



Request for Public Comment

Section 4(f) of the U.S. Department of Transportation Act- *de minimis* Finding

MD 195 over Sligo Creek Park in Montgomery County

PROJECT DESCRIPTION

The Maryland State Highway Administration (SHA) is considering a bridge rehabilitation project located on MD 195 (Carroll Ave) over Sligo Creek Park and Parkway in Tacoma Park, Maryland. This project is located within Sligo Creek Park which is a publicly owned public park protected under Section 4(f) of the U.S. Department of Transportation Act.

QUESTIONS AND ANSWERS ABOUT THE PROJECT

Why is this work necessary and what improvements are proposed?

The purpose of the project is to preserve the eighty-one year old arch bridge which is a high priority for preservation as it is eligible for listing on the National Register of Historic Places. The scope of the project includes reconstructing the bridge above the arches, widening the existing sidewalk to meet current ADA requirements, and providing drainage improvements to mitigate existing erosion and sedimentation issues currently impacting Sligo Creek. In addition, a temporary pedestrian bridge will be constructed adjacent to the bridge on the east side. This temporary structure would remain for the duration of construction so pedestrian access to Sligo Creek Park and the surrounding community is maintained.

Why are comments being requested?

Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allows the Federal Highway Administration (FHWA) to determine that certain transportation uses of Section 4(f) land will have no adverse effect on protected resources. With respect to publicly owned parks and recreation areas, a finding of *de minimis* impact may occur if a transportation project does not "adversely affect the activities, features and attributes" of the Section 4(f) resource. When this is the case, the finding of FHWA requires written concurrence from the official(s) with jurisdiction over the resource. In addition, public notice and opportunity for public review and comment on the finding is required.

What are the impacts to protected Section 4(f) resources?

The improvements at MD 195 over Sligo Creek Park will require temporary and perpetual easements from the Sligo Creek Park, owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC). Although the easements required from the recreation area are considered a "use" as defined by Section 4(f) of the U.S. Department of Transportation Act (1966), there will be no negative impact on activities, features, and attributes that qualify the recreation area for protection under Section 4(f). SHA, through this notice, is notifying the public that it will request the Federal Highway Administration make a *de minimis* (or minor) impact finding, in accordance with Section 4(f). M-NCPPC, as officials with jurisdiction, concurred with the *de minimis* finding in February 25, 2015. The public is requested to provide comments on this finding.

How do I comment?

Please contact Maurice Agostino, SHA Bridge Engineer, (410) 545-8308 or toll-free (866) 462-0020, magostino@sha.state.md.us or Caryn G. Brookman, SHA Environmental Manager, (410) 545-8698 or toll-free (866) 527-0502, cbrookman@sha.state.md.us; www.roads.maryland.gov.