

**PART IV**  
**CHAPTER 2**  
**Historic Bridge Project Development Process**

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## 2-1.0 Historic Bridge Project Development Process

When developing a project that involves a historic bridge, the following process should be followed. The Historic Bridge PDP is based on the procedures set forth in the Historic Bridge PA.

### Initiate Early Coordination and Seek Consulting Party Comment

*The following items can occur concurrently, or they can be a step-by-step process. The number of submittals is at the discretion of the project management team. Consulting parties should be afforded a 30-day comment period for each submittal. If requested by a consulting party, a reasonable extension of the review time can be granted.*

- Issue early coordination letter. Letter should contain, at a minimum, the following information:
  - Project Designation Number;
  - Route Number;
  - Project Description;
  - Feature crossed;
  - Township;
  - City;
  - County
- When referencing the project, the proposed classification (i.e., replacement or rehabilitation) should not yet be stated. Per the Historic Bridge PA, INDOT will classify and label all historic bridge projects as “Bridge Project – Scope Undetermined” until after FHWA has identified a preferred alternative for the project. This generic classification for bridge projects will ensure that federal-aid applicants and the public do not have false expectations that the bridge will be replaced before the NEPA process is completed.
- Invite consulting parties and seek feedback on the following items when they are ready for review:
  - Area of Potential Effect (APE). See Part II, Chapter 5 for guidance on developing an APE.
  - Historic properties report (HPR). See Part II, Chapter 6 for guidance on which type of HPR to prepare.
  - Purpose & need (P&N). See [Procedural Manual for Environmental Studies](#) and the Historic Bridge Alternatives Analysis Template on the [Historic Bridge Inventory website](#) and in Part V Forms for guidance on developing a purpose and need statement.
  - Section 4(f) alternatives analysis. See Historic Bridge Alternatives Analysis Template on the [Historic Bridge Inventory website](#) and in PART V Forms for guidance on developing an alternatives analysis document (the draft document must be submitted to INDOT-CRO for review and concurrence prior to distribution).

### Market Bridge for Re-Use, if Applicable

*Marketing can occur concurrent with above, but should not precede the early coordination initiation. In other words, consulting parties should be aware that a bridge project is proposed at least at the same time that marketing measures are started.*

- Marketing is required when:
  - Select Bridges: optional if vehicular use does not appear to be feasible & prudent and owner wants to explore relocation options;
  - Non-Select Bridges: all of them that are being replaced. Even bridges that cannot be relocated must be marketed (i.e., a concrete arch). While it is unlikely, someone may step forward and be willing to preserve such a bridge at its existing location. The entity would have to assume the legal liability (i.e., a local group using the bridge for a fishing pier, and being legally responsible for bridge preservation and associated liability), but if they were willing to do so, then they should have the opportunity to step forward and propose such an alternative
  - Marketing provisions from the Historic Bridge PA must be followed. See the [Historic Bridge Inventory website](#) and Part V Forms for templates and guidance related to these items:
    - The bridge owner shall place one legal notice in a local newspaper and place one legal notice in a statewide newspaper at a minimum six (6) months in advance of the public hearing to notify interested parties of the historic bridge availability for re-use. Each notice only needs to run once. The advertisement should describe, at a minimum, the historic bridge length, width, height, condition, and availability.
    - The bridge owner shall place signs at both approaches to the historic bridge at a minimum six (6) months in advance of the public hearing to notify users that the historic bridge may be replaced. The sign should also include the contact information for the bridge owner or consultant who can answer questions from any potential responsible party who wants to assume ownership of the bridge. The signs will remain in place until completion of NEPA.
    - The bridge owner shall provide INDOT-CRO with the information needed to post the historic bridge on INDOT's historic bridge marketing website and Indiana Landmarks' website, respectively. This information should be provided, at a minimum, six (6) months prior to the public hearing. INDOT-CRO will post information on the INDOT website and will forward the information to Indiana Landmarks to post on their website.

#### Identify Preferred Alternative

- INDOT, in consultation with SHPO, may request that a consulting parties meeting be scheduled to address questions and concerns with the draft 4(f) alternatives analysis.
- During consultation, sufficient details must be provided to determine effect for rehabilitation projects (i.e., listing specific structural members that will be replaced and/or providing percentage of replacement of the bridge's original material).

