****Section4(f) Initial Assessment

Project Development Division Form 040

Project Name Project Number

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Control Number Date Completed

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Project Location *(Town, County)* Name and Organization of Preparer

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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 NDOT 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. If a project effects determination has not been made by NDOT Section 106 Professionally Qualified Staff (PQS), use the best available information to make a determination and review during the NEPA process.

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1. Identification of Section 4(f) Properties

A. *For historic properties*, based on the NDOT Section 106 Tier Review Form or best available information, 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.

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 B. Are there existing or planned parks, recreation areas, or wildlife/waterfowl refuges present within 0.25 miles 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.

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

 If any properties are listed in 1.A. or 1.C., proceed to 2.A. – 2.E. If there are no properties, documentation is complete.

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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.

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 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.)

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

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 D. List all pedestrian or bicycle paths from 1.D. that are not officially designated primarily for recreation, and state below how this was determined.

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 E. List all properties from 1.D. that were NOT called-out in 2.A., B., or C.; these properties will be carried forward in the Section 4(f) process. Carry forward any multiple-use properties from 2.C. If no properties are carried forward, note below and documentation is complete.

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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.E. 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.

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**NDOT Reviewer Approval Signature: Date:**

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NDOT Section or Documents Unit Manager 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

**NDOT Section or Documents Unit Manager Signature: Date:**

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