

This document is guidance on how to complete the Section 4(f) Decision Process form for Historic Sites. This document will aid in determining the Section 4(f) applicability for each archaeology site, historic bridge or property, etc. One form should be completed for each property within the project area. *Text in blue indicates information the NEPA Manager will provide. Text in red indicates information the Project Sponsor/LPA will need to provide.* Some samples have been provided in the note section for common situations. However, this should be completed using project impacts and results from SHPO consultation.

County: <i>County</i> Project Code: <i>Project Code</i> Phase Number: <i>Phase Number</i> Location: <i>Document Title</i>	NEPA Classification: <i>NEPA Classification</i> NEPA Project Type: <i>Project Type</i> NEPA ID: <i>NEPA ID</i>
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**Site Name Site ID/Inventory ID**

*Provide a location map in relation to the project area (and indicate the areas of impact)*

Historic Site: <i>Site Name</i> Type of Site: <i>Historic District, Monument, Archaeological Site, etc.</i> Survey Date: <i>Survey Date</i> Site Eligibility: <i>Listed, Eligible, or Potentially Eligible</i> National Register Criteria: <i>NRHP criteria</i>	Type of Impact? <i>Temporary, Permanent, No Impact</i> Outcome: <i>Avoid, Rehab, Preserve, etc.</i> Notes: <i>Insert any notes</i>
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Section 4(f)	Result	Note
<b>Step 1: is it 4(f)?</b>	<i>Yes/no</i>	<p><i>Enter justification to support the answer to step 1.</i></p> <p><i>The historic property is 4(f) if it is listed or eligible for the National Register of Historic Places.</i></p> <p><i>Sample: The Black Hawk Bridge over the Mississippi River, on IA 9/WI 82, was determined to be eligible for the NRHP under both Criteria A and Criteria C. It was constructed over a 3-year period from 1929-1931.</i></p> <p><b>Do you concur?</b></p>
<b>Step 2: Is there a use of the 4(f) Property?</b>	<i>Yes/no</i>	<p><i>Enter justification to support the answer to step 2.</i></p> <p><i>The following would be considered a <u>use</u>:</i></p> <ol style="list-style-type: none"> <li><i>1. When land is permanently incorporated into a transportation facility.</i></li> </ol>

		<ol style="list-style-type: none"><li>2. <i>When there is a temporary occupancy of land that is adverse in terms of the statute's preservation purpose as determined by the criteria in § 774.13(d).</i></li><li>3. <i>There is a use when the 4(f) property is within a temporary easement but will sustain permanent adverse physical impacts.</i></li><li>4. <i>When there is a constructive use of a Section 4(f) property as determined by the criteria in § 774.15. Examples of a constructive use are significant noise impacts, aesthetic impacts, reduced access, vibration impact, and ecological intrusion.</i></li><li>5. <i>What is the use of historic properties? If the impact would not substantially impair the historic integrity of a historic site or district, it is not automatically a 4(f) use. Determinations of substantial impairment should be made in consultation with SHPO.</i></li><li>6. <i>Archaeological resources that are important chiefly because of what can be learned by data recovery and have minimal value for preservation in place are not 4(f).</i></li></ol> <p><i>There is <b>not a use</b> when the 4(f) property is within a temporary easement if the use duration is temporary, no change in ownership, the scope of work is minor, there are no anticipated permanent adverse physical impacts, property is returned to a condition at least as good as it was previously, and there is documented agreement from the officials with jurisdiction.</i></p> <p><i>Sample (use): The bridge is proposed to be demolished and replaced with a new bridge. The bridge has been made available for donation and letters were sent out to groups who may have an interest in preserving the bridge (in its current location or at a new one) on August 9<sup>th</sup>, 2020.</i></p> <p><i>Sample (no use): The proposed bridge will be built adjacent to the existing historic bridge. The proposed bridge will not impact the historic integrity or contributing features to its eligibility on the NRHP.</i></p> <p><b>Do you concur?</b></p>
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<b>Step 3: Can the 4(f) Property be avoided?</b>	<i>Yes/no</i>	<p><i>Enter justification to support the answer to step 3.</i></p> <p><i>23 CFR 774.3 (a)(1)(i) – There is no feasible and prudent alternative to the use of land from the property; and</i></p> <ol style="list-style-type: none"> <li><i>1. A feasible alternative is one that can be designed to engineering standards and that meets the purpose and need of the project.</i></li> <li><i>2. A prudent alternative is one that does not present unique problems, have unusual factors or that the cost, social, economic, or environmental impacts do not reach extraordinary magnitudes.</i></li> </ol> <p><i>Sample (can't be avoided): A bypass alternative was investigated and determined that it would not result in a No Adverse Effect as the preferred alternative could not be built while leaving the current structure in place; nor can the bridge be dismantled and moved while maintaining the historic integrity of the structure.</i></p> <p><i>Sample (can be avoided): If the answer is yes, go to step 5 and answer no use.</i></p> <p><b>Do you concur?</b></p>
<b>Step 4: Can the impacts to the 4(f) property be minimized?</b>	<i>Yes/no</i>	<p><i>Enter justification to support the answer to step 4.</i></p> <p><i>23 CFR 774.3 (a)(2) – The action includes all possible planning to minimize harm to the property resulting from such use.</i></p> <ol style="list-style-type: none"> <li><i>1. Minimizing harm can include design features that reduce ROW needs such as curb and gutters instead of open ditch sections.</i></li> <li><i>2. After measures to minimize harm have been determined, they should be incorporated into a mitigation plan.</i></li> </ol> <p><i>Sample (can't be minimized): A bypass alternative was investigated and determined that it would not result in a No Adverse Effect as the preferred alternative could not be built while leaving the current structure in place; nor can the bridge be dismantled and moved while maintaining the historic integrity of the structure. (This would be a Step 5: Programmatic Historic Bridge example)</i></p>

		<i>Sample (can be minimized): Impacts to the historic bridge were minimized through rehabilitation efforts aimed at preserving the historic characteristics and integrity to the extent possible. (This would be a Step 5: de minimis or 774.13(a) example)</i>  <b>Do you concur?</b>
<b>Step 5: What documentation is needed?</b>	<ol style="list-style-type: none"><li>1. 774.13(a) - Historic transportation facilities</li><li>2. 774.13(b) - Archaeology Site</li><li>3. 774.13(c) - Late Development</li><li>4. de minimis</li><li>5. Programmatic Historic Bridge</li><li>6. Programmatic Minor use of a Historic Property</li></ol>	<b>Do you concur?</b>