

## Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
34	The ICC will be designed to provide groundwater recharge via sheet flow of runoff through grass and use of grassed channels to convey runoff as to avoid and/or minimize impacts of uncontrolled runoff from the ICC on receiving waters wherever possible.	Stormwater Management	CH IV.A.5 Page IV-6
35	The ICC will be designed as to disconnect impervious surface runoff from direct discharge into waterways by promoting sheet flow through vegetation and using grass channels that improve water quality and promote infiltration wherever possible.	Stormwater Management	CH IV.A.5 Page IV-6
36	Design of the ICC includes development of SWM inspection and maintenance protocols for any SWM facilities constructed on the ICC to ensure long term effectiveness in avoiding and/or minimizing impacts.	Stormwater Management	CH IV.A.5 Page IV-6
37	In addition to the Common Highway Runoff Constituents and the primary sources listed in Table IV-57 on Page IV-174 of the FEIS, SWM will be provided for all areas of the roadway and some areas outside the ROW providing treatment for the sparsely vegetated areas that now produce considerable runoff with little or no treatment.	Stormwater Management	CH IV.F.7.e Page IV-233
38	An in-line pond will be designed and constructed on Indian Creek in the area of the ICC/I-95 interchange. The new basin will be situated as far to one side of the existing stream as possible, as not to preclude a relocation of the stream around the basin by others in the future (when there are no longer significant upstream sources of sediment entering the stream system).	Stormwater Management	CH IV.F.7.e Page IV-234
39	Any chemical spills along the ICC will likely concentrate in roadside ditches. Roadside ditches will be designed with storm drain inlets that convey excess runoff to storm drains and eventually to a larger SWM facility where clean-up can be accommodated.	Stormwater Management	CH IV.F.2.c Page IV-141
40	The Lead Agencies (Federal Highway Administration (FHWA), SHA and Maryland Transportation Authority (MdTA) will continue to investigate feasible and practical methods to maintain cool baseflow from existing spring seeps. Methods will include storage and cooling of stormwater for release during summer months, with a potential potable water back-up when stormwater quantities are not adequate. Challenges that are being investigated related to these options include storing the amount of water needed and removal of chlorine from a back-up potable water supply. SHA will continue to coordinate with the resource agencies and local interests, including the Brown Trout Work Group regarding the feasibility of these options as design continues.	Stormwater Management	CH IV.F.6.b Page IV-207
41	The ICC will be designed using underground SWM in some areas to avoid parkland and natural resource impacts.	Stormwater Management	CH IV.F.5.a Page IV-169

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No.	Commitments	Category	FEIS Section Reference
42	SWM in the Colesville Farms Estates/Paint Branch Farms Community Area in the Good Hope Tributary watershed will be designed to divert run-off to an area outside the Upper Paint Branch Stream Valley.	Stormwater Management	CH IV.B.3.b Page IV-54
43	SWM facilities will be designed to minimize any potential groundwater quantity and quality impacts. SWM facilities could be designed to infiltrate a portion of the runoff to maintain recharge levels to stream and wetland hydrology. SWM facilities will also be designed (where feasible) as to use materials such as mulch, wood chips, or compost that would reduce the amount of nutrients, metals, and heavier petroleum products that could migrate through the soil column and into groundwater.	Stormwater Management	CH IV.F.2.c Page IV-141
44	The ICC will be designed to minimize construction impacts that may initiate further channel erosion, instream sedimentation, and downstream sedimentation in Lake Frank.	Stormwater Management	CH IV.F.5.a Page IV-153
45	The ICC will be designed to reduce existing and potential impacts using SWM and other minimization measures in the Lower Good Hope Tributary subwatershed and the Upper Left Fork subwatershed, where channel erosion and stability problems exist due to a lack of stormwater control.	Stormwater Management	CH IV.F.5.a Page IV-158
46	The ICC will be designed to reduce existing and potential impacts through SWM and other minimization measures in the Indian Creek watershed where channel erosion, instream sedimentation and downstream deposition exist due to past and active mining operations.	Stormwater Management	CH IV.F.5.a Page IV-159
47	Detailed hydrology and hydraulic studies will be performed during project design to further evaluate the effects of the roadway construction on floodplain elevations and determine additional opportunities to avoid and minimized floodplain impacts.	Floodplains	CH IV.F.3.c Page IV-147
48	The ICC will be designed and constructed such that wildlife corridors will be maintained between forested areas where practicable.	Fish and Wildlife	CH IV.F.8.b Page IV-264
49	The ICC will be designed to decrease the potential for deer collisions. Design methods will include bridges with adequate underpass space, culverts with a minimum height of eight feet, eight feet fencing along long stretches of roadway, one-way wildlife gates, retaining walls and wildlife reflectors.	Fish and Wildlife	CH IV.F.9.c Page IV-275

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No.	Commitments	Category	FEIS Section Reference
50	<p>Chain-link wildlife exclusion fencing will be used to funnel deer and other wildlife to wildlife crossings. Chain-link fencing will be a minimum of 8 feet above the ground elevation, and the fence mesh shall penetrate the ground to a depth of one foot. A three-foot high fence, constructed of 0.25" x 0.25" square wire mesh hardware cloth material shall be attached to the outside of the chain-link fencing where the fencing is adjacent to forested areas, stream valleys and SWM ponds, and buried to a depth of at least 6 inches, to form an impenetrable barrier to reptiles and amphibians. The wildlife exclusion fencing shall extend along the highway approximately one-half mile in each direction from each wildlife passage culvert or bridge, except where the fence will be connected to noise barriers or retaining walls that are of sufficient height to exclude wildlife from the highway. Interchanges will be fenced to the best extent practicable.</p>	Fish and Wildlife	CH IV.F.9.c Page IV-275 CH IV.F.9.d Page IV-283 Post-FEIS Coordination
51	<p>SHA will conduct additional literature search for appropriate structures for reptile and amphibian passage. Any findings will be coordinated with the Interagency Working Group (LAWG).</p>	Fish and Wildlife	CH IV.A.8 Page IV-11
52	<p>Noise mitigation (including all feasible and reasonable criteria including cost averaging identified in the FEIS) will be further evaluated for all impacted Noise Sensitive Area's (NSA) during subsequent project design stages. Final recommendations, including community coordination, will occur during final design of the ICC. Locations for further evaluation include: Parkside Estates, Redland Station; Redland, Sycamore Acres; The Preserve, Oakdale, Longmead, Longmead Crossing, Gayfields, Longmead; Bel Pre Manor, Sherwood Forest, Stonegate; Stratford Manor Terrace; South Stonegate, Colesville Manor, Colesville, Spring Oak Estates; Gum Springs; Maydale; Stonecrest; Avonshire, Fairland, Tanglewood, Greencastle/Burtonsville, Saddle Creek, Greencastle Manor and Mayfair/Muirkirk. Based on post FEIS coordination to date noise barriers will be provided within the Cashell Estates/Winter's Run Community.</p>	Noise	CH IV.G.3.c Page IV-303 Post FEIS Coordination ROD Attachment D
53	<p>A detailed site-specific analysis of potential noise barrier reflections (and associated analysis of noise sound absorptive finishes) related to noise barriers will be conducted (where required) during design.</p>	Noise	CH IV.G.1 Page IV-302
54	<p>Design of the ICC will include bridge spans greater in length than required hydraulically to reduce fill and avoid and minimize impacts to stream channels, wetlands and floodplains.</p>	General	CH IV.F.5.a Page IV-165

