




MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

MEMORANDUM

TO: Tom Autrey, Supervisor, Functional Planning and Policy Division,
VIA: Robert Kronenberg, Acting Chief, Area 1
FROM: Tina Schneider, Senior Environmental Planner, Area 1 
DATE: October 8, 2013, 2013
SUBJECT: Purple Line Final Environmental Impact Statement

Area 1 Staff reviewed the Final Environmental Impact Statement (FEIS) for the Purple Line which summarizes the transportation, community and environmental effects of implementing a new east-west light rail transit (LRT) service between Bethesda and new Carrollton. The line is a 16.2 mile transit running through a National Park, County Parks, and eleven small neighborhoods, including Chevy Chase Lake and Greater Lytttonsville and five major activity centers, including Bethesda, Silver Spring, Takoma/Langley, College Park, and New Carrollton. All of the neighborhoods and centers in Montgomery County within the path of the Purple Line are located inside the beltway within Area 1.

The FEIS is primarily focused on the Preferred Alternative (PA) which is a modified version of the Locally Preferred Alternative (LPA) deemed the “best suited to meet the region’s transportation goals”¹ by the Governor of Maryland on August 4th, 2009. The ‘No Build’ option is also considered in the FEIS.

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;**

¹ ES.3. page 3.

- 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.

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.

Environmental Comments on the FEIS

Specific comments and recommendations on the FEIS pertinent to the environment and community are outlined below. Many of the recommendations are based on the practical and experience learned during the review, planning, and construction of the Inter-County Connector.

Area 1 staff commented on the following impacts where additional information and/or suggestions to MTA are requested:

1. Air Quality Impacts
2. Noise Impacts
3. Habitat and Wildlife Impacts
4. Water Resources Impacts
5. Bridge over Rock Creek
6. Stormwater management
7. Land use and community impacts

1. Air (Section 4.10.3)

Short term and localized air quality during the construction is anticipated to drop in the area of fugitive dust, and carbon and particulate matter. The dust is primarily caused by hauling, blasting, and grading. Calcium chloride is proposed to minimize the impacts of dust, however, other mitigation measures should be explored.

M-NCPPC Recommendation:

- **Application of calcium chloride is a common method of reducing airborne dust. Staff recommends the use of water more often, and as needed, limiting use of calcium chloride particularly in and around stream valleys.**
- **Work with MCDOT, MTA, and other stakeholders on traffic minimization methods through the designated routes and potentially through the neighborhoods that are being proposed to reduce the anticipated elevated carbon and particulate matter due to traffic congestion during construction periods.**

2. Noise (4.11):

Category 2, Moderate Noise Impacts ranging from 50-80 dBA is projected during operations at seven single family residences and four apartment buildings. The noise exposure projected at these sites is due primarily to horn soundings required as the LRT approaches stations and grade crossings. Additional noise is anticipated from wheel squeals along approximately 20 locations with tight radii. Noise impacts are also anticipated from the transformers.

MTA Mitigation proposes:

Mitigation from the transformers is intended to reduce noise. However, noise mitigation in the specific residential areas (M-23, M26, M-27A & M-28) is not proposed due to the infeasibility of constructing noise barriers that would block driveway access and pedestrian walkways.

M-NCPPC Recommendation:

Staff requests MTA abate the effected dwellings (M-23, M26, M-27A & M-28) so that each structure meets the standards set within the Montgomery County indoor noise ordinance.

3. Habitat and Wildlife Impacts

Forests (4.13.3)

The total loss of Forest Interior Dwelling habitat along Rock Creek, Northwest Branch, Paint Branch and North Branch is 24.1 acres. The largest (23.4 acres) is within Rock Creek. Reforestation will take place in accordance with state forest conservation requirements.

MTA Mitigation proposes:

MTA proposes compliance with MDNR requirements for afforestation. According to the FEIS, MTA has identified reforestation sites and forest mitigation banks but these locations are not provided in the FEIS.

M-NCPPC Recommendations:

- **Staff requests MTA work with Montgomery County Planning and Park staff to identify forest mitigation opportunities within the specific areas and watersheds being impacted.**
- **Clearing of forests are proposed for temporary staging areas and temporary sediment and erosion control practices. Forest clearing for these purposes should be avoided. Replacement locations should be within areas of prior impact, existing impervious areas, and/or phased within the proposed ROW.**

Specimen Trees:

There will be a total of 193 specimen trees (over 30" diameter at breast height) lost within the Purple Line right of way in Montgomery County. Since this is an MTA transportation project, compliance with the Section 22A-12(b)(3) of the Montgomery County Forest Conservation law is not required. However, compliance with the Maryland Forest Conservation Law and Roadside Tree Law through MDNR is obligatory. State laws do not require compensation for specimen tree loss at the same rate as typically imposed by the M-NCPPC during the forest conservation review process.

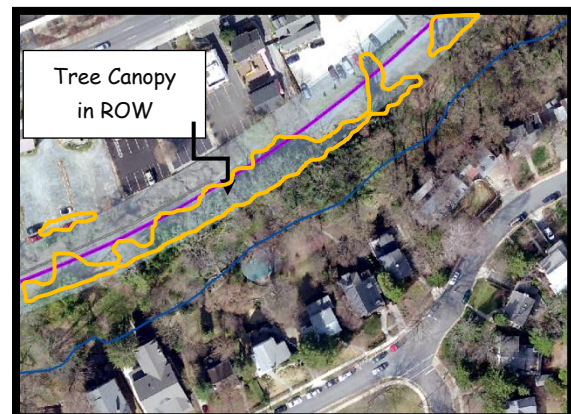
MTA Mitigation proposes to assemble a Forest Conservation Plan in accordance with Maryland DNR requirements. M-NCPPC Recommendation:

Staff requests MTA provide additional tree replacement compensation for the loss of the 193 specimen trees. Compensation could be within the ROW, as a buffer for the affected homeowners along or near the ROW, on Parkland as approved of by the Parks Department, and/or other areas deemed appropriate by the Planning staff.

Non-Forest and Individual Tree Loss

There will be notable and permanent loss of non-forested but wooded areas throughout the Purple Line. A rough GIS mapping exercise calculation identified approximately 6 acres of clearing within the ROW. This does not include the potential impacts on the critical root zones outside of the ROW which may affect additional trees.

M-NCPPC Recommendation:



As compensation for tree loss to neighboring communities and residential homes, staff recommends MTA work with the community to design and implement a buffer planting plan on the effected properties and/or within the ROW.

4. Waters of the U.S. and Wetlands (4.14.3)

Within the ROW, there will be impacts to wetlands, open water, springs, seeps, intermittent channels, and streams in association with the construction of the Purple Line (WUS gn-1, WUS gb2, WUS gb3, WUS gb-4, WUS 068, WUS 066, WUS gb-9, WUS 066, WUS gb-9, and WUS057). Aside from the wetlands, these resources originally outlined in the Draft Environmental Impact Statement and shown in Figure 4-28 of the DEIS are not mentioned in the FEIS. Strategies of protecting these features, their flows, and their associated habitat are not provided.

MTA Wetland Mitigation proposes to coordinate with regulatory agencies to develop wetland mitigation for the 0.77 acres lost. No other coordination or protection methods are indicated in the FEIS.

M-NCPPC Recommendations:

- **MDE is the permit authority for wetlands. Regardless, we request that MTA work with the M-NCPPC Planning and Park staff to identify opportunities for local compensatory wetland mitigation. Sites must occur within the effected stream valley as close to disturbed or lost wetland as possible without additional impact on natural resources. Where wetland mitigation is not feasible within the affected area, wetland mitigation should occur within the affected sub-watershed or watershed. No wetland mitigation shall occur outside the County affected by the wetland impacts.**
- **Throughout the design process, MTA must work with MNCPPC Parks and Planning staff on specifications for how the baseflow to the associated habitats, perennial and intermittent streams, springs, seeps, and all Waters of United States will be preserved during and after the construction of the Purple Line. The areas of notable concern are located in and around the following stations: 317.5, 434.5, 717.5, and 672.**

5. Rock Creek Bridge Crossing

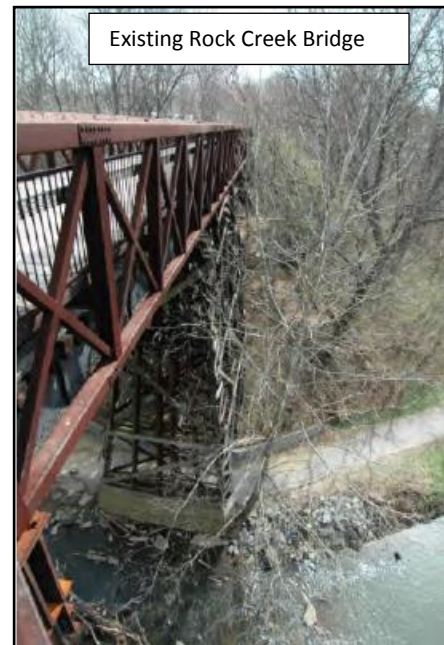
The Rock Creek Stream Valley Park is contiguous to Rock Creek National Park in Washington, DC. It is a stratified wooded stream valley with forest interior dwelling species (FIDS), steep slopes, erodible soils, scenic views, with rich species diversity for a metropolitan region. A 280-foot bridge spans east/west across the stream valley with 70-foot tall trestles.

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A new bridge is proposed that will require the removal of the existing bridge, the clearing of 20.4 acres of forest, the grading and cutting of steep slopes and rock outcrops, and the permanent loss of tree canopy cover and FIDS habitat. Design and construction details for the new bridge and separate bike and pedestrian bridge have not been provided. Stormwater management design and minimization methods for the bridges have not been provided nor impacts been quantified.

M-NCPPC Recommendation:

The bridge and trail crossing Rock Creek Stream Valley Park should be designed as a “signature bridge” that does not create a ‘high degree of visual impact’ as indicated in section 4.9.2, page 4-80 of the FEIS. The design should minimize impacts to FIDS, steep slopes, erodible soils, wetlands and scenic viewsheds where possible.



6. Stormwater Management

The Staff expects to participate in further design development which will provide additional level of detail of the proposed stormwater management facilities,

M-NCPPC Recommendations:

- **New impervious cover within the right of way (ROW) and limits of disturbance (LOD) are projected. Staff believes MTA will provide stormwater management in accordance with State requirements. However, MNCPPC suggest extensive use of low impact development stormwater controls such as linear bioretention, porous surfaces, and bioswales throughout the Purple Line ROW.**
- **MTA and the members of the Private partnership must work with the M-NCPPC staff to determine discharge points and outfall design within parkland.**

7. Landuse ,and Community Impacts

Highways and Roads

The FEIS provides language on page ES-5 that “No roadway or traffic impacts would occur as a result of the Yard or Maintenance Facility.” Staff is concerned that there will be significant impacts to primary inline roads such as Lyttonsville/Brookville Road and offsetting roads such as East-West Highway as a result of the activity surrounding the maintenance and storage facility.

M-NCPPC Recommendation:

The MTA should provide more analysis on potential impacts to the neighborhoods, specifically in Lyttonsville, as a result of the day to day operations of the maintenance facility.

In the Executive Summary, under the Summary of Effects Table, provide more emphasis on the long term impacts to the affected neighborhoods and sites within the study areas. Below are the headings within the table and a description of the issues that need further evaluation.

Transportation (Table ES-3)

- 1) Provide a better description of where the Lyttonsville parking lot will be located and whether or not mitigation was considered for the amount of impervious included with the parking; the amount of tree canopy included, and whether structured parking was considered to address spatial needs and circulation;**
- 2) Include loading zones and deliveries on Brookeville Road;**
- 3) Emphasis on Pedestrian safety and circulation on Bonifant, Fenton and Georgia after the Purple Line construction should be a high priority.**

Land Use, Public Policy, and Zoning (Table ES-3)

The zoning rewrite may change the nature of the land uses, especially in Chevy Chase Lake, Lyttonsville and Long Branch if most of the commercial/industrial zones are modified to the CR (Commercial Residential) zones. This would place an emphasis on mixed use zoning that may not presently exist today. With the potential increase in density, more evaluation is needed on the impacts to the neighborhood and major activity areas.

Neighborhoods and Community Facilities (Table ES-3)

Some key neighborhood and community sites were identified for coordination as a result of the proposed impacts. This needs to be expanded to public facilities such as the Coffield Community Center, Silver Spring Regional Library, etc. There also needs to be more acknowledgement of the communities within these areas that will be impacted, not just the facilities, including Rosemary Hills, Lyttonsville, Woodside, East Silver Spring and Longbranch.

Property Acquisitions

Mitigation should include buildings that may become non-conforming uses as a result of property acquisitions. This may be more appropriate under Land Use.

Historic Properties

Demonstrate avoidance of impacts to cemeteries and other significant historic landmarks.

Community Impacts

The analysis in the FEIS emphasizes impacts to “major activity areas” and does not focus on the secondary or minor activity areas such as Chevy Chase Lake and Lyttonsville neighborhoods. The short and long-term impacts to these primarily residential communities are significant. Chevy Chase Lake is considered small scale commercial, industrial and residential areas. The impacts and disruption to the environmental, transportation and land uses will also be significant and require more analysis.

The FEIS should also be updated to reflect the status of the First Baptist Church of Silver Spring site which was recently approved for redevelopment as a mixed-use residential/institutional/residential building. Additionally, the Silver Spring International Middle School (SIMMS) is listed as the Montgomery Blair High School. This was the prior location of the High School that was relocated to four corners almost ten years ago.