Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, Secretary & CEO
Frank DePaola, Administrator

massDOT
Massachusetts Department of Transportation
Highway Division

March 6, 2015

RE: Acton / Maynard- Assabet River Rail Trail

To whom it may concern:

I have enclosed for your review, as required by the Massachusetts Environmental Policy Act Regulations, a copy of the Environmental Notification Form for the above-mentioned project. The project is undergoing MEPA review because the project is being undertaken by a State Agency (utilizing state funds) and exceeds two review thresholds in the MEPA Regulation, 301 CMR 11.03(3)(b)(1)(f) and 301 CMR 11.03(1)(b)2. :

- "Provided a State permit is required, alteration of one half or more acres of any other wetlands."
- "Creation of five or more acres of impervious surface area."

This document will be filed with the Executive Office of Environmental and Energy Affairs on or before March 16, 2015. Comments on this project are due by April 14, 2015.

All comments should be sent to:

Secretary Matthew A. Beaton
Executive Office of Energy & Environmental Affairs
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

Please send a copy of your comments to:

MassDOT Highway Division
Environmental Services Section
Attn: Mark Kolonoski
10 Park Plaza, Room 4260
Boston, MA 02116

If you need any additional information regarding the subject project, please contact Mark Kolonoski at (857) 368-8831 or Mark.Kolonoski@dot.state.ma.us.

Sincerely,

Michael G. Trepanier
Senior Environmental Planner
Environmental Services Division

Ten Park Plaza, Suite 4160, Boston, MA 02116
Tel: 857-368-9400, TTY: 857-368-0655
www.mass.gov/massdot

Commonwealth of Massachusetts

Executive Office of Energy and Environmental Affairs
Massachusetts Environmental Policy Act (MEPA) Office

Environmental Notification Form

For Office Use Only

EEA#: _____

MEPA Analyst: _____

The information requested on this form must be completed in order to submit a document electronically for review under the Massachusetts Environmental Policy Act, 301 CMR 11.00.

Project Name: **Assabet River Rail Trail**		
Street Address: **This project follows the Middleborough Branch of the former Fitchburg Railroad Line, from White Pond Road at the Stow/Maynard town line in Maynard, MA to Maple Street in Acton, MA.**		
Municipality: **Maynard and Acton**	Watershed: **SuAsCo**	
Universal Transverse Mercator Coordinates: **298203 4702070**	Latitude: **42°26'40.92"N** Longitude: **71°27'13.42"W**	
Estimated commencement date: **March 2016**	Estimated completion date: **December 2017**	
Project Type: **Multi-Use Rail Trail**	Status of project design: **75** %complete	
Proponent: **Massachusetts Department of Transportation (MassDOT)**		
Street Address:**10 Park Plaza**		
Municipality: **Boston**	State: **MA**	Zip Code:**02116**
Name of Contact Person: **Mark Kolonoski**		
Firm/Agency: **MassDOT**	Street Address: **10 Park Plaza, Room 4260**	
Municipality: **Boston**	State: **Ma**	Zip Code: **02116**
Phone: **(857) 368-8831**	Fax: **(857) 368-0609**	E-mail: **Mark.Kolonoski@dot.state.ma.us**

Does this project meet or exceed a mandatory EIR threshold (see 301 CMR 11.03)? ☐Yes ☒No

If this is an Expanded Environmental Notification Form (ENF) (see 301 CMR 11.05(7)) or a Notice of Project Change (NPC), are you requesting:

a Single EIR? (see 301 CMR 11.06(8)) ☐Yes ☒No
a Special Review Procedure? (see 301CMR 11.09) ☐Yes ☒No
a Waiver of mandatory EIR? (see 301 CMR 11.11) ☐Yes ☒No
a Phase I Waiver? (see 301 CMR 11.11) ☐Yes ☒No

Which MEPA review threshold(s) does the project meet or exceed (see 301 CMR 11.03)?
310 CMR 11.03(3)(b)(1)(f) "Provided a permit is required, alteration of one half or more acres of any other wetland" and 301 CMR 11.03(1)(b)2. "Creation of five or more acres of impervious surface area".

Which State Agency Permits will the project require? **MA DEP Section 401 Water Quality Certificate** & **Chapter 91 Waterways License for Water-Dependent Use**

Identify any financial assistance or land transfer from an Agency of the Commonwealth, including the Agency name and the amount of funding or land area in acres: **MassDOT is funding 20% of the construction costs and the Federal Highway Administration will fund the remaining 80% of the construction costs. There will be no land transfer from any agency of the Commonwealth.**

Summary of Project Size & Environmental Impacts	Existing	Change	Total
LAND			
Total site acreage	42.31		
New acres of land altered		5.93	
Acres of impervious area	11.89	5.10	16.99
Square feet of new bordering vegetated wetlands alteration		**5,689.31 SF (Perm)** **4,075.83SF (Temp)**	
Square feet of new other wetland alteration		**1,608.5 LF Bank** **1,329.92 SF BLSF (Perm)** **357.75 CF BLSF (Perm)** **74,504.96 SF RFA (Perm)** **6,038.04 SF LUW (Perm)** **2,442.83 SF LUW (Temp)**	
Acres of new non-water dependent use of tidelands or waterways		NA	
STRUCTURES			
Gross square footage	NA	NA	NA
Number of housing units	NA	NA	NA
Maximum height (feet)	NA	NA	NA
TRANSPORTATION			
Vehicle trips per day	NA	NA	NA
Parking spaces	**0**	**33**	**33**
WASTEWATER			
Water Use (Gallons per day)	NA	NA	NA
Water withdrawal (GPD)	NA	NA	NA
Wastewater generation/treatment (GPD)	NA	NA	NA
Length of water mains (miles)	NA	NA	NA
Length of sewer mains (miles)	NA	NA	NA

Has this project been filed with MEPA before?
☒ Yes (EEA #**12850**) ☐No
The proposed Assabet River Rail Trail project was the subject of MEPA review in 2002, when a separate ENF was filed for the construction of the Rail Trail exclusively within the municipalities of Marlborough and Hudson.

Has any project on this site been filed with MEPA before?
☐ Yes (EEA #_____) ☒No

GENERAL PROJECT INFORMATION – all proponents must fill out this section

PROJECT DESCRIPTION:

Describe the existing conditions and land uses on the project site:

The Assabet River Rail Trail (ARRT) is a multi-use path that when completed will have a length of 12.5 miles through five communities – Marlborough, Hudson, Stow, Maynard and Acton in Massachusetts over the abandoned Marlborough Branch of the Fitchburg Railroad. As of 2013, ARRT is partially paved from the Route 62 parking lot in north Hudson, southwards to Marlborough. The north end (center of Maynard to South Acton) is a rough trail.

The proposed ARRT section begins at the Stow/Maynard town line at White Pond Road and runs 3.42 miles east and north through Maynard, ultimately ending in South Acton MBTA commuter rail station. Existing conditions of the ARRT vary along the proposed route. The trail begins at White Pond Road/Stow town line and continues easterly along the Marlborough branch railroad right-of-way more or less parallel to the Assabet River, past Ice House Landing and the Maynard DPW garage to Winter Street. The trail in this location follows a gravel road with wooded areas to the right and residential properties to the left. The trail runs along Winter Street for a short distance, crosses Great Road and the mill canal before continuing along the railroad right-of-way alongside High Street to Sudbury Street. This area is residential and wooded. From there, the trail turns left onto Sudbury Street and then immediately right onto Main Street into the commercial downtown. It runs along the Clock Tower Place parking lot, crosses Main Street to Railroad Street, crosses Florida Road and the Assabet River and travels through the parking lot behind the downtown stores to Summer Street. Once the trail crosses Summer Street, it follows the railroad right-of-way through residential neighborhoods to Haynes Square; crosses Concord Street and continues through some forested areas and open land, crosses Acton Street and continues through some forested land to the Acton Town Line.

From the Acton town line, the trail follows the railroad right-of-way, detours around the front of the 20 Main Street facility and reconnects with the former Marlborough branch line to the town-owned farm land south of Maple Street, crosses Maple Street and terminates at the south side of the commuter rail station in South Acton. The majority of the trail in Acton traverses forested land. South of Maple Street the trail passes adjacent to agricultural land before entering a residential neighborhood.

Resource areas in Maynard include bordering vegetated wetlands (BVW), bordering land subject to flooding, riverfront area, bank and land under water. BVW associated with this section of the ARRT are divided into multiple areas within the Town of Maynard; each of these areas is ultimately hydraulically connected to the Assabet River, Taylor Brook, Pratt Brook, or overflow discharge from an existing stormwater basin west of the ROW at Acton Street. The BVW in the southernmost sections of the ARRT corridor are associated with the Assabet River and its perennial tributary Taylor Brook. Forested wetlands in this area are located both to the west and east of the rail bed. BVW observed along the proposed trail heading north of Concord Street toward the Acton town line is associated with drainage swales meeting the WPA definition of intermittent streams. Resource areas that meet their definitions under the Wetlands Protection Act Regulations documented between Concord and Acton Streets have been created by disturbance, railroad bed construction (swales) and overflow discharge from an existing stormwater basin west of the ROW at Acton Street.

In Maynard, the flood maps indicate the trail traversing Special Flood Hazard Areas: Zone AE and Floodway Areas in Zone AE. Zone AE are areas subject to inundation by the 1% annual chance flood (100-year flood) with the flood elevation determined.

Riverfront Area (RFA) exists within the proposed project site in association with the Assabet River and Taylor Brook. Since historic railroads typically followed rivers, rail trail projects routinely involve quantifiable impacts to degraded, previously disturbed and urban developed RFA.

Bank boundary identified and delineated within or directly adjacent to the rail ROW is associated with the Assabet River, Taylor and Pratt Brooks, and drainage swales meeting the definition of intermittent stream. The Assabet River, Taylor and Pratt Brook possess banks which are coincident with Mean Annual High Water (MAHW).

Land Under Water (LUW) is located in and adjacent to the linear project and is generally associated with the Assabet River, Taylor Brook, Pratt Brook, and drainage swales meeting the definition of intermittent streams

Resource areas in Acton include bordering vegetated wetlands, riverfront area, bank and land under water. BVW/Vegetated Wetlands associated with this section of the ARRT are divided into multiple areas within the Town of Acton; each of these areas is ultimately hydraulically connected to either Pratts Brook or Assabet River/Mill Pond. BVW exists in the southernmost section of the ARRT north of the Maynard / Acton town boundary border on Pratts Brook. Wooded swamp wetlands exist in this area on the east side of the ROW with a large shrub swamp to the west. The ARRT from Sta. 137+50 to 141+50 will be elevated over an existing shrub swamp that is flooded for long periods throughout the year. This BVW has a forested wetland edge on its western side, where the trail reenters the ROW. A wet depression connected to this BVW via a box culvert exists on the west side of the ROW. Drainage swales coincident to the rail bed construction and jurisdictional under the WPA exist within project limits at Sta. 152+75 through Sta. 158+25. BVW in the northernmost section of the ARRT is associated with Mill Pond. BVW in this vicinity occurs on both the east and west sides of the rail alignment and can be described as deciduous forested wetland containing areas of emergent wetland.

In Acton, the flood maps indicate the trail traversing Special Flood Hazard Areas: Zone AE and Floodway Areas in Zone AE. Zone AE are areas subject to inundation by the 1% annual chance flood (100-year flood) with the flood elevation determined.

Riverfront Area (RFA) exists within the proposed project site in association with Pratts Brook. Since historic railroads typically followed rivers, rail trail projects routinely involve quantifiable impacts to degraded, previously disturbed and urban developed RFA.

Bank boundary identified and delineated within or directly adjacent to the rail ROW is associated with Pratts Brook, Mill Pond, and drainage swales meeting the definition of intermittent stream.

Land Under Water (LUW) is located in and adjacent to the linear project locus and is generally associated with Pratt Brook, Mill Pond, and drainage swales meeting the definition of intermittent stream.

Describe the proposed project and its programmatic and physical elements:

This section of the ARRT proposes to construct a 3.42 mile multi-use recreational trail that will extend from the Stow / Maynard line at White Pond Road to the South Acton MBTA commuter rail station. Construction activities will include the following:

- Paved 8 to 12 foot wide multi-use trail with one to two foot graded shoulders on either side
- Trail pavement markings and signing
- Rectangular Rapid Flashing Beacons at trail-roadway crossings
- Roadway pavement markings and signing at trail crossings

- Traffic calming features
- Construction/repair/replacement culverts
- Construction of four parking areas/additional spaces at Winter, Florida, Sylvia and Maple Streets
- Earthwork, landscaping, and the establishment of parking facilities
- Informational kiosks and trail signage
- Other items incidental to the construction of the trail

In addition to the listed items of work, the path will include the replacement of the existing pedestrian bridge (Bridge No. M-10-012 (AA2)) over the Assabet River in downtown Maynard with a 65' long prefabricated steel truss bridge and the Acton bridge over Mill Pond will be replaced with a 70' long prefabricated steel truss bridge. Hydraulic studies have been conducted at each of these locations to ensure that there will be a base flood elevation No Rise condition.

