



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

October 21, 2020

Regulatory Division
File No. NAE-2015-02009

Greg Galer
Executive Director
Boston Preservation Alliance
The Otis House
141 Cambridge Street
Boston, MA 02114
(via email: galer@bostonpreservation.org)

Dear Mr. Galer:

The City of Boston has submitted an application to remove the existing Northern Avenue Bridge structure and Bridge Tender's House over Fort Point Channel and to build a replacement bridge. As the existing bridge was designated as a navigational structure in 1989, the Corps has authority over its removal under Section 10 of the Rivers and Harbors Act, as well as the removal of the Bridge Tender's House. The Corps has authority over the aspects of the replacement bridge work that constitute fill under Section 404 of the Clean Water Act. We have enclosed the Corps' public notice with plans for your review. The Corps is required to consult with the Massachusetts Historical Commission (MHC), Massachusetts Board of Underwater Archaeological Resources (MBUAR), the Mashpee Wampanoag Tribe, the Wampanoag Tribe of Gayhead Aquinnah, and the Narragansett Tribe on potential effects to historic properties related to this undertaking under Section 106 of the National Historic Preservation Act (NHPA). The U.S. Coast Guard (USCG) has primary permitting authority over the replacement bridge and therefore has obligations under Section 106 of the NHPA as well. However, the Corps has agreed to serve as the lead federal agency under Section 106, while the USCG will be a consulting party to the Section 106 process and a signatory to any Memorandum of Agreement (MOA) developed to offset adverse impacts from the proposed project.

In response to our initial Section 106 consultation letters on the proposed project, the MBUAR responded that the project was unlikely to adversely affect submerged cultural resources. The Tribes did not respond within the allotted comment period. The existing Northern Avenue Bridge structure is eligible for listing in the National Register of Historic Places. In addition, the Northern Avenue Bridge and the Bridge Tender's House are listed as contributing resources to the Fort Point Channel Historic District, which is listed in the National Register of Historic Places. Because the Bridge Tender's House is proposed to be demolished and the existing bridge structure is proposed to be removed and replaced with a different type of bridge, the Corps has determined that the project would have an adverse effect on historic properties. We have commenced Section 106 consultation with the MHC and are waiting for concurrence on our adverse effect determination.

Because we have determined that the proposed project would have an adverse effect on historic properties, we anticipate the execution of an MOA to formalize measures to avoid, minimize, and/or mitigate impacts to historic properties. 36 CFR 800.2 allows for “additional consulting parties” to participate in the Section 106 process: “Individuals and organizations with a demonstrated interest in the undertaking may participate as consulting parties due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking’s effects on historic properties.” We are therefore inviting the Boston Preservation Alliance to participate as a consulting party to the Section 106 process on this project.

Please respond to this invitation within 30 days of receipt of this letter and please send a copy of your response to Ms. Brona Simon of the MHC at the address below. If you have any questions in the interim, please contact Ms. Ruthann Brien of my staff at ruthann.a.brien@usace.army.mil or by phone at 978-318-8054.

Sincerely,

Tammy R. Turley
Chief, Regulatory Division

Enclosure

cc:

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

John Eddins, ACHP, jeddins@achp.gov

David Robinson, MBUAR, david.s.robinson@mass.gov

THPO, Mashpee Wampanoag Tribe, 106review@mwtribe-nsn.gov

Bettina Washington, Wampanoag Tribe of Gayhead (Aquinnah), bettina@wampanoagtribe.net

THPO, Naragansett Indian Longhouse, tashtesook@aol.com, dhnthpo@gmail.com

Para Jayasinghe, City of Boston, para.jayasinghe@boston.gov

Thomas Keough, AECOM, thomas.keough@aecom.com

Joseph Allwarden, AECOM, joseph.allwarden@aecom.com