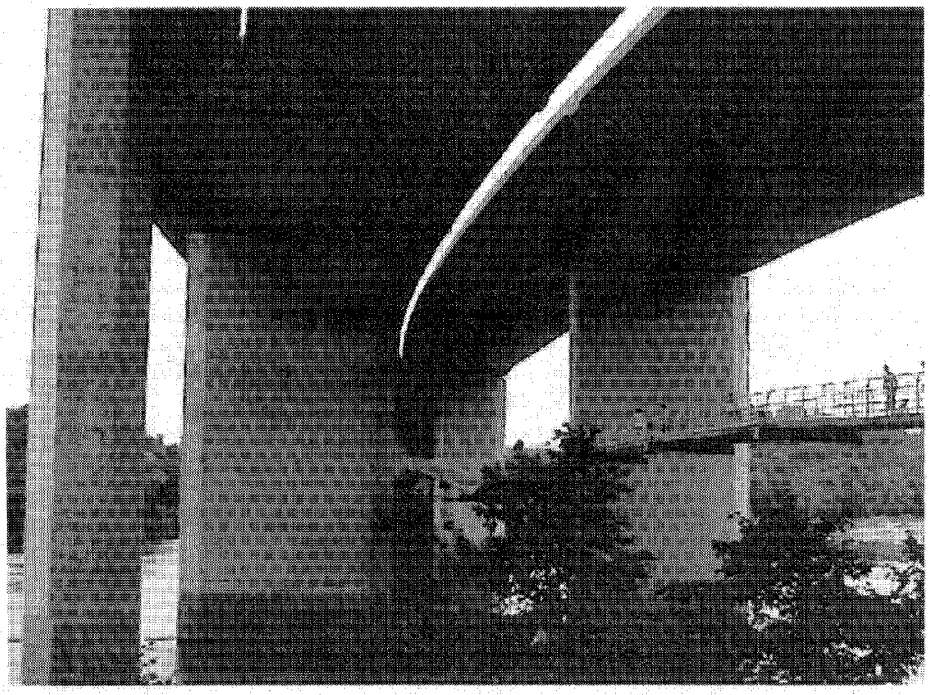
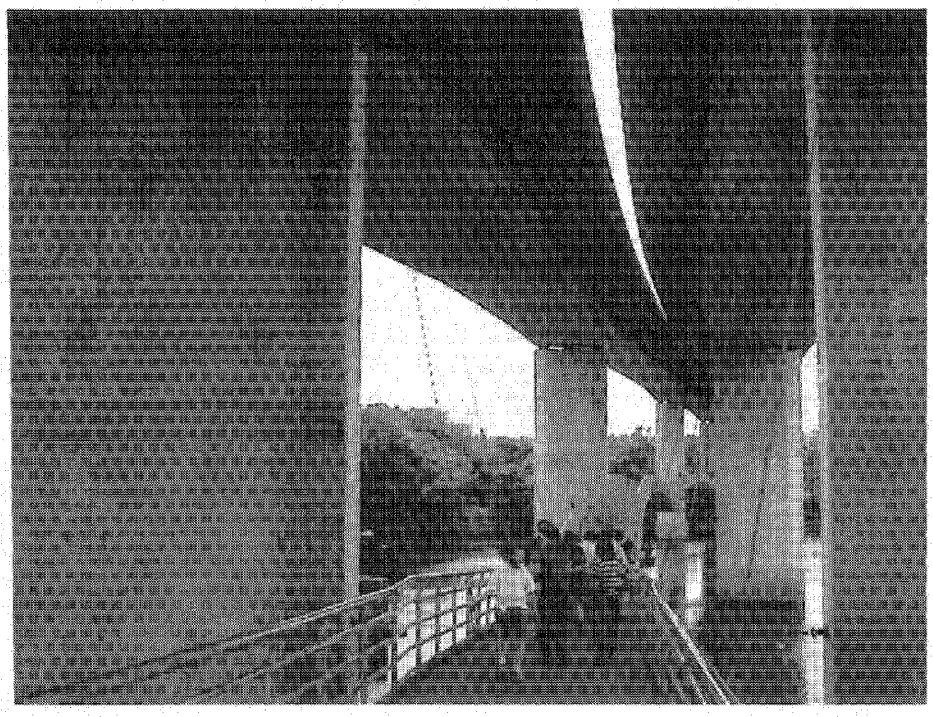
Exhibit 11. Belle Island Bike Path Structure





COMMENT #15: TRANSPORTATION FACILITIES

The planning documents and draft performance specifications provide extensive cross-referencing for federal, state, and local rules and guidelines. These guidelines address many staff concerns, such as ensuring adequate:

- Lighting under roadway overpasses
- Signing for roadway and trail users
- Visibility of traffic control devices (such as the new traffic signal required on MD 355 north of I-370)

The comments in Attachment B address other concerns that staff has not noted in the draft performance specifications, including

- Following appropriate roadway abandonment and closure requirements and procedures where either improved or unimproved roadways intersect the ICC right-of-way
- Ensuring ICC bridges adequately accommodate master plan recommendations for local roadway improvements
- Considering certain site-specific transportation elements.

LIST OF ATTACHMENTS

ATTACHMENT A. PROPOSED PLANNING BOARD COVER LETTER

July 23, 2006

Mr. Robert Flanagan, Secretary
Maryland Department of Transportation
707 North Calvert Street
Baltimore, MD 21202

RE: Mandatory Referral No. 06809-SHA-1 for the Intercounty Connector

Dear Secretary Flanagan:

This letter transmits the Montgomery County Planning Board comments regarding the referenced mandatory referral for the roadway elements of the Intercounty Connector (ICC) within Montgomery County. The Planning Board held a July 13 public hearing for the mandatory referral and reviewed staff recommendations and public testimony at our regularly scheduled meeting of July 20.

