. A narrative has been provided that describes how the Project contributes to the protection of the interests within the Wetlands Protection Act (See Attachment E) of the August 19, 2019. responses.

6. The Environmental Inspector ("EI") will make every effort to ensure that prefabricated equipment mats, as well as construction equipment, are clean and free of excess dirt and mud prior to entering a wetland area in order to prevent infestations of common invasive species (e.g., common reed, purple loosestrife, etc.). As necessary, equipment cleaning areas will be designated to ensure that equipment is cleaned to the extent practicable. Equipment and mats leaving and entering wetlands will be visually inspected to ensure that they are not transporting plant materials or soils that could carry seeds or plant fragments.

Agent's Response

1. A Vegetation Plan should be submitted, along with the Shapefiles identfiying the plant inventory that was recently done. The Vegeation plan should also outline procedures for removing invasive plants during construction.

2. Does TRC go out and perform the SWPPP inspections, and submit reports to TRC, or does Eversoure call TRC to do the inspections.

Would this also incldue doing inspections as required by an Order of Conditions (should the Commission issue an Order approving work)?

3. Comment closed.

4. Comment closed.

5. Note that the comments below pertain to the introdcution of Attachement E, dated 8/19/19. Some comments pertain to specific resource areas as well.

5. A. I have concerns related to Groundwater Supply. I am concerned that work within the resource areas will hit Seasonal high Groundwater levels. Since these levels were not provided I have no way of confirming that. I would like for you to provide further information on Groundwater. Please proivde adequate maps or data from the USGS, NRCS or soil surveys in general.

5. B. In terms of flood control, please see comment number 18. In the meantime, I noticed that the second paragraph of E-2 of Attachment E (Dated 8/19/2019), states that the contracrtor will take a number of examples and provides one such example. Please provide more information on these steps.

5. C. Some alterations or distrubances to vegetation within certain wetland systems will be necessary for the work proposed. In these areas, how will you prevent the system's ability to protect flood control when work takes place? (See page E-6 of Attachment E.

5. D. In your narrative, you mention a reduction of the construction workspace, by maintaining work wtihin the easement. If the workspace was always to be desiganted in a pre-existing easement ranging in width from 20-30 feet, what did you reduce the size of the construction workspace from?

5. E. You indicate that wetland soils will be "temporarily piled in a ridge along the pipline trench on the construction equipment mats", but this contradicts the recommendation from Lucas Environmental to further contain wetland soils in a wooden trough.

5. F. Please describe the process and methodology for crossing within Land Under Waterbodies and Waterways. Note that swamp mats within LUWW will constitute fill under the Wetlands Protection Act (310 CMR 10.04).

5. G. Swamp mats will also constitute fill under BLSF and may not meet compliance with 310 CMR. 10.57 (4) (a) 2. as it may restrict flows within BLSF. Please verfiy This

5. H. Dam and pump methods may impact Bank, BVW or other resource areas given where the flume pipe faces. This may require further protection of those resource areas such as installing rip rap along exposed bank areas.

5. I. Under the River Front Area interests, you provided an explanation of how RFA serves public interests by providing flood control, and storm damage prevention. However, you should elaborarte on this, by including a second paragraph to include how you will protect these interests within the RFA. This also applies to the interest of pollution prevention within RFA.

6. Please present your response at the next hearing.

Response

1. TRC conducted an inventory of the Project easement to identify trees growing within the easement (greater than 3-inches diameter at breast height). The results of this inventory are provided in Attachment B. An invasive plant species survey was conducted within the Project easement. The results of this survey were used to develop an invasive species management plan for the Project. This plan is provided in Attachment C.

2. Environmental inspections will be performed by SWCA Environmental Consultants in accordance with permit conditions and the stormwater pollution prevention plan (SWPPP). This consultant would also perform any additional environmental inspections required by an Order of Conditions or other state and/or federal permit.

5.A. Eversource has compiled groundwater elevation data from Natural Resource Conservation Service (NRCS) soil unit data (https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx**). A table has been generated showing estimated groundwater elevations by soil type in Ashland. This data shows the likelihood of encountering groundwater during trench excavation, which is typically down to a depth of approximately five feet below the ground surface. Based on the NRCS data, approximately 48 percent of the pipeline in Ashland will cross soil units with groundwater levels reported to be potentially less than 5 feet below the ground surface (i.e., 6,565 feet). Eversource has prepared a figure set that shows the shallow groundwater based on soil unit type in the project easement. This information is provided in Attachment D.**

5.B. As described in Attachment E of the Company's August 19, 2019 supplemental filing , Eversource's contractor will take a number of steps during construction to ensure successful restoration such as the segregation of the native stream bed material from the trench spoils. Prior to construction, the contractor, equipment operator and environmental inspector will photo-document the bank conditions and review all permit conditions and engineering drawings. Following installation of the pipe, construction crews will replace subsoils in the trench and grade the disturbed areas of the stream bed and banks to match the undisturbed stream located outside of the trench excavation. The native stream bed material is then put back at the completion of the restoration work. The contractor will then install erosion control fabric along the disturbed banks to stabilize the soils and facilitate the reestablishment of vegetation. The adjacent riparian areas will be seeded and mulched following the removal of the equipment mats and bridge.

