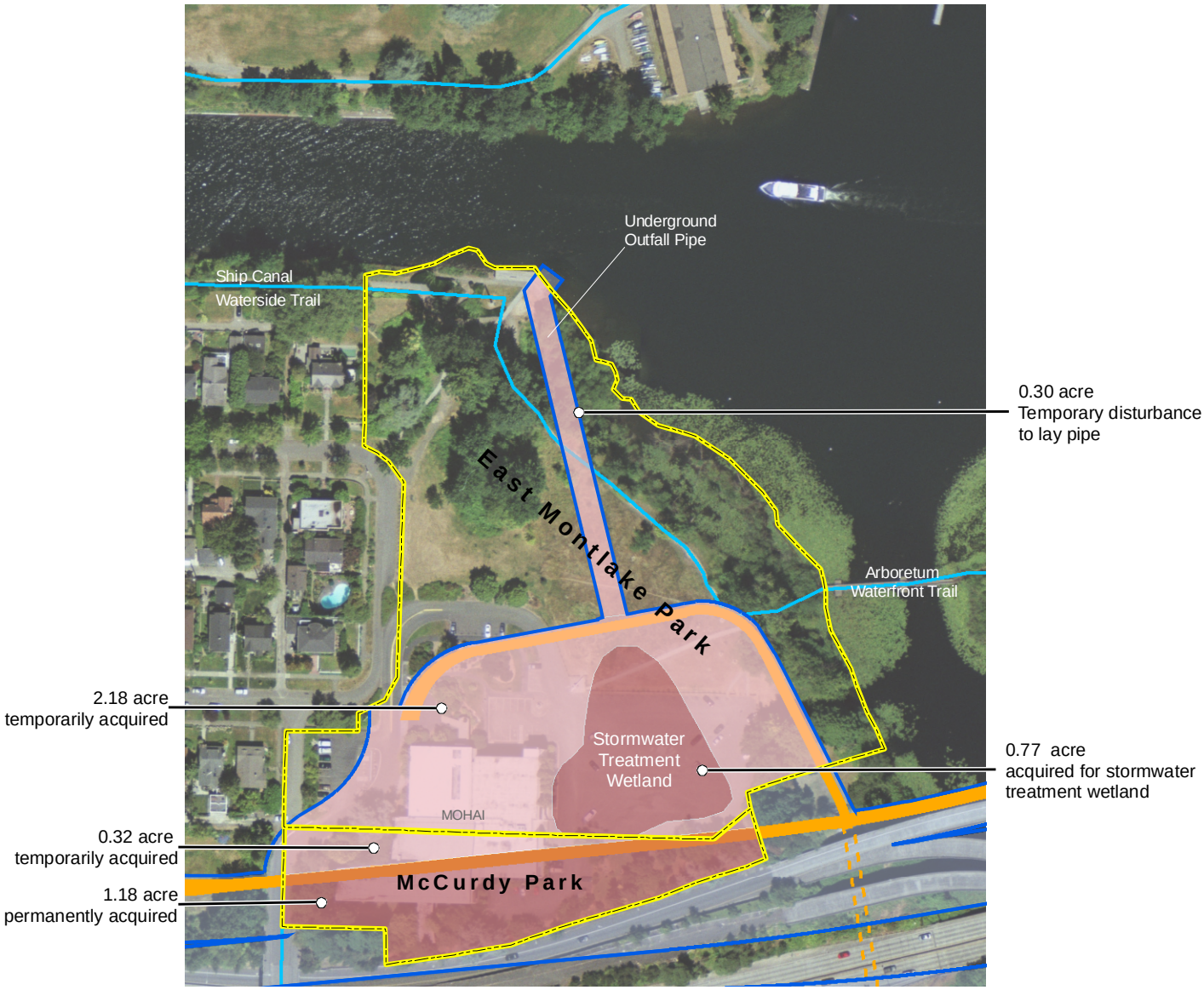

Second Montlake Bridge Option

- Park property line
- Limits of construction
- Area to be acquired (permanently)
- Area to be acquired (temporarily)
- Existing Trail/Bicycle Path

Proposed Bicycle/Pedestrian Path

- Bicycle/Pedestrian Path
- Path Under Roadway

N

0 100 200 Feet

Exhibit 11. **Project Effects on McCurdy and East Montlake Parks for the Second Montlake Bridge Options**

SR 520 Bridge Replacement and HOV Project

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pipeline from the stormwater treatment wetland to an existing outfall on the Ship Canal would be laid through East Montlake Park. Open trench excavation would be used, resulting in the removal of mature trees and other vegetation along the pipe alignment. The pipe would cross under the Arboretum Waterfront Trail and require the periodic temporary

closure of the trail during construction. Access to the northeast portion of the park surrounding the pipeline alignment would likely be closed for safety purposes and, in combination with the use of the stormwater treatment wetland, the only area of the park that would be easily accessible during construction would be the northwest corner. As previously noted, the existing 100-car parking lot would be removed to construct the proposed stormwater treatment wetland, and access to the canoe and kayak launch point would temporarily be denied. As a result, the temporary occupancy of East Montlake Park would constitute a use according to Section 4(f) regulations.

University of Washington East Campus Bicycle Route

Direct Effects

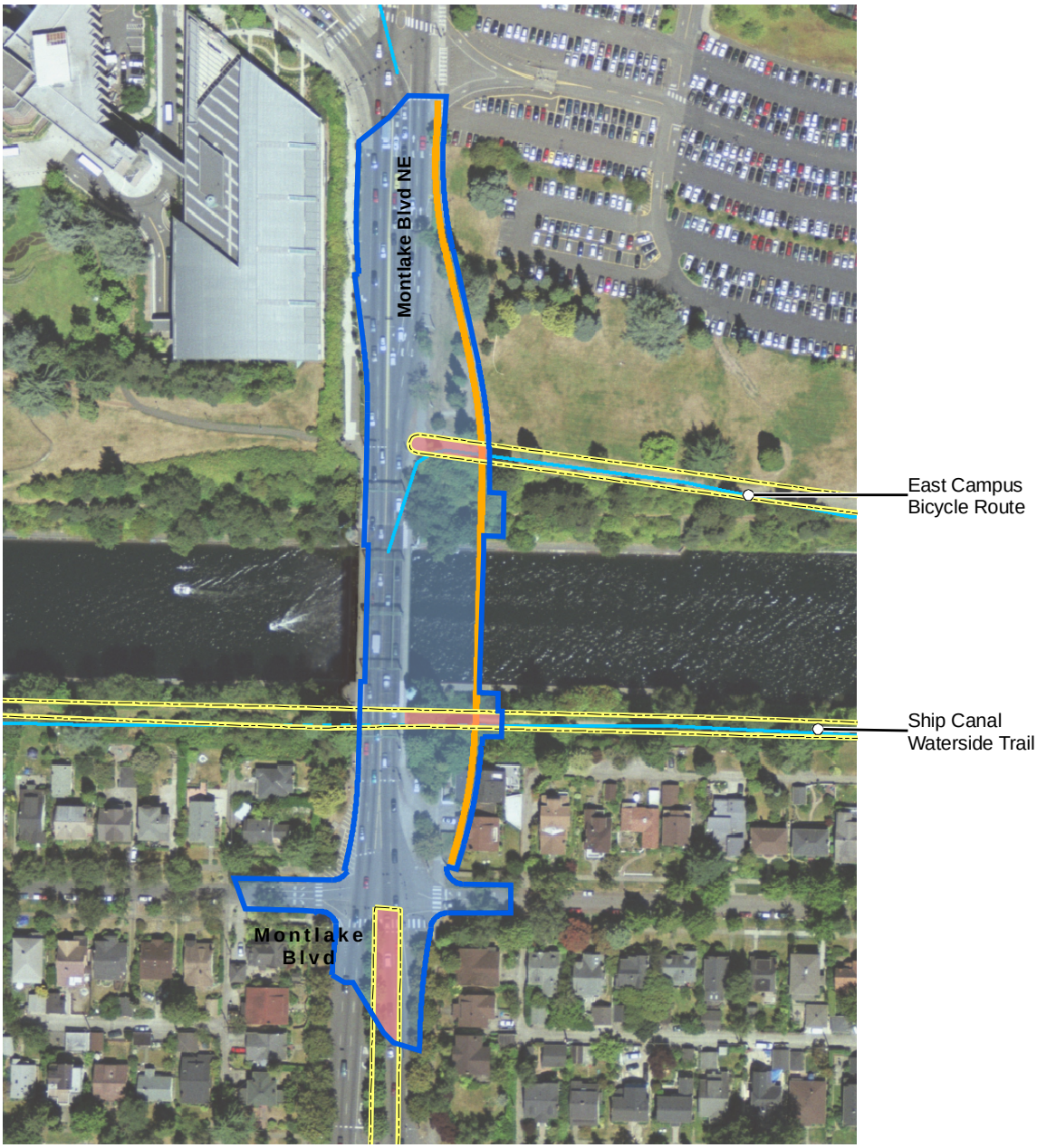
The Second Montlake Bridge option would require the permanent closure of the most western 100 feet of the University of Washington East Campus Bicycle route as it approaches Montlake Boulevard (Exhibit 12). This effect would result from the construction of the northern touch-down structure for the proposed second bridge over the Montlake Cut. Trail users would no longer be able to use this trail to connect between the eastern edge of the University of Washington campus and the Montlake Bike Path. The trail would need to be realigned to ensure its continued use and allow access to Montlake Boulevard. The existing vegetation surrounding that portion of the trail to be closed would also need to be removed.

Proximity Effects

The trail's continued use under this option would depend on realignment to access Montlake Boulevard. It is unlikely that the existing trail would experience proximity effects.

Construction Effects

At the beginning of construction of this option, the trail would be closed and users would be detoured to another path.



Second Montlake Bridge Option

Park boundary line

Limits of construction

Area to be acquired

Existing Trail/Bicycle Path

Trail/Bicycle Path

Path Under Roadway

Proposed Bicycle/Pedestrian Path

Bicycle/Pedestrian Path

N

0 100 200 Feet

Exhibit 12. **Project Effects on the Ship Canal Waterside Trail and University of Washington Southeast Campus—Second Montlake Bridge Option**

SR 520 Bridge Replacement and HOV Project

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Ship Canal Waterside Trail

Proximity Effects

The Second Montlake Bridge option would result in the removal of existing mature trees and other vegetation along an approximately 100-foot-long section of the trail that would be directly beneath the new bridge (Exhibit 12). In addition, the new bridge would cover and shade approximately 100 feet of the trail. The character of that section of the Ship Canal Waterside Trail could change, but the effects would not be so severe as to substantially impair the attributes or the continued use of the trail.

Construction Effects

During construction of this option, the Ship Canal Waterside Trail would be subject to periodic, temporary closures. During these closures, trail users would be prevented from using the trail and would be detoured around the limits of construction. Because the duration of these closures would be brief and the trail would be accessible between closures and after construction, this temporary occupancy would not constitute a use of the facility.

How would the Second Montlake Bridge option affect Section 4(f) historic properties?

The Second Montlake Bridge option would not alter the original 6-Lane Alternative in either the Lake Washington or the Eastside project areas. Therefore, this section only assesses the potential effects of the option in the Seattle project area. This option would have many of the same effects on historic resources in the Seattle study area as the original 6-Lane Alternative. It would not differ from the original 6-Lane Alternative in its effects on the NOAA Northwest Fisheries Science Center and MOHAI, both of which would experience a use. The differences between this option and the original 6-Lane Alternative are described below.

Proposed Montlake Historic District

Direct Effects

As noted above, this option would have the same direct effects on the NOAA Northwest Fisheries Science Center and MOHAI as the original 6-Lane Alternative, resulting in a use of both of these properties. It would also entail the removal of two additional houses (2904 and 2908 Montlake Boulevard East), both contributing elements to the proposed Montlake Historic District. It would also remove a swath of mature trees and shrubs along Montlake Boulevard, affecting the physical setting of the district.

Proximity Effects

In the proposed Montlake Historic District north of SR 520, this option would result in a slight but noticeable increase in peak-hour traffic noise of 3 dBA at areas closer to Montlake Boulevard due to extra travel lanes and increased speeds. The removal of two residential structures on the east side of Montlake Boulevard at East Shelby Street (2904 and 2908 Montlake Boulevard East) would also result in increased noise at residences on East Shelby Street previously shielded by these two buildings. (For more information on noise effects for this option, see the *Addendum to Noise Discipline Report*.)

The Second Montlake Bridge option would have a greater visual effect on the proposed Montlake Historic District than the original 6-Lane Alternative because the addition of a new bridge alongside the existing Montlake Bridge would alter the setting of the neighborhood and add a second span across the Montlake Cut. (For more information on visual effects under this option, see *Addendum to Visual Quality and Aesthetics Discipline Report.*) However, these proximity effects would not substantially impair important features or other significant attributes of the NRHP-eligible, proposed Montlake Historic District.