In general, new storm drainage structures are not being proposed. Existing drainage patterns are being maintained and runoff from the trail is to be directed to existing or new grass swales. Cross culverts exist at various locations along the project which will be cleaned and maintained, as necessary.

From the trail head at the Stow/Maynard town line, the ARRT proceeds approximately 2,900 feet within the existing railroad ROW, then travels along the north side of Winter Street and crosses Route 117 Street as the former railroad bridge crossing of the Canal is no longer in place. Construction of a retaining wall along a severe slope is necessary at this location. The ARRT re-enters the railroad ROW on the easterly side of Route 117. Related construction activities required at this intersection include existing driveway grading and repaving, pedestrian sidewalks and landscaping. The ARRT continues within the railroad ROW to Sudbury and Main Street (Route 62) approximately 1,500 feet proceeding along the northerly edge of Clock Tower Place where the ROW is privately owned and developed. The ARRT will be constructed here within the Main Street and Railroad Avenue ROW, continuing to Tobin Park where the existing pedestrian bridge over the armored Assabet River will be replaced to accommodate the multi-use trail.

The Maynard Municipal Parking Lot will be improved to accommodate the ARRT while maintaining current parking, traffic circulation and park access. The ARRT travels through the Maynard downtown commercial and residential neighborhoods. Maynard's northern section of the ARRT is more rural and wooded with several wetland resource areas adjacent to and within the ROW.

The ARRT deviates from the ROW from Sta. 129+ to Sta. 141+50 around an existing commercial land use in Acton requiring the construction of a 14' wide boardwalk structure supported by steel helical pilings 5 feet over stormwater management structures and an existing shrub swamp. Permanent secondary impacts due to shadow effects to the wetland resource area are quantified as 5,426 sf, the surface area of the boardwalk. Temporary construction impacts associated with the construction of the elevated boardwalk to the resource area total 3,648.5 sf.

After Mill Pond the ARRT will meander through a newly acquired farm parcel to meet Maple Street across from the South Acton MBTA Commuter Rail Station at Maple Street.

Summary of Impacts

Wetlands

Maynard:
Wetland resource areas encountered within the Town of Maynard include Bordering Vegetated Wetland (BVW), Riverfront Area (RFA), Bank, and Bordering Land Subject to Flooding (BLSF).The resource areas

are mainly associated with the Assabet River and Taylor Brook.

In the town of Maynard, construction of the ARRT will result in approximately 636 square feet of BVW alteration, 263 square feet of permanent impacts and 373 square feet of temporary impacts. Approximately 1,478 linear feet of Bank and 5,784 square feet of LUW associated with drainage swales meeting the Act definition of intermittent stream will be impacted. Of the 255,275 sf of RFA present within the Project Area in Maynard, approximately 54,528 square feet of alteration will occur as a result of this project. Since historic railroads typically followed rivers, rail trail projects routinely involve quantifiable impacts to degraded, previously disturbed and urban developed RFA. No permanent impacts to LUW are anticipated as a result of the bridge construction.

Acton:
Wetland resource areas encountered within the Town of Acton include BVW, LUW, Bank, and RFA.

The ARRT will result in a total of 3,703 square feet temporary impacts and 5,426 square feet of permanent impact to BVW within the town of Acton.

The ARRT deviates from the ROW from Sta. 129+00 to Sta. 141+50 around an existing commercial land use in Acton requiring the construction of a 14' wide boardwalk structure supported by steel helical pilings eight (8) feet on center over stormwater management structures and an existing shrub swamp.

Construction of the boardwalk and structure is anticipated to result in a total of 3,703 square feet temporary and 5,426 square feet of permanent impact to BVW.

The boardwalk has been designed to meet the pier height minimum requirement of 5-feet identified by the *MassDEP Guide to Permitting Small Pile Supported Docks and Piers*. The 5-foot decking average above the existing grade/mud line facilitates the minimization of shadow impacts to the underlying BVW to the extent practicable.[1]

The boardwalk will be supported by steel helical pilings 8 feet on center. Helical pile installation results in significantly less ground disturbance than traditional pile driving. The helical piles will be made of High Density Poly Ethanol (HDPE) and galvanized steel intended to prevent the occurrence of corrosion of the piles in the moist wetland environment.

Once the boardwalk is completed, it is anticipated that the five foot wide temporary impact work zones will recover within two growing seasons.

A total of 130 linear feet of Bank associated with the historic rail bed in two separate locations - at Sta. 122+0 and between Sta. 152+50 to Sta. 156+00 will be impacted. Upon completion of the rail trail construction, the banks will be restored by re-establishment of the ditch channel. The location of the rail bed prohibits replacement planting on the restored banks.

In Acton, the project will result in 506 square feet of temporary and 254 square feet of permanent impact to LUW. Temporary impacts to LUW (64 square feet) are associated with the removal of 16 historic timber bents supporting the existing wooden trestle bridge over the Fort Pond. All remaining LUW impacts are associated with drainage improvement work on railroad ditches meeting the definition of intermittent stream.

1 MassDEP *A Guide to Permitting Small, Pile-Supported Docks and Piers* (November 2003) advises, "Higher piers allow for better light penetration to underlying vegetation and assist in preventing storm damage. The Waterways regulations require a five (5) foot minimum height above mean high water mark for pier decking in Great Ponds and coastal tidelands to provide for unobstructed lateral passage under the pier . . ."

It is not anticipated that in-water work will be necessary to replace the wood trestle bridge with a prefabricated steel truss bridge. Therefore, only the temporary impacts to LUW from the removal of the wooden bents was quantified.

The total RFA area to be altered in Acton is approximately 19,978 square feet or 16% of the approximately 127,607 square feet total RFA on the Project site. Of the 19,978 square feet of RFA to be altered, 12,482 square feet is previously developed RFA.

Describe the on-site project alternatives (and alternative off-site locations, if applicable), considered by the proponent, including at least one feasible alternative that is allowed under current zoning, and the reasons(s) that they were not selected as the preferred alternative:

Selected Alternative: Rail Trail along former B&M Railroad's Marlborough Branch line
The preferred alternative described in the project description portion of this ENF was selected because it avoids, minimizes and mitigates impacts to environmental resources and private property, while meeting the purpose and need of the project. The alignment of the ARRT is centered on the existing rail bed for the purpose of utilizing previously altered land. This project presents an opportunity to provide continuity to the previously constructed sections of the ARRT, while incorporating a resource-sensitive design.

Alternative B: Adjacent Lots and Other Lands within the Municipalities
There are no adjacent lots or other land within the municipalities that could be reasonably obtained and would present less impact on resources present within the project area. There is currently no land of adequate size and configuration available to accommodate a significant length of multi-use recreational trail and listed for sale at the time of filing. Therefore, this alternative is not practicable and is not being considered.

Alternative C: On-Road Project Location
An alternative alignment was considered utilizing the existing roadway right-of-way within the project area. However, an on-road non-motorized multi-use passive recreational trail is not feasible while simultaneously ensuring public safety with motorized traffic, unless significant land easements/purchases and widening occurred. Therefore, this alternative was dismissed.

Alternative D: No Build Scenario
The no-build scenario does not fulfill the overall project purpose of providing a public passive multi-use amenity by utilizing abandoned land owned by the Commonwealth.

The existing project area offers an opportunity to redevelop abandoned property owned by the Commonwealth into a passive, multimodal recreational trail, while providing continuity with other sections of the ARRT and relieving congested roadways. The selected alternative avoids, minimizes and mitigates impacts while achieving the purpose of the project.

Summarize the mitigation measures proposed to offset the impacts of the preferred alternative:

Maynard:
Bank and BVW are proposed to be either restored at the impact location or replicated. Two new constructed wetland areas totaling 1,800 square feet will be created to replicate permanent BVW alteration. The first replication area is 150 square feet in size and is located at approximately Sta. 12+75 to 13+50. The second replication area is 1,650 square feet in size and is located approximately at Sta. 111+75 to 112+75.

Impacts to Bank will be restored at the impact location during construction activities. Impacts to bank total

1,479 linear feet and are associated with the drainage swales meeting the definition of intermittent streams located between Sta. 102+00 through 114+00. The Bank was determined to not provide important wildlife habitat functions.

Two separate BLSF impact locations are anticipated within Maynard. The total amount of fill was estimated to be approximately 1,330 square feet / 358 cubic feet.

Fill placed below the 100-year floodplain (BLSF) will not cause an increase in the level of flood waters during the 100-year flood peak flows.[2]

Acton:
Impacts to areas subject to protection including BVW and bank have been compensated for through creation of two vegetated wetland replication areas providing 1:1 permanent impact / replication ratio; restoration of temporary impact areas; and Bank replication/restoration.

In Acton, impacts to BVW total 3,703 square feet of temporary impacts and 5,426 square feet of permanent impacts. All impacts to BVW will be mitigated or will be restored in place.

The majority of BVW impacts within the town of Acton occur between Sta. 129+00 to Sta. 141+50 where the ARRT deviates from the ROW. In this location, the preferred route of the ARRT crosses two stormwater management structures and an existing shrub swamp. The BVW crossings require the construction of a 14' wide boardwalk structure supported by steel helical pilings 8 feet on center.

Permanent impacts resulting from the presence of the boardwalk total 5,426 square feet. Permanent impacts result entirely from associated shading alterations occurring directly below the footprint of the boardwalk.

The boardwalk will be supported by steel helical pilings 8 feet on center. Helical pile installation results in significantly less ground disturbance than traditional pile driving. The helical piles will be made of High Density Poly Ethanol (HDPE) and galvanized steel intended to prevent the occurrence of corrosion of the piles in the moist wetland environment.

Temporary impacts associated with the construction of the boardwalk total 3,649 square feet. Construction will be completed in a manner that insures temporary impacts to BVW are fully restored within two growing seasons.

Two new constructed wetland areas totaling 5,427 square feet will be created to replicate permanent BVW alteration.

All bank impacts are associated with drainage swales meeting the Act definition of intermittent stream. All banks will be restored at the impact location.

If the project is proposed to be constructed in phases, please describe each phase:

The proposed ARRT is currently designed to be constructed as a single phase within the towns of Maynard and Acton.

2 HEC-RAS Analysis Assabet River Rail Trail Acton & Maynard, Massachusetts MassDOT Project #604531; Prepared by Nover-Armstrong Associates, Inc; prepared for Greenman-Pedersen, Inc.; dated November 2014.

AREAS OF CRITICAL ENVIRONMENTAL CONCERN:
Is the project within or adjacent to an Area of Critical Environmental Concern?
☐Yes ☒No

RARE SPECIES:
Does the project site include Estimated and/or Priority Habitat of State-Listed Rare Species? (see http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/priority_habitat/priority_habitat_home.htm)
☐Yes ☒No

HISTORICAL /ARCHAEOLOGICAL RESOURCES:
Does the project site include any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?
☒Yes (Specify: **South Acton Historic District (Local Historic District), Railroad Ave and Downtown Maynard Historic Areas (MCRIS**) ☐No

If yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? ☐Yes ☒No

WATER RESOURCES:
Is there an Outstanding Resource Water (ORW) on or within a half-mile radius of the project site? ___Yes _**X**_No;

Are there any impaired water bodies on or within a half-mile radius of the project site? _**X**__Yes ___No; if yes, identify the water body and pollutant(s) causing the impairment:

According to the United States EPA list of impaired water bodies, the Assabet River is classified as a Category 5 water body in the vicinity of the Project for metals, nutrients, organic enrichment/Low DO, and Pathogens. Pratts Brook is classified as a Category 3 water body.

Is the project within a medium or high stress basin, as established by the Massachusetts Water Resources Commission? _**X**__Yes ___No

STORMWATER MANAGEMENT:

Generally describe the project's stormwater impacts and measures that the project will take to comply with the standards found in MassDEP's Stormwater Management Regulations:

The project is considered as a redevelopment project and therefore, the DEP Stormwater Standards need to be met to the maximum extent practicable. As a bike path, the conditions of treatment of the runoff vary from the conditions of treatment of runoff from a roadway which is traversed by automobiles. As water flows over roadways, the water picks up dirt and dust, rubber and metal deposits from vehicle exhaust, tire wear, antifreeze and engine oil and grease that has dripped onto the pavement, discarded cups, plastic bags, cigarette butts, and other litter. Rain and snowmelt transport these pollutants directly to surface water. Road salts can also be a major pollutant. Snow runoff containing salt can produce high sodium and chloride concentrations which can cause unnecessary fish kills and changes to water chemistry. Since motorized vehicle traffic on the bike path will be restricted (other than emergency and maintenance vehicles), untreated stormwater is much less of a concern.

The existing flow patterns within the project site are being maintained. All existing drainage structures within the project limits is being retained and adjusted and/or repaired if necessary. The Project will result in the creation of 222,016 square feet or 5.1 acres of new impervious surface. Although the project will be increasing the impervious area by paving the proposed trail, the existing compacted railroad ballast meets the statutory definition of an impervious surface. As such, there will be minimal impact on peak discharge rates and recharge. Runoff from the impervious portion of the trail will sheet flow across adjacent pervious areas or be directed to

existing and proposed swales located along the edge of the trail. These areas will slow the runoff rate and provide storage effectively minimizing the impact from the new impervious surface and preventing storm damage or downstream flooding.

