

STATE OF MAINE
Memorandum

Date: July 27, 2016

To: Cassandra Chase, FHWA
From: Megan M. Hopkin, Maine DOT/ENV
Subject: Section 4(f) de minimis documentation for approval
Project: Lewiston 18580.00
Scope: intersection improvements

I have enclosed the Section 4(f) de minimis documentation for the Bartlett Street rehabilitation project. The project is locally administered. Please review and make finding in accordance with the December 2007 partnering agreement.

Please contact me at megan.m.hopkin@maine.gov or 592-3486 if you have any questions. Thank you.

cc: CPD e-file
enc: Supporting information

Lewiston 18580.00 Road Rehabilitation Project

De minimis Summary

Purpose and Need

The proposed project is rehabilitation of Bartlett Street in Lewiston. The work will include mill and fill treatment of the highway surface, with reconstruction of sidewalks and installation of pedestrian bulb-outs at intersections: Beginning at College Street and extending southerly 1.08 miles to East Avenue.

Public Property and Impacts

(1) City of Lewiston High School/ Public Park

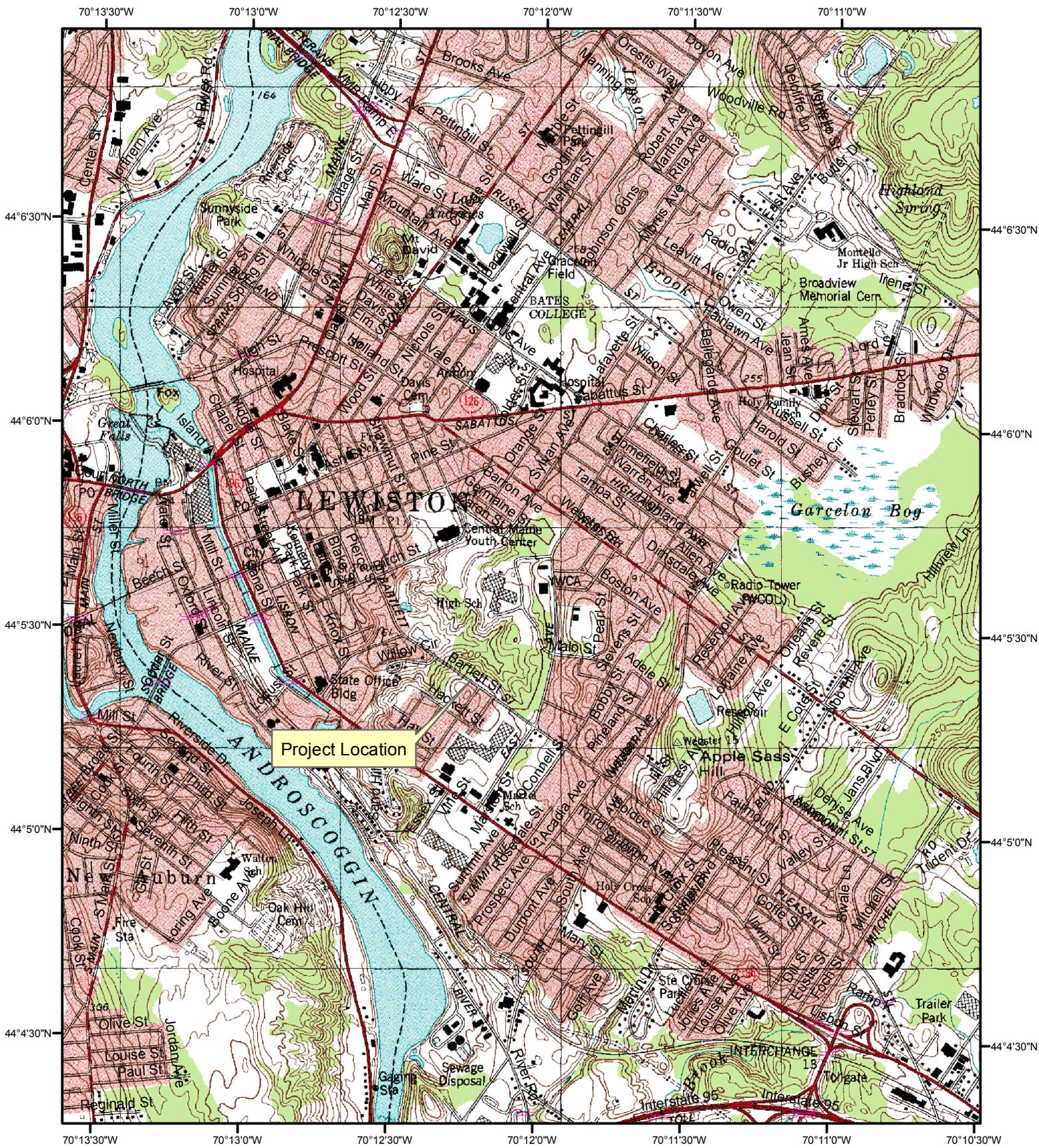
The property located on the northeast corner of Bartlett Street and East Avenue is owned by the City of Lewiston. In order to rehabilitate the sidewalks, MaineDOT will need to take 517 sq.ft. of construction and maintenance easements on the property. A letter was sent to the City to ask if the project would have an adverse effect on the recreational use of their significant public park. They replied that the project would have **no adverse effect** on the recreational use of the property in a signed letter on June 6, 2016.

