

ATTACHMENT # 1

TITLE: February 9, 2004 letter from Chairman Berlage to Neil Pedersen,
SHA.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Office of the Chairman, Montgomery County Planning Board

February 9, 2004

Mr. Neil J. Pedersen, Administrator
Maryland State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. ^{Neil} Pedersen:

The Planning Board reviewed the status of the Intercounty Connector environmental impact study at its regularly scheduled meeting of January 22, 2004. As the State Highway Administration selects the Alternates Retained for Detailed Study (ARDS) for the project in early February, we would like to take this opportunity to reinforce the comments made by the County Council in the attached December 1, 2003 letter from Council President Subin to you.

We understand from your consultant's presentation on January 22 that SHA is directly incorporating four of the Council's thirteen comments (specifically, #6, #7, #8, and #9) in the ARDS package, while three other comments (specifically #4, #5, and #10) remain under consideration. We look forward to receiving your response to each of the Council's comments. Based on our discussions, we find that five of the Council's comments warrant elaboration on our part:

- Comment #1: As Mr. Subin's letter states, Corridor 1 is the only alternative that is consistent with our land use plans. We are pleased to note the reference to our General Plan and local land use plans in the study Purpose and Need Statement.
- Comment #2: Extraordinary measures are indeed needed to protect the environment. We look forward to working with you as the study progresses to understand how the build alternatives will help improve the environment, as described in the Purpose and Need Statement. Of great concern is the manner of stream crossings, including bridge details and related water, animal and people movement below and through structures.
- Comment #8 and Comment #13: We would appreciate further clarification of the relationship between the ICC study and the MD 28/MD 198 study to understand which elements of the master-planned MD 28/MD 198 widening

are truly independent from the SHA concepts for Corridor 2. We trust that the Corridor 2 plans developed during ARDS will demonstrate the level of independency of the two projects indicated by your staff.

- Comment #10: The provision of a continuous hiker-biker trail parallel to the ICC is an integral part of our master plans, needed to serve both transportation and recreation purposes. Certainly the incremental environmental impacts of the hiker-biker trail must be considered and addressed. We applaud your can-do attitude in tackling the environmental challenges associated with roadway implementation within the master plan alignment. We urge you to apply a commensurate level of interest in providing needed accessibility for pedestrians and bicyclists by committing to conduct detailed study of the path as part of the ARDS.
- Comment #11: As the stewards of the local parks, we look forward to ensuring that the natural and recreation value of our park system is maintained through application of our 1989 Memorandum of Understanding with you. Given the MOU requirements for land transfer in advance of construction and your project timetable, it appears that procedural coordination efforts should be accelerated in advance of impacts documentation. We need to jointly establish a decision-making schedule that integrates Planning Board decisions into your study process.

The evolution of the SHA statements regarding ARDS from the November 2003 public meetings to the present is testimony to both your adherence to an aggressive schedule as well as your responsiveness to many of the comments you've received. We share your interest in streamlining the process without omitting any necessary steps. Further coordination among our respective staffs is needed to clarify when policy guidance and other specific comments from the Montgomery County Planning Board and the Montgomery County Council are needed. More frequent status reports to the Planning Board by your staff will be a useful tool in confirming which decisions require guidance. We appreciate your commitment to providing us these reports.

If you have any questions regarding our comments, please feel free to contact me.

Sincerely,



Derick P. Berlage
Chairman

DPB:dh

Attachment



MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND

OFFICE OF THE COUNCIL PRESIDENT

December 1, 2003

Neil J. Pedersen, Administrator
Maryland State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Pedersen:

The County Council has reviewed the progress to date of the Intercountry Connector Study, and we offer the following thirteen comments on the Alternatives Retained for Detailed Study and on other subjects to be comprehensively evaluated and documented in the upcoming Draft Environmental Impact Statement (DEIS). We believe all these matters can be addressed within the time-frame and budget you have set for the development of the DEIS.

