

#1

**MCP-Chairman**

---

**From:** Tamora Lynn Martin [t1m22@georgetown.edu]  
**Sent:** Tuesday, July 26, 2005 8:49 PM  
**To:** MCP-Chairman  
**Subject:** Please protect our parklands

Dear MCP Chairman,

Please protect our parklands!

The MNCPPC proposed mitigation does absolutely nothing to compensate for the loss of natural resource values in the Mill Creek, Rock Creek, North Branch, or Northwest Branch watersheds. Although Paint Branch is thrown a bone. It has no meat on it to compensate for the enormous damage to Paint Branch Park including the critical Good Hope trout spawning tributary that would be degraded beyond recovery if the ICC were to be built.

The vast majority of replacement parkland is far outside the effected watersheds. This means the recreation areas for the local community are permanently lost, and the ecological function of the area is not replaced. The areas lost to the ICC would be irreplaceable because they are unique in this area. No matter what the State Highway Administration (SHA) decides in the end, Park and Planning has a responsibility to stand up for our parks.

Because it is not possible to adequately mitigate the loss of natural resource functional values in the effected watersheds, please do not permit SHA to destroy these irreplaceable parklands. Local citizens/communities would be deprived of a peaceful sanctuary that serves their immediate neighborhoods. The ICC would be the singlemost environmentally destructive project ever built in the County.

If you permit SHA to destroy our parks then you are not upholding your responsibilities to be stewards of our park system. Please remember this.

Sincerely,

Tamora Martin

11573 Sullnick Way

Gaithersburg, MD 20878

240-246-0271

7/27/2005

C-28

#1

**MCP-Chairman**

---

**From:** Paul Jarosinski [jaro.home@verizon.net]  
**Sent:** Tuesday, July 26, 2005 8:59 PM  
**To:** MCP-Chairman  
**Subject:** Environmental Mitigation Meeting

Dear Chairman,

I understand that there will be a Park and Planning hearing on Thursday in regard to environmental mitigation for a potential ICC build. I hope you are able to make independent decisions on this matter and are not under orders from the County Executive for a predetermined conclusion.

Please remember that the overall planning concept for Montgomery County has always been one of "Wedges and Corridors" (Olney Master Plan 1980). The "wedges" are supposed to be "maintained between the corridors and around the satellite communities; these wedge areas should be predominantly low density and rural-type development." Now that Montgomery County has developed most of the non-farmland corridors, it appears that the developers are poised and ready to pave the "wedges" and fill in the surrounding area with commercial development. Please don't let big development wipe out the overall planning concept for Montgomery County by paving or developing the planned green space while lining the campaign funds of key candidates. One only needs to read the Washington Post in July to clearly see that the only justification for the expense of the ICC is for development. Once the remaining wedges are developed, the developers will take off to pillage other areas leaving the Montgomery County residents with more code red and orange days without green space to renew the oxygen supply. It will be too late then.

Please don't rubber stamp the developer's plan to replace green space with concrete and commercial development. Insist that the "wedges" that were part of the development plan for dozens of communities be maintained. This does not include simply saving some trees under elongated bridges or planting some replacement trees along the Potomac river.

I cannot attend the meeting on Thursday, but I urge you to stand up for the maintaining the environment for Montgomery County residents.

Paul Jarosinski

7/27/2005

C-29

#1

**MCP-Chairman**

---

**From:** Susan Stern [ttsstern@hotmail.com]  
**Sent:** Wednesday, July 27, 2005 12:12 AM  
**To:** MCP-Chairman  
**Cc:** susnbarn@earthlink.net  
**Subject:** Please read for and/or during ICC meeting 7/28!

Thank you for your efforts as steward of our parklands. I am grateful that the agency states the goal to protect the parkland and appreciate your advocacy and bravery to accomplish this goal.

What a challenging time we are presented with the ICC plans forging ahead under Governor Ehrlich. I believe that accepting the staff recommended mitigation conflicts with the stated goals of the agency. Please protect our parklands from destruction!!! According to staff plans, recreation areas for local community will be lost and the ecological function of the area is not replaced.

