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|  | | | | | |
| Project: <Enter Project Name> | | | | | |
| Limits: <Enter Project Limits> | | | | | |
| County: <Enter Name of County> | | | | | |
| District: <Enter Name of District> | | | | | |
| Control Section Job Number (CSJ): <Enter CSJ Number> | | | | | |
| Property Name: <Enter Property Name>  Official with Jurisdiction: <Enter OWJ Name> | | | | | |
|  | | | | | |
| **Size of 4(f) Property:**       acres  **ROW Required:**       acres  **Easement Required:**       acres  Describe the 4(f) impact: | | | | | |
| 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. | | | | | |
| I. Description of Project Scope/Need and Purpose Statement | | | | | |
| <Enter the project's Need and Purpose Statement and a brief description of the project scope> | | | | | |
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| II. Determination of Applicability | | | | | |
| *All must result in a Yes answer for this checklist to be used.* | | | | | |
| Yes | No | |  | |
|  |  | | 1. Does the proposed transportation project use a Section 4(f) historic site? | |
|  |  | | 1. Does the proposed project include all appropriate measures to minimize harm and subsequent mitigation necessary to preserve and enhance those features and values of the property that originally qualified the property for Section 4(f) protection. | |
|  |  | | 1. Has the official(s) with jurisdiction over the Section 4(f) property agreed in writing with the assessment of the impacts; the proposed measures to minimize harm; and the mitigation necessary to preserve, rehabilitate and enhance those features and values of the Section 4(f) property; and that such measures will result in a net benefit to the Section 4(f) property? | |
|  |  | | 1. Has the Administration determined that the project facts match those set forth in the Applicability, Alternatives, Findings, Mitigation and Measures to Minimize Harm, Coordination, and Public Involvement sections of this programmatic evaluation? | | |
|  | | | | | |
| III. Identify additional Section 4(f) properties in the project area | | | | | |
| *Either exception, de minimis, or another programmatic* | | | | | |
| <List additional Section 4(f) properties here> | | | | | |
| **Comments:** <Enter comments on additional Section 4(f) properties> | | | | | |
|  | | | | | |
| IV. Alternatives Considered/Findings | | | | | |
| 1. **Do Nothing:** The Do Nothing Alternative is not feasible and prudent because *(Verify that the following applies)*: | | | | |
|  | | The Do-Nothing Alternative is not feasible and prudent because it would neither address nor correct the transportation need cited as the NEPA purpose and need, which necessitated the proposed project. | | |
|  | | **Recommendation (Mandatory)**  This alternative is determined <to fail/to meet> the Section 4(f) prudent and feasible standard and <is/is not> recommended. | | |
| 1. **Improvement without Using Adjacent Section 4(f) Lands:** It is not feasible and prudent to avoid Section 4(f) lands by roadway design or transportation system management because implementing such measures would result in *(Indicate all that apply)*: | | | | |
|  | | Substantial adverse community impacts to adjacent homes, businesses or other improved properties | | |
|  | | Substantially increased roadway or structure cost | | |
|  | | Unique engineering, traffic, maintenance, or safety problems | | |
|  | | Substantial adverse social, economic, or environmental impacts | | |
|  | | A substantial missed opportunity to benefit a Section 4(f) property | | |
|  | | The project not meeting identified transportation needs | | |
|  | | Impacts, costs, or problems would be truly unusual or unique, or of extraordinary magnitude when compared with the proposed use of Section 4(f) lands. | | |
|  | | **Recommendation (Mandatory)**  This alternative is determined <to fail/to meet> the Section 4(f) prudent and feasible standard and <is/is not> recommended. | | |
| 1. **Alternative on New Location:** It is not feasible and prudent to avoid Section 4(f) lands by constructing on new alignment because*(Indicate all that apply)*: | | | | |
|  | | The new location would not address or correct the problems cited as the NEPA purpose and need, which necessitated the proposed project | | |
|  | | The new location would result in substantial adverse social, economic, or environmental impacts. | | |
|  | | The new location would substantially increase costs or engineering. | | |
|  | | Such problems, impacts, costs, or difficulties would be truly unusual or unique, or of extraordinary magnitude when compared with the proposed use of Section 4(f) lands. | | |
|  | | **Recommendation (Mandatory)**  This alternative is determined <to fail/to meet> the Section 4(f) prudent and feasible standard and <is/is not> recommended. | | |
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| V. Measures to Minimize Harm | | | | | |
| *Indicate all that apply, but a minimum of one must be selected.* | | | | | |
|  | The proposed action includes all possible planning to minimize harm | | | |
|  | The proposed action includes all possible mitigation measures | | | |
|  | The official with jurisdiction has agreed to the proposed mitigation in writing | | | |
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| VI. Public Involvement | | | | | |
|  | Public involvement to present the proposed use of the Section 4(f) property has been conducted.  Date of Public Involvement: | | | | |
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| VII. Mitigation Commitment | | | | | |
| *Describe mitigation agreed to in consultation with official with jurisdiction (if applicable):* | | | | | |
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| VII. Summary and Approval | | | | | |
| 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 December 9, 2019, and executed by FHWA and TxDOT.  The proposed project meets all the applicability criteria set forth by the Federal Highway Administration’s (FHWA) guidance for Programmatic Evaluation for Transportation Projects That Have a Net Benefit to a Section 4(f) Property. All alternatives set forth in the subject programmatic were fully evaluated and the findings made are clearly applicable to this project. There are **no feasible and prudent alternatives** to the use or take from the historic site.  The project includes all possible planning to minimize harm. The Texas Department of Transportation (TxDOT) will include the measures to minimize harm as environmental commitments in the applicable National Environmental Policy Act (NEPA) document and Environmental Compliance Oversight System (ECOS) for the proposed project. | | | | | |
| The following **MUST** be attached to this checklist to ensure proper documentation of the Programmatic Section 4(f): | | | | | |
|  | 1. Brief project description 2. Explanation of how the property will be used 3. A detailed map of the Section 4(f) property including: 4. Current and proposed ROW 5. Property boundaries 6. Comparative alternatives analysis chart 7. Concurrence letter from Official with Jurisdiction. | | | | |
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| VIII. TxDOT Approval Signatures | | | | | |
| **District Reviewer Certification** | | | | | |
| I reviewed this checklist and all attached documentation and confirm that the proposed project meets the requirements of 23 CFR 774 for a Programmatic Section 4(f) finding. | | | | | |
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| **ENV Technical Expert Reviewer Certification** | | | | | |
| I reviewed this checklist and all attached documentation and confirm that the proposed project meets the requirements of 23 CFR 774 for a Programmatic Section 4(f) finding. | | | | | |
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| **TxDOT-ENV Programmatic Section 4(f) Final Approval** | | | | | |
| Based upon the above considerations, this Programmatic Section 4(f) satisfies the requirements of 23 CFR 774. | | | | | |
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