Request for Public Comment

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

MD 34 Str 2100200 over Potomac River & C&O Canal Remedial Repairs, Washington County

PROJECT DESCRIPTION

The Maryland Department of Transportation State Highway Administration (MDOT SHA) is proposing remedial repairs to Structure 2100200 along MD 34 over the Potomac River and C&O Canal in Washington County, Maryland. This project would impact the C&O Canal National Historical Park (C&O Canal NHP) owned and managed by the National Park Service (NPS) and 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?

Bridge No. 2100200 crossing of the C&O Canal and Potomac River is in need of remedial repairs to remove existing graffiti and provide measures to prevent the addition of graffiti in the future. The proposed work includes:

- Anti-graffiti coating of the abutment, wing walls, and beams. MDOT SHA proposes to use brown paint on the bridge beams and gray paint on the bridge abutment and wing walls.
- Installation of anti-climb fencing. MDOT SHA would use an anti-climb fence similar to those used by NPS in other locations along the C&O Canal. The fence would also be gray like the abutments and wing walls.
- Installation of anti-climb netting between beams.

All work would take place on the existing structure within existing NPS right-of-way. Access to the bridge through the C&O Canal NHP would be required to complete the bridge repairs.

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 remedial repairs to Bridge No. 2100200 along MD 34 would impact the C&O Canal National Historical Park, which is owned and managed by the NPS. The impact would occur on the existing structure only and no ground disturbance within the park would be required. Minor impacts to the C&O Canal NHP would result from the need to access and apply an anti-graffiti coating to the abutment, wingwalls, and beams of the bridge; to install an anti-climb fence; and to install anti-climb netting. Impacts would consist of a change in the visual appearance of the structure and the addition of new elements (fencing and anti-climb netting) within the Section 4(f) property. Impacts are expected to be minor and the removal of existing graffiti would constitute an improvement to the visual quality of the structure. Therefore, the impacts are not expected to adversely affect the activities, features and attributes of the C&O Canal NHP.

MDOT 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). NPS is being informed of MDOT SHA's intent to seek a Section 4(f) *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. Christopher Arendt, MDOT SHA Project Manager at (410) 545-8337 or carendt@mdot.maryland.gov, or Mr. Bob Maimone, MDOT SHA Environmental Manager at (410) 545-8561 or bmaimone@mdot.maryland.gov; or visit us at www.roads.maryland.gov.