



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
NEW ENGLAND DISTRICT  
696 VIRGINIA ROAD  
CONCORD MA 01742-2751

July 29, 2022

Regulatory Division  
File No. NAE-2017-01406

Chris Hagger, Chair  
Sudbury Historical Commission  
278 Old Sudbury Road  
Sudbury, Massachusetts 01776  
[cldh7@aol.com](mailto:cldh7@aol.com)

Dear Mr. Hagger:

Thank you for reaching out to our office via letter, dated June 28, 2022, regarding the Sudbury-Hudson Transmission Reliability and Massachusetts Central Rail Trail Project. We understand the Sudbury Historical Commission (SHC) values the historic significance of the Central Massachusetts Railroad Corridor Historic District (CMRRCHD) and its many features. We are writing to your office to clarify information previously provided to the SHC regarding Bridge # 127, Bridge # 128, the Section Tool House, and the Diamond Junction. We also revised the May 27, 2022 Memorandum of Agreement (MOA) to reflect comments received from the Massachusetts Historical Commission (MHC) in their June 27, 2022 letter.

Below, we have provided direct responses to each of the comments outlined in the Sudbury Select Board's May 20, 2022 letter. These responses also incorporate responses to SHC concerns regarding the same project features.

- *The 1881 Section Tool House, including preservation of its loading platform, protection of the structure during construction, and installation of a rail display and interpretive signage.*

Fencing will be installed around the loading platform and in the vicinity of the Section Tool House to protect the historic property during construction. Enclosed, a close-up figure of the Section Tool House demonstrates where the rail trail limit of work is proposed in relation to the Section Tool House and its platform. This figure has been added to the HPAPP. The USACE has determined that this fencing provides an adequate buffer to protect the Section Tool House and loading platform during construction.

The May 27, 2022 MOA **does** contain a stipulation requiring interpretive signage at the Section Tool House to be completed in consultation with the SHC:

“F. DCR shall develop, place, and install, in consultation with the Sudbury Historical Commission, one 24" x 36" interpretive panel at the Section Tool House (MHC ID # SUD.282) that describes the history of the Section Tool House. This sign shall be installed within 12 months of DCR completing construction of the rail trail.”

We have updated this stipulation to state the following:

“F. DCR shall develop, place, and install one 24" x 36" interpretive panel that describes the history of the diamond junction between the Central Massachusetts Railroad and the Framingham & Lowell Railroad. This sign shall be installed within 12 months of DCR completing construction of the rail trail. DCR shall develop the interpretive panels in consultation with the MHC, SHC, HHC and any other interested consulting parties. The interested consulting parties shall also be provided an opportunity to preview and provide comment on each panel before final design. Prior to finalizing the design, MHC shall be provided 30 days to review and approve the final design. If MHC does not respond, DCR shall produce the final design. DCR’s responsibility under this Stipulation will be complete upon installation of the panels and DCR providing the USACE, MHC and the Consulting Parties a digital PDF copy.”

We understand the SHC requests the “*installation of a rail display.*” We considered this comment and the limiting geographic conditions of this site. The USACE has determined that the current mitigation of interpretive signage near the Section Tool House to convey its history, importance, and role as a component of the CMRRCHD to be sufficient.

- *The 1890 Hop Brook Bridge 127, including a detailed engineering evaluation of alternatives to avoid complete demolition and possible re-use of existing structural elements as non-structural components of a new bridge design.*

Regarding alternatives for Bridge # 127, the USACE reviewed comments received from the consulting parties and project-specific information submitted by the applicants to determine the feasible alternatives for the rehabilitation or demolition of Bridge # 127. The Secretary of the Interior Standards for the Treatment of Historic Properties (“SOI Standards”) defines rehabilitation as “the act or process of making possible an efficient compatible use for a property through repair, alterations and additions while preserving those portions or features that convey its historical, cultural or architectural values.” Section 68.3(b)(1-10) also provides additional detail as to what qualifies as rehabilitation. The USACE evaluated these criteria when making a final decision on Bridge # 127.

When considering rehabilitation, we evaluated the baseline condition of Bridge # 127 and structural safety requirements that are needed to achieve the project purpose. The USACE made two site visits to Bridge # 127 to observe the condition of the steel plate girders and timber piers. Currently, the steel plate girders are partially submerged in Hop Brook at all times, and the top portion of the girders are exposed depending on water levels. The steel plate girders and timber piers are moderately to severely deteriorated as a result of being submerged in Hop Brook. These observations are consistent with information the applicants provided to the USACE in their November 14, 2019 and September 20, 2020 letters. Based on all information provided to USACE and our observations of the site, the USACE determined that the deterioration of Bridge # 127 is too extensive to rehabilitate *and* meet structural safety requirements for the proposed construction access and rail trail conveyance. To clarify, any alternative to rehabilitate Bridge # 127 would require significant structural work to the characteristics that may qualify the property for inclusion in the National Register of Historic Properties (800.5(a)(1), and these modifications would not maintain the historical, cultural or architectural values per the Secretary of Interior standards.

- *The 1890 Hop Brook Bridge 128, including further preservation of the granite embankment stones, installation of interpretive signage, and an engineering evaluation of options to view the steel girders.*

The applicants are unable to provide specific knowledge as to the condition and potential preservation of the granite embankment stones until the rehabilitation work to Bridge # 128 begins. As stated in prior correspondence, the applicants would preserve as many of the granite blocks as possible and this work would be completed in accordance with the Secretary of the Interior's definition of "rehabilitation", including Section 68.3(b)(1-10). As included in Stipulation D of the enclosed MOA, Eversource and the DCR will provide the SHC with an opportunity to keep any remaining granite embankment stones that would not be utilized during the Bridge # 128 rehabilitation. We have added the following stipulation:

"D. If the SHC is interested in taking possession of some or all of the stones to be removed from the abutment of Bridge #128 that will not be used in rehabilitation of bridge, Eversource shall deliver the stones to a location within the town of Sudbury, provided the SHC has presented Eversource with written authorization from a proper board/authority of the town of Sudbury or other underlying landowner no later than sixty (60) days after the issuance of the USACE permit for the project. The written documentation from the SHC shall identify the specific property and location therein to which the SHC wants the abutment stones delivered. Although Eversource will direct its contractor to take

reasonable care to reduce damage to the stones during removal from Bridge # 128, Eversource does not make any representation regarding the condition in which stones will be provided to the SHC. Eversource's responsibilities under this provision shall be complete when the stones have been delivered to the property designated by the SHC and after documentation of the completion of such delivery has been provided by Eversource to the USACE."

The May 27, 2022 MOA **does** contain a stipulation requiring interpretive signage at Bridge # 128 to be completed in consultation with the SHC:

"D. DCR shall develop, place, and install, in consultation with the Hudson and Sudbury Historical Commissions, one 24" x 36" interpretive panel design that describes the history of the Central Massachusetts Railroad Bridges #127, #128, and #130 (MHC #s SUD.901, SUD.900, and HUD.908, respectively). This design shall be fabricated and installed in three locations: at Bridges #127 and #128 in Sudbury, and at Bridge #130 in Hudson. These signs shall be installed within 12 months of DCR completing construction of the rail trail."

The enclosed MOA has been revised to reflect the following:

"E. DCR shall develop, place, and install one 24" x 36" interpretive panel design that describes the history of the Central Massachusetts Railroad Bridges #127, #128, and #130 (MHC #s SUD.901, SUD.900, and HUD.908, respectively). This design shall be fabricated and installed in three locations: at Bridges #127 and #128 in Sudbury, and at Bridge #130 in Hudson. These signs shall be installed within 12 months of DCR completing construction of the rail trail. DCR shall develop the interpretive panels in consultation with the MHC, SHC, HHC and any other interested consulting parties. The interested consulting parties shall also be provided an opportunity to preview and provide comment on each panel before final design. Prior to finalizing the design, MHC shall be provided 30 days to review and approve the final design. If MHC does not respond, DCR shall produce the final design. DCR's responsibility under this Stipulation will be complete upon installation of the panels and DCR providing the USACE, MHC and the Consulting Parties a final digital PDF copy."

We understand the SHC has requested an "*engineering evaluation of options to view the steel girders*" of Bridge # 128. The USACE considered this comment and has determined the level of mitigation currently proposed in the enclosed MOA (interpretive signage and HABS/HAER documentation) is sufficient to address the historical significance of Bridge # 128 without the inclusion of the viewing platform. Additionally, rehabilitation according to the SOI Standards is proposed for Bridge # 128. Per 36 CFR 800.5(2)(ii), rehabilitation that is consistent with the SOI Standards is not considered as an adverse effect to the

historic property: “Adverse effects on historic properties include, but are not limited to: Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation, and provision of handicapped access, that is **not** consistent with the Secretary's standards for the treatment of historic properties (36 CFR part 68) and applicable guidelines.” Therefore, the USACE has determined that inclusion of a viewing platform is not required to meet the standards of the SOI and the proposed mitigation is sufficient for the project.