Thank you for your service, and please, please stand firm against the rushing tide of the temporary profit for the developers.

Thank you,  
Susan Stern  
301-345-5410

1  
C-30

#1

**MCP-Chairman**

---

**From:** boohar [boohar@starpower.net]  
**Sent:** Wednesday, July 27, 2005 12:53 AM  
**To:** MCP-Chairman  
**Cc:** bboohar@sbaranes.com; stopwink  
**Subject:** ICC Environmental Mitigation



ICC letter to  
re environme

Please distribute the attached letter to the Board members.

Thanks

July 26, 2005

Montgomery County Planning Board  
M-NCPPC  
8787 Georgia Ave  
Silver Spring, MD 20910

Chairman Berlage and Planning Board Members:

I write to encourage the Board to exercise its responsibility in safeguarding the County's parklands and Heritage Resources. The selection of the alternative path within Segment 1 relieves most of the damage that the originally planned route inflicted on the Rock Creek Regional Park and some of the damage to the Mill Creek Stream Valley Park. It does so clearly at the expense of the many houses in Derwood that will be lost and many more that will be impacted by the resulting noise, pollution, and loss in property values. The monetary expense will be born by us all if the proposed highway proceeds as shown, but the long term value of the protected resources will prove to be the greater value.

Unfortunately the remainder of the Mill Creek Stream Valley Park (a Potential 4(f) Resource and part of the County's Heritage Areas) remains severely impacted. The initially published DEIS data identified this area as a particularly sensitive portion of the corridors, likely THE most delicate. When compared to the acres of ROW or linear feet of roadway, not only was it the most expensive segment at \$3M/acre, but it had the greatest % of floodplain disruption (15%), the greatest filling of wetlands (7%), the greatest impacted streambeds (almost 1 LF for every LF of roadway), and the greatest forest removal (more acres than the ROW itself.). Even so, it still ranked amongst the highest areas of farmland affected (16%). Not only was this segment the most environmentally affected, it had the greatest number people/ LF of roadway negatively impacted by noise. The revised data for the alternate selected has not been made generally available to compare, but the segment that was not deviated from the original path remains compromised.

This data should have triggered virtually all of the promoted "new state-of-the-art" roadway design & construction measures to mitigate all these negative impacts: long bridges, footprint minimization, retaining walls, wildlife crossings, noise abatement walls, etc and the high per acre cost would seem to confirm this. Unfortunately the proposed plans did not. Most of the grading is achieved by traditional cut and fill procedures rather than bridges, there are few retaining walls or footprint minimizations, relatively few wildlife crossings and little indicated noise abatement. MNCPPC recognized the importance and sensitivity of this segment when they strongly recommended additional measures in their commentary. The DOI comments even went to the length of requesting that the study be re-opened that examined termination at Mid-County Highway as one of the alternatives to avoid the adverse impacts indicated at this segment. I urge you to verify that the SHA has expended the required effort to meet the statutory obligation to avoid damage to our identified 4(f) resources.

C-32

As an odd contrast, Compensatory Environmental Mitigation is proposed for UPPER Mill Creek in the form of Stream Restoration while at this downstream area the road construction will impose irreversible alterations to the Creek beds, wetlands and forest stands. This Compensatory Mitigation, similar to the mitigation proposed throughout the route of the ICC purports to trade the resources destroyed for remote sites of improvement in many cases not directly related to the areas damaged and in many cases to directly beneficial to the residents most impacted by the loss of the more valuable resources as well as loss of quality of life.

Please meet this responsibility placed in your hands by the people of the County to require the SHA to meet its obligation to minimize destruction, mitigate the adverse effects, and provide a balanced recompense for the damage it proposes to proceed with.

