



Town of Chatham

Office of the Selectmen
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September 6, 2012

Ms. Pamela S. Stephenson, Division Administrator
Federal Highway Administration
55 Broadway, 10th Floor
Cambridge, MA 02142

Attn: Ms. Damaris Santiago, Environmental Engineer

RE: Chatham/Mitchell River Bridge
Town Landing Parcel, Section 4(f)

Dear Ms. Stephenson:

I am writing in response to your letter of July 17, 2012 regarding the Town Landing parcel adjacent to the Mitchell River Bridge. The town-owned Mitchell River Bridge is proposed for replacement by the Massachusetts Department of Transportation Highway Division (MassDOT) under the Accelerated Bridge Program.

In your letter, you asked whether the Town Landing parcel, laid out in 1908 in the southeast quadrant of the bridge, is an important recreational resource for the town. Along with a similar path on private property in the northeast quadrant, the Town Landing provides the lone access point to the shellfish resources of the Mitchell River and Mill Pond respectively for commercial and recreational shellfishermen. Shellfishing is a significant recreational activity in Chatham with over 2200 family permits issued in 2011. The Town Landing parcel also provides access for those wishing to use small boats, such as kayaks, in the River, Stage Harbor to the south, and Mill Pond to the north. Therefore, the Landing parcel is a vital recreational as well as commercial resource to the community.

As you note in your letter, the Town Landing is a heavily wooded parcel of 4,252 square feet containing the path to the river as its main feature. The parcel is not actively managed for uses other than the access noted above. While there is no specific management plan for the parcel, it is overseen by Chatham's Director of Coastal Resources, who oversees all of the town landings.

The town's Shellfish Advisory Committee (SAC) has, by unanimous vote and letter to the Board, strongly reiterated the importance of both of the access points. The SAC further advocated that access at both locations must be maintained during, and following, construction. Based on the importance of the parcel to the community in providing access to shellfish resources and other recreational pursuits the Chatham Board of Selectmen (Board) agrees that the parcel is a Section

4(f) recreational resource. The next step is whether a *de minimis* impact determination is the appropriate approval option.

Your letter did not address the private property in the northeast quadrant but the Board of Selectmen concurs with the Shellfish Advisory Committee recommendations regarding this parcel as well. Therefore planning for access for both paths must be part of future discussions.

Following a review of the proposed measures to maintain access described in your letter, and shown on Figure 2, and further discussed with MassDOT staff on 8/21/12 the Board concurs that the activities, features and attributes of the Town Landing that make it important to the town will not be adversely affected by the project. Therefore, the impact would be *de minimis* and the *de minimis* impact determination the appropriate approach.

The Board respectfully requests additional maps of higher quality showing how access on both paths will be maintained during construction and the final plan for reconstruction.

The Board understands that the next step is to review this information in the Environmental Assessment when it is released for public review and provide concurrence at that time that the project will not adversely affect the activities, features, or attributes that make the property a Section 4(f) recreational resource.

If you have any questions, please do not hesitate to contact me. The Town looks forward to working with FHWA and MassDOT on this important project in the Town of Chatham.

Sincerely,

A handwritten signature in cursive script that reads "Florence Seldin".

Florence Seldin, Chairman
Board of Selectmen