Topographical contours and elevations are obtained for the entire Project area prior to the start of construction. This data is shown on the Project drawing and is used to assist Eversource's construction contractor in the re-establishment of pre-construction grades and bank configuration after the installation of the pipe. Eversource conducts a rigorous review process to ensure that its construction contractors are the most qualified and experienced available. During construction and restoration, Eversource's contractor works directly with the environmental inspector to ensure that streams are restored to preconstruction conditions following pipeline installation. In addition to topographic surveys, Eversource's contractor relies upon data collected during waterbody delineations documenting pre-construction conditions (e.g., photos, data forms, streambed and bank analysis) as well as pre-construction evaluations by the Project inspectors.

5.C. The vegetation in the easement is primarily herbaceous plants and shrubs with scattered, small trees in some locations. At the start of construction, the contractor will cut woody vegetation within the existing easement down to ground level to provide a safe working area during construction of the pipeline. The root material will be left intact within the soils in all but the trenched portion of the easement. Equipment mats will be placed on top of the herbaceous materials in the easement in most cases. The mats are not watertight and water will be able to move under the mats during construction. Given the narrow

corridor width of the easement (20-30 feet) and the temporary, short term nature of the proposed work, we do not anticipate impacts to the flood control ability of the wetlands resulting from disturbance to the vegetation within the easement. Vegetation aids in slowing down flood waters and the surface soil and vegetation within the easement are not going to be disturbed by construction in such a way as to speed up water movement over such a narrow corridor.

5.D. Although construction activities can be successfully completed within the 20-30 foot wide permanent easement, additional workspace width on either side of the easement would provide more room for vehicle and equipment movement and operation of construction equipment. However, in an effort to minimize impacts to wetlands, waterbodies, vegetation, and residential properties adjacent to the easement, Eversource has committed to constructing the project within the 20/30-foot wide permanent easement. Accordingly, the size of temporary construction workspace located outside of the easement was not determined or pursued.

5.E. In response to a follow-up technical meeting with the Conservation Administrator and Peer Reviewer, Eversource has modified its approach for stockpiling soils during trenching in wetlands. Instead of a trough design, Eversource proposes to install reinforced "super" silt fence along the outside edges of the equipment mats adjacent to the easement edges. This reinforced silt fence will serve to help keep the excavated soil on the mats and keep it from moving laterally off the mat edges. The silt fence will also allow water to drain from the soils as well. The super silt fence is taller than standard silt fence and will be backed by a chain link fence for extra strength and reinforcement. This BMPs has been used where additional reinforcement is desired during wetland construction. The detail for the super silt fence is provided on Sheet D-190-36-D12. In addition, a plan view of a typical wetland crossing including the placement of super silt fence is provided on Sheets D-190-36-D04A and D04B (see Attachment A).

5.F. Within the easement, equipment mats will be placed across the streams to create a temporary bridge for equipment to cross the stream. The mats will be placed in a stacked formation so that the banks and bed of the stream are not disturbed. Once the equipment mat bridge is in place, equipment will be brought to the stream to set up the dry crossing. This will include the installation of temporary sand bag dams upstream and downstream of the pipeline crossing within the easement

and erosion control devices. Polyethylene sheeting may also be placed on the sand bags to help form a watertight seal if required. Primary and back up water pumps will be brought to the site and positioned in secondary containment structures. Water will be pumped from the upstream side of the dam to the downstream side of the dam. A splash plate or other dissipation device will be used to ensure the stream bed and bank on the downstream side are not eroded. Once the dams are in place and the pumps are running properly, the excavation of the trench will begin. An excavator will work from both sides of the stream and/or from the equipment bridge to excavate and stockpile the soil on the mats. Soil will be protected by erosion control devices and used during backfilling of the trench. Once the required trench depth is reached, the prefabricated length of pipe is placed in the trench. Then the trench is backfilled using the previously excavated soil material in the order it was removed from the trench. The contractor will work the trench backfill to match the pre-construction grade and bank configuration. Following this work, the contractor will install erosion control fabric on the stream banks to stabilize the soils. Once the crossing is completed and the trench is restored, the downstream dam will be removed followed by the upstream dam thereby restoring water flow in the channel. The removal of the temporary equipment bridge will not occur until access is no longer required along the subject section of easement.

The contractor may elect to use a flume pipe instead of a dam and pump to cross certain streams. The procedure described above will be similar with the exception of a flume pipe being installed in the channel to carry water over the trench instead of pumping water around the trench with hoses. The flume pipe(s) are installed in the stream channel and the upstream and downstream sites are dammed up to force water through the flume pipes. Once the pipes are properly functioning the trenching will occur from either side of the stream bank with digging occurring under the flume pipes. Once the trench is dug, the pipe segment is pushed/pulled into the trench, tied in, and backfilled to restore the stream bed and banks to pre-construction condition. Following completion of this process, the flume pipe(s) will be removed and water flow will be restored in the channel.

