



REQUEST FOR PUBLIC COMMENT

Section 4(f) of the U.S. Department of Transportation Act- *de minimis* Finding

*MD 404 ALT from Talbot County Line to Ridgely Road,
Caroline County*

PROJECT DESCRIPTION

The Maryland Department of Transportation's State Highway Administration (SHA) is proposing an Urban Reconstruction project on MD 404 ALT from the Talbot County Line to Ridgely Road in the town of Hillsboro, Caroline County. This project is located adjacent to the Caroline County, Hillsboro Boat Ramp Park.

QUESTIONS AND ANSWERS ABOUT THE PROJECT

Why is this work necessary and what improvements are proposed?

The purpose of this project is to improve infrastructure, enhance public safety, alleviate drainage concerns, augment pedestrian and bicyclist mobility, and ensure Americans with Disability Act (ADA) compliance.

The proposed improvements include replacing the bridge over Tuckahoe Creek, shifting the roadway alignment, pavement rehabilitation, improving parking conditions, replacing sidewalks and curbs and gutters, installing a new drainage systems, stormwater management facilities, and landscape plantings. As a result of these roadway improvements, SHA will be impacting the adjacent Hillsboro Boat Ramp, a Caroline County owned park approximately 0.8 acre in size.

Why are comments being requested?

Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allows the Federal Highway Administration (FHWA) to determine that certain transportation uses of Section 4(f) land will have no adverse effect on protected resources. 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 official(s) with jurisdiction over the resource. 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 roadway improvements, the park area immediately adjacent to the roadway would require additional right-of-way in fee simple and perpetual easement from the Hillsboro Boat Ramp Park, for construction of ADA compliant sidewalk, installation of guardrail, relocation of utility poles, a drainage pipe, and for grading of the slope. Although the right-of-way required from the recreation area is considered a "use" as defined by Section 4(f) of the U.S. Department of Transportation Act (1966), 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 the Federal Highway Administration make a *de minimis* (or minor) impact finding, in accordance with Section 4(f). Caroline County, as officials with jurisdiction, concurred with the *de minimis* finding on April 19, 2016. The public is requested to provide comments on this finding.

Do You Have Additional Questions or Comments?

Please contact Ms. Shannon Stypula, SHA Project Manager, (410) 545-8833 or toll-free (866) 462-0020 or Ms. Brandi McCoy, SHA Environmental Manager, (410) 545-8697 or toll-free (866) 527-0502, www.roads.maryland.gov.