**Request for Public Comment**

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

***US 1 At Big Gunpowder Falls Drainage Improvements***

**PROJECT DESCRIPTION**

The Maryland Department of Transportation State Highway Administration (SHA) is proposing drainage improvements along US 1 near Big Gunpowder Falls in Baltimore County, Maryland. This project would impact Gunpowder Falls State Park owned and managed by the Maryland Department of Natural Resources (DNR) 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?**

The purpose of this project is to address the failure of the existing 72-inch diameter corrugated metal culvert pipe (CMP) taking approximately 140 acres of drainage area along the west side of Southbound US Route 1. The CMP conveys flow under a DNR shared-use trail to an outfall at Big Gunpowder Falls. The current CMP is obstructed with debris and sediment and only conveys stream base flow. Storm flows overtop the culvert and have eroded a channel over the pipe that has eroded down to the top of the pipe and rusted out the top of the CMP.

SHA proposes to replace the existing 72-inch diameter CMP and headwall with a new 72-inch reinforced concrete pipe (RCP), headwall, and three drop manholes structures. Proposed project improvements include replacing the existing timber retaining wall; constructing a new (upstream) retaining wall; removing and resetting existing w-beam traffic barrier on US 1; stabilizing the US 1 roadway embankment/slope; installing storm drain and outlet protection; replacing the CMP culvert with a RCP culvert; regrading portions of the channel and trail; installing temporary erosion and sediment controls; and reestablishing disturbed vegetation.

A portion of the existing CMP is located under the shared-use Sweathouse Trail north of US 1. Initially, a temporary stream diversion pipe would cross Sweathouse Trail until the portion of pipe under the trail is replaced. A temporary access/cover would allow hikers to cross over the temporary stream diversion pipe. To assure public safety, the portion of Sweathouse Trail over the CMP would be closed for approximately two (2) weeks (Monday-Friday, open for weekend use) during the culvert replacement under the trail. The temporary closure of the trail would be coordinated with park officials and posted on-site and on the park website prior to closure. The trail would be restored and re-opened to the public once the portion of culvert under the trail is replaced. Safety measures would restrict trail users to just the actual trail through the work site for the duration of the project. The proposed project is expected to take approximately six (6) months to complete. Sweathouse Trail and the associated trails north of US 1 would be closed to horses during the entire six (6) month construction. Primary construction is planned to occur during the park winter off-season (October-March). No project equipment would be driven along the park trails. The auxiliary Central Gunpowder State Park (Pawpaws) parking area would be closed during construction; however, the main parking lot would remain open and available to park users. A portion of the Northbound US 1 road shoulder would also be closed during project construction to provide construction access to the work area. In addition, the proposed project would require approximately 4,500 SF of temporary construction easement with Gunpowder Falls State Park along the northern edge of the SHA ROW north of US 1 (Attachment). After construction all disturbed areas would be restored and replanted.

**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 proposed work would impact land and some activities within the Gunpowder Falls State Park to allow for the replacement of the existing 72-inch CMP. Gunpowder Falls State Park is over 18,000 acres in Baltimore and Harford Counties with over 120 miles of multi-use trails, protected state wildlands, historic sites, fishing, ​paddling, a swimming beach and marina. The impacted portion of Gunpowder Falls State Park includes the auxiliary parking lot, a portion of Sweathouse Trail, and state protected lands immediately adjacent to the SHA ROW. Impacts to the park would all be temporary ranging from several weeks to approximately six (6) months. Complete trail closure would be limited to two weeks (Monday-Friday) for hikers and six (6) months for horseback riding. The culvert replacement would help address occasional nuisance flooding of the trail. All impacted areas would be restored based on an approved landscaping plan. The overall impacts to this property would be minor and are, therefore, not expected to adversely affect the activities, features and attributes of Gunpowder Falls State Park.

SHA, through this notice, is notifying the public that it will request that FHWA make a *de minimis* (or minor) impactfinding, in accordance with Section 4(f). DNR is being informed of 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 Ms. Kyra Swisher, SHA Project Manager at (410) 545-8703 or kswisher.consultant@mdot.maryland.gov, or Mr. Jack Dinne, SHA Environmental Manager at (410) 662-7400 or jdinne.consultant@mdot.maryland.gov; or visit us at [www.roads.maryland.gov](http://www.roads.maryland.gov).