

**POST-REVIEW DISCOVERIES PLAN
FOR THE EVERSOURCE
ENERGY/MASSACHUSETTS DEPARTMENT OF
CONSERVATION AND RECREATION'S
SUDBURY-HUDSON RELIABILITY AND MCRT
PROJECT
TOWNS OF HUDSON, MARLBOROUGH,
SUDBURY, AND STOW
MIDDLESEX COUNTY, MASSACHUSETTS**

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MIDDLESEX COUNTY, MASSACHUSETTS**

Prepared for

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and

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Submitted to

**The Massachusetts Historical Commission
220 Morrissey Boulevard
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By

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1.0 INTRODUCTION

Eversource Energy (Eversource) and the Massachusetts Department of Conservation and Recreation (DCR) are proposing a joint project (the “Project”) to construct a new, approximately 9-mile, underground 115-kilovolt electric transmission line and rail trail sited primarily within an unused railroad corridor/right-of-way (ROW) owned by the Massachusetts Bay Transportation Authority (MBTA). This project passes through the municipalities of Sudbury, Hudson, Marlborough, and Stow (Figures 1 and 2). Construction will be conducted in two phases with the majority of the earthwork and the installation of the underground transmission line to be conducted in Phase I; Phase II will consist of paving and other activities associated with the construction of the rail trail.

On behalf of Eversource and the DCR, the following Post-Review Discoveries Plan has been developed by Commonwealth Heritage Group, Inc. (Commonwealth) for unanticipated archaeological resources that may be encountered by the Project. The Post-Review Discoveries Plan supplements the Archaeological Site Avoidance and Protection Plan (ASAPP) developed by Commonwealth to protect identified significant historic and archaeological resources in proximity to the Project’s Limit of Work. While the ASAPP protects known cultural resources, the Post-Review Discoveries Plan is designed for potentially significant and previously unidentified discoveries that may be encountered by the Project.

2.0 PROTOCOL FOR UNANTICIPATED POST-REVIEW DISCOVERIES

2.1 UNANTICIPATED DISCOVERIES OF ARCHAEOLOGICAL RESOURCES

To ensure compliance with all federal and state regulations concerning the protection of cultural resources, a Protocol for Post-Review Discoveries has been prepared for the Project. The Protocol has been designed by Commonwealth for consistency with 36 CFR 800.13 (a-d) (Post-review discoveries).

Potentially significant archaeological resources could include precontact archaeological sites, historic foundations, and railroad-related features. Precontact archaeological sites in the Project corridor generally consist of stone tools or stone tool-making debris, sometimes associated with campsites and fire pits. Historic archaeological sites include those with stone foundations such as from a cellar hole or barn foundation, and warrant review under this plan. The most common or likely discovery would be a railroad-related resource, such as a buried railroad marker or whistle post. The nature of the cut-and-fill railroad bed construction within the Project's Limit of Work makes it likely that most precontact and earlier historic archaeological sites were removed during the historic excavation of the railroad bed cuts, while raised railroad beds were built through low areas and wetlands that were less likely to contain such sites. Human remains are not considered likely to be encountered. However, burials of farm or work animals, such as mules or horses, may be possible. Discoveries of buried animal remains or any potential human remains warrant review under this plan.

Determination of an appropriate course of action (avoidance or mitigation) for the discovery will be determined through consultation with the appropriate authorities including the Massachusetts Historical Commission (MHC) and the United States Army Corps of Engineers (USACE).

2.1.1 CULTURAL RESOURCES TRAINING

The identification of archaeological resources requires basic training in order to recognize potential sites. As a result, basic training in cultural resource site recognition will be provided to Project Inspectors and construction contractor personnel in advance of both phases of construction. The training program will emphasize the protocol to be followed regarding actions to be taken and notification required in the event of a significant site discovery during construction. The protocol will be included in all relevant construction contractor documents. The implementation of this protocol will require the controlling oversight of the Project Environmental Leads and Inspectors and the cooperation and compliance of the construction crew. The trainings will be performed by a qualified on-call professional archaeologist (On-Call Archaeologist). The On-Call Archaeologist for Phase I construction training will be Commonwealth's Principal Investigator and the On-Call Archaeologist for Phase II construction training will be either DCR's staff archaeologist or another qualified professional archaeologist, to be named at a later date.

- Holding a pre-construction meeting with the construction crew, supervisors, inspectors to review the protocol.

- Training construction supervisors and inspectors in the nature of archaeological and historical site remains.
- On-Call Archaeologist will be available to respond immediately to any unexpected discoveries.
- Hard copies of the protocol will be handed out during the pre-construction meeting with the construction crew, supervisors, and inspectors, to be kept on hand by work crews, supervisors and inspectors in the field.
- Explanation of the Unmarked Burial Law process and protocol if human remains are encountered.