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No.	Commitments	Category	FEIS Section Reference
55	Context sensitive designs, such as decorative finishes, will be used to help reduce visual impacts of structures by providing more aesthetically pleasing features.	Stream Crossings/ Aesthetics	CH IV.A.3 Page IV-2
56	In Rock Creek Regional Park, a 300 foot bridge will span Rock Creek to provide a wildlife passage and connectivity between the portions of the park located north and south of the ICC. The bridge over Rock Creek will be constructed such that the profile grade line (PGL) at centerline Station 240+00 is 52 feet above the elevation of the floodplain floor immediately below, and shall be an arch design.	Parkland	CH V.E.2.b.i Page V-18 Post FEIS Coordination
57	In Rock Creek Regional Park and North Branch Stream Valley Park retaining walls will be designed to minimize impacts, and the alignment of the MD 115 overpass and its approaches will avoid Section 4(f) use of the nearby historic Cashell Farm property.	Parkland	CH IV.B.3.b Page IV-43
58	In North Branch Stream Valley Park, the ICC will span the two streams to include wildlife passages at both stream locations and to maintain connectivity between the portions of the park. The bridge over North Branch Rock Creek will be constructed such that the PGL at centerline Station 320+00 is 26 feet above the elevation of the floodplain floor immediately below, shall be approximately 285 feet long, and shall avoid permanent fill being placed on the floor of the 100-year floodplain, or in Wetland 1W.	Parkland	CH V.E.2.c Page V-20 Post FEIS Coordination
59	The bridge over the Tributary to North Branch Rock Creek shall be constructed such that the PGL at centerline Station 327+00 is 14 feet above the elevation of the floodplain floor immediately below, and shall be approximately 135 feet long (measured along the highway centerline) or approximately 84 feet measured perpendicularly between the abutment faces. This will require a relocation of the stream beneath the structure. Retaining walls or wing walls will be addressed to ensure that the structure and fill are no closer than 20 feet to any streambank, and will be constructed to limit the encroachment of fill material into Wetlands 1Z, 1ZA, or 1W. If riprap is required on the floodplain floor, it shall be buried as not to impede wildlife passage.	Parkland	CH V.E.2.c Page V-20 Post FEIS Coordination

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No.	Commitments	Category	FEIS Section Reference
60	<p>Within Northwest Branch Recreational Park, the ICC will span the Northwest Branch with a bridge to provide a wildlife passage and maintain limited connectivity between the park located north and south of the ICC. The westernmost bridge over Northwest Branch will be constructed such that the PGL at centerline Station 533+00 and the PGL at centerline Station 535+00 are 44 feet and 39 feet, respectively, above the elevation of the floodplain floor immediately below. The bridge shall be approximately 575 feet long, and shall result in no permanent fill in Wetland 2R, and no permanent fill in the channel of the tributary that enters the floodplain on the west side of the stream, south of the highway.</p>	Parkland	CH V.F.2.a.ii Page V-43 Post FEIS Coordination
61	<p>Within Northwest Branch Stream Valley Park – Unit 5, the ICC will span two streams with a bridge to provide wildlife passages at these locations, and to maintain connectivity. The bridge over Bonifant Road and Northwest Branch shall be constructed such that the PGL at centerline Station 560+00 is 46 feet above the elevation of the floodplain floor immediately below, shall be approximately 885 feet long, and shall result in no permanent fill within 30 feet of the top of the streambank.</p>	Parkland	CH V.F.2.a.iii Page V-44 Post FEIS Coordination
62	<p>The easternmost bridge over Northwest Branch shall be constructed such that the PGL at centerline Station 594+00 is 48 feet above the elevation of the floodplain floor immediately below, shall be approximately 1,140 feet long, and, utilizing retaining walls, shall result in no permanent fill within 30 feet of the top of the streambank of Northwest Branch or the Rolling Stone Tributary, and shall avoid discharge of permanent fill in the stream channel of the tributary coming from Mills Avenue. This requirement shall not apply to fill associated with potential wetland or stream restoration efforts in this area to correct significant head cuts eroding into the floodplain.</p>	Parkland	CH V.F.2.a.iii Page V-44 Post FEIS Coordination

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No.	Commitments	Category	FEIS Section Reference
63	<p>Within Upper Paint Branch Stream Valley Park, the ICC will bridge three streams (Good Hope, Gum Springs and Paint Branch) in order to include wildlife passages and provide connectivity. The bridge over Good Hope Tributary will be constructed such that the PGL at centerline Station 690+00 is 66 feet above the elevation of the floodplain floor immediately below, shall be approximately 590 feet long, and, utilizing retaining walls, shall result in no permanent fill within 30 feet of the top of either streambank. This profile is designed to preclude the discharge of runoff into Good Hope and Gum Springs Tributaries. If it is determined that an alternative means of ensuring that the highway runoff can be collected, treated, and discharged to the Paint Branch mainstem, with no runoff directed to the Good Hope or Gum Springs Tributaries, the vertical under clearance (from the bottom of superstructure steel to floodplain floor) could be as low as 45 feet, in which case the bridge length shall be sufficient to maintain a bottom opening on the ground of 380 feet, measured between the toes of fill, directly beneath the highway centerline.</p>	Parkland	CH V.F.2.a.iv Page V-45 Post FEIS Coordination
64	<p>The bridge over Gum Springs Tributary and Paint Branch mainstem will be constructed such that the PGL at centerline Station 742+00 and the PGL at centerline Station 749+00 are 43 feet and 38 feet, respectively, above the elevation of the floodplain floor immediately below. The bridge shall be approximately 1,280 feet long and, utilizing retaining walls, shall result in no permanent fill within the limits of the 100-year floodplain, no permanent fill in wetland 3M, and no permanent fill in the channel of the portion of tributary 3M located to the rear of the properties on Creek Side Drive.</p>	Parkland	CH V.F.2.a.iv Page V-45 Post FEIS Coordination
65	<p>The bridge over Little Paint Branch will be constructed such that the PGL at centerline Station 880+00 is 40 feet above the elevation of the floodplain floor immediately below, shall be approximately 530 feet long, and shall result in no permanent fill within 30 feet of the top of any streambank.</p>	Parkland	Post FEIS Coordination
66	<p>Champion and specimen trees have been identified within the project study area. SHA will coordinate with the design team to identify and provide a buffer for any such tree outside of the area to be cleared to avoid its removal during clearing and grubbing activities.</p>	Forest / FIDS	CH IV.F.8.c Page IV-267