5.G. Equipment mats are proposed as a best management practice to minimize impacts to the soils and vegetation within bordering vegetated wetlands (BVWs) and bordering land subject to flooding (BLSF). The mats will not create a

waterproof barrier within the BVW and BLSF. While work is occurring in the floodplain, the contractor and environmental inspector will monitor weather reports to gain advanced notice of significant precipitation events. If flooding is anticipated, the contractor will remove some of the mats to further facilitate water flow in the BVW and BLSF. The remaining mats will be anchored to keep them from floating.

With regards to 310 CMR 10.57 (4)(a)2., the mats are not watertight structures so surface flow will not be restricted. Given these measures, this standard will be met.

5.H. A discussion of the dam and pump methodology was provided in our response to Comment 20.5.F. During restoration, the contractor will employ "soft" solutions to restore the bank at the trench location including the installation of erosion control blankets and seeding and mulching. There is no plan to place rip rap along stream banks for restoration purposes.

5.I. The Project will protect the flood control and storm damage prevention functions of riverfront area primarily through the limited area of disturbance and the temporary nature of the construction activities. The contractor will use the entire 20 or 30 foot wide easement during construction in riverfront area. However, only a narrow section of the easement will be disturbed by trench excavation, while the remaining easement width will be covered by equipment mats (in wetlands). Outside of wetlands, vehicles and equipment will operate in the easement adjacent to the trench but there will not be any additional excavations other than removing large rocks and boulders to provide a safe, level work area. In these work areas without trenching, the native root stock will be left in place, which will continue to keep the soil structure intact and allow for continued infiltration of water. Given the narrow width of the pipeline easement and the temporary nature of the activity, cutting of woody vegetation within the easement is not anticipated to diminish the ability of the riverfront area to dissipate stormwater runoff and contribute to the interest of flood control.

6. As requested, Eversource will present its response at the next hearing.

21. ~~Were stream crossing standards evaluated under this NOI?~~

Response ~~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.~~

Agent's Response The Comment is closed.

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).~~

Agent's Response Due to the Peer Review confirming the wetland boundaries at the June 24, 2019 Meeting, I am viewing this comment as closed.

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.~~

Agent's Response: This comment is closed.

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).~~

Agent's Response: This comment is closed.

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).~~

Agent's Response: This comment is closed.

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).

Agent's Response: According to 310 CMR 10.58 (2) (a)2. b. "In some reaches, the [MAHWL] is represented by bankfull field indicators that occur above the first observable break in slope, or if no observable break in slope exists, by other banfull field indicators. These river reaches are characterized by at least two fo the following features: low gradient,

meanders, oxbows, histosols, a low-flow channel, or poorly-defined or nonexistient banks." Please respond to this regulation and denote if this was shown on other perennial streams.

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. The four perennial streams in Ashland had observable mean annual high-water lines that were coincident with the banks of the waterbodies. Labels have been added to the plans at these waterbodies denoting the location of MAHW and top of bank (see Attachment A).

Agent's Response

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.

Agent's Response

I have sent an e-mail to Nathaniel Tipton asking if he would like to speak with me on the letters that was issued. He responded stating that he would review the letters and touch base with me later. I have not heard back from him. I reached out to him again via e-mail on September 26, 2019. His comments are as follows:

1. Anticipated construction schedule vs. completion of Article 97 process
2. Details on anticipated time of year when they would be trenching through the wetland directly north of the Ashland Reservoir dam
3. Invasive species control methods
4. Distance between the new gasline and the Ashland Reservoir dam

Response

1. Eversource's existing rights for locating the pipeline within the eastern crossing area of Ashland State Park are granted through a Special Permit issued by the Department of Natural Resources (a predecessor agency to Department of Conservation and Recreation (DCR). While DCR recognizes that Eversource currently holds rights that provides the Company the right to construct the Project DCR has expressed their interest to convert the existing agreement to a permanent easement. For the DCR to grant the Company a permanent easement legislative approval will be required as the property under the care and control of the DCR falls under the Executive Office of Energy and Environmental Affairs (EOEEA) Article 97 Land Disposition Policy. In response to the DCR's request to convert an existing agreement to a permanent easement Eversource developed a mitigation proposal to align with the Policy. This proposal was provided to the DCR for initial review and feedback and a follow-up conference call was held on August 27, 2018 between Eversource and DCR to discuss the proposal. DCR indicated that they agreed with the proposal concept and acknowledged that Eversource could construct the project under its existing rights while the Company in parallel brings the Bill through legislature and works with the Commonwealth's Division of Capital Asset and Maintenance (DCAMM) for the actual easement after the legislative vote. The Bill has been drafted and is scheduled to be filed when the Formal Session begins in January of 2020, with a vote expected in July of 2020. If a 2/3rd vote is achieved the Governor will sign the bill. After the project is bulit As-Builts will be developed and submitted to DCAMM. DCAMM will require an appraisal and once accepted by the DCR DCAMM will grant an easement to the Company. The Company expects that the entire Article 97 process will take several years. As mentioned above, DCR has acknowledged that Eversource has the right to proceed under its existing rights.