We appreciate the administration's continued commitment to addressing the implementation of this important facility as efficiently as possible, as well as the commitments made to quality design and construction through the planning process. As the focus of the ICC shifts from planning to design and construction, our comments generally follow two themes. First, as the stewards of the Montgomery County park system, we find that tighter performance specifications are required to ensure that any adverse effects to the park user experience remain limited as intended in the FHWA Record of Decision. Second, as proponents of open and transparent planning processes, we recommend that you develop and maintain a more aggressive public outreach process that meets the high expectations of Montgomery County residents.

We look forward to continuing our efforts with you on the Interagency Working Group and the Environmental Management Team. We share your commitment to implementing needed transportation projects in a manner that minimizes adverse impacts. We trust that the successful efforts on the ICC can serve all agencies as guides for moving as expeditiously on the Corridor Cities Transitway and the Purple Line.

Sincerely,

Derick P. Berlage
Chairman

DPB:DKH:gw
Enclosure

ATTACHMENT B. DETAILED RECOMMENDATIONS

The staff recommendations in Section A of this report incorporate the following detailed recommendations. The recommendations are listed in the following order:

- PS 301 – Planting and Landscaping
- PS 303 – Drainage
- PS 305 - Traffic
- PS 308 - Structures
- PS 309 – Roadway
- PS 310 - Environmental
- GEN - General comments not necessarily related to individual performance specifications

Performance specifications references are to the draft versions submitted with the mandatory referral as of May 4. As part of the Interagency Working Group, staff continues to work with other agencies in an iterative process to continue the refinement of the project performance specifications.

PS 301 PLANTING AND LANDSCAPING PERFORMANCE SPECIFICATIONS	
PS 301-1	The species list for 4.1.5 "Forest Edge" and 4.1.9 "Reforestation Areas" must be changed so that the following species are eliminated: ☐ Liquidamber styraciflua/ sweet gum ☐ Quercus phellos /willow oak ☐ Claudrastris kentuckea/American yellowwood ☐ Magnolia virginiana/ sweetbay magnolia ☐ Cornus racmosa/ gray dogwood ☐ Myrica pennsylvanica /bayberry ☐ Amelanchier laevis/Allegheny Serviceberry mountains ☐ Pinus Taeda/ Loblolly pine ☐ Itea virginia /Virginia sweetspire ☐ Rhus aromatica/Fragrant sumac ☐ Viburnum lentago/Nannyberry viburnum In addition to the elimination of the above species from the lists, Ulmus parviflora (Chinese or Lacebark Elm) should be removed from the Street Tree list, in section 4.1.10, since it is listed as a species of "Local Concern and Monitoring Category" on the US Forest Service Eastern Region web site Whether adjacent to park property or not, no SWM facility Seed Mix should have Sericia Lespedeza (aka Lespedeza cuneata = Chinese bush clover) as part of the seed mix. (4.1.11.3) This plant is a known invasive in dozens of states, is on the official Noxious Weed list for several states

PS 301-2	The Design-Builder is responsible for monitoring and removing non-native (NNI) species on M-NCPPC property within 150' of the Limit of Disturbance for a period of two years after construction has completed. The area for NNI species management on M-NCPPC property shall be inspected twice annually: once in June and once in August If NNIs are present, they shall be treated according to the guidelines contained in "M-NCPPC Best Management Practices for Control of Non-Native Invasives" The preferred method of removal is the use of power hand tools and/or hand tools in combination with chemical control. Only glyphosate and tryclopyr are approved for use on park property. Chemicals shall be used in accordance with the instructions contained on the label. Chemicals shall be treated with an EPA approved blue marker dye in order to keep track of which plants have been treated M-NCPPC shall be notified two weeks prior to the removal of any NNIs.
PS 301-3	Include Jasminun nudiflorum (Winter Jasmine), Campsis radicans (trumpet vine), and Lonicera Sempervirens (coral honeysuckle), as a species appropriate for landscaping retaining walls and noise walls in Section 4.1.13
PS 301-4	Increase the minimum density for all planting zones as follows: • 2 evergreens for every 3,000 square feet • 2 shade trees for every 1,500 square feet • 2 shrubs for every 400 square feet
PS 301-5	The RFP should provide illustrative planting plans for the different planting zone types to ensure better response by contractors and visual compatibility with adjacent community.
PS 301-6	The following specifications should be added: • Specify a precast ashlar stone pattern for all retaining walls, abutments, and noise walls • Identify Federal Standard color references for all structural elements of bridges, retaining walls, guardrails, signposts, and noise walls
PS 301-7	Further develop the design character for bridges over roadways to incorporate more use of ornamental railings, balusters, and lighting to improve community's views, pedestrian needs and relationship to parks. Design treatments for different conditions are recommended as follows: Type A: ICC bridges over roadways should have low ornamental railings, intermittent low balusters to break up the long horizontal spans, and

	lighting on end posts. Precast stonework should be used on the face of structures except balusters and end posts. Higher railings are not required because no pedestrian access is provided in these locations along the ICC. Type B: Roadway bridges over the ICC that have sidewalks or bikeways need higher ornamental railings that are framed by intermittent balusters, and lighting on end walls. Precast stonework should be used on the face of structures except balusters and end posts. Type C: Community Gateway bridges over the ICC, as identified in the May 2006 Aesthetic Elements document, need to have the proposed railings vertically divided by intermittent balusters and bumped out baluster bases for ornamental lighting. Precast stonework should be used on the face of the structures except on balusters and end posts. Type D: Park bridges do not require revisions to structural design of the bridges. However, both bridges need to incorporate precast ashlar stone patterns into the face of the structures to be more compatible with the park setting. The same treatment should be applied to the US 29 interchange bridges where, given the three-level ramping system, ornamental features are not required and uniformity with the adjacent US 29 interchange design must also be considered. Concrete beams are preferred where the ICC passes over parks or intersecting roadways because they transmit less road noise to the user below. Pedestrian and bike path width recommendations are indicated as followed (with a "+" indicating bike path accommodation) Type A: 8' sidewalks under bridge Type A+: 8' sidewalk on one side under bridge, 12' bike path on other side under bridge Type B: 8' sidewalks on bridge Type B+: 8' sidewalk on one side of bridge, 12' bike path on other side of bridge Type C: 8' sidewalks on bridge Type C+: 8' sidewalk on bridge, 14' bike path on other side of bridge Type D: no pedestrian or bike accommodation on bridge Type D+: 14' bike path on one side of bridge Incorporate the following gateway treatments for each of the cross streets bridge structures: Oakmont Avenue Type A (low ornamental railing, lighting at the end posts) Crabbs Branch Way Type A+ (low ornamental railing, lighting at the end posts)

