



**Advisory Council on Historic Preservation  
Electronic Section 106 Documentation Submittal System (e106) Form  
MS Word format**

**Send to: *e106@achp.gov***

**I. Basic information**

- 1. Name of federal agency** (If multiple agencies, state them all and indicate whether one is the lead agency):

U. S. Army Corps of Engineers, CENAE-R, 696 Virginia Rd., Concord, MA 01742

- 2. Name of undertaking/project** (Include project/permit/application number if applicable):

Eversource/MA DCR Electric Line (Phase I)/Rail Trail (Phase II);

**Application No. NAE-2017-01406**

- 3. Location of undertaking** (Indicate city(s), county(s), state(s), land ownership, and whether it would occur on or affect historic properties located on tribal lands):

Hudson – Sudbury abandoned railroad line; transmission line and rail trail proceed from Sudbury substation to Wilkins Street in town of Hudson, 7.6 miles.

From the 7.6 mile point, the electric line follows existing roads 1.4 miles to Hudson substation.

- 4. Name and title of federal agency official and contact person for this undertaking**, including email USA

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- 5. Purpose of notification.** Indicate whether this documentation is to:

- notify the ACHP of a finding that an undertaking may adversely affect historic properties, and/or

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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- invite the ACHP to participate in a Section 106 consultation.

## **II. Information on the Undertaking\***

### **6. Describe the undertaking and nature of federal involvement** (if multiple federal agencies are involved, specify involvement of each):

Installation of an electric line under existing but abandoned railroad grade. Specifically, there are 3 historic railroad bridges that we have been asked to study. We are also being asked to study archaeological impacts along the full railroad path. The applicants require a Federal Permit for temporary impacts to wetlands along the corridor. Specifically, wetlands are located near bridge 127 and 130; bridge number 128 does not have any wetland impacts.

### **7. Describe the Area of Potential Effects:**

One bridge (No. 130) is located in Hudson, and the other 2 in Sudbury. The one in Hudson is both newer and thus less historic, plus it has been severely damaged by fire, so the MA SHPO has agreed that the bridge itself is not historically significant.

The second bridge (No. 128) is in Sudbury, and is historically significant; however, there is NO wetland impact, and NO impacts to waters of the United States. We therefore do not have any authority under Section 106 to prevent or mitigate its rehabilitation. The applicants do plan to rehabilitate the superstructure to accommodate crossing of electric lines and installation of the rail trail along the rail corridor.

Only the third bridge (No. 127) is regulated under Section 106/involves the Area of Potential Effects. It involves bridge removal and temporary wetland impacts. On this bridge alone we do have authority and responsibility under Section 106 to ensure that its historic significance is properly documented. In this particular case, the existing bridge foundations will remain intact; only the bridge itself will be removed and replaced. We anticipate that signage will be erected close to the bridge describing its historical significance, as well as fully documenting it in the MA SHPO and Town of Sudbury historical records.

### **8. Describe steps taken to identify historic properties:**

The entire track has been walked by an archaeological and historical consultant who has identified not only the bridges above but also archaeological areas that involve wetlands. Only these wetland areas that will be filled are potentially jurisdictional. The Mashpee Wampanoag Tribe has expressed an interest in being present while the work is underway upon the wetland areas. Other areas will simply involve installation of the electric line, regrading of the railroad grade, and installation of the rail trail to be tied in to Hudson's existing rail trail. Finally, we wish to point out that, effective June 22, 2020 isolated wetlands that have no stream connection to downstream areas are no longer considered jurisdictional under regulations at 33 CFR 328.3. We believe this accounts for most wetland impacts along the railroad grade.

### **9. Describe the historic property** (or properties) and any National Historic Landmarks within the APE (or attach documentation or provide specific link to this information):

We believe that the easternmost Sudbury Bridge (No. 127) and the wetland impacts near the bridge are the only historic properties within the APE. No national historic landmarks are located nearby, and this mostly forested site does not visibly impact upon any historic properties within the vicinity of this

state-owned railroad grade.

**10. Describe the undertaking's effects on historic properties:**

Only bridge number 127 is considered; we have no control over the applicant's intent to dispense with bridge 128 or bridge 130, the former, because there is no activity within waters of the United States, and therefore no jurisdiction, and the latter because it has been proven not to be historically significant, given its age and damage beyond repair.

Bridge number 127 will be removed, and only its abutments will remain. A new bridge will otherwise be installed that is compatible with a rail trail, coupled with an electric transmission line going underneath the bridge.

**11. Explain how this undertaking would adversely affect historic properties (include information on any conditions or future actions known to date to avoid, minimize, or mitigate adverse effects):**

The abutments are in pretty good shape, and will be preserved, with signage likely pointing them out. However it is notable that the new bridge will be constructed in such a way that it is safe for runners and bikers to cross, which is not true of today's bridge, in which there are enough wide gaps that personnel could easily fall through and injure themselves. The existing bridge is also partially submerged, causing continual deterioration. The new bridge will be less deep (vertically) so that the bottom of the bridge is no longer submerged. Other than the stone abutments remaining in place, the undertaking's effects will otherwise remove the historic property.

The applicants will be responsible for carrying out activities specified in an MOA, and will, for example, photo-document the bridge area before removal, photo-document the abutments while the bridge is removed but before a new one goes in, and finally after the new bridge is established. Applicants will also be required to erect appropriate signage, and update the appropriate inventory forms. Said report will go to the SHPO, the Sudbury Historical Commission, responsive Native American Tribes and the applicants.

Aside from this, we believe this to be a net positive usage of this rail corridor. It opens the door to many hikers/bikers to see nature at its finest, given the rural nature of this proposal.

**12. Provide copies or summaries of the views provided to date by any consulting parties, Indian tribes or Native Hawai'ian organizations, or the public, including any correspondence from the SHPO and/or THPO.**

Correspondence provided as requested.

\* see *Instructions for Completing the ACHP e106 Form*

**III. Optional Information**

**13. Please indicate the status of any consultation that has occurred to date.** Are there any consulting parties involved other than the SHPO/THPO? Are there any outstanding or unresolved concerns or issues that the ACHP should know about in deciding whether to participate in consultation?

The Sudbury Historical Commission has been in close contact with us, and has largely been opposed to this project. Their stated reason thus far has been the use of the railroad for an electric conduit rather than as a rail trail alone.

**14. Does your agency have a website or website link where the interested public can find out about this project and/or provide comments? Please provide relevant links:**

No; in fact this project would not even require a Department of the Army application were it not for the 106 issues, as there is less than 5000 ft.<sup>2</sup> of impact. As it is we are processing this as a Pre-construction Notification. Only Individual Standard Permits are posted on our webpage.

**15. Is this undertaking considered a “major” or “covered” project listed on the Federal Infrastructure Projects Permitting Dashboard or other federal interagency project tracking system? If so, please provide the link or reference number:**

N/A; does not apply to the Department of the Army.

**The following are attached to this form (check all that apply):**

Section 106 consultation correspondence

Maps, photographs, drawings, and/or plans

Additional historic property information

Other: