



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

Send to: *e106@achp.gov*

Please review the instructions at www.achp.gov/e106-email-form prior to completing this form. Questions about whether to use the e106 form should be directed to the assigned ACHP staff member in the Office of Federal Agency Programs.

I. Basic information

1. Purpose of notification. Indicate whether this documentation is to:

- Notify the ACHP of a finding that an undertaking may adversely affect historic properties
- Invite the ACHP to participate in a Section 106 consultation
- Propose to develop a project Programmatic Agreement (project PA) for complex or multiple undertakings in accordance with 36 C.F.R. 800.14(b)(3)
- Supply additional documentation for a case already entered into the ACHP record system
- File an executed MOA or PA with the ACHP in accordance with 800.6(b)(iv) (where the ACHP did not participate in consultation)
- Other, please describe

2. ACHP Project Number (If the ACHP was previously notified of the undertaking and an ACHP Project Number has been provided, enter project number here and skip to Item 7 below):

Application Number NAE-2017-01406

3. Name of federal agency (If multiple agencies, list them all and indicate whether one is the lead agency):

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

4. Name of undertaking/project (Include project/permit/application number if applicable):

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

5. 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 Railroad line, transmission line and any proposed work along the entire railway that would impact any historic resources in the right of way.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

401 F Street NW, Suite 308 □ Washington, DC 20001-2637

Phone: 202-517-0200 □ Fax: 202-517-6381 □ achp@achp.gov □ www.achp.gov

6. Name and title of federal agency official and contact person for this undertaking, including email address and phone number:

Alan R Anacheke-Naseman, PWS Ecologist. Alan.R.Anacheke-Nasemann@usace.army.mil

Telephone 978-333-2294

II. Information on the Undertaking*

To augment the record with respects to the proposed undertaking and to notify the ACHP that historic properties will be adversely affected and to request that the ACHP participate in the Section 106 process

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

We have read the filing of the Army Corps e106 form and have determined that it does not adequately address our concerns raised directly with them concerning this project. We have informed them that we are concerned about the limited APE on this project as we have found through court documents that this rail line was not totally or completely abandoned, only one element relating to the line usage was addressed by the court in 1980 not the total line. Presuming the line to be open under other conditions, the repurposing of the rail line and right of way required additional federal review and authorization. We forwarded our records and comments to Mr. Nasemann for his review and comment and was never contacted back. Speaking hypothetically, even if there was no input required from the federal agency overseeing the railways, we still had questions and concerns regarding any phase I or phase II work that was done or was to be done and we questioned the limitations on the APE for such work and review. Here to we were not contacted or consulted because and here we can only assume, of the outstanding legal questions surrounding the status of the whole railway and right of way. We feel this matter needs to be further vetted because of the impacts to historic properties located in the right of way and total project area.

8. Describe the Area of Potential Effects (APE):

We believe the Area of Potential Effect to be the whole railway and right of way and project area for

The above stated reasons

9. Describe steps taken to identify historic properties:

We informed Alan Nasemann that we would require a walkover survey and then we needed to discuss the process of requesting a full archeological review. To my knowledge none of these thing have happened.

10. 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 have determined due to location of this railway that historic properties in the form of Indian village sites, work sites sacred sites, burials are possibly present

11. Describe the undertaking's effects on historic properties:

Without the required review impacts to many historic properties will happen.

12. 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 likelihood of impacts to historic properties just under the surface of the ground when repurposing these rail tract will happen and because no adequate review will be done the loss of these historic properties will be permanent

13. 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.

The Narragansett Indian Tribe was not even mentioned as a participant and a consulting party and we made it very clear about our need to be involved and our trepidation's concerning this project going forward with our adequate and proper review.

* see *Instructions for Completing the ACHP e106 Form*

III. Additional Information

14. Please indicate the status of any consultation that has occurred to date, including whether there are any unresolved concerns or issues the ACHP should know about in deciding whether to participate in consultation. Providing a list of consulting parties, including email addresses and phone numbers if known, can facilitate the ACHP's review response.

Beyond raising our initial concerns there has been no consultation and we have not received any comments or consideration on our raised concerns

15 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.

16. Is this undertaking considered a “major” or “covered” project listed on the Federal Infrastructure Projects Permitting Dashboard? If so, please provide the link:

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
- Consulting party list with known contact information
- Other: