



Request for Public Comment

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

Signal Improvements on MD 117 at Clopper Road in Montgomery County

PROJECT DESCRIPTION

The Maryland Department of Transportation's State Highway Administration (SHA) is considering signal improvements at the intersection of MD 117 (Clopper Road/Clarksburg Road) and Clopper Road in Montgomery County. This project will impact Boyds Local 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?

The current intersection on MD 117 at Clopper Road is a three-way stop and causes significant delays during the morning peak rush hour. The proposed work will include installing a traffic signal at MD 117 and Clopper Road and installing a "Signal Ahead Prepare to Stop When Flashing" hazard identification beacon along the southbound approach, north of the intersection. The traffic signal will operate in full color from 6:30 a.m. to 9:00 a.m. and flash red at all other times.

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 improvements at MD 117 and Clopper Road will require a perpetual easement from Boyds Local Park which is owned by Maryland-National Capital Park and Planning Commission (M-NCPPC). Although the easement required from the recreation area is 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 Acting Chief of the Park Development Division of M-NCPPC, was informed of SHA's intent to seek a *de minimis* impact finding on February 7, 2017. With this notice, the public is afforded the opportunity to provide comments on this finding.

How do I comment?

Please contact Mr. Cecil Niles, SHA Project Manager at (410) 787-4013 or cniles@sha.state.md.us, or Ms. Caryn Brookman, SHA Environmental Manager at (410) 545-8698 or cbrookman@sha.state.md.us; or visit us at www.roads.maryland.gov.