- Once INDOT is satisfied that substantive SHPO concerns have been addressed, the consultant should prepare the 800.11(e) documentation and include the updated P&N and 4(f) alternatives analysis.
- INDOT will review the 800.11(e) documentation and sign it if it involves a “no adverse effect” finding, or forward it to FHWA for signature if it involves an “adverse effect” finding. FHWA signature of the 800.11(e) “adverse effect” finding also constitutes FHWA concurrence in the **draft** P&N, 4(f) alternatives analysis, and preferred alternative. FHWA signature **does not** constitute **final** FHWA approval of the preferred alternative, but rather release of the 800.11(e) document and associated alternatives analysis for consulting party review and comment.
- If the project involves a Select Bridge, INDOT will seek SHPO concurrence with FHWA’s preferred alternative. Additional information may need to be provided to SHPO during this review, to address specific questions regarding scope of the rehabilitation and/or analysis of alternatives, before they are able to comment regarding the preferred alternative. The 800.11(e) documentation will need to be updated, approved, and redistributed to consulting party review and comment if the draft preferred alternative changes.
- If there is an adverse effect for historic resources other than the historic bridge, a draft MOA should be prepared to address non-bridge related “adverse effects.”

#### Hold Public Hearing

- When the project is being processed under the Historic Bridge PA, a public hearing shall be held for every Select and Non-Select bridge regardless of the preferred alternative. Guidance on conducting a public hearing for a historic bridge project can be found in Chapter 3.

#### CE/4(f) Approval

- Once the public hearing comment period has expired, the CE should be updated as appropriate (finalize 4(f) alternatives analysis/preferred alternative/Commitments Summary Form) and forwarded to INDOT for final review. INDOT must assure that:
  - Final CE provides NEPA clearance for the new location of a Select bridge, if the project involves relocation of a Select bridge.
  - Associated contracts/sureties should be in place and be specifically referenced in the CE Commitments Summary Form so FHWA can assure that all provisions of the Indiana Historic Bridge PA Standard Treatment Approaches for Historic Bridges have been fully incorporated into the final CE.
- Once FHWA has assured that all of the Historic Bridge Programmatic Agreement requirements have been fully addressed (and MOA provided to ACHP if there is an adverse effect to non-bridge related historic resources), FHWA will be in a position to grant final NEPA approval.

- FHWA final approval of the CE will affirm that all Historic Bridge PA requirements have been fully addressed, serve to confirm that FHWA has concluded its responsibilities under Section 106, and serve as FHWA approval of the Historic Bridge Programmatic 4(f).
- FHWA has granted INDOT authority to sign “no adverse effect” findings. FHWA conducts Quality Assurance Reviews (QARs) of projects annually to assure the provisions of the respective Historic Bridge PA, Minor Projects PA and Categorical Exclusion PA are being properly implemented. INDOT will assure that all Historic Bridge PA stipulations not implemented at the time of NEPA approval are included in the Project Commitments Database (i.e., SHPO reviews at 30%, 60%, and Final Design if not already completed prior to NEPA approval; photo-documentation of bridges when requested by SHPO). INDOT will also assure that all of the commitments have been fully implemented prior to construction using the mitigation commitments tracking system.

Please see the appendix for a flow chart of the project development process for projects involving historic bridges.

## APPENDIX A: Historic Bridge PA FAQ

### *Frequently Asked Questions about the Historic Bridge Programmatic Agreement (PA) and Project Development Process Updated September 2013*

**Q: What does Select Bridge mean?**

**A:** These are historic bridges that are most suitable for preservation and are excellent examples of a given type of historic bridge.

**Q: What does Non-Select Bridge mean?**

**A:** These are historic bridges that are not considered excellent examples of a given type of historic bridge or are not suitable candidates for preservation.

**Q: Are Non-Select Bridges historic?**

**A:** Yes. Both Select and Non-Select bridges are “historic”—that is, both types of bridges are ones that are either listed in the National Register of Historic Places or have been determined to be eligible for listing in the National Register. Documents listing historic and non-historic bridges as determined by the Historic Bridge Inventory project can be found here:

<http://www.in.gov/indot/2531.htm>. Additionally, a database of the information can be found here: <http://www.in.gov/indot/div/public/HistoricBridgeDatabase.mdb>.

**Q: How can I find out if a bridge is Select or Non-Select?**

**A:** Documents listing Select and Non-Select bridges as determined by the Historic Bridge Inventory project can be found here: <http://www.in.gov/indot/2531.htm>.

**Q: Did bridge owners have any say in the Select/Non-Select determinations?**

**A:** Yes. Before the list of historic bridges was finalized, a 60-day public comment period occurred. Before the Select/Non-Select determination process was started, a 30-day public comment period was given for the evaluation criteria for classifying historic bridges as Select and Non-Select. The draft list of Select and Non-Select Bridges, with the rationale for including a bridge on either list, was also subject to a 60-day public comment period. Before and during each of the comment periods, the public, bridge owners, agency officials, historic groups, and other interested parties and stakeholders were notified and asked to provide comment.

