



Request for Public Comment

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

*MD 273 over Big Elk Creek
Bridge Replacement*

PROJECT DESCRIPTION

The Maryland Department of Transportation State Highway Administration (MDOT SHA) proposes to replace Bridge No. 0704400 on MD 273 over Big Elk Creek in Cecil County, Maryland. The existing bridge, which was built in 1964 is currently rated structurally deficient. MDOT SHA proposes replacing the existing bridge with a prestressed concrete beam bridge. This project would impact the DNR Fair Hill Natural Resources Management (NRMA) Area, a publicly owned public park 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 purpose of the project is to address structural deficiencies in the bridge that compromise public safety. The project's overall scope of work includes replacing the bridge on existing alignment with a 136-foot single span concrete beam bridge. The roadway on the bridge would contain two 12-foot lanes, 10-foot shoulders, and no sidewalks. with an overall bridge width of 44 feet to match the existing approach roadway section.

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 will 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 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 officials 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 project would require a perpetual easement of 72,824-square feet (1.67 acres), and 15,000-square feet (0.35 acres) of temporary construction easements from the approximately 5,656 acre Fair Hill NRMA, owned by the Maryland Department of Natural Resources. The proposed perpetual easement areas currently consist of grass and tree-covered roadway slopes. The proposed temporary easements portion include two existing DNR trails and grass and tree-covered supporting roadway slopes. Although the permanent and temporary easements needed from DNR Fair Hill NRMA would constitute a "use" as defined under Section 4(f), there would be no negative impact on activities, features, and attributes that qualify the recreation area for protection under Section 4(f). MDOT SHA, through this notice, is advising the public that it will request that FHWA make a *de minimis* (or minor) impact finding, in accordance with Section 4(f). The MD DNR was informed of MDOT SHA's intent to seek a *de minimis* impact finding on May 7, 2018. With this notice, the public is afforded the opportunity to provide comments on this finding.

How do I comment?

Please contact Mr. Benjamin Hokuf, P.E., MDOT SHA Project Manager at (410) 545-8316 or BHokuf@mdot.maryland.gov or Ms. Brandi McCoy, MDOT SHA Environmental Manager at (410) 545-8697 or BMcCoy@mdot.maryland.gov; or visit us at www.roads.maryland.gov.