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| ***IMPORTANT NOTE -*** *THIS TEMPLATE SHOULD BE USED ONLY IN THE VERY UNUSUAL SITUATION DESCRIBED BELOW**Use this template to prepare a notice of proposed Section 4(f) de minimis determination for a park, recreation area, or wildlife or waterfowl refuge only if* ***no*** *public meeting, opportunity for public hearing, or public hearing is being held for the project. If a public meeting, opportunity for public hearing, or public hearing is being held for the project, then it is sufficient to simply describe the proposed de minimis determination in the notice for that public involvement event, in which case use of this template is not needed. See Section 12.0 of* ***ENV’s Public Involvement Handbook*** *for more information regarding how this notice may be distributed.**To prepare the content required to be included in a notice, enter project-specific information in the prompts of the template. Prompts are highlighted in grey and set off by brackets, <as shown here>. When all prompts have been addressed, ensure no prompts remain, and copy the content into another document to format the notice. Do not copy these instructions, the title of the template or the headers and footers.* |
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**Notice of Proposed Section 4(f) *De Minimis* Determination for
Use of <Enter property> by Highway Project**

**<Enter Roadway Name and/or Number>**

**From <Enter Starting Project Limit> to <Enter Ending Project Limit>**

**CSJs: <0000-00-000>**

**<Enter County> County, Texas**

The Texas Department of Transportation (TxDOT) <enter “and” and the name of any local governmental entity that is advancing the project> is <or “are”> proposing to <enter the action, such as widen, reconstruct, improve, etc.> <enter the roadway name and/or number> from <enter starting project limit> to <enter ending project limit> in <enter county name> County, Texas. This notice advises the public that TxDOT proposes to <describe use of property> as part of the project.  <describe more details about the use of the property including the following details: name and location of park, recreation area, or wildlife or waterfowl refuge; location of the property; location of the area of the property that would be used by the project; and size of the area of the property that would be used by the project>

TxDOT anticipates making a de minimis determination regarding this use under Section 4(f) of the Department of Transportation Act of 1966 (23 U.S.C. 138).  A de minimis impact is one that will not adversely affect the features, attributes, or activities qualifying the property for protection under Section 4(f).  23 CFR 774.17.  <explain why we think this use qualifies as de minimis>

Any environmental documentation or studies, maps and drawings showing the project location and design, tentative construction schedules, and other information regarding the proposed project are on file and available for inspection Monday through Friday between the hours of 8 a.m. and 5 p.m. at <enter the district office, area office, or local government’s office, address, and phone number>. <retain and edit the following sentence if applicable> Project materials are also available online at <enter web address>.

The project materials are written in English. If you need an interpreter or document translator because English is not your primary language or you have difficulty communicating effectively in English, one will be provided to you. If you have a disability and need assistance, special arrangements can be made to accommodate most needs. If you need interpretation or translation services or you are a person with a disability who requires an accommodation to review the project materials or submit information, please contact <contact name (PIO/or other appropriate contact), District or Division Name>, at <phone number with area code> no later than 4 p.m. CT, at least three business days before the date on which you would like to review the project materials or submit information. Please be aware that advance notice is required as some services and accommodations may require time for TxDOT to arrange.

*Los materiales del proyecto están escritos en inglés. Si usted necesita un intérprete o un traductor de documentos porque su idioma principal no es el inglés o tiene alguna dificultad para comunicarse eficazmente en inglés, se le proporcionará uno. Si usted tiene alguna discapacidad y necesita ayuda, se pueden hacer arreglos especiales para atender la mayoría de las necesidades. Si usted necesita servicios de interpretación o traducción o es una persona con alguna discapacidad que requiera una adaptación para revisar los materiales o enviar información, por favor póngase en contacto con <contact name (PIO/or other appropriate contact), District or Division Name>, al número <phone number with area code> a más tardar a las 4:00 p.m. hora central, al menos tres días hábiles antes de la fecha en la que desea revisar los materiales del proyecto o enviar información. Por favor sepa que es necesario dar aviso con anticipación, ya que algunos servicios y adaptaciones pueden requerir tiempo para que TxDOT los organice.*

The purpose of this notice is to provide the public with an opportunity for public review and comment concerning the effects of the highway project on the protected activities, features, or attributes of <property>.  Written comments from the public regarding the proposed use of <property> are requested and may be submitted by mail to the TxDOT <enter the district name> District Office, <enter address>. Written comments may also be submitted by email to <enter email address>. All comments must be received on or before <enter the day of the week and date 15 calendar days after the public notice>.

If you have any general questions or concerns regarding the proposed project or the use of <property>, please contact <enter contact person’s name, title, phone number, and email address>.

**<NEPA ASSIGNMENT –** For an FHWA project for which TxDOT is conducting the environmental review under NEPA assignment, retain the following sentence; if not, delete it> 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.

<**NON-NEPA ASSIGNED FHWA PROJECT** – For an FHWA project that is not covered by NEPA assignment (e.g., a project that crosses the state line), retain the following sentence; if not, delete it> The lead agency under the National Environmental Policy Act for the proposed project is the Federal Highway Administration.