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No.	Commitments	Category	FEIS Section Reference
67	Culverts and bridges have been conceptually designed to accommodate wildlife passages at 26 different stream crossings. The areas include: I-370 Ramps (2 locations) and at Stations 150+00, 173+00, 207+00, 240+00, 276+00, 301+00, 312+00, 320+00, 327+00, 360+00, 415+00, 420+00, 433+00, 435+00, 533+00, 555+00, 595+00, 654+00, 673+00, 690+00, 740+00, 750+00, 839+00, 880+00 and 978+00.	Fish and Wildlife	CH IV.F.9.d Page IV-276 ROD Attachment D and Figure 4
68	Minor alignment shifts to further avoid or minimize impacts to especially sensitive habitats for birds, such as forest interior, will be considered during the final design phases of the project.	Fish and Wildlife	CH IV.F.9.e Page IV-288
69	Consideration will be given to enhancing amphibian passage opportunities including culvert designs with natural substrates that maintain some debris for cover and moisture retention.	Amphibian Passage/ Vernal Pools	CH IV.F.9.d Page IV-283
70	All required relocations for displaced residences, businesses and community facilities will be accomplished in accordance with the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 as amended by Title IV of the Surface Transportation & Uniform Relocation Assistance Act of 1987 and Public Law and Title 49 CFR Part 24.	Socio-Economic	CH IV.B.1.b Page IV-14
71	Landscape plans will be developed and implemented between the ICC and the historic Cashell Farm and Willow Grove properties.	Cultural Resources	CH VI.C.3k Page VII-81 & MOA
72	Additional archeological surveys will be completed (and survey findings reported) to identify resources potentially eligible for the National Register of Historic Places (NRHP) that may be impacted by the ICC.	Cultural Resources	CH IV.E.3b Page IV-128 & MOA
73	A plan will be developed and implemented for the appropriate treatment of any eligible National Register eligible archeological resources that may be impacted by the ICC.	Cultural Resources	CH IV.E.3b Page IV-128 & MOA
74	The effect of any additional related ancillary activities or alignment modifications to the ICC on historic properties will be considered.	Cultural Resources	CH IV.E.3a Page IV-128 & MOA
75	As defined in the Section 106 MOA, a Wayfinding program will be developed to assist motorists in identifying heritage tourism opportunities in the Montgomery County Heritage Area (MCHA) and the Anacostia Trails Heritage Area (ATHA).	Cultural Resources	CH VI.C.3.k Page VII-81 & MOA
76	Design of the ICC will avoid Bridge M-56B, a NRHP eligible historic resource located along Redland Road.	Bridges	CH IV.B.3.b Page IV-41

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No.	Commitments	Category	FEIS Section Reference
77	If the hazardous materials sites identified in the FEIS cannot be avoided, remediation will be completed in accordance with MDE requirements.	HAZMAT	CH IV .I.1b. Page IV-329 Attachment D
78	An Environmental Management Plan (EMP) will be implemented for the duration of design and construction of the ICC and its related compensatory mitigation and environmental stewardship projects. The Environmental Management Team (EMT) will provide up-to-date information on program elements, successes and challenges, compliance levels, and overall project progress to IAWG.	Environmental Management Team	CH IV.A.7 Page IV-7/8 & MOU
79	A commitments/permit tracking database (CTD) will be developed to follow all environmental commitments through design, construction and post-construction monitoring. Regulatory and resources agencies will be provided access to the regularly updated database to monitor environmental commitments.	Environmental Management Team	CH IV.A.7 Page IV-8 & MOU
80	The EMT will work closely with the engineering design team to insure that all commitments are met during the design process and that all possible avoidance and minimization measures continue to be explored as design moves forward. Design will be reviewed before construction begins on all design sections to ensure compliance with Record Of Decision Commitments and any potential future Permit Conditions for the particular section.	Environmental Management Team	CH IV.A.7 Page IV-9 & MOU
81	The Lead Agencies will provide an Independent Environmental Monitor (IEM) with no affiliation with the design, or construction aspects of the project to review the final design plans and monitor construction. The IEM will be a full-time, on-site extension of regulatory agencies. The IEM will communicate issues concurrently to the Lead agencies and permitting agencies so that all parties are informed and involved in the solution process.	Environmental Management Team	CH IV.A.7 Page IV-10 & MOU
82	The Lead Agencies will commit to the Special Conditions of the Section 404 Permit of the Clean Water Act in the development of design plans and during construction of the ICC should a permit be issued.	Permits Required	CH IV.F.5.a Page IV-165
83	A Nontidal Wetlands and Waterways Permit for proposed impacts to nontidal wetlands and waterways and the 100-year floodplain will be obtained from MDE. The Lead Agencies will commit to the Special Conditions of the Nontidal Wetlands and Waterways Permit in the development of design plans and during construction of the ICC. The Lead Agencies will also commit to MDE's Detailed Special Conditions should a permit be issued.	Permits Required	CH IV.F.7.a Page IV-208

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No.	Commitments	Category	FEIS Section Reference
84	Coverage under an existing National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges issued by MDE will be extended to include the ICC.	Permits Required	CH IV.F.5.a Page IV-170 Post FEIS Coordination
85	MDE approval for Stormwater Management and Erosion and Sediment Control will be obtained as design and construction proceed.	Permits Required	CH III.E.2.c Page III-33
86	Best Management Practices (BMPs) will be implemented, in accordance with MDE guidelines, as the primary avoidance and minimization measure to reduce the indirect impacts of increased imperviousness.	Stormwater Management	CH IV.F.5.a Page IV-167
87	The ICC will include tolling facilities and the collection of tolls will not affect the footprint of the facility and not require additional Right-of-Way (ROW).	General	CH III.E.2.a Page III-31
88	Culverts designs will be coordinated with local resource managers where fish passage locations are of particular concern and where additional measures beyond MDE requirements are identified in the FEIS. Design techniques will be utilized to align culverts, bridge piers and abutments to better conform to the natural geomorphology of the streams to the extent practicable. In areas where culverts are proposed (Table IV-76 on Page IV-276 of the FEIS), culvert bottoms will be buried wherever feasible to allow a natural stream bottom to form within the culvert in accordance with MDE requirements. Culverts will be provided to the geomorphic characteristics of local streams to avoid downstream scour, channel degradation, and reduce the potential for creating fish blockages.	Stream Crossings	CH IV.A.3 Page IV-3
89	Roadway construction within areas of identified hydric and highly erodible soils will be appropriately designed to account for these soils.	Soils	CH IV.F.1.b Page IV-136
90	New bicycle racks will be provided at existing park-n-ride facilities adjacent to the ICC and at those to be constructed as part of the ICC.	Bicycle/ Pedestrian Trail	ROD
<b>Construction</b>			
91	Environmentally sensitive construction techniques will be implemented as part of further design efforts to aid in the ongoing minimization of impacts to natural, cultural, and socioeconomic resources.	General	CH IV.A.8 Page IV-11

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No.	Commitments	Category	FEIS Section Reference
92	<p>Temporary construction impacts to stream channels and other sensitive resources will be minimized by implementation of:</p> <ul style="list-style-type: none"> <li>• Design of redundant sediment and erosion control measures in the Special Protection Area (SPA) watersheds to mitigate for potential failures during large runoff events.</li> <li>• Use of equipment fitted with low-pressure tires or tracks in SPA's, streams and wetlands and other sensitive areas that will be monitored during project construction.</li> <li>• Locating construction access roads that avoid streams and wetlands wherever possible.</li> <li>• Using timber matting, geotextiles, and temporary bridge structures for construction access roads through wetlands and streams will be used when complete avoidance is not possible.</li> <li>• Stringent use and maintenance of state of the art sediment and erosion control measures during construction that in many cases exceed MDE regulations.</li> </ul>	Erosion and Sediment Control	CH IV.F.5.a Page IV-166
93	<p>Impacts to interior forest habitat and their buffers should be avoided during construction, when possible, from April to August, which is the breeding season for most forest interior dwelling species (FIDS).</p>	FIDS	CH IV.F.8.b Page IV-264
94	<p>Construction will be subject to a stormwater construction National Pollution Discharge Elimination System (NPDES) permit. State-of-the-art controls for both coarse and fine sediment will be implemented in compliance with MDE regulations and will exceed MDE regulations in designated SPAs. Redundancy of controls will be included in Upper Rock Creek SPA and Upper Paint Branch SPA to minimize potential control failures that could deliver sediment-laden runoff to these sensitive tributary streams.</p>	Stormwater Management	CH IV.A.6 Page IV-7
95	<p>ICC construction will include removal of an existing impoundment used as gravel mining wash pond and provisions for addressing SWM including channel protection volume to allow Indian Creek to achieve some degree of natural recovery from existing conditions.</p>	Stormwater Management	CH IV.F.7.e Page IV-233
96	<p>Proper slope and soil stabilization techniques will be used in compliance with MDE regulations to prevent soil erosion from work areas and transported into nearby waterways (both during and after construction).</p>	Stormwater Management	CH IV.F.1.a Page IV-134
97	<p>Construction of the ICC will include Erosion and Sediment Controls, including runoff filters (silt fences, super silt fences, and inlet protection devices), water handling devices (earth dikes, temporary swales, and storm drain diversions), sediment trapping devices (sediment traps and basins), dewatering devices (sump pits, sediment tanks and removable pumping stations), and other BMPs as appropriate.</p>	Stormwater Management	CH III.E.2.c Page III-34

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No.	Commitments	Category	FEIS Section Reference
98	Fish relocation methods successfully used on other projects to reduce fish mortality will be employed during in-stream construction of the ICC to reduce impacts to aquatic biota wherever possible.	Fish and Wildlife	CH IV.F.6.b Page IV-205
99	A monitoring plan will be developed to minimize any potential blasting effects. This plan will identify the best techniques for use during construction, as well as monitoring, permits and license requirements.	Geology	CH IV.F.1.b Page IV-136
100	Temporary impacts to regulated waterways and non-tidal wetlands will be avoided and/or minimized to the greatest extent possible. Restoration of regulated areas impacted by temporary construction activities will be included in the project design and related construction documents, and coordinated with the regulatory resource agencies.	Temporary Impacts	CH IV.F.7.d Page IV-221
101	All in-stream work for culverts and bridges will be carried out in compliance with the stream closure period for the designated use class of streams in the study area for the protection of aquatic species during construction. The stream closure period required by the designated use class as defined by MDE will be adhered to unless a waiver is granted by MDE.	Sediment and Erosion Control	CH IV.A.6 Page IV-7
102	An incentive program will be implemented during construction to promote the further reduction of resource impacts (including wetlands, streams, and forest).	Construction	Post FEIS Coordination
103	The Comely Shiner is currently considered a State Threatened Species and is known to exist in Northwest Branch, North Branch of Rock Creek and a tributary to Little Paint Branch. No in stream construction will occur in these streams where the species is known to exist from April 15 <sup>th</sup> to July 31 <sup>st</sup> .	RTE's	CH IV.F.10.a Page IV-291
104	Construction of replacement vernal pools will be considered but not limited to North Branch Rock Creek and Northwest Branch. In coordination with M-NCPPC, areas may be identified on parkland and in close proximity to the ROW that will not require additional forest clearing. Design and construction of vernal pools will be coordinated with the IAWG. In addition, vernal pools will be created in floodplains where practicable, including possible post construction use of sedimentation basins.	Amphibian Passage/ Vernal Pools	CH IV.F.9.d Page IV-283 Post FEIS Coordination
105	Access to Parkside Estates will be maintained along Shady Grove Road.	Socio-Economic	CH IV.B.3.b Page IV-37
106	The sidewalk along Shady Grove Road in Parkside Estates Community Area will be retained for walkers and bikers in the community.	Socio-Economic	CH IV.B.3.b Page IV-37

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No.	Commitments	Category	FEIS Section Reference
107	Pedestrian passage within Little Paint Branch Stream Valley Park will be maintained beneath the proposed ICC bridge over Little Paint Branch.	Socio-Economic	CH IV.B.3.b Page IV-62
108	Access to local roads will be maintained for businesses during construction of the ICC.	Socio-Economic	CH IV.C.2 Page IV-93
109	Construction equipment will be maintained to minimize noise emissions caused by inefficiently tuned engines, poorly lubricated moving parts and poor-ineffective muffling/exhaust systems.	Noise/Air	CH IV.G.5 Page IV-306
110	The Lead Agencies will require the implementation of a Diesel Emission Reduction Plan for construction purposes. Mobile source emissions can be reduced during construction by use of retrofits-oxidation catalysts on equipment and not permitting idling of delivery trucks or other equipment during long periods of time for unloading. This will be monitored during project construction.	Noise/Air	CH IV.H.8 Page IV-328 Post FEIS Coordination
111	In the event of a chemical spill, storm drains will be blocked for containment purposes and emergency response clean-up before or during fire fighting to prevent large amounts of contaminated water from entering the larger SWM facilities.	HAZMAT	CH IV.F.2.c Page IV-141
112	No Section 4(f) property outside of the proposed limit of disturbance identified in the FEIS will be used for construction staging without proper approval by the property owner.	Section 4(f)	Post FEIS Coordination
113	The EMT will have an understanding of the construction plans, permit-defined limits of disturbance, the approved erosion and sediment control plans, and all permit requirements and will work closely with the contractors and construction inspectors to foresee and avoid potential problems. The EMT will identify, react to and resolve unforeseen issues in the field and will produce weekly inspection reports, erosion and sediment control rating reports, and quarterly CTD reports.	Environmental Management Team	CH IV.A.7 Page IV-9
114	The Lead Agencies will commit to the Special Conditions of the Section 401 water quality certification (in accordance with the Federal Clean Water Act) and the Maryland waterway construction permit (for direct impacts in streams and floodplains) should this certification and permit be issued.	Permits Required	CH IV.F.5.a Page IV-165
115	The Lead Agencies are aware of and have analyzed flooding issues along US 1 in the vicinity of the ICC terminus. Construction of the ICC will address flooding issues along US 1 in the vicinity of the eastern terminus. Any drainage improvements associated with the ICC will take into account the appropriate storm return periods.	Stormwater Management	Post FEIS Coordination