2.1.2 NOTIFICATION PROCEDURES

Eversource and the DCR are committed to the protection and preservation of cultural resources, in accordance with federal and state legislation. Eversource and the DCR recognize that – despite the intensive cultural resource field investigations that are typically performed prior to project construction – it is nonetheless possible that previously unknown cultural resources could be discovered during the project construction process, particularly during excavation activities. Eversource and the DCR recognize the requirement for strict compliance with federal and state regulations and guidelines regarding the treatment of human remains, if any are discovered. The following details the protocol that will be followed in the event that new cultural resource sites or human remains are discovered during both phases of the construction process.

The protocol to follow in the event of an unanticipated discovery during both phases of construction contains the steps outlined below. The identity of key personnel including the Environmental Project Lead and On-Call Archaeologist will change depending on the phase of construction. For Phase I construction activities, the Environmental Project Lead will be Denise Bartone (Eversource) and the On-Call Archaeologist will be a qualified professional archaeologist from Commonwealth Heritage Group. For Phase II construction activities, the Environmental Project Lead will be Paul Jahnige (DCR) and the On-Call Archaeologist will be either the DCR staff archaeologist or another qualified professional archaeologist.

- The Contractor will immediately notify the Environmental Project Lead of an unanticipated discovery.
- The Environmental Project Lead will direct a *Stop Work* order for the area within 20 ft of the discovery to the Contractor's Site Foreman to flag or fence off the archaeological discovery location and direct the Contractor to take measures to ensure site security. Any discovery made on a weekend or overnight hours will be protected until all appropriate parties are notified of the discovery. The Contractor will not restart work in the area of the find until the Environmental Project Lead has granted clearance.
- The Environmental Project Lead will indicate the location and date of the discovery on the project plans and will notify the On-Call Archaeologist, who will undertake a site visit or otherwise coordinate an on-site archaeological consultation.
- The On-Call Archaeologist will conduct a preliminary assessment of the find to determine if it is a potentially significant archaeological site.

- If the find is determined by the On-Call Archaeologist to not be a potentially significant archaeological site, the Environmental Project Lead will notify the Contractor's Work Foreman to resume work.
- If the On-Call Archaeologist determines the find is a potentially significant archaeological site, Project personnel will notify the MHC's and the USACE's designees of the find. The On-Call Archaeologist and the Project Team will consult with the MHC and the USACE on an appropriate course of action (c.f., Avoidance and Protection or further evaluation) depending upon the potential significance of the discovery and the potential project effects.
- If the find is a potentially significant cultural resource and measures to avoid or minimize adverse effects must be considered, the On-Call Archaeologist will prepare a discovery memorandum with appropriate maps and photographs for submittal to Eversource, DCR, the MHC, the U.S. Army Corps of Engineers (USACE), and to other consulting parties as directed by the USACE (e.g., Tribal Historic Preservation Officers) for their review and comment. The discovery memorandum will be submitted within 48 hours of the On-Call Archaeologist's field review of the discovery and may include an assessment of significance (National Register eligibility) of the site and recommended treatment options. The discovery memorandum may be sent to the MHC, the USACE and other consulting parties by facsimile or email, as appropriate, to expedite review.
- Duration of any work stoppages at the discovery location will be contingent upon the significance of the identified archaeological resource(s) and consultation with the MHC, the USACE, and other appropriate parties to determine the prudent and feasible measures to avoid, minimize, or mitigate any adverse effects to the site. Measures to avoid or minimize adverse effects to significant archaeological resources, including the development and implementation of a site avoidance and protection plan, will be considered in consultation, prior to development of mitigation plans. If no prudent and feasible alternatives exist to avoidance or minimization of project impacts, then mitigation measures may be recommended.

In the unlikely event that human remains are encountered during Project ground disturbance, whether as part of a burial or as an isolated occurrence of human bone from a disturbed context, the Massachusetts Unmarked Burial Law (MUBL) (Massachusetts General Laws (MGL), Chapter 38, Section 6; Chapter 9, Section 26A and 27C; and Chapter 7, Section 38A; all as amended) will be adhered to. All work in the vicinity of the discovery shall stop (i.e., work within 20 ft). The Contractor will immediately notify the Environmental Project Lead of the discovery of human remains. The Environmental Project Lead will direct a *Stop Work* order to the Contractor's Site Foreman to flag or fence off the archaeological discovery location and direct the Contractor to take measures to ensure site security. Any discovery made on a weekend or overnight hours will be protected. The Project team will notify the USACE, the MHC, and any other consulting parties as directed by the USACE (e.g., Tribal Historic Preservation Officers) of the discovery. The Contractor will not restart work in the area of the find until the Environmental Project Lead has granted clearance following compliance with Massachusetts Unmarked Burial Law.

