

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



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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: Interstate 30 – Ft. Worth, Texas



Saved by 4(f): Historic Buildings on Lancaster Avenue

Interstate 30 opened in 1958, eight years before Section 4(f) became law. It ran through the southern end of downtown Fort Worth immediately above Lancaster Avenue, a major thoroughfare that was part of one of America's early coast-to-coast auto routes. Looming over Lancaster Avenue, I-30 separated a string of significant historic buildings on its south side—including the 1931 Texas & Pacific Passenger and Freight Terminals and the 1933 U.S. Post Office—from the rest of downtown. In the early 1980s, the Texas Department of Transportation proposed widening this section of I-30 so it would have encroached to within 40 feet of the facades of the historic buildings, and just five feet away from a beloved urban park, the Water Gardens.

Section 4(f) was a key tool for residents who wanted something better. As a direct result of Section 4(f)'s mandate to find "feasible and prudent alternatives" to avoid adversely affecting historic properties, the state and federal highway agencies completely redesigned the project to move I-30 further to the south along a new alignment, which avoided harm to historic buildings. When the old I-30 was torn down in 2002, Lancaster Avenue and the historic buildings along it were reunited with downtown Fort Worth. The waiting room of the Texas & Pacific Railroad Terminal was beautifully restored and now serves as the western terminus of the Trinity Railway Express, a commuter line to Dallas. The City of Fort Worth is now creating a master plan to revitalize the Lancaster Avenue corridor as a dynamic, pedestrian-friendly gateway to downtown.

None of this would have happened without Section 4(f). The project was reviewed under Section 106 of the National Historic Preservation Act, but the outcome of that review was a mitigation agreement that reduced, but did not avoid, the project's damaging impacts.