



Town of Sudbury

Historical Commission

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December 10, 2020

Mr. Alan K. Anacheka-Naseman, PWS
Sr. Project Manager/Ecologist, Regulatory Division
US Army Corps of Engineers, Northeast District
696 Virginia Road
Concord, MA 01742-2751

By Email and USPS

Re: NHPA Section 106 - THPO Consultation: Eversource Sudbury-Hudson Transmission Reliability Project, Sudbury, Marlborough, Stow and Hudson, MA MHC #R .62384, EEA #15703, USACE File # NAE-2017-

Dear Mr. Anacheka-Naseman,

As part of the Sudbury Historical Commission's (SHC) review of the above named undertaking under Section 106 of the NHPA, the Commission has sought to determine what, if any, historical and archaeological resources, including Native resources, may be impacted and if so, what may be adversely impacted.

As the SHC has previously written the US Army Corps of Engineers, the Commission to understand the historical and archaeological resources, has sought to obtain, unsuccessfully to date, an un-redacted copy of the May 2019 Archaeological Intensive (Locational) Survey. We also have not been provided with an un-redacted copy of the February 2018 Archaeological Reconnaissance Survey.

The Commission to have input from the Tribes has also sought to confirm whether or not all Tribal Historic Preservation Officers have been fully informed about the undertaking and been invited to consult under Section 106. The Commission notes that according to the Section 404 Pre-Construction Notification (PCN), page 21, 4.5.2, the Mashpee Wampanoag Tribe and the Wampanoag Tribe of Gay Head (Aquinnah) were contacted in August 2018 (prior to the completion of the 2019 Locational Survey) by Eversource's cultural resource consultant, and the USACE sent letters on September 24, 2019 to the Mashpee Wampanoag Tribe and the Wampanoag Tribe of Gay Head (Aquinnah) inviting them "to consult under Section 106 on any cultural resources that may be affected..." However, no information was provided in the PCN that the Narragansett Tribe had been contacted or invited.

Yesterday I contacted Mr. John Brown, Tribal Historic Preservation Officer (THPO) of the Narragansett Tribe to inquire if the Narragansett Tribe knew about the undertaking, was contacted after the 2019 Locational Survey was completed, and had received a letter from the USACE. He told me, quote, "Until last week I have never heard about this project or been consulted – we (Narragansett Tribe) have not been included."

Therefore, the Sudbury Historical Commission requests that the Narragansett THPO be immediately contacted, invited to consult under the Section 106 process, and provided with information about this undertaking, to include un-redacted copies of both of the above mentioned Surveys. The Narragansett Tribe should be given the opportunity to consult on this undertaking under Section 106. The Narragansett Tribe THPO contact information is:

Mr. John Brown, NITHPO
Narragansett Tribe
13 George Street, Apt. 2
Westerly, RI 02891
tashtesook@aol.com
401-585-0142

The Sudbury Historical Commission in its June 17, 2020 letter to Eversource inquired if "A hard copy of the Archaeological Intensive (Locational) Survey had been provide to the appropriate Tribal authorities of each of the Mashpee Wampanoag Tribe, the Wampanoag Tribe of Gay Head (Aquinnah) and the Narragansett Tribe, and if so when and to whom. Eversource's consultant VHB responded to the June letter on August 21, 2020 that "...on July 2, 2020, a copy of the (May 2019) Archaeological Intensive (Locational) Survey report was provided to Mark Andrews of the Wampanoag Tribe of Gay Head (Aquinnah). No other Tribes requested copies of the report, and to date the Tribes have no concerns about the Project."

However, this is contrary to the statements in the Mashpee Wampanoag Section 106 Review Consultation Response Form signed by the THPO dated July 20, 2018, practically a year before the Locational Survey was completed in May 2019. The Response Form states: "The Mashpee Wampanoag Tribe has reviewed this project and offers these comments in regard to the above mentioned project. This project has the potential to affect historic or cultural resources important to our tribe:

After conducting a review of the documents received we have determined there is a potential to "adversely effect" cultural resources and find the proposed project areas to be culturally significant to the Mashpee Wampanoag Tribe.

We will require a Tribal CRM to access/monitor ground disturbing activities associated with Archaeology and or construction. We request contact information for the general contractor /project manager in charge of scheduling. The proponent will be responsible for all reasonable cost associated with our monitoring at a rate of \$75.00/hr. plus mileage to be paid within 30 days of invoking.

All information obtained through our participation will inform and advise our attempts to avoid, minimize or mitigate adverse effects to culturally sensitive assemblages related to the understating"

The form further states: "Exception: In the case that archaeological resources or human remains are found during construction, you moat immediately stop construction and notify us."

Our Commission wonders if the THPO for the Mashpee Wampanoag Tribe, the THPO for the Wampanoag Tribe of Gay Head (Aquinnah), and Tribal Chief, Cheryl Holley, of the Nipmuc Nation have

all been provide (un-redacted) copies of **both** the 2018 and 2019 Surveys, particularly the May 2019 Archaeological Intensive (Locational) Survey.

All Tribes must be fully informed about this undertaking and afforded the opportunity to participate in the Section 106 consultation process before a Draft Memorandum of Agreement is released for the 30 day comment period.

Going forward with the Section 106 consultation process, the Sudbury Historical Commission requests that we be kept informed about outreach to Tribal authorities.

The Sudbury Historical Commission appreciates the assistance of the USACE.

Sincerely,



Diana E. Warren
Vice Chair
Sudbury Historical Commission

CCL

John T. Eddins, ACHP
Barbara Newman, USACE
Brona Simon, MHC SHPO
Jonathan Patton, MHC
Ed Bell, MHC
John Brown THPO Narragansett Tribe
Cheryl Holley, Chief, Nipmuc Nation
David Weeden, THPO Mashpee Wampanoag Tribe
Bettina Washington, Wampanoag Tribe of Gay Head (Aguinnah)
Denise Bartone, Eversource
Sudbury Town Manager
Sudbury Town Counsel