Thank you,

Robert Booher  
111 Maple Ave  
Washington Grove, MD

#1

**MCP-Chairman**

---

**From:** LAWNANDPOWER@aol.com  
**Sent:** Wednesday, July 27, 2005 6:41 AM  
**To:** MCP-Chairman  
**Subject:** Parkland mitigation for ICC

Since I am unable to attend the hearing on the above mentioned, here is my testimony. MNCPPC has been given the stewardship of parks and green spaces in Montgomery County. Not to long ago I was at a Thursday night hearing where people testified to wanting more parks and more recreation centers. It seems to me that we had the biggest and best park available to the citizens of Montgomery County and you threw under the bus, by approving the construction of the ICC. How can you possibly mitigate the destruction of pristine forest and streams? Since these streams are the headwaters into the Chesapeake bay, your approval of the construction of the ICC has put another notch in the death knoll of the Chesapeake Bay. My testimony to you would be that MNCPPC take the Park out of MNCPPC since you are more about Planning and development and less about Parks.

Thank you,

Jacqui Sapper  
12707 Hammonton Rd  
Silver Spring, MD 20904

7/27/2005

C-34

#1

**2931 Shepperton Terrace  
Silver Spring, Maryland 20904-6716**

Hon. Derick P. Berlage  
Chair, Montgomery County Planning Board  
The Maryland-National Capital Park and Planning Commission  
8787 Georgia Avenue  
Silver Spring, Maryland 20910-3760

27 July 2005

**By E-mail only.** To respond by e-mail, please use [CPZ@OS2BBS.COM](mailto:CPZ@OS2BBS.COM).

**Subject: InterCounty Connector Study - Planning Board Briefing #7  
Parkland replacement**

Dear Chairman Berlage:

Since the Fairland Golf Course Community will apparently not be constructed as planned (and as discussed in the 1997 Fairland Master Plan), I suggest that the existing Old Gunpowder Golf Course would serve as an excellent reforestation site to replace some of the wooded areas to be taken along the master-planned route of the InterCounty Connector.

The golf course is a good reforestation site for the following reasons:

- It is in the Little Paint Branch Watershed - part of the larger Anacostia River Watershed;
- It is located in Montgomery County<sup>1</sup>;
- The land is, as I understand it, already owned by the M-NCP&PC;
- The course is not a positive contributor to water quality in the Little Paint Branch; and
- The Montgomery County Planning Board and Montgomery County

---

<sup>1</sup> Even though the Web site (apparently operated by the persons holding the concession to operate the course) claims that it is in Prince George's County. Please see <http://www.gunpowdergolf.com/> for details.

C-35



#1

## MCP-Chairman

---

**From:** Jim Fremont [jimfremont@earthlink.net]  
**Sent:** Wednesday, July 27, 2005 9:26 AM  
**To:** MCP-Chairman  
**Subject:** ICC mitigation plan

Dear Chairman Berlage and Members of the Planning Board:

I am contacting you because I believe that MNCPPC's proposed ICC mitigation plan is woefully inadequate and will not protect Montgomery County's parklands from desecration.

The plan does not compensate for the loss of natural resource values in the Mill Creek, Rock Creek, North Branch, or Northwest Branch watersheds. The plan is also inadequate for Paint Branch Park, because the critical Good Hope trout spawning tributary would be degraded beyond recovery if the ICC were to be built.

The parkland that the ICC will destroy will be irrevocably lost. Sure, replacement parkland will be acquired, but unique, valuable wildlife habitat, and ecologically valuable areas will be gone for good. Neighborhoods will lose tranquil havens in their communities. This is not acceptable. It is not possible to adequately mitigate the loss of these irreplaceable environmental resources. For this reason, as well as the cost, the ICC should be scrapped.

If you accept the staff recommended mitigation plan, you will be disregarding MNCPPC's responsibility of protecting our parkland, environmental heritage, and quality of life. As stewards of Montgomery County's environment and parkland, please exercise your responsibility to protect our parkland and natural heritage from the single most environmentally destructive project in the history of the County, the ICC.

I believe that the mitigation plan is a rubber stamp for ICC approval and should be rejected, as should the ICC itself.

Thank you for your time, attention, and consideration.