	Shady Grove Road Type A (low ornamental railing, lighting at the end posts) Redland Road Type B (high ornamental railing, lighting at the end posts) Olde Mill Run Type C (Community Gateway with out lighting) Needwood Road Type B+ (high ornamental railing, lighting at end posts) Rock Creek Type D (Linear park bridge with low railing) Muncaster Mill Rd Type B (high ornamental railing, lighting at end posts) North Branch Type D+ (Linear park bridge with low railing) North Branch Trib Type D+ (Linear park bridge with low railing) Emory Lane Type B+ (high ornamental railing, lighting at end posts) Northwest Branch Type D (Arched bridge with low railing) Georgia Avenue Type C+ (Community Gateway with lighting) Norbeck Road Type C+ (Community Gateway with lighting) Longmead Crossing Drive Type B (high railing, with lighting at end posts) Layhill Road Type C (Community Gateway with lighting) Northwest Br 1 Type D (Linear park bridge with low railing) Bonifant Rd/NW 2 Type D (Linear park bridge with low railing) Northwest Br 3 Type D (Linear park bridge with low railing) Notley Road Type B (high ornamental railing, lighting at end posts) New Hampshire Ave.Type C (Community Gateway with lighting) Good Hope Type D (Linear Park with low railing) Gum Springs/Upper Paint Branch Type D (Linear park bridge with low railing) Rt 29 Interchange Type D (Linear park bridge with low railing) (bike path is separate from bridge) Briggs Chaney Road Type B+ (high ornamental railing, lighting at end posts)
PS 301-8	Increase the curvature on all curved cheek walls except the Community Gateway (Type C) bridges. For the signature arch bridge over the Rock Creek mainstem the cheek wall curve should match the structure's curve.
PS 301-9	Noise walls should follow the Aesthetics Element Option 3 (stone with concrete posts) with the same ashlar stone pattern on the noise walls that is used on the bridge structures and retaining walls. The performance specifications should require use of wall types that can support this pattern. Specify a Federal Standard color reference for the noise walls than is darker in value than shown on the proposed Aesthetic Elements. Performance specifications must include a minimum one foot offset

	between noise walls and retaining walls for planting of vines even in the most restricted right of way areas. Where rights of way are less restricted, the standard offset should be 6 to 8 feet.
PS 301-10	All fencing along tops of retaining walls and culverts and as needed to separate shared-use path from roadway should be wire mesh instead of chain link.
PS 301-11	New roadway lighting should include cut off fixtures to avoid unwanted glare
PS 303 – DRAINAGE SPECIFICATIONS	
PS 303-1	Section 3.2A; Add Dry Swale design standards within SPAs to section regarding Grass Channel Credit requirements.
PS 303-2	In Section 3.3.1 Insert new C): Culverts will be designed in accordance to the goals, principles and practices outlined in the most recent version of the Montgomery County Guidelines for Environmentally Sensitive Culvert Design. Specifically, culverts should be sized to span the entire cross section of the main drainage course upstream and downstream without internal supports or multiple cells. Orientation and alignment of proposed culverts shall minimize alterations in channel scope and discharge impacts from existing conditions and maintain baseflow channel. Additional in-channel measures may be required to prevent scour or channel incising.
PS 303-3	Consider elevating the priority of Montgomery County Code 19-65(a)(2)(B)
PS 303-4	Pg. 6 of 36Move existing D) up to end of new CAdd to end of existing C (new D) paragraph: If both H&H requirements consistent with biosensitive design, along with wildlife accommodation, cannot be met at a specific stream crossing so designated, the Agency, in consultation with the Environmental Management Team, will determine the appropriate design goal.
PS 303-5	Pg. 7 of 36 Table 4: Add the following columns: amphibian culvert passage (at STAs 150+00 and 173+30); structure type; MNCPPC property upstream and downstream.
PS 303-6	Pg. 8 of 36 Add to end of D): Design features such as flow deflectors or other instream measures shall be installed as necessary to maintain the existing baseflow channel dimensions, depth, and flow velocities. These measures shall account for grade control adjacent to structures and re-deposition of streambed material should scour of natural bottom materials occur during high flows.
PS 303-7	Pg. 9 of 36 H) add new sentence to end: All ditches shall have a minimum bottom width of 2 feet if flow is to exceed 0.5 cfs for the 2-year storm event, and 1 foot bottom width otherwise. Ditch inverts shall be scarified prior to

	stabilization to promote infiltration except as noted in Paragraph K of this section. I) insert into 2nd sentence after "is temporary matting": ...that is photodegradable or biodegradable, and shall be... K) add sentence to end of paragraph: Note that side ditches in excess of 5 feet in height do not qualify for grass channel credit for SWM treatment. L) add to end of second sentence: ...and the Environmental Performance Specification for permitted wetland impacts and wetland avoidance incentives. N) add sentence to end of paragraph: All outfalls shall be designed to prevent downslope scour. In cases where discharges from outfalls may reconstitute and create erosion beyond limits of disturbance, additional prevention measures may be required.
PS 303-8	Pg. 13 of 36 3.4 Add new paragraph to end of section: The cleanup of spills shall take precedence over all other work at the site. In case of a spill, MDE and SHA shall be notified immediately.
PS 303-9	Pg. 15 of 36, D: Add new paragraph before D): Where areas to be used for SWM facilities are adjacent to MNCPPC property, the decision shall be coordinated with MNCPPC to minimize loss of natural resources within the right-of-way. Add new paragraph after D): Where outfall discharges onto MNCPPC property, safe conveyance shall be analyzed down into the floodplain and MNCPPC review shall be obtained. Add new paragraph after E): Drainage areas to proposed outfall points shall not be substantially increased (greater than 25% or 2 acres) as a result of the project. Any outfalls that receive additional flows during any storm event shall be analyzed for drainage course stability below the outfalls
PS 303-10	3.7 C) insert "MNCPPC" before:...and Montgomery County Department of Permitting Services" C) Also insert "road and" before "bridge deck"(per ROD commitment #29) D) Refer contractor to a table indicating the anticipated locations of dry surface ponds and dry underground chambers. Add new F) In areas that are not captured in structural treatment facilities, provisions shall be provided within conveyance system for litter collection.

