

Section 106 Consulting Parties Meeting
Henry Street Bridge Project
In the City of Indianapolis, Marion County, Indiana
June 27, 2022
1:30 pm
WebEx

Attendees:

Name	Organization
Beth McCord	Indiana Department of Natural Resources (IDNR), Division of Historic Preservation & Archaeology (DHPA)--Deputy State Historic Preservation Officer (SHPO)/Archaeology Reviewer
Chad Slider	IDNR,DHPA-SHPO
Mark Dollase	Indiana Landmarks
Emily Jarzen	Indianapolis Historic Preservation Commission (IHPC)
Greg Cafouros	Attorney, 402 Kentucky Ave., LLC
Leiellen Atz	United States Army Corps of Engineers (USACE), Louisville District, Louisville District
Sarah Keller	USACE, Louisville District - Indianapolis Division
Ericka Miller	Indianapolis Department of Public Works (DPW)
Ben Easley	Indianapolis DPW
John Bowen	Indianapolis DPW
Cassie Reiter	CMT
Ryan Pattenaude	Lochmueller
Mary Appel	WSP
George Watson	WSP
Erin Pipkin	Compass Solutions
Linda Weintraut	Weintraut & Associates, Inc. (W&A)
Bethany Natali	W & A

MEETING SUMMARY:

Leiellen Atz, USACE, welcomed attendees and discussed meeting objectives.

The USACE handles regulatory impacts and issues general and individual permits. Federal permits are required under Section 10 of the Rivers and Harbors Act and under Section 404 of the Clean Water Act. There are two types of permits: General and Individual. General permits are project with minimal impacts. Individual permits are for those with more significant impacts or impacts to navigable water (greater than .5 acre).

Section 106 is triggered due to the federal permitting. A historic property is one that is listed in or eligible for listing in the National Register. Federal agencies allow for a program alternative to be substituted for the review process. To implement Section 106, the USACE follows Appendix C of 33 CFR Part 325: "Procedures for the Protection of Historic Properties." Under Appendix C, the USACE is required to take into account the effects on historic properties both within and beyond the waters of the US. Historic

properties are those listed in or eligible for the National Register of Historic Places. Eligible properties are treated the same as properties that are listed.

Appendix C defines the permit area, which is the jurisdictional Waters of the US that would be directly affected by the undertaking and the uplands directly affected as a result of the permitted activity, if they meet the three-part test.

The main difference is that under traditional Section 106, the APE would be determined through consultation, whereas under Appendix C, the USACE regulatory division is entirely responsible for determining the jurisdictional area. Other than that, the USACE follows the “traditional” Section 106 procedures outlined in 36 CFR Part 800.

For the mitigation of adverse effects, the USACE prepares a Memorandum of Agreement (MOA). Mandatory signatories on this document include Federal agencies, SHPO, and the Advisory Council on Historic Preservation (ACHP). The ACHP has declined to participate in this project. The Applicant is also required since they will have responsibility under the MOA.

Project Description

Atz then discussed the proposed Henry Street Bridge project, which is sponsored by the City of Indianapolis (Applicant) and would be a new multi-modal crossing to reduce traffic congestion and to allow for future connectivity to Harding Street. Design plans are conceptual, but the structure would be concrete and will include four piers constructed below the Ordinary High Water Mark (OHWM). In addition, three existing piers associated with the former Oliver Street bridge would be removed. Other impacts include a cofferdam and access routes during construction. These actions require the permit and trigger the Section 106.

Four alternatives and a No Build were considered, but all had impacts or did not meet the project purpose and need.

The Henry Street Permit area includes the bridge and approaches, impacts to water, staging areas, rip rap and coffer dam above the OHWM.

There are two historic properties within the permit area: the National Register-listed Indianapolis Parks & Boulevard System and the National Register-eligible Diamond Chain Company Complex. An additional potential resource is Greenlawn. The burials at Greenlawn were ostensibly relocated prior to the construction of Diamond Chain; however, over the years, there have been accidental discoveries of human remains in the area. The Henry Street area is covered in asphalt. Therefore, an archaeology reconnaissance was not possible [on the east side of the river].

The USACE determined the project would have a direct adverse effect to the Park & Boulevard System and Diamond Chain; however, it was noted that this area had been transformed from the vision of the Parks and Boulevard System. Atz asked if anyone thought the project would not have an adverse effect; no responses were given.

Bridge Design Concepts

George Watson, WSP, presented four conceptual designs for the bridge.

- *Concept 1 – Industrial:* Inspired by the area’s industrial surroundings, with a roadway, pedestrian areas, plazas, and overlooks.
- *Concept 2 – Jumping Water:* Inspired by the White River and its meandering path and nearby arches. A similar split between roadway and pedestrian area as shown in Concept 1, with steel tube-type structures
- *Concept 3 – Jumping Water:* Also inspired by the river and nearby arches, but this one has a larger center span.
- *Concept 4 – Circle City Gateway:* Includes arch type elements perpendicular to the road, taking inspiration from the “Circle City.” Also includes roadway and pedestrian areas, like the other concepts.

