



## Request for Public Comment

### Section 4(f) of the US Department of Transportation Act- *de minimis* Finding

*MD 138 (Monkton Rd.) at Torrey C. Brown Rail Trail (NCR Trail) Pedestrian Crossing Safety Device Installation and Improvements, Baltimore County*

#### PROJECT DESCRIPTION

The Maryland Department of Transportation State Highway Administration (SHA) is proposing to install pedestrian crossing safety devices at the Torrey C. Brown Rail Trail (NCR Trail) crossing of MD 138 in Baltimore County. This project would impact the NCR Trail, which is owned and managed by the Maryland Department of Natural Resources (DNR) and protected under Section 4(f) of the U.S. Department of Transportation Act of 1966 (Section 4(f)).

#### QUESTIONS AND ANSWERS ABOUT THE PROJECT

##### Why is this work necessary and what improvements are proposed?

The intersection of MD 138 and the NCR Trail is in need of enhancements due to pedestrian safety concerns. Poor sight distance for motorists approaching the NCR Trail crossing along MD 138 from the west due to a sharp curve in the roadway creates an unsafe condition for pedestrians and bicyclists using the trail. Recently, a pedestrian was struck and killed at this location. As a result, SHA is proposing to install new pedestrian crossing safety devices at this location. The proposed work includes installation of the following elements:

- Pedestal poles with rectangular rapid flashing beacons (RRFBs) on the eastbound and westbound sides of MD 138 just prior to the NCR trail crossing;
- A mast arm RRFB signal to the west of the trail to provide advanced warning to motorists approaching the trail crossing due to the limited sight distance;
- Video detection to activate an advanced warning signal when pedestrians and bicyclists are at the trail crossing of MD 138;
- Accessible pedestrian signal (APS) pushbuttons;
- Conduit, handholes, and a metered service pedestal;
- American with Disabilities Act (ADA) sidewalk upgrades.

##### Why are comments being requested?

23 CFR 774.5(b) of Section 4(f) allows the Federal Highway Administration (FHWA) to determine that certain transportation uses of Section 4(f) land would have no adverse effect on the protected resource. With respect to publicly owned parks and recreation areas, a finding of *de minimis* impact may occur if a transportation project, including any proposed mitigation, does not "adversely affect the activities, features and attributes" of the Section 4(f) resource. When this is the case, public notice and opportunity for public review and comment on the finding is required. In addition, the finding of FHWA requires written concurrence from the officials with jurisdiction over the resource. Before concurring, the officials with jurisdiction must consider any public comments received.

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

The installation of the safety enhancements at the intersection of MD 138 and the NCR trail would impact land owned and managed by DNR. The impacts to DNR property would occur adjacent to MD 138 along both the eastbound and westbound sides of the roadway. Refer to the attached map showing the proposed improvements and the impacted areas of the trail property.

On the eastbound side of MD 138 there would be 149 square feet of permanent impact and 2,183 square feet of temporary impact on the NCR Trail property. The permanently impacted property is currently an undeveloped area with grass. The area would be graded, and the existing grass cleared to construct a new ADA concrete sidewalk pad as well as a new signal pole and cabinet. During construction, 2,183 square feet of property surrounding the permanently impacted area would be temporarily impacted to allow access to the area where the new sidewalk pad, signal pole, and cabinet would be installed.

On the westbound side of MD 138, installation of a new ADA concrete sidewalk pad as well as a new signal pole would occur immediately west of the trail crossing. One-hundred square feet of DNR property would be permanently impacted by the installation of the sidewalk and signal pole and an additional 2,024 square feet of DNR property surrounding the installation would be required for access to complete the construction. The impacted area is undeveloped land with grass and trees nearby. Additionally, installation of a mast arm RRFB signal would occur approximately 130 feet west of the NCR Trail immediately adjacent to MD 138 on existing SHA right-of-way and private property. However, approximately, 595 square feet of NCR Trail property would be temporarily impacted to allow access for the construction of the mast arm RRFB signal. The impacted NCR Trail property is undeveloped land with grass and trees nearby. Some clearing of existing vegetation may be required to install the foundation for the mast arm.

In all impact locations, trenching would be needed to bury conduit and install the pole foundations. Impacts would consist of a minor change in the visual appearance of the DNR land due to the removal of small amounts of vegetation and the installation of new equipment. While the proposed improvements would result in minor impacts to the NCR Trail property, they would also benefit trail users by enhancing the safety of the intersection and trail. Therefore, the proposed action is not expected to adversely affect the activities, features and attributes of the NCR Trail.

SHA, through this notice, is notifying the public that it will request that FHWA make a *de minimis* (or minor) impact finding, in accordance with Section 4(f). With this notice, the public is afforded the opportunity to provide comments on this finding. Following this public notice, DNR will be informed of SHA's intent to seek a Section 4(f) *de minimis* impact finding.

