

Congress of the United States

Washington, DC 20515

January 27, 2023

Jamey L. Tesler
Acting Secretary of Transportation
Massachusetts Department of Transportation
10 Park Plaza, Suite 4160
Boston, MA 02116

Dear Secretary Tesler:

We are writing regarding the need for the Massachusetts Department of Transportation (MassDOT) to act quickly to take the steps necessary to obtain funding for the Cape Cod Bridges project.

The Bourne and the Sagamore Bridges are vital assets for the Cape Cod economy and surrounding communities, and serve as the gateway to Cape Cod for more than 260,000 Cape and Islands residents and roughly 5 million visitors annually.¹ Built in 1935, the bridges “changed the relationship between the Cape and the rest of Massachusetts.”² With more than 35 million vehicles crossing the canal each year, the bridges are the sole access point for vehicular traffic to and from Cape Cod and serve as essential routes for general transportation, tourism, and evacuations in case of an emergency. However, the current bridges are nearly 90 years old, functionally obsolete, and require increasingly costly maintenance.³ The bridges’ structural deficiencies present a risk to the accessibility and economic stability of the Cape Cod region.

The U.S. Army Corps of Engineers (USACE), MassDOT, and other stakeholders have partnered to develop a plan to replace both the Bourne and Sagamore Bridges and the highway approaches to the bridges.⁴ The project will lead to contemporary bridges that vastly improve travel

¹ Cape Cod Times, “Sagamore, Bourne bridges have brought prosperity, loyalty and now worries to Cape Cod,” Asad Jung, May 27, 2022, <https://www.capecodtimes.com/story/news/2022/05/27/cape-cod-canal-bridges-brought-prosperity-loyalty-worries/9688301002/>; WGBH, “Federal funding for Cape Cod bridges project denied a second time,” Bob Seay, January 5, 2023, <https://www.wgbh.org/news/local-news/2023/01/05/federal-funding-for-cape-cod-bridges-project-denied-a-second-time>.

² Massachusetts Department of Transportation, “History of the canal and bridges,” <https://www.mass.gov/info-details/history-of-the-canal-and-bridges>.

³ U.S. Army Corps of Engineers, “Cape Cod Canal Highway Bridges Bourne, Massachusetts, Major Rehabilitation Evaluation Report,” November 9, 2018, <https://www.nae.usace.army.mil/Portals/74/docs/Topics/Cape%20Cod%20Canal%20Bridges/Reports/MRERAppendixF.pdf>; WGBH, “Federal funding for Cape Cod bridges project denied a second time,” Bob Seay, January 5, 2023, <https://www.wgbh.org/news/local-news/2023/01/05/federal-funding-for-cape-cod-bridges-project-denied-a-second-time>.

⁴ Massachusetts Department of Transportation, “Memorandum of Understanding Reached Between MassDOT and the U.S. Army Corps of Engineers Regarding Bourne and Sagamore Bridges,” press release, July 7, 2020, <https://www.mass.gov/news/memorandum-of-understanding-reached-between-massdot-and-the-us-army-corps-of-engineers-regarding-bourne-and-sagamore-bridges>.

conditions, meet modern safety standards for vehicle and pedestrian traffic, and provide significantly improved multimodal travel.

We have been advocating for federal funding for this project for the last decade and have worked to push federal agencies to the table to ensure collaboration. We negotiated on the *Infrastructure Investment and Jobs Act* (the Bipartisan Infrastructure Law) with the Cape Cod bridges in mind. This legislation provided USACE with \$17.1 billion in new funding – including \$11.6 billion for new construction – and more than \$9 billion in formula funds for Massachusetts.⁵ In the 14 months since it was signed into law by President Biden, we have advocated with the White House, the federal Department of Transportation (USDOT), and other federal agencies to ensure this project is a priority.

Largely due to our efforts, the Biden administration in December 2022 awarded Massachusetts a \$1.6 million planning grant for the bridges project, signaling their strong commitment to this critical infrastructure need.⁶ But MassDOT retains significant responsibility for the planning and grant process needed to obtain significant funding for the project through the USDOT. We are deeply disappointed that these efforts were unsuccessful during the previous administration.

