

**U.S. Department of Transportation
Federal Highway Administration**

**Programmatic Section 4(f) Evaluation and Approval for
FHWA Projects that Necessitate the Use of Historic Bridges**

This statement sets forth the basis for a programmatic Section 4(f) approval that there are no feasible and prudent alternatives to the use of certain historic bridge structures to be replaced or rehabilitated with Federal funds and that the projects include all possible planning to minimize harm resulting from such use. This approval is made Pursuant to Section 4(f) of the Department of Transportation Act of 1966, 49 U.S.C. 303, and Section 18(a) of the Federal-Aid Highway Act of 1968 23 U.S.C. 138.

Use

The historic bridges covered by this programmatic Section 4(f) evaluation are unique because they are historic, yet also part of either a Federal-aid highway system or a State or local highway system that has continued to evolve over the years. Even though these structures are on or eligible for inclusion on the National Register of Historic Places, they must perform as an integral part of a modern transportation system. When they do not or cannot, they must be rehabilitated or replaced in order to assure public safety while maintaining system continuity and integrity. For the purpose of this programmatic Section 4(f) evaluation, a proposed action will "use" a bridge that is on or eligible for inclusion on the National Register of Historic Places when the action will impair the historic integrity of the bridge either by rehabilitation or demolition. Rehabilitation that does not impair the historic integrity of the bridge as determined by procedures implementing the national Historic Preservation Act of 1966, as amended (FHWA), is not subject to Section 4(f).

Applicability

This programmatic Section 4(f) evaluation may be applied by the Federal Highway Administration (FHWA) to projects which meet the following criteria:

1. The bridge is to be replaced or rehabilitated with Federal funds.
2. The project will require the use of a historic bridge structure which is on or is eligible for listing on the National Register of Historic Places.
3. The bridge is not a National Historic Landmark.

4. The FHWA Division Administrator determines that the facts of the project match those set forth in the sections of this document labeled Alternatives, Findings, and Mitigation.
5. Agreement among the FHWA, the State Historic Preservation Officer (SHPO), and the Advisory Council on Historic Preservation (ACHP) has been reached through procedures pursuant to Section 106 of the NHPA.

Alternatives

The following alternatives avoid any use of the historic bridge:

1. Do nothing
2. Build a new structure at a different location without affecting the historic integrity of the old bridge, as determined by procedures implementing the NHPA.
3. Rehabilitate the historic bridge without affecting the historic integrity of the structure, as determined by procedures implementing the NHPA.

This list is intended to be all-inclusive. The programmatic Section 4(f) evaluation does not apply if a reasonable alternative is identified that is not discussed in this document. The project record must clearly demonstrate that each of the above alternatives was fully evaluated and it must further demonstrate that all applicability criteria listed above were met before the FHWA Division Administrator concluded that the programmatic Section 4(f) evaluation applied to the project.

Findings

In order for this programmatic Section 4(f) evaluation to be applied to a project, each of the following findings must be supported by the circumstances, studies, and consultations on the project:

1. *Do Nothing*

The do nothing alternative has been studied. The do nothing alternative ignores the basic transportation need. For the following reasons this alternative is not feasible and prudent:

- a. *Maintenance* - The do nothing alternative does not correct the situation that causes the bridge to be considered structurally deficient or deteriorated. These

deficiencies can lead to sudden collapse and potential injury or loss of life. Normal maintenance is not considered adequate to cope with the situation.

- b. *Safety* - The do nothing alternative does not correct the situation that causes the bridge to be considered deficient. Because of these deficiencies the bridge poses serious and unacceptable safety hazards to the traveling public or places intolerable restriction on transport and travel.

2. **Build on New Location Without Using the Old Bridge**

Investigations have been conducted to construct a bridge on a new location or parallel to the old bridge (allowing for a one-way couplet), but, for one or more of the following reasons, this alternative is not feasible and prudent:

- a. *Terrain* - The present bridge structure has already been located at the only feasible and prudent site, i.e., a gap in the land form, the narrowest point of the river canyon, etc. To build a new bridge at another site will result in extraordinary bridge and approach engineering and construction difficulty or costs or extraordinary disruption to established traffic patterns.
- b. *Adverse Social, Economic, or Environmental Effects* - Building a new bridge away from the present site would result in social, economic, or environmental impact of extraordinary magnitude. Such impacts as extensive severing of productive farmlands, displacement of a significant number of families or businesses, serious disruption of established travel patterns, and access and damage to wetlands may individually or cumulatively weigh heavily against relocation to a new site.
- c. *Engineering and Economy* - Where difficulty associated with the new location is less extreme than those encountered above, a new site would not be feasible and prudent where cost and engineering difficulties reach extraordinary magnitude. Factors supporting this conclusion include significantly increased roadway and structure costs, serious foundation problems, or extreme difficulty in reaching the new site with construction equipment. Additional design and safety factors to be considered include an ability to achieve minimum design standards or to meet requirements of various permitting agencies such as those involved with navigation, pollution, and the environment.
- d. *Preservation of Old Bridge* - It is not feasible and prudent to preserve the existing bridge, even if a new bridge were to be built at a new location. This

could occur when the historic bridge is beyond rehabilitation for a transportation or an alternative use, when no responsible party can be located to maintain and preserve the bridge, or when a permitting authority, such as the Coast Guard requires removal or demolition of the old bridge.