**Q: What if a bridge owner disagrees with the Select determination for a bridge?**

**A:** The Historic Bridge PA states that examples of unusual circumstances that may warrant an owner requesting a change in designation may include, but are not limited to, the bridge collapsing due to a flood or an overweight vehicle. In Section 5 of *Volume 3: Methodology to*

*Identify Select and Non-Select Bridges*, a process is outlined for reconsidering the Select status of a bridge: <http://www.in.gov/indot/files/Volume 3 - Select Methodology.pdf>.

The first step is to provide FHWA with the information outlining why the owner thinks the bridge should be Non-Select. In some cases, the best way to provide this information may be for the bridge owner to prepare an alternatives analysis document considering a range of options, and making a clear case of why preservation of the bridge in some manner is not feasible and prudent: <http://www.in.gov/indot/files/ES BridgeAnalysisTemplate.pdf>.

If the request does move forward after initial FHWA review, the SHPO, the Historic Bridge Task Group, and the public are notified of the request and allowed to make comments for 30 days. After the comment period, FHWA and SHPO review the comments and let INDOT know if the classification should be changed or not. The INDOT Cultural Resources Office should be contacted for further guidance about this process.

**Q: What are the options for a Select Bridge?**

**A:** FHWA will not consider demolition to be a “prudent” alternative for any Federal-aid project involving a Select Bridge and FHWA will not participate in a project that would result in the demolition of a Select Bridge. Therefore, any FHWA-funded project involving a Select Bridge must preserve that bridge in some manner. The project development process for Select Bridges can be found in Section III and Attachment B of the Historic Bridge PA: <http://www.in.gov/indot/files/HistoricBridgePA.pdf>.

**Q: If a Select bridge is rehabilitated, but the rehabilitation work cannot follow the Secretary of the Interior’s Standards and the result is determined an adverse effect, is that allowable in the Historic Bridge PA?**

**A:** Yes, it is allowable. Section 106 for all Federal-aid projects involving bridges on the Select/Non-Select list will follow the provisions of the Historic Bridge PA, regardless of whether the project ultimately does or does not result in an adverse effect. The alternatives analysis will discuss why certain improvements are needed to meet the purpose and need of the project, and ultimately SHPO will need to concur with the preferred alternative.

The 800.11(e) documentation should include the alternatives analysis and explain why the adverse effect is needed to meet the purpose and need of the project. In order to help mitigate “adverse effects” that do occur, per the Historic Bridge PA, the bridge owner will complete any photo documentation in accordance with the specifications provided by the Indiana SHPO.

**Q: What are the options for a Non-Select Bridge?**

**A:** FHWA may participate in the demolition of a Non-Select Bridge provided there are no feasible and prudent alternatives to demolition of the Non-Select Bridge. The project development process for Non-Select Bridges can be found in Section III and Attachment B of the Historic Bridge PA: <http://www.in.gov/indot/files/HistoricBridgePA.pdf>.

**Q: Can a Non-Select bridge be preserved?**

**A:** Yes. The results of the Purpose and Need development and Alternatives Analysis might conclude that rehabilitation of a Non-Select bridge is prudent and feasible, and therefore, is the preferred alternative for a Non-Select bridge.

**Q: Why is an Alternatives Analysis needed for Non-Select bridges? Why can't they simply be demolished given their Non-Select status?**

**A:** The Historic Bridge PA was formulated to streamline the Section 106 process for historic bridges, but does not specifically address Section 4(f) requirements. A Section 4(f) Alternatives Analysis is required to fulfill the Section 4(f) Programmatic Evaluation for Historic Bridges. As such, before demolition and replacement of a historic bridge can occur, the FHWA must confirm that, on the basis of extensive studies and analysis, there are no “feasible and prudent” alternatives to this use of the resource. The “Historic Bridge Alternatives Analysis Layout” should be used to develop the alternatives analysis:

[http://www.in.gov/indot/files/ES\\_BridgeAnalysisTemplate.pdf](http://www.in.gov/indot/files/ES_BridgeAnalysisTemplate.pdf).

**Q: How is the process streamlined for Non-Select Bridges for which the alternatives analysis determines will be replaced? It seems like a lot of work is still involved to replace these bridges.**

**A:** If the only adverse effect is to the historic bridge, a Memorandum of Agreement (MOA) will not be required for the “adverse effect” involved with demolishing the bridge. The Historic Bridge PA sets out the process for mitigating any adverse effects to the historic bridge. Time and money are saved by not undergoing the MOA process.

