

**DRAFT – FOR USE IN WORKSESSION DISCUSSION ONLY**

October 18, 2013

Mr. Henry Kay
Maryland Transit Administration
100 South Charles Street
Tower 2, Suite 700
Baltimore, MD 21201

Subject: Purple Line Final Environmental Impact Statement (FEIS) & Draft Section 4(f) Evaluation

Dear Mr. Kay:

The Montgomery County Planning Board is pleased to submit the following comments in response to the Purple Line FEIS and Draft Section 4(f) evaluation. On behalf of the Board, I want to once again express our appreciation for the work of your staff led by Project Manager Mike Madden for their responsiveness, expertise, and overall commitment to this critical and complex project.

The Purple Line is central to the County's future if it is to grow smart and in a sustainable manner. It is for that reason – as noted in the FEIS - that the Purple Line has enjoyed long standing support in the form of numerous approved and adopted master and functional plans as well as in our on-going work programs like the anticipated resumption of the Greater Lyttonsville Sector Plan.

The Planning Board comments are in part a response to a detailed staff analysis that was presented and discussed by the Planning Board on October 17, 2013. That analysis in the form of a staff memo is available on our web site at montgomeryplanningboard.org.

Our overarching comment is that additional detail will be needed regarding the project's design, mitigation commitments, and in some cases, environmental impacts. We expect that MTA will continue to work with both Parks and Planning staff to address these matters during final design, as well as in the Memorandum of Agreement (MOA) to be developed between our agencies. Specifically, we expect MTA to further develop and refine specific impacts to parkland, details for stormwater management facilities, habitat mitigation compensation, and details on culverts and bridge design, as well as impacts to the neighborhood centers. These details are important to ensure that the Purple Line continues to conform with County land use plans and ensure that the project includes appropriate mitigation.

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Our specific comments are organized below in a manner that reflects the on-going nature of the project development. Our focus at this point is on the comments directly related to the FEIS and Draft 4(f) Evaluation while at the same time recognizing that the development of agency specific MOA's and the Mandatory Referral will be upon us in short order.

Comment 1 – Chevy Chase Lake and Takoma Langley Crossroads Sector Plan Status

The FEIS (page 4-21) lists the Chevy Chase Lake and Takoma Langley Crossroads Sector Plans as “pending approval.” These plans were approved and adopted in July 2013 and June 2012, respectively.

Comment 2 – Bethesda Station

The FEIS Preferred Alternative reflects a Bethesda Station area plan that no longer includes the Capital Crescent Trail above the Light Rail Train in the tunnel under Wisconsin Avenue. The trail instead would cross Wisconsin Avenue at grade – a feature also included in prior adopted master plans. The Planning Department is currently considering another design concept for the station as part of the Bethesda Purple Line Station Minor Master Plan Amendment process. Both designs would represent a change to the Purple Line Functional Master Plan and consideration of both plans as an eventual (if not preferred) outcome is consistent with current policy direction from the Planning Board and County Council.

Comment 3 – Lynn Drive Crossing in Chevy Chase

The master plan recommendation for the at-grade pedestrian crossing of the Purple Line right of way near Lynn Drive was dependent on further analysis of overall feasibility – especially the ability to provide a safe crossing. MTA analysis has indicated the at-grade crossing cannot be provided at the current design speed and the Planning Board concurs that reducing the speed in this section is undesirable.

Comment 4 – Bridges over Connecticut Avenue

The design calling for the bridges over Connecticut Avenue to be placed on fill or box structures is not consistent with prior policy guidance and previous representations and is therefore not desirable. The design for this gateway location should be refined to better respond to adopted design guidance in local master plans and prior MDOT supporting technical advice for TOD along this specific segment.

Comment 5 – Master Plan Street B-1 in Chevy Chase Lake

The design for the bridges that carry the Purple Line and Capital Crescent Trail over Connecticut Avenue should accommodate the master planned street B-1 that connects Manor Road and Chevy Chase Lake Drive.

Comment 6 – Lyttonsville Maintenance and Storage Facility

The revised concept plan for the Lyttonsville Maintenance and Storage Facility is generally consistent with the latest vision for the area and will be one of the underlying assumptions when work on the Greater Lyttonsville Sector Plan resumes.

Comment 7 – Capital Crescent Trail between Lyttonsville Road and 16th Street

Recently, MTA received communication from CSX that clarifies their position. CSX's new policy permits them to sell land for a trail as long as it is at least 50 feet from the centerline of their tracks. Based on the new CSX policy, MTA will be able to construct the Capital Crescent Trail between Lyttonsville Road and 16th Street consistent with the Purple Line Functional Plan.

Comment 8 – Arliss Street

The FEIS is consistent with the current vision for the Purple Line on Arliss Street, as recommended in the Long Branch Sector Plan.

Comment 9 – Bike Lanes on Piney Branch Road and University Boulevard

We understand and support MTA in revising its concept plans for a four-lane University Boulevard to include bike lanes on Piney Branch Road and University Blvd to be consistent with the Long Branch Sector Plan.

Comment 10 – Access to Long Branch Local Park and Community Center

The Long Branch Sector Plan also recommends that MTA “resolve vehicular access issues to the Long Branch Pool and Recreation Center in light of proposed traffic restrictions along Piney Branch Road associated with the Purple Line”.

Comment 11 – University Boulevard Cross Section

The Purple Line FEIS is consistent with the current vision for University Blvd because it is able to accommodate traffic forecasts with improvements to the roadway network. Furthermore, reducing University Blvd from six lanes to four lanes may help implement other aspects of the sector plan outside of the traffic lanes, including the bike lanes, landscaped panel, sidewalks, and cycle tracks.

Comment 12 - Community Facility and Business Access Challenges

We support recent additional steps taken independently by Montgomery County Department of Transportation to mitigate the impact on access to the Long Branch Local Park and Community Center. Consideration should be given to highlighting in the P3 solicitation process

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those locations along the alignment like the Long Branch Local Park and Community Center, Bonifant Street on-street parking, Silver Spring International Middle School, and Rosemary Hills Elementary School where alternative design or access concepts would be considered – given the unique challenges associated with those sites.

Comment 13 – Noise and Vibration Mitigation

The FEIS identifies potential noise and vibration impacts and includes a commitment to develop appropriate mitigation measures. Technology related to noise and vibration suppression is evolving and efforts should therefore be made in the P3 solicitation to place a premium on responses and unique approaches that advance mitigation measures where feasible. The effort going forward should reflect the fact that this light rail alignment is adjacent to a number of sensitive sites in an evolving inner suburban setting.

Comment 14 – Location and Compatibility of Traction Power Substations

We expect that MTA will continue to work with community stakeholders to identify specific approaches for addressing traction power substation compatibility with the surrounding setting. The following proposed locations (as shown in Table 4-4 of the FEIS) for these stations are in residential settings and are of particular interest:

- Montgomery Avenue – approximately 1,600 feet beyond (east of) Wisconsin Avenue
- Georgetown Branch right of way – approximately 300 feet prior to (west of) Connecticut Avenue
- Approaching CSX tracks (from west) near Kansas Avenue
- Wayne Avenue just past (east of) Cloverfield Road
- Arliss Street just past (east of) Flower Avenue
- University Boulevard just past (south of) Seek Lane

Comment 15 – Public Private Partnership (P3) Procurement

The P3 procurement process should provide a mechanism for consideration of design refinements after the completion of the NEPA process for both the Purple Line and the CCT as noted in the FEIS. In addition and more specifically, the MTA should issue written guidance within the next 30 days on how on-going design refinements will be considered and included (where there is concurrence) in the P3 procurement process.

Comment 16 – Three Effected National Register-Eligible Properties

Staff recommends continued consultation to identify appropriate mitigation measures for the three effected National Register-eligible properties.

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Comment 17 – Eight County-Designated Resources

Although not a requirement under Section 106, staff recommends that eight County-designated resources be studied along with Parks staff to determine whether the project will have an effect on them, and if so, that appropriate mitigation measures be identified.

This list includes eight resources that are designated in the Master Plan for Historic Preservation:

Chevy Chase Lake Trolley Station, #35/11
Madonna of the Trails statue, #35-14-2
Bethesda Post Office, #35/14-5
Brooks Photographers, #35/14-6
Community Paint and Hardware, #35/14-7
Tastee Diner, #36/13
Armory Place, #36/14
Little Tavern, #36/16

Comment 18 – Natural Resources

Planning staff has reviewed the sections of the FEIS regarding the natural environment. While we find that MTA has made significant effort to avoid and minimize adverse impacts along the ROW, additional minimization and mitigation details must be developed in collaboration with MNCPPC Parks and Planning for further refinement. Staff requests MTA work closely with MNCPPC staff to resolve these outstanding concerns regarding design, engineering, and mitigation not found within the August 2013 FEIS. We expect that MTA will continue to work with Parks and Planning staff to address these matters during final design, as well as in the Memorandum of Agreement to be developed between our agencies.

Among the specific design details to be jointly worked through and concurred upon are:

- the details and types of stormwater management facilities;
- additional habitat impact reduction;
- suitable habitat mitigation compensation;
- details on culverts and bridge design;
- Neighborhood impacts mitigation
- A ‘signature bridge’ through Rock Creek Stream Valley Park that does not create a ‘high degree of visual impact’ as mentioned in section 4.9.2, page 4-80 of the FEIS.
- Additional analysis and mitigation measures to the secondary or minor activity areas such as Chevy Chase Lake and Lyttonsville neighborhoods.

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Planning staff would also like to see MTA go beyond regulatory minimums regarding but limited to:

- Noise mitigation measures for residents affected by “Moderate Impacts” (M-23, M26, M-27A & M-28).
- Mitigation for specimen tree loss throughout the ROW and on parkland.
- Additional use of “green tracks” beyond the Georgetown Branch where feasible with preference for use in sensitive areas such as Rock Creek, Sligo Creek, Long Branch, and Northwest Branch to reduce heavy metals, salt, organic molecules, and nutrients from entering the receiving waterways.
- Protection of the colony of herons within the forested floodplain of Coquelin Run in close proximity to the ROW. Implement protection measures to ensure roosting grounds during brooding are undisturbed during the months of May through mid-June.

Department of Parks Comments

The Department of Parks comments for this letter will be finalized after – and based upon – the work session discussion.

Finally, our staff memo for the Purple Line agenda item on October 17, 2013 includes additional detail on issues more closely related to any Memorandum of Agreement with this or other agencies and other issues (largely trail related) in which the Planning Board role is generally advisory in nature. We encourage the MTA review of the entire staff memo as it outlines many issues to be addressed in the development of the upcoming MOA’s and the Mandatory Referral.

Thank you again for the opportunity to comment on the Purple Line Final Environmental Impact Statement.

Sincerely,

Françoise Carrier
Chair

Copy: Nancy Navarro, President, Montgomery County Council
Art Holmes, Director, Montgomery County Department of Transportation

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Elizabeth M. Hewlett, Chair, Prince George's County Planning Board