



## Request for Public Comment

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

### *Sidewalk Improvements at MD 170 and Mathison Way*

The Maryland Department of Transportation State Highway Administration (MDOT SHA) is considering sidewalk improvements at MD 170 (Aviation Boulevard) and Mathison Way in Anne Arundel County. This project will impact Baltimore-Washington International (BWI) Hiker-Biker trail, a publicly owned public resource 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 sidewalk associated with the BWI Hiker-Biker trail in this location is not currently compliant with the Americans with Disabilities Act (ADA) requirements. The improvements to this portion of the trail will replace portions of concrete sidewalk, remove portions of concrete sidewalk, reconstruct the ADA ramp, reconstruct the curb, and install detectable warning surfaces where the trail meets Mathison Way, bringing the portion of the trail and adjacent sidewalk into ADA compliance. Construction is anticipated to take approximately two weeks.

### **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 sidewalk improvements at MD 170 Aviation Boulevard and Mathison Way requires brief closure of this portion of the trail. Although the temporary closure of this recreation area and the direct construction on the existing trail 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 Executive Director of the Maryland Department of Transportation Maryland Aviation Administration (MDOT MAA) was informed of our intent to seek a *de minimis* impact finding on December 6, 2018. With this notice, the public is afforded the opportunity to provide comments on this finding.

### **How do I comment?**

Please contact Mr. Keith Kucharek, SHA Project Manager, (410) 841-1087 or toll-free (866) 462-0020, [kkucharek@sha.state.md.us](mailto:kkucharek@sha.state.md.us) or Ms. Cassie Greenhawk, SHA Environmental Manager, (410) 545-5651 or toll-free (866) 527-0502, [cgreenhawk@sha.state.md.us](mailto:cgreenhawk@sha.state.md.us); [www.roads.maryland.gov](http://www.roads.maryland.gov).