



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

HISTORICAL PRESERVATION & HERITAGE COMMISSION

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7 February 2017

Rebecca Reyes-Alicia
NEC Future Program Manager
U.S. DOT Federal Railroad Administration
One Bowling Green, Suite 429
New York, NY 10004-1415

Re: Amtrak NEC Future
Tier 1 Final Environmental Impact Statement

Dear Ms. Reyes-Alicia:

Summary

The Rhode Island Historical Preservation and Heritage Commission (RIHPHC) has reviewed the Tier 1 Final Environmental Impact Statement (FEIS) prepared by the Federal Railroad Administration (FRA) for the Amtrak Northeast Corridor (NEC) Future project. The purpose of NEC Future is to improve and expand rail service along Amtrak's NEC, which extends 457 miles from Washington, D.C. to Boston. As a result of the FEIS, the FRA has selected a "Preferred Alternative." A subsequent Record of Decision (ROD) will identify a "Selected Alternative," which may or may not be identical to the Preferred Alternative. After completion of the ROD, the FRA will prepare a Service Development Plan (SDP) that will "provide the platform for implementing the Selected Alternative."

In our opinion, the implementation of the Selected Alternative is premature. FRA's selection of the Preferred Alternative was based solely on engineering and economic criteria. Environmental and cultural resources were not afforded due consideration during the assessment of the Preferred Alternative. As the FRA is aware, the information presented in the FEIS is insufficient to make informed decisions regarding potential impacts to cultural resources. The FRA acknowledges in the FEIS that the programmatic or "tiered" approach does not provide analysis sufficiently in-depth to provide meaningful environmental decision-making. Since cultural resources were not considered in the selection of the Selected Alternative, the information presented in the FEIS is insufficient to make informed decisions regarding the identification of historic properties and project effects thereon.

In order to comply with NEPA, Section 106 of the National Historic Preservation Act and Section 4(f) of the USDOT Act, subsequent Tier 2 environmental studies must be conducted. These Tier 2 studies will have a more focused analysis and will identify historic properties and assess project effects. Clear, cogent and defensible assessments of alternatives that avoid and minimize potential effects will be essential to the Tier 2 studies. A Programmatic Agreement executed among the RIHPHC, FRA,

Federal Transit Administration, and Advisory Council on Historic Preservation will guide future Tier 2 studies and regulatory compliance.

Project Description

The small-scale maps included in the FEIS preclude a reasonable understanding of proposed improvements. Moreover, fragmentary descriptions of the Preferred Alternative are dispersed throughout the FEIS, defying a reasonable estimation of the extent of project impacts.

The most illustrative information of the Preferred Alternative prepared by the FRA is not actually contained in the FEIS. The FRA developed GIS mapping of project alternatives that were made available to state and federal agencies. It is the RIHPHC's understanding that the FRA did not provide this GIS mapping to the public.

Impacts resulting from the Preferred Alternative are illustrated by the "Representative Route," defined in the FEIS as "the physical footprint used to assess potential effects of an Action Alternative within the Affected Environment." The footprint width of the Representative Route can range from 150-300 feet wide, including rights-of-way. The vertical dimensions of the footprint have yet to be defined.

A major component of the NEC Future project is the Old Saybrook, CT-Kenyon, RI Bypass. This new, two-track segment carrying high-speed rail enters Rhode Island by crossing the Pawcatuck River at Westerly. The new segment is carried through Westerly via a series of trenches, embankments, aerial structures and one tunnel until it meets the existing NEC west of Bradford, a distance of approximately 4.2 miles. The footprint of this portion of the new segment is 150 feet wide.

Through Bradford, the new, high-speed segment and existing, two-track NEC parallel each other for approximately 2.5 miles on an embankment until reaching Burdickville, where the new segment and existing NEC diverge. The footprint of the new segment and existing NEC is generally 200 feet, though the width expands up to 300 feet where the two lines converge/diverge at the east and west ends.

East of Burdickville, the new segment maintains a straight alignment south of the existing NEC for about 6.4 miles and is carried by trenches, embankments, aerial structures, and one tunnel until rejoining the NEC at Kenyon. The footprint width of the new segment and existing NEC is 150 feet.

From Kenyon to the Massachusetts state line, the Representative Route follows the existing NEC and has a footprint width of 150 feet.

Additional track will be added along certain segments of the route. The table below indicates the proposed track configuration of the Preferred Alternative.

From	To	Approximate Distance in miles	Total Number of Track (New Tracks)
Old Saybrook, CT	Kenyon, RI	50	4 (2)
Kenyon, RI	Davisville, RI	14	3 (1)
Davisville, RI	East Greenwich, RI	3	2
East Greenwich, RI	Warwick, RI	4	4 (2)
Warwick, RI	Pawtucket, RI	13	3
Pawtucket, RI	Sharon, MA	6*	4 (2)

Information excerpted from "Table E-1: Track and Construction Type Profile of the Preferred Alternative" (Tier 1 Final EIS, Volume 1, Appendix BB).