2. Based on current construction schedule, we anticipate starting construction in the wetland north of the Ashland Reservoir dam in July or August of 2023.

3. Eversource has developed an invasive species plan for implementation during construction of the project in Ashland State Park. The plan is provided in Attachment C.

4. The southern edge of the proposed construction work area in Ashland State Park is approximately 288 feet from the northern edge of the dam's outlet culvert at its closest point. The southern edge of the proposed work area is approximately 92 feet from the northern edge of the tiered spillway. The proposed Project will not disturb any portion of the dam or spillway. The Company applied for and received a jurisdictional determination from the DCR Office of Dam Safety stating that a Chapter 253 dam safety permit is not required for the Project . A copy of the jurdiscitional determination is provided in Attachment E

Agent's Response

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).~~

Agent's Response ~~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~~

Response ~~Eversource will install permanent markers at the pipeline entry and exit locations on the Great Bend Farm Trust Conservation Restriction property.~~

Agent's Response Comment closed. A condition will need to be added to the OOC requiring bounds to be installed at the aforementioned locations.

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.

Agent's Response: Stockpiles and staging should be added to the plans. If they cannot be added at this time, a note should be added on the General Notes for restricting staging in resource areas and buffer zone.

Response: The requested notes regarding soil stockpiling and staging have been added to the Construction Notes on Sheet D-190-36-G01, construction note number 19 (see Attachment A).

Agent's Response

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.

Agent's Response: Access should be demarcated in the plans or added as a note.

Response: Public roads will be used to access the pipeline easement as depicted on the construction permit plans (see Attachment B dated August 19, 2019).

Agent's Response: I was expecting to see a clear demarcatation on the plans showing where access would be coming from on each sheet that applies to wetlands. Was your previous response meant for us to refer to each street on the individual sheets?

Response: **As requested, contractor access points to the easement have been labeled on the permit plans. Access points are located at all road crossings including 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 (see Attachment A).**

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.

Agent's Response: Revised flag numbers were received. Please send, revised shapefiles which shall reflect the current wetland line as confirmed by Lucas Environmental and TRC.

Response: **The requested shape files will be provided in electronic format via download to the Conservation Administrator with the submission of this supplemental filing.**

Agent's Response:

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.~~

Response: ~~The construction permit plans have been updated to call-out the 25-foot No Disturbance Zone consistent with the 100-foot Buffer Zone (see Attachment B, dated 8/19/2019).~~

Agent's Response: Received. The Comment is closed.

33. References to the Eversource BMP Manual should be evaluated with respect to crucial construction details. Details should be provided within the plan instead of having reference to a BMP manual.

Response: All relevant and applicable best management practices proposed for use during construction and restoration of the project are included on the detail sheets in the permit drawing set (Sheet D-190-36-D11 and D12). The reference for additional information in the Eversource BMP manual refers to additional narrative description of the BMPs and not the design specifications. The contractor will be responsible for implement the site-specific permit drawings and ensuring that Eversource's BMPs are met as a minimum standard for the project.

Agent's Response: Details were added to the plans. The Comment is closed.

34. An emergency response plan is missing (7.6.15).

Response: In the event of a release of oil or other construction fluids (i.e. hydraulic fluids) from construction equipment the Eversource spill response protocol and procedures would be activated immediately, and all fluid as well as any impacted soils, would be cleaned and disposed of through an approved vendor such as Clean Harbors. The Company's 24/7 response program and spill notification procedures remain in place following construction. A summary of Eversource's Emergency Response Procedures has been included in Attachment A.

Agent's Response: Revisions to the Attachment are necssary. Attachment A should include informaion on a list of Departments and Agencies, and how to notify them in case of a spill.

Under "Secure the Source" it is stated that "notification procedures are implemented". Notification proceudres should be outlined in this Attachment A.

Under "Area Restoration" the restored area should be well documented with time-date photographs.

Response: Please find attached the revised emergency response procedures in Attachment F. The plan now includes specific contact numbers in the event of a spill during construction. Photo documentation has not been included under the "Area Restoration" Section as this is not part of the Eversource spill

response plan. However, the Company is open to accepting photo documentation as a permit condition in the Order of Conditions in the event of a spill.

Agent's Response

35. 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 catchbasins. (7.6.16.a).

Response Silt sacs in catch basins are depicted on the construction permit plans (see Attachment B)

Agent's Response One sheet did not include a call out for a silt sack in catch basins. The sheet shall be revised to include the call out.

Response **As requested, silt sac call-out labels have been added to all catch basins identified in the project area on the permit drawings. This includes catch basins at Pennock Road and Hardwick Road (Sheet D-190-36-C13), Winesap Way (Sheets D-190-36-C15 and C16), Joanne Drive (Sheets D-190-36-C31 and C32), Prospect Street (Sheet D-190-36-C32), Wayside Lane (D-190-36-C36), and Brimstone Way (Sheet D-190-36-C37).**

36. ~~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.)~~

Response ~~Eversource agrees with this comment.~~

Agent's Response This comment is closed.

