



Request for Public Comment

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

MD 7D (Delaware Ave) Sidewalk Installation and Upgrades

PROJECT DESCRIPTION

The Maryland Department of Transportation State Highway Administration (MDOT SHA) is proposing construction of a new sidewalk, a grass buffer to the existing sidewalk, a pedestrian bridge, and other improvements from the intersection of MD 7D (Delaware Avenue) and MD 281 (Main Street) to Meadow Park in the Town of Elkton. This project would impact Meadow Park, a publicly owned public park 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?

By creating a safe path to walk from Main Street to Meadow Park, this project would increase the accessibility of Meadow Park to residents of Elkton. To further enhance pedestrian safety, Delaware Avenue would be narrowed to establish a grass buffer next to the sidewalk between Main Street and Howard Street. In addition, some existing sidewalk would be reconstructed and brought into compliance with the Americans with Disabilities Act. Portions of some driveways and a parking lot would also be resurfaced.

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* (or minor) 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, 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 require the use of approximately 0.45 acre (19,488 square feet) of land within Meadow Park along Delaware Avenue to construct sidewalk and the abutments of the pedestrian bridge, and to resurface a parking lot. An aerial power line and an underground gas line would also need to be relocated. The impacted area and surroundings are largely undeveloped with vegetation consisting of grass, brush, and trees, but the area also includes a parking lot. Some grass, brush, and trees would be removed due to the construction. The removal of vegetation and the construction of the bridge abutments and sidewalk would also visually alter the park property.

Although the construction in the park is considered a "use" as defined under Section 4(f), the park would benefit from its increased accessibility to its users. Construction would require a right-of-entry agreement from Meadow Park, which is owned by the Town of Elkton. The impacted property would not be permanently acquired by MDOT SHA and would remain under the Town of Elkton's ownership. MDOT SHA, through this notice, is notifying the public that it would request that FHWA make a *de minimis* impact finding, in accordance with Section 4(f). With this notice, the public is afforded the opportunity to provide comments on this finding.

How do I comment?

Please contact Ms. Mekdes Tabor, MDOT SHA Project Manager, at 410-545-8909 or toll-free at 1-888-228-5003, or MTabor@mdot.maryland.gov; or Mr. Nicholas Baumann, MDOT SHA Environmental Manager, at 410-545-8513 or toll-free at 1-800-548-5026, or Nbaumann@mdot.maryland.gov; www.roads.maryland.gov.