Construction Effects

General construction-related effects to the proposed Montlake Historic District described in the *Section 4(f) Evaluation* would also apply to the Second Montlake Bridge option. The area closer to the bridge would experience greater construction effects under this option than under the original 6-Lane Alternative.

Washington Park Arboretum

The study area includes a portion of the Arboretum, which is considered a historic resource, although the whole of the Arboretum has not been listed or formally determined eligible for listing in the NRHP. For effects to the Arboretum, see the Washington Park Arboretum subsection in the *How would the Second Montlake Bridge option use Section 4(f) parks and recreation facilities?* section.

Canoe House

Proximity Effects

The Second Montlake Bridge option would have a visual effect on the NRHP-listed Canoe House, which now has a clear view of the historic Montlake Bridge. This view would be obscured by a new bridge placed on the east side of the existing one. Noise at this site would be expected to increase due to more traffic on the bridges. However, these proximity effects are not expected to result in substantial impairment of the resource.

Construction Effects

There would be no construction-related effects to the Canoe House under this option.

Montlake Cut

Proximity Effects

The Second Montlake Bridge option would have a greater visual effect on the NRHP-listed Montlake Cut than the original 6-Lane Alternative because adding a new bridge alongside the existing Montlake Bridge would alter the setting of the cut. Noise would be expected to increase due to the increased traffic on the bridges. However, these effects are not expected to be so severe that activities along the cut and its current attributes would be substantially impaired.

Construction Effects

General construction-related effects described for the Montlake Cut under the original 6-Lane Alternative in the *Section 4(f) Evaluation* would also apply to this option. In addition, access through the cut may be temporarily impaired during some periods of construction. However, any impairments would be relatively brief and the cut would be fully operational during and after construction.

Montlake Bridge

Proximity Effects

The Second Montlake Bridge option would have a greater visual effect on the NRHP-listed Montlake Bridge than the original 6-Lane Alternative because the addition of a new bridge alongside the existing Montlake Bridge would alter the setting and feeling of the historic bridge. Noise levels at this resource would be expected to increase due to greater traffic. However, given the existing urban context of the area, the visual effect is not expected to be so severe that the bridge's attributes would be substantially impaired. The bridge would remain uniquely visible, with its two ornate towers that rise more than 100 feet above the water.

Construction Effects

General construction-related effects described in the *Section 4(f) Evaluation* would also apply to this option and may be greater due to the immediately adjacent construction. However, any impairments would be relatively brief and the bridge would be fully operational during and after construction.

How would the South Kirkland Park-and-Ride Transit Access – 108th Avenue Northeast option affect Section 4(f) parks and recreational facilities?

This option would not alter the original 6-Lane Alternative in either the Seattle or the Lake Washington project areas. Therefore, this section only assesses the potential effects of the option in the Eastside project area.

This option would not differ from the original 6-Lane Alternative in its effects on Eastside project area parks and recreational facilities.

How would the South Kirkland Park-and-Ride Transit Access – 108th Avenue Northeast option affect Section 4(f) historic properties?

This option would not alter the original 6-Lane Alternative in either the Seattle or the Lake Washington project areas. Therefore, this section only assesses the potential effects of the option in the Eastside project area.

This option would not differ from the original 6-Lane Alternative in its effects on Eastside project area historic resources.

How would the options affect Section 6(f) properties?

The *Section 4(f) Evaluation* contained a section on Section 6(f). That section in its entirety is incorporated by reference in this addendum.

No new Section 6(f) properties would be affected by the options under consideration. The Arboretum Waterfront Trail, identified in the *Section 4(f) Evaluation*, would be the only affected Section 6(f) property.

The effects of the Second Montlake Bridge option on the Arboretum Waterfront Trail would be similar to those described with the original 6-Lane Alternative. The effects of the 6 Lanes with Pacific Street Interchange option on this trail would likely be greater than those envisioned with the original 6-Lane Alternative. The roadway would intrude farther onto Foster Island and over the previously unaffected Marsh Island. The interchange would be 80 feet above the trail and the new Union Bay Bridge would be 100 feet above the trail on Marsh Island. The result would be a change in the character of the trail and an adverse effect on the overall recreational experience.

As noted in the *Section 4(f) Evaluation*, construction of the project would require periodic, temporary closures of the Arboretum Waterfront Trail. These closures, however, are not anticipated to be longer than 180 consecutive days, and thus no conversion to non-recreational use is anticipated.

