

Environmental Office, MaineDOT
Standard Operating Procedure
Section 4(f) of the Department of Transportation Act
Process for MaineDOT

1.0 APPLICABILITY.

This standard operating procedure (SOP) pertains to all staff in the Maine Department of Transportation's (MaineDOT's) Environmental Office (ENV) charged with evaluating regulatory jurisdictions, requirements, and review for resources protected under Section 4(f) of the Department of Transportation Act of 1966 (Section 4(f)). This standard applies to the processing of Section 4(f) for MaineDOT's projects.

2.0 PURPOSE.

This SOP is to ensure that the MaineDOT is in compliance with cultural resource laws by incorporating preservation principles into project planning through consultation with federal agencies, the State Historic Preservation Officer, the Tribal Historic Preservations Officers, Native American Tribes, and local municipal officials, and Officials With Jurisdiction over Section 4(f) properties. The objective is to establish procedures to identify publically-owned public parks, recreational areas, wildlife and waterfowl refuges, and NR-listed or -eligible historic properties, assess the project's use and effects on them, and seek ways to avoid, minimize, and mitigate uses and adverse effects.

3.0 RESPONSIBILITIES.

3.1 Conformity

All ENV personnel involved in coordinating with and consulting on transportation projects proposed by MaineDOT are responsible for becoming familiar with and complying with, the contents of this procedure. The attached flowchart serves as a reference throughout the regulatory review of a proposed project. ENV managers and supervisors are responsible for ensuring that appropriate ENV personnel are familiar with and adhere to the procedures outlined in this SOP.

MaineDOT has assumed the responsibility of Section 4(f) under NEPA Assignment (23 U.S.C. 327).

3.2 Maintenance

The Senior Environmental Manager and Cultural staff (CS) will ensure that this SOP reflects current needs and standards on an annual basis. Attachments will be updated as needed and the updated information provided to all parties.

4.0 SECTION 4(f) PROCESS FOR MAINEDOT

4.1 All Projects and Studies

The CS oversees the Section 4(f) process for all MaineDOT projects and studies. The CS will be responsible for sending plans with final right-of-way, historical data, and/or 4(f) documents to the Senior Environmental Manager for review and written approval.

Any changes in right-of-way, design, or impacts to the 4(f) resources during project development or construction will need to go through the Environmental Office for approval.

4.2 Initiating Section 4(f) Process

The CS shall review all projects that have U.S. DOT funds or oversight to determine if Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303) is applicable. The CS will process projects under 23 CFR 774.

4.3 Identification of 4(f) Resources

The CS shall review all projects within the Work Plan, and projects identified as candidate projects for scoping that have U.S. DOT funds. The CS will identify public parks, public recreation areas, public wildlife and waterfowl refuges, and historic properties (NR-eligible and -listed resources) as early in the project schedule as possible by utilizing the Realty Management System, historic consultants, regional coordinators, the Property Office (existing conditions plans), town offices, the historic GIS database, and any other available information. The CS will utilize [FHWA's Section 4\(f\) Guidance \(Environmental Toolkit\)](#) and the [FHWA Section 4\(f\) Policy Paper](#) for guidance with Section 4(f) applicability criteria, including mixed-use properties, properties reserved for transportation use, etc. The CS will work closely with MaineDOT's Environmental Legal Counsel regarding Section 4(f) applicability criteria. All decisions will be documented in ProjEx.

- A. If no 4(f) resources are identified, the CS will place a note in the MaineDOT ProjEx database and dates and comments will be entered into ProjEx. Section 4(f) is then complete.
- B. Historic (i.e., NR-eligible or -listed) resources identified by the CS will be sent to the State Historic Preservation Officer (SHPO) for concurrence on their eligibility. The term "historic" includes both architectural and archeological resources. Disputes concerning eligibility will be addressed as outlined in MaineDOT's Section 106 SOP.
- C. If a publicly owned property is identified, the CS will determine if the primary use of the property is for recreational activities, as a park, or as a wildlife/waterfowl refuge. The ownership of the parcel (publicly owned either through title or via a significant oversight role on the part of a public agency), level of access (open to the general public regardless of affiliation), and significance of the property will also be verified by the CS.

4.4 Determination of major primary purpose and significance for recreation, parks, or wildlife/waterfowl refuge.

The CS will contact the official with jurisdiction (OWJ) to determine the primary use of the property. The OWJ is most often the property owner, although there may be cases where there is shared authority (for example between a property owner and lessee, or when the administering agency delegates some of its authority to another entity) that may require more than one point of contact.