Sincerely,

James Fremont  
2421 Evans Drive  
Silver Spring, MD 20902

#1

**MCP-Chairman**

---

**From:** Dany Burns [danyburns@yahoo.com]  
**Sent:** Wednesday, July 27, 2005 9:53 AM  
**To:** MCP-Chairman  
**Subject:** ICC Hearing

I am writing to express concern regarding the environmental impact of the proposed ICC. The plan currently proposed will replace the parkland lost forever to our community with parkland far away, inaccessible to our children and community. Robin Hood is robbing my community, Colesville, of its rich parkland and pure stream environment, to feed the rich developers. In addition, the wealthy of the far western county will be presented with the prize of additional parkland.

I ask you to preserve the clean creeks in my neighborhood. Don't rob us of our natural resources to satisfy rich, politically connect developer donors!

Dany Burns  
Silver Spring

C-37

#1

## MCP-Chairman

---

**From:** Daniel.Wallace [daniel.wallace@gallaudet.edu]  
**Sent:** Wednesday, July 27, 2005 10:08 AM  
**To:** MCP-Chairman  
**Subject:** Poor mitigation plan

Dear Chairman Berlage,

Please share this email with the rest of your Board members.

I'm writing as vice president of the Burnt Mills Civic Association, which represents 315 households.

Please reject the mitigation plans under consideration at your July 28th meeting for the proposed InterCounty Connector. These plans call for the purchase of lesser-quality properties in terms of natural resources that also are located far afield from the parklands to be compromised by an ICC. To try and replace our lost parklands with these properties is an abrogation of the M-NPPC Board's responsibilities in stewading our parks and environmental resources. High-grade forests lost to an ICC cannot be replaced by the Peach Orchard/Allnut Property, which has very little forest cover. The Casey Property should be purchased, but under the Legacy Open Space program as originally planned, not as a bargain buy at the cost of mass destruction by an ICC.

In this growing climate of disaffection with developer's transgressions and the poor supervision of their activities by M-NPPC, you would be wise not to ignore the immediate deleterious effects of the ICC on our parks, streams, and wetlands. You and your colleagues should turn back the State Highway Administration's mitigation proposals and demand genuine plans to save our fast-disappearing resources in the selected path of an ICC.

The best way to do this is to reject the ICC, as you should have done in the first place. A distant second-best position is to demand rigid standards for any intrusions into our parks, stream valleys, wetlands, and forests.

Sincerely,  
Dan Wallace  
Vice President  
Burnt Mills Citizens Association

C-28

#1

## MCP-Chairman

---

**From:** Stephen Price [sgpsma@yahoo.com]  
**Sent:** Wednesday, July 27, 2005 11:43 AM  
**To:** MCP-Chairman  
**Subject:** Inter County Connector

Dear Mr. Chairman and Board:

I am a longtime resident of Montgomery County and daily user of the Park system. I have good knowledge of the parks from years of walking and recreating in them, and have hiked specific areas in the path of the proposed Inter County Connector.

I appeal to you to oppose this six-lane superhighway. No amount of design modification can truly mitigate the impact of this monstrosity. It is unthinkable that our relatively few acres of parkland will be bisected and assaulted by this enormous project.

I have often hiked under the Beltway where it crosses Northwest Branch, as well as where it crosses Sligo Creek and Rock Creek. In any of these stream valley parks, the impact of such a highway is huge and obvious: Noise for more than 1/2 mile in either direction (rising to a deafening roar underneath the roadway), piles of windblown or water-carried trash, old car parts, tires, lost loads from trucks, oil spills, polluted water entering the streams. I would be most happy to accompany you on a tour of the Northwest Branch Beltway crossing or any of the others, so you can see for yourself that I am not exaggerating.

The fact that the ICC is to be built with extra-long bridges and with a slightly narrower footprint in places is not a true mitigation simply because these measures are a matter of degree. The difference between a mitigated and an unmitigated expresway is so small it is hardly measurable. The difference between a mitigated expressway and no expressway is all the difference in the world.

