

# **APPENDIX E**

## **FINAL SECTION 4(F) EVALUATION**

**I-94/TH 10 INTERREGIONAL CONNECTION  
FINAL ENVIRONMENTAL IMPACT STATEMENT  
FINAL SECTION 4(f) EVALUATION**

## **INTRODUCTION**

The Section 4(f) legislation as established under the Department of Transportation Act of 1966 (49 USC 303, 23 USC 138) provides protection for publicly owned parks, recreation areas, historic sites, wildlife and/or waterfowl refuges from conversion to a transportation use. The FHWA may not approve the use of land from a significant publicly owned park, recreation area, or wildlife and waterfowl refuge, or any significant historic site unless a determination is made that:

- There is no feasible and prudent alternative to the use of land from the property; and
- The action includes all possible planning to minimize harm to the property resulting from such use (23 CFR 771.135).

The purpose of this Final Section 4(f) Evaluation is to provide the information required by the Secretary of Transportation to make the decision regarding the use of properties protected by Section 4(f) legislation under the Preferred Alternative for the I-94/TH 10 Interregional Connection project.

## **PROJECT BACKGROUND**

A Draft Section 4(f) Evaluation was prepared for the proposed project in conjunction with the Draft Environmental Impact Statement (DEIS). That evaluation identified one farmstead which would be impacted by one of the Build Alternatives (Alternative A) evaluated in that document. However, the Preferred Alternative that has been identified subsequent to the DEIS is along a different corridor (Alternative C) and will not result in any impacts to any Section 4(f) resources.

## **CONCLUSION**

There are no Section 4(f) properties which are proposed to be “used” under the Preferred Alternative; all potential impacts on Section 4(f) properties have been avoided. Coordination with the Minnesota SHPO has been ongoing and they concur that no impacts to eligible properties will occur (see letters in Appendix A of this FEIS).

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