Section 4(f) Initial Assessment Form

May 29, 2015

Project Name	Project Number
Gering - South Bayard	STP-92-1(126)
Control Number	**Date Completed**
51543	05/19/2016
Project Location *(Town, County)*	**Name of Preparer**
The project is located along N-92 and L79E southeast of the City of Gering in Scotts Bluff County and Morrill County, Nebraska.	George Woolley, CH2M

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.

N/A

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 Commission Map & Data Portal
- U.S. Fish and Wildlife Service National Wildlife Refuge System & Wilderness Areas Locator Map
- U.S. Fish and Wildlife Service Waterfowl Production Areas database
- City of Gering Parks & Recreation Department website
-Scotts Bluff County Recreation website
-Morrill County Tourism website
- Aerial Imagery (Google Earth)

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.

Hiway 92 Raceway Park, Melbeta Community Park, McGrew Park, and Chimney Rock Pioneer Crossing are located within 1/4 mile of the project. Hiway 92 Raceway Park is adjacent to N-92 at approximately MM 30.00. Melbeta Community Park is located approximately 750 feet west of the project at the southeast corner of the 3rd Street/Main Street intersection in the Town of Melbeta. McGrew Park is located 1,200 feet north of the project at MM 39.00 and within the Town of McGrew just east of the 3rd St/Pine St intersection. Chimney Rock Pioneer Crossing is a campground located approximately 1,000 feet south of the project along Chimney Rock Recreation Road at approximately MM 43.71 of N-92.

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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.

Tax Assessor data available from Morrill County identifies the owner of the Chimney Rock Pioneer Crossing campground as a private LLC and not owned by the State of Nebraska or NGPC. Hiway 92 Raceway Park is also privately owned.

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.

Melbeta Community Park and McGrew 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 project would be constructed under traffic with lane closures controlled with approved temporary traffic control; access to the property would be maintained throughout construction. The project is not anticipated to acquire right-of-way.

NDOR Reviewer Approval Signature: Date:

Ryan Walkowiak

Digitally signed by Ryan Walkowiak
DN: cn=Ryan Walkowiak, o=Nebraska Department of Roads, ou=Environmental Documents Unit, email=ryan.walkowiak@nebraska.gov, c=US
Date: 2016.05.20 07:51:46 -05'00'

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