The proposed mitigations are to my mind completely ineffectual measured against the overall environmental impact on our parks and wildlife. It is like an obese person cutting out candy bars but continuing to consume massive quantities of food of all other kinds, every day and without limit.

1  
C-39

This highway will RUIN the purposes for which parkland was specially set aside, over many years, by this County and region: Undisturb nature, conservation of species, preservation of water and air quality, peace and quiet, a variety of forms of recreation. A superhighway cannot coexist with these purposes; if it is built, it simply destroys the parks.

As public stewards of our irreplaceable parklands, I URGE you to refuse to allow the ICC to proceed with any "stamp of approval" from the MNCPPC.  
Sincerely,

S. Gregory Price  
256 Manor Circle  
Takoma Park MD 20912

---

Do You Yahoo!?  
Tired of spam? Yahoo! Mail has the best spam protection around  
<http://mail.yahoo.com>

C-40<sup>2</sup>

**MCP-CTRACK**

**From:** Mary Reardon [MREARDON@ers.usda.gov]  
**Sent:** Wednesday, July 27, 2005 7:57 PM  
**To:** MCP-Chairman  
**Subject:** ICC Mitigation

TO: Derick Berlage, Chairman, Montgomery County Planning Board, and Commissioners

FROM: Mary Reardon (Silver Spring)

RE: Parkland "mitigation" package for ICC

As the Planning Board prepares to consider a mitigation package for the Intercounty Connector, I can't help thinking that if there is a need for "mitigation," it's because something wrong is about to be done. The impacts on the Mill Creek, Rock Creek, North Branch, and Northwest Branch watersheds, and on the Paint Branch Park, must be recognized as environmentally damaging in the extreme. No amount of "mitigation" can make up for this. No amount of acquisition of new parkland outside the Rock Creek and Anacostia watersheds can make up for the disastrous impacts within these watersheds. The Planning Board is charged with protecting our County's parkland, but irreplaceable parklands will be lost if the ICC goes forward.

I would also hope that our County's planners would look at the big picture as they make their decisions—any decisions. The big picture in this case shows that the cost of oil is skyrocketing, and oil reserves are being depleted. Expanding highways and encouraging more automobile transportation in the face of such realities seems senseless. Moreover, the ICC was put on the master plan decades before the terms "urban sprawl" and "suburban sprawl" were invented—well before it was recognized that highway expansion engenders more development, followed by yet more traffic.

The opinion of the Montgomery County Planning Board does carry weight with state officials. Rather than working out a mitigation package (a better term would be "atonement" package), the Board should not be a party to this pointless, lose-lose exercise. The environmental—and financial—costs of any alignment of the ICC are simply unacceptable.

7/28/2005

C-41

## MCP-Chairman

---

**From:** B Harpster [harpster77@hotmail.com]  
**Sent:** Friday, July 29, 2005 8:35 PM  
**To:** MCP-Chairman  
**Subject:** Please do not allow the ICC to destroy our parklands

RECEIVED  
1304  
AUG 01 2005

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

One of the wonderful things about living in Montgomery County is the parkland in and around the residential neighborhoods. The ICC will destroy many of these areas. Substituting lands farther away is not a satisfactory solution. The ICC would use government funds to degrade neighborhoods and parks. This is to be done with the promise of reducing traffic problems, but it appears far more likely that it will simply increase development and create new traffic problems. While developers may benefit, it is wrong to benefit a few at the expense of the larger population. Please save the character of Montgomery County and do not permit the ICC.

Anne Harpster  
13213 Clifton Rd  
Silver Spring MD 20904

1  
C-42

**MCP-Chairman**

**From:** Carole Copeland [ccopeland@worldnet.att.net]  
**Sent:** Wednesday, July 27, 2005 2:41 PM  
**To:** MCP-Chairman  
**Subject:** Park & Planning Hearing

RECEIVED  
1275  
JUL 28 2005

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Dear Sir:

I cannot attend the hearing tomorrow, but I am very concerned about what is happening in Montgomery County as I have been a lifelong resident of same.