How will FHWA determine effects on Section 4(f) properties?

Section 4(f) requires that, if a use is identified to a protected property, an analysis must be performed to identify feasible and prudent alternatives to avoid that use. If a feasible and prudent avoidance alternative is available, it must be selected.

Congress recently revised the existing Section 4(f) legislation to simplify the 4(f) process for some transportation projects. Under this new legislation, an analysis of alternatives that would avoid Section 4(f) properties is not required and the Section 4(f) evaluation process is complete for a property if FHWA determines that the project results in *de minimis* (i.e. minor) impacts to the property (see attachment for more details). For historic resources, this determination is made in compliance with the consultation process outlined in Section 106 of the National Historic Preservation Act (16 USC 470(f)). For parks, recreation areas, and wildlife refuges, the determination is made after public notice and opportunity for public review and comment and concurrence from the officials with jurisdiction over the property.

A de minimis impact finding is made on a property by property basis. FHWA can rely on mitigation in making a de minimis impact finding. FHWA and WSDOT plan to consider the applicability of the de minimis provision on all of the Section 4(f) properties within the project area. The properties in Seattle most likely to qualify include Bagley Viewpoint, East Montlake Park, the Burke-Gilman Trail, the East Campus Bicycle Trail and the Montlake Historic District.

If appropriate, the FHWA Division Administrator will make a de minimis finding based upon impact avoidance, minimization, and mitigation or enhancement measures that are included in the project to address the impacts and adverse effects on the section 4(f) resource. This finding would be made with the concurrence of the officials responsible for the protection of the property, such as officials from Seattle Department of Parks and Recreation.

If FHWA determines that the impacts to any of the Section 4(f) properties are not "de minimis" and an analysis of avoidance alternatives is required, a new Section 4(f) evaluation called the "net benefit" programmatic Section 4(f) evaluation may apply (see attachment for more detail). For the net benefit programmatic, a key

consideration is the condition of the property if it is avoided. If the property already suffers from some degree of impairment, such as damaged features or facilities, poor access, bad location, or drainage problems, avoiding the property would leave those conditions in place, whereas use of the property with careful attention to mitigation measures could result in a "net benefit". As the programmatic evaluation states, a "net benefit" is achieved when the transportation use, the measures to minimize harm, and the mitigation incorporated into the project result in an overall enhancement of the Section 4(f) property when compared to both the future No Build or avoidance alternatives and the present condition of the Section 4(f) property. FHWA would make this determination after considering the activities, features and attributes that qualify the property for Section 4(f) protection. A project does not achieve a "net benefit" if it will substantially diminish the functions or values that made the property eligible for Section 4(f) protection.

To complete the Section 4(f) process, FHWA will ensure that the preferred alternative is a feasible and prudent alternative with the least harm on the Section 4(f) properties after considering mitigation to the Section 4(f) properties. As part of its evaluation, FHWA will consult with the jurisdictions that own the affected parks about park effects and with the State Historic Preservation Officer about effects to historic properties. This analysis will be included in the Final Section 4(f) Evaluation that will be circulated with the Final EIS.

Section 4(f) Evaluation and Approval for Transportation Projects that Have a Net Benefit to a Section 4(f) Property

In 2005, FHWA developed a nationwide programmatic Section 4(f) evaluation for certain federally assisted transportation improvement projects on existing or new alignments that will use property of a Section 4(f) park, recreation area, wildlife or waterfowl refuge, or historic property, which in the view of the Administration and officials(s) with jurisdiction over the Section 4(f) property, the use of the Section 4(f) property will result in a net benefit to the Section 4(f) property. See also http://environment.fhwa.dot.gov/projdev/4fnetbenefits.asp

Are there feasible and prudent alternatives that would avoid use of the Section 4(f) properties?

As described in the *Section 4(f) Evaluation*, a number of alternatives that would avoid the SR 520 corridor, including other corridors, operational changes, and other travel modes, were evaluated and eventually dropped from further consideration because they did not meet the proposed project's purpose and need, would result in low

transportation effectiveness, or would cause substantial adverse environmental effects.

In addition to these broader alternatives, design options have been considered that would have the potential to avoid use of specific protected properties. The *Section 4(f) Evaluation* examined alternatives to avoid use of Bagley Viewpoint, McCurdy and East Montlake parks, the Washington Park Arboretum, and the proposed Montlake Historic District and concluded that those alternatives considered would not be feasible and/or prudent. The following discussion focuses on the use of Section 4(f) properties affected by the options addressed in this addendum and whether there are feasible and prudent alternatives to that use.

