

# Documenting Section 4(f) Approvals from FHWA

## Purpose of this Guidance

In the past FHWA met our obligations for documenting compliance with 23 CFR 774 (a.k.a. "Section 4(f)") primarily through our NEPA documents. When there is a use of a Section 4(f) resource that is more than *de minimis*, the process is clear – a Section 4(f) Evaluation must be prepared and approved by FHWA. The Section 4(f) Evaluation can be incorporated into a NEPA EIS or EA, or it may be a stand-alone document.

For projects which involve temporary occupancies or *de minimis* uses of section 4(f) resources, we have typically made the approval as part of the NEPA document. Documentation is prepared, but the formal approval happened with the FHWA signature on the NEPA document. With new CEs 23 CFR 771.117 (c) (22) and (23) WSDOT will be signing more NEPA documents on behalf of FHWA. We need a new process for documenting FHWA approval of Section 4(f) determinations.

## Flow Chart - When to use the attached forms and who has approval authority.

