

106 SUCCESS STORY

Expressway Halted and Historic Waterfront Community Thrives

Fells Point, Baltimore, Maryland



THE STORY

Fells Point was one of three early 18th century communities that became Baltimore Town in 1773. Situated on the deep waters of the Patapsco River, Fells Point became a thriving trade center and shipyard. Fells Point shipyards built some of the first ships for the U.S. Navy and later the frigate USS *Constellation*, sister ship of the USS *Constitution*. In the early 19th century, Fells Point became known for producing the famous Baltimore clippers—fast, agile ships that were used for commerce as well as privateering during the War of 1812. It continued as a shipbuilding center until the Civil War. Due to its waterfront location, Fells Point was also a major port of entry for European immigrants to the United States. Many stayed to work in the shipyards, warehouses, and factories. With its wealth of 18th and 19th century residential, commercial, and industrial buildings, in 1969 Fells Point became Maryland's first historic district listed in the National Register of Historic Places.

THE PROJECT

In the mid-1960s, transportation planners proposed an east-west expressway along the Fells Point waterfront that would connect I-83 in the center of Baltimore with I-95 to the east, one of the final components of Maryland's interstate highway construction. The six-lane elevated highway called for clearance of a two-block wide swath through the Fells Point historic district and imperiled two National Historic Landmarks—the Phoenix Shot Tower and the Star Spangled Banner Flag House—and more than two dozen National Register properties.

THE 106 PROCESS

The Federal Highway Administration (FHWA) was the federal agency providing funding for the project and responsible for conducting the Section 106 process under the

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“The Road Fight was about protecting Baltimore neighborhoods—Fells Point, Federal Hill, and Rosemount from a proposed 16-lane highway. Stopping that road saved these dynamic communities for today’s families to live, work, play, and worship. It was the second Battle for Baltimore. It was about more than architectural preservation, old houses, and cobblestone streets. It was and remains about community preservation and standing up for our homes, our neighborhoods, our history, and our children.”

— U.S. SENATOR BARBARA
MIKULSKI

Representing Maryland in Congress
since 1976

Photos: Above, highway redesign through the Section 106 process avoided impacts on the Phoenix Shot Tower NHL; Right, Fells Point waterfront (photos courtesy Wikitravel)

National Historic Preservation Act (NHPA). Section 106 requires that federal agencies assess the effects of the projects they carry out, fund, or permit on historic properties. Federal agencies also are required to consult with parties that have an interest in the fate of the property when adverse effects are likely to ensue.

In the early 1970s, strong opposition to the proposed highway that would entail extensive demolition in Fells Point resulted in community activists introducing anti-road ordinances and filing environmental lawsuits to stop the project. Local preservationists enlisted the cooperation of the Maryland State Historic Preservation Officer (SHPO) in their effort to persuade the highway planners at the Interstate Division for Baltimore City (IDBC), the FHWA grantee for the project, to seek an alternative. With condemnation looming, the SHPO made grants through Maryland's Historic Preservation Fund allocation to restore historic properties within the proposed highway corridor.

Consultation commenced under the initial 1973 procedures developed by the Advisory Council on Historic Preservation (ACHP) to implement Section 106. These procedures established the framework for interaction among the federal agency (FHWA), the IDBC, SHPO, Society for the Preservation of Fells Point and Federal Hill, and the ACHP. Failure to reach agreement on a solution led to termination of the consultation process, based on the SHPO's finding that the project's impacts to the historic properties would be devastating. In early 1977, the full membership of the ACHP considered the project. After hosting a public session in Baltimore, the ACHP provided its formal comments to the Secretary of the Department of Transportation. The ACHP found that alternatives to the elevated expressway existed and asked for further evaluation by FHWA.

Following a second round of formal ACHP comments, which called on FHWA to explore an at-grade solution to meet the transportation need, a renewed consultation process led to abandonment of the elevated highway and the development of an urban boulevard in the vicinity of Fells Point. The proposed demolition within the historic district was dropped.

THE SUCCESS

The redesign of the highway project in conformance with the ACHP's comments spared Fells Point from destruction by the proposed highway improvements. Today, the historic district has been transformed from a declining part of the city to a vibrant neighborhood with an influx of new residents, rehabilitation of waterfront industrial structures for residences and retail establishments, and extensive investment in new construction.

The Fells Point case also served as an early test of the Section 106 process as embodied in the ACHP's new procedures. Though the road was rocky, the consultative framework involving project proponents, stakeholders, preservation agencies, and the public produced a successful preservation outcome that met transportation needs. The basic elements of that process continue to be the heart of the Section 106 process as the NHPA approaches its 50th anniversary.



Pride of Baltimore II sails the sea showcasing its history as a reproduction 1812-era topsail schooner privateer. (photo courtesy U.S. Coast Guard)

Consulting Parties:

Federal Highway Administration
ACHP
Maryland State Historic
Preservation Officer
Interstate Division for Baltimore
City
Society for the Preservation of Fells
Point and Federal Hill

For more about Section 106
and the ACHP go to
www.achp.gov

ADVISORY COUNCIL ON HISTORIC PRESERVATION
401 F Street NW, Suite 308, Washington DC 20001
Phone: 202-517-0200 • Fax: 202-517-6381 • achp@achp.gov • www.achp.gov



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