







## VI. CONSIDERATION OF COMMENTS RECEIVED

### A. Agencies

The *Draft EER* was distributed on May 9, 2013 to representatives of the following federal, state, and local agencies:

- USACE
- EPA
- USFWS
- MDE
- MDNR – Environmental Review Unit and Watershed Services Unit
- MHT
- M-NCPPC – Planning Department
- M-NCPPC – Parks Department
- City of Gaithersburg
- Montgomery County Department of Environmental Protection

On June 20, 2013, the USACE and MDE issued a joint public notice to notify the public, including agencies, of a public hearing scheduled for August 7, 2013. This notice was mailed to over 3,000 individuals on the project mailing list. The notice was also published in *The Gazette* local paper on July 3, 2013. The public notice invited comments from the public on the Joint Permit Application (JPA) submitted by MCDOT for the project. Agency comments on the *Draft EER* during the public review period, which ended August 21, 2013, are summarized below and copies of the letters provided in **Appendix A**:

- USACE Letter to MCDOT dated November 19, 2013
- MDE letter to MCDOT dated December 12, 2013
- EPA letter to USACE dated August 20, 2013
- City of Gaithersburg letter to agencies dated July 13, 2013

MCDOT prepared responses (**Appendix B**) to each of these letters as follows and submitted to the agencies for review:

- February 4, 2014 letter to USACE which includes responses to comments received from EPA and City of Gaithersburg
- February 4, 2014 letter to MDE

In addition, MCDOT responded to an earlier letter dated May 20, 2013 from the EPA regarding the *Draft EER* (**Appendix B**).

### B. Public

As cited above, the joint public notice was distributed to over 3,000 recipients on the project team mailing list. This group included private citizens, community groups and representatives, businesses, elected officials and others. On Wednesday, August 7, 2013, the USACE and MDE held the joint public hearing at Seneca Valley High School. Prior to the hearing, a poster session



was held in the Seneca Valley High School cafeteria from 4:30 p.m. until 6:30 p.m. This poster session provided the public an opportunity to review exhibits and information summarizing the findings of the MCDOT *Draft EER*, and to ask general questions of MC DOT and their representatives. Following the poster session, the hearing began at 6:30 p.m. and continued until 10:30 p.m.

Following the joint federal/state public hearing, Montgomery County Planning Board conducted a public meeting on November 21, 2013. Testimony was received from M-NCPPC staff, MCDOT representatives and the public. Additional comments were received from the general public following the meeting. Information from the Planning Board meeting has been posted to the Montgomery County website ([www.montgomerycountymd.gov/midcountycorridorstudy](http://www.montgomerycountymd.gov/midcountycorridorstudy)).

The following summarizes comments received from the general public since the publication of the *Draft EER* through April 2014. A copy of the comments referenced in this summary are available for review at MCDOT offices.

Leading up to and following the August 7, 2013 public hearing 441 emails and 30 letters were received from individual members of the public including: representatives of several homeowners associations; nonprofit groups TAME, Sierra Club, and Audubon Society; and Maryland Legislative District 39's Senator King and Delegate Barkley. At the hearing 72 individuals provided transcribed testimony. Included in the comments received, several form letters and variations of form letters were submitted. All form letters have been counted individually in the summary that follows (**Table VI-1**). If an individual spoke at the public hearing and submitted an email or letter, that concern or preference was logged once for each event. This summary includes new comments as well as copies of old comments resubmitted by the public.

Alternative 2 was favored by the largest number of commenters. Alternative 9A, the Master Plan alternative also received a fair amount of support. The most opposition was expressed for Alternative 4, although a significant number of commenters were also opposed to Alternatives 8 and 9. The most concerns were based around ecological functions, mass transit needs, and community impacts.

Three file sources (public hearing transcripts, scanned public comments, and emailed comments) were summarized into general categories of concern. Preferences in favor of or opposing the various alternatives are also tallied in **Table VI-1**. Additionally, the project team was notified of a single on-line petition filing 881 supporters by April 28, 2014, for the Master Plan Alternative 9A. This petition is located at: <http://www.change.org/petitions/tell-montgomery-county-council-to-build-the-mid-county-highway-alternative-9a-alignment>. The signatories of this petition are not included in the totals summarized below.



**Table VI-1: Tabulation of Public Comments through April 2014**

CONCERN	SUM	
Access to Public Transportation	7	
Air Quality	45	
Aquifer impacts/Water quality/Wells	26	
Community impacts (changes in community character, property acquisition, relocations, neighborhood division, quality of life, isolation, septic system impacts, facilities)	134	
Ecology (wetlands, wildlife, habitat, stormwater, floodplain)	319	
Increased Traffic Volume	90	
Master Plan and future growth, deviations (positive or negative)	94	
Noise	50	
Need for Mass Transit (CCT, BRT, Express Buses, and/or expanded MARC service)	275	
Existing, older infrastructure	30	
NEPA Study flaws	24	
Property Values declining	30	
Purpose and Need	9	
Aesthetics/Visual impacts	9	
Safety of vehicular traffic	37	
Safety of bicycle and pedestrian traffic	30	
Historic/Cultural Resources *(e.g., Pratherstown, Sarah Posey House, Route 355 site of George Washington marker, Brink Road/Old Baltimore Road, area around Seneca Creek Bridge, Troops' Camp/Maryland Historic Site)	28	
Climate Change	2	
School and Church proximity (including health risks to children)	29	
Cumulative Impacts (with other projects like new development)	7	
Park, Greenway, and Open/Green Space impacts	32	
Farmland	12	
Cost of alternatives	16	
Public Involvement (comment period duration, summer hearing, representation of study area residents that are first generation immigrants with limited English proficiency)	6	
ALTERNATIVES	FAVOR	OPPOSE
<b>1 (No Build)</b>	20	7
<b>2</b>	231	6
<b>4 Mod</b>	3	357
<b>5</b>	16	9
<b>8 (Option A, B, and D not specified)</b>	1	264
<b>8A</b>	1	0
<b>8B</b>	0	1
<b>8D</b>	0	1
<b>9 (Option A, B, and D not specified)</b>	16	278
<b>9A (Master Plan alignment)</b>	122	1
<b>9B</b>	0	10
<b>9D</b>	2	10

*Please Note: Opposition to "M-83" without any clarification was recorded as opposing Alternative 9, although could be interpreted as opposing the entire project. Opposition with reference to the Master Plan was recorded as opposing Alternative 9A. However, when reference was made in general to opposition of roadway extensions, opposition was recorded for both Alternatives 8 and 9.*



### C. M-NCPPC Planning Board Recommendation

Subsequent to receipt of the public comments and hearing transcript from the August 7, 2013 joint agency hearing, M-NCPPC scheduled a November 21, 2013 Planning Board meeting to enable the Board to receive testimony regarding the MCS from M-NCPPC staff, MCDOT and the public. Two primary goals of the