3.0 FEDERAL, STATE, TRIBAL AND PROJECT CONTACTS

3.1 FEDERAL CONTACTS

United States Army Corps of Engineers – New England District

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3.2 MASSACHUSETTS STATE HISTORIC PRESERVATION OFFICE

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Executive Director, State Archaeologist and State Historic Preservation Officer (SHPO)
Massachusetts Historical Commission
220 Morrissey Boulevard
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3.3 MASSACHUSETTS MEDICAL EXAMINER AND POLICE CONTACTS

Medical Examiner

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Chief Medical Examiner
Office of the Chief Medical Examiner
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Boston, MA 02118
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State Police

State Police Framingham Barracks
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3.4 COMMISSION ON INDIAN AFFAIRS

Massachusetts Commission on Indian Affairs

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3.5 FEDERALLY-RECOGNIZED TRIBAL CONTACTS

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Mashpee Wampanoag Indian Tribe

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Narragansett Indian Tribe

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3.6 TOWN HISTORICAL COMMISSIONS

Hudson Historical Commission

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Hudson, MA 01749
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Sudbury Historical Commission

Chris Hagger
Chair
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3.7 PROJECT CONTACTS

Eversource Energy

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FIGURES

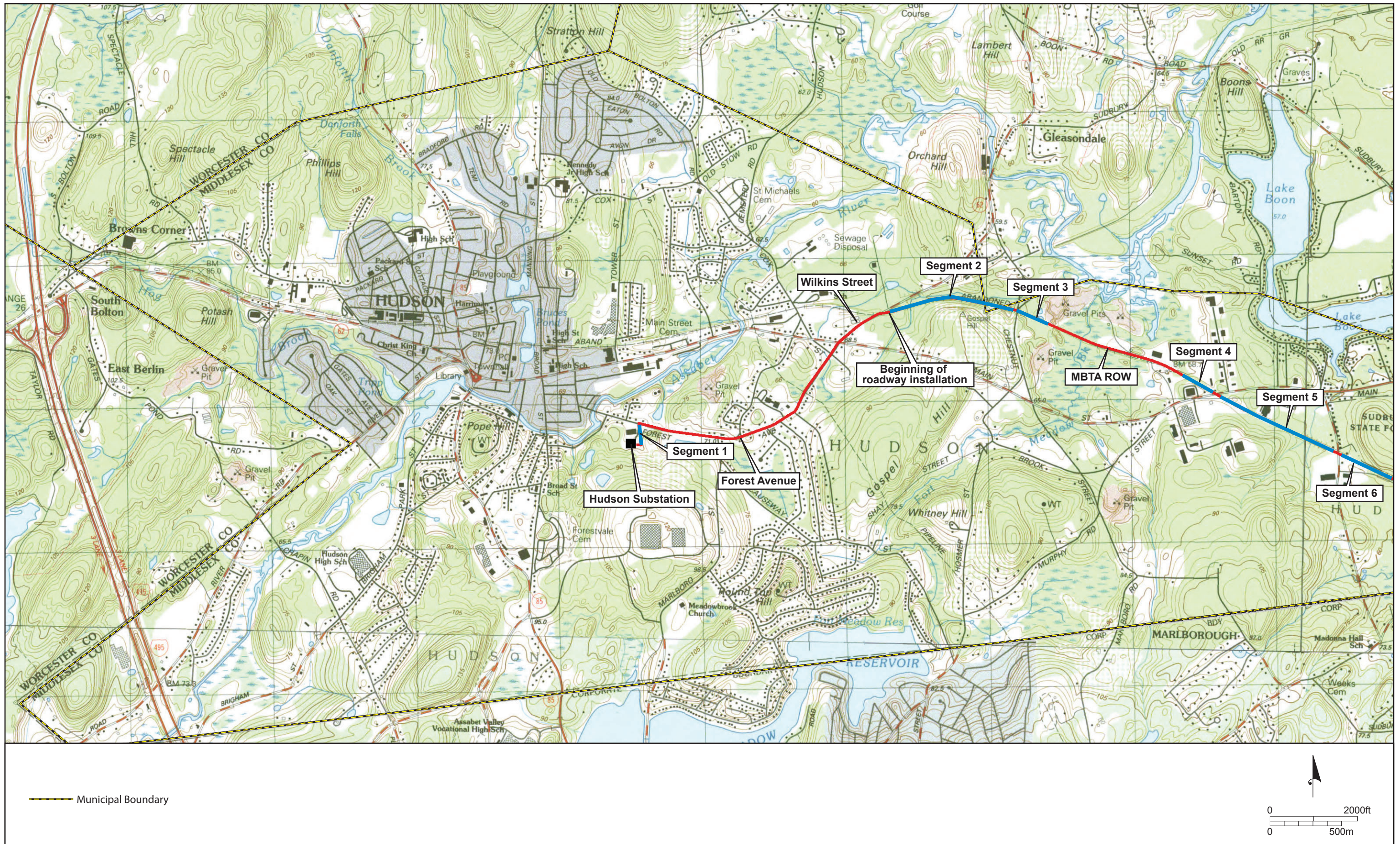


Figure 1. Proposed route of the Sudbury-Hudson Transmission Reliability Project in Hudson and Stow on current USGS Quadrangle.