Avoidance, Minimization and Mitigation

Most of the work will be completed within the existing ROW. Only the necessary amounts of impacts have been exerted in order to correctly build and maintain the project. The roadway will maintain its current alignment. Materials will also be similar to existing materials.

De minimis Summary Sheet
Lewiston 18580.00

Station #	Property Name	Current Owner's Name	NR Eligibility	Scope/Impact (see attached plan sheet)	Effect	level of 4(f) involvement
50+00-55+61 Left	Lewiston High School	City of Lewiston	N/A	517 sq.ft. construction and maintenance easement	no adverse	<i>de minimis</i>



Project Location

0 315 630 1,260 1,890 2,520 Feet

MDOT WIN 18580.00
 Lewiston- Bartlett Street
 highway preservation



June 6, 2016

Mr. Justin Early
Project Engineer
City of Lewiston
27 Pine Street
Lewiston, ME 04240

RE: Section 4(f) of the Department of Transportation Act of 1966, as amended
Scope: Road Rehabilitation
Location: Bartlett Street
MDOT PIN: 18580.00

Dear Mr. Early,

The MaineDOT is currently working on road/sidewalk rehabilitation of Bartlett Street beginning at College Street and extending southerly 1.08 miles to East Avenue. In order to reconstruct the sidewalk at the intersection of East Avenue and Bartlett Street, construction and maintenance easement will be needed on the City of Lewiston property. Please see the attached right of way plan for a visual of the proposed impacts which show reconstruction of the sidewalk and the construction and maintenance surrounding the area of work.

In accordance with Section 4(f) of the Department of Transportation Act of 1966, it is mandatory that we receive a written response from the City of Lewiston stating the following:

1. Is the property (Lewiston High School) truly a “public” property? Public means that the parcel is either owned by a public agency (e.g., federal, state or municipal) or that a public entity has significant legal oversight on or involvement with that property (i.e., through a lease). In addition to ownership, the resource must be open to the general public regardless of affiliation. For example, a town-owned beach that is only open to the citizens of that municipality does *NOT* qualify as “public” under Section 4(f).
2. Whether or not the owner or official with jurisdiction considers the public recreational areas to be significant. “Significant” means that in comparing the availability and function of the property with the community’s recreational objectives, the land in question plays an important role in meeting those objectives. The primary purpose of the land must be for recreational use;
3. Whether or not the anticipated impacts associated with this project would adversely affect the property;
4. If so, suggestions as to how the impact(s) could be minimized and/or mitigated.

The written response can either be issued as a separate letter or by using the following form. If this form is used, please be sure to complete and return all pages of this letter.

The Department's assessment of anticipated impacts to this property is as follows:

The Maine DOT will require drainage rights on the City of Lewiston, Lewiston High School property. The rights will be approximately 517 sq.ft of construction and maintenance easement. The Department feels that these actions will not adversely affect the Lewiston High School property and its use.

Is the recreational area (City of Lewiston, Lewiston High School) a public property as defined by Section 4(f)?

Does the Owner or Official with Jurisdiction consider the public recreational area to be significant?

Is the primary use of the City of Lewiston, Lewiston High School parcel for recreational purposes?

Does the Owner or Official agree with the MaineDOT's assessment of impacts?

If not, how should the assessment be modified?

Will the impacts associated with the project adversely impact the property?
(Please indicate how the project will impact the property.)

If so, please suggest how the impact could be minimized and/or mitigated.

