SECTION 4(f) DECISION TREE

Is there USDOT involvement in the project? (funding, land, approval)

Yes

Section 4(f) does not apply or is not triggered.

No

Are there any publicly owned lands of a public park, recreation area or wildlife & waterfowl refuge of national, State, or local significance within the project area? OR Are there any lands of a historic or archaeological site listed on or eligible for the National Register of Historic Places? (see 23 CFR 774.13 for exceptions)

Yes

Does the project "use" the Section 4(f) property?

Yes

Is the use "de minimis"?

Yes

Stop. No further Section 4(f) Evaluation needed.

Yes

Prepare a Section 4(f) Evaluation as part of the Environmental Document for the alternative with the least overall harm. (See annotated outlines for guidance.)

No

Prepare Section 4(f) programmatic evaluation and use programmatic processing. (See annotated outlines for guidance.)

No

Does the "use" qualify for a programmatic Section 4(f)?

Yes

Independent Walkway & Bikeways Construction Projects
Historic Bridges
Minor Involvement with Historic Sites
Minor Involvement with Parks, Recreation Areas & Waterfowl and Wildlife Refuges
Net Benefit

No

Conduct an analysis using the balancing factors in 23 CFR 774.17 to determine if there is a feasible & prudent avoidance alternative to the "use" of the Section 4(f) property. Avoidance alternatives cannot use any 4(f) properties. (Include the No-Build.) Is there a feasible and prudent avoidance alternative?

Yes

Stop. No further Section 4(f) Evaluation needed.

The feasible and prudent avoidance alternative MUST be selected.

No

Prepare a Section 4(f) Evaluation as part of the Environmental Document for the viable alternative. (See annotated outlines for guidance.)

Is there more than one viable alternative?

Yes

Conduct analysis using the balancing factors in 23 CFR 774.3(c) to identify the alternative with the least overall harm.

Include all measures to minimize harm to the Section 4(f) property in the selected alternative.

Prepare a Section 4(f) Evaluation as part of the Environmental Document for the alternative with the least overall harm. (See annotated outlines for guidance.)

No

Prepare Section 4(f) programmatic evaluation and use programmatic processing. (See annotated outlines for guidance.)

No