MASSACHUSETTS CONTINGENCY PLAN:

Has the project site been, or is it currently being, regulated under M.G.L.c.21E or the Massachusetts Contingency Plan?
Yes ___ No _**X**__

Is there an Activity and Use Limitation (AUL) on any portion of the project site? Yes ___ No _**X**

Are you aware of any Reportable Conditions at the property that have not yet been assigned an RTN?
Yes ___ No _**X**__

SOLID AND HAZARDOUS WASTE:

If the project will generate solid waste during demolition or construction, describe alternatives considered for re-use, recycling, and disposal of, e.g., asphalt, brick, concrete, gypsum, metal, wood:

MassDOT adopted its GreenDOT Policy Directive on June 2, 2010, with the primary goals to reduce greenhouse gas emissions, promote the healthy transportation options of walking, bicycling, and public transit, and to support smart growth development. As part of that policy, MassDOT currently uses a range of recycled materials in pavement, including recycled asphalt pavement, recycled tires, and shingles, as well as warm mix asphalt. MassDOT is working to increase the use of environmentally-friendly technologies, and continues to conduct research so that it can maximize the use of recycled materials and warm-mix asphalt paving.

Will your project disturb asbestos containing materials? Yes ___ No _**X**__

MassDOT Highway Division's Hazardous Materials Unit reviews all projects to determine if they will encounter and/or generate waste containing asbestos. If asbestos containing materials are encountered, appropriate special conditions are provided in the project's contract, such that contractors handle and dispose of those materials appropriately and in accordance with all applicable local, state, and federal permits.

Describe anti-idling and other measures to limit emissions from construction equipment:

As stated in MassDOT's GreenDOT Policy Directive, MassDOT requires that contractors install emission control devices in all off-road vehicles. MassDOT Revised Diesel Retrofit Specification states emissions control standards must be met or technology must be used for non-road, diesel powered construction equipment in excess of 50 horsepower on all MassDOT job sites.

DESIGNATED WILD AND SCENIC RIVER:

Is this project site located wholly or partially within a defined river corridor of a federally designated Wild and Scenic River or a state designated Scenic River? Yes ___ No _**X**__

ATTACHMENTS:

1. List of all attachments to this document.
2. U.S.G.S. map (good quality color copy, 8-½ x 11 inches or larger, at a scale of 1:24,000) indicating the project location and boundaries.
3. Plan, at an appropriate scale, of existing conditions on the project site and its immediate environs, showing all known structures, roadways and parking lots, railroad rights-of-way, wetlands and water bodies, wooded areas, farmland, steep slopes, public open spaces, and major utilities.
4. Plan, at an appropriate scale, depicting environmental constraints on or adjacent to the project site such as Priority and/or Estimated Habitat of state-listed rare species, Areas of Critical Environmental Concern, Chapter 91 jurisdictional areas, Article 97 lands, wetland resource area delineations, water supply protection areas, and historic resources and/or districts.
5. Plan, at an appropriate scale, of proposed conditions upon completion of project (if construction of the project is proposed to be phased, there should be a site plan showing conditions upon the completion of each phase).
6. List of all agencies and persons to whom the proponent circulated the ENF, in accordance with 301 CMR 11.16(2).
7. List of municipal and federal permits and reviews required by the project, as applicable.
    - **Massachusetts Wetlands Protection Act – Notice of Intent, Acton & Maynard**
    - **National Environmental Policy Act – Categorical Exclusion**
    - **Section 106 of the National Historic Preservation Act – Determination of Effect**
    - **Army Corps of Engineers- Section 404 Individual Permit**

LAND SECTION – all proponents must fill out this section

I. Thresholds / Permits

A. Does the project meet or exceed any review thresholds related to **land** (see 301 CMR 11.03(1)
_**X**__ Yes ___ No; if yes, specify each threshold:

This project will exceed MEPA threshold 301 CMR 11.03(1)(b)(2): Creation of five or more acres of impervious area.

II. Impacts and Permits

A. Describe, in acres, the current and proposed character of the project site, as follows:

	Existing	Change	Total
Footprint of buildings	**N/A**	**N/A**	**N/A**
Internal roadways	**N/A**	**N/A**	**N/A**
Parking and other paved areas	**11.89 ac**	**5.10 ac**	**16.99 ac**
Other altered areas	**4.25 ac**	**0.83 ac**	**5.08 ac**
Undeveloped areas	**26.17 ac**	**-5.93 ac**	**20.24 ac**
Total: Project Site Acreage	**42.31 ac**	**0 ac**	**42.31 ac**

B. Has any part of the project site been in active agricultural use in the last five years?
___ Yes _**X**__ No

C. Is any part of the project site currently or proposed to be in active forestry use?
___ Yes __**X**_ No

D. Does any part of the project involve conversion of land held for natural resources purposes in accordance with Article 97 of the Amendments to the Constitution of the Commonwealth to any purpose not in accordance with Article 97? ___ Yes _**X**__ No

E. Is any part of the project site currently subject to a conservation restriction, preservation restriction, agricultural preservation restriction or watershed preservation restriction? ___ Yes__**X**_ No

F. Does the project require approval of a new urban redevelopment project or a fundamental change in an existing urban redevelopment project under M.G.L.c.121A? ___ Yes _**X**__ No

G. Does the project require approval of a new urban renewal plan or a major modification of an existing urban renewal plan under M.G.L.c.121B? Yes ___ No _**X**__

III. Consistency

A. Identify the current municipal comprehensive land use plan
Title: **The Town of Maynard's Open Space and Recreation Plan** Date: **2004**
Acton 2020 Plan - April 2012

B. Describe the project's consistency with that plan with regard to:

1) economic development:

The Maynard Open Space and Recreation plan specifically identifies the economic and recreational value of the ARRT to the town. The Open Space and Recreation Plan states at section 3.C., "The future Assabet River Rail Trail (ARRT) is well begun, and large parts of Maynard's rail bed have been acquired by the Town in the last few years. Continuing to build on these successes promises an excellent future economic, recreational, and transit link between the heart of Maynard and

surrounding communities and resources."

The Acton 2020 plan includes planning for historic rail beds to be redeveloped into the ARRT. Specially, the plan states at Goal 3, Action Item 3.1.2.2: Assabet River Rail Trail includes the completion of the Assabet River Rail Trail by way of influence by MassDOT and Boston MPO for funding.

2) adequacy of infrastructure

According to Acton 2020, Acton's transportation system is primarily a network of roadways which are overburdened by today's traffic volumes. The ARRT will offer an alternative form of transportation and facilitate some relief to overloaded roadways.

The Maynard Open Space plan details the lack of public transportation available within the densely populated downtown area. The ARRT will provide a safe bicycle and pedestrian link between downtown Maynard and the Acton commuter rail.

3) open space impacts

A goal of the Acton Master Plan Update with regard to Land Use includes preserving those elements or features which contribute to Acton's New England town character with strong rural and historic roots by preserving and revitalizing historic structures and places, preserving natural features that contribute to Acton's character such as open fields, woodlands, ponds, country roads and stone walls and promoting a sense of community. The AART will assist with meeting that goal by revitalizing the rail bed, preserving the railroad artifacts, preserving the natural features abutting the rail bed and promoting a sense of community. A goal of the Acton Master Plan Update with regard to Open Space includes providing a variety of recreational opportunities for all Acton residents. ARRT accomplishes this goal.

In Maynard, the ARRT will link the downtown area with the newly created Assabet River Wildlife Refuge. Goal three of the Maynard Open Space Plan identifies "expanding public and private recreational facilities" as a priority. The AART will assist in accomplishing this goal.

4) Compatibility with adjacent land uses

According to Acton 2020, AART's terminus at the commuter rail station in Acton will encourage commuter rail ridership and reduce single occupant vehicle trips in both Acton and Maynard.

The Maynard Open Space and Recreation Plan outlines goals and objectives for the future of the town. Of the goals included in the plan, Goal 3 specifically references the ARRT, stating "complete the Assabet River Rail Trail (ARRT) linking the new Assabet River National Wildlife Refuge (ARNWR) in the south with downtown Maynard and the Commuter Rail in the north". The Assabet River Rail Trail will serve to connect recreational, business, and transportation hubs.

2) Identify the current Regional Policy Plan of the applicable Regional Planning Agency (RPA)
RPA: **Metropolitan Area Planning Council**

Title: **The Metro Future Regional Plan** Date **May 28, 2008**

3) Describe the project's consistency with that plan with regard to:
1) economic development _____
2) adequacy of infrastructure _____
3) open space impacts _____

The MetroFuture Regional Plan documents that a major goal is to double the share of trips made by biking and walking. The Plan estimates that 69% of the regions' population lives more than 1 mile from a bike path. The MetroFuture Plan will encourage "building more homes and businesses near each other along with a more extensive network of sidewalks and trails will lead to more walking and biking. The number of trips taken on foot and by bicycle will increase 68% from the year 2000 to 2030". The construction of ARRT will be consistent with these goals, which the Master Plan indicate will support regional economic development and adequacy of infrastructure as well maintaining open space and encouraging residents to enjoy the natural environmental and wildlife. As such, the construction of ARRT is consistent with the goals of the MetroFuture Regional Plan.

RARE SPECIES SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **rare species or habitat** (see 301 CMR 11.03(2))? ___ Yes _**X**__ No

B. Does the project require any state permits related to **rare species or habitat**? ___ Yes **X**__ No

C. Does the project site fall within mapped rare species habitat (Priority or Estimated Habitat?) in the current Massachusetts Natural Heritage Atlas (attach relevant page)? ___ Yes _**X**_ No.

D. If you answered "No" to all questions A, B and C, proceed to the **Wetlands, Waterways, and Tidelands Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Rare Species section below.

WETLANDS, WATERWAYS, AND TIDELANDS SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **wetlands, waterways, and tidelands** (see 301 CMR 11.03(3))? _**X**__ Yes ___ No; if yes, specify, in quantitative terms:

This project will exceed MEPA threshold 310 CMR 11.03(3)(b)(1)(f)-Provided a permit is required, alteration of one half or more acres of any other wetland. The project will necessitate the alteration of 74,505 square feet or 1.7 acres of Riverfront Area and 9,765 square feet of vegetated wetland.

B. Does the project require any state permits (or a local Order of Conditions) related to **wetlands,**

waterways, or tidelands? __X_ Yes ___ No; if yes, specify which permit:

This project will require an Order of Conditions from the Maynard and Acton Conservation Commissions, a Section 404 Water Quality Certificate issued by the MA DEP and Chapter 91 Waterways License for a Water-Dependent Use.

C. If you answered "No" to both questions A and B, proceed to the **Water Supply Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wetlands, Waterways, and Tidelands Section below.

II. Wetlands Impacts and Permits

A. Does the project require a new or amended Order of Conditions under the Wetlands Protection Act (M.G.L. c.131A)? _X__ Yes ___ No; if yes, has a Notice of Intent been filed? __Yes _X_ No

NOIs with the Town of Maynard and Town of Acton Conservation Commissions have been filed simultaneously with the completion of this ENF.

B. Describe any proposed permanent or temporary impacts to wetland resource areas located on the project site:

In the project limits, approximately 9,765.12 square feet of BVW alteration will occur, of which, 5,689 square feet is permanent and 4,076 square feet is temporary. Areas of temporary BVW alteration will be restored in place. Permanent BVW impacts will be replicated. Of the 382,882 square feet of RFA within the Project Limits, approximately 74,505 square feet will be permanently altered. However, construction will be limited to historically impacted RA that exhibits overall diminished value.

The project also proposes to impact 1,330 square feet or 358 cubic feet of BLSF. Fill placed below the 100-year floodplain (BLSF) has been demonstrated to meet the Performance Standards listed at 310 CMR 10.57(4) as all the flood storage volume that is lost has been shown to not cause an increase in the level of flood waters during the 100-year flood peak flows.

Impacts to bank will total 1,609 linear feet. All banks will be restored at the impact location.

