

**EVALUATION AND DOCUMENTATION OF A
DE MINIMIS FINDING TO SECTION 4(F) PROPERTY
FOR PUBLIC PARKS, RECREATION LANDS, AND
WILDLIFE AND WATERFOWL REFUGES**

ARDOT Job 110803
FAP NHPP-0018(64)
Cross Co. Line-Co. Rd. 375 (Widening)
Crittenden County



Earle Community Park
City of Earle

June 2023

Federal Highway Administration
Arkansas Department of Transportation

What is Section 4(f)?

Section 4(f) is part of a law that was passed to protect public parks, recreation areas, wildlife/waterfowl refuges, and important historic sites from being harmed by transportation projects.

Does Section 4(f) apply to the Earle Community Center Park?

The Arkansas Department of Transportation (ARDOT) has proposed a project involving Earle Community Park property in Earle, Arkansas. Section 4(f) protections are applicable because the Earle Community Park is publicly accessible and managed and used for recreational purposes.

Certain types of Section 4(f) impacts can be recognized as “*de minimus*”, which means relatively minor. The intent of this evaluation is to demonstrate that impacts to the Earle Community Park will be relatively minor and therefore meet the *de minimis* impact determination conditions shown in **Table 1**.

Table 1	
When Can <i>De Minimis</i> Impact Determinations Be Made?	Applicable To This Project?
Did we design the project to protect the park as much as possible? Did we use mitigation and enhancement where it was suitable?	Yes
Did the officials with authority have a chance to consider this information and agree that the project will not greatly harm the characteristics that make the park important?	Yes
Did the public have an opportunity to review and comment on the effects of the project on the park and the characteristics that make it important to them?	Yes

What is the proposed project?

ARDOT, in conjunction with the Federal Highway Administration, is proposing to widen Hwy. 64 between the Cross County Line and County Road 375 in Crittenden County. Improvements will include adding travel lanes, a center turn lane along one section of the route, and a painted median along another section. Concrete curb and gutter and sidewalks will also be provided.

Why is Earle Community Park important?

The Earle Community Park is owned and managed by the City of Earle. Recreational features of the park include:

- Community Center Building (see **Figure 1**)
- Playground equipment (see **Figure 2**)
- Pavilion with picnic tables (see **Figure 3**)
- Paved walking trail (see **Figure 4**)



Figure 1



Figure 2



Figure 3



Figure 4

The Community Center Building is currently vacant and the City plans to renovate it.

Can we avoid the park?

There are no feasible and prudent alternatives to widening Hwy. 64 on the current alignment without impacting park land.

What will the project do to the park?

The proposed project will require the conversion of approximately 0.17 acre of park property to transportation easement. As shown in **Figure 5**, the acreage to be converted is adjacent to the south side of Hwy. 64 and involves two driveways, a parking area, and perimeter fencing.

Impacts resulting from project construction will include:

Adverse Impacts

- 0.17 acre of the approximately 2.7-acre Earle Community Park will be converted to transportation easement.
- The park will not be publicly accessible during construction.
- Noise levels will temporarily increase during construction.



Figure 6

Beneficial Impacts

- The project provision of sidewalks will increase pedestrian safety and mobility.
- New park perimeter fencing will be an improvement over the existing fencing, which is in poor condition.

What measures are proposed to reduce harm to the park?

ARDOT coordinated with Earle city officials to review potential Section 4(f) impacts. The following measures were included in the proposed project to reduce harm to the park:

- The additional transportation easement acreage was minimized to the extent practicable.
- Coordination with Earle officials about construction timing, clear zones, and park user diversions around the construction zone will be ongoing.
- The perimeter fencing will be replaced.

How did we involve the public in this evaluation?

Note for Draft. A brief discussion of the actions for providing the public opportunity to review and comment on impacts to the Section 4(f) property and any other coordination relevant to the Section 4 (f) property will be inserted here. Example:

A Public Notice in The Evening Times on July 12 and July 19 invited the public to review and comment on the proposed project's effects on Earle Community Park. The Draft Section 4(f) Evaluation document was available for public review at the Earle Public Library located at 703 Commerce Street in Earle and the ARDOT District 1 Headquarters located at 2701 Hwy. 64, west of Hwy. 1 North, in Wynne. The Draft Section 4(f) Evaluation was also available on the ARDOT website. The public comment period occurred from July 12 through July 26, 2023. *[indicate whether or not public comments were received; summarize received comments if applicable and provide in Appendix B.] Earle officials agreed on TBD date that this project will not have a harmful effect on the Earle Community Park. A copy of the concurrence is included in Appendix A.*

What is the decision?

This evaluation concludes that the proposed project will not adversely affect the protected features, qualities, or activities that qualify the park for protection under Section 4(f), thus qualifying for a *de minimis* finding on the Earle Community Park.

APPENDIX A
CONCURRENCE STATEMENT