	3.7.1 A) rewrite: The best fit given the site context and minimization of footprint shall be considered. C) rewrite: BMPs shall be designed to be low maintenance.
PS 303-11	Pg. 17 of 36 3.7.2 A) General note: soil amendment is needed in conjunction with this, otherwise the highly compacted soils will be impervious. 3.7.3 C) Add to end of paragraph: These areas will not be considered for infiltration or W.Q. credits.
PS 303-12	Pg. 19 of 36 Table 6: In title, replace "Anticipated" with "Required"
PS 303-13	Pg. 23 of 36 3.8 Add note to this section about ESC areas which are temporary: "If forest is cleared for ESC and the ESC area does not become a permanent SWM, the area shall be restored and reforested."
PS 303-14	Pg. 24 of 36C) Need to identify a maximum size limit of an EDA, within and outside of SPAs
PS 303-15	Pg. 27 of 36 No values are yet available for the daily penalties. Recommend that they be at least $5,000 for a C and $10,000 for a D, and $25,000 for an F, per EDA, if more than one EDA is open. Penalty fees should be higher in SPAs. Design Builder responsibilities: Something much more substantial than stakes and flagging will be needed to demarcate wetlands, LOD, etc. Consider 4-foot high woven wire fence with stakes 10 feet on center. Middle of same paragraph: Park representative would like to inspect demarcation along with SHA and MDE when adjacent to Park property.
PS 303-16	Pg. 28 of 36 First full sentence: Add "or fencing" to sentence: The D-B shall not remove any erosion/sediment control…
PS 303-17	Pg. 29 of 36 The last paragraph starting with Potential strategies should apply to all areas, not SPAs. Move up to end of C. C) add: …drainage areas adjacent to wetlands, floodplains, and streams shall… C) add to end: Clearing/disturbance to areas beyond those required for grading and construction should be minimized through use of linear ESC measures, stabilization techniques, and construction sequencing. Add new:

	E) Where underground SWM is provided, the detention vaults should be incorporated into erosion control facilities to the extent possible. Add new: F) Where SWM ponds are provided, those facilities should be incorporated into the ESC plan.
PS 303-18	Pg. 30 of 36 Add new bullets: • Minimize disturbed areas • Double linkage super-silt fence • Compost socks incorporated with silt fence • Sodding for immediate stabilization Sheet flow discharge: replace "mulch tubes" with "compost socks"Second bullet under Concentrated Flow: Stone check dams, compost socks, linings, strip sod, or other…
PS 303-19	Pg. 31 of 36 First bullet: …to forecast rain events by pumping to approved filter bag(s) (delete and mulch berm(s)) or other approved…4.1 E) Underdrain connections, location clearouts, and outlets. F) add at end: and instream measures required to maintain long-term stream stability Pg. 32 of 36 4.1 B) add to end: The plan shall also contain fencing for the LOD, tree protection, and wetland/buffer protection. Pg. 33 of 36 SWM Engineering Report Contents: add bullets: • Pre- and post- drainage area maps • Pre- and post- flows for each outfall for 1-, 2-, 5-, 10-, and 100-year storms
PS 303-20	Pg. 36 of 36 G) add at end: for pre- and post-construction flows
PS 305 – TRAFFIC PERFORMANCE SPECIFICATIONS	
PS 305-1	Tables 2 and 3. Include the "Revised Draft Guidelines for Accessible Public Rights-of-Way, FHWA, November 2005"
PS 305-2	Section 4.9 – Require rubrail where sufficient offsets are not provided.
PS 308 – STRUCTURES PERFORMANCE SPECIFICATIONS	
PS 308-1	Pg. 9 of 25: 3.7.1 Add sentence at end of first paragraph: "Orientation and location of abutments and piers shall be designed to minimize impacts to natural resources."
PS 308-2	Pg. 13 of 25: 3.7.13 Add statement "Slope protection shall not interfere with wildlife migration"

