**NATIONWIDE PROGRAMMATIC SECTION 4(f) EVALUATION**

**For INDEPENDENT BIKEWAY OR WALKWAY CONSTRUCTION PROJECTS**

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| **Project #** | **xxxxx** | **Date: xx/xx/xxxx** |
| **PCN:** | **xxxxx** |  |
| **Project Name:** | **xxxxx** |  |
| **Location:** | **xxxxx** |  |

**NOTE:** *Any response in a shaded box will require additional information, and MAY result in an individual evaluation/statement. Consult the “Nationwide” Section 4(f) Evaluation procedures.*

**USE:** This programmatic Section 4(f) evaluation has been prepared for projects which improve existing highways and use minor amounts of land (including non-historic improvements thereon) from historic sites that are adjacent to existing highways. This programmatic Section 4(f) evaluation does not apply to the construction of a highway on a new location. This programmatic Section 4(f) evaluation satisfies the requirements of Section 4(f) for all projects that meet the applicability criteria listed below.

**APPLICABILITY YES NO**

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| 1. | Is the proposed project designed to improve the operational characteristics, safety, and/or physical condition of existing highway facilities on essentially the same alignment? This includes the following:   1. "4R" work (resurfacing, restoration, rehabilitation, and reconstruction) 2. Safety improvements, such as shoulder widening and the correction of substandard curves and intersections 3. Traffic operation improvements, such as signalization, channelization, and turning or climbing lanes 4. Bicycle and pedestrian facilities 5. Bridge replacement on essentially the same alignment 6. Construction of additional lanes   Indicate applicable category in the response box. |  |  |
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| 2. | Is the historic site involved located adjacent to the existing highway? |  |  |
| 3. | Does the project require the removal or alteration of historic buildings, structures or objects on the historic site? |  |  |
| 4a. | Does the project require the disturbance or removal of archeological resources that are important to preserve in place rather than to remove for archeological research? |  |  |
| 4b. | Was the determination of the importance to preserve in place based on consultation with the State Historic Preservation Officer (SHPO) and, if appropriate, the Advisory Council on Historic Preservation (ACHP)? |  |  |
| 5. | Is the impact on the Section 4(f) site resulting from the use of the land considered minor? The word minor is narrowly defined as having either a "no effect" or "no adverse effect" (when applying the requirements of Section 106 of the National Historic Preservation Act and 36 CFR Part 800) on the qualities which qualified the site for listing or eligibility on the National Register of Historic Places. The ACHP must not object to the determination of "no adverse effect." |  |  |
| 6. | Has SHPO agreed in writing with the assessment of impacts of the proposed project on and the proposed mitigation for the historic sites? |  |  |
| 7. | Does the project require the preparation of an environmental impact statement (EIS)? |  |  |

