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December 5, 2022

The Honorable Senator Elizabeth Warren
309 Hart Senate Office Building
Washington, DC 20510
By email and regular mail

The Honorable Senator Edward Markey
255 Dirksen Senate Office Building
Washington, DC 20510
By email and regular mail

RE: Massachusetts Central Rail Trail

Dear Senators Warren and Markey,

I write on behalf of my clients, the Massachusetts Bicycle Coalition. The Massachusetts Central Rail Trail Coalition, the East Quabbin Land Trust and the Rails to Trails Conservancy, with regard to your recent letter to the Surface Transportation Board (STB) dated September 2, 2022. These organizations represent the true parties of interest in the issues raised by a few residents of Sudbury who have failed to disclose to the STB, and perhaps failed to disclose to you, their true agenda in the matter they have raised before the STB.

What this matter, and the protracted litigation before it, before Massachusetts state agencies and state courts, is truly about is the opposition of a small group of Sudbury residents who oppose a bike path near their homes in rural Sudbury. This path, not just a bike path, but more precisely a shared use path, or SUP, also known as a rail to trail conversion, is part of the Massachusetts Central Rail Trail (MCRT), a bike and multi-use trail that, when completed, will extend from Northampton to North Station, in Boston.

The 104 mile MCRT will be the trunk of a network of rail trails that will serve much of the Commonwealth, with 17 recreational trails intersecting the MCRT spine of a recreational rail trail network. The MCRT will also intersect with the [East Coast Greenway](#), which connects a series of off-road bike paths from Calais Maine on the Canadian Border to Key West, a bicycle equivalent to the Appalachian Trail.

Over 53 miles of the 104 miles that will comprise the MCRT path are already completed and have been successfully in use for years as both a recreational path and part of the

Commonwealth's transportation system. These include the 11 mile [Norwottuck Branch Rail Trail](#) at the western end, which runs from Northampton to Belchertown, the Charles River bike path that has been extended from Boston's North Station through Waltham, where construction will soon connect it to the recently opened Weston and Wayland portion of the [Wayside Trail](#).

The MCRT will then continue, as the Wayside Trail, from Wayland, through Sudbury on the 16 mile portion of rail trail to which the petitioners before the STB now object

The MCRT, when completed, will bring significant benefits to the Commonwealth, economically. It will reduce motor vehicle traffic, by providing for fossil fuel free transportation. It will reduce pollution and improve public health. It will also provide a large boost to tourism. Massachusetts ranks sixth nationally as a destination for international visitors, as a destination for international visitors, according to the Massachusetts Office of Travel and Tourism. Many of them are accustomed to bicycle tourism and the completion of the MCRT will expand their touring beyond Boston, the Berkshires and the Cape through the rest of the Commonwealth.

State agencies first envisioned the MCRT in the 1997 [Central Massachusetts Rail Trail Feasibility Study](#), <https://archive.org/details/centralmassachus00lewi/mode/2up>. Yet today, twenty five (25) years later, the MCRT is still not completed because a few opponents who are the literal example of the term NIMBY, not in my backyard, manage to obstruct and delay small pieces of the MCRT in their respective towns. For many years there was local opposition in Weston. After a decades long delay, the Wayside section of the MCRT in both Wayland and Weston is now open. Now it is a small group who claim they want to "protect" Sudbury. A history of the struggle to complete the MCRT can be viewed at <https://tinyurl.com/MCRT-History>

They claim to represent Sudbury. They do not, as the letter to the STB from former Select Board Member Leonard Simon makes clear. They claim the support of the Town of Sudbury, yet the Sudbury town planners advocated for the trail and not only has there been no Select Board vote opposing the trail: the Select Board has consistently supported the portion of the MCRT that traverses Sudbury. They have litigated against the rail trail before the Mass. Energy Facilities Siting Board, Massachusetts Superior Court, Massachusetts Land Court and the Massachusetts Supreme Judicial Court, losing in each forum.

In each of these cases, the self-acclaimed "protectors" of Sudbury failed to disclose that their true agenda was opposition to the portion of the MCRT that would run through Sudbury, or, indeed, to make any mention whatsoever of the MCRT. This is again the case here, as the petitioners have presented their grievance as involving the rerouting of an Eversource powerline.

One reason the MBTA and DCR have agreed to grant Eversource an easement along the rail corridor is that Eversource has agreed to remove hazardous materials along the corridor, from oil waste to the creosote remaining from railroad ties and, in covering the buried power lines, to provide a trail surface ready to be paved. In doing this hazardous waste removal and

surface preparation, Eversource will be providing some 80% of the approximately \$10,000,000 of work required to convert the current trail situs into a paved and finished trail. Indeed, this huge savings to the Commonwealth will allow imminent completion of this portion of the MCRT.

This petition by the self-proclaimed “protectors” of Sudbury is one more effort by a small group of individuals who refuse to accept the findings of the Mass. Energy Facilities Siting Board, the Massachusetts Superior Court and the Massachusetts Supreme Judicial Court, that they are standing in the way of a project that is in the public good. I hope that, upon learning of their hidden agenda, you will withdraw your letter in support of their petition to the STB.

I am sending an email copy as well as a paper original, to facilitate linking to the websites I have cited. If you need any further information or clarification, please contact me.

Sincerely,

Andrew M. Fischer

CC: The Honorable Senator Elizabeth Warren, by email
The Honorable Senator Edward Markey, by email
Craig Della Penna, by email only
Atty. Andrea Furster, Rails to Trails Conservancy, by email only