The Cape Cod Bridges replacement is exactly the type of project that the Bipartisan Infrastructure Law was designed to fund, and is a key to modernizing Massachusetts' physical infrastructure to meet the economic, social, and environmental challenges of the 21st century. MassDOT and USACE failed to obtain construction funding for the project through the first significant funding opportunities: the Infrastructure for Rebuilding America (INFRA) Grant, in September 2022⁷ and DOT's Bridge Investment Program (BIP) in December 2022.⁸

The Cape Cod Bridges replacement project has so far failed in a grant process where 30 different projects throughout the nation have received billions of dollars in funding.⁹ Although USACE

⁵ U.S. Army Corps of Engineers, "Additional Army Civil Works Studies, Projects and Programs to Be Accomplished with Bipartisan Infrastructure Law Funding," press release, March 20, 2022, <https://www.usace.army.mil/Media/News/NewsSearch/Article/2982769/additional-army-civil-works-studies-projects-and-programs-to-be-accomplished-wi/>; Boston Globe, "Massachusetts is poised to receive \$9 billion from Biden's infrastructure bill. Here's where it's going," Neya Thanikachalam and Taylor Dolven, November 15, 2021, <https://www.bostonglobe.com/2021/11/15/nation/infrastructure-bill-signed-by-biden-allocates-least-9-billion-massachusetts-transportation-advocates-have-ideas-how-spend-it/>.

⁶ U.S. Department of Transportation, "Biden-Harris Administration Announces \$2.1 Billion to Improve Four Nationally Significant Bridges Through the Bipartisan Infrastructure Law's First Large Bridge Grants," press release, January 4, 2023, <https://www.transportation.gov/briefing-room/biden-harris-administration-announces-21-billion-improve-four-nationally-significant>.

⁷ Commonwealth Magazine, "Mass. misses on one bid for Cape bridge replacement," Chris Lisinski, September 24, 2022, <https://commonwealthmagazine.org/transportation/mass-misses-on-one-bid-for-cape-bridge-replacement/>.

⁸ WGBH, "Federal funding for Cape Cod bridges project denied a second time," Bob Seay, January 5, 2023, <https://www.wgbh.org/news/local-news/2023/01/05/federal-funding-for-cape-cod-bridges-project-denied-a-second-time>.

⁹ U.S. Department of Transportation, "Biden-Harris Administration Announces \$1.5 Billion from the Bipartisan Infrastructure Law for 26 Transportation Projects Nationwide," press release, September 15, 2022, <https://www.transportation.gov/briefing-room/biden-harris-administration-announces-15-billion-bipartisan-infrastructure-law-26> (announcing 26 projects receiving INFRA grants); U.S. Department of Transportation, "Biden-Harris Administration Announces \$2.1 Billion to Improve Four Nationally Significant Bridges Through the Bipartisan Infrastructure Law's First Large Bridge Grants," January 4, 2023,

owns and is responsible for the bridges, MassDOT has known for years that the bridges must be replaced¹⁰ -- and there is a clear responsibility for it to coordinate with USACE and other relevant parties and put forth a competitive application for federal funding that clearly outlines a plan to replace the bridges. This significant failure has major implications for the Commonwealth's economy and quality of life.

Moving forward, it is imperative that MassDOT accelerate and better coordinate in order to secure funding for this bridges project. Moreover, as part of the continued planning process, we hope MassDOT and USACE can bolster public engagement efforts with concerned stakeholders and communities, especially with the host community of Bourne. For Bourne and the neighboring communities, the Cape Cod Bridges are inseparable from their daily life, providing access to work, school, shopping centers, and medical care. The construction of the new bridges will affect nearly every aspect of these towns' community and local economy, making it imperative that they have adequate voice and attention in the construction planning process. We are hopeful that under the leadership of Governor Maura Healey and Lt. Governor Kim Driscoll, your agency can make a fresh start and execute this project with the urgency and vision it demands. To be clear, USACE bears responsibility with MassDOT for this grant process and must strengthen its own efforts to clearly identify its funding mechanisms, and we are working with USACE, the Office of Management and Budget, and other federal entities to explore all possible options. We will continue to do our part in Washington on behalf of the Commonwealth, but MassDOT must also do its part to submit a more competitive application in the next round of federal funding.

Time is of the essence to avoid missing out on any further funding options.

We remain fully committed to working with federal, state, and local partners until Cape Cod residents get the safe, secure public infrastructure they deserve. Thank you for your attention to this important matter. We look forward to your response.

Sincerely,



Elizabeth Warren
United States Senator



Edward J. Markey
United States Senator



William R. Keating
Member of Congress

<https://www.transportation.gov/briefing-room/biden-harris-administration-announces-21-billion-improve-four-nationally-significant> (announcing four projects receiving Bridge Investment Program grants).

¹⁰ CBS News, "MassDOT request for federal money to rebuild Cape bridges denied," Michael Norton, January 5, 2023, <https://www.cbsnews.com/boston/news/cape-cod-sagamore-bourne-bridges-replacement-money-rejected/>.