1. We acknowledge that the process called for under National Environmental Policy Act requires SHA to study more than one alternative. Nevertheless, the Council's strong preference is for Corridor 1, the only alternative that is consistent with our master plan.
2. In laying out the ICC and calculating its impacts, SHA should assume it will take extraordinary measures to protect the environment, including the use of innovative construction techniques such as end-on construction.
3. Eliminate the other alternatives listed in the public workshop brochure. Capital Beltway options are being studied already as part of the Capital Beltway Corridor Study. The prior 'Upgrade Existing Roads Alternative' includes many road widenings that would violate County master plans. A transit-only option would generate little ridership and provide little congestion relief in this part of the county, where low-to-moderate densities predominate. Building out to a 'balanced land use' pattern was endorsed by the Council because it would reduce the future increase in congestion somewhat, but it is not a substitute for transportation infrastructure improvements. Any connection to Howard County would be inconsistent with its—and our—master plans.
4. Along with the other alternatives to be studied, evaluate Corridors 1 and 2 as a parkway that would prohibit heavy trucks (i.e., those greater than two axles) between I-370 and the first interchange in Prince George's County. We defer to Prince George's County as to whether this alternative should be evaluated for the ICC segment east of this point.

STELLA B. WERNER COUNCIL OFFICE BUILDING, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850
240/777-7900 TTY 240/777-7914 FAX 240/777-7989
WWW.CO.MO.MD.US/COUNCIL



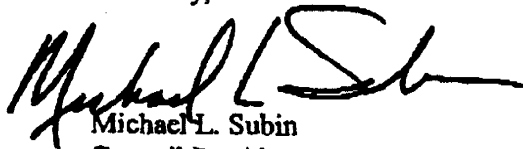
5. Evaluate the master-planned Midcounty Highway Extended (M-83) connection from Shady Grove Road to the ICC as an alternative to the non-master-planned interchange between the ICC and Shady Grove Road that was displayed in the brochure and at the workshops.
6. Develop an interchange concept at Layhill Road for both Corridor 1 (consistent with the master plan) and Corridor 2, and assume it as part of the project unless proven that it is not needed to relieve congestion on east-west roads in the vicinity, including (but not limited to) Norbeck Road, Bonifant Road, and Bel Pre Road.
7. Continue to study the option of *not* adding an interchange between Corridor 1 and Briggs Chaney Road, since no such interchange is master-planned. If some connection at Briggs Chaney Road is absolutely necessary, a partial interchange should be considered as well as a full-movement interchange.
8. Since, under Corridor 2, Norbeck Road Extended would be lost to the local road network in Cloverly, examine how that function and capacity will be replaced.
9. Rectify the interchange concept of Corridor 2 with US 29 so it will not produce circuitous travel patterns in the Burtonsville area.
10. Include the master-planned hiker-biker trail in the ICC right-of-way as part of both Corridors 1 and 2.
11. The scope and cost of Corridors 1 and 2 must include project replacement parkland in quantity and quality equal to or greater than what it would take for the build option, as called for in the 1989 Memorandum of Understanding between SHA and the Maryland-National Capital Park and Planning Commission
12. Examine the Virginia Department of Transportation's cost-overflow experience with its I-95/I-495 Interchange ('Mixing Bowl') project, so that the same experience is not repeated with the ICC.
13. Proceed expeditiously with the project planning study evaluating the master-planned 4-lane widening of MD 28 and MD 198 from Georgia Avenue to US 29, and do not allow the ICC to supersede it or to impede its progress to design and construction.

Neil J. Pedersen
December 1, 2003
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We want to extend our appreciation to you, your staff, and your consultant team for responding to the many questions and concerns raised by our residents and County staffers who have followed the ICC Study during the past several months. We particularly want to acknowledge the contributions of Doug Simmons and Wesley Mitchell, who briefed the Council's Transportation and Environment Committee on the study on November 13.

If you have any clarification about our comments, please contact us.

Sincerely,



Michael L. Subin
Council President

MLS:gn

Copies: The Honorable Robert L. Ehrlich, Governor, State of Maryland
The Honorable Paul Sarbanes, United States Senate
The Honorable Barbara Mikulski, United States Senate
The Honorable Christopher Van Hollen, U.S. House of Representatives
The Honorable Albert Wynn, U.S. House of Representatives
The Honorable Ida Ruben, Chair, Montgomery County Senate Delegation
The Honorable Charles Barkley, Chair, Montgomery County House Delegation
The Honorable Paul G. Pinsky, Chair, Prince George's County Senate Delegation
The Honorable Carolyn J. B. Howard, Chair, Prince George's County House Delegation
The Honorable Douglas Duncan, Montgomery County Executive
The Honorable Jack Johnson, Prince George's County Executive
The Honorable Peter A. Shapiro, Chair, Prince George's County Council
Robert L. Flanagan, Secretary, Maryland Department of Transportation
Derick Berlage, Chair, Montgomery County Planning Board