Signature of Owner or Official with Jurisdiction	Printed name of Owner of Official with Jurisdiction	Date
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Please respond as soon as possible in order to maintain the project schedule. Questions concerning this process should be directed to Megan Hopkin at megan.m.hopkin@maine.gov or (207) 592-3486. Thank you in advance for your cooperation.

Sincerely,

Megan M. Hopkin, Historic Coordinator
Environmental Office
Maine Department of Transportation
State House Station # 16
Augusta, Maine 04333-0016

June 6, 2016

Mr. Justin Early
Project Engineer
City of Lewiston
27 Pine Street
Lewiston, ME 04240

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Is the recreational area (City of Lewiston, Lewiston High School) a public property as defined by Section 4(f)?

yes

Does the Owner or Official with Jurisdiction consider the public recreational area to be significant?

No

Is the primary use of the City of Lewiston, Lewiston High School parcel for recreational purposes?

No

Does the Owner or Official agree with the MaineDOT's assessment of impacts?

yes

If not, how should the assessment be modified?

Will the impacts associated with the project adversely impact the property?
(Please indicate how the project will impact the property.)

No

If so, please suggest how the impact could be minimized and/or mitigated.



Signature of Owner or
Official with Jurisdiction

David A. Jones P.E.
Director, Public Works

Printed name of Owner of
Official with Jurisdiction

6/8/16

Date

Please respond as soon as possible in order to maintain the project schedule. Questions concerning this process should be directed to Megan Hopkin at megan.m.hopkin@maine.gov or (207) 592-3486. Thank you in advance for your cooperation.

Sincerely,

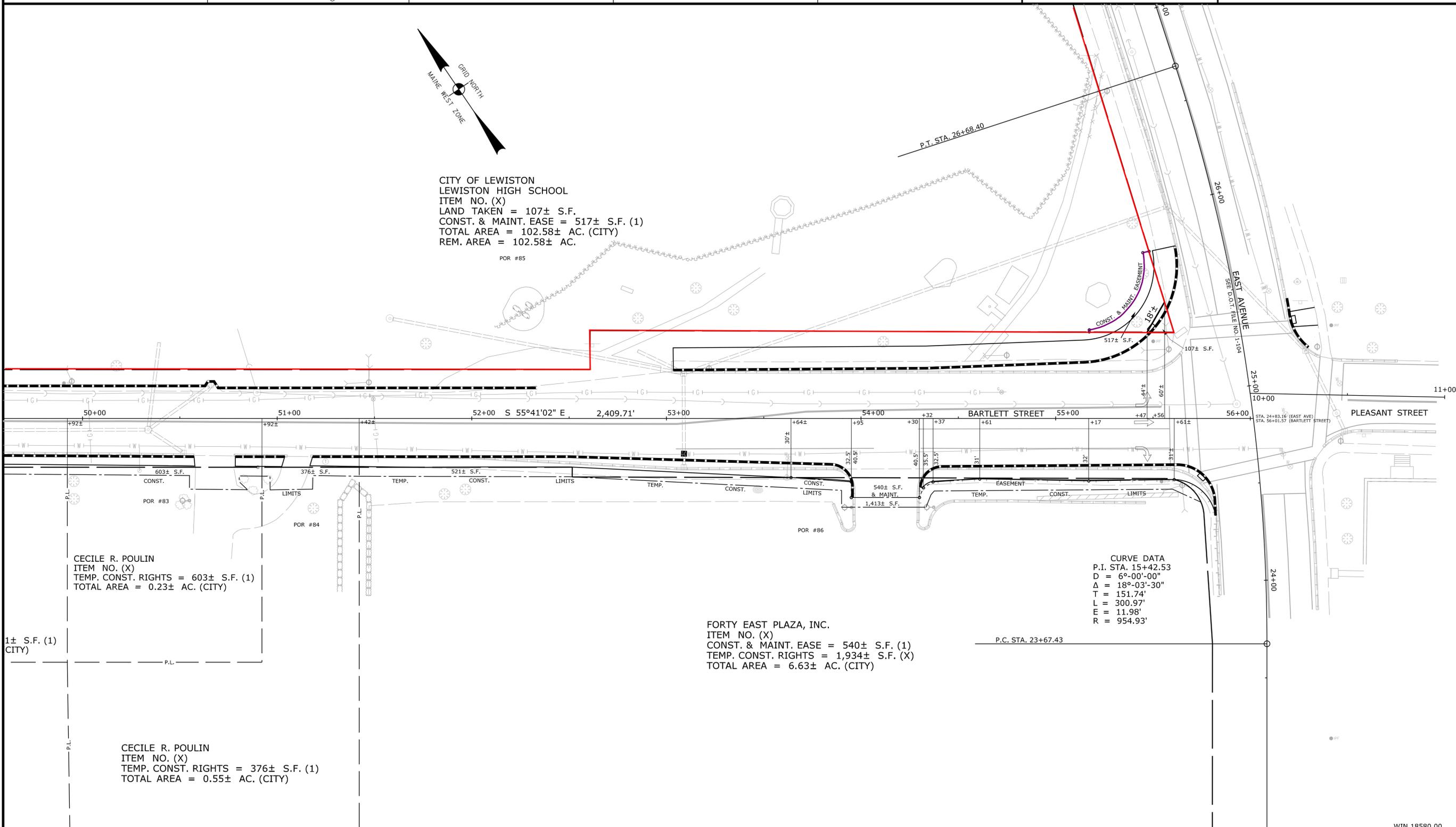
Megan M. Hopkin, Historic Coordinator
Environmental Office
Maine Department of Transportation
State House Station # 16
Augusta, Maine 04333-0016

