



Request for Public Comment

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

MD 51 Over C&O Canal Bridge No. 0104800, Allegany County

The Maryland Department of Transportation State Highway Administration is proposing the rehabilitation of Bridge No. 0104800 along MD 51 over the Chesapeake & Ohio (C&O) Canal in Allegany County. This project would impact the C&O Canal National Historical Park 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. 0104800 crossing the C&O Canal is scheduled for rehabilitation. Originally constructed in 1932, the bridge is safe for the traveling public; however, the bridge deck surface is nearing the end of its useful service life. Should the deterioration continue, weight restrictions (reduced loads for trucks) would need to be posted to ensure safety. This would have a significant impact on the local economy since MD 51 functions as a primary travel route for traffic traveling between West Virginia and Maryland. Rehabilitating the bridge at this time would save money on future maintenance spending and support safety and mobility as part of SHA's bridge system preservation program. The proposed rehabilitation includes replacement of the concrete bridge deck, substructure repairs, superstructure repairs, and painting of the truss. The proposed work also includes 50 feet of full-depth paving on both the east and west approaches to the bridge along MD 51 and milling and resurfacing of another approximately 75 feet west of the bridge and 165 feet east of the bridge. Existing traffic barrier along the east and west approaches would also be removed and replaced with new traffic barrier. Completion of the bridge rehabilitation would require a temporary closure of an 80-foot segment of the C&O Canal towpath that passes beneath the bridge. A temporary path would be constructed to the west of the existing towpath to maintain the ability of pedestrians and cyclists to continue to utilize the towpath throughout construction. Following completion of the bridge rehabilitation, the temporary path would be removed, the C&O Canal and towpath would be restored to their currently existing conditions, and the 80-foot segment of the towpath that was closed during construction would be reopened for use.

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 rehabilitation of Bridge No. 0104800 along MD 51 would impact land within the C&O Canal National Historical Park, which is owned and managed by the NPS. The impact would occur beneath and to the north and south of Bridge

No. 0104800 along MD 51. Minor impacts to the C&O Canal National Historical Park will result from the need to access and make repairs to the underside of the bridge and to construct the temporary towpath proposed as mitigation to maintain the ability of pedestrians and cyclists to utilize the towpath throughout construction. Impacts are expected to be minor and temporary and are not expected to adversely affect the activities, features and attributes of the C&O Canal National Historical Park.

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. Dana Morse, MDOT SHA Project Manager at (410) 545-8072 or dmorse@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.