- *The Railroad Diamond Junction, including a more authentic showcasing of the junction.*

We understand the SHC is concerned about showcasing of the Railroad Diamond Junction. As the design is currently proposed, the Diamond Junction will be preserved in place with approximately 16-20 feet of railroad track on each side. The current design maximizes the Diamond Junction and length of track that could be preserved within the geographic constraints of the site. Therefore, the USACE has determined the Diamond Junction design to be sufficient and appropriately preserves this feature.

- *The CMRC features as a whole railroad collection, including clarification of responsible parties for the removal, storage, and re-setting of historical resources and when and where these actions will occur.*

The HPAPP (May 13, 2022 version) identifies who will remove and reset each resource. Please see the Project Impact Worksheet located on pages 28-30 of the HPAPP document to identify who is responsible for removing and resetting each feature. The archaeological surveys completed to date indicate where each resource is located within the CMRRCHD. The locations of each historic property within the CMRRCHD can be found in these surveys. Lastly, it is difficult to determine precisely when removal and resetting of these features will occur because the permit application review is ongoing. However, protective fencing will remain in place during all phases of construction including the transition from Phase I to Phase II. Additionally, as stated in the HPAPP, an archaeologist will be present on site to oversee the removal and resetting of historic properties. Therefore, the USACE has determined that the combination of fencing and the presence of a qualified archaeologist will provide sufficient oversight and protection to historic properties during their removal and resetting.

We find the proposed mitigation acceptable for resolving adverse effects to historic properties, and we hope this letter provides further clarity to the SHC so you may also support this outcome. We appreciate your participation in the Section 106 process and invite you to sign the enclosed MOA developed pursuant to Section 106 of the National

Historic Preservation Act. Please return one signed copy of the MOA to this office. Upon receipt of signatures, we will return a fully executed copy. We would appreciate a timely response no later than **August 29, 2022**.

We appreciate your engagement with our office during the Section 106 consultation process. If you have any questions, please contact Katelyn Rainville, the USACE Regulatory Project Manager, at [katelyn.m.rainville@usace.army.mil](mailto:katelyn.m.rainville@usace.army.mil) or 978-318-8677 or Marc Paiva our New England District Archaeologist/Tribal Liaison at [marcos.a.paiva@usace.army.mil](mailto:marcos.a.paiva@usace.army.mil) or 978-318-8796. You may also contact me at [paul.m.maniccia@usace.army.mil](mailto:paul.m.maniccia@usace.army.mil) or 978-318-8515.

Sincerely,

*Paul Maniccia*

Paul M. Maniccia  
Chief, Permits & Enforcement Branch  
Regulatory Division

Enclosures

Section Tool House Figure  
Final Memorandum of Agreement

Denise Bartone, Eversource Energy, 247 Station Drive, Westwood, Massachusetts,  
[denise.bartone@eversource.com](mailto:denise.bartone@eversource.com)

Paul Jahnige, Department of Conservation and Recreation, 136 Damon Road,  
Northampton, Massachusetts, [paul.jahnige@state.ma.us](mailto:paul.jahnige@state.ma.us)

Mr. David Weeden, THPO, Mashpee Wampanoag Tribe, 483 Great Neck Road South  
Mashpee, Massachusetts 02649, [David.Weeden@mwtribe-nsn.gov](mailto:David.Weeden@mwtribe-nsn.gov)

John Brown III, THPO, Narragansett Indian Tribe, 215 Fenner Hill Road, Hope Valley,  
Rhode Island, [tashtesook@aol.com](mailto:tashtesook@aol.com)

Ms. Bettina Washington, Wampanoag Tribe of Gay Head (Aquinnah), 20 Black Brook  
Road, Aquinnah, Massachusetts, [bettina@wampanoagtribe.net](mailto:bettina@wampanoagtribe.net)

Chris Hagger, Chair, Sudbury Historical Commission, Flynn Building, 278 Old Sudbury  
Road, Sudbury, Massachusetts, [cldh7@aol.com](mailto:cldh7@aol.com)

Mr. Peter Breton, Hudson Historical Commission, 78 Main Street, Hudson,  
Massachusetts, [pbreton@yahoo.com](mailto:pbreton@yahoo.com) and [petebreton@gmail.com](mailto:petebreton@gmail.com)

Vivian Kimball, VHB, 101 Walnut Street P.O. Box 9151, Watertown, Massachusetts,  
[vkimball@vhb.com](mailto:vkimball@vhb.com)