

SECTION 4(F) IN FOCUS: A NATIONAL SAFEGUARD FOR HISTORIC PRESERVATION



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Historic Preservation
Save the past. Enrich the future.

What is Section 4(f)? Section 4(f) of the Department of Transportation Act, the law that established the U.S. Department of Transportation, is intended to protect significant parks, recreation areas, wildlife refuges, and historic sites from the effects of transportation projects. Under Section 4(f), historic sites and other protected resources **must** be avoided, unless there is “no feasible and prudent alternative” and all “possible planning to minimize harm” has been utilized. This legal requirement has become an indispensable safeguard to protect our historic and cultural resources.

How is Section 106 Different? Section 106 of the National Historic Preservation Act requires consultation between agencies and the federal Advisory Council on Historic Preservation (ACHP). However, a process that requires only **considering** the impacts of the project, but no mandate to avoid or minimize those impacts, provides much weaker protection for historic resources. Fortunately, the evaluation process under section 106 is fortified by the substantive protections of section 4(f) for transportation projects.

Case Study: 10th Street Bridge – Great Falls, Montana



Saved by 4(f): Great Falls' Tenth Street Bridge

The historic Tenth Street Bridge in Great Falls, Montana, is the longest and oldest (c. 1920) concrete arch bridge in the upper Great Plains. Yet this historic bridge was slated for demolition by the Montana Department of Transportation (DOT) when an adjacent new bridge was completed in 1995. The ACHP tried unsuccessfully to persuade the Federal Highway Administration (FHWA) and Montana DOT to save the bridge. The ACHP issued formal comments in 1988 urging the FHWA to give more consideration to preservation, and characterized the rationale for demolition as “less than compelling.” Nonetheless, the transportation agencies refused to preserve the historic bridge.

Ultimately, however, it was Section 4(f) that saved the historic Tenth Street Bridge because preservation was a “feasible and prudent alternative” to demolition. Through a creative arrangement, the City of Great Falls stepped forward to take ownership of the bridge, with the long-term goal of incorporating the bridge into a riverfront trail network along the Missouri River. A unique public-private partnership was created in 1998, which included the National Trust, to help preserve the bridge.

Rehabilitation of the Tenth Street Bridge in Great Falls was further aided in 2002 by a \$250,000 Save America’s Treasures grant and by additional fundraising from local preservation groups. Thanks to Section 4(f) and the vision of local leaders, the historic Tenth Street Bridge will be a centerpiece of the Great Falls riverfront for generations to come by virtue of the collective efforts of all parties who advocated for the rehabilitation instead of demolition.