3. *Rehabilitation Without Affect on the historic Integrity Rehabilitation Without Affect on the historic Integrity of the Bridge.* Studies have been conducted of Studies have been conducted of rehabilitation measures, but, rehabilitation measures, but, for one or more of the for one or more of the following reasons, following reasons, this alternative is not feasible and this alternative is not feasible and prudent: prudent:
 - a. The bridge is so structurally deficient that it cannot be rehabilitated to meet minimum acceptable load requirements without affecting the historic integrity of the bridge.
 - b. The bridge is seriously deficient geometrically and cannot be widened to meet the minimum required capacity of the highway system on which it is located without affecting the historic integrity of the bridge. Flexibility in the application of the American Association of State Highway and Transportation Officials geometric standards should be exercised as permitted in 23 CFR Part 625 during the analysis of this alternative.

Measures to Minimize Harm

This programmatic Section 4(f) evaluation and approval may be used only for projects where the FHWA Division Administrator, in accordance with this evaluation, ensures that the proposed action includes all possible planning to minimize harm. This has occurred when:

1. For bridges that are to be rehabilitated, the historic integrity of the bridge is preserved, to the greatest extent possible, consistent with unavoidable transportation needs, safety, and load requirements;
2. For bridges that are to be rehabilitated to the point that the historic integrity is affected or that are to be moved or demolished, the FHWA ensures that, in accordance with the Historic American Engineering Record (HAER) standards, or other suitable means developed through consultation, fully adequate records are made of the bridge;
3. For bridges that are to be replaced, the existing bridge is made available for an alternative use, provided a responsible party agrees to maintain and preserve the bridge; and

4. For bridges that are adversely affected, agreement among the SHPO, ACHP, and FHWA is reached through the Section 106 process of the NHPA on measures to minimize harm and those measures are incorporated into the project. This programmatic Section 4(f) evaluation does not apply to projects where such an agreement cannot be reached.

Procedures

This programmatic Section 4(f) evaluation applies only when the FHWA Division Administrator:

1. Determines that the project meets the applicability criteria set forth above;
2. Determines that all of the alternatives set forth in the Findings section have been fully evaluated;
3. Determines that use of the findings in this document that there are no feasible and prudent alternatives to the use of the historic bridge is clearly applicable;
4. Determines that the project complies with the Measures to Minimize Harm section of this document;
5. Assures that implementation of the measures to minimize harm is completed; and
6. Documents the project file that the programmatic Section 4(f) evaluation applies to the project on which it is to be used.

Coordination

Pursuant to Section 4(f), this statement has been coordinated with the Departments of the Interior, Agriculture, and Housing and Urban Development.

Issued on: July 5, 1983

Approved: /Original Signed By/ Ali F. Sevin, Director Office of
Environmental Policy Federal Highway Administration

**PROGRAMMATIC SECTION 4(F) EVALUATION
FOR THE USE OF HISTORIC BRIDGES
~Maryland Division~
APPLICABILITY CHECKLIST**

Federal Project Number _____ - _____ - _____
Maryland Project Number _____
County _____ Route _____

Description of Project (p.____) _____

Description of 4(f) Resource (p.____) _____

Description of Project Taking From and Effect on 4(f) Resource (p.____)

GENERAL CRITERIA

YES NO

1. Is the bridge listed on or eligible for inclusion on the National Register of Historic Places?

2. Is the bridge a National Historic Landmark?

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3. Has the SHPO and ACHP agreed, in writing, with the assessment of impacts and the proposed mitigation?

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4. Does the project require the preparation of an EIS?

ALTERNATIVES CONSIDERED

Indicate where appropriate supporting information is found in the document

1. The do nothing alternative has been evaluated and is considered not to be feasible and prudent because it does not correct structural deficiencies or unacceptable safety hazards (p.____).

2. An alternative on new location avoiding the historic bridge has been evaluated and is considered not to be feasible and prudent (p.____).

3. An alternative has been evaluated which rehabilitates the historic bridge without affecting the historic integrity of the structures and it is considered not to be feasible and prudent because of serious structural deficiencies, or unacceptable geometric deficiencies (p.____).

MINIMIZATION OF HARM

YES

NO

The project includes all possible planning to minimize harm, including (circle below those that apply) (p.____):

1. For bridges that are to be rehabilitated, the historic integrity of the bridge is to be preserved.

2. For bridges that are to be rehabilitated to the point that historic integrity is affected or that are to be moved or demolished, the bridges will be recorded in accordance with the Historic American Engineering Record (HAER) prior to any work.

3. For bridges to be replaced, the existing bridge has been made available for an alternative use with the responsible party agreeing to maintain and preserve the bridge.

4. For bridges that are adversely affected, an agreement has been reached between the SHPO, ACHP, and the FHWA on the measures to minimize harm.

COORDINATION

1. The proposed project has been coordinated with the following:

a. SHPO (p.____)

b. ACHP (p.____)

c. Local historic groups (p.____)

NOTE: Any response in a box requires additional information prior to approval. Consult Nationwide 4(f) Evaluation.

The attached document satisfies the criteria of the Nationwide Section 4(f) Evaluation and Approval for Federally Aided Highway Projects that Necessitate the Use of Historic Bridges, dated July 5, 1983. (Federal Register, Vol. 48, No. 163, August 22, 1983, pp. 38139-40)

Recommended _____ **Date** _____
Area Engineer/Environmental Specialist

APPROVED _____ **Date** _____
Environmental Program Manager, MD Division