

Section 4(f) Process

Section 4(f) is a federal regulation set up to protect the use of public land in projects. This federal regulation requires TxDOT to inform and gather input from the public.

Section 4(f)

Section 4(f) of the U.S. Department of Transportation Act of 1966 stipulates that TxDOT cannot approve the use of land from:

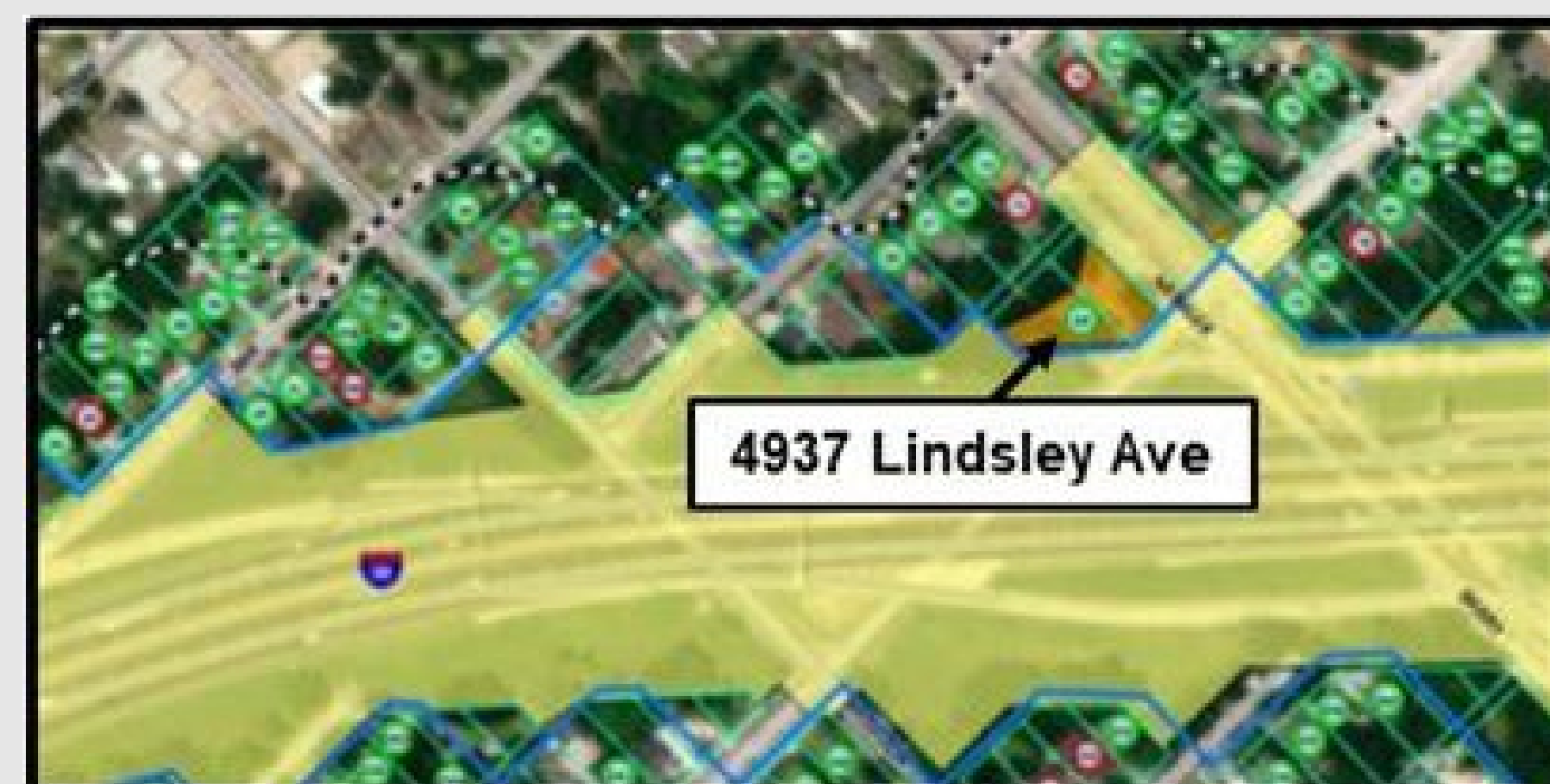
- ✓ Publicly owned parks or recreational areas
- ✓ Wildlife and waterfowl refuges
- ✓ Public and private historic sites

Unless the following conditions apply:

There is no feasible and prudent avoidance alternative to the use of that land; and the action includes all possible planning to minimize harm to the property resulting from such use;

OR

TxDOT determines that the use of the property will have a de minimis, minimal impact.



Above: Properties with adverse affects under Section 4(f)

PROTECTED PROPERTIES

TxDOT determined the project will have an adverse effect on the following resources and is conducting individual Section 4(f) analyses:

- The **Cabell's Building at 710 Exposition Avenue**, which is both individually eligible and a contributing resource within the recommended Commerce/Exposition Historic District;
- A **commercial building at 820 Exposition Avenue**, within the recommended Commerce/Exposition Historic District, and;
- The **Craftsman bungalow at 4937 Lindsley**, within the recommended Mt. Auburn/Santa Fe Historic District.

TxDOT will conduct and provide final 4(f) analysis documentation once the State Historic Preservation Office (SHPO) and other consulting parties have reviewed determinations of eligibility and effect under Section 106. Under Section 106, agencies must consider the effects of their actions on historic properties, defined as resources that are included in, or eligible for inclusion in, the National Register. Through consultation, TxDOT will identify ways to mitigate the project's adverse effects, as well as notify the Advisory Council on Historic Preservation about any potential adverse effects.