



IN REPLY REFER TO:

# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
Custom House, Room 244  
200 Chestnut Street  
Philadelphia, Pennsylvania 19106-2904

January 11, 2016

9043.1  
ER-15/0668

Mr. Michael Davies  
Division Administrator  
Federal Highway Administration  
Wisconsin Division  
525 Junction Road, Suite 8000  
Madison, Wisconsin 53717

Dear Mr. Davies:

The Department of the Interior (Department) has reviewed the Draft Section 4(f) Evaluation for US Highway 10 and Wisconsin Highway 41 (Waldo Boulevard), City of Manitowoc, Manitowoc County, Wisconsin. The Department offers the following comments and recommendations for your consideration:

## **Section 4(f) Comments**

This document considers effects to five identified properties in the project study area eligible to be considered under Section 4(f) of the Department of Transportation Act of 1966 (codified at 49 U.S.C. 303§ 771.135) associated with the Waldo Boulevard project. The Waldo Boulevard (U.S. Highway 10 and Wisconsin Highway 42) project area extends three miles from County Road R (Rapids Road) to Maritime Drive within the city of Manitowoc (City). The project purpose is to improve the driving surface of this section of road while improving storm water management in conjunction with improvements to City utilities (storm water sewers and drains). The proposal also provides accommodations for on-street bicycle use and sidewalks compliant with the Americans with Disabilities Act requirements.

The draft section 4(f) evaluation, prepared by the Wisconsin Department of Transportation (WisDOT) and the Federal Highway Administration (FHWA), considered the impacts to the Lincoln Boulevard Historic District, the Holy Innocents Parish Complex, Woodrow Wilson Junior High School, the Elks Clubhouse, and the Little Manitowoc River Walkway. Under Section 106 of the National Historic Preservation Act, as amended, the FHWA determined that the Waldo Boulevard project would have an adverse effect to the historic properties (Lincoln Boulevard Historic District, the Holy Innocents Parish Complex, the Woodrow Wilson Junior High School, and the Elks Clubhouse). A determination of an adverse effect under Section 106

constitutes a use under Section 4(f). The FHWA and WisDOT drafted a memorandum of agreement providing mitigation necessary for these properties, but at the time of this review, the memorandum had not been signed.

Impacts to the Little Manitowoc River Walkway would be from temporary construction-related activities, and no permanent transportation use of the recreational facility would occur. Therefore, Section 4(f) provisions do not apply to the Walkway.

The FHWA and WisDOT explored several avoidance alternatives during the project development phase, but none were found feasible and/or prudent, nor met the purpose and need of the project. The proposed alternative was determined to be the alternative with the least overall harm to 4(f) resources.

The Department would concur with the FHWA and the WisDOT on a determination of no feasible or prudent alternative to the preferred alternative, if built as proposed, which would result in impacts to eligible properties. We withhold our concurrence with the measures to minimize harm to the historic properties because all parties, including the State Historic Preservation Officer, have not agreed to the mitigation measures, and have not signed the memorandum of agreement. A copy of a signed memorandum in the final evaluation would be sufficient for us to remove our objections.

The Department has a continuing interest in working with the FHWA and the WisDOT to ensure impacts to resources of concern to the Department are adequately addressed. For issues concerning section 4(f) resources, please contact Regional Environmental Coordinator Nick Chevance, Midwest Regional Office, National Park Service, 601 Riverfront Drive, Omaha, Nebraska 68102, telephone 402-661-1844.

We appreciate the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lindy Nelson', with a stylized flourish at the end.

Lindy Nelson  
Regional Environmental Officer