6 Lanes with Pacific Street Interchange Option

McCurdy and East Montlake Parks

As noted in the *Section 4(f) Evaluation*, shifting the highway alignment farther south under this option would avoid effects to these parks and the Arboretum Waterfront Trail. However, a southern shift is not considered prudent because of the extraordinary community disruption and relocation costs of an extraordinary magnitude.

Washington Park Arboretum

Again, as noted in the *Section 4(f) Evaluation*, shifting the highway alignment to the south would simply affect more of the park; shifting to the north would cause unacceptable and severe adverse environmental effects (to Marsh and Foster Island, Portage Bay, and East Montlake Park), extraordinary community disruption (the northern part of the NRHP-eligible Montlake Historic District), and additional construction costs of an extraordinary magnitude.

University of Washington Waterfront Activities Center

Effects to the operation of the WAC and, specifically, the canoe launching docks, could be avoided if one of the 20′x20′ support columns for the proposed Union Bay Bridge could be relocated farther offshore or farther upland.

Burke-Gilman Trail

Acquisition of a small portion of trail right-of-way could be avoided by shifting the alignment of Montlake Boulevard to the east at specific locations along the trail.

Proposed Montlake Historic District

As noted in the *Section 4(f) Evaluation*, shifting the highway alignment to the north could avoid a use of the NOAA Northwest Fisheries Science Center, but would cause extraordinary community disruption, affecting the northern part of the NRHP-eligible, proposed Montlake Historic District and adding construction costs of an extraordinary magnitude. There are no prudent and feasible alternatives that would avoid the demolition of MOHAI.

Second Montlake Bridge Option

McCurdy and East Montlake Parks

Similar to the original 6-Lane Alternative and the 6 Lanes with Pacific Street Interchange option, there are no feasible and prudent alternatives to the use of park property.

University of Washington East Campus Bicycle Route

There are no feasible and prudent alternatives to the use of this property under the Second Montlake Bridge option. Relocating the proposed second Montlake bridge would affect other historic properties and potentially cause greater effects. Locating the second bridge on the west side of the existing bridge would cause effects to other historic resources as well as extraordinary community disruption caused by effects to the University of Washington Medical Center.

Proposed Montlake Historic District

Similar to the original 6-Lane Alternative and the 6 Lanes with Pacific Street Interchange option, there are no feasible and prudent alternatives to the use of property within the proposed Montlake Historic District under the Second Montlake Bridge option. Relocating the proposed second Montlake bridge would affect other historic properties within the district and potentially cause greater effects. Locating the second bridge on the west side of the existing bridge would cause effects to

other historic resources as well as extraordinary community disruption caused by effects to the University of Washington Medical Center.

Montlake Bridge

Locating the proposed second Montlake bridge further away from the existing bridge could lessen the effects on the historic bridge. However, as noted above, relocating the proposed site would affect other historic properties within the proposed Montlake Historic District and potentially cause greater effects.

What measures have been included in the project to minimize harm to Section 4(f) properties?

Because of the density of development and the proximity of other sensitive features within the project area, it would not be possible to avoid effects on Section 4(f) properties. By incorporating the following measures and features into the design of the project, effects would be minimized:

- Under the original 6-Lane Alternative and the Second Montlake Bridge option, the new Lake Washington Boulevard west-to-south off-ramp and north-to-east on-ramp would be located close together within the existing WSDOT right-of-way to minimize visual effects on the Arboretum.
- Under the 6-Lane Alternative and the Second Montlake Bridge option, the new ramps and mainline structures near the Washington Park Arboretum, while elevated, were designed to be below the existing tree line to minimize adverse visual effects. In addition, these structures would be designed to reduce their visual bulk.
- Under the 6-Lane Alternative and all options, the proposed sound walls would substantially reduce noise levels at sensitive receptors adjacent to the highway, including most parks and recreational facilities and historic properties.
- Under the 6 Lanes with Pacific Street Interchange and Second Montlake Bridge options, removing the Montlake Freeway Transit Stop would reduce the width of the SR 520 footprint and minimize

property acquisition in the NRHP-eligible, proposed Montlake Historic District.