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No.	Commitments	Category	FEIS Section Reference
<b>Mitigation/Environmental Stewardship Efforts</b>			
116	Mitigation planning has been coordinated with the USACE, MDE, and other resource agencies on a continuing basis throughout the ICC study. The watershed-based approach was used for the mitigation site search and selection process. This process included the integration of the mitigation into watershed plans while using functional assessment and previous resource agency studies to determine watershed needs. A key component of the approach was to identify mitigation sites that would protect and enhance water quality, improve stream channel stability, fisheries, and wildlife habitat.	Mitigation	CH IV.F.7.f Page IV-238
117	Parkland replacement will be provided, in coordination with jurisdictional officials, to help preserve undeveloped land in sensitive watersheds and provide additional reforestation, while effectively replacing the functions and values of the parkland impacted by the ICC.	Parkland	CH VII.C.3.k Page VII-77
118	The Lead Agencies will dedicate the Llewellyn Property, Peach Orchard Allnut Property, Southern Asia Adventist Property, and McNeill Property (listed in Table VII-19 on pages VII-56-57 of the FEIS) to Maryland-National Capital Park and Planning Commission (M-NCPPC) as mitigation sites.	Parkland	CH VII.C.3.k Page VII-78 - 79
119	The Lead Agencies will ensure M-NCPPC acquires the title to the Dungan Property North (listed in Table VII-19 on page VII-56 of the FEIS) as a mitigation site.	Parkland	CH VII.C.3.k Page VII-79 Post FEIS Coordination
120	The Lead Agencies will dedicate the Casey Property at Hoyles Mill (listed in Table VII-19 on page VII-58 of the FEIS) to M-NCPPC as a mitigation site requiring that the remaining property be retained as forest in perpetuity. DOI recommends that the agricultural fields be planted, with the dominant trees on the property which would include native oaks ( <i>Quercus</i> sp.), hickories ( <i>Carya</i> sp.) and tulip poplar ( <i>Liriodendron tulipifera</i> ).	Parkland	CH VII.C.3.k Page VII-58 Post FEIS Coordination
121	The Lead Agencies will preserve the Santini Road Property (listed in Table VII-19 on page VII-57 of the FEIS) as a mitigation site. A conservation easement will be placed on the land prior to it being transferred to WSSC.	Parkland	CH VII.C.3.k Page VII-57 Post FEIS Coordination

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## Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
122	<p>Reforestation will be concentrated along streambanks that lack forested buffers, forested riparian areas less than 300 feet wide, areas within project ROW, on public land located within the county/watershed and open areas within or adjacent to existing FIDS habitat. Reforestation will occur in the following locations:</p> <ul style="list-style-type: none"> <li>• Washington Suburban Sanitary Commission (200 acres)</li> <li>• Maryland Department of Natural Resources (200 acres)</li> <li>• Maryland-National Capital Park and Planning Commission (75-100 acres)</li> <li>• Parkland Mitigation Sites (100 – 150 acres)</li> <li>• Wetland/ Stream Compensatory Mitigation and Environmental Stewardship Sites (75 acres)</li> <li>• Unassigned SHA Reforestation Acreage within Montgomery and Prince George's Counties (50 to 75 acres)</li> <li>• Reforestation with the Proposed ICC ROW (75 – 100 acres)</li> </ul>	FIDS	CH IV.F.8.b Page IV-264 ROD Attachment D
123	<p>Reforestation sites will be compared with restoration needs identified through the Green Infrastructure Assessment to ensure consistency with DNR's Green Infrastructure Program. This will include the Casey Property at Hoyles Mill (listed in Table VII-19 on page VII-58 of the FEIS).</p>	Forests/ FIDS	CH IV.F.8.a Page IV-255 CH VII.C.3.k Table VII-19
124	<p>The Lead Agencies will comply with the Maryland Reforestation Law and will coordinate with interested agencies in specific FIDS habitat restoration goals</p>	Forests/ FIDS	CH IV.F.8.b Page IV-265
125	<p>Mitigation of impacts to bird habitat will be accomplished through required reforestation for tree clearing.</p>	Fish and Wildlife	CH IV.F.9.e Page IV-288
126	<p>The implementation of Environmental Stewardship will be coordinated in accordance with relevant provisions of the Section 106 MOA.</p>	Cultural Resources	CH VI.C.2a Page VI-12 & MOA

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## Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
127	<p>A Compensatory Mitigation Package has been designed to fulfill the mitigation requirements, as well as meet the resource protection goals of the resource agencies and the Lead Agencies. These are described in Table IV-70 on Page IV-240 and located on Figure IV-5 in Volume 2 of the FEIS. The stream restoration and water quality projects included in the compensatory mitigation package include many of the following types of stream improvements: aquatic habitat enhancement; fish passage restoration; bank stabilization; floodplain reconnection; riparian buffer enhancement; outfall protection; structure scour protection; stormwater retrofits; small scale BMPs; removal of existing culverts and impervious area. In addition to traditional stream restoration projects, fish blockage removal and SWM retrofits identified by Federal, State, and local resource agencies are included in the compensatory mitigation package. <i>Stream restoration and water quality mitigation will include the following sites:</i></p> <p><i>Stream Restoration Sites</i></p> <ul style="list-style-type: none"> <li>• IC-59 (1,100 linear feet)</li> <li>• IC-62 (1,900 linear feet)</li> <li>• NW-160 (11,000 linear feet)</li> <li>• PB-12B (4,500 linear feet)</li> <li>• PB-119 (1,000 linear feet)</li> <li>• PB-8 (1200 linear feet)</li> </ul> <p><i>Water Quality Sites</i></p> <ul style="list-style-type: none"> <li>• PB-33 (80 acres)</li> </ul> <p>• PB-43 (40 acres)</p> <p>• PB-46A (22 acres)</p> <p>• PB-114A (70 acres)</p> <p>• PB-49 (134 acres)</p> <p><i>Fish Passage Sites (Blockage Removal):</i></p> <ul style="list-style-type: none"> <li>• PB-93A (500 linear feet)</li> <li>• RC-131 (500 linear feet)</li> <li>• RC-131A (500 linear feet)</li> </ul>	Mitigation	<p>CH IV.F.7.f. Page IV-237 ROD Attachment D</p> <p>Figure 4</p>
128	<p>SHA will consider suitable backup wetland creation sites closer to the project area if, for technical reasons, one of the preferred backup mitigation sites identified in Table IV-71 on Page IV-243 is not feasible. Any proposed back-up replacement site would be coordinated with the IAWG.</p>	Mitigation	<p>CH IV.F.7.f. Page IV-237</p>
129	<p>Unavoidable direct impacts to stream channels will be mitigated in accordance with State and Federal regulations.</p>	Mitigation	<p>CH IV.F.6.b Page IV-205</p>
130	<p>Mitigation sites will be monitored in accordance with the Mitigation Management Plan approved by the regulatory agencies. A Mitigation Management Plan will be developed prior to any mitigation construction.</p>	Mitigation	<p>CH IV.F.7.g Page IV-245 &amp; MOU</p>
131	<p>Existing conditions at mitigation sites will be summarized in a report accompanied by a conceptual restoration plan and evaluated to determine if the site is suitable to proceed into design.</p>	Mitigation	<p>CH IV.F.7.f Page IV-239</p>

