

## DIVISION OF FISHERIES & WILDLIFE

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MASS.GOV/MASSWILDLIFE

July 30, 2021

Lynnfield Conservation Commission 55 Summer St Lynnfield MA 01940

Andrew Cole New England Power Company 40 Sylvan Road, E3 Waltham MA 02451

RE: Applicant: Andrew Cole, New England Power Company

Project Location: NEP S145/T146 Transmission Line ROW

Project Description: Remove, repair, replace, and install structures; Install gate for access

road

DEP Wetlands File No.: Unavailable NHESP Tracking No.: 21-39854

Dear Commissioners & Applicant:

The applicant listed above has submitted a Notice of Intent with site plans to the Natural Heritage & Endangered Species Program of the Massachusetts Division of Fisheries & Wildlife (the "Division"), in compliance with the rare wildlife species section of the Massachusetts Wetlands Protection Act Regulations (310 CMR 10.59).

## **MA WETLANDS PROTECTION ACT (WPA)**

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, will **not** adversely affect the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions.

Please note that this determination addresses only the matter of **rare** wildlife habitat and does not pertain to other wildlife habitat issues that may be pertinent to the proposed project.

## MA ENDANGERED SPECIES ACT (MESA)

Based on a review of the information that was provided, the Division has determined that this project, as currently proposed, appears to be exempt from MESA review pursuant to 321 CMR 10.14 which states: "[t]he following Projects and Activities shall be exempt from the requirements of 321 CMR 10.18 through 10.23..."

(11) routine operation and maintenance on existing electrical, gas, and telecommunication distribution and transmission lines and existing substations, provided that the operation and maintenance are part of an operation and maintenance plan approved by the Division, for which a review fee shall be charged, the amount of which shall be determined by the commissioner of administration under the provisions of M.G.L. c.7, § 3B;

Any changes to the proposed project or any additional work beyond that provided may require a filing with the Division pursuant to the MESA regulations.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions about this letter, please contact Melany Cheeseman, Endangered Species Review Assistant, at (508) 389-6357.

Sincerely,

Everose Schlüter, Ph.D. Assistant Director

cc: MA DEP Northeast Region

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Susan McArthur, BSC Group, Inc.