

Project Information	
Project Name: Enter project name. ADOT Project Number: Enter number Approval MOU: <input type="checkbox"/> 23 U.S.C. 326 <input type="checkbox"/> 23 U.S.C. 327	Federal-aid Number: Enter number NEPA Class of Action: Project Administration: <input type="checkbox"/> ADOT <input type="checkbox"/> LPA

According to Title 23 Code of Federal Regulations (CFR) 774.17, a property afforded protection under Section 4(f) is defined as “publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, state, or local significance, or land of a historic site of national, state, or local significance.”

Section 4(f) requirements stipulate that the USDOT agencies may not approve the use of a Section 4(f) property unless there is no feasible and prudent alternative to the use of that land, and the proposed action includes all possible planning to minimize harm to the property resulting from such use, OR it is determined that the use of the property, including any measures to minimize harm committed to by the applicant, will have a *de minimis* impact on the property.

For parks, recreation areas and refuges, a *de minimis* impact is an impact that would not adversely affect the features, attributes or activities that qualify the property for protection under Section 4(f). *De minimis* determinations are made after notifying the official with jurisdiction (OWJ), providing opportunity for public input, and receiving written agreement from the OWJ that there will be no adverse effect on the recreational/refuge features, attributes or activities of the property.

**PROJECT DESCRIPTION:**

*(Provide a concise description of the project action.)*

**IDENTIFICATION OF SECTION 4(f) PROPERTY:**

*(Describe the Section 4(f) property as per Chapter 6 of the Section 4(f) Manual. Attach a map, photo(s), etc. as appropriate.)*

**OFFICIAL WITH JURISDICTION OVER SECTION 4(f) PROPERTY:**

1. Identify agency with jurisdiction:
  
2. Name and title of contact person at agency:

**APPLICABILITY DETERMINATION:**

1. Section 4(f) Use

*Describe the use of land from the property and identify the amount of the property to be used, including temporary and permanent acquisition:*

2. The project **does not** adversely affect the activities, features, and attributes of the resource that qualify it for protection under Section 4(f). (If this statement cannot be verified as true, *de minimis* does not apply.)  YES

*Describe the effect to the qualities, activities, features, or attributes of the resource that qualify it for protection. Include a description of any avoidance, minimization and mitigation when making the determination regarding effects to the resource:*

3. The public was afforded an opportunity to review and comment on the effects of the project on the protected activities, features, and attributes of the resource. (NOTE: Public input must be received and considered prior to the official with jurisdiction concurring that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection.)  YES

*Identify the opportunity(ies) for public comment and any substantive input received:*

4. ADOT has coordinated with the official with jurisdiction over the property regarding ADOT's determination that the project will not adversely affect the property.  YES

5. Have Federal Land Water Conservation Funds [LWCF 6(f) funds] been used in the acquisition of, or for any improvements to, the Section 4(f) property?  YES  NO

If Yes, the National Park Service been coordinated with and is in agreement with the land conversion or transfer.  YES

*Provide more information regarding the Section 6(f) coordination if appropriate:*



## Section 4(f) *De Minimis* Impact on Public Parks, Recreational Areas, and Wildlife and/or Waterfowl Refuges Form

**Concurrence** by official with jurisdiction over the Section 4(f) property that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection.

_____ Name of Official with Jurisdiction: Signature of Official with Jurisdiction	Date: _____
<i>(Optional: other documentation such as letters or emails may be used in replacement of signing this page) Check here if other documentation is included in the project file.</i> <input type="checkbox"/>	

### **SUMMARY AND DETERMINATION:**

Based on the scope of the undertaking; the fact that the undertaking does not adversely affect the function/qualities of the Section 4(f) property on a permanent or temporary basis; and with agreement from the official with jurisdiction, the proposed action constitutes a *de minimis* impact as defined in 23 CFR 77417.

_____ Environmental Planner:	Date: _____
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_____ Approved By: Select a name	Date: _____
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Approval Authority
<input type="checkbox"/> The environmental review, consultation, and other actions required by Section 4(f) of the Department of Transportation Act are being carried out by ADOT pursuant to 23 U.S.C. <b>326</b> and a Memorandum of Understanding(s) executed by FHWA and ADOT on January 4, 2021.
<input type="checkbox"/> The environmental review, consultation, and other actions required by Section 4(f) of the Department of Transportation Act are being carried out by ADOT pursuant to 23 U.S.C. <b>327</b> and a Memorandum of Understanding(s) executed by FHWA and ADOT on April 16, 2019.