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## Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
132	<p>Emergent wetlands will be mitigated on a 1:1 replacement basis. Forested and scrub-shrub wetlands will be mitigated on a 2:1 basis. Wetland creation mitigation will include the following sites:</p> <ul style="list-style-type: none"> <li>• MR-5 (19 acres)</li> <li>• SC-2 (21 acres)</li> <li>• NW-128 (3 acres)</li> <li>• PB-1 (12 acres)</li> <li>• SC-19 (19 acres)</li> <li>• SC-21 (6 acres)</li> <li>• NW-69 (3 acres)</li> </ul>	Mitigation	CH IV.F.7.f Page IV-235 ROD Attachment D Figure 4
133	<p>Mitigation for wetlands will not occur in areas where bridge heights are greater than 30 feet. Forested wetlands beneath bridges, with proposed clearances less than 30 feet in height, will be considered as converted to emergent wetlands and mitigated on a 1:1 replacement basis.</p>	Mitigation	CH IV.F.7.f Page IV-235
134	<p>National Environmental Policy Act (NEPA) and technical assessments will be conducted for each compensatory wetland mitigation site to confirm that the site will not have an adverse effect on the natural, social and/or cultural environment.</p>	Mitigation	CH IV.F.7.f Page IV-239
135	<p>The ICC's Environmental Stewardship Projects will be implemented to improve areas of need identified through agency and public input.</p>	Environmental Stewardship	CH III.E.2.d Page III-35

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## Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference				
136	<p>The ICC includes "Environmental Stewardship" (ES) features that exceed the compensatory mitigation requirement. This will include state-of-the-art efforts focused on restoring, recreating, or enhancing study area features' functions and values from past developments. Candidate ES features for the ICC were developed during the DEIS and FEIS and are continuing to be evaluated to address priority restoration and/or enhancement needs for both the human and the natural environment. Types of projects include providing bike/pedestrian trails, rehabilitation of historic structures, signage to identify and direct interests to cultural resources, providing sidewalks to communities, schools and/or other community facilities, riparian buffer enhancement and/or reforestation, stream restoration, wetland creation, preservation, and/or enhancement, stormwater management improvements, special protection area best management practices and fish blockage removal. Candidate ES projects include the following sites (See Attachment B for details):</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;">                     Community/Cultural:                      14,500 l.f. Ped/Bike Trail                      10,000 l.f. Asphalt Trail                      Restore Woodlawn Barn                      Wayfinding and Signage                      2,000 l.f. Sidewalks                      2,000 l.f. Ped/Bike Trail                      1 acre Dog Park                      Stream Restoration:                      PB-37 (2,700 l.f.)                      PB-108 (2,400 l.f.)                      NB-2C (4,900 l.f.)                      NW-170 (5,000 l.f.)                      PB-12B (2,000 l.f.)                      NB-1 (2,800 l.f.)                      PB-85 (1,200 l.f.)                      RC-2 (2,400 l.f.)                 </td> <td style="vertical-align: top;">                     NB-3 (4,000 l.f.)                      NW-50 (1,000 l.f.)                      PB-109 (2,500 l.f.)                      NW-4 (3,800 l.f.)                      NW-51 (300 l.f.)                      IC-50 &amp; IC-51 (800 l.f.)                      IC-57 (600 l.f.)                      IC-58 (1,100 l.f.)                      IC-43 (1,000 l.f.)                      IC-48 (1,300 l.f.)                      IC-49 (500 l.f.)                      IC-56 (400 l.f.)                      NW-49 (1,700 l.f.)                      NW-52 (1,400 l.f.)                      PR-61 (600 l.f.)                      NW-102 (1,500 l.f.)                      NW-113 (2,800 l.f.)                 </td> <td style="vertical-align: top;">                     Wetland Creation:                      RC-36 (3 acres)                      LP-17.9 (2 acres)                      SPAs/BMPs                      PB-113 (63 acres)                      PB-114 and PB-115 (44.3 acres)                      PB-116 and PB-117 (100.3 acres)                      PB-118 (51.4 acres)                      PB-119 (19.6 acres)                      PB-120 and PB-121 (14.4 acres)                      PB-122 and PB-123 (64.7 acres)                      PB-124 and PB-125 (57.6 acres)                      PB-126 and PB-127 (16.6 acres)                      PB-128 and PB-129 (21.6 acres)                      PB-130 (74 acres)                      PB-131 and PB-132 (12 acres)                      PB-133 (80.1 acres)                 </td> <td style="vertical-align: top;">                     SWM Retrofit:                      IC-84 (330 acres)                      NB-16 (192 acres)                      NB-6 (234 acres)                      NB-7 (274 acres)                      NW-29 (768 acres)                      IC-27 (1,200 acres)                      NB-11 (56 acres)                      NW-32 (16 acres)                      NW-35 31 acres)                      NW-47 (28 acres)                      PR-257 (493 acres)                      NW-39 (26 acres)                      RC-74 (79 acres)                      NW-40 (55 acres)                      RC-26 (538 acres)                      NW-133 (30 acres)                 </td> </tr> </table>	Community/Cultural: 14,500 l.f. Ped/Bike Trail 10,000 l.f. Asphalt Trail Restore Woodlawn Barn Wayfinding and Signage 2,000 l.f. Sidewalks 2,000 l.f. Ped/Bike Trail 1 acre Dog Park Stream Restoration: PB-37 (2,700 l.f.) PB-108 (2,400 l.f.) NB-2C (4,900 l.f.) NW-170 (5,000 l.f.) PB-12B (2,000 l.f.) NB-1 (2,800 l.f.) PB-85 (1,200 l.f.) RC-2 (2,400 l.f.)	NB-3 (4,000 l.f.) NW-50 (1,000 l.f.) PB-109 (2,500 l.f.) NW-4 (3,800 l.f.) NW-51 (300 l.f.) IC-50 & IC-51 (800 l.f.) IC-57 (600 l.f.) IC-58 (1,100 l.f.) IC-43 (1,000 l.f.) IC-48 (1,300 l.f.) IC-49 (500 l.f.) IC-56 (400 l.f.) NW-49 (1,700 l.f.) NW-52 (1,400 l.f.) PR-61 (600 l.f.) NW-102 (1,500 l.f.) NW-113 (2,800 l.f.)	Wetland Creation: RC-36 (3 acres) LP-17.9 (2 acres) SPAs/BMPs PB-113 (63 acres) PB-114 and PB-115 (44.3 acres) PB-116 and PB-117 (100.3 acres) PB-118 (51.4 acres) PB-119 (19.6 acres) PB-120 and PB-121 (14.4 acres) PB-122 and PB-123 (64.7 acres) PB-124 and PB-125 (57.6 acres) PB-126 and PB-127 (16.6 acres) PB-128 and PB-129 (21.6 acres) PB-130 (74 acres) PB-131 and PB-132 (12 acres) PB-133 (80.1 acres)	SWM Retrofit: IC-84 (330 acres) NB-16 (192 acres) NB-6 (234 acres) NB-7 (274 acres) NW-29 (768 acres) IC-27 (1,200 acres) NB-11 (56 acres) NW-32 (16 acres) NW-35 31 acres) NW-47 (28 acres) PR-257 (493 acres) NW-39 (26 acres) RC-74 (79 acres) NW-40 (55 acres) RC-26 (538 acres) NW-133 (30 acres)	Environmental Stewardship	CH III.E.2.d Page III-35 ROD Attachment B Figure 4
Community/Cultural: 14,500 l.f. Ped/Bike Trail 10,000 l.f. Asphalt Trail Restore Woodlawn Barn Wayfinding and Signage 2,000 l.f. Sidewalks 2,000 l.f. Ped/Bike Trail 1 acre Dog Park Stream Restoration: PB-37 (2,700 l.f.) PB-108 (2,400 l.f.) NB-2C (4,900 l.f.) NW-170 (5,000 l.f.) PB-12B (2,000 l.f.) NB-1 (2,800 l.f.) PB-85 (1,200 l.f.) RC-2 (2,400 l.f.)	NB-3 (4,000 l.f.) NW-50 (1,000 l.f.) PB-109 (2,500 l.f.) NW-4 (3,800 l.f.) NW-51 (300 l.f.) IC-50 & IC-51 (800 l.f.) IC-57 (600 l.f.) IC-58 (1,100 l.f.) IC-43 (1,000 l.f.) IC-48 (1,300 l.f.) IC-49 (500 l.f.) IC-56 (400 l.f.) NW-49 (1,700 l.f.) NW-52 (1,400 l.f.) PR-61 (600 l.f.) NW-102 (1,500 l.f.) NW-113 (2,800 l.f.)	Wetland Creation: RC-36 (3 acres) LP-17.9 (2 acres) SPAs/BMPs PB-113 (63 acres) PB-114 and PB-115 (44.3 acres) PB-116 and PB-117 (100.3 acres) PB-118 (51.4 acres) PB-119 (19.6 acres) PB-120 and PB-121 (14.4 acres) PB-122 and PB-123 (64.7 acres) PB-124 and PB-125 (57.6 acres) PB-126 and PB-127 (16.6 acres) PB-128 and PB-129 (21.6 acres) PB-130 (74 acres) PB-131 and PB-132 (12 acres) PB-133 (80.1 acres)	SWM Retrofit: IC-84 (330 acres) NB-16 (192 acres) NB-6 (234 acres) NB-7 (274 acres) NW-29 (768 acres) IC-27 (1,200 acres) NB-11 (56 acres) NW-32 (16 acres) NW-35 31 acres) NW-47 (28 acres) PR-257 (493 acres) NW-39 (26 acres) RC-74 (79 acres) NW-40 (55 acres) RC-26 (538 acres) NW-133 (30 acres)				
137	<p>SHA will consider suitable backup wetland creation sites closer to the project area if, for technical reasons, one of the preferred backup environmental stewardship sites identified in FEIS Table VI-7 on Page VI-27 and in the ROD are not feasible. Any proposed back-up replacement site would be coordinated with the IAWG.</p>	Environmental Stewardship	CH VI Page VI-27 ROD Attachment B				

