**This letter must be printed on TxDOT letterhead. Delete this instruction, the headers, and footers.**

<Insert Date>

**District:** <Insert District>

**County:** <Insert County>

**CSJ#:** <Insert CSJ #>

**Highway:** <Insert Roadway Name>

**Project Limits:** <Insert Limits>

**Section 4(f) Property:** <Insert Sect 4(f) Property Name>

**SUBJECT: NOTIFICATION OF INTENT TO PURSUE EXCEPTION TO SECTION 4(f)**

<Insert Name & Address of Official with Jurisdiction>

Dear <Insert Name>:

In accordance with 23 CFR 774.13, we are seeking concurrence for the above referenced project, which will be carried out with Federal funds. This letter requests concurrence as TxDOT intends to pursue an exception to the requirement of Section 4(f) review.

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried-out by TxDOT pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated July 17, 2025, and executed by FHWA and TxDOT.

Introduction

The Texas Department of Transportation (TxDOT) proposes to <Insert brief project description with a description of the “use” for the property>.

**Determination of No Adverse Effects and Certification of 4(f) Exception for Temporary Occupancy**

Survey determined that the <Insert property name or location> on which the temporary occupancy will take place has significance under the requirements of 23 CFR 774.13. In order to qualify for a Section 4(f) exception, it was established that the project activities met the following conditions:

1. The duration of the occupancy will be less than the time needed for construction of the project and there will be no change in ownership.
2. The scope of the work would be minor resulting in minimal changes to the property.
3. No significant features of the property would be adversely affected.
4. The occupied segments of the property would be returned to their as-found conditions or better.

If you feel that TxDOT has met the above requirements and have no additional comments about the project, then please endorse this letter and return. This endorsement will signify your concurrence that there is no adverse effect to the above property. Additional information about Section 4(f) requirements can be found at the following or you may request additional information from TxDOT:

[http://environment.fhwa.dot.gov/(S(1vyep545s3wmhuubnvexkmm2))/4f/index.asp](http://environment.fhwa.dot.gov/%28S%281vyep545s3wmhuubnvexkmm2%29%29/4f/index.asp)

Conclusion

In accordance with 23 CFR 774.13, I hereby request your signed concurrence with the finding of no adverse effects. Furthermore, TxDOT determined that the proposed project activities would not constitute a use within the meaning of Section 4(f). As a result, TxDOT intends to pursue an exception to the requirement for Section 4(f) approval.

Thank you for your assistance with the federal review process. Your response by <Insert date> will facilitate delivery of this important transportation project. If you need further information, please call me at <Insert district phone number>.

Sincerely,

<Insert District Personnel Name>

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| --- |
| **CONCUR:**NAME: DATE: <Insert Name and Title of Official with Jurisdiction> |