

**From:** [Indiana Department of Transportation](#)  
**To:** [Bales, Ronald](#)  
**Subject:** Section 4(f) MOU-For Historic Properties  
**Date:** Monday, January 13, 2020 12:04:50 PM

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Good afternoon!

INDOT is pleased to announce the execution of a Memorandum of Understanding (MOU) regarding Section 4(f) between FHWA-IN Division, IN SHPO and INDOT. The Section 4(f) MOU establishes a programmatic approach for FHWA's determination of Section 4(f) de minimis use for historic properties. Please see the Section 4(f) MOU attached.

In summary, the Section 4(f) MOU stipulates that FHWA intends to determine Section 4(f) de minimis use on historic properties for projects in which SHPO has concurred with a finding of "No Adverse Effect" or "No Historic Properties Affected." The Section 4(f) MOU satisfies the notification requirements specified in 23 CFR 774 for all projects where there is a determination of "No Adverse Effect" or that there are "No Historic Properties Affected" associated with a Section 4(f) historic property except those that are also National Historic Landmarks (NHLs). As a result, FHWA will not have to individually approve each Section 4(f) de minimis determination on historic properties through CE document review except in the case of NHLs. In effect, the Section 4(f) MOU will reduce FHWA's review of CE documents that had previously required FHWA's approval of the Section 4(f) de minimis determination for historic properties.

Please keep in mind:

- The Section 4(f) MOU only pertains to de minimis use(s) on historic properties. No other Section 4(f) properties are included under this MOU.
- The Section 4(f) MOU will not affect the Section 106 consultation process. Section 106 forms will be updated in the near future to recognize the Section 4(f) MOU.

INDOT CRO and Environmental Policy will be releasing updated forms and guidance as appropriate to reflect the execution of the Section 4(f) MOU. In the meantime, if you have any questions about application of the Section 4(f) MOU for current projects please contact:

Cultural Resources Manager Anu Kumar at 317-234-5168 or [akumar@indot.in.gov](mailto:akumar@indot.in.gov)  
And  
Environmental Policy Manager, Ron Bales at 317-234-4916 or [rbales@indot.in.gov](mailto:rbales@indot.in.gov)

- [Section 4\(f\) MOU.pdf](#)

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