Time and money will also be saved in the amount of mitigation that is specified in the Historic Bridge PA. Dismantling bridges for storage and potential reuse is currently a common mitigation practice. It will no longer be required per the Historic Bridge PA. Per Attachment B of the Historic Bridge PA (Standard Treatment Approach for Historic Bridges), only two points of mitigation are required:

- The bridge owner will consult with the Indiana SHPO to determine if photodocumentation of the bridge is needed. If needed, the Indiana SHPO will specify the photo documentation standards and distribution requirements. If the Indiana SHPO does not respond within thirty (30) days, the bridge owner may assume the Indiana SHPO does not require any photo documentation.
- The bridge owner will salvage elements that may be stored and used for future repair of similar historic bridges, if a party was identified during the bridge marketing phase of project development (see Stipulation III.B.2).

**Q: Can a Select or Non-Select Bridge be altered or removed with non-FHWA funds?**

**A:** Yes. A bridge owner can alter or remove Non-Select or Select bridges with non-FHWA funds. However, the Historic Bridge PA (Stipulation IV.G) states that if FHWA or Indiana SHPO determine a bridge owner intentionally demolishes or otherwise diminishes the historic integrity of a *Select* Bridge under the bridge owner’s jurisdiction with non-Federal-aid funds, then FHWA will comply with 36 CFR Part 800 for any future federal-aid bridge project

proposed by that bridge owner for any of its bridges. That is to say, the normal Section 106 review process must be carried out for those projects and the streamlining procedures of the Historic Bridge PA cannot be utilized. After the next Bridge Survey update is completed (likely to occur in approximately 10 years), FHWA may again process Federal-aid projects in accordance with the Historic Bridge PA for that bridge owner.

It should also be noted that Section 110(k) of the National Historic Preservation Act prohibits FHWA from providing Federal-aid funds for a given project, where the bridge owner, with the intent to avoid the requirements of Section 106, has intentionally adversely affected the historic bridge prior to completion of NEPA. In other words, a bridge owner could not remove a bridge with non-FHWA funds and then apply for Federal-aid funds to build the replacement structure at that location.

One clarification is that if a Select bridge is destroyed due to some natural disaster (fire, tornado, etc), then the bridge owner would not be held responsible, and there would be no need to invoke Stipulation IV.G of the Historic Bridge PA.

**Q: Does FHWA, INDOT or SHPO need to review or approve alterations with non-FHWA funds to a Select or Non-Select Bridge?**

**A:** No. Because FHWA does not have the authority to apply Section 106 to non-Federal undertakings, FHWA and INDOT will not be involved in projects that are not using FHWA funds. Likewise the SHPO would typically not be involved unless there was another federal action that would require their review (ie, a US Army Corps of Engineers permit) or there was state funding involved. It is recognized that routine maintenance work may need to be done to Select bridges, and many times these maintenance activities will not diminish the historic integrity to the extent that a bridge would need to be removed from the Select list. It is a good idea to follow the Secretary of Interior's Standards for projects using non-FHWA money: <http://www.nps.gov/hps/TPS/standguide/>.

It should be noted that the Historic Bridge PA (Stipulation IV.G) states that if FHWA or Indiana SHPO determine a bridge owner intentionally demolishes or otherwise diminishes the historic integrity of a *Select* Bridge under the bridge owner's jurisdiction with non-Federal-aid funds, then FHWA will comply with 36 CFR Part 800 for any future federal-aid bridge project proposed by that bridge owner for any of its bridges. That is to say, the normal Section 106 review process must be carried out for those projects and the streamlining procedures of the Historic Bridge PA cannot be utilized. After the next Bridge Survey update is completed (likely to occur in approximately 10 years), FHWA may again process Federal-aid projects in accordance with the Historic Bridge PA for that bridge owner.

One clarification is that if a Select bridge is destroyed due to some natural disaster (fire, tornado, etc), then the bridge owner would not be held responsible, and there would be no need to invoke Stipulation IV.G of the Historic Bridge PA.

**Q: Why is a historic property report (HPR) required for historic bridge projects when the bridge’s National Register eligibility has already been established through the inventory results?**

**A:** To ensure all FHWA-funded projects are consistent, an HPR is required for all projects that do not fall under the Minor Projects PA. Even though we know the eligibility of the bridge, other resources in the APE must be evaluated for National Register eligibility. If the bridge is the only resource in the APE or the only resources over 50 years of age that warrants at least a “contributing” rating, then a short HPR would be appropriate. Please see the Cultural Resources Manual for detailed guidance on what type of HPR is appropriate and the guidelines for preparing HPRs.