*The railroad distance between Pawtucket, RI and Sharon, MA is closer to 22 miles.

Archaeology

The Old Saybrook-Kenyon Bypass traverses areas that are extremely sensitive for archaeological resources. For instance, in several localities, the Bypass passes near and over the Pawcatuck River, which is part of the largest watershed in Rhode Island. Lands surrounding this river and its network of tributaries and wetland complexes are extremely sensitive for ancient Native American sites, some of which could date back thousands of years. Historic archaeological sensitivity must be considered as well. For instance, the new segment cuts through the Historic Village of the Narragansetts, a property listed on the National Register of Historic Places that the FRA did not identify in the FEIS. It also passes to the south of the King Philips War Period (ca. 1675-1676) Great Swamp Fort Site. This fortified Narragansett Indian village was attacked by allied colonial forces on December 19, 1675, and the surrounding swampland, traversed by this new segment, constitutes a theater of battle that may contain National Register-eligible archaeological remains.

Expansion of existing segments must account for archaeological resources as well. For instance, in East Greenwich the existing line passes through areas that are extremely sensitive for Native American archaeological sites oriented to the natural resources of Greenwich Cove. Known sites adjacent to the right-of-way here include the Trafalger and Greenwich Cove Sites, both of which served as places of residence and burial. We also note that numerous historic cemeteries exist in the vicinity of the Preferred Alternative.

A Phase IA archaeological survey needs to be conducted for the entirety of the Preferred Alternative to ascertain its sensitivity for potentially significant archaeological resources. This will be followed by a Phase IB survey, which involves fieldwork to determine the presence or absence of potentially significant archaeological resources within the limits of the identified archaeologically sensitive portions of the Area of Potential Effect (APE). The results of preliminary archaeological surveys will inform our assessment of the need for more in-depth archaeological phases of investigation and will provide information that is essential for this project to carry out its Section 106 responsibilities.

Historic Architecture

The FEIS section on “Cultural Resources and Historic Properties” (Volume 1, Chapter 7.9) included an incomplete overview of architectural resources that may be impacted by the Representative Route. The FRA only identified properties already listed in the National Register of Historic Places (NRHP). With the exception of railroad-related resources, the FRA did not identify properties previously determined eligible for listing in the National Register or properties potentially eligible for the NRHP.

Appendix EE.09 “Cultural Resources” is a tabular summary of NRHP-listed properties that may experience “Environmental Consequences” from the Preferred Alternative. In Rhode Island, the FRA identified 15 historic properties that would experience environmental consequences. Unfortunately, the FEIS is silent on the nature and magnitude of these Environmental Consequences.

Considering that historic property information collected by the FRA was incomplete, the RIHPHC has attached an amended table to this letter that identifies additional historic properties that may experience consequences. This table should not be considered an all-inclusive list of properties listed in, eligible for, or potentially eligible for the NRHP that could experience Environmental Consequences.

Tier 2 studies should define an APE (36 CFR 800.16 (d)) and apply the Criteria of Adverse Effect to historic properties located within the APE (36 CFR 800.5). Tier 2 studies will require further architectural survey. Background research, field survey, architectural assessment and National Register evaluation will be necessary to identify properties more than 50 years of age previously unevaluated for the National Register of Historic Places. The specific scope of the architectural survey will be determined in consultation with the RIHPHC and in accordance with the Programmatic Agreement.

Project Effects

Impacts to historic properties appear to be profound. The Old Saybrook-Kenyon Bypass, in particular, will have an adverse effect on historic properties. The Bypass adds two, high-speed tracks to the existing two-track NEC and places all four tracks on an embankment through the Bradford Historic District in Westerly. The 200-foot wide footprint appears to require the removal of several buildings and irrevocably diminish the integrity of the historic district.

The 150-foot wide bypass cuts a swath through the pre-Revolutionary Amos Green Farm, first on an embankment through the eastern portion of the property then ascending to an “aerial structure” at the western edge. This aerial structure appears to eradicate buildings from the Columbia Heights Historic District. Further east, the aerial structure also appears to remove buildings from the Kenyon Historic District. The Shannock Village Historic District may be spared from consequences posed by the new, high-speed segment but potentially not from improvements to the existing two-track NEC that includes a 150-wide footprint running through the historic district.

While the railroad remains within the existing alignment north of Kenyon, impacts to historic properties are still anticipated. The East Greenwich Historic District, located on both sides of the corridor, appears to bear the brunt of the Representative Route's 150-foot wide footprint. Irreplaceable historic buildings bordering the railroad, especially at King Street, appear to be subsumed within the Representative Route. In Providence, the FEIS notes that Environmental Consequences will occur to the Rhode Island State House, presumably from expansion of Providence Station.