C. Estimate the extent and type of impact that the project will have on wetland resources, and indicate whether the impacts are temporary or permanent:

Coastal Wetlands	Area (square feet) or Length (linear feet)	Temporary or Permanent Impact?
Land Under the Ocean	_____	_____
Designated Port Areas	_____	_____
Coastal Beaches	_____	_____
Coastal Dunes	_____	_____
Barrier Beaches	_____	_____
Coastal Banks	_____	_____
Rocky Intertidal Shores	_____	_____
Salt Marshes	_____	_____
Land Under Salt Ponds	_____	_____
Land Containing Shellfish	_____	_____
Fish Runs	_____	_____

Land Subject to Coastal Storm Flowage _____ _____

Inland Wetlands

Bank (lf)	**1608.5lf**	**temporary**
Bordering Vegetated Wetlands	**5689.3/4075.8sf**	**permanent/temporary**
Isolated Vegetated Wetlands	**N/A**	
Land under Water	**6038.0 sf/22.8 sf**	**permanent/temporary**
Isolated Land Subject to Flooding	**NA**	
Bordering Land Subject to Flooding	**1,329.9 sf/357.8 cf**	**permanent**
Riverfront Area	**74504.9 sf**	**permanent**

D. Is any part of the project:

1. proposed as a **limited project**? _**X**__ Yes ___ No; if yes, what is the area(in sf)?**9075.0**
2. the construction or alteration of a **dam**? ___ Yes _**X**__ No
3. fill or structure in a **velocity zone** or **regulatory floodway**? _**X**__ Yes ___ No
4. dredging or disposal of dredged material? ___ Yes _**X**_ No
5. a discharge to an **Outstanding Resource Water (ORW)** or an **Area of Critical Environmental Concern (ACEC)**? ___ Yes _**X**__ No
6. subject to a wetlands restriction order? ___ Yes _**X**_ No
7. located in buffer zones? _X__Yes ___No; if yes, how much (in sf) **131,956 sf**

E. Will the project:

1. be subject to a local wetlands ordinance or bylaw? ___ Yes _**X**__ No
2. alter any federally-protected wetlands not regulated under state law? ___ Yes _**X**__ No

III. Waterways and Tidelands Impacts and Permits

A. Does the project site contain waterways or tidelands (including filled former tidelands) that are subject to the Waterways Act, M.G.L.c.91? _**X**__ Yes __ No; if yes, is there a current Chapter 91 License or Permit affecting the project site? ___ Yes _**X**_ No

B. Does the project require a new or modified license or permit under M.G.L.c.91? _**X**__ Yes _ No; if yes, how many acres of the project site subject to M.G.L.c.91 will be for non-water-dependent use?

Current _**0**__ Change _**0**__ Total ___

If yes, how many square feet of solid fill or pile-supported structures (in sf)?

The project does not necessitate the placement of solid fill within areas subject to Chapter 91 Jurisdiction. The Project includes the replacement of the existing pedestrian bridge (Bridge No. M-10-012 (AA2)) over the Assabet River in downtown Maynard with a 65' long prefabricated steel truss bridge and the Acton bridge over Mill Pond will be replaced with a 70' long prefabricated steel truss bridge. The proposed bridge designs will result in a size increase of greater than ten percent over the current existing bridge design. The increase in size exceeds a threshold necessitating Chapter 91 review.

C. For non-water-dependent use projects, indicate the following:

Area of filled tidelands on the site: **N/A**

Area of filled tidelands covered by buildings: **N/A**

For portions of site on filled tidelands, list ground floor uses and area of each use:

N/A

Does the project include new non-water-dependent uses located over flowed tidelands?

Yes ___ No _**X**__

Height of building on filled tidelands_____

Also show the following on a site plan: Mean High Water, Mean Low Water, Water-dependent Use Zone, location of uses within buildings on tidelands, and interior and exterior areas and facilities dedicated for public use, and historic high and historic low water marks.

D. Is the project located on landlocked tidelands? ___ Yes _**X**_ No

E. Is the project located in an area where low groundwater levels have been identified by a municipality or by a state or federal agency as a threat to building foundations? ___Yes _**X**_ No

F. Is the project non-water-dependent **and** located on landlocked tidelands **or** waterways or tidelands subject to the Waterways Act **and** subject to a mandatory EIR? ___ Yes _**X**_ No

G. Does the project include dredging? ___ Yes _**X**__ No

IV. Consistency:

A. Does the project have effects on the coastal resources or uses, and/or is the project located within the Coastal Zone? ___ Yes **X**__ No

B. Is the project located within an area subject to a Municipal Harbor Plan? ___ Yes _**X**__ No

WATER SUPPLY SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **water supply** (see 301 CMR 11.03(4))? ___ Yes _**X**__ No

B. Does the project require any state permits related to **water supply**? ___ Yes _**X**__ No

C. If you answered "No" to both questions A and B, proceed to the **Wastewater Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Water Supply Section below.

WASTEWATER SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **wastewater** (see 301 CMR 11.03(5))? ___ Yes _**X**__ No

B. Does the project require any state permits related to **wastewater**? ___ Yes _**X**__ No

C. If you answered "No" to both questions A and B, proceed to the **Transportation -- Traffic Generation Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Wastewater Section below.

TRANSPORTATION SECTION (TRAFFIC GENERATION)

I. Thresholds / Permit

A. Will the project meet or exceed any review thresholds related to **traffic generation** (see 301 CMR 11.03(6))? ___ Yes _**X**__ No

B. Does the project require any state permits related to **state-controlled roadways**? _Yes _**X**__ No

C. If you answered "No" to both questions A and B, proceed to the **Roadways and Other Transportation Facilities Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Traffic Generation Section below.

TRANSPORTATION SECTION (ROADWAYS AND OTHER TRANSPORTATION FACILITIES)

I. Thresholds

A. Will the project meet or exceed any review thresholds related to **roadways or other transportation facilities** (see 301 CMR 11.03(6))? ___ Yes _**X**__ No

B. Does the project require any state permits related to **roadways or other transportation facilities**? ___ Yes __**X**_ No

C. If you answered "No" to both questions A and B, proceed to the **Energy Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Roadways Section below.

ENERGY SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **energy** (see 301 CMR 11.03(7))? ___ Yes _**X**__ No

B. Does the project require any state permits related to **energy**? ___ Yes _**X**__ No

C. If you answered "No" to both questions A and B, proceed to the **Air Quality Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Energy Section below.

AIR QUALITY SECTION

I. Thresholds

A. Will the project meet or exceed any review thresholds related to **air quality** (see 301 CMR 11.03(8))? ___ Yes __**X**_ No; if yes, specify, in quantitative terms:

B. Does the project require any state permits related to **air quality**? ___ Yes _**X**__ No

C. If you answered "No" to both questions A and B, proceed to the **Solid and Hazardous Waste Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Air Quality Section below.

SOLID AND HAZARDOUS WASTE SECTION

I. Thresholds / Permits

A. Will the project meet or exceed any review thresholds related to **solid or hazardous waste** (see 301 CMR 11.03(9))? ___ Yes _**X**__ No

B. Does the project require any state permits related to **solid and hazardous waste**? ___ Yes _**X**__ No

C. If you answered "No" to both questions A and B, proceed to the **Historical and Archaeological Resources Section**. If you answered "Yes" to either question A or question B, fill out the remainder of the Solid and Hazardous Waste Section below.

HISTORICAL AND ARCHAEOLOGICAL RESOURCES SECTION

I. Thresholds / Impacts

A. Have you consulted with the Massachusetts Historical Commission? _**X**__ Yes ___ No; if yes,

attach correspondence. For project sites involving lands under water, have you consulted with the Massachusetts Board of Underwater Archaeological Resources? ____Yes ____ No; if yes, attach correspondence

The ARRT was the subject of correspondence sent to the Massachusetts Historical Commission (MHC) in October of 2011. A response from the MHC was received in October of 2011.

The State Historic Preservation Officer (SHPO) concurred with MassDOT's Cultural Resources Unit's (CRU) determination of No Adverse Effect pursuant to Section 106 of the National Historic Preservation Act on February 11, 2015. A copy of the SHPO concurrence has been attached to this document

B. Is any part of the project site a historic structure, or a structure within a historic district, in either case listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? __**X**_ Yes ___ No; if yes, does the project involve the demolition of all or any exterior part of such historic structure? ___ Yes _**X**__ No; if yes, please describe:

A review of the Inventory of Historic and Archaeological Assets of the Commonwealth revealed that the project is located within or adjacent to several inventoried areas: Concord Summer St. Area (MAY.A): Great Road Area (MAY.B); Main St. Area (MAY.C); U.S. Government Ammunition Dump *(*MAYD*);* Assabet Mills Area (MAY.E); Pine St. Area (MAY.H); Railroad St. Area (MAY.I); Sudbury St. Area (MAY.J); Ben Smith Bridge Area (MAY.L); South Acton Village Area (ACT.F); South Acton Lumber Co. (ACT.G); and Acton Main St. Area (ACT.J). One inventoried structure, Lancaster and Sterling Branch Railroad Bridge (ACT. 912) is located within the project area. The MHC determined that this former railroad trestle bridge is not eligible for listing in the National Register.

The project area is located directly adjacent to the inventoried Assabet Mills Area (MAY.E). This area includes fifteen major mill buildings (MAY.340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 353, 354, 355, 919, 920, and 921) which were constructed between 1847 and 1918, and have been altered, added on to, expanded, and built over throughout the life of the mill complex. Although seven major mill buildings were removed from the complex after 1955, the mill as a whole retains its integrity and continues to be a major center of economic activity in the Town of Maynard. It is the opinion of MassDOT's Cultural Resources Unit staff that the Assabet Mills Area appears to be eligible for listing in the National Register as an historic district. The mill is significant for its association with the development of the woolen industry in New England during the mid-to-late nineteenth century and with the American Woolen Company during the early part of the twentieth century. The mill's early founder, Amory Maynard, was responsible for the early growth and development of the Assabet Village and the Town was later named after him.

C. Is any part of the project site an archaeological site listed in the State Register of Historic Places or the Inventory of Historic and Archaeological Assets of the Commonwealth? _**X**__ Yes ___ No; if yes, does the project involve the destruction of all or any part of such archaeological site? ___ Yes _**X**__ No; if yes, please describe:

A review of the MHC's archaeological maps revealed one previously recorded pre-contact archaeological site (Tanks Site 19-MD-545) and three previously recorded historic archaeological sites (Mill Canal MAY.HAI2; Marlboro and Hudson Railroad Turntable and Locomotive House Site ACT.HA7; Moore and Burgess Webbing Co.

ACT.HA27) in the immediate vicinity of the project area. The majority of the proposed project work will be confined to the former railroad ROW, existing roadways and sidewalks, and existing parking areas. The Tanks Site is located at Taylor Brook near the southern end of the project area. All project work near the Tanks Site is confined to the existing unimproved (dirt) Assabet River rail trail footpath. The Mill Canal is associated with the National Register-eligible Assabet Mills complex. The canal conveys water easterly from the Assabet River just north of Winter Street to Mill Pond, a distance of over 2,000 ft. All project work in the vicinity of the Mill Canal will be confined to the existing unimproved (dirt) Assabet River rail trail footpath.

Based on the results of several field visits (June 12, 2012; February 25, 2014; December 30, 2014), MassDOT's staff archaeologist has ascribed little or no archaeological potential to the majority of the project area, as the proposed rail trail largely follows the path of the existing rail bed and intersects paved street, parking lot, and sidewalk surfaces.

D. If you answered "No" to all parts of both questions A, B and C, proceed to the **Attachments and Certifications** Sections. If you answered "Yes" to any part of either question A or question B, fill out the remainder of the Historical and Archaeological Resources Section below.

II. Impacts

Describe and assess the project's impacts, direct and indirect, on listed or inventoried historical and archaeological resources:

The project area is located adjacent to the National Register-eligible Assabet Mills Area. The proposed project work within the Assabet Mills property is confined to permanent and temporary easements from the edge of a parking lot along Main Street. The easements are minor and are well-removed from the core area of the mill complex.

The majority of the project impacts will be largely confined to the former railroad ROW and to disturbed areas within and immediately adjacent to the existing roadways and parking areas. The Thomas H. Rafferty Watering Trough monument (MAY.909) located within the existing traffic island at Sudbury St. and Main St. will be removed and reset within a new traffic island to be constructed approximately 10-ft. to the south of the existing traffic island. The Rafferty monument is currently used as a landscaping planter. The W.A. Haynes Watering Trough monument (MAY.900) and the Old Concord Road Minuteman monument (not inventoried) will be removed and reset near their current locations within the triangular parcel formed by Acton Street, Haynes Street, and Concord Street. The Hayne monument is currently used as a landscaping planter. Special provisions have been included as part of the contract documents requiring the contractor to avoid and protect the Haynes monument and also to carefully remove both the Rafferty trough and the memorial, store them on site, and carefully reset them near their present locations.

Little to no archaeological potential was ascribed to the majority of the project area based on the effects of past railroad, roadway, parking lot, and footpath construction and residential, commercial, and industrial development and unfavorable environmental conditions (slope and wetlands). The intensive archaeological survey within the short segment of the project area assessed as

having moderate archaeological potential produced no potentially significant archaeological sites. Although the visible structural remains and features associated with the Marlboro and Hudson Railroad Turntable and Locomotive House Site are situated outside the project area and will not be impacted by the proposed project work, a special provision has been included as part of the contract document requiring the contractor avoid and protect these features during construction. No further archaeological investigation is necessary.

Although the former railroad ROW contains railroad equipment, such as whistle posts, switches, mile markers, electrical cabinets, and battery boxes, most of this equipment dates to the early to mid-20th century and was used until the railroad was formally abandoned in 1979. All railroad equipment situated adjacent to the proposed rail trail will be removed and reset near their current locations as part of the project work per the request of the Towns of Acton and Maynard.

The proposed project work will facilitate safer roadway and intersection use for drivers, bicyclists, and pedestrians, and retain the overall appearance of the Assabet Mill area in Maynard. Thus, in the opinion of MassDOT's CRU staff, the proposed project work will not adversely affect any of the character-defining elements of the NR-eligible Assabet Mill Area.