- A. If the OWJ indicates that the primary use for the property is not for recreation, as a park, or as a wildlife/waterfowl refuge, then the CS will place a note in the MaineDOT ProjEx database and dates will be entered into ProjEx. All documentation will be filed in the CPD e-file.
- B. If the OWJ indicates that the property is used for recreational purposes, as a park, or as a wildlife or wildfowl refuge, the CS will contact the OWJ, in writing, to confirm that understanding, to make a determination of the property's significance, and to comment on MaineDOT's assessment of effects and any proposed minimization and mitigation efforts made with respect to that property. The OWJ must respond in writing to the CS's request for information. The reply from the owner/official with jurisdiction will be filed in the CPD e-file and noted in ProjEx.

- i. If the property is deemed not significant by the OWJ, the CS will place a note in the Maine DOT ProjEx database and dates will be entered into ProjEx. All documentation will be filed in the CPD e-file.
- ii. If the property is deemed significant by the OWJ, then the CS will consider the property a 4(f) resource. This information, along with the location of the property, will be provided to the Project Manager (PM) by the CS so that design adjustments can be made to **avoid and minimize a use that would have a negative impact on the 4(f) property.** All documentation will be filed in the CPD e-file.

4.5 Historic Properties

The CS, MHPC archeological staff, and/or the historic consultant will identify National Register eligible and listed historic (architectural and archeological) properties within the project's area of potential effect (APE). (See Section 106 SOP for a detailed account of this identification process.)

- A. If MaineDOT determines there are no properties within the APE that are NR-listed or eligible, and the SHPO concurs, the CS will place a note in the MaineDOT ProjEx database. All documentation will be filed in the CPD e-file.
- B. If MaineDOT identifies an NR-listed or –eligible architectural property and SHPO concurs, then the CS will document the property as a Section 106 and 4(f) resource. This information, along with the location of the property, will be provided to the Project Manager (PM) by the CS so that design adjustments can be made to **avoid and minimize** any uses that would have a negative impact on the 4(f) property. All documentation will be filed in the CPD e-file.
- C. If MaineDOT identifies an NR-listed or –eligible archeological property that is important to preserve in place and SHPO concurs, then the CS will document the property as both a Section 106 and 4(f) resource. If the archeological property is NR-listed or –eligible but is not important to preserve in place, it will remain a Section 106 resource, but will not qualify for protection under Section 4(f). This information, along with the location of the property, will be provided to the Project Manager (PM) by the CS so that design adjustments can be made to **avoid and minimize** any uses that would have a negative impact on the 4(f) property. All documentation will be filed in the CPD e-file.

4.6 Providing 4(f) Resource Information to the Project Manager

The CS will provide the 4(f) resource information to the PM as early in the project schedule as possible. The PM will be required in accordance with 49 U.S.C 303 and 23 CFR 774 to avoid a “use” to the identified 4(f) resource(s). A “use” includes such actions as acquisitions, easements, and any permanent or temporary change that may adversely affect the value of the resource. ***The primary responsibility of the PM and the design and right-of-way team is to avoid 4(f) resources.*** The information regarding 4(f) resources will guide the PM and Team in designing the project. Coordination and communication between the PM, Design Team, Environmental Team Leader, and the CS will occur throughout the project development process.

4.7 Determination of “Use” at Preliminary Design Report (PDR) Phase

The CS and the ENV Team Leader will review project plans, 4(f) resources, and right-of-way at the PDR stage or when appropriate design and right-of-way plans or notes are developed. The

term use—as it relates to Section 4(f)—denotes an adverse impact to, or occupancy of, a Section 4(f) property. There are three conditions under which use occurs:

- Permanent Incorporation – when a Section 4(f) property is acquired outright for a transportation project.
- Temporary Occupancy – when there is temporary use of property that is adverse in terms of Section 4(f)'s preservationist purpose.
- Constructive Use – when the proximity impacts of a transportation project on Section 4(f) property, even without acquisition of the property, are so great that the activities, features, and attributes of the property are **substantially impaired**.