Not only do we have the Rt. 29 corridor construction with dozens of loops and circles, then we have the Montrose Parkway starting up in September, and last but certainly not least, the ICC to clog up our roads, impact our environment, and create a "concrete jungle" of roads throughout this county!!!!!!!!!!!!!!!!!!!!!!

As a taxpayer, I am angered by the use of my tax money for all these projects which I DO NOT WANT! What I do want is a halt to all the construction and development (overdevelopment)! What are these developers doing to get it their way?? Perhaps money under the table, bribing, pay-offs??? I would like to know.

Insofar as the ICC is concerned, for all the reasons which will be brought up tomorrow at the Hearing should this road not be built. It will not ease congestion as studies have shown, and will greatly impact the environment which all the other new roads are also creating. Where are the conservation groups in this state as they have in Virginia? Why do we not value conservation in this state?

This is where the Park and Planning Board comes into play to protect and conserve our parks and land. It is your responsibility to do this and not "cave in" to pressure of the Governor who is fighting for this ICC as a pay-back for his election, and to the County Executive who I think is an idiot, but is a "talking head" for all the people who hear "reduced traffic" and automatically say, "ICC, great idea, this traffic is horrible" without thinking about and knowing anything about the impact this road will have nor what it will NOT do. He also wants to be Governor..

I call on the Board to stand up for what is right, and protect our environment so we will have something to leave out grandchildren besides a twisted mess of concrete highways with high density development everywhere!

7/27/2005

C-43



Thank you for your consideration.

Carole Copeland  
2104 Kingshouse Road  
Silver Spring, MD 20905

7/27/2005

C-44

#1

**MCP-Chairman**

---

**From:** rosprice@erols.com  
**Sent:** Monday, July 25, 2005 4:00 PM  
**To:** MCP-Chairman  
**Subject:** Protect the Parklands in your Care

RECEIVED  
1387  
JUL 25 2005

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Dear Chairman Berlage and Members of the Planning Board,

I am writing to urge you to not allow the unique parklands under your protection, including those in the Upper Paint Branch watershed, to be destroyed by SHA. There is no possible replacement for this resource. The parklands provide a sanctuary for humans, animals, and plants that will cease to exist if the ICC is built. They provide clear water for the Anacostia system and the Bay, which are under tremendous assault. They are indeed worthy of the "special protection" they have enjoyed for the past many years.

Instead of destroying the Paint Branch, let's preserve and celebrate it. Let's map the trails, and encourage more residents to find respite there, in a mini-wilderness so close to their homes. Please do not allow the special interests of a few to cause the destruction of this legacy that belongs to all county residents.

Sincerely,  
Roseanne Price  
13520 Cedar Creek Lane  
Silver Spring, MD 20904

-----  
mail2web - Check your email from the web at  
<http://mail2web.com/> .

1  
C-45



GREATER WASHINGTON  
Board of Trade

Growing Business. Building Community.

MEMORANDUM FOR MR. DERICK P. BERLAGE  
DATE: AUGUST 2, 2005

August 2, 2005

Mr. Derick P. Berlage  
Chairman  
Montgomery County Planning Board  
8787 Georgia Avenue  
Silver Spring, MD 20910

RECEIVED  
1340  
AUG 03 2005

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Dear Chairman Berlage:

The Greater Washington Board of Trade strongly supports the Inter County Connector on the Master Plan Alignment as the State of Maryland's Preferred Alternative. We look forward to construction of the ICC and are pleased that extensive mitigation efforts will be used to offset environmental impacts.

Thank you for your leadership in moving this important project forward and in ensuring that environmental mitigation efforts are maintained.

Sincerely,

Robert Grow  
Director, Government Relations

C-46

#)

**MCP-Chairman**

**From:** M P [nexialist02@yahoo.com]  
**Sent:** Wednesday, July 27, 2005 12:39 PM  
**To:** MCP-Chairman  
**Cc:** doug Duncan  
**Subject:** ICC Mitigation Plan

**RECEIVED**  
1338  
JUL 27 2005

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Dear Mr. Berlage and the Planning Board,

As a long time Montgomery County resident, I strongly protest the proposed mitigation plan which purports to partially compensate for the loss of valuable parkland, green space and environment to be caused by the ICC.