III. Consistency

Describe measures that the proponent will take to comply with federal, state, regional, and local plans and policies related to preserving historical and archaeological resources:

MassDOT's Environmental Services' Cultural Resources Unit (CRU) has coordinated with the Massachusetts Historical Commission, Maynard Historic Commission and Action Historic Commission regarding the avoidance, minimization or mitigation of effects to historic and archaeological resources that may be impacted by the proposed project. Based upon the nature of the proposed work, CRU has made a determination of *No Adverse Effect* in accordance with Stipulation V.C.I of the amended Section 106 Programmatic Agreement. The State Historic Preservation Officer has concurred with this determination and no further coordination or action is required in regards to historic or archaeological resources.

CERTIFICATIONS:

1. The Public Notice of Environmental Review has been/will be published in the following newspapers in accordance with 301 CMR 11.15(1):

   (Name) The Beacon Villager (Date) On or before March 16, 2015

2. This form has been circulated to Agencies and Persons in accordance with 301 CMR 11.16(2).

Signatures:

3/4/15 _____
Date Frank DePaola, P.E.
Administrator, Highway Division

3/3/15 _____
Date Signature of Responsible Officer
or Proponent

Michael Trepanier
Name (print or type)

MassDOT – Highway Division
Firm/Agency

10 Park Plaza
Street

Boston, MA 02116
Municipality/State/Zip

857-368-8828
Phone

List of Attachments

Attachment A	Distribution List
Attachment B	Maps • Locus Map • Acton Locus Map • Acton NHESP Map • Acton Resource Map • Maynard Locus Map • Maynard NHESP Map • Maynard Resource Map
Attachment C	Section 106 of the National Historic Preservation Act Effect Finding
Attachment D	Local Historical Commission Early Coordination Letter
Attachment E	Project Plans

Attachment A

Distribution List

Maynard / Acton- Assabet River Rail Trail
ENF Distribution List-

Secretary Matthew A. Beaton
Executive Office of Energy & Environmental Affairs
Attn: MEPA Office
100 Cambridge Street, Suite 900
Boston, MA 02114

Department of Environmental Protection
Commissioner's Office
One Winter Street
Boston, MA 02108

MassDEP Central Region
Attn: MEPA Coordinator
8 New Bond Street
Lakeville, MA 02347

MassDOT – Highway Division – District
Attn: MEPA Coordinator
403 Belmont Street
Worcester, MA 01604

Electronic Distribution

Massachusetts Historical Commission
The MA Archives Building
220 Morrissey Boulevard
Boston, MA 02125

Boston Region MPO
State Transportation Building
10 Park Plaza, Suite 2150
Boston, MA 02116

Maynard Board of Selectman
Attn: Ms. Becky Mosca
195 Main Street
Maynard, MA 01754

Maynard Planning Board
Attn: Mr. Bill Nemser
195 Main Street
Maynard, MA 01754

Maynard Conservation Commission
Attn: Ms. Linda Hansen
195 Main Street
Maynard, MA 01754

Maynard Public Health Division
195 Main Street
Maynard, MA 01754

Department of Public Health
Director of Environmental Health
250 Washington Street
Boston, MA 02115

Maynard / Acton- Assabet River Rail Trail
ENF Distribution List- Continued

Acton Board of Selectman
472 Main Street
Acton, MA 01720

Acton Planning Board
Attn: Mr. Roland Bartl
472 Main Street
Acton, MA 01720

Acton Conservation Commission
472 Main Street
Acton, MA 01720

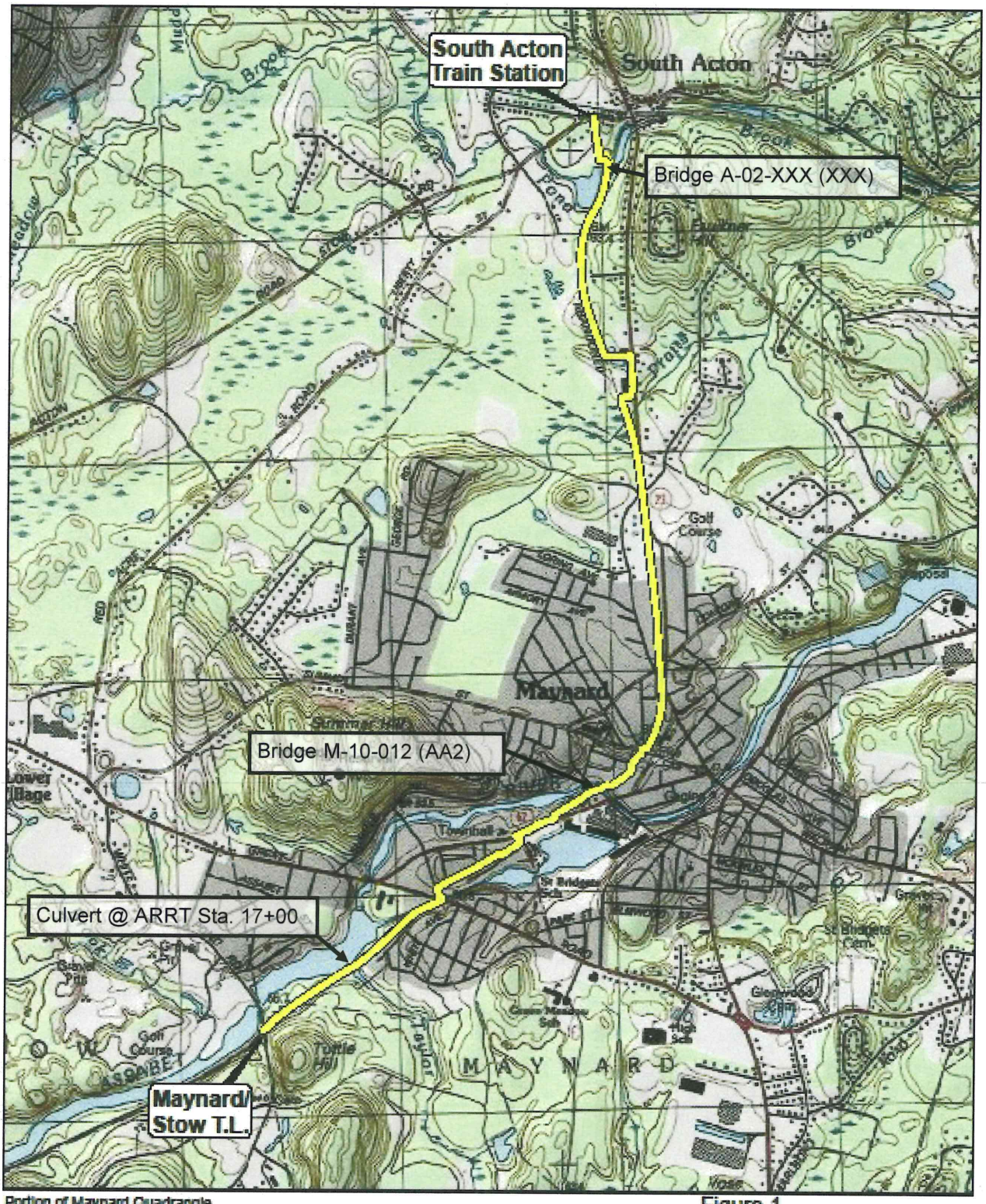
Acton Department of Public Health
Attn: Mr. Doug Halley
472 Main Street
Acton, MA 01720

Attachment B

Maps

- Locus Map
- Acton Locus Map
- Acton NHESP Map
- Acton Resource Map
- Maynard Locus Map
- Maynard NHESP Map
- Maynard Resource Map

AECOM



L:\work\10122\GIS\Maps\Locus_Maynard_SActon.mxd
10/12/2010 11:15:28 AM

Portion of Maynard Quadrangle.
Data provided by Esri.