**ALTERNATIVES AND FINDINGS YES NO**

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| 1. | The **“Do-Nothing” Alternative** has been evaluated, and is not  considered to be feasible and prudent because:   1. it would not correct existing or projected capacity deficiencies; or 2. it would not correct existing safety hazards; or 3. it would not correct existing deteriorated conditions and maintenance problems; and 4. not providing such correction would constitute a cost or community impact of extraordinary magnitude, or would result in truly unusual or unique problems, when compared with the proposed use of the Section 4(f) lands. |  |  |
| 2. | An alternative has been evaluated **which improves the highway without using adjacent 4(f) lands**, and is not considered to be feasible and prudent to avoid Section 4(f) lands by using engineering design or transportation system management techniques such as minor location shifts, changes in engineering design standards, use of retaining walls and/or other structures and traffic diversions or other traffic management measures because implementing such measures would result in:   1. substantial adverse community impacts to adjacent homes, businesses or other improved properties; or 2. substantially increased transportation facility or structure cost; or 3. unique engineering, traffic, maintenance, or safety problems; or 4. substantial adverse social, economic, or environmental impacts; or 5. e. the project not meeting identified transportation needs; and 6. the impacts, costs, or problems would be truly unusual or unique, or of extraordinary magnitude when compared with the proposed use of Section 4(f) lands.   Flexibility in the application of American Association of State Highway and Transportation Officials (AASHTO) geometric standards should be exercised, as permitted in 23 CFR 625, during the analysis of this alternative. |  |  |
| 3. | An alternative has been evaluated **on a new location avoiding the 4(f) site**, and is not considered to be feasible and prudent because:   1. the new location would not solve existing transportation, safety, or maintenance problems; or 2. the new location would result in substantial adverse social, economic, or environmental impacts (including such impacts as extensive severing of productive farmlands, displacement of a substantial number of families or businesses, serious disruption of established patterns, substantial damage to wetlands or other sensitive natural areas, or greater impacts to other Section 4(f) lands; or 3. the new location would substantially increase costs or engineering difficulties (such as an inability to achieve minimum design standards, or to meet the requirements of various permitting agencies such as those involved with navigation, pollution, or the environment); and 4. such problems, impacts, costs, or difficulties would be truly unusual or unique, or of extraordinary magnitude when compared with the proposed use of Section 4(f) lands.   Flexibility in the application of AASHTO geometric standards should be exercised, as permitted in 23 CFR 625, during the analysis of this alternative. |  |  |

**MEASURES TO MINIMIZE HARM YES NO**

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| This Nationwide Programmatic Section 4(f) Evaluation and approval may be used only for projects where the FHWA Division Representative, in accordance with this evaluation, ensures that the proposed action includes all possible planning to minimize harm. Measures to minimize harm will consist of those measures necessary to preserve the historic integrity of the site. | | | |
| 1. | Has an agreement been reached among the SHPO or THPO, ACHP, and FHWA through the Section 106 process of the NHPA and 36 CFR 800 on measures to minimize harm and have those measures been incorporated into the project?  SHPO/THPO  ACHP  FHWA Division Representative |  | |
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**COORDINATION** **YES NO**

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| 1. | Has the proposed project been coordinated with the Federal, State, and/or local officials having jurisdiction over the Section 4(f) lands and concurrence in writing been given?  List all applicable officials: |  |  |
| 2. | For historic sites encumbered with Federal interests, has coordination with the official with jurisdiction occurred and concurrence in writing been given? |  |  |
| 3. | Does the proposed project require an individual bridge permit from the US Coast Guard and has coordination occurred? |  |  |

**APPROVAL PROCEDURE** **YES NO**

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| This programmatic Section 4(f) approval applies only after the FHWA Division Representative has: | |  | |
| 1. | Determined that the project meets the applicability criteria set forth above; |  |  |
| 2. | Determined that all of the alternatives set forth in the Findings section have been fully evaluated; |  |  |
| 3. | Determined that the findings in this document (which conclude that the alternative recommended is the only feasible and prudent alternative) are clearly applicable to the project; |  |  |
| 4. | Determined that the project complies with the Measures to Minimize Harm section of this document; |  |  |
| 5. | Determined that the coordination called for in this programmatic evaluation has been successfully completed; |  |  |
| 6. | Assured that the measures to minimize harm will be incorporated into the project; and |  |  |
| 7. | Documented the project file clearly identifying the basis for the above determinations and assurances. |  |  |

**SUMMARY AND APPROVAL**

The proposed action meets all criteria regarding the required Alternatives, Findings, and Measures to Minimize Harm, which will be incorporated into this proposed project. This proposed project therefore complies with the December 23, 1986 Programmatic Section 4(f) Evaluation by the U.S. Department of Transportation’s Federal Highway Administration. This approval is made Pursuant to Section 4(f) of the Department of Transportation Act of 1966, 49 U.S.C. 303, Section 18(a) of the Federal-Aid Highway Act of 1968, 23 U.S.C. 138, and 23 CFR 774.

**Approved: Date:**

FHWA Representative