



DEPARTMENT OF TRANSPORTATION

Marc Elrich  
County Executive

Christopher R. Conklin  
Director

PUBLIC NOTICE

May 31, 2024

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 Rehabilitation of Brink Road Bridge over Great Seneca Creek to the Great Seneca Stream Valley Park, and to provide the opportunity for public review and comment of this proposed determination.

23 CFR 774.5(b) of Section 4(f) 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, 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 required.

The purpose of this project is to provide a safe roadway condition for the traveling public and to improve pedestrian/bicycle safety. The proposed work includes the removal and replacement of the existing bridge superstructure, widening of the bridge, reconstruction and raising of the roadway approaches, hiker/bike trail crossing improvements, intersection improvements, trail parking improvements, and stormwater management among other related improvements. The new bridge will be at the same location as the existing. The new bridge will be widened to the west to provide a 34-foot clear roadway width that will accommodate two 11-foot travel lanes. In addition, there will be 6-foot wide bike lane shoulders along both sides of the roadway. These shoulders will allow for the implementation of safe on-road bicycling. The approach roadway work will be limited raising 500 feet of the north approach to reduce flooding frequencies and Brink Road/ Wightman Road intersection improvements. The Montgomery County Department of Transportation Division of Transportation Engineering (MCDOT-DTE) will attempt to maintain the existing vertical profile of the bridge. A traffic detour route around the site will utilize existing roads.

**Division of Transportation Engineering**

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100 Edison Park Drive, 4<sup>th</sup> Floor, Gaithersburg, MD 20878 · 240-777-7220 · 240-777-7277 Fax  
[www.montgomerycountymd.gov/mcdot](http://www.montgomerycountymd.gov/mcdot)

The Greenway Trail will remain open throughout the construction of the project. The Montgomery County 2023 Bridge Inspection Report found that the bridge steel beams and bearings are in poor condition and warrant a high priority for bridge superstructure replacement. In addition, other design issues, such as outdated bridge railings for vehicle crash safety need corrected.

The proposed bridge rehabilitation will require permanent easements and fee simple right-of-way from the Great Seneca Stream Valley Park, owned by the M-NCPPC. Although the right-of-way required 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, through this notice, is notifying the public that it will request the FHWA make a *de minimis* (or minor) impact finding, in accordance with Section 4(f). The public is requested to provide comments on this finding.

Written comments regarding the proposed Section 4(f) *de minimis* impact findings may be submitted to the MCDOT Project Manager, Mr. Brian Copley, during the 15-day comment period through **June 17, 2024** by e-mail at [brian.copley@montgomerycountymd.gov](mailto:brian.copley@montgomerycountymd.gov) or by regular mail to:

Montgomery County Department of Transportation  
100 Edison Park Drive, 4th Floor Gaithersburg, Maryland 20878  
ATTN: Mr. Brian Copley