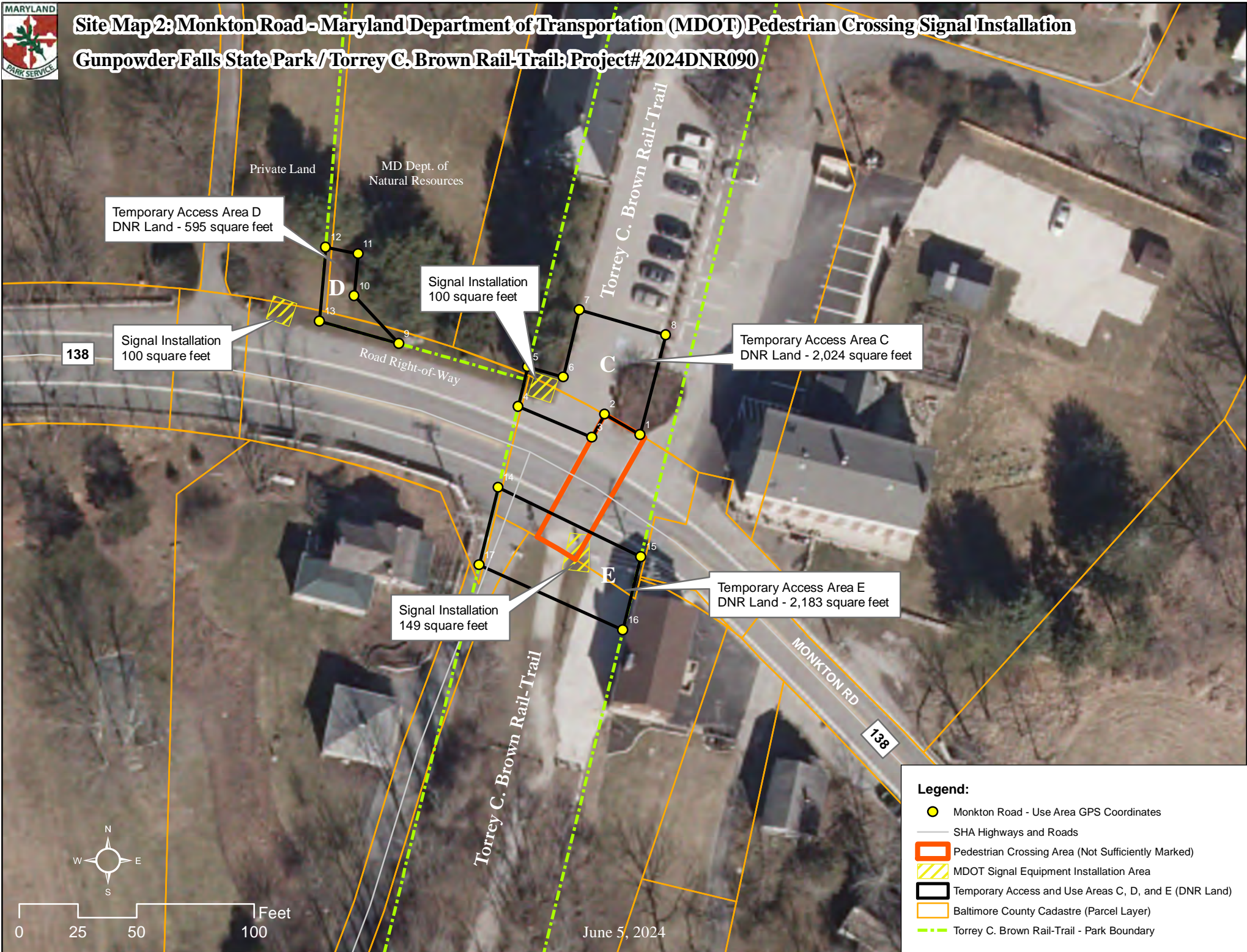
### **How do I comment?**

Please contact Mr. Justin Humenny, SHA Project Manager at (410) 545-7619 [jhumenny.consultant@mdot.maryland.gov](mailto:jhumenny.consultant@mdot.maryland.gov), or Mr. David Light, SHA Environmental Manager at (410) 545-8040 or [dlight@mdot.maryland.gov](mailto:dlight@mdot.maryland.gov); or visit us at [www.roads.maryland.gov](http://www.roads.maryland.gov).



# Site Map 2: Monkton Road - Maryland Department of Transportation (MDOT) Pedestrian Crossing Signal Installation

## Gunpowder Falls State Park / Torrey C. Brown Rail-Trail: Project# 2024DNR090



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June 5, 2024

**Legend:**

- Monkton Road - Use Area GPS Coordinates
- SHA Highways and Roads
- Pedestrian Crossing Area (Not Sufficiently Marked)
- MDOT Signal Equipment Installation Area
- Temporary Access and Use Areas C, D, and E (DNR Land)
- Baltimore County Cadastre (Parcel Layer)
- Torrey C. Brown Rail-Trail - Park Boundary