Conclusion

Overall, the FEIS presented a rationale for selecting a Preferred Alternative based mostly on engineering and economic criteria. Impacts to environmental and cultural resources were fleetingly acknowledged and not afforded due consideration in the FRA's decision-making process. Completion of the Tier 1 FEIS is therefore merely the starting point of environmental review and compliance.

In accordance with a Programmatic Agreement executed among the RIHPHC, FRA and Advisory Council on Historic Preservation, the FRA will undertake Tier 2 environmental studies for different segments of the soon-to-be Selected Alternative. These Tier 2 studies will include background research, detailed analysis, and actual field survey to identify historic properties. Most importantly, the Tier 2 studies will include meaningful and transparent consultation with consulting and interested parties. Where impacts to historic properties have been identified, the FRA will need consider alternatives, including alternatives that may not have been previously identified, that avoid or minimize project effects.

The RIHPHC will continue to consult with the FRA under Section 106 of the National Historic Preservation Act to develop a methodology to advance Tier 2 studies and to ensure that the FRA complies with its regulatory obligations and responsibilities. If you have any questions, please contact Glenn Modica, Senior Project Review Coordinator of this office, at glenn.modica@preservation.ri.gov or 401-222-2671.

Very truly yours,



Edward F. Sanderson
Executive Director
State Historic Preservation Officer

cc: Amishi Castelli, FRA
Governor Gina Raimondo
Nancy Hess, RI Division of Planning
Senator Jack Reed
Senator Sheldon Whitehouse
Representative David Cicilline
Representative Jim Langevin
State Senator Dennis Algieri
State Senator Elaine Morgan
State Representative Blake Filippi
Derrik Kennedy, Town Manager, Town of Westerly
Mark S. Stankiewicz, Town Administrator, Town of Charlestown
Karen Pinch, Town Administrator, Town of Richmond
Stephen A. Alfred, Town Manager, Town of South Kingstown
Lynn M. Hawkins, Town Clerk, Town of Exeter
Thomas Mulligan, Acting Town Manager, Town of North Kingstown
Thomas E. Coyle III, Town Manager, Town of East Greenwich
Mayor Scott, Avedisian, City of Warwick
Mayor Allen Fung, City of Cranston
Mayor Jorge Elorza, City of Providence
Mayor Donald R. Grebien, City of Pawtucket
Mayor James Diossa, City of Central Falls
John Brown, THPO, Narragansett Indian Tribe
Bettina Washington, THPO, Wampanoag Tribe of Gay Head-Aquinnah
Ramona Peters, THPO, Mashpee Wampanoag Tribe
Marissa Turnbull, THPO, Mashantucket Pequot Tribal Nation
James Quinn, THPO, Mohegan Tribe of Indians of Connecticut
Carla Ricci, Amos Green Farm

Cultural Resources Potentially Impacted by the Preferred Alternative

Resource Name	NRHP Status	Municipality
Westerly Downtown Historic District	Listed	Westerly
Wilcox Park Historic District	Listed	Westerly
Bradford Village Historic District	Listed	Westerly
Historic Village of the Narragansetts*	Listed	Charlestown
Amos Green Farm*	Potentially Eligible	Charlestown
Columbia Heights Historic District*	Eligible (CDOE)	Charlestown
Shannock Village Historic District	Listed	Charlestown/ Richmond
Kenyon Historic District*	Eligible (DOE)	Richmond
Kingston Railroad Station	Listed	South Kingstown
Lafayette Village Historic District	Listed	North Kingstown
Elizabeth Spring	Listed	Warwick
East Greenwich Historic District	Listed	East Greenwich
Elmwood Historic District	Listed	Providence
College Hill Historic District	NHL	Providence
RI State House	Listed	Providence
Providence Cove Lands Archaeological District (RI-935)	Eligible (DOE)	Providence
Moshassuck Square Historic District	Listed	Providence
Woonasquatucket [Railroad] Bridge	Eligible (DOE; demolished)	Providence
Blackstone Canal Historic District*	Listed	Providence and Pawtucket
Church Hill Industrial District (Boundary Increase)*	Listed	Pawtucket
Pawtucket-Central Falls Railroad Station	Eligible (DOE)	Pawtucket and Central Falls

Note: the table above is not an inclusive list of all properties listed in, eligible for, or potentially eligible for the NRHP that may be impacted by the Preferred Alternative.

*Indicates resource not identified in Appendix EE.09 Cultural Resources of the Tier 1 FEIS

CDOE= Consensus Determination of Eligibility

DOE= Determination of Eligibility

NHL= National Historic Landmark

NRHP=National Register of Historic Places