Additionally, the appropriate archaeology investigations must also be conducted. Please see the Cultural Resources manual for detailed guidance on what type of archaeology report is appropriate and the guidelines for preparing archaeology reports.

**Q: Is Section 106 required for projects involving the non-historic bridges that were determined not to be National Register eligible in the inventory?**

**A:** Yes. Section 106 is required for these projects, although depending on the scope of work, the project may fall under the Minor Projects Programmatic Agreement (MPPA)

([http://www.in.gov/indot/files/Minor\\_Projects\\_PA\\_signed\\_with\\_updated\\_Appendix\\_A\\_and\\_B.pdf](http://www.in.gov/indot/files/Minor_Projects_PA_signed_with_updated_Appendix_A_and_B.pdf)).

Even though we know the bridge is not National Register eligible, other resources in the APE must be evaluated for National Register eligibility if the project does not fall under the MPPA. If the bridge is the only resource in the APE or the only resources over 50 years of age that warrants at least a “contributing” rating, then a short HPR would be appropriate. Please see the Cultural Resources Manual for detailed guidance on what type of HPR is appropriate and the guidelines for preparing HPRs.

Additionally, the appropriate archaeology investigations must also be conducted. Please see the Cultural Resources manual for detailed guidance on what type of archaeology report is appropriate and the guidelines for preparing archaeology reports.

**Q: Why do concrete and stone bridges have to be marketed for reuse when they can’t be relocated?**

**A:** While it is unlikely, someone may step forward and be willing to preserve such a bridge at its existing location. The entity would have to assume the legal liability (i.e. a local group using the bridge for fishing pier, and being legally responsible for bridge preservation and associated liability), but if they were willing to do so, then they should have the opportunity to step forward and propose such an alternative.

**Q: Are Memorandums of Agreement (MOAs) needed for historic bridge projects now?**

**A:** Not if the only adverse effect is to the historic bridge. The Historic Bridge PA sets out the process for mitigating any adverse effects to the historic bridge. However, if an adverse effect will occur to another above-ground resource or an archaeological resource as a result of the bridge project, an MOA will be needed to mitigate the effects of the project on those resources.

**Q: Is notification to the Advisory Council on Historic Preservation (ACHP) of an adverse effect on a historic bridge required under the Historic Bridge PA?**

**A:** No. Through signature of the Historic Bridge PA, the ACHP agreed that implementation of the standard treatment approach includes all possible planning to minimize harm to the historic bridge and implementation of the standard treatment approach fulfills all consultation requirements under Section 106. However, if an adverse effect will occur to another above-ground resource or an archaeological resource as a result of the bridge project, the ACHP must be notified and the MOA to resolve that adverse effect must be filed with the ACHP.

**Q: Is a Section 106 Public Notice published in a local newspaper required for historic bridge projects now?**

**A:** No. A separate newspaper notice is not needed as long as the public hearing notice indicates that the hearing serves as the opportunity for the public to comment on both the CE and the 800.11(e) documentation, and serves as the last opportunity for a responsible party to step forward and take ownership of a Non-Select bridge. Additionally, if other historic properties are located within the project APE, as long as the hearing notice indicates that the hearing serves as the opportunity for comment on the effects of the project on those properties, no need exists for a separate Section 106 Public Notice published in a local newspaper. A template for public hearing notices for projects involving historic bridges can be found here: <http://www.in.gov/indot/2531.htm>.

**Q: Is a public hearing required for all historic bridge projects now?**

**A:** All projects involving either a Select or a Non-Select Bridge processed under the Historic Bridge PA now require a public hearing.

**Q: What type of sign should be placed for marketing a Non-Select bridge?**

**A:** Any type of sign that is visible by vehicular traffic and easily accessible to be safely read by pedestrian traffic is fine. The sign should contain information to the effect that the bridge may be replaced and is being offered to other parties. The sign should include contact information for obtaining further information. The sign can be a standard highway sign or a sign similar to those used for permits on a construction site, as long as it will hold up to the weather for 6 months. The sign should not be perpendicular to the roadway, but should be placed parallel to the roadway on the side of the roadway. It is suggested that photographs with a time/date stamp be taken of the installed sign in order to prove that this requirement was met. These photographs can be included in the Section 106 800.11 documentation for the project.

## **APPENDIX B: Historic Bridge PDP Flow Chart**

# Historic Bridge Project Development Process