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## Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
138	The EMT will closely coordinate and track the implementation of all mitigation and stewardship commitments until their completion to insure that individual projects are successful in meeting mitigation and stewardship goals established in the Mitigation and Stewardship packages.	Environmental Management Team	CH IV.A.7 Page IV-10 & MOU
139	The Lead Agencies will conduct mitigation monitoring in compliance with any potential future permit requirements. Wetland mitigation projects will be monitored in accordance with most recent guidelines developed by the ACOE and MDE.	Permit Monitoring	CH IV.A.7 Page IV-235 Post FEIS Coordination
140	Just compensation will be provided to farm owners whose property is within the required ROW (FPPA, 1981). If impacts were to interrupt viable farm operations, financial compensation would be considered as a mitigation option. However, it should be noted that the majority of farmlands identified are proposed for residential or commercial development.	Farmland	ROD Attachment D
<b>Additional Coordination</b>			
141	Project design coordination with Prince George's and Montgomery counties will continue to monitor impacts to wells and septic systems within the study area. In locations where the ICC will directly impact private wells, they will be properly abandoned and closed in accordance with Maryland Department of the Environment (MDE) regulations.	General	CH IV. F.2.a Page IV-140 CH.IV.I.c Page IV-329
142	SHA is considering building a pedestrian bridge over the ICC in Longmead and will continue to coordinate with the community.	Aesthetics/ Socio- Economic	CH IV.B.3.b Page IV-25 & Appendix R8
143	Coordination between Federal, State and local government agencies will continue during construction of the bicycle/pedestrian route beyond the current limits of logical termini as shown in the FEIS and identified in the ROD. The logical termini link together areas where an ICC trail user could access and exit the trail with connections to other useable routes.	Bicycle/ Pedestrian Trail	CH III.E.3.b Page III-45 ROD Figure 3
144	MDE approved hydraulic models will be used and coordinated with Federal Emergency Management Agency (FEMA) during detailed design to more precisely determine the impacts to regulated floodplains and floodways and to identify opportunities to avoid and minimize impacts, and potential mitigation measures to address unavoidable impacts.	Floodplains	CH IV.F.3.c Page IV-147
145	Coordination with DNR and M-NCPPC will continue during design and construction to ensure that adequate reforestation acreage has been located in accordance with the compensatory mitigation requirements of the Maryland Reforestation Law.	Forests/ FIDS	CH IV.F.8.a Page IV-255