- Under the original 6-Lane Alternative and all options, the existing curves in the alignment would be retained in the Montlake area. The more efficient, straight-line alternative was not selected in order to avoid existing structures and minimize property acquisition and displacements.
- Under the original 6-Lane Alternative and all options, 500-foot-long lids have been designed to cover SR 520 at 10th Avenue East and Delmar Drive East, Montlake Boulevard, Evergreen Point Road, 84th Avenue Northeast, and 92nd Avenue Northeast. These lids would be landscaped, thereby providing a new green space in each of these areas, reuniting the communities on either side of SR 520 , and allowing enhanced pedestrian access across SR 520. The landscaped lids would also help to minimize the visual effect of the increased size of SR 520 under the original 6-Lane Alternative.
- Under the 6 Lanes with Pacific Street Interchange option, the new Union Bay Bridge structure would be located to avoid the WAC and the Canoe House.

What measures are proposed to mitigate for unavoidable use of Section 4(f) properties?

Regarding the use of Section 4(f) properties, the mitigation measures proposed in the *Section 4(f) Evaluation* related to the original 6-Lane Alternative are still considered applicable. One of the measures proposed is to create a land bank from land within the current WSDOT right-of-way in the vicinity of the Washington Park Arboretum. In addition to the almost 13 acres of available land identified in the *Section 4(f) Evaluation*, additional "land bank" property could be made available in the southwest and northeast quadrants of the existing Montlake Boulevard interchange under the 6 Lanes with Pacific Street Interchange option as a result of the closure of the existing interchange.

In the spring of 2005 (and since the preparation of the *Section 4(f) Evaluation*), representatives of the Seattle Parks and Recreation Department, the University of Washington, the Arboretum Foundation, and the SR 520 project team conducted several workshops to identify

potential concepts to mitigate for the use of specific parkland facilities. The concepts focused on the East Montlake Park and two parts of the Washington Park Arboretum—the WSDOT right-of-way and Foster Island. WSDOT is committed to working with Seattle Parks and Recreation, the University of Washington, and the Arboretum Foundation to further study these concepts as this project proceeds.

East Montlake Park

- Maintain the "soft shoreline" character, while enhancing the shoreline and wetlands with native species.
- Develop a nature trail adjacent to the structures treatment wetland.
- Promote less intensive use/passive recreation/nature preserve.
- Explore alternative access, either via a rebuilt 24th Avenue Northeast bridge or through the Shelby/Hamlin neighborhood.
- Possibly construct a new office/meeting building adjacent to the stormwater treatment wetland.

Arboretum/WSDOT Right-of-Way

- Explore raising the profile of fill sections under ramps to create more openness.
- Explore grading the easterly edge of the peninsula to create a gentler slope and lowland riparian ecosystem.
- Design a trail to keep users on established routes.
- Explore the possibility of siting an Arboretum building adjacent to Lake Washington Boulevard and developing a canoe/kayak pull-out area.

Arboretum/Foster Island

- Investigate grading the site to create emergent/riparian wetland along the trail under SR 520.

The following measures are proposed for the use of previously unaffected Section 4(f) properties:

University of Washington Waterfront Activities Center

- With the 6 Lanes with Pacific Street Interchange option, WSDOT would coordinate with the University of Washington to investigate opportunities to sustain and enhance the recreational facilities and operations at the WAC, including relocation of the canoe launching dock.
- Closures under construction would be minimized to the greatest extent possible.

University of Washington East Campus Bicycle Route

- With the Second Montlake Bridge option, this trail would be realigned to provide access to Montlake Boulevard and thus ensure its continued use.

Burke-Gilman Trail

- With the 6 Lanes with Pacific Street Interchange option, vegetation would be replanted along the trail, and especially in the narrowed strip between the trail and the top of the retaining wall, after construction.
- Closures of the trail during construction would be minimized to the greatest extent possible and detour routes would be identified and signed.

Ship Canal Waterside Trail

- With the Second Montlake Bridge option, the section of the trail beneath the bridge would be re-landscaped to recreate the existing natural character.
- Closures of this trail during construction would be minimized to the greatest extent possible and detour routes would be identified and signed.

Proposed Montlake Historic District

- Landscaping buffers would be added between the second Montlake Bridge and the adjacent houses in the proposed historic district.

- Any temporary construction sheds, barricades, or material storage would be located away from historic properties, and would avoid obscuring views of historic properties.
- Those historic properties that would be affected by the project would be documented utilizing HABS/HAER documentation methods.
- Any historic architectural elements from properties that are to be demolished would be salvaged and donated to a local non-profit for use in restoration of historic buildings in the city.

