

BUREAU OF ENVIRONMENT CONFERENCE REPORT

SUBJECT: Monthly SHPO-FHWA-ACOE-NHDOT Cultural Resources Meeting

DATE OF CONFERENCES: May 12, 2022

LOCATION OF CONFERENCE: Zoom Meeting

ATTENDED BY:

NHDOT

Sheila Charles
Jill Edelmann
Patrick Herlihy

NHDHR/NHDNCR

Laura Black
David Trubey

FRA

Kevin Wright

FTA

Brandon Burns
Eric Papetti

Penobscot Nation Tribal Preservation Officer

Chris Sockalexis

Manchester, City of

Jonathan Golden
Mark Gomez

Merrimack, Town of

Barbara Healey

AECOM

Dan Cassedy
David Derrig
Jay Doyle
Joel Dworsky

NH Rail Trails Coalition

Dave Topham
Rich Westhoff

PROJECTS/PRESENTATIONS REVIEWED THIS MONTH:

(minutes on subsequent pages)

Nashua-Manchester 40818 (FTA) 1

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Participants: Dan Cassedy, David Derrig, Jay Doyle, Joel Dworsky, AECOM; Patrick Herlihy, NHDOT; Eric Papetti; Brandon Burns, FTA; Kevin Wright, FRA; Mark Gomez, Jonathan Golden, City of Manchester; Barbara Healey, Town of Manchester; Invited Consulting Parties including Chris Sockalexis, Penobscot Nation Tribal Historic Preservation Officer; David Topham, Rich Westhoff, NH Rail Trails Coalition

The project involves the extension of MBTA commuter rail services from Lowell, MA to Manchester, NH. The project corridor is approximately 30 miles long and crosses through Lowell, Chelmsford, and Tyngsborough, MA, and Nashua, Merrimack, Bedford, and Manchester, NH. It includes 9 miles in Massachusetts and 21 miles in New Hampshire. The route follows an existing rail line that currently handles only freight. The project was formerly referred to as the Capitol Corridor Rail Project. A Federal Railroad Administration (FRA) service-level NEPA Environmental Assessment was completed in 2014. The current project involves extending MBTA commuter rail service from Lowell to Manchester. Tasks include preliminary design (30%) engineering, completion of a Federal Transit Administration (FTA) NEPA Environmental

Assessment (EA), and development of a financial plan. Final design and permitting would be part of a future contract.

Jill Edelman served as meeting facilitator and initiated the participant introductions.

Eric Papetti provided a description of the FTA process, progress to date and anticipated timeline. He noted that the purpose of the meeting was to share the current definition of the Area of Potential Effects (APE) with the Section 106 consulting parties and solicit their input and comments on the APE and on any historic properties or cultural resources of concern to them. Eric summarized how the Section 106 compliance process was running concurrently with the NEPA environmental assessment and explained how as lead agency, the FTA must seek to identify significant resources listed on or eligible for the National Register of Historic Places (NRHP), determine if any significant resources may suffer adverse effects from the project, and if so, work with consulting parties to avoid or mitigate those effects.

Dan Cassedy, AECOM's cultural resources lead for the project, then presented maps and a verbal description of the proposed Area of Potential Effect (APE), which had been modified since the April 14, 2022 meeting (copies of the APE maps were also provided to all consulting parties via email or file sharing on May 6). Dan explained how the team had applied criteria outlined in the *Program Comment to Exempt Consideration of Effects to Rail Properties within Rail Rights-of-Way* issued by the Advisory Council on Historic Preservation (ACHP) in 2018. These criteria detail specific activities that are exempt from Section 106 review which should have minimal or no adverse effects on historic properties, such as maintenance, repair, and upgrades to rail properties. Applying the Program Comment to the current project, AECOM defined the APE as primarily focusing on areas around the sites of the four proposed stations and the layover facility, as well as around bridges where additional construction impacts, such as staging and laydown, may occur outside the existing ROW. Sections of the corridor that will only see activities such as ballast, tie, and rail replacement, and drainage improvements within the existing railroad right-of-way will not be further examined for historic properties.

Eric Papetti asked for comments or questions on the APE information that has been shared.

Merrimack Councilor Barbara Healey asked for additional explanation of what is meant by "APE" and asked why some of the rail corridor is labelled as Springfield Terminal on the maps. These explanations were provided.

Laura Black asked for clarification of what it means that some of the bridges were labelled as "surveyed". AECOM explained that information on these bridges was gathered from an inventory compiled by the NHDOT and from preliminary field reconnaissance. Laura then noted that even if individual bridges are not NRHP-eligible, they might contribute in aggregate to the overall historic significance of a district resource.

Dave Trubey stated that there needs to be consistency in APE definition between the NH and MA sections, and Dan Cassedy noted that the same definitions were used along the entire corridor. Dave asked why the Massachusetts Historical Commission (MHC) wasn't on the call. Eric Papetti explained that MHC will typically only get involved once they hear of any concerns from municipalities in MA, i.e. Lowell, Chelmsford, Tyngsborough (None of those municipalities were on the call).

Rick Westhoff (NHRTC) asked if we were aware of the train depot in Merrimack. Joel Dworsky said we are well aware of it and showed it on map.

Jonathan Golden said the City of Manchester has concerns about possible impacts to the old B&M railroad switch tower building, which is within the proposed station bus loop.

Barbara Healy asked if the team was aware of the Town's sewer line easements within the rail ROW near the treatment plant. Jay Doyle noted that AECOM is aware of that and the design subconsultant Jacobs has reached out to Town Engineer about it.

Eric Papetti closed the meeting by again requesting that consulting parties send any additional comments or concerns about the APE definition to the FTA.