



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE



Eastern Massachusetts National Wildlife Refuge Complex  
73 Weir Hill Rd.  
Sudbury, MA 01776

January 5, 2021

Sudbury Conservation Commission  
275 Old Lancaster Road  
Sudbury, MA 01776

Hudson Conservation Commission  
78 Main St  
Hudson, MA 01749

Dear Sudbury and Hudson Conservation Commissions:

Please accept these comments from the U.S. Fish and Wildlife Service (USFWS) on the Joint Notice of Intent (NOI) filed by Eversource Energy for the Sudbury-Hudson Transmission Reliability Project and by Massachusetts Department of Conservation and Recreation (MassDCR) for the Mass Central Rail Trail in Sudbury. Assabet River National Wildlife Refuge (NWR), which is owned and managed by the USFWS, abuts this NOI project area to the north, for approximately 750 meters in both Sudbury (500 meters) and Hudson (250 meters). The Assabet River NWR was established in 2000, when it was transferred to the USFWS from the U.S. Army, and today encompasses 2,332 acres in Hudson, Sudbury, Maynard, and Stow. This NWR was established to protect migratory birds, but the diverse wetland and upland landscape also provides important habitat for numerous state-listed and otherwise wildlife and plant species of concern. Compatible wildlife-dependent recreation is promoted at Assabet River NWR by USFWS, with approximately 15 miles of trails available for the public's enjoyment.

We have reviewed many of the projects' documents, listened at some of the towns' meetings, and read comments and letters submitted by conservation groups and concerned citizens. We have also reviewed the Massachusetts Natural Heritage and Endangered Species Program's (MNHESP) Determination Letters for both of these projects (NHESP File No.: 15-34327). Although we have not done an extensive review of all the documentation, at this time we wish to submit comments on these projects, as it relates to potential impacts to biological resources at Assabet River NWR, including state-listed species, vernal pools, and non-native invasive species.

We are aware that this project falls within designated habitat for state-listed species: Eastern Box Turtle (*Terrapene Carolina*), Eastern Whip-poor-will (*Caprimulgus vociferous*), Gerhard's Underwing Butterfly (*Catocala herodias gerhardi*), and Coastal Swamp Metarranthis (*Metarranthis pilosaria*). Three of these species have also been confirmed on Assabet River NWR in recent years, in proximity to the project area. The potential impacts to state-listed species have already been



reviewed extensively by MNHESP. Thus, we are deferring to the conditions specified by MNHESP in the determination letters to ensure there is no take of these species within the designated habitat and/or at Assabet River NWR. However, if any of these conditions change, we wish to be included in discussions, and welcome the opportunity to participate in any mitigation efforts should they arise. For several years, we have issued a Special Use Permit to researchers working for Eversource Energy tracking rare turtles on the Assabet River NWR, and nearby. We are happy to continue facilitating this work as long as it continues to provide valuable information to these projects.

Additionally, there are two NHESP certified vernal pools on Assabet River NWR, within very close proximity to the project area. The certified vernal pool in Hudson extends to the southern boundary of Assabet River NWR, immediately adjacent to the project area. We have not surveyed this pool since 2014, but prior to that, we surveyed the pool annually for many years and documented many wood frog and spotted salamander egg masses, as well as spotted turtles inhabiting this pool, including close to the southern end near the project boundary. The certified vernal pool in Sudbury is no more than 50 meters from the project area (and likely much closer). Unfortunately, we do not have survey information for this pool. We plan to survey both of these pools in March and April of 2021 and are happy to share updated information on the status of these pools. There are also several other likely vernal pools in this vicinity and we will survey this area on Assabet River NWR carefully in the spring of 2021. It is critical that all precautions are taken to avoid any potential impacts to vernal pools, especially the pool that is immediately adjacent to the project area. Please reach out to us if you need more information regarding vernal pools and minimizing impacts.

Lastly, we are very concerned about the potential spread of non-native invasive plants from the project area onto Assabet River NWR, including the expansion of plant infestations that already exist at the project site and the introduction of new infestations from equipment and soil brought to the project site that may not be clean. In 2018, we mapped more than 20 non-native invasive plants on approximately 40% of Assabet River NWR, including the entire portion of the NWR south of Hudson Road. Only four species were found on the southern boundary, adjacent to the project area: Autumn Olive (*Elaeagnus umbellate*), Glossy Buckthorn (*Rhamnus frangula*), Oriental Bittersweet (*Celastrus orbiculatus*), and White Poplar (*Populus alba*). We will be monitoring this area carefully to ensure no new infestations result from these projects, but we also strongly encourage you to take every precaution to prevent the introduction and spread of non-native invasive plants. For many years, staff and volunteers at Assabet River NWR have been working diligently to reduce non-native invasive plants and promote native species. If we can partner with you on efforts in this area to increase success, please let us know.

We appreciate your consideration of these concerns and look forward to opportunities to work with the Towns of Sudbury and Hudson, Eversource Energy, and MassDCR as these projects develop, to ensure protection and conservation of our natural resources on Assabet River NWR. Please don't hesitate to reach out to me with any questions or concerns, or if we can provide more details to help inform the project.

Sincerely,



Linh D. Phu

Eastern Massachusetts National Wildlife Refuge Complex Manager