PS 308-3	Pg. 21 of 25 3.10.1 add C) Alignment of culverts and wingwalls shall be designed to match existing conditions and minimize adverse impacts to receiving waters.
PS 308-4	Pg. 21 of 25 3.10.5 Specify paved solid bottom culverts; at end of sentence: Additional depth requirements may be stated in other sections of the RFP; General note: for 72-ich diameter or larger culverts, must be buried 2 feet
PS 308-5	All new bridges that carry the ICC above a local roadway must span the master plan recommended right-of-way for the roadway.
PS 308-6	Substructures for the Georgia Avenue busway and ultimate MD 28 crossings of the ICC should be included in the Design-Build contract to minimize future reconstruction costs
PS 309 – ROADWAY PERFORMANCE SPECIFICATIONS	
PS 309-1	Add "SHA Bicycle and Pedestrian Design Guidelines, February 2006 DRAFT" to the Table 1 references for design
PS 309-2	Add the AASHTO Guide for the Development of Bicycle Facilities (included in Table 1) as a referenced in Section 4.9 on Sidewalks and Shared Use Path specifications
PS 309-3	Where the shared-use path is located on the community side of noise walls, design features that incorporate Crime Prevention Through Environmental Design (CPTED) features must be considered, including potential for emergency phones. In addition to more clearly describing the types and designs for deer fencing gates, the PS should specify minimum distances for shared-use path from fencing and trees. Staff recommends where space permits a desirable clearance of 10 feet from noise walls and fences to the nearest trail edge. In addition, the path should avoid tree root zones of mature trees.
PS 309-4	At-grade crossings for the shared use path should include 8' wide ADA ramps and 10' wide crosswalks.
PS 309-5	At all shared use path termini at roadways, the path design should include placement of bollards to prevent illegal vehicular access to the path.
PS 309-6	Incorporate a graded 30' natural surface shelf along the western abutment of the ICC bridge over the North Branch of Rock Creek to facilitate future construction of the planned North Branch hiker-biker trail
PS 309-7	SHA / MdTA to commit to providing signs identifying Intercounty Connector on bridge abutments or piers adjacent to the four Countywide Park Trails passing under ICC at such time as trails are completed and designated
PS 309-8	The minimum 10' shared-use path width stated in Section 4.9 should also specify the application of a minimum 2' clear zone on each side of the 10' path.

PS 309-9	No roadway should have a design speed more than 5 MPH greater than the current posted speed
PS 309-10	Specify a 55 MPH design speed for the future Georgia Avenue Busway and ensure that accommodation is provided for northbound Georgia Avenue express buses to turn west onto the ICC without delaying those express buses continuing north on Georgia Avenue.
PS 309-11	Section 3.11.1: Add "Back side of sign panels to be painted to match supporting structure"
PS 310 – ENVIRONMENTAL PERFORMANCE SPECIFICATIONS	
PS 310-1	Similar to avoidance incentives included in the draft Request for Proposals (RFP) for wetland and stream impacts, staff recommends that there be significant financial incentives for retaining forest within the permitted Limit of Disturbance/Right of Way (LOD/ROW). The incentive should be proportionate to forest quality as follows: Exhibit 5 of the staff June 29, 2006 memo to the Planning Board lists areas along the ICC alignment that contain significant forest resources. Staff believes that these are areas where the contractor could protect mature forests within the LOD/ROW shown in the FEIS documents. The State Highway Administration (SHA) has recognized the need for these incentives; however, the avoidance incentive proposed for these resources by SHA does not reflect the value of forested habitats within M-NCPPC property. As with wetlands, the incentive must be equivalent to the value of the resource. Staff finds that the value of these resources are as important as the wetlands in the project, for which incentives are placed at up to $450,000 per acre within SPA and $300,000 per acre elsewhere. The incentives for Category A and Category B forest should be similarly valued, and reimbursement incentives to the Design/Builder (DB) for forest protection should be provided in increments of 0.25 acres
PS 310-2	The RFP should also require the contractor to document how impacts to the meadow where an SWM pond is contemplated in the vicinity of Stations 295 through 303, within can be eliminated or reduced. This meadow is within the Upper Paint Branch Special Protection Area
PS 310-3	Page 6: Reference ROD Commitment to obtain DPS concurrence for Preliminary / Final Water Quality Plans in Special Protection Areas
PS 310-4	Pg. 9 of 27 3.3.3 A - notify the Administration, MDE, and MCDEP 48 hours prior to any stream dewatering… B) include sentence: Fish screening shall be used to prevent uptake of aquatic biota during dewatering. D) this needs to be split out as its own numbered section (the same as TW and RTE Time of Year Restrictions), and re-worked to specify activities that are prohibited and those that can occur in Use III waters during

	stream restriction periods. As written, this subsection is not protective of the environment. At a minimum, grading activities with direct impact to receiving waters will be strictly restricted; including outfalls from ESC practices controlling _____ acres or more. Certain activities (within a specific size limitation) may occur with the use of redundant inlet protection, specific dewatering requirements, thermal impact protection, etc. in accordance with MDDNR and MCDEP guidance and past experience with construction activities in SPAs.
PS 310-5	Pg. 9 of 27: 3.3.4 Include the following text for type of temporary wetland protection fencing: 1. The wetland fencing locations should be staked prior to the pre-construction meeting. 2. Install a super silt fence along the buffer line. 3. Outside of the LOD line and beyond the super silt fence, install a 14 gauge 2 inch x 4 inch welded wire fence supported by steel T-bar posts (minimum 4' high) with high visibility flagging…or, 4. Orange blaze fence at least 4 feet high, 2 inch anchor posts with not less than 1/3 of the anchor post below grade, maximum 8 foot spacing between anchor posts, 2 inch x inch lumber cross bracing, and 6-8" wire "U" to secure bottom of fence.
PS 310-6	Pg. 10 of 27: 3.3.4. End of B: Additional Award Penalties will be assessed in the amount of _____ per square foot for any inadvertent impacts, in addition to the cost of restoration and mitigation.
PS 310-7	Pg. 10 of 27: 3.3.4. Eliminate the following species mentioned for stabilization: Oats (uniola sp.) and rye (secale cereale). Replace them with native species such as: perennial ryegrass (Lolium perenne), Virginia Wild Rye (elymus virginicus), and other native forbs and grasses
PS 310-8	Pg. 11 of 27: 3.3.4.3 The areas should be revegetated with both seed and plugs.
PS 310-9	Pg. 11 of 27: 3.3.4.4 The fourth sentence of this paragraph, should state, "No grubbing of vegetation that grows beneath the proposed bridges throughout the ICC alignment shall be allowed, except where needed to construct foundations or to place slope protection."
PS 310-10	Pg. 12 of 27: 3.3.4.4 First full paragraph after first sentence - add: Additional stream

