

INDIANA DEPARTMENT OF TRANSPORTATION—CULTURAL RESOURCES MANUAL

PART IV

CHAPTER 3

Procedures for Public Hearings under the Historic Bridges PA

August 2019

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REVISIONS

August 2019

All Sections

General revisions

3-1.0

Clarified that all originally invited consulting parties should receive hearing notification

3-1.0 Procedures for Public Hearings

Per Stipulations III.A.7 and III.B.5 of the [Historic Bridges PA](#), at the end of the Section 106 process for a bridge processed under the PA, a public hearing must be held for **every** Select and Non-Select bridge regardless of the preferred alternative.¹ For example, even a project that proposes to rehabilitate a Select Bridge for continued vehicular use requires a hearing.

The procedures presented in this chapter are not intended to be used as a substitute for public hearing guidance issued by the [INDOT Office of Public Involvement](#). Public hearings held for historic bridges shall follow the guidance and procedures outlined in the most recent [INDOT Public Involvement Procedures Manual](#). Specific guidance with regard to certain requirements that are needed to fulfill the stipulations of the Historic Bridges PA is found below.

When marketing of the bridge is required, the public hearing cannot be advertised until a minimum of six (6) months of marketing has occurred. Whether marketing is required or not, FHWA, or INDOT on FHWA's behalf, and SHPO must have concurred with the 800.11(e) documentation and associated preferred alternative and INDOT must have initialed the environmental document for release for public review and comment before the hearing can be held.

The public hearing will serve as an opportunity for the public to comment on both the environmental document and the 800.11(e) documentation. The public hearing will also be the last opportunity for a responsible party to step forward and provide the necessary sureties to obtain ownership of a Non-Select Bridge, if continued vehicular use is not feasible and prudent, and the Section 4(f) alternatives analysis proposes demolition of a Non-Select Bridge.

Therefore, the public hearing notice should indicate that the hearing is serving as the opportunity for the public to comment on both the environmental document and the 800.11(e) documentation. It also should indicate that the hearing is serving as the last opportunity for a responsible party to take ownership of a Non-Select bridge. The project documentation will be made available prior to and at the public hearing for public review and comment. The public hearing notice [template](#) should be followed closely.

Per the Historic Bridges PA, the bridge owner (or their consultant) must notify consulting parties of the public hearing or e-mail (if available) by letter and will indicate the availability of the

¹ Projects processed under the [Programmatic Agreement Among the Federal Highway Administration, the Indiana Department of Transportation, the Advisory Council on Historic Preservation and the Indiana State Historic Preservation Officer Regarding the Implementation of the Federal Aid Highway Program in the State of Indiana](#) (also known as the Minor Projects PA) do not require a public hearing. Whether a public hearing is required for projects processed under the standard Section 106 process is at INDOT's discretion based on the project specifics. (those projects involving border bridges, involving bridges not included in the historic bridge inventory, or involving a bridge owned by a county that can no longer utilize the Historic Bridges PA, for example). Further consultation with INDOT-CRO is required on such projects.

environmental documentation for review. **Please note that all originally invited consulting parties should be sent the hearing notification; not just the parties that accepted consulting party status.**

The environmental document, Section 106 documentation, and Section 4(f) alternatives analysis, should be made available at the public hearing for public review and comment. In addition to having staff present that can answer general questions about the project design, a staff person knowledgeable about the Historic Bridges PA procedures must be present at the public hearing to answer any questions related to the PA that may arise.

The hearing presentation must clearly indicate that the project involves either a Select or Non-Select Bridge and explain what that designation means. Basic information about why the bridge is considered historic should also be presented. The alternatives that were analyzed and how the preferred alternative was chosen must be explained, especially for Non-Select Bridges when replacement is the preferred alternative. Marketing efforts and mitigation requirements, when applicable, should also be explained. Example PowerPoint slides that address these topics are shown below. Please contact the CRO or Public Hearings staff for more examples or with any questions.

The public hearing to address the Historic Bridges PA requirements can be combined with any other needed public hearing for the project, as part of the environmental or design process, as long as the above conditions are met.

3-2.0 Slide Examples for Hearing Presentations

Example PowerPoint slides that address how Select and Non-Select Bridges are processed under the Historic Bridges PA are shown below. Please note that these slides do not constitute an entire presentation for a historic bridge project public hearing. These slides just generally address the elements of the Historic Bridges PA. Slides pertaining to the overall project design, overall environmental process, and the public hearing comment process must be included as well.

Sample Public Hearing Presentation Slides for a Non-Select Bridge

SR 9 Bridge over Flatrock River is Historic



- Eligible for listing in the National Register of Historic Places

- Possesses engineering and historical significance



Results of Historic Bridge Inventory

- SR 9 Bridge is Non-Select
- Non-Select means:
 - Not as suitable for preservation
 - Not considered excellent example



Detailed Alternatives Analysis Required

Alternatives Studied:

- Rehabilitation for Continued Vehicular Use
 - One-way or two-way roadway on historic bridge
 - One-way pair: historic bridge & new bridge each carry one direction of traffic
- Bypass (non-vehicular use)
- Relocate (non-vehicular use)
- Replacement



Historic Bridge Project Development Process

- **Seek Consulting Party Comment**
 - Indiana Landmarks, Indiana Historic Spans Task Force & local groups favor rehabilitation
 - State Historic Preservation Officer: “no viable option” besides replacement
- **Market Bridge for Re-Use**
 - Has been marketed for over 6 mos
- **Identify Preferred Alternative**
 - Replacement
- **Hold Public Hearing**
 - May XX, 20XX
- **Environmental Document Approval**
 - After hearing comment period ends



Bridge Marketing

- Legal notice in a local newspaper
- Signs at both approaches to the bridge
- INDOT's historic bridge marketing website
<http://www.in.gov/indot/2532.htm>
- To date, no interested party has stepped forward for re-use



Mitigation

- SHPO requested photo-documentation of bridge
- Photographs of bridge to be submitted to SHPO and the Indiana State Digital Archives

<http://www.indianadigitalarchives.org/default.aspx>



**Whether to include this slide will vary by project. If photo-documentation of the bridge is requested by SHPO, please provide the details of the type & extent of the documentation and the repository for it. If the SHPO said documentation was not needed, this slide can be omitted.

Other Historic Resources in Project Area

- National Register eligible Cave Mill Archaeological Site will be impacted by project
- “Adverse effect” finding for the site
- Memorandum of Agreement (MOA) specifies that additional archaeological investigations will occur



**This slide is included when other resources eligible for or listed in the National Register are located in the project area. The resources could be buildings, historic districts, archaeology sites or other bridges. A description of what impacts (if any) the project will have on those resources should be included.

Sample Public Hearing Presentation Slides for a Select Bridge

SR 49 Bridge over Kankakee River is Historic

- Eligible for listing in the National Register of Historic Places
- Good example of Indiana State Highway Commission-designed Parker through truss



Results of Historic Bridge Inventory

- SR 49 Bridge is Select
- Select means:
 - Suitable candidate for preservation
 - Considered excellent example
 - MUST be preserved when using FHWA funds



Rehabilitation Project Highlights

Repair, protect, and preserve the integrity and qualities of the “Select” bridge while providing a safe structure:

- In-kind replacements
- Some rivets replaced with round-headed bolts
- New railing
- Design load increase from HS-15 to HS-20



Historic Bridge Project Development Process

- **Seek Consulting Party Comment**
 - No objection to date
- **Identify Preferred Alternative**
 - Repair/Rehabilitation
- **Hold Public Hearing**
 - September XX, 20XX
- **Environmental Document Approval**
 - After hearing comment period ends