37. 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).

Response **The construction permit plans have been updated to include additional details on nearby stormwater management catch basins and drain lines (see Attachment A).**

Response to Additional Comments:

This feature is outside of the pipeline easement so a formal jurisdictional wetland delineation was not performed. Instead,

we conservatively assumed it to be a jurisdictional wetland and showed it on the plans with buffers and protective erosion controls along the edge of the easement upgradient from this feature. The original subdivision plans for this area on file with the Ashland Conservation Commission were reviewed to collect additional information on the creation of this feature. Those plans did not specifically identify this location as a stormwater management feature or detention basin. The plans shows a culvert draining the feature to the northwest under Pennock Road to the wetland/basin located between Hardwick Road and Pennock Road. According to the pipe inverts shown on the original plan, the culvert drains southeast to west-northwest across Pennock Road, not towards Wetland system A17-5-W1. The detention basin note was removed from the permit drawing.

As requested, a note has been added to Sheet D-190-36-C37 identifying the need for catch basin protection at the end of Brimstone Way south of the wetland series A17-9-W1.

Agent's Response

Revised plans were received.

Southwest of wetland system A17-5-W1, is an "approximated_wetlands" within a detention basin. Note that stormwater features are not wetlands pending on certain aspects of the basin as outlined with 310 CMR 10.02 (2) (b) (3) (c), However, it is important to note that that is an outfall to the basin from Hardwick Road/ Pennock Road drainage pipes. It then appears to outfall to wetland system A17-5-W1. Please confirm that in the field. Also, the plans should be updated to remove the approximate wetlands if the basin is functioning and operating as basin. Finally, the plan should incorporate the outfall/emergency flow from the basin as it is within the 100 foot Buffer Zone.

There is another mapped outfall at the cul-de-sac of Brimstone Way. There is a catch basin at the end of that cul-de-sac as well. The outfall is approximately 81' from Wetland Flag Number 4 of wetland series A17-9-W1. Unfortunately, the outfall and catch basin appear to be located out of the plan's scope. A note should be added to these sheet calling for silt sacs within the catch basins along the cul-de- sac of Brimstone Way.

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

Response

Given that the Project easement is linear in nature and extends for approximately 2.6 miles through the Town of Ashland in areas of variable topography and substrate, groundwater levels will vary considerably. Seasonal high groundwater is typically verified in the field when developing postconstruction stormwater management best management practices for a Project at a fixed development site. Given, the proposed Project includes no new impervious surfaces and surface grades will be returned to pre-construction condition, no post-construction stormwater management BMPs are proposed or needed. Accordingly, field verifying seasonal high groundwater within the existing pipeline easement is not applicable.

Agent's Response

This should be presented at the next Conservation Commission Meeting, which is scheduled for October 21, 2019. The Commission shall decide whether or not they want this as part of the Stormwater Management Regulations. However, I think that it is important that we receive information on groundwater levels given the need to verify if this project protectets the interest of the protection of groundwater supply within 310 CMR. 10.01 (2).

Response

As previously stated in response #20.5.A, Eversource has compiled groundwater elevation data from Natural Resource Conservation Service (NRCS) soil unit data. Based on the NRCS data, approximately 48 percent of the pipeline in Ashland will cross soil units with groundwater levels reported to be less than 5 feet below the ground surface (i.e., 6,565 feet). Given the proposed Project includes no new impervious surfaces and surface grades will be returned to pre-construction condition, ground water supply is protected and no post-construction stormwater management BMPs are proposed or needed.

39. ~~Are revised flags, and all previous flags shown on the Attachment B? Further revisions are necessary given the comments from Lucas Environmental.~~

Response

~~Attachment D (Figures) includes original and updated wetland and waterbody boundaries. These figures represent all comments received from the Town of Ashland and Lucas Environmental. The construction permit plans (Attachment B) also reflect comments from the Town of Ashland and Lucas Environmental.~~

Agent's Response

This comment is closed.

40. Where, and how will excavated soils be staged in this area? Where will equipment be staged? As of the June 24, 2019 hearing, Matthew Varrell (Lucas Environmental) stated that wetland soils should not be stockpiled onto timber mats given the nature of the soils. They should be contained separately. Invasive seeds are of concern within some wetland soils.

Response

Within BLSF, soil will be excavated from the trench and temporarily placed on the equipment mats next to the trench while the pipe is installed. Silt fence and strawbales will be installed along the edge of the mats to keep stockpiled soils on the mats. As a further measure in wetlands with very wet soils, a wooden trough may be constructed on the mats in parallel with the trench to keep the loose sidecasted soil from flowing off the mats into other areas of the wetland. The wooden trough may be reinforced with additional silt fence and straw bales if necessary. Once the pipe is placed in the trench, the side-casted soil will be backfilled into the trench. Equipment required to safely and effectively conduct construction will be brought into the BLSF areas, but any equipment not critical to the completion of the Project will not be staged within BLSF. There will not be any new permanent fill placed in the BLSF.