	stabilization measures may be required to ensure stability of restored sections. The first full paragraph states, "There are NO temporary wetland impacts identified or permitted in the Project." This statement contradicts the statement made in 3.3.4.3 of this same section. There are temporary impacts to wetlands within the ICC corridor. Second paragraph after first sentence: Locations of crossings, access routes, and staging areas shall be submitted to SHA and MNCPPC for approval The areas shall be fenced to prevent encroachment beyond the agreed to LOD
PS 310-11	Pg. 12 of 27: 3.3.4.5 Section (C) should include replacement of organic matter in addition to topsoil Section (G) should require replacement to the LOD, not just within 30 feet of the stream bank
PS 310-12	Pg. 12 of 27: 3.3.4.6 Change "reduce the potential for creating fish blockages" to "avoid the creation of fish blockages"
PS 310-13	Pg. 13 of 27: 3.3.4.8 Add requirement that no bridge piers to be constructed within 20' of stream banks.
PS 310-14	Pg. 14 of 27: 3.3.4.9 Allow incentives for stream impact avoidance to be calculated in 25' increments rather than 100' increments
PS 310-15	Pg. 16 of 27: 3.3.6.2 Change beginning of period to avoid disturbance from "April 1" to "March 1"
PS 310-16	Pg. 17 of 27: 3.3.6.3 For culverts where amphibian passage is proposed (station 150 and 174), in addition to maintaining a baseflow where fish pass, the culvert should have a moist shelf that permits the passage of non-aquatic amphibians without desiccation.
PS 310-17	Pg. 22 of 27: 3.5.3 To control odors and dust, this paragraph states the use of "polymers, spray-on tackifiers, and barriers". These applications could have negative corollary effects on water quality, air quality, vegetation, etc. The M-

	NCPPC prefers the application of non-persistent, natural dust control measures
PS 310-18	Add specification regarding tree protection areas: 1. Tees and tree save areas shown to be preserved on the site plans shall be protected by tree protection fence. Tree protection fencing consisting of four foot high, 14 gauge welded wire attached to 6 foot steel posts driven 18 inches into the ground and placed no further than 10 feet apart shall be erected at the limits of clearing and grading as shown on the erosion and sediment control sheets in all areas. 2. The tree protection fencing shall be made clearly visible to all construction personnel. The fencing shall be installed prior to any clearing and grading activities on the site, including the demolition of any existing structures. The installation of tree protection fence shall be performed under the supervision of a certified arborist. Prior to the commencement of any clearing, grading, or demolition activities, the project's certified arborist shall verify in writing that the tree protection fence has been properly installed. 3 In the event any tree or portion thereof is dead or dying due to construction or environmental changes resulting from construction and/or clearing along parkland, and poses a hazard to either life or property, the D/B shall take such action as necessary to eliminate the hazard carefully. Specific tree preservation activities designed to maximize the survivability of trees designated for preservation shall be provided. Activities may include, but are not limited to, crown pruning, root pruning, mulching, and the application of compost.
GEN – GENERAL COMMENTS	
GEN-1	The state and county must follow County Code procedures for the abandonment and closure of public roads
GEN-2	Ramp I at Shady Grove Road needs to be constructed to functionally retain or replace the Shady Grove Access Road bike path being built by DPWT. Continuous sidewalks should be provided on both sides of Shady Grove Road through the reconstructed Metro Access Road interchange, and a sidewalk should be provided along the east side of Ramp I between Shady Grove Road and the Shady Grove Access Road Bike Path. A crosswalk is needed on the east leg of Shady Grove Road at Ramp I so that access to and from the westbound bike lane can be provided.
GEN-3	Ensure that the Notley Road overpass structure provides sidewalk connections to Royal Forest Lane and Paula Lynn Drive
GEN-4	Provide a bike path connection between the ICC and Colesville Manor Drive

GEN-5	Provide a striped crosswalk at the proposed intersection of MD 355 and Ramp L at O'Neill Drive. Accommodate the through-movement from Ramp L to O'Neill Drive. Consider reconfiguring the end of Ramp L so that an island is created at MD 355 between the right-turn lane and the other two lanes so that a protected crossing of MD 355 could be provided.
GEN-6	Consider the provision of sufficient space to accommodate a future pedestrian path on the east side of Ramp M under the ICC and Ramp L bridges.
GEN-7	Consider rerouting the proposed bike path within the US 29 interchange to be more around the eastern perimeter of the interchange, allowing a direct connection with the trail at the approved cul-de-sac on Stravinsky Drive, which leads to the Tanglewood community. Provision for this tie-in has been made as part of the Fairland View development.

Attachment E - Summary List of Project Commitments

Note: Attachment E of the FHWA Record of Decision serves as Attachment C to the M-NCPPC Mandatory Referral staff report

Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
	Design Related Commitments		
1	The ICC will be designed as not to preclude the construction of a future interchange with M-83 (a planned easterly extension of Midcounty Highway), A-59 (a planned road west of I-95) and future proposed MD 28 improvements.	General	CH III.E.3 Page III-36
2	The ICC will be designed in accordance with the Context Sensitive Design Guidelines as proposed in the FEIS and Appendix H.	Aesthetics/ Socio-Economic	CH IV.A.3 Page IV-3 & Appendix H
3	The roadway, landscaping, retaining walls, and noise barriers will be configured in a manner that would make the facility less noticeable.	Aesthetics/ Socio-Economic	CH VII.3.k Page VII-84-85
4	The aesthetic design of the ICC at MD 97 will be a context sensitive design developed based on input from the communities and recommendations set forth in the area Master Plans.	General	CH IV.B.3.b Page IV-45
5	The ICC will include dynamic message signs, monitoring systems, incident management plans in addition to other features that will accommodate quick action in an emergency situation.	General	CH IV.J.1.b Page IV-340
6	The Selected Alternative includes a budget of $20 million to fund the transit service planning study and the capital and operational improvements resulting from the transit study. This transit study will be completed before the ICC opens to traffic and will include a more detailed investigation of the six express bus routes previously identified in FEIS; additional express and feeder bus routes; appropriate locations for bus stops; the exact size and location of the park-n-ride facilities; and related issues such as analysis of any environmental impacts of the transit component that were not already studied.	General	CH III.E.3.c Page III-46 & Appendix R6 ROD
7	Avoidance, minimization, and mitigation measures developed through the NEPA planning process will be incorporated as a part of the ICC design. These include such measures as depressing the roadway to minimize noise and visual impacts to communities, development of ESC plans, incorporation of SWM facilities, shifting alignments to avoid communities and sensitive resources, limiting forest clearing, avoiding skewed stream crossings where possible, and reducing typical roadway section widths near sensitive resources where feasible. In addition, design of the ICC will be coordinated with the resource agency to include additional avoidance and minimization measures to ensure a high level of protection to community, natural, and cultural resources.	General	CH IV.A Page IV-1