0 1,000 2,000 4,000
Feet

Figure 1
Locus Map
Assabet River Rail Trail
South Acton to Maynard

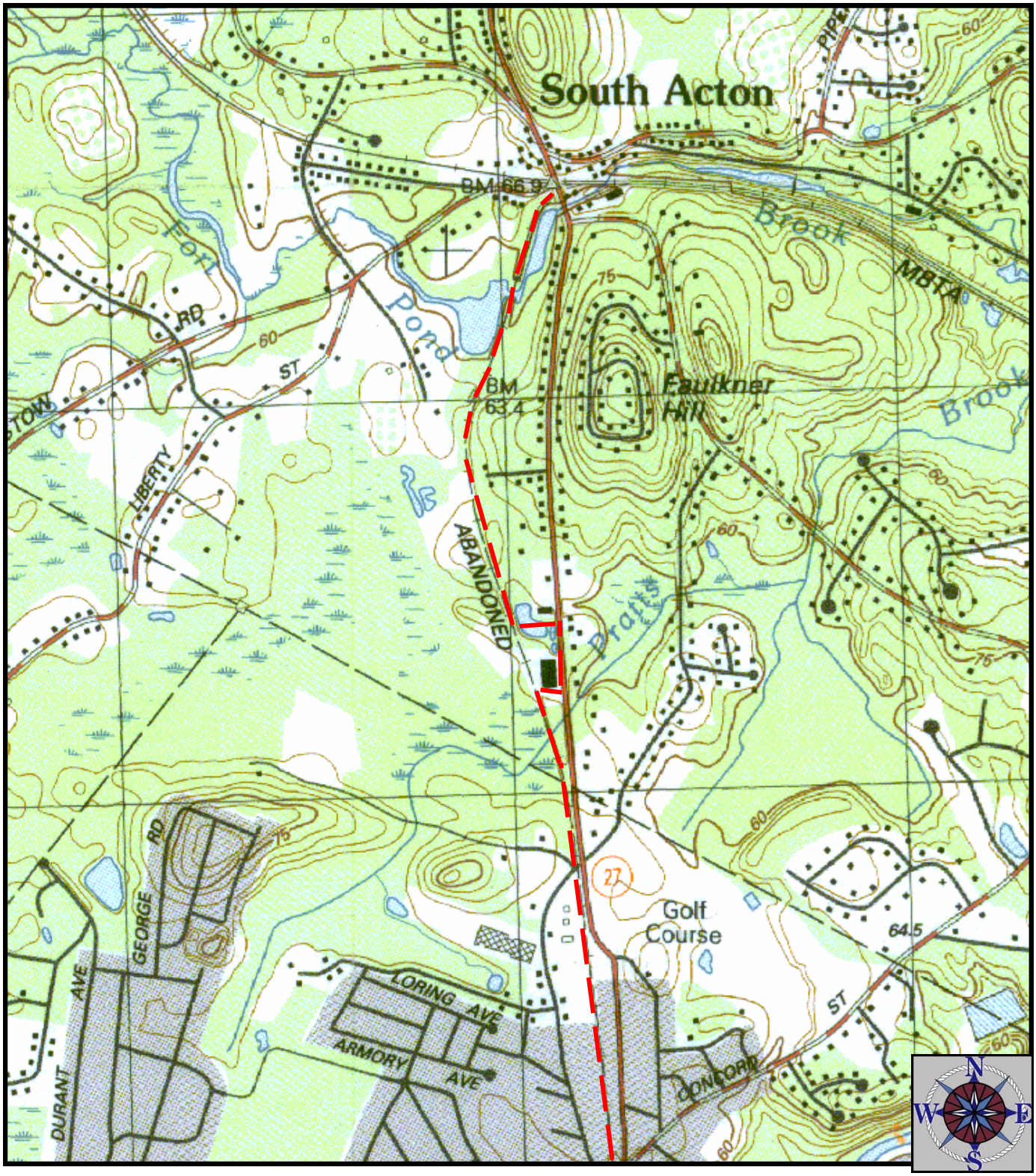


Figure 1—Site Locus

USGS Topographic Map
Assabet River Rail Trail
Acton, Massachusetts

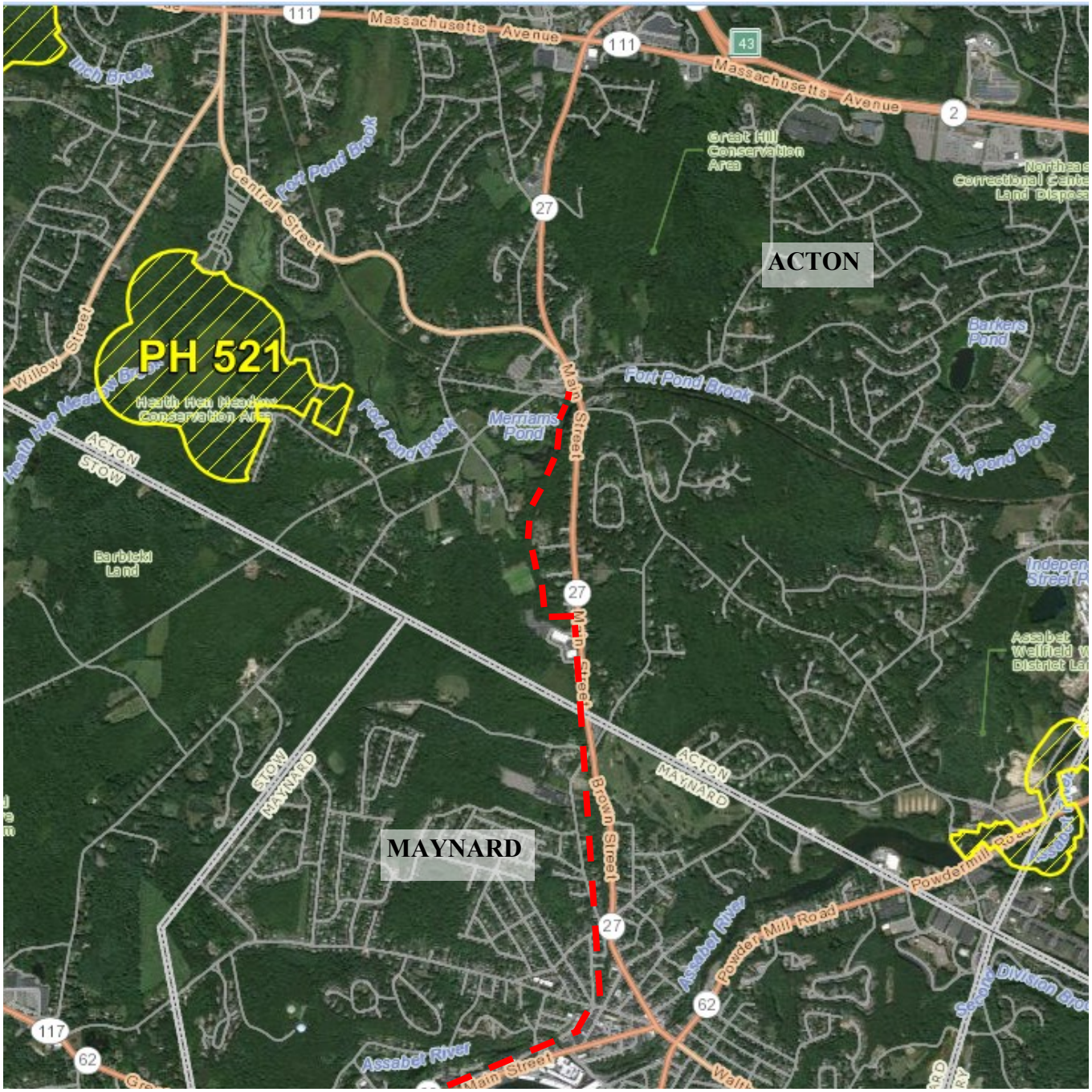


Figure 2 - NHESP 2008 Priority and Estimated Habitats

Assabet River Rail Trail
Maynard MA

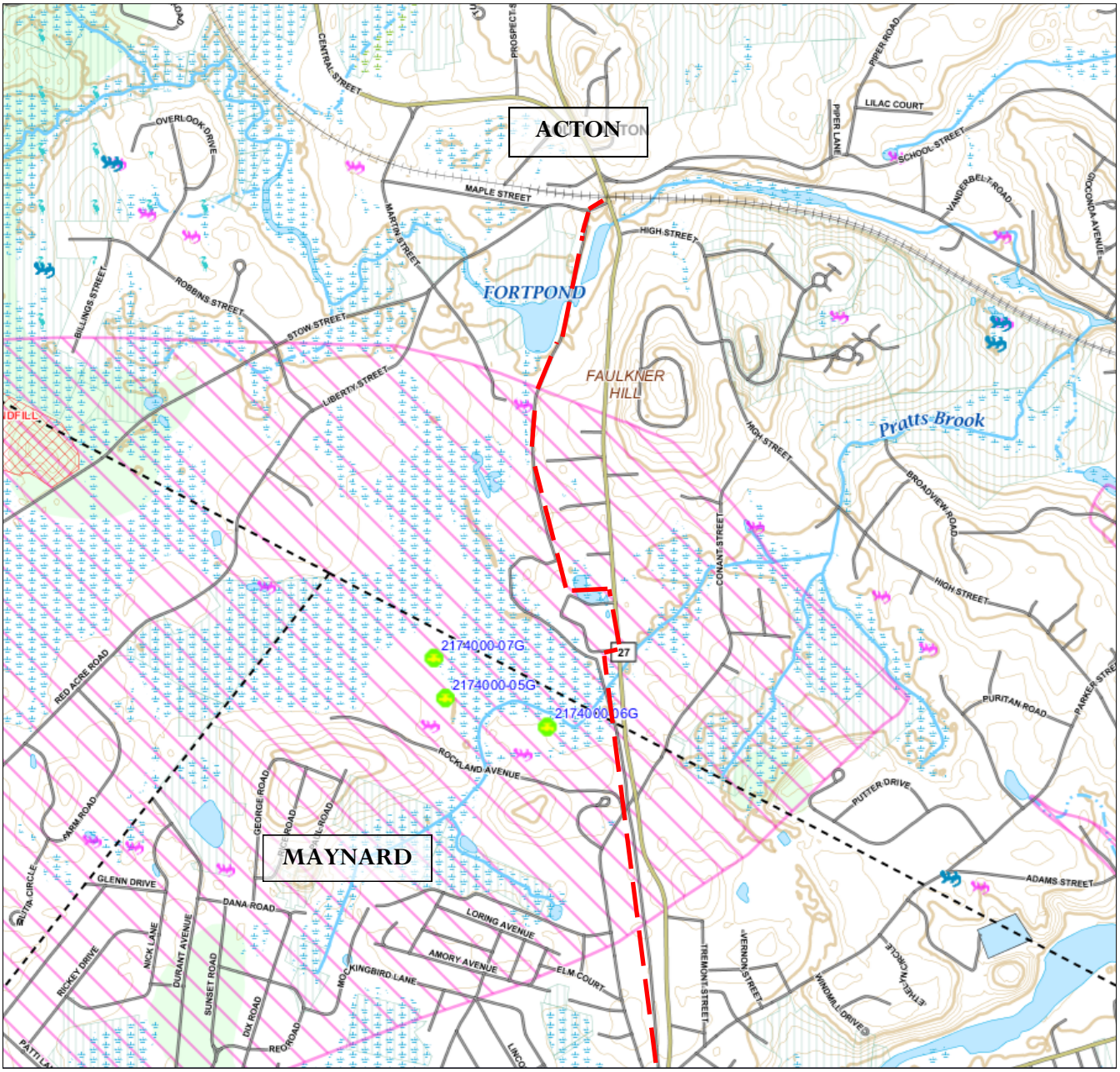
Source: "Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, Information Technology Division"

LEGEND

- Limited Access Highway
- Multi-lane Hwy, Not Limited Access
- Other Numbered Hwy
- Place Names
- Surrounding States Labels
- Surrounding States
- NHESP 2008 MA Estimated Habitats of Rare Wildlife
- NHESP 2008 MA Priority Habitats of Rare Species

Figure 1—Site Locus

USGS Topographic Map
Assabet River Rail Trail
Maynard, Massachusetts



DEP MCP 21e Map Legend

- Zone IIs
- IWPAs
- Zone A
- Sole Source Aquifers
- Solid Waste Landfill
- Protected Openspace
- ACECs
- NHESP Estimated Habitat of Rare Wildlife in Wetland Areas
- NHESP Certified Vernal Pool
- Subbasins
- Mass Major Basins
- DEP Region
- Town Arcs
- County Boundaries
- NHESP Potential Vernal Pool

Aquifers, By Yield
- HIGH YIELD
- MEDIUM YIELD

Non Potential Drinking Water Source Area
- HIGH YIELD
- MEDIUM YIELD

FEMA Floodplains
- 100 YEAR FLOODPLAIN

Hydrography
- WATER
- RESERVOIR
- WETLANDS
- SALTWATER WETLANDS
- FLATS,SHOALS

Rivers and Streams
- PERENNIAL
- INTERMITTENT
- SHORELINE
- MAN MADE SHORE
- DAM
- AQUEDUCT

EOT-OTP Roads
- LIMITED ACCESS HIGHWAY
- MULTI LANE HWY, NOT LIMITED ACCESS
- OTHER NUMBERED HWY
- MAJOR ROAD - COLLECTOR
- MINOR STREET OR ROAD, RAMP

Tracks and Trails MHD
- TRACK
- TRAIL

Transmission Lines
- PIPELINE
- POWERLINE
- TRAIN

Figure 3 - MassDEP Priority Resource Map

Assabet River Rail Trail
Acton, MA

Source: "Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, Information Technology Division"