Montlake Bridge

- The second Montlake Bridge design should complement the historic bridge and not compete with it. The new bridge would be designed in a style that is compatible with the historic bridge but does not replicate it, is as visually transparent as possible so as not to obscure the historic bridge, and is a similar size as the historic bridge so as not to overwhelm it.
- All available measures to lessen construction impacts to the historic Montlake Bridge would be taken to ensure that construction of these options is sensitive to the structure of the historic bridge.
- Closures of the historic bridge during construction of the options would be minimized to the greatest extent possible.
- Photo documentation of the existing visual setting of the historic Montlake Bridge and Montlake Cut would be performed, and these photos would be housed at the University of Washington photograph collection.

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Attachment 1

Section 4(f)

Section 4(f)

As per 49 USC 303, the USDOT Secretary may approve a program or project requiring the use of a publicly owned land of a public park, recreation area or wildlife and waterfowl refuge of national, state or local significance only if:

1. There is no prudent and feasible alternative to using that land; and
2. The program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and a waterfowl refuge, or historic site resulting from the use.

Guidance for Determining De Minimis Impacts to Section 4(f) Resources

The recently adopted provisions of de minimis impacts provide:

HISTORIC SITES.—With respect to historic sites, the Secretary may make a finding of de minimis impact only if—

- the Secretary has determined, in accordance with the consultation process required under section 106 of the National Historic Preservation Act (16 U.S.C. 470f), that—
  - the transportation program or project will have no adverse effect on the historic site; or
  - there will be no historic properties affected by the transportation program or project;
- the finding of the Secretary has received written concurrence from the applicable State historic preservation officer or tribal historic preservation officer (and from the Advisory Council on Historic Preservation if the Council is participating in the consultation process); and
- the finding of the Secretary has been developed in consultation with parties consulting as part of the process referred to in subparagraph (A).

PARKS, RECREATION AREAS, AND WILDLIFE OR WATERFOWL REFUGES.—With respect to parks, recreation areas, or wildlife or waterfowl refuges, the Secretary may make a finding of de minimis impact only if—

- the Secretary has determined, after public notice and opportunity for public review and comment, that the transportation program or project will not adversely affect the activities, features, and attributes of the park, recreation area, or wildlife or waterfowl refuge eligible for protection under this section; and
- the finding of the Secretary has received concurrence from the officials with jurisdiction over the park, recreation area, or wildlife or waterfowl refuge.

Section 4(f) Evaluation and Approval for Transportation Projects That Have a Net Benefit to a Section 4(f) Property

The programmatic evaluation satisfies the requirements of Section 4(f) for projects meeting the applicability criteria listed below. An individual Section 4(f) evaluation will not be prepared for such projects:

The proposed transportation project uses a Section 4(f) park, recreation area, wildlife or waterfowl refuge, or historic site.

The proposed project includes all appropriate measures to minimize harm and subsequent mitigation necessary to preserve and enhance those features and values of the property that originally qualified the property for Section 4(f) protection.

For historic properties, the project does not require the major alteration of the characteristics that qualify the property for the National Register of Historic Places [NRHP] such that the property would no longer retain sufficient integrity to be considered eligible for listing. For archaeological properties, the project does not require the disturbance or removal of archaeological resources that have been determined important for preservation in-place rather than for the information that can be obtained through data recovery. The determination of a major alteration or the importance to preserve in-place will be based on consultation consistent with 36 CFR part 800.

For historic properties, consistent with 36 CFR part 800, there must be agreement reached amongst the SHPO and/or the THPO, as appropriate, the FHWA and the Applicant on measures to minimize harm when there is a use of a Section 4(f) property. Such measures must be incorporated into the project.

The official(s) with jurisdiction over the Section 4(f) property agree in writing with the assessment of the impacts; the proposed measures to minimize harm; and the mitigation necessary to preserve, rehabilitate

and enhance those features and values of the Section 4(f) property; and that such measures will result in a net benefit to the Section 4(f) property.

The Administration determines that the project facts match those set forth in the Applicability, Alternatives, Findings, Mitigation and Measures to Minimize Harm, Coordination, and Public Involvement sections of the programmatic evaluation.

For additional information see
http://environment.fhwa.dot.gov/projdev/4fnetbenefits.asp