



Request for Public Comment

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

ADA Sidewalk Improvements, MD 424 from Duke of Kent Dr to MD 450

PROJECT DESCRIPTION

The Maryland Department of Transportation's State Highway Administration (SHA) is proposing upgrades for compliance with the Americans with Disabilities Act (ADA) along MD 424 from Duke of Kent Drive to MD 450 in Anne Arundel County. This project will impact Crofton Park, a publicly owned public park protected under Section 4(f) of the US 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?

SHA plans to provide new sidewalk along MD 424 in front of the Crofton Park and the adjacent Crofton Middle School, an Anne Arundel County Public School. The project's overall scope of work includes the placement of new concrete sidewalk and/or replacement of existing concrete. Additional work items may include curb and gutter installation, traffic barrier installation, pavement removal, construction of accessible ramps and detectable warning surfaces, and installation of pipe and inlets. The project would provide sidewalk within existing SHA right-of-way on the south side of MD 424 near the Crofton Park.

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?

As part of the project, SHA plans to provide new sidewalk along MD 424 in front of the Crofton Park and the adjacent Crofton Middle School, an Anne Arundel County Public School. In order to treat stormwater from the new sidewalk, the project requires the acquisition of a perpetual easement of approximately 20,173 square feet (0.463acre) from Crofton Park. The perpetual easement from Crofton Park is needed to construct and maintain a micro-bioretenion facility to treat stormwater from the proposed sidewalk. Although the easement required from the park are considered a "use" as defined under Section 4(f), 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 that FHWA make a *de minimis* (or minor) impact finding, in accordance with Section 4(f). The Senior Manager of Planning for the Anne Arundel County Public Schools Division of Facilities has been informed of SHA's intent to seek a *de minimis* impact finding. With this notice, the public is afforded the opportunity to provide comments on this finding.

How do I comment?

Please contact Mr. John Vranish, SHA Project Manager at (410) 787-8778 or JVranish@sha.state.md.us, or Mr. Jon Schmidt, SHA Consultant Environmental Manager at (410) 545-2899 or JSchmidt3@sha.state.md.us; or visit us at www.roads.maryland.gov.