Date: 3/17/2016

Username: common

Filename: ... \FINAL_MAPPING\009_RWPLAN9.dgn Division: HIGHWAY

Town, County, State _____ Approx. Property Lines _____ P.L. Existing Right of Way _____ Limits of Wrought Portion _____ L.O.W.P. Control Of Access _____ C.O.A. New Right of Way _____ New Easement _____ New Temporary Rights _____ New R/W Within Existing R/W _____	PLAN LEGEND New R/W Along Existing R/W Building _____ Trees Conifer _____ Deciduous _____ Tree Line _____ Water Edge _____ Ledge _____ Fence CHAIN LINK _____ Sign _____ Clearing Limit Line _____ Bush Line _____ Rock/Boulder _____ Flag Pole _____ BARB WIRE _____ STOCKADE _____ WELL _____ Mailbox _____ Sanitary Sewer _____ Telephone Line _____ Electric Line _____ Water Line _____ Underdrain Line _____ Gas Line _____ Guardrail _____ Culvert _____ Traveled Way _____ Ditch _____ Catch Basin _____ Manhole _____ Sewer Manhole _____ Utility Pole _____ Fire Hydrant _____ Curbing _____ Existing _____ Proposed _____ Cut Line _____ Fill Line _____ Stonewall _____ Retaining Wall _____ Baseline _____ Monument _____ Iron Rod Found _____ IRF Replacement Pin Set _____ Traverse Point _____ Pipe Found _____ IPF	STATE OF MAINE REGISTRY OF DEEDS COUNTY _____ RECEIVED _____ at _____ h _____ m _____ M and recorded in _____ Plan Book _____, Page _____ Attest: _____ REGISTER	THIS PLAN WAS PREPARED IN CONNECTION WITH THE DEPARTMENT'S ACQUISITION OF REAL PROPERTY FOR TRANSPORTATION PURPOSES. IT CANNOT BE USED TO ESTABLISH LEGAL BOUNDARIES BETWEEN ADJACENT PROPERTY OWNERS. 
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PRELIMINARY PLAN

ITEM	TECH	CHECKED	
		NSE	DET
EXISTING CONDITION PLAN			
FINAL RIGHT OF WAY			
AREAS			

STATE OF MAINE
 DEPARTMENT OF TRANSPORTATION
 16 STATE HOUSE STATION - AUGUSTA, ME 04333-0016 - 207-624-3460
 LEWISTON
 RIGHT OF WAY MAP

REVISIONS			PLAN FILED IN PLAN BOOK				PAGE COUNTY RECORD						
NO.	DATE	DESCRIPTION	BY	NO.	GRANTOR	INSTRUMENT	DATE	BOOK	PAGE				

DAVID BERNHARDT
 COMMISSIONER
 JOYCE NOEL TAYLOR
 CHIEF ENGINEER
 DATE _____

— Existing Right of Way
— Construction and Maintenance Easement

STATE AID HIGHWAY "15"
 BARTLETT STREET
 LEWISTON ANDROSCOGGIN COUNTY
 FEDERAL AID PROJECT STP-1858(000)

FEBRUARY 2016 RIGHT-OF-WAY MAP
 SCALE 1" = 25' SHEET 9 OF 9

\$RWDOTFILENO\$

SHEET NUMBER

9

OF 9