

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 Zion Road Bridge Replacement through Rachel Carson Conservation 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 existing structurally deficient one-lane bridge and to implement riparian enhancement and stream restoration along the Hawlings River. MCDOT is proposing to replace the Zion Road Bridge No. M-0121 with a new bridge structure in approximately the same location. The new bridge structure will be a 35-foot-long single span concrete arch and will provide two 10-foot vehicle lanes with two 4-foot grassed shoulders on the approach and 2-foot paved shoulders on the bridge. The bridge will be closed during construction, with traffic detoured through Brookeville Road to Olney Laytonsville Road (MD 108), Sundown Road, and Zion Road. Construction will occur during the summer season to substantially limit the impact to the community, the school system, police, and fire and rescue departments.

Replacement of the bridge and implementation of riparian enhancement and stream restoration activities along the Hawlings River will involve permanent and temporary construction right-of-way impacts to Rachel Carson Conservation Park, managed by the M-NCPPC. Permanent impacts (0.014 acre) are for construction of bridge abutments and temporary impacts (1.17 acre) are for riparian enhancement and stream restoration activities. 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 at <https://montgomerycountymd.gov/dot-dte/bridges/index.html> during the 15-day comment period; the comment deadline is June 24, 2022. Written comments may be provided to:

Montgomery County Department of Transportation
Division of Transportation Engineering
100 Edison Park Drive, 4th floor
Gaithersburg, MD 20878
ATTN: Zion Road Bridge Replacement