When a transportation project results in a use of land from a Section 4(f) property, MaineDOT generally acquires interest in land by one of the following methods or has an adverse effect on a transportation asset within the existing right of way:

- fee simple
- permanent easement
- temporary easement

Determining a Constructive Use under NEPA Assignment is still determined by FHWA Headquarters. Project documents will contain the evaluation of proximity effects and a discussion of whether or not there is substantial impairment to a Section 4(f) property. The term "constructive use" need not be used, except when responding to review comments in environmental documents that specifically address constructive use. In cases where a constructive use determination appears appropriate the CS or public will notify the FHWA Division Office. The FHWA Division must consult with the FHWA Headquarters Office of Project Development and Environmental Review to make the final determination.

A. If there is no “use” and 4(f) is determined not to be applicable by the CS, then the CS will enter dates and comments into ProjEx. u. All documentation will be filed in the CPD e-file. Section 4(f) is then complete. ***If there are any changes to design or right-of-way after no “use” is determined the PM is obligated to bring this to the attention of the CS as soon as possible.*** If the changes result in the use of the 4(f) resource, then the review process is reinitialized.

B. If the “use” of a historic site, significant public recreational area, public park, public wildlife or waterfowl refuge cannot be avoided (there is no prudent and feasible avoidance alternative (See Section 4.10 for further guidance on Prudent and Feasible), the PM must explore design modifications which will minimize that use. Depending on the extent of the impact and the ability to minimize it, mitigation may be required. The PM must provide an alternative analysis that explains why avoiding the “use” of the property is not feasible and prudent. The extent and level of detail of that analysis are dependent upon the level of impact to the resource. The Team Leader and CS will assist the PM with the alternative analysis. ***If there are any changes to design or right-of-way after the 4(f) documentation is complete, the PM is obligated to bring this to the attention of the CPD as soon as possible.*** The changes may require that the review process be reinitialized.

C. The use of a 4(f) property requires written documentation that is developed with input from the appropriate consulting parties (e.g., SHPO, OWJ, tribes, public). The level of

documentation and consultation is commensurate with the extent of the overall impact on the 4(f) property(s).

4.8 Temporary Occupancy

A temporary occupancy occurs when project impacts on the 4(f) resource are so minimal as to not constitute a use within the meaning of Section 4(f). The CS is responsible for contacting the OWJ in writing that MaineDOT will have a temporary occupancy on the Section 4(f) resource. The OWJ is to sign this letter in concurrence and send it back to MaineDOT. This is then documented in the CPD e-file, as well as in ProjEx

4.9. Types of 4(f) Documents

The following section offers a generalized overview of the various classes of 4(f) documentation, including their general applicability and requirements. The complexity of the 4(f) statute is such that it makes it necessary to review each project individually in order to determine the appropriate level of involvement. For detailed discussions, the reader is referred to the 2012 FHWA Section 4(f) Policy Paper (full citations listed under Section 13: Guidance).

A. De minimis Evaluation

When is it used? The *de minimis* documentation is used in instances where there is negligible impact on the 4(f) resource. Findings of no adverse effect under Section 106 or no significant impact from the OWJ on non-historic 4(f) resources are instances in which *de minimis* documentation can be used.

What is required? There must be written concurrence from the SHPO/THPO and/or OWJ with the assessment of effects and that the action will have a minor impact on the 4(f) resource. In the case of recreational resources, parks, and wildlife/waterfowl refuges, the public must also be notified of the proposed impact and given the opportunity to comment. This public involvement requirement can usually be satisfied during an early and traditional Maine DOT Informational Meeting or Public Hearing.

The Maine DOT CS submits the following *de minimis* documentation to the MaineDOT Team Leader for quality review and Senior Environmental Manager for approval:

- summary matrix of the resources;
- appropriate plan sheets;
- written letters of concurrence from the SHPO/THPO and/or OWJs;
- a summary of the project scope detailing any avoidance, minimization or mitigation measures;
- a cover letter.
- a location map

Prior to submitting a *de minimis* documentation for a public park, wildlife refuge or recreational resource, the *de minimis* documentation package will be posted via public notice in the project's local newspaper and on the MaineDOT ENV website for public comment for a period of two weeks. This will occur if public involvement is not satisfied during an early and traditional Maine DOT Informational Meeting or Public Hearing.

B. Programmatic Evaluation

When is it used? Recognizing the reoccurrence of certain classes of actions, the FHWA developed a series of standardized, streamlined documents that could be used in prescribed circumstances. Programmatic Evaluations do not require review/approval beyond the MaineDOT Environmental Office Director. Currently, there are 5 different types of

programmatic evaluations; a brief overview of each is provided below. For detailed discussions, the reader is referred to the FHWA Section 4(f) Policy Paper.

