



Request for Public Comment

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

MD 355 at West Old Baltimore Road in Montgomery County

PROJECT DESCRIPTION

The Maryland Department of Transportation State Highway Administration (MDOT SHA) is considering geometric improvements at the intersection of MD 355 (Frederick Road) and West Old Baltimore Road in Montgomery County. This project will impact the North Germantown Greenway Stream Valley Park, owned and managed by the Maryland-National Capital Park and Planning Commission (M-NCPPC) and protected under Section 4(f) of the US Department of

QUESTIONS AND ANSWERS ABOUT THE PROJECT

Why is this work necessary and what improvements are proposed?

The improvements are necessary to enhance safety and operational movements through the realignment of West Old Baltimore Road approaching the intersection, and by the installation of auxiliary lanes. Additionally, pedestrian facilities will be installed including sidewalk and a shared use path. Other work will include installing stormwater management facilities, replacing the roadway culvert over a nearby stream, and realigning and stabilizing the stream.

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 355 at West Old Baltimore Road will require right-of-way from North Germantown Greenway Stream Valley Park which is owned and managed by M-NCPPC. Although the permanent right-of-way required from the park 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). 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). M-NCPPC 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. Jared Paper-Evers, MDOT SHA Project Manager at (410) 545-8400 or jpaperevers@sha.state.md.us, or Ms. Kirby Cole, MDOT SHA Consultant Environmental Manager at (410) 545-2874 or kcole@sha.state.md.us; or visit us at www.roads.maryland.gov.