These options are nearing the final concepts, but it is still early in the design process. Structural design has not been done and nothing has been detailed, but the team is soliciting feedback.

Mark Dollase, Indiana Landmarks, asked if the concepts have been shared with the developer of the Diamond Chain site or the West side.

Ericka Miller, DPW, said there have been meetings with both entities, with a meeting scheduled this week for feedback. These options will also be shared at a public meeting. When the project began, we did not know about the soccer stadium being developed at Diamond Chain. DPW intends to coordinate with that group. The timelines will be separate. The Henry Street project is tied to the right-of-way – what happens beyond that is not part of the Henry Street project.

Mitigation:

Atz noted this is a different type of project, with a bridge being installed in a district rather than one being removed, and asked for mitigation ideas.

Linda Weintraut, W&A, said that archaeology will occur as part of the project and wondered if that could be considered mitigation for anything that may be encountered.

Atz noted the MOA would need to include stipulations for how to deal with burials that might be encountered; however, this might not be considered mitigation for impacts to the Parks and Boulevard system or Diamond Chain property since the burial ground is not necessarily eligible for the National Register. Beth McCord, IDNR, DHPA-SHPO, agreed that it is not known at this time if the burial ground is a historic property.

Regarding the bridge design, Dollase noted that the first three concepts looked similar to INDOT highway bridges. The fourth option was more intriguing given its connection to the concept of the “Circle City.” There are options for design that could make this concept come alive. Bridges across the White River tend to have an arched substructure, such as the Washington Street bridge. This crossing will have visual prominence, and a goal should be to heighten its design.

Miller thanked Dollase for the comments and noted they would be taken into consideration. There are budgetary restrictions for the bridge, but each drawing is very preliminary; pedestrian amenities and other features will be added as design progresses.

Dollase noted that mitigation for this project is difficult, because of the new construction not dealing with existing resources. An educational opportunity, such as signage on the bridge, or educational/informational resources about the Park & Boulevard System would be an option.

Atz and Weintraut brought up a website or Story Map. A Story Map could focus on Kessler's larger vision for the district, which was just part of recreation, but urban planning as well. Story Maps have been part of the mitigation on other projects that the USACE has done.

Emily Jarzen, IHPC, noted that at one time the land on which the Diamond Chain facility is located was part of the Kessler system. Mitigation that could provide a sense of place, and the opportunity for people to have a more park-like experience would be in keeping with this one-time vision.

Chad Slider, IDNR, DHPA-SHPO, asked if there is a way for the bridge to give a nod to the City Beautiful Movement and that design philosophy.

Miller noted that the bridge will have multi-modal facilities, but there are some budget restraints.

Weintraut added that the bridge cannot have arches due to the hydraulics and the zero surcharge requirement from DNR for piers in the White River.

Dollase asked if there is a way to spend mitigation funds on enhancing the natural landscape/environment around the bridge? Additional wetland plantings, plant material that would enhance the setting.

Jarzen agreed with that option and also added that places to sit and engage with the river would be desirable. In other parts of the city, there is a disconnected feeling from the river.

Slider agreed with an option of include a more ecologically functional setting.

Sarah Keller, USACE, said that there are some restrictions due to levees so there would have to be dedicated green spaces on both sides of the water. Pollinator habitats are becoming popular in urban environments, due to the monarch butterfly.

Weintraut said there are space limitations and DNR mitigation items that will be needed. There is some information about the historical plantings that W&A has found as part of the research.

Miller was open to the concept, but agreed there are limitations due to the levee.

Dollase said he was also open to the pollinators and asked if mitigation funds be used to fund wetlands. There is a push to enhance the White River in Indianapolis and other areas.

Keller said her position was in favor of the ecological enhancement of urban waters, which have often been used as sewers (e.g., Pogue's Run).

Cassie Reiter, CMT, said the City is looking for locations for mitigation; these discussions are ongoing. One alternative is the "in lieu fee," where the money goes to putting wetlands in a large area that is monitored or maintained, but it may not be along the White River.

Atz and Keller said that mitigation needs to be within the Parks & Boulevard System.

Dollase agreed and noted that the benefits should be in the area in or near where this project is taking place.

Slider also agreed and added that the mitigation needs to be for the cultural resource.

Dollase asked if an alternate mitigation be a landscaping/tree planting plan for another part of the Park & Boulevard System? Slider agreed that would be appropriate, if it was kept to the system.

Some coordination will need to occur with the Parks Department.

Dollase asked if the City had a climate change officer. Miller said there are staff members in policy and planning that work on that, and those individuals can be added to the conversation.

Slider said the first priority, would be closer to the project area rather than farther away, especially with respect to the neighborhoods in the area. As much as possible, it would be good if mitigation can happen within the same neighborhood. People fish up and down the river. A goal would be mitigation that would make people in the neighborhood feel the project works for them too.

Next Steps:

- USACE will touch base with Indy Parks (Don Colvin, Andre Denman)
- A very general MOA will be sent for comment
- Another meeting will be held after the draft MOA