Programmatic Section 4(f) Evaluation and Approval for Projects that Necessitate the Use of Historic Bridges

This evaluation sets forth the basis for approval that there are no feasible and prudent alternatives to the use of certain historic bridge structures to be replaced or rehabilitated with Federal funds and that the projects include all possible planning to minimize harm resulting from such use.

Final Nationwide Section 4(f) Evaluation and Approval for Federally-Aid Highway Projects with Minor Involvements with Public Parks, Recreational Lands, and Wildlife and Waterfowl Refuges

This programmatic evaluation is applicable for projects that improve existing highways and use minor amounts of publicly owned public parks, recreation lands, or wildlife and waterfowl refuges that are adjacent to existing highways.

Final Nationwide Section 4(f) Evaluation and Approval for Federally-Aid Highway Projects with Minor Involvements with Historic Sites

This programmatic evaluation has been prepared for projects that improve existing highways and use minor amounts of land (including non-historic improvement thereon) from historic sites that are adjacent to existing highways where the effect is determined not to be adverse.

Final Nationwide Programmatic Section 4(f) Evaluation and Determination for Federal-Aid Transportation Projects that Have a Net Benefit to a Section 4(f) Property

Unlike the other programmatic which require minor involvement, the use of this programmatic is not dependent on impact level, so it can be used with EIS projects, realignments, relocating entire 4(f) resources, findings of adverse impacts on 106 properties, etc. However, two criteria must be met to use this evaluation: (1) the project must result in an overall enhancement of the 4(f) property, and (2) the project cannot substantially diminish the values that make the property eligible for 4(f) protection. The enhancement and diminishment evaluations are determined by MaineDOT in conjunction with the official with jurisdiction over that property. All parties must agree otherwise the programmatic cannot be used.

Section 4(f) Statement and Determination for Independent Bikeway or Walkway Construction Projects

This negative declaration applies to bikeway and/or walkway projects that require the use of land from Section 4(f) resources. This programmatic exempts independent (i.e., not connected with a highway project) bikeways and walkways that require the use of recreation and park areas that are maintained primarily for recreation purposes. Written concurrence must be obtained from the OWJ. It does not apply to public wildlife or waterfowl refuges or historic sites.

What is required?

As with the *de minimis* requirements, there must be written concurrence from the SHPO/THPO and/or OWJ with the assessment of effects. Additionally, with the exception of the historic bridge programmatic, all other programmatic requires that the proposed action will have either a minor or positive impact on the 4(f) resource. However, unlike the *de minimis* process, the general public does not need to be notified of the proposed impact and given the opportunity to comment within the context of Section 4(f).

Standardized documentation templates have been developed for each of the first four programmatic evaluations, and examples may be viewed in the ENV Office. While there is some variability with respect to the documentation requirements among the different evaluations, the following elements are required for all:

- basic project purpose and need
- documentation that all programmatic criteria have been met
- alternative analysis (including the no build, building on new location, and improvement without using the 4(f) resource)
- avoidance and minimization efforts
- mitigation (if required)

C. Individual Evaluation

When is it used?

An Individual 4(f) Statement is prepared when neither the *de minimis* nor programmatic criteria can be met.

What is required?

While the basic elements are similar to those used in a programmatic, the individual evaluation is more involved and requires more detailed documentation, interagency coordination, and regulatory review than the programmatic. The Department of the Interior is required to review the draft and has a minimum of 45 days in which to do that. In addition, the draft document must be reviewed by MaineDOT Environmental Counsel and the Maine Attorney General's Office for legal sufficiency prior to its finalization. The CS and Senior Environmental Manager are responsible for coordinating the legal reviews and incorporating suggestions/requirements from the legal reviews. For additional information, see MaineDOT's EA and EIS Guidance sections 6.2. The Draft and Final 4(f) Evaluations may be circulated with the NEPA document, or separately. As with the programmatic, there is no requirement for public involvement within the context of 4(f).

4.9 Writing the 4(f) Document

The CS will prepare the 4(f) documentation for all MaineDOT projects and studies. The CS will determine the appropriate level of 4(f) documentation. If there is some uncertainty regarding the appropriate level of 4(f) documentation, the CS will consult with the Senior Environmental Manager requesting their opinion. Once the appropriate level of documentation is determined, the document will be written by the CS with assistance from the Environmental Team Leader and Design Team. All documentation will be developed in accordance with the appropriate guidance offered in the FHWA Section 4(f) Policy Paper, the individual programmatic evaluations, FHWA Section 4(f) guidance online, the FHWA Technical Advisory T6640.8A, (full citations listed under Section 13: Guidance).