Agent's Response

Per a meeting held on August 27, 2019, a detail should be provided showing how certain wetland soils will be contained.

Response

A technical review meeting was held with the Conservation Administrator and Lucas Environmental. During that meeting, an alternative proposal was discussed to retain stockpiled soils on the equipment during trenching within wetlands. This measure involves installing reinforced "super" silt fence along both edges of the equipment mats along the easement edges. This silt fence is taller so it will extend above the mats and is reinforced by chain link fence. This is will provide a barrier for loose soils while still letting water pass and drain. Strawbales will not be use along the easement edges in lieu of this super silt fence installation. This also provides additional working width within the easement on both sides of the trench.

Agent's Response

41. ~~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?]~~

Response ~~SWPPP inspections will be performed by TRC during construction at the frequency required by the EPA Construction General Permit until the site has reached 70 percent stabilization. Following construction, as required by state and federal permits, inspections would be performed annually during the growing season and would continue until all disturbed areas within the easement that were temporarily impacted by the Project meet the state and federal restoration criteria.~~

Agent's Response The comment is closed.

42. ~~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.~~

Response ~~A narrative has been provided that describes how the Project contributes to the protection of the interests within the Wetlands Protection Act (See Attachment E dated August 19, 2019).~~

Agent's Response I read through this and provided my responses in Comment Number 20. Please respond there.

43. 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.

Response Soil from the trench will be temporarily stockpiled immediately adjacent to the trench on the equipment construction mats in wetlands. This will minimize the number of times the soil needs to be moved by heavy equipment, which will reduce noise and disturbance to neighboring properties. This method will also result in a shorter construction duration in wetlands. Given that this will occur in all wetlands crossed by the Project, stockpile locations are not specifically identified on the plan view drawings. Instead, the

Company has prepared a detailed construction layout showing how the equipment, mats, pipe, trench, erosion control devices and stockpiles will be configured (see Drawing Details D-190-36-DO4A and DO4B in Attachment B dated August 14, 2019).

Agent's Response: DO4A- Per Lucas Environmental's suggestion, you will need to scale this image properly. See Comment Number 8 of Section 2 from Lucas Environmental.

Response **As requested, the Sheets D-190-36-D04A and D04B have been updated with scale modifications for the proposed truck and excavator as well as the dimensions of the equipment mats.**

44. ~~Top of bank flags seem to be missing~~

Response ~~See the response to Comment #24.~~

Agent's Response: Received. The comment is closed.

45. ~~Plans should show original wetland lines, and revised wetland lines.~~

Response ~~GIS figures that depict the 2017 wetland boundaries and the current peer-reviewed wetland boundaries are provided in Attachment D.~~

Agent's Response: Received. The comment is closed.

46. A note should be added to the plans to prohibit refueling within wetlands, the 25' No Disturb Zone, Riverfront Area, and floodplain.

Response **The requested note on refueling restrictions has been added to Sheet D-190-36-G01 (construction note #20).**

Agent's Response

Response

47. Please proivde the raw data from the invasvie plant and native plant inventory as discussed at the Conservation Commission Meeting on August 26, 2019 Meeting and the meeting on August 28, 2019.

Response **The requested digital data collected during the invasive species survey has been provided for download.**

Agent's Response

48. The stream stats reports seem to indicate that some of the perennial streams on the plans, are actually intermittent streams. This includes A17-9-PS1, and A17-8-PS2. Please verify that the plans are marked correctly, and verify if these streams are in fact perennial or intermittent. Note that I have also asked our consultant to comment on this.

Response **The USGS StreamStat reports for A17-9-PS1 and A17-8-PS2 do not match the specific criteria for a perennial stream per riverfront regulations at 310 CMR 10.58(2)(a)1. The wetland scientists that conducted the 2017 delineation of these two waterbodies classified these streams as perennial based on field observations made during the fall of 2017. The summer-fall of 2017 was dry and the presence of water within both waterbodies along with specific site conditions contributed to this conservative determination of perennial flow.**

Stream A17-9-PS1 flows south to north along Brimstone Way. This stream is part of a wetland and drainage complex that extends south from Fruit Street. The stream is fed by a wetland system upgradient of the easement crossing location. The stream appears to be subjected to significant flow based on the condition of the banks and bed. Also, this stream has not been observed in a dry condition during subsequent field visits. Based on these factors, the stream was conservatively identified as perennial and we is anticipated to be flowing at the time of construction.

Stream A17-8-PS2 is small drainage way located within the larger wetland located east of Metropolitan Avenue and west of Cold Spring Brook. This stream appears to be fed in large part by groundwater within the larger wetland system and was delineated as perennial based on this condition. The stream also flows within Freetown Muck soil unit, which consists of very deep, very poorly drained organic soils. This stream has not been observed in a dry condition during multiple field visits since 2017. Based on these factors, the stream was conservatively identified as perennial and is anticipated to be flowing at the time of construction.

Agent's
Response

49.