This plan proposes to replace important green space with acquisition of mostly meaningless replacement space. In large part, the proposed replacement space is entirely outside of the affected watershed. In other cases, the land being acquired is far less significant to the local ecology than the land being lost.

The potential impact of the ICC on the local Parks and ecology are substantial. The proposed "high-tech" water management of the ICC is not designed to handle expected, higher than average rain events. The loss of stream quality will devastate downcountry parkland and quality of life. The impact will be felt all the way to the Chesapeake Bay. I feel strongly that Parks & Planning should stand against the proposed "fig-leaf" mitigation efforts, and either demand real environmental mitigation or at least not give its seal of approval to inadequate (and possibly deceptive) solutions.

Sincerely,  
Michael Pollock  
1430 Woodman Ave  
Forest Glen, MD 20902

7/27/2005

C-47

RECEIVED  
1334  
JUL 26 2005

#1

**MCP-Chairman**

**From:** MarshaOG@aol.com  
**Sent:** Monday, July 25, 2005 11:43 PM  
**To:** MCP-Chairman  
**Subject:** ICC Mitigation

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Dear Chairman Berlage and Commissioners:

For the record, we are in opposition to MNCPPC acquiring property in the Little Seneca watershed to mitigate the impacts of the ICC to Mill Creek Stream Valley Park, Rock Creek Regional Park, North Branch SVP, Northwest Branch Recreational Park, Layhill Local Park, NW Branch SVP (Unit 5) and Paint Branch Stream Valley Park.

No amount of new parkland acquisition outside of the Rock Creek and Anacostia Watersheds in Montgomery County can possibly mitigate impacts within these watersheds.

These parklands are irreplaceable!

Please do not destroy the last and best portions of parkland remaining in the Montgomery County part of the Rock Creek and Anacostia watersheds.

Marsha Goodman  
Gerald Goodman  
14568 Cutstone Way  
Silver Spring, MD 20905  
301-384-6399

C-48

#1

**MCP-Chairman**

---

**From:** rg steinman [lifeonearth@juno.com]  
**Sent:** Monday, July 25, 2005 5:26 PM  
**To:** MCP-Chairman  
**Subject:** Testimony-Parkland Mitigation for the Intercounty Connector

RECEIVED  
7333  
JUL 25 2005



ICC M-NCPPC  
my(RG-email), :

M-NCPPC Chairman:

Please find my attached word document re: comments on Parkland Mitigation for the ICC. Please distribute this to each Planning Board member, as well as the Chairman. If you have any difficulty with the word document, please let me know promptly. There are some footnotes and a table, so I could not put it in email test format.

OFFICE OF THE CHAIRMAN  
THE MARYLAND NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

Thank You,  
RG Steinman

C-49

Date: July 28, 2005  
To: Derick Berlage, Chairman Montgomery County Planning Board  
Subject: Parkland Mitigation for the Intercounty Connector  
From: Ms. Roberta G. Steinman, Ph.D.

Dear Chairman Berlage and Planning Board Commissioners:

There is no County project with greater potential environmental and community impacts than the ICC. As the owners and stewards of our parklands, the Planning Board's role is to preserve our parks. You have a major role in determining the impacts of the proposed ICC on our publicly owned parklands as this fast track process proceeds. At the very minimum, it is up to You, the Planning Board, to uphold the public's trust by doing your utmost to secure the highest compensation value possible as mitigation for the ICC's potential parkland destruction. You can do this by exercising your leadership and legal authority based on the 1989 MOU between M-NCPPC and SHA as well as under Section 4(f).

