

## PUBLIC NOTICE

In compliance with Section 4(f) of the U.S. Department of Transportation Act of 1966 (49 USC 303), hereinafter referred to as “Section 4(f),” and its implementing regulations codified at 23 CFR Part 774, the Montgomery County Department of Transportation (MCDOT) is notifying the public through this notice that it will request the Federal Highway Administration (FHWA) make a *de minimis* (or minor) impact finding in accordance with Section 4(f) regarding the permanent effects of the proposed Beach Drive Bridge Replacement through Rock Creek Park and to provide the opportunity for public review and comment of this proposed determination.

Section 6009(a) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) allows the 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 by 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 also required.

The purpose of the proposed project is to replace the bridge and improve pedestrian and vehicular safety. MCDOT is proposing to replace the Beach Drive Bridge No. M-PK24 with a new bridge structure in approximately the same location. The proposed bridge will provide two 11-foot traffic lanes and two five foot bike lanes each with a one-foot offset to a 2’-4” wide parapet. Approach roadwork would occur approximately 200 feet east of the bridge and 75 feet west of the bridge. The Rock Creek Trail currently uses the Beach Drive Bridge to cross over Silver Creek. In agreement with Maryland-National Capital Parks and Planning Commission (M-NCPPC), a new pedestrian bridge will be located approximately 90 feet north of the Beach Drive Bridge for the crossing of the Rock Creek Trail during construction and to improve safety after construction by separating the pedestrian and light-use bicycle traffic from vehicular traffic.

Replacement of the bridge and relocation of Rock Creek Trail will involve permanent and temporary construction right-of-way impacts to Rock Creek Park, managed by the M-NCPPC. Although the right-of-way to be transferred 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 the activities, features, and attributes that qualify the recreation area for protection under Section 4(f).

MCDOT is currently seeking concurrence with M-NCPPC, as officials with jurisdiction, regarding the *de minimis* finding. The public is requested to provide comments on this finding. Comments regarding the proposed Section 4(f) *de minimis* impact findings may be submitted to FHWA and MCDOT in writing or through the MCDOT website during the 15-day comment period; the comment deadline is August 25, 2017. Written comments may be provided to:

Montgomery County Department of Transportation  
Division of Transportation Engineering  
100 Edison Park Drive, 4<sup>th</sup> floor  
Gaithersburg, MD 20878

ATTN: Beach Drive Bridge Replacement