C-2

Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
8	Develop design standards for the overall facility that would increase its compatibility with the surrounding environment. Proposed Design Guidelines include: • Use decorative finishes on publicly visible highway features in keeping with the overall highway theme and surrounding vernacular • Avoid or minimize community separations introduced by highway construction • Provide plant buffers to screen incompatible views between visually sensitive areas • Provide streetscape enhancements in keeping with the local vernacular on service roads and community streets that will be included as part of the ICC study • Maintain open vista over landscape where possible by framing viewsheds with landscape plantings • Provide reforestation plantings adjacent to existing forest tracts, and use species composition native to the area • Limit hardscape elements to areas where only necessary to accommodate environmental avoidance, minimization, and stewardship features • In instances where hardscape elements are used (i.e. retaining walls, overpasses, box culverts, riser structures, etc) in publicly visible areas, allow for rustic finishes such as timber, staining, or formlining • Limit park and forest impacts by reducing the roadway footprint to the minimum extent practical • Integrate ornamental planting and landscape buffering along the highway	Aesthetics/ Socio-Economic	CH IV.B.5.d Page IV-90 - 91
9	Design of the ICC will include steeper side slopes for cuts and fills (2:1 side slopes and 1:1 Mechanically Stabilized Earth (MSE) slopes instead of gentler slopes) and reduced median widths to avoid/minimize impacts in environmentally sensitive areas which include communities, cultural resources, and natural resources.	General	CH IV.A.1 Page IV-1
10	The ICC will minimize the visual intrusion of the highway into residential areas by keeping the roadway at grade and avoiding deep cuts and high fills, where feasible.	Context Sensitive Design	CH IV.A.2 Page IV-2

C-3

Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
11	Opportunities to further adjust the ICC profile will be studied to reduce noise and/or visual impacts in the following residential areas identified in the FEIS and will be implemented if found feasible and prudent: Walnut Hill Community Area, Shady Grove Community Area east of the Metro Access Road; Forest Oak/Founders Mill Community Area; Greater Aspen Hill Community Area; Muncaster Manor/Bowie Mill Estates Community Area; Muncaster Mill View Community Area; Oakdale Community Area, Leisure World Community Area; Longemead Community Area; Colesville Community Area; Fairland Community Area, Avonshire Community Area; Tanglewood Community Area; Greencastle Manor Community Area; Calverton Community Area; and Mayfair/Muirkirk Community Area.	Aesthetics/ Socio-Economic	CH IV.B.3.b Section Starts on Page IV-31
12	Design of the ICC, in vicinity of Winter's Run, will include a grade separated cut and cover deck, up to 625 feet in length based on coordination with the Winter's Run community.	Community Mitigation	Post FEIS Coordination
13	During design, landscape plantings or other screening options will be considered to soften the effects of the proposed improvements.	Aesthetics/ Socio-Economic	CH IV.G.1 Page IV-302
14	Design of retaining walls will be considered where feasible and not cost prohibitive to minimize impacts in the following community and park areas as identified in the FEIS including: Forest Oak/Founders Mill Community Area in Mill Creek Stream Valley Park, Redland Community Area in Rock Creek Regional Park, Oakdale Community Area and Sycamore Acres Community Area in North Branch Stream Valley Park, Colesville Community Area in Northwest Branch Park, Bel Pre Manor Community Area in Northwest Branch Recreational Park, Colesville Farms Estates/Paint Branch Farms Community Area, Maydale/Gum Springs Community Area in Upper Paint Branch Stream Valley Park, Spring Oak Estates Community Area and the Stonecrest Community Area in Upper Paint Branch Stream Valley Park.	Aesthetics/ Socio-Economic	CH IV.B.3.b Section Starts on Page IV-31
15	The ICC will avoid property acquisition from the Dr. Charles R. Drew Elementary School.	Aesthetics/ Socio-Economic	CH IV.B.3.b Page IV-55
16	Pedestrian access to the Greencastle Manor Community Area will be maintained within Little Paint Branch Stream Valley Park under the ICC bridge over Little Paint Branch upon completion of the ICC.	Community	CH IV.B.3.b Page IV-62

Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
17	Pedestrian access between the Spring Oak Estates Community Area and Paint Branch Park will be maintained under the ICC bridge spanning the Good Hope, Gum Springs, and Paint Branch tributaries after construction of the ICC.	Aesthetics/ Socio-Economic	CH IV.B.3.b Page IV-55
18	The view of the ICC/US 29 three-level interchange will be screened from the Avonshire and Tanglewood communities by constructing earthen berms, walls, vegetative screening, or any combination thereof. SHA will ensure that the SHA-owned land on which these features are constructed will be dedicated to providing visual screening of communities adjacent to the interchange.	Aesthetics/ Socio-Economic	Post FEIS Coordination
19	ICC construction will include approximately 11.4 miles of new bicycle/pedestrian trail as part of the 20.7 mile planned east-west bicycle/pedestrian route as identified in the Record of Decision. The ICC selected alternative bicycle/pedestrian trail will include ROW, paving, earthwork and SWM facilities needed to accommodate a ten-foot wide path in areas where the route coincides with the ICC alignment. The Lead Agencies will coordinate with the Counties to accelerate the construction of the portions of the trail plan currently in local plans. Updates to FHWA will be provided.	Bicycle/ Pedestrian Trail	CH III.E.3.b Page III-45 ROD Figure 3
20	Bridge abutments were set conceptually in the FEIS to minimize impacts to streams, wetlands and the 100-yr floodplain. Table IV-68 on page IV-225 of the FEIS is a Summary of Preliminary Stream Crossings, Stream and Wetlands Impacts, and Avoidance and Minimization Measures. Piers and slope protection will be set to maintain buffers to the stream top of bank in order to maintain easily traversable pedestrian and wildlife passage. Underclearances will be provided to establish buffer requirements and to encourage natural vegetation to grow beneath the bridges. Bridges will be designed to avoid placement of piers in stream channels. Retaining walls, instead of slopes, will be designed where practicable to minimize direct impacts to stream channels. Additionally, the ICC will be designed as to minimize grading by working with the natural topography to minimize direct impacts to stream channels.	Stream Crossings	CH III.A.3 Page III-33 CH IV.F.7.e. Page IV-223
21	Table IV-76 on page IV-276 of the FEIS identifies proposed structures at Select Drainage Crossings. Bridge spans are greater in length than required hydraulically to minimize direct impacts to stream channels and will be provided at the following Station locations: 240+00, 320+00, 327+00, 533+00, 535+00, 560+00, 594+00, 690+00, 742+00, 749+00 and 880+00 (for locations, see FEIS Volume II, Appendix A).	Stream Crossings	CH IV.F.5.a Page IV-276

Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
22	The roadway profile at Gum Springs Tributary and Paint Branch has been conceptually designed to reduce fill between the two streams to protect water quality and brown trout populations and will be further evaluated during design to minimize impacts.	Stream Crossings	CH IV.A.3 Page IV-4
23	A stormwater piping system will be designed into bridges to prevent untreated bridge runoff from directly entering the Good Hope and Gum Springs tributaries in addition to the mainstem of the Paint Branch.	Stream Crossings	CH IV.A.3 Page IV-4 & Page IV-206
24	The ICC will be designed to accommodate groundwater flow (without substantial heating) from the spring seeps at Station 673+00.	Stream Crossings	CH III.E.3 Page III-38 Post FEIS Coordination
25	Two culverts will be provided at Station 174. One will accommodate the base flow of the stream. The other will be a culvert situated in the floodplain to accommodate flood flows, deer passage, and pedestrian passage. The pedestrian culvert will be lighted to facilitate pedestrian passage (this requirement may be reconsidered if the internal dimensions are increased beyond 12-foot by 12-foot). The maximum length of the pedestrian culvert will be 195 feet. The ICC will be designed and constructed to maintain groundwater seepage at Station 174 and to establish vernal pools in the vicinity.	Stream Crossings	Post FEIS Coordination
26	An Erosion and Sediment Control Plan (ESCP) will be developed and administered to minimize the soil erosion associated with steep slopes and unstable and highly erodible soils. The ESCP will be prepared during design in accordance with the guidelines provided by the MDE and will employ stringent erosion and sediment control measures, along with on-site environmental monitors to protect water quality and aquatic habitat.	Erosion and Sediment Control	CH IV.F.1.c Page IV-138
27	In Mill Creek Stream Valley Park, Rock Creek Regional Park, North Branch Stream Valley Park and Northwest Branch Recreational Park, the profile will remain elevated (as shown in the FEIS) to reduce environmental impacts.	Parklands	CH IV.B.3.b Section Starts on Page IV-31
28	Permeability testing will be conducted during design to determine the effectiveness of infiltration as a SWM technique.	Stormwater Management	CH IV.F.1.c Page IV-138

Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
29	Design of the ICC will use the following SWM design parameters, which go beyond current minimum standards, to reduce overall impacts to water resources: • Exceed applicable regulations and specifications for water quality treatment by treating 1.5 inches of rainfall throughout the project corridor. • Meet Montgomery County Department of Permitting Services (MCDPS) SPA Stormwater Criteria and gain MCDPS concurrence for water quality plans within SPAs. • Incorporate a combination of filtration, and infiltration within SPAs and measures described in MDE's 2000 Maryland Stormwater Design Manual elsewhere to address water quality. • Control and treat both road and bridge deck runoff in designated SPAs. • Design facilities within Use III and IV watersheds to be temperature sensitive and promote infiltration to maximize groundwater recharge to protect brown trout and other temperature sensitive species.	Stormwater Management	CH IV.F.5.a. Page IV-170
30	SWM facilities will be designed as required to address channel protection volume (Cpv) and overbank flood protection volume storm (Qp) quantity control. Cpv will be designed for 24-hour detention in Use I and IP subwatersheds as defined in the FEIS in Table III-1 on Page III-33. In Use III and IV subwatersheds, Cpv designs will be limited to 12 hours to minimize the potential for increasing receiving stream temperatures. Twelve-hour Cpv will also be provided in underground pipes or dry surface ponds. Pages VII-25-26-27 of the FEIS summarizes the SWM approach being applied for the Entire ICC; areas Outside of SPA's; and, areas within SPA's.	Stormwater Management	CH III.E.2.c Page III-34 CH VII.B. 5 Pages VII 25-26-27
31	To address sensitive stream issues within both SPA's, "linear stormwater treatment" has been developed, which includes a 50 foot median to provide sand filters in the divided roadway median and along roadway shoulders throughout the length of the SPA. Sand filters and collection systems will be designed to maximize stormwater infiltration. SWM facilities within SPA's will be small but numerous to limit the individual drainage area treated at each individual facility.	Stormwater Management	CH III.E.2.c Page III-35 Post FEIS Coordination
32	The ICC will be designed to protect all infiltration areas during construction through compliance with MDE Regulations.	Stormwater Management	CH IV.A.5 Page IV-6
33	The ICC will be designed based on field infiltration tests at design depths (not sieve analyses) to minimize impacts of uncontrolled ICC runoff on receiving waters.	Stormwater Management	CH IV.A.5 Page IV-6