Response

Agent's
Response

LUCAS ENVIRONMENTAL
COMMENTS ON FILING

Matthew Varrell
Environmental Consultant

Date: 9/26/2019

Application Type: NOI File No. 95-0926

Check here if a Stormwater Management Permit was filed. ☒

Applicant Name: Eversource

Project Address: Right of Way- Various Streets

Instructions to the Applicant/Representative: Use this form to respond to comments, and send revised plans or documents separately. Note eight copies of revisions will need to be submitted to the Conservation Agent, and a pdf will also need to be submitted. In addition, CAD files shall also be submitted for revised plans.

Section 2: Lucas Environmental Comments:

1. 2.i. Include language stating that any ledge encountered in the trench will be sawcut or hammered to achieve adequate depth of at least five feet under any streams.

   Response **If bedrock/ledge is encountered during excavation of the trench across streams Eversource will assess the best method for achieving the five foot cover over the top of the pipe. The standard rock removal method will involve the use of a rock hammer. The blasting method will not be used.**

2. 9. Provide a detailed invasive species control, monitoring, and mitigation plan, including existing conditions figures showing known locations. Control measures should be specified for each invasive species identified for possible treatment within the easement.

   Response **An invasive species control plan is provided in Attachment C.**

3. 17. Add notes to the plan sheets regarding prohibited locations of refueling operations.

   Response **The requested note on refueling restrictions has been added to Sheet D-190-36-G01 (construction note #20).**

4. 18. Include language in the construction description pertaining to potential permitting of beaver control activities through the Conservation Commission, and Board of Health.

Response **If beaver activity has resulted in significant flooding within the wetlands crossed by the Project, Eversource will evaluate the potential action of removing or partially breaching the dam(s) restricting stream flow. The purpose of breaching the dam is to lower the water level at the time of construction to minimize the duration of pipeline installation in the wetland and minimize the potential for off-site turbidity impacts. Eversource would seek the necessary approvals from the Ashland Board of Health and Conservation Commission and local landowner(s) prior to any work on a beaver dam.**

5. 21. Applicant to review comments and provide responses to LE comments, as allowable per EFSB process.

Response

a. As indicated, wetlands crossed by the project were given equal weight and the scoring was based on the total area of wetland impacted. This approach was taken because the wetland crossings will take place within a narrow, previously disturbed pipeline easement and the impacts are temporary in nature with no permanent loss of wetland.

b. Weighting assignments are a subjective assessment that takes into account the relative importance of the criterion in relation to the Project and the surrounding area. For this Project, a weight of "1" was assigned to criteria deemed to have a lower relative importance to the overall scoring methodology as compared to those weighted a "3," which had the highest level of importance to the route selection process. A weight of "2" was assigned to wetland resource areas because it takes into account the value of this resource while balancing the temporary nature of the proposed Project impact within an existing pipeline easement.

c. No response necessary.

d. Wetland resource areas and buffer zones were compared using area of disturbance. Values were not assigned to each wetland or buffer zone crossing.

e. Incorporation of the wetland boundary modifications has would not change the overall results of the scoring analysis for the project in terms of the selection of the preferred route. The preferred route has the lowest ranking under the wetland resource area criteria and the wetland area added during the peer review would only result in a slightly lower rank.

f. All residential areas were treated equally during the evaluation.

g. Eversource would still maintain its easement rights, even if an alternative route were selected by the EFSB. The work required to complete the abandoment of the existing pipe if an alterntive route were selected, would be the same as if the Company were abandoning the existing pipe with construction within the existing easement. The only difference would be that the cut and cap locations may vary depending on routing of an approved alternative route. The operation would include excavating at given points, isolating the existing main from service, and purging all natural gas from the pipe. The existing pipe will then be cut and welded caps installed. In either scenario, Eversource is not proposing to conduct the cut and cap operation within wetlands.

6. 23. Include discussion of use of nurse seed mix in areas to be vegetatively stabilized.

Response **Eversource will seed recently disturbed areas with winter/annual rye grass to facilitate a quick growth of soil stabilizing vegetation while the wetland seed mix becomes established in the subsequent growing seasons.**

7. StreamStats: The Applicant was to review the previous submission and make any necessary edits/corrections.

Response **We acknowledge that the USGS StreamStat reports for A17-9-PS1 and A17-8-PS2 do not provide data meeting the classification of perennial per riverfront regulations at 310 CMR 10.58(2)(a)1. The wetland scientists that conducted the 2017 delineation of these two waterbodies classified these streams as perennial based on based on field observations made during the fall of 2017. The summer-fall of 2017 was dry and the presence of water within both waterbodies along with specific site conditions contributed to this conservative determination of perennial flow.**

Stream A17-9-PS1 flows south to north along Brimstone Way. This stream is part of a wetland and drainage complex that extends south from Fruit Street. The stream is fed by a wetland directly upgradient of the easement crossing location. The stream appears to be subjected to significant flow based on the erosive condition of the banks and bed. Also, this stream has not been observed in a dry condition during subsequent field visits. Based on these

factors, the stream was identified as perennial and we anticipate it will be flowing at the time of construction.

