



## Request for Public Comment

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

### *US 15/US 40 (Frederick Freeway) from I-270 to MD 26 (Liberty Road) in Frederick County*

The Maryland Department of Transportation State Highway Administration (MDOT SHA) is considering inside roadway widening in Frederick County. This project will affect Waterford and Baker parks owned and managed by the City of Frederick 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 improvements are necessary to improve vehicular safety and mainline operations. The study is needed due to a high number of crashes over the past several years with a projected increase in future traffic volumes.

### **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 inside widening of the US 15 roadway will affect Waterford and Baker parks owned and managed by the City of Frederick. There will be minor negative impact on activities, features, and attributes that qualify the area for protection under Section 4(f). MDOT SHA, through this notice, is notifying the public that it will request FHWA to make a *de minimis* (or minor) impact finding, in accordance with Section 4(f). The City of Frederick 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. Leo Sawada, MDOT SHA Project Manager at (410) 545-8051 or [lsawada@mdot.maryland.gov](mailto:lsawada@mdot.maryland.gov), or Ms. Anne Elrays, MDOT SHA Environmental Manager at (410) 545-8562 or [aelrys@mdot.maryland.gov](mailto:aelrys@mdot.maryland.gov); or visit us at [www.roads.maryland.gov](http://www.roads.maryland.gov).