Section 4(f) Initial Assessment Form

May 29, 2015

Project Name	Project Number
Jackson West	NH-STP-20-7(115)
Control Number	**Date Completed**
31817	24 November 2015
Project Location *(Town, County)*	**Name of Preparer**
West of Jackson, NE, Dakota County on US Highway 20 (US-20)	Carin Richardson

The following form was developed as an initial assessment of potential Section 4(f) properties within a project area. The number of each question block corresponds directly to the NDOR Section 4(f) Guidance section with the same number. **One Initial Assessment Form per PROJECT must be included as an attachment to the CE Form or incorporated into the appropriate chapter in the EA/EIS.**

NOTE: At the time the Section 4(f) Initial Assessment Form is filled out, the Section 106 process must be sufficiently complete that historic properties have been identified. A Section 106 Finding of Effect *(No Adverse Effect, Adverse Effect)* must be completed prior to determining whether the project results in a 'use' of an historic property. All Section 106 determinations and findings must be made and documented by NDOR Professionally Qualified Staff (PQS).

1. Identification of Section 4(f) Properties

A. *For historic properties*, based on the NDOR Section 106 Tier Review Form, are there properties that are listed or eligible for listing on the National Register of Historic Places?

☒ Yes ☐ No ☐ N/A (Section 106 Tier I)

If Yes, provide the name, Finding of Effect, and any other pertinent information from the Section 106 review for each identified property.

Three Historic Properties were identified within the project study area:
Matthew McMullen Farmhouse (DX00-025),
Patrick Twohig Farmstead (DK00-162), and
St. Patrick's Catholic Church (DK04-003, 119 E Elk St., Jackson).

The Section 106 Tier II memo found that no historic properties would be affected by the project on 10/28/2015.

B. Are there existing or planned parks, recreation areas, or wildlife/waterfowl refuges present within a ¼ mile of the project area?

☒ Yes ☐ No

C. In consultation with the online resources identified in the Section 4(f) Guidance, list the **resources** used to determine if parks, recreation areas, or wildlife/waterfowl refuges are present.

Nebraska Game and Parks Interactive Map
http://mapserver.ngpc.state.ne.us/website/gpc_land/viewer.htm

www.maps.google.com

www.dakotacountyne.org

http://www.casde.unl.edu/history/counties/dakota/jackson/

D. Identify all potential Section 4(f) parks, recreation areas, and wildlife/waterfowl refuges *(include property name(s)*, *location(s) along project, etc.)*.

If No parks, recreation areas, or wildlife/waterfowl refuges are present, AND no historic properties need consideration from 1.A., indicate in the box below that no potential Section 4(f) properties are present. DOCUMENTATION IS COMPLETE.

There are two Nebraska State Historical Society Historic Markers near Jackson:

The first, (#34) is on the northwest corner of US-20 and N. John Street. The marker identifies an abandoned site of Old St. John's, about 1 ½ miles north of this spot, one of the first towns established in Dakota County. This marker is at approximately MM 422.38

The second, (#343) is a pull off site along the north shoulder of US-20 located along the project (MM 420.88). The marker identifies a Lewis and Clark Campsite along the Missouri River northeast of this location. The geometrics of the pull off will be corrected and overlayed with asphalt.

Mechanic Street City Park 800 feet north of MM 422.57.
Jackson Elementary School 660 feet north of MM 422.38.

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2. Applicability Criteria for Section 4(f) Parks, Recreation Areas, and Wildlife/Waterfowl Refuges (not Historic Properties)

A. List all properties from 1.D. that are (1) NOT publicly owned, or (2) NOT privately owned and leased to a public entity, for a Section 4(f) protected purpose, and how this was determined.

N/A

B. List all properties from 1.D. that are NOT open to the public, and how this was determined. (This does NOT apply to wildlife/waterfowl refuges.)

N/A

C. List all properties from 1.D. that are considered multiple-use properties, and what those uses are.

N/A

D. List all properties from 1.D. that were NOT called-out in 2.A. or 2.B.; **these properties will be carried forward in the Section 4(f) process. Also be sure to carry forward any multiple-use properties from 2.C. or historic properties from 1.A. that have temporary or permanent right-of-way acquisition or vibratory effects.** If no properties are carried forward, note below and DOCUMENTATION IS COMPLETE.

Matthew McMullen Farmhouse (DX00-025) Patrick Twohig Farmstead (DK00-162) St. Patrick's Catholic Church (DK04-003) St. John's Historical Marker Lewis and Clark Campsite Historical Marker Jackson Elementary School Mechanic Street City Park

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3. Determination of Section 4(f) Use

A. Is there a potential *use* of the Section 4(f) applicable properties from 2.D. above? Will the properties be impacted by the project, including access restrictions? (See Guidance Section 3 for definition of *use*.)

☐ Yes ☒ No Is there a potential *permanent* use?

☐ Yes ☒ No Is there a potential *temporary* use (including exceptions)?

☐ Yes ☒ No Is there a potential *constructive* use?

Any Yes: complete the appropriate Section 4(f) analysis for each impacted property

No: state impact avoidance measures below, then DOCUMENTATION IS COMPLETE

B. List impact avoidance measures (for “No” answer only). If justification is needed to support a “No” answer in 3.A., describe below.

The Historic Properties: Matthew McMullen Farmhouse (DX00-025), Patrick Twohig Farmstead (DK00-162), St. Patrick's Catholic Church (DK04-003) would not be affected. The St. John's Historical Marker and the Lewis and Clark Campsite Historical Marker are not eligible or listed as eligible for the National Register of Historic Places, so even though the pull out to the Lewis and Clark Campsite Historical Marker is having construction occur to correct the geometrics, this is not considered a Section 4(f) use. The Jackson Elementary School and the Mechanic Street City Park would not be impacted. Access to the school and park would be maintained at all times.

NDOR Reviewer Approval Signature: Date:

Digitally signed by Carmen Pellish
DN: cn=Carmen Pellish, o=NDOR Environmental, ou=NEPA Specialist, email=carmen.pellish@nebraska.gov, c=US
Date: 2015.12.07 10:24:45 -06'00'

FHWA Environmental Signature: Date:

FHWA signature is only required in the following circumstances:

- If the property is leased
- If the property is considered multiple-use
- If the Official(s) with Jurisdiction claims that the property is NOT significant