4.10 Prudent and Feasible

A feasible and prudent avoidance alternative avoids using Section 4(f) property and does not cause other severe problems of a magnitude that substantially outweighs the importance of protecting the Section 4(f) property. In assessing the importance of protecting Section 4(f) property, it is appropriate to consider the relative value of the resource to the preservation purpose of the statute.

The regulations [23 CFR 774.17](#) set out factors to consider in determining whether an avoidance alternative is feasible and prudent:

- An alternative is not feasible if it cannot be built as a matter of sound engineering judgment.

- An alternative is not prudent if:
 - It compromises the project to a degree that it is unreasonable to proceed with the project in light of its stated purpose and need;
 - It results in unacceptable safety or operational problems;
 - After reasonable mitigation, it still causes:
 - Severe social, economic, or environmental impacts;
 - Severe disruption to established communities;
 - Severe disproportionate impacts on minority or low-income populations;
 - or
 - Severe impacts to environmental resources protected under other Federal statutes;
 - It results in additional construction, maintenance, or operational costs of an extraordinary magnitude;
 - It causes other unique problems or unusual factors; or
 - It involves multiple factors listed above, that while individually minor, cumulatively
 - cause unique problems or impacts of extraordinary magnitude

If an avoidance alternative is determined to be feasible and prudent, it must be selected.

The CS will work with the Senior Environmental Manager, Environmental Team Leader, and Project Manager to determine if an alternative is prudent and feasible. This will be documented in the Section 4(f) evaluation.

4.11 Measures to Minimize Harm

The CS will work closely with the Environmental Team Leader and Project Manager on avoidance and minimization measures. These measures will be documented in the 4(f) evaluation.

Before an alternative involving the use of a Section 4(f) resource can be selected, avoidance alternatives and minimization measures must be considered. (For *de minimis* impacts, mitigation measures should be considered in making the determination.) Avoidance alternatives are those that totally avoid the use of Section 4(f) properties while meeting the defined project needs; minimization measures are efforts to minimize the impact of a project on a Section 4(f) property. Minimization measures may include mitigation, which is compensation for Section 4(f) impacts that cannot be avoided. Mitigation may entail the replacement of Section 4(f) property or facilities.

- If an alternative would have only a *de minimis* impact, it may be selected without further evaluation under Section 4(f).
- If an avoidance alternative is determined to be feasible and prudent, it must be selected.
- If multiple alternatives under consideration use Section 4(f) property and no feasible and prudent avoidance alternative exists, the alternative that will cause the least overall harm must be selected.

4.12 Least Overall Harm

When multiple alternatives use Section 4(f) property and the evaluation of avoidance alternatives concludes that there is no prudent and feasible avoidance alternative, then MaineDOT may approve, from the remaining alternatives that use Section 4(f) property, only the alternative that causes the least overall harm in light of the preservation purpose of the statute. [23 CFR 774.3\(c\)](#) includes a list of factors to consider in making this determination of least overall harm.

These factors include the ability to mitigate adverse impacts to Section 4(f) property; the relative severity of remaining harm, after mitigation, to Section 4(f) property; the views of the officials with jurisdiction; and the relative significance of each Section 4(f) property. Other factors include the degree to which alternatives meet the project purpose and need, substantial differences in cost, and impacts on other resources. The CS will work with the Environmental Team Leaders and Project Manager to understand and consider these factors.

4.13 Submission of the 4(f) Document

The CS will submit an electronic version for review and approval in accordance with the chart below:

Action	Responsible Staff		
	Preparer	Quality Control Reviewer	Approver
Section 4(f) - De minimis	Cultural Staff	ENV Team Leader	Senior Environmental Manager (NEPA Manager)
Programmatic	Cultural Staff	Senior Environmental Manager (NEPA Manager)	ENV Director
Individual Section 4(f)	Cultural Staff	Senior Environmental Manager (NEPA Manager)	ENV Director
Legal Sufficiency – EIS & Individual Section 4(f)		MaineDOT Legal Counsel	Maine Attorney General’s Office

A. Sign the *de minimis* or programmatic document.

If the document is signed, then 4(f) is complete. A copy of the document will be filed in the CPD e-file and an approval date will be placed in ProjEx by the CS.