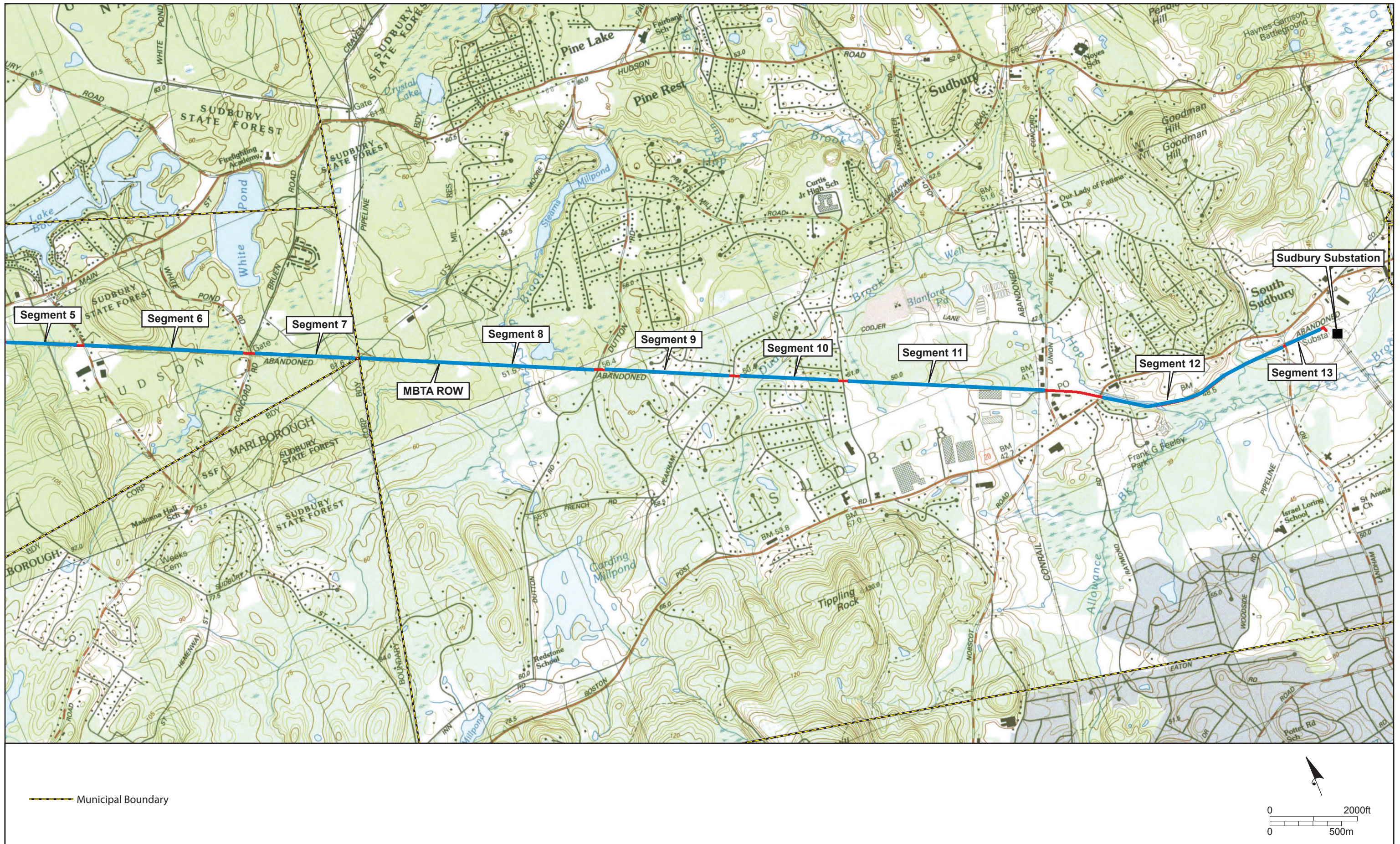


Figure 2. Proposed route of the Sudbury-Hudson Transmission Reliability Project in Sudbury, Marlborough, and Hudson on current USGS Quadrangle.