In 1989, M-NCPPC and the SHA signed a memorandum of understanding regarding mitigation measures to be used on M-NCPPC parklands that would be impacted by the proposed ICC. The MOU states:

*At a minimum, parkland required for the project, including such off-site acreage required for stormwater management and wetlands mitigation, will be replaced by SHA on an acre-for-acre basis. The replacement land will be of equal or greater natural resource, recreation and economic value as the parkland taken for or impacted by the project.*

In his January 24, 1997 letter to Neil Pedersen, Planning Board Chairman William Hussman articulated the Planning Board's position regarding environmental mitigation and provided clarification on the issue of replacement parkland. Mr. Hussman wrote that in order for M-NCPPC to maintain "no net loss" in the overall park system, "replacement land should, as nearly as possible, be contiguous to existing parks, in the same watershed, preferably the same subwatershed, and duplicate the function and ecological/cultural value of lands impacted. These considerations also need to account for related edge and noise impacts where appropriate. For takings that affect park acreage beyond the proposed right-of-way, it may be necessary to consider replacement on a greater than acre-for-acre basis."

M-NCPPC is proposing to 'mitigate' these substantial losses to the "last and best" of Montgomery County's Public Parklands primarily with the Casey property at Hoyles Mill, which is **outside** of the watershed. However, based on the MOU,

1. NO AMOUNT OF MITIGATION OUTSIDE OF THE ROCK CREEK AND ANACOSTIA WATERSHEDS IN MONTGOMERY COUNTY CAN POSSIBLY MITIGATE IMPACTS WITHIN THESE WATERSHEDS.

In addition,

2. THE REPLACEMENT ACREAGE PROPOSED DOES NOT SATISFY THE MOU'S REQUIREMENT FOR *EQUIVALENT NATURAL RESOURCE VALUE*.

My testimony supports these assertions.

C-50

#1) NO AMOUNT OF MITIGATION OUTSIDE OF THE ROCK CREEK AND ANACOSTIA WATERSHEDS IN MONTGOMERY COUNTY CAN POSSIBLY MITIGATE IMPACTS WITHIN THESE WATERSHEDS.

As your staff report indicates, the amount of interior forest on private properties in the affected watersheds is insufficient to fulfill the required acreage of replacement interior forest. That is, replacement acreage with equivalent natural resource value does not exist at the subwatershed, or even watershed level.

The Department of Interior concurs. In their 2004 DEIS comments (Feb 25, 2005), they said: "There is no contiguous tract of FIDS habitat within the study area large enough to replace what would be lost by construction of Corridor 1." Further, "This potential significant loss of FIDS habitat is of great concern to the Department."

#2) THE PROPOSED REPLACEMENT ACREAGE DOES NOT SATISFY THE MOU'S REQUIREMENT FOR *EQUIVALENT NATURAL RESOURCE VALUE*.

***What's At Stake?***

Virtually all the ICC impacts to M-NCPPC parklands occur on forested land. The ICC would impact 7 parks in Montgomery County (Mill Creek Stream Valley Park, Rock Creek Regional Park, North Branch Stream Valley Park, Northwest Branch Recreation Park, Layhill Local Park, Northwest Branch Stream Valley Park (Unit 5), and Paint Branch Stream Valley Park). These parks were purchased primarily for conservation [i.e., to be preserved for their diverse and biological values]. M-NCPPC identified these parklands as important ecological areas and assigning them unique designations. The proposed ICC alignment – the Master Plan Alignment – would substantially degrade 5 parks containing ecologically sensitive areas, including 5 Biodiversity Areas, 2 Best Natural areas, and 2 Special Protection Areas (See table 1)

**Table 1. Ecologically Sensitive Area Designations**

	Best Natural Area	Special Protection Area	Biodiversity Area
Rock Creek Regional Park			✓
North Branch Stream Valley Park	✓	✓	✓
Northwest Branch Recreation Park			✓
Northwest Branch Stream Valley Park			✓
Upper Paint Branch Stream Valley Park	✓	✓	✓

These parklands contain

- Exceptional water quality that needs special protection from future development
- Rare plant species<sup>1</sup>

<sup>1</sup>There are 13 rare plant species directly in the ICC path.

(C-51)