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## Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
146	Avoidance efforts will be ongoing during design and construction with DNR and M-NCPPC representatives, with special emphasis on State endangered and threatened species including trailing stitchwort, rough-leaved aster, and halberd-leaved greenbrier.	RTE's	CH IV.F.10.c Page IV-297
147	SHA will continue to meet with all individual communities and affected property owners that will be directly impacted by the ICC. This allows each community/property owner to have full and fair access to project related information throughout the design and construction phases of the ICC.	Community	CH VIII.B.10 Page VIII-16
148	FHWA, Maryland State Preservation Officer (MD SHPO), MdTA and SHA have committed to the Stipulations of the Section 106 Memorandum of Agreement (MOA) to address the effects of the ICC on historic properties. These Stipulations include: Treatment of Architectural Historic Properties, Treatment of Archeological Resources, Unexpected Discovery of Historic Properties, Ancillary Activities and Alignment Modifications, Environmental Stewardship, Other Environmental Stewardship Features, Professional Standards, Dispute Resolution, Resolution of Objections by the Public and Annual Reviews as outlined in the MOA until such time the 15 year maximum duration of the MOA expires or is terminated.	Cultural Resources	CH IV.E.3a Page IV-128 & MOA ROD Attachment D
149	The Lead Agencies will continue to consult with the ATHA and/or MCHA management entities regarding impacts to standing historic properties and/or eligible archeological resources that are identified.	Cultural Resources	CH IV.E.43.c Page IV-131
150	SHA will assist the M-NCPPC – Montgomery County with the rehabilitation of the Woodlawn Barn as a visitor center as defined in the Section 106 MOA.	Cultural Resources	CH VII.C.3.k Page VII-81 & MOA
151	An annual report will be prepared for the MD SHPO addressing the progress and status of implementing the MOA's stipulations for the given reporting year.	Cultural Resources	CH VII.C.3.k Page VII-81 & MOA
152	Any unneeded portions of SHA-owned property in the vicinity of Upper Paint Branch Stream Valley Park (parcels 23, 24, 25 and 26 as identified on Figure 1 of the Addendum to the Section 4(f) Evaluation) will be offered to M-NCPPC as replacement parkland.	Section 4(f)	Post FEIS Coordination
153	SHA will pursue designating US 29, south and north of the Patuxent Reservoir crossing, as a HAZMAT-restricted route based on the provisions of the Hazardous Materials Transportation Act (49 U.S.C.A 5101 et seq.; 49 C.F.R.397.61 et seq.).	HAZMAT	CH IV.F.5.c Page IV-193

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## Attachment E: Summary List of Project Commitments

No.	Commitments	Category	FEIS Section Reference
154	A Memorandum of Understanding (MOU) will be established to maintain the partnership between the Lead Agencies, resource agencies and permitting agencies along with county agencies to assure that the avoidance, minimization, mitigation and environmental stewardship efforts committed to through the NEPA process, are realized through design and construction of the ICC. Coordination will continue throughout the design and construction phases to discuss refinements in accordance with the MOU.	Environmental Management Team	Post FEIS Coordination & MOU
155	Prior to implementation of ICC construction, project plans will be provided to the Maryland Department of Natural Resources (DNR) for review and approval with the Maryland Scenic and Wild Rivers Act.	Approval Required	CH IV.F.5.d Page IV-194
156	Prior to construction, project plans will be provided to DNR for forestry requirements review and approval with the Maryland Reforestation Law.	Approval Required	Post FEIS Coordination
157	The ICC will be designed to include two maintenance facilities required in order to operate and maintain the ICC. The western facility will be a satellite or turnout facility located at the intersection of Shady Grove Road/Crabbs Branch Way and the eastern facility will be the primary facility located in the northeast quadrant of the ICC/Virginia Manor Road Interchange. Coordination with both Counties will continue to refine the maintenance facility site design. Consideration is being given to reduce the visual impact of the facility through grading, screening and aesthetics. These facilities will be constructed concurrently with the project.	Maintenance Facilities	CH III.E.5 Page III-56-57 Post FEIS Coordination
158	The Lead Agencies will control State noxious weeds as defined by the Maryland Department of Agriculture. In addition, SHA's current program to control certain invasive species including bull and Canada thistle with the use of herbicides will be considered within the ICC ROW. The Lead Agencies will coordinate with park officials prior to spraying on ICC Right of Way adjacent to parks	Fish and Wildlife	CH IV.F.8.d Page IV-267
159	After completion of ICC design and construction, the Lead Agencies will offer M-NCPPC excess state owned lands within Designated Transportation Areas (DTAs) adjacent to parklands. An incentive will be included in the project's performance specification for the protection of DTAs wherever practicable.	Parkland	Post FEIS Coordination
160	The Lead Agencies have agreed to place both Wetland 6J and the rough-leaved aster, located just west of the proposed ICC/Virginia Manor Road interchange, into a conservation easement, which would include a 100-foot buffer around the existing forest line of the area.	Conservation Easement	Post FEIS Coordination

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Attachment D

**INTERCOUNTY CONNECTOR  
MEMORANDUM OF UNDERSTANDING**

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9/89

D-①

October 11, 1989

MEMORANDUM OF UNDERSTANDING

The Intercounty Connector project will cross four parks under the jurisdiction of the Maryland-National Capital Park and Planning Commission (M-NCPPC), namely Rock Creek Regional Park, North Branch of Rock Creek Stream Valley Park, Northwest Branch Recreational Park, and Paint Branch Stream Valley Park. The project will require 300-feet of right-of-way through the parks. While not all of the 300-foot right-of-way will necessarily be cleared for the project, it is acknowledged that in some instances impacts will extend beyond the 300-foot width. The park land required for the Intercounty Connector is undeveloped with no planned recreational use with the exception of trail use and nature study activities.

As the Maryland State Highway Administration (SHA) will be receiving only location approval for this project, it is not possible to specifically identify all potential impacts of the project through the individual parks. Accordingly, it is also not possible to identify all impact specific mitigation measures. The SHA and the M-NCPPC have therefore agreed to general conceptual mitigation measures to be used where appropriate throughout the parks.

D- (2)

Specific mitigation measures will be developed in a cooperative effort between the two agencies. The SHA will include the M-NCPPC staff in all meetings with other agencies and working groups where impacts to parkland are discussed.

The conceptual mitigation measures will include, but not be limited to, the following:

- \* 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.
- \* The specifics concerning the land transfer will be developed as the project proceeds through final design and will be completed before construction in the park areas begins.
- \* A parkway-like setting along the roadway will be designed to the extent feasible and reasonable.

- \* The final design will minimize clearing and grading to the extent reasonable.
- \* Best Management Practices for stormwater management, sediment, and erosion control measures will be designed into the project. These may include redundant and/or oversized measures.
- \* The use of infiltration measures with pre-treatment for stormwater run-off will be maximized, especially in Class III watersheds. Possible infiltration sites will be identified early in the design stage and may require additional replacement land. Best Management Practices will be used in the pre-treatment and control of stormwater, and may include over-sized oil/grit separator inlets.
- \* Design, review, location, and construction of all stormwater management and erosion and sediment control facilities will be closely coordinated with SHA and M-NCPPC staff.
- \* Habitat fragmentation will be minimized to the extent reasonable in the design of the project.



- \* Bridges will be used to minimize impacts to the biota, streams, wetlands, and floodplains to the extent reasonable and feasible. Segmented cantilever construction will be investigated for bridges in parkland crossings.
- \* Existing and proposed equestrian, pedestrian, and bicycle trails will be accommodated within the design of the project.
- \* Both on-site and off-site impacts will be identified and mitigated to the extent reasonable. Impacts may include, but not be limited to: stormwater management sites; sediment control basins; wetland mitigation sites; noise mitigation sites; construction access/egress sites; easements for slope, grading, and relocation of utilities; staging areas and materials storage areas; relocation areas for existing trails; and habitat enhancement sites (i.e., reforestation/revegetation).
- \* The M-NCPPC will assume responsibility for short and long term maintenance, including retrofits, of