Stream A17-8-PS2 is small drainage way located within the larger wetland located east of Metropolitan Avenue and west of Cold Spring Brook. This stream appears to be supported by groundwater within the larger wetland system and was delineated as perennial based on this condition. The stream flows within Freetown Muck soil unit, which is consists of very deep, very poorly drained organic soils. This stream has not been observed in a dry condition during multiple field visits since 2017. Based on these factors, the stream was identified as perennial and is anticipated to be flowing at the time of construction.

8. Typical Workspace Illustrations: The Applicant was to include a and dimensions of all equipment/materials depicted.

Response **As requested, the Sheets D-190-36-D04A and D04B have been updated with scale modifications for the proposed truck and excavator as well as the dimensions of the equipment mats.**

9. Planset: Various minor revisions were described to the Applicant at the meeting on 8/27.

Response **The requested revisions have been incorporated into the current construction permit drawings provided in Attachment A.**

10.

Response

11.

Response

LUCAS ENVIRONMENTAL
COMMENTS ON FILING

Matthew Varrell
Environmental Consultant

Date: 9/26/2019

Application Type: NOI File No. 95-0926

Check here if a Stormwater Management Permit was filed. ☒

Applicant Name: Eversource

Project Address: Right of Way- Various Streets

Instructions to the Applicant/Representative: Use this form to respond to comments, and send revised plans or documents separately. Note eight copies of revisions will need to be submitted to the Conservation Agent, and a pdf will also need to be submitted. In addition, CAD files shall also be submitted for revised plans.

Section 3: Lucas Environmental Comments via Professional Engineer Stormwater Review:

1. 4. Clarification of language pertaining to the phrase "excess soil deposited from other work areas."

Response **In the unlikely event that excess soil is generated during trench excavation, this material will be spread out in adjacent upland areas outside of wetland resource areas, the 100-foot buffer zone and the 25-foot no disturbance zone, if required. The existing contours would not be altered if soils were spread in upland areas.**

2. 5. Discussion of grouting entire length of abandoned pipe sections. If this is proposed, complete details and descriptions should be provided for how the work will be completed and any potential impacts to resource areas.

Response **If grouting of the existing pipe is required, the following is a brief description of that operation. Once a section of the existing pipe was isolated, purged of all natural gas and made safe with welded endcaps installed, a grout injection fitting would be installed on one end of the pipe with a vent fitting installed at the opposite end of the abandoned section of pipe. Grout would then be pumped into the abandoned section of pipe and air displaced by the grout would escape through the vent fitting. Grout would be injected until the entire section of pipe was completely filled. The injection**

fitting and air vent would then be capped and the operation would be complete.

LUCAS ENVIRONMENTAL
COMMENTS ON FILING

Matthew Varrell
Environmental Consultant

Date: 9/26/2019

Application Type: NOI File No. 95-0926

Check here if a Stormwater Management Permit was filed. ☒

Applicant Name: Eversource

Project Address: Right of Way- Various Streets

Instructions to the Applicant/Representative: Use this form to respond to comments, and send revised plans or documents separately. Note eight copies of revisions will need to be submitted to the Conservation Agent, and a pdf will also need to be submitted. In addition, CAD files shall also be submitted for revised plans.

Section 4: Wildlife Habitat Review:

1. 5. Establish language pertaining to certifications/affidavits to be submitted by the contractor for decontamination of temporary matting to be used within resource areas.

Response **The Company will be developing a Stormwater Pollution Prevention Plan (SWPPP) as part of this project's permit requirements with EPA. The SWPPP will cover, amongst other things, requirements for helping prevent the spread of invasive species in the easement. This includes inspecting construction matting for presence of invasive seed stock when first arriving onsite. Additionally, if re-used in another wetland onsite, the SWPPP will require the mats be inspected and any remaining invasive seed stock removed, if necessary.**

The Company is required to hold a SWPPP training for any construction personnel prior to starting work on onsite. The trained contractors must sign an attendance sheet following this training demonstrating that they are familiar with the requirements of the SWPPP including inspecting and washing of matting. The contractor's signature on the SWPPP training sheet is their certification that they are familiar with the requirements of matting in resource areas in regard to the presence of invasive species. Additionally, the Company's

environmental inspector will be conducting weekly inspections and will inspect matts for invasive seed stock while onsite.

2. On Page F-8 of Attachment E, dated August 19, 2019, the Applicant states: "To minimize the disturbance to wetland soils during construction, low ground pressure equipment will be used. This equipment reduces the pressure it exerts on the ground thereby minimizing the disturbance to sensitive areas. Employing the use of equipment with wide tires, rubberized tracks, and low ground pressure (<3 psi) can help minimize soil compaction and enhance post-construction restoration." During the working session, Eversource indicated low ground pressure ground equipment will NOT be used. The Applicant should clarify if such equipment is to be used or not and why not.

Response **The use of equipment mats within wetlands supersedes the need for low ground pressure equipment during construction. Standard excavators and backhoes are proposed.**