B. Find the Individual Draft 4(f) evaluation document satisfactory and forward it to the Department of the Interior (DOI) for a minimum 45-day review.

If the Draft Individual Section 4(f) Evaluation is found complete, then the CS/Senior Environmental Manager will forward the document to DOI for a minimum 45-day review period and to the MaineDOT Environmental Counsel and Maine Attorney General’s Office for legal sufficiency. If there are no substantive comments from DOI and the document is found legally sufficient, then the Final Individual Section 4(f) Evaluation will be prepared, including a draft Section 4(f) Statement to be signed by the Environmental Office Director. The CS will place dates into ProjEx. All documentation will be filed in the CPD e-file.

C. Submit comments on the entire document to the CS.

If the Senior Environmental Manager has content or format-based comments on the 4(f) document, then the CS will schedule a working session with the Senior Environmental Manager, the CR consultant (if applicable), and the design team (if necessary) to address the comments and complete the document.

4.14 Timeframes

The CS will prepare the 4(f) documentation for all MaineDOT projects and studies. The timeframes below outline standardized preparation and review times and are dependent on all

necessary information being available for adequate documentation and review. Any change in scope or anticipated impacts will reset the schedule for both the preparation and review components. In addition, there may be separate but concurrent Section 106 processes (e.g., MOA, ACHP invitation to participate) that may affect the schedules if further resolution or consultation is required. The reader is directed to the Section 106 SOP for a detailed discussion of the process, responsible parties, and timeframes.

A. Preparation

The following preparation times assume that all required materials and information have been obtained from the Environmental Team Leader, PM, designer, Right-of-Way team member, SHPO/THPO, OWJ, and any other relevant party. Timeframes are in calendar days.

<i>De minimis</i> with a cover memo	CS plus public comment period	20 days
Programmatic 4(f)	CS	15 days
Preliminary Draft 4(f) Individual Evaluation	CS and revisions	30 days
Draft 4(f) Individual Evaluation	DOI review period	45 days (60 max)
Draft 4(f) Individual Evaluation	CS revises in response to MaineDOT comments	15-20 days
Final 4(f) Individual Evaluation	CS revises in response to DOI, Environmental Counsel, and other relevant parties' comments; prepares draft Final 4(f) Statement for ENV Director's approval	15 days

4.15 Section 4(f) Document Complete

Section 4(f) is considered complete when the CS determines 4(f) is not applicable or the Senior Environmental Manager or ENV Director signs the 4(f) document. The CS will place a date in the MaineDOT ProjEx database. All documentation will be filed in the CPD e-file.

4.16 National Environmental Policy Act (NEPA)

When Section 4(f) has concluded the CS will complete the NEPA checklist Section 4(f) section in ProjEx.

Final NEPA approval cannot be granted until Section 4(f) is complete.

4.17 DOT Locally Administered Projects (LAP)

The CS will conduct the Section 4(f) process as laid out in this SOP for all U.S. DOT-funded LAP Projects.

4.18 Additional Resources and Guidance

Regulatory Citations

Section 4(f) of the Department of Transportation Act of 1966 (49 U.S.C. 303)

23 CFR 774.

Federal Highway Administration (FHWA Docket No. FHWA-2002-13290), 2005. Final Nationwide Programmatic Section 4(f) Evaluation and Determination for Federal-Aid Transportation Projects that have a Net Benefit to a Section 4(f) Property; *Federal Register* 70(75), p. 20618-20630

Federal Highway Administration (FHWA Docket No. FHWA-05-22884) and the Federal Transit Authority, 2006. Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites, Notice of Proposed Rulemaking (NPRM); *Federal Register* 71(144), p. 42611-42622.

Federal Highway Administration (FHWA Docket No. FHWA-2006-24902), 2006. Final List of Nationally and Exceptionally Significant Features of the Federal Interstate Highway System; *Federal Register* 71(243); p. 76019-76021.

Guidance Papers

Federal Highway Administration, 1987. Technical Advisory T6640.8A: Guidance for Preparing and Processing Environmental and Section 4(f) Documents, dated October 30, 1987.

Federal Highway Administration, 2012. FHWA Section 4(f) Policy Paper; dated July 20, 2012
66 p.

Websites

4(f) Guidebook references

<http://environment.fhwa.dot.gov/guidebook/Results.asp?selSub=68&Submit=Search+Guidebook>

Section 4(f) Process for Maine DOT Projects - Process Flow Chart is on the following page.

