



Request for Public Comment

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

MD 24 Section G

Slope Stabilization and Other Improvements

PROJECT DESCRIPTION

The Maryland Department of Transportation State Highway Administration (MDOT SHA) proposes stabilizing the roadway embankment between MD 24 and Deer Creek in Harford County, MD. To facilitate this stabilization, Deer Creek will be relocated to the east about half of its width to facilitate the placement of a 2:1 slope, and the creek will be improved in this area. MD 24 will be fully reconstructed due to the replacement of the slope, and the existing privately-owned bridge across Deer Creek in this area will be removed and not replaced. Additional items in the scope will include drainage improvements, landscaping, signing, and pavement marking.

QUESTIONS AND ANSWERS ABOUT THE PROJECT

Why is this work necessary and what improvements are proposed?

MD 24 Section G between 700 feet south of Sharon Road and 2,150 feet south of Sharon Road has been identified as a location where a combination of prior roadway construction, geologic processes, and hydraulic forces in the river has created an unsafe change in the existing roadway condition. Portions of the roadway are sinking, causing the road surface to crack and break, leaving holes along the edges of the travel way and small shoulder. The existing northbound roadway embankment, which extends from the MD 24 edge of pavement to the water in Deer Creek is nearly vertical and more than 10 feet high in many locations through the corridor. The proposed project will stabilize the supporting slope on the east side of 2MD 24. The proposed project will address the safety needs of the corridor, while ensuring that the existing facilities are fully functional and meet all regulatory requirements.

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?

In order to complete the project, fee simple right-of-way would be required from MD Department of Natural Resources (MD DNR) owned Rocks State Park. The project would require 1,877-square-feet (0.04 acre) of temporary easement, 17,584-square-feet (0.40 acre) of permanent easement, and 253-square-feet (0.01 acre) of utility easement of ROW from grass-and tree-covered areas adjacent to MD 24. Although the purchase of a portion of Rocks State Park would constitute a "use" as defined under Section 4(f), we anticipate no negative impact on activities, features, and attributes that qualify the recreation area for protection under Section 4(f). MDOT SHA, through this notice, is advising the public that it will request that FHWA make a *de minimis* (or minor) impact finding, in accordance with Section 4(f). MD DNR was informed of MDOT SHA's intent to seek a *de minimis* impact finding on April 25, 2019. With this notice, the public is afforded the opportunity to provide comments on this finding from April 26, 2019 to May 11, 2019.

How do I comment?

Please contact Mr. Michael Baird, MDOT SHA Project Manager at (410) 545-8913 or MBaird@sha.state.md.us, or Ms. Sara Al-Najjar, MDOT SHA Environmental Manager at (410) 545-0095 or Salnajjar@sha.state.md.us; or visit us at www.roads.maryland.gov.