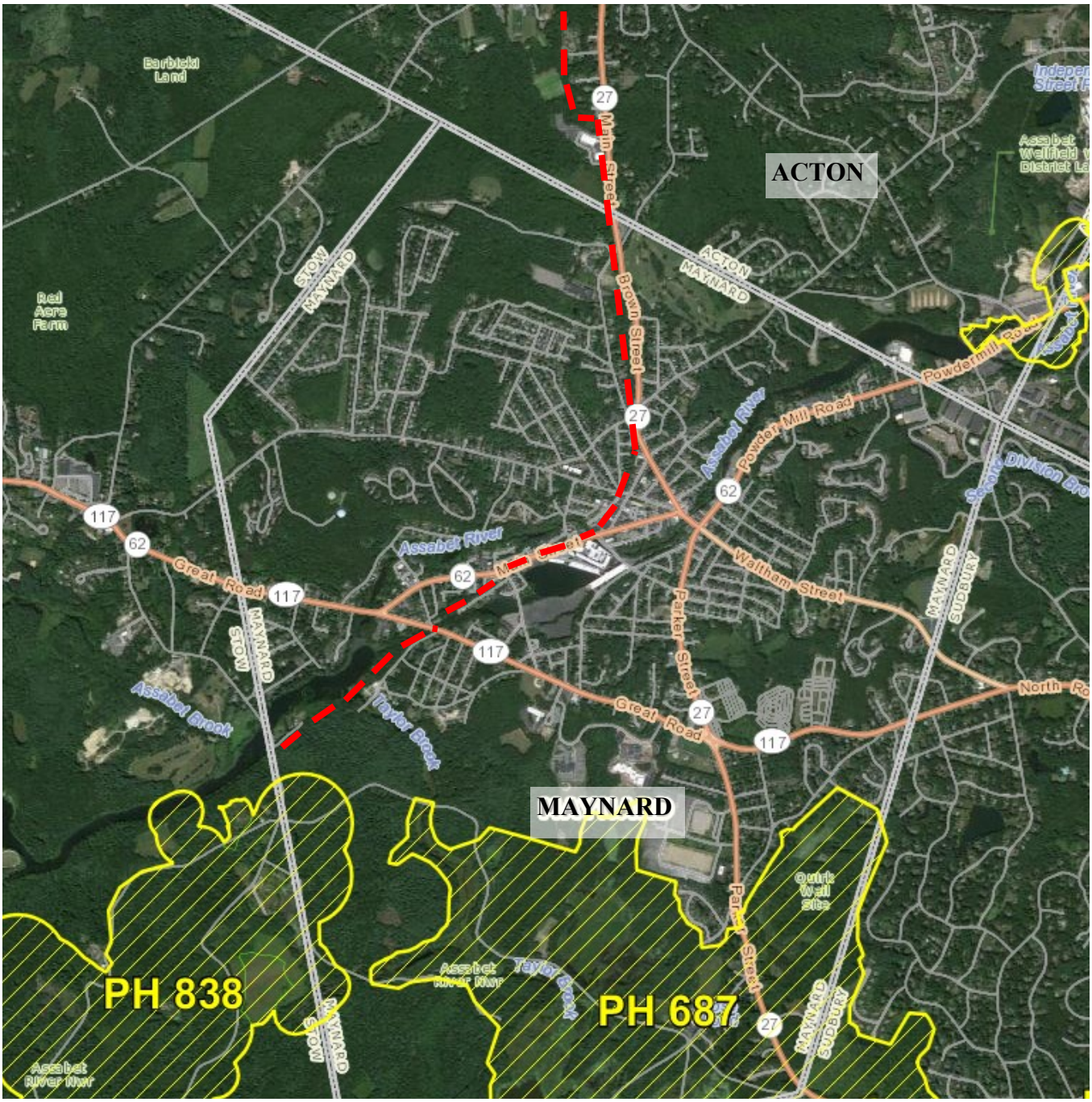


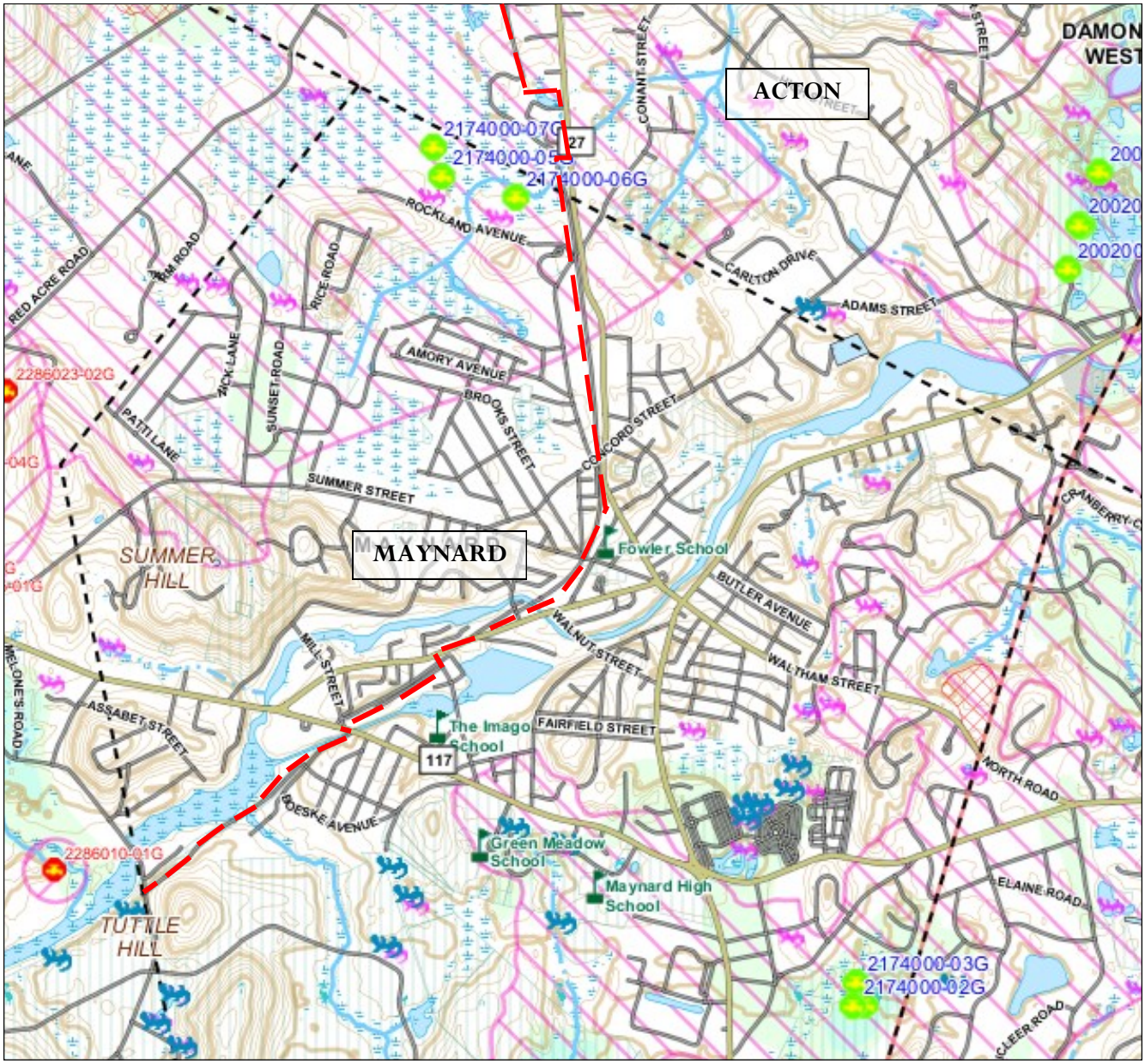
Figure 2 - NHESP 2008 Priority and Estimated Habitats

Assabet River Rail Trail
Maynard MA

Source: "Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, Information Technology Division"

LEGEND

- Limited Access Highway
- Multi-lane Hwy, Not Limited Access
- Other Numbered Hwy
- Place Names
- Surrounding States Labels
- Surrounding States
- NHESP 2008 MA Estimated Habitats of Rare Wildlife
- NHESP 2008 MA Priority Habitats of Rare Species



DEP MCP 21e Map Legend

- Zone IIs
- IWPAs
- Zone A
- Sole Source Aquifers
- Solid Waste Landfill
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- NHESP Estimated Habitat of Rare Wildlife in Wetland Areas
- NHESP Certified Vernal Pool
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Non Potential Drinking Water Source Area
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EOT-OTP Roads
- LIMITED ACCESS HIGHWAY
- MULTI LANE HWY, NOT LIMITED ACCESS
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- MAJOR ROAD - COLLECTOR
- MINOR STREET OR ROAD, RAMP

Tracks and Trails MHD
- TRACK
- TRAIL

Transmission Lines
- PIPELINE
- POWERLINE
- TRAIN

Figure 3 - MassDEP Priority Resource Map

Assabet River Rail Trail
Maynard, MA

Source: "Office of Geographic Information (MassGIS), Commonwealth of Massachusetts, Information Technology Division"

Attachment C

Section 106 of the National Historic Preservation Act Effect Finding

Charlie Baker, Governor
Karyn Polito, Lt. Governor
Frank DePaola, Acting Secretary & CEO
Frank DePaola, Administrator

massDOT
Massachusetts Department of Transportation
Highway Division

RECEIVED
JAN 23 2015
MASS. HIST. COMM
#51528

January 21, 2015

Ms. Brona Simon
State Archaeologist
State Historic Preservation Officer
Massachusetts Historical Commission
220 Morrissey Boulevard
Boston, MA 02125

RE: Acton - Maynard
Assabet River Rail Trail (MassDOT #604531)
Section 106 Finding: No Adverse Effect

Dear Ms. Simon:

The Massachusetts Department of Transportation – Highway Division (MassDOT) proposes to expend federal funds to construct the above-referenced project. MassDOT has reviewed the project under the terms of the 2004 Massachusetts Statewide Programmatic Agreement for Section 106 of the National Historic Preservation Act of 1966, as amended [36 CFR Part 800.3(a)(2)] and has determined that the project will have No Adverse Effect on properties that are listed or eligible for listing in the National Register of Historic Places.

Project Description

The purpose of the proposed Assabet River Rail Trail (ARRT) project is to provide a connection from the heavily used trail already constructed in Marlborough and Hudson to the MBTA commuter rail station in South Acton. The majority of the proposed rail trail will be constructed on a former railbed extending northeasterly from the Stow/Maynard town line to Mill Pond in Acton. The proposed rail trail will leave the former railroad right of way (ROW) at Mill Pond, extend along the edge of an agricultural field, and end at Maple Street across from the South Acton MBTA Commuter Rail Station. Existing land use adjacent to the former railroad ROW is varied, from urban residential, commercial, and industrial development to rural woodland and wetland areas. The abandoned ROW itself is overgrown in places, with rails and ties removed in some areas and still in place in others. The proposed rail trail will be approximately 3.4 miles in length (see enclosed locus map and plans).

Proposed Improvements

The proposed ARRT will consist of a 12-foot wide paved surface, with two-foot wide grass or paved shoulders (depending upon location). There will be nine locations where the trail crosses existing roadways and vehicle traffic signage, pavement markings and

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www.mass.gov/massdot

treatments, and traffic control measures will be provided based upon conditions at each crossing. In general, new storm drainage structures are not being proposed. Existing drainage patterns will be maintained and runoff from the trail will be directed to existing grass swales. There are cross culverts at various locations along the project which will be cleaned and maintained.

The proposed rail trail will begin at White Pond Road (Station 00 + 00), near the Stow-Maynard town line, and extend northeasterly on the existing unimproved (dirt) Assabet River rail trail footpath(former railroad ROW) to Winter Street (Station 29 + 00). A small paved parking lot will be constructed at the location of an existing gravel/dirt parking area near Station 21 + 00 RT. The ARRT will proceed along Winter Street to Great Road (Route 117), a distance of approximately 500 ft. The Winter Street section of the rail trail will require railing and potentially some slope work. The rail trail will cross Great Road and connect to the former railroad ROW at Mill and Pine Streets. The rail trail will then follow the former railroad ROW to Sudbury Street at Main Street.

The rail trail will cross Sudbury Street and proceed eastward along Main Street. The small traffic island located within Sudbury Street at the Main Street intersection will be removed and reconstructed approximately 10 ft. to the south to accommodate the Sudbury Street rail trail crossing. The Thomas H. Rafferty Watering Trough (MAY.909) stone planter memorial currently situated within the traffic island will be removed and reset within the new island. The Main Street section of the trail (Station 51 + 00 to Station 56 + 00) will require minor temporary and permanent easements from the northerly edge of the Clocktower Place parking lot. Clocktower Place is a large complex of commercial space situated within the former Assabet Mill.

The rail trail will cross Main Street to Railroad Street at a modified pedestrian crosswalk. Railroad Street was reconstructed by the Town of Maynard during the summer of 2000 and a corridor was maintained for the proposed rail trail. After crossing Florida Road, the rail trail will extend through the post office parking lot to an existing paved path through Tobin Park. The existing ca. 1989 Tobin Park footbridge across the Assabet River will be replaced on the same alignment with an ADA-compliant, pre-fabricated steel truss bridge.

The rail trail will then proceed through the paved Maynard municipal parking lot to Summer Street at Maple Street (Station 67 + 00 to Station 74 + 00). Immediately northeast of the Summer Street / Maple Street intersection, the rail trail will enter the former railroad ROW and continue to Acton Street (Station 74 + 00 to Station 86 + 00). The rail trail will cross Acton Street and extend through a triangular parcel formed by the intersection of Acton Street, Haynes Street, and Concord Street. The W.A. Haynes Watering Trough (MAY.900)and the Old Concord Road Minuteman stone memorial (not

inventoried) located within the triangular parcel will be removed and reset as part of the project work.

After crossing Concord Street, the rail trail will continue on the former railroad ROW to the Wedgewood property in Acton (Station 89 + 00 to Station 129 + 00). The trail will extend along the front of the Wedgewood Property, and then turn west and traverse a wetland on a proposed boardwalk structure. The location, make-up, and construction methods for the boardwalk were first presented to the Acton Conservation Commission on May 2, 2001, and have been reconsidered with the Town as the design was further developed. The proposed boardwalk over the wetlands will consist of a structure approximately 200-ft. long and16-ft. wide (10 ft. wide path) situated approximately 5-ft. above the wetland surface. The deck will be designed for pedestrian loads. To minimize permanent and temporary impacts to the wetlands under the boardwalk, the use of helical screw anchors in lieu of timber pilings will be considered. The use of these anchors may allow for lighter equipment for installation, therefore minimizing temporary wetland impacts from construction equipment. The proposed boardwalk will end at Station 149 + 39 and the rail trail will continue within the former railroad ROW through wooded sections of the Town of Acton to Station 171 + 50. A paved parking lot is proposed at the location of an existing gravel/dirt parking area near Station 153 + 42 RT.

The proposed rail trail crossing of Mill Pond in the Town of Acton (Station 169 + 50) will require the construction of a new bridge. The existing timber trestle structure is approximately 75-ft long with four timber bents in the water forming the substructure support system. Existing abutments consist of large granite block sections. The proposed crossing will be spanned with a new 70 ft.-long pre-fabricated steel truss bridge. The existing timber bents will be left in place to avoid impacts to the river. The new span will support H-10 maintenance/emergency vehicle design load, or pedestrian loading only with bollards on both sides to restrict vehicles from crossing the new span. The new deck will be approximately 15-ft. wide.

Just to the north of the Mill Pond crossing, the rail trail will exit the former railroad ROW near Station 171 + 50 and will extend 400-ft. along the edge of an agricultural field recently acquired by the Town of Acton. The rail trail will connect to an existing gravel access driveway leading to Maple Street. A paved parking area, paved turnaround, and a gravel drive will be constructed at the location of the existing gravel access driveway. The northern terminus of the rail trail will be located on Maple Street across from the South Acton MBTA Commuter Rail Station in the Town of Acton. The existing paved parking lot located between Maple Street and the MBTA railroad tracks will be reconstructed as part of the project work.

Additional project work associated with the construction of the rail trail will include: installing timber rail fencing; installing retaining walls; placing loam and seed; clearing

and grubbing; installing trail head islands; constructing sidewalks, granite curbing, and wheel chair ramps; removing parking meters; installing parking and informational kiosks; planting trees; removing rails and ties as needed; removing and resetting existing railroad equipment; and removing and resetting the stone masonry wall near Station 135 + 00 RT.

Cultural Resources Identified Within or Adjacent to the Project Area
A review of the National Register of Historic Places revealed no listed properties, districts, or sites within or adjacent to the project area.

A review of the Inventory of Historic and Archaeological Assets of the Commonwealth revealed that the project is located within or adjacent to several inventoried areas: Concord Summer St. Area (MAY.A); Great Road Area (MAY.B); Main St. Area (MAY.C); U.S. Government Ammunition Dump (MAY.D); Assabet Mills Area (MAY.E); Pine St. Area (MAY.H); Railroad St. Area (MAY.I); Sudbury St. Area (MAY.J); Ben Smith Bridge Area (MAY.L); South Acton Village Area (ACT.F); South Acton Lumber Co. (ACT.G); and Acton Main St. Area (ACT.J). One inventoried structure, Lancaster and Sterling Branch Railroad Bridge (ACT.912) is located within the project area. The MHC determined that this former railroad trestle bridge is not eligible for listing in the National Register.

The project area is located directly adjacent to the inventoried Assabet Mills Area (MAY.E). This area includes fifteen major mill buildings (MAY.340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 353, 354, 355, 919, 920, and 921) which were constructed between 1847 and 1918, and have been altered, added on to, expanded, and built over throughout the life of the mill complex. Although seven major mill buildings were removed from the complex after 1955, the mill as a whole retains its integrity and continues to be a major center of economic activity in the Town of Maynard. It is the opinion of MassDOT's Cultural Resources Unit staff that the Assabet Mills Area appears to be eligible for listing in the National Register as an historic district. The mill is significant for its association with the development of the woolen industry in New England during the mid-to-late nineteenth century and with the American Woolen Company during the early part of the twentieth century. The mill's early founder, Amory Maynard, was responsible for the early growth and development of the Assabet Village and the Town was later named after him.

More research would be necessary to determine if the inventoried areas {Main St. Area (MAY.C); Railroad St. Area (MAY.I); Sudbury St. Area (MAY.J); Ben Smith Bridge Area (MAY.L)} and the inventoried buildings {125 – 131 Main St. (MAY.53); Amory Maynard Block (MAY.54); Amory Maynard House (MAY.55); Lorenzo Maynard House (MAY.56); Assabet Mill Worker Housing (MAY.57); 149A Main St. (MAY.58); Assabet Manufacturing Co. Worker Housing (MAY.59); Maynard Monumental Co. Building (MAY.60); 163 Main St. (MAY.61); Assabet Mill Wool Storage Building (MAY.62); American Woolen Co.

Boarding House (MAY.63); Minto Boarding House Addition (MAY.64); American Woolen Co. Mill Building (MAY.65); Assabet Woolen Mill Worker Housing Central House (MAY.66); William B. Case Block (MAY.72); William B. Case Block Annex (MAY.73); Riverside Cooperative Block (MAY.75); Cove Block (MAY.76)) in the immediate vicinity of Assabet Mills complex should be included as part of the eligible historic district. The buildings adjacent to the Assabet Mills have suffered a loss of integrity and are separated from the mill complex by intrusions. The inventoried areas would certainly not be eligible as historic districts themselves, nor would the inventoried buildings be individually eligible for the National Register. Therefore, for the purposes of this review, MassDOT CRU staff has confined the NR-eligible area to the mill complex itself. The project work adjacent to or within the other inventoried areas is minor and would have no impact on these properties even if they were eligible for listing in the National Register.

A site visit to the project area by MassDOT's Cultural Resources Unit staff (CRU) on December 30, 2014 revealed no other National Register-eligible properties, districts, or sites within the project's area of potential effect.

Archaeological Resources

A review of the MHC's archaeological maps revealed one previously recorded pre-contact archaeological site (Tanks Site 19-MD-545) and three previously recorded historic archaeological sites (Mill Canal MAY.HA.12; Marlboro and Hudson Railroad Turntable and Locomotive House Site ACT.HA.7; Moore and Burgess Webbing Co. ACT.HA.27) in the immediate vicinity of the project area. The majority of the proposed project work will be confined to the former railroad ROW, existing roadways and sidewalks, and existing parking areas. The Tanks Site is located at Taylor Brook near the southern end of the project area. All project work near the Tanks Site is confined to the existing unimproved (dirt) Assabet River rail trail footpath. The Mill Canal is associated with the National Register-eligible Assabet Mills complex. The canal conveys water easterly from the Assabet River just north of Winter Street to Mill Pond, a distance of over 2,000 ft. All project work in the vicinity of the Mill Canal will be confined to the existing unimproved (dirt) Assabet River rail trail footpath.

Based on the results of several field visits (June 12, 2012; February 25, 2014; December 30, 2014), MassDOT's staff archaeologist has ascribed little or no archaeological potential to the majority of the project area, as the proposed rail trail largely follows the path of the existing rail bed and intersects paved street, parking lot, and sidewalk surfaces.

MassDOT's staff archaeologist conducted a site visit to the Marlboro and Hudson Railroad Turntable and Locomotive House Site (a former railroad facility) and the Moore and Burgess Webbing Co. Site (a former tannery) on June 12, 2012 to assess the potential archaeological sensitivity of the proposed Maple Street connection in Acton, where the proposed rail trail will deviate from the former railroad ROW. The proposed

400-ft long rail trail connection will extend along the margins of a small agricultural field and link to a driveway accessing Maple St. The MassDOT site visit revealed visible structural remains and features associated with the former railroad facility situated in the woods immediately east of the agricultural field. The railroad facility site is situated outside the project area and will not be impacted by the proposed project work. A discussion with Roland Bartl, Town Planner for the Town of Acton, during MassDOT's June 12, 2012 site visit revealed that the town had remediated the former tannery site location in the recent past due to environmental concerns. This was confirmed during the site visit by the extensive grading visible at the former tannery location.

While no pre-contact archaeological sites have been recorded within or near the northern end of the project area, environmental conditions (plowed farm field) suggested moderate sensitivity existed within the proposed Maple Street rail trail connection for the presence of pre-contact archaeological sites. MassDOT engaged our cultural resources consultant, The Public Archaeology Laboratory, Inc. (PAL), to conduct an intensive archaeological survey within the portion of the proposed rail trail in Acton that traverses the agricultural field.

PAL conducted subsurface investigations of the Maple Street rail trail connection project area on October 6 and 7, 2014, in accordance with State Archaeologist's Permit #3483 (issued by MHC on July 31, 2014). The intensive survey involved the excavation of fourteen 50-x-50-centimeter shovel test pits placed along two linear transects within the area of direct impacts. Recovered cultural materials consisted of a very low density of items from the Post-Contact and Modern periods that exhibit no discernible horizontal or vertical patterning and do not represent a potentially significant archaeological site. No pre-contact cultural materials or subsurface features were recovered. Based on the absence of pre-contact cultural materials and subsurface features, and the lack of integrity of recovered post-contact cultural materials, no further archaeological investigation was recommended by PAL. MassDOT CRU staff reviewed PAL's archaeological report and concurs with its conclusion that no potentially significant sites were found and its recommendation that no further archaeological survey is necessary. Copies of the final archaeological report are enclosed.

Early Coordination

An early coordination letter soliciting the comments of the Massachusetts Historical Commission (MHC) was sent by the project design consultant, AECOM Inc., on October 18, 2011. Copies of the letter were forwarded to the Acton Historical Commission (AHC) and the Maynard Historical Commission (MdHC). The MHC responded in writing (letter dated October 26, 2011) that they look forward to reviewing MassDOT's findings. Comments of the MHC, the AHC, and the MdHC were solicited again by the current project design consultant, Nover-Armstrong Assoc. Inc., on December 1, 2014. To date, no response to this letter has been received; however, MassDOT will seriously consider

any written comments from these groups should any be received. The Massachusetts Board of Underwater Archaeological Resources commented in an email dated December 17, 2014 that no record of any underwater archaeological resources was found near the proposed project area and the Board expects that this project is unlikely to impact submerged cultural resources.

Project Impacts to National Register-Eligible or Listed Properties

The project area is located adjacent to the National Register-eligible Assabet Mills Area. The proposed project work within the Assabet Mills property is confined to permanent and temporary easements from the edge of a parking lot along Main Street. The easements are minor and are well-removed from the core area of the mill complex.

The majority of the project impacts will be largely confined to the former railroad ROW and to disturbed areas within and immediately adjacent to the existing roadways and parking areas. The Thomas H. Rafferty Watering Trough monument (MAY.909) located within the existing traffic island at Sudbury St. and Main St. will be removed and reset within a new traffic island to be constructed approximately 10-ft. to the south of the existing traffic island. The Rafferty monument is currently used as a landscaping planter. The W.A. Haynes Watering Trough monument (MAY.900) and the Old Concord Road Minuteman monument (not inventoried) will be removed and reset near their current locations within the triangular parcel formed by Acton Street, Haynes Street, and Concord Street. The Haynes monument is currently used as a landscaping planter. Special provisions have been included as part of the contract documents requiring the contractor to avoid and protect the Haynes monument and also to carefully remove both the Rafferty trough and the memorial, store them on site, and carefully reset them near their present locations.

Little to no archaeological potential was ascribed to the majority of the project area based on the effects of past railroad, roadway, parking lot, and footpath construction and residential, commercial, and industrial development and unfavorable environmental conditions (slope and wetlands). The intensive archaeological survey within the short segment of the project area assessed as having moderate archaeological potential produced no potentially significant archaeological sites. Although the visible structural remains and features associated with the Marlboro and Hudson Railroad Turntable and Locomotive House Site are situated outside the project area and will not be impacted by the proposed project work, a special provision has been included as part of the contract document requiring the contractor avoid and protect these features during construction. No further archaeological investigation is necessary.

Although the former railroad ROW contains railroad equipment, such as whistle posts, switches, mile markers, electrical cabinets, and battery boxes, most of this equipment dates to the early to mid-20th century and was used until the railroad was formally

abandoned in 1979. All railroad equipment situated adjacent to the proposed rail trail will be removed and reset near their current locations as part of the project work per the request of the Towns of Acton and Maynard.

The proposed project work will facilitate safer roadway and intersection use for drivers, bicyclists, and pedestrians, and retain the overall appearance of the Assabet Mill area in Maynard. Thus, in the opinion of MassDOT's CRU staff, the proposed project work will not adversely affect any of the character-defining elements of the NR-eligible Assabet Mill Area.

Section 4(f) Evaluation – Permanent Easements and Takings – de minis impact
Two sections of the property within the Assabet Mill Area will be taken for the construction and maintenance of the rail trail. The easements required for the proposed work will result in land from an NR-eligible district being permanently incorporated into a transportation use, and thus Section 4(f) applies. The proposed permanent easements are minor takings on the periphery of the potentially eligible district, adjacent to a paved parking area, and will have no impact on the characteristics that make the district eligible for listing in the NR. The Federal Highway Administration intends to make a *de minimis* impact finding if the written concurrence of the State Historic Preservation Officer with MassDOT's finding of "No Adverse Effect" is received.

Section 4(f) Evaluation – Temporary Occupancy – No 4(f) use
This project also requires three minor temporary easements from the periphery of the NR-eligible Assabet Mill Area to construct the rail trail. It is MassDOT's opinion that these temporary easements, also known as a temporary occupancy, are so minimal as not to constitute a use within the meaning of Section 4(f). The following five conditions, pursuant to 23 CFR 774.13(d), must be satisfied:

(1) Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land;

(2) Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal;

(3) There are no anticipated permanent adverse physical impacts, nor will there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis;

(4) The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project; and

(5) There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions.

For the purpose of Condition 5, the State Historic Preservation Officer is the official with jurisdiction over this NR-eligible district. Your concurrence with this letter will signify that your office agrees with MassDOT's assessment that the proposed temporary occupancy will not constitute a "use" of a historic site under Section 4(f) and that the five conditions listed above have been satisfied.

Section 106 Effect Finding:
MassDOT, therefore, solicits your concurrence with our No Adverse Effect finding for the project in accordance with Stip. V.C.1 of the amended Section 106 Programmatic Agreement. Copies of this letter have been forwarded to the Federal Highway Administration as specified under the terms of the Programmatic Agreement. If there are any questions, please feel free to call Jameson Harwood (at 857.368.8799) or me (at 857.368.8799).

CONCURRENCE: Brona Simon
2/11/15
BRONA SIMON
STATE HISTORIC
PRESERVATION OFFICER
MASSACHUSETTS
HISTORICAL COMMISSION
RC. 51528

Sincerely,

John E Rempelakis

John E. Rempelakis
Archaeological Resources Supervisor
Environmental Services

Encs: Plans / Locus Map
Photographs
Archaeological Report (2), site forms, CD w/abstract and citation
Special Provisions

Attachment D

Local Historical Commission Early Coordination Letter

AECOM

AECOM
250 Apollo Drive
Chelmsford, MA 01824
www.aecom.com

978 905 2100 tel
978 905 2101 fax

October 18, 2011

Project Reviewer
Massachusetts Historical Commission
The Massachusetts Archive Building
220 Morrisey Boulevard
Boston, MA 02125

Subject: State Listed Historical or Archeological Sites: Assabet River Rail Trail (ARRT) – Acton and Maynard, MA.

Dear Project Reviewer,

On behalf of MassDOT and the Towns of Acton and Maynard, we are writing to you to seek information relative to a proposed rail trail segment in Acton and Maynard. The project will extend from the Stow/Maynard town line to the South Acton MBTA Commuter Rail station, a total of 16,937 feet (approx. 3.2 miles). An ENF for a separate section of the ARRT (Marlborough and Hudson) was filed with MEPA in 2002 (EEA # 12850).

MassDOT and the towns are requesting correspondence from MHC that indicates whether or not impacts to historic or archaeological resources are anticipated as a result of the proposed project. Attachments are provided to assist in your review. The proposed project does pass through the South Acton Village Historic District, but is not expected to alter the character of the district. In addition to this request for information, MassDOT and the towns will be submitting an Environmental Notification Form (ENF) to the Massachusetts Environmental Policy Act (MEPA) Office at a later date, of which a copy will be forwarded. We request that the MHC review its records relative to the noted location to determine whether construction of the proposed project will have any impact on such resources. If any records are found or concerns raised, please provide us with any available specific information, so that these materials can be incorporated into our planning of the project.

If you have any questions regarding this letter or require additional information, please contact me at 978-905-2181, or at david.derrig@aecom.com. Once you have made your determination, please send an official letter for our records. Thank you for your attention to this matter.

Very truly yours,
AECOM

David P. Derrig, Jr., AICP
Senior Transportation Planner

Attachments:

cc: Michael Papadopoulos, MassDOT
Roland Bartl, Town of Acton
Carolyn Britt, Town of Maynard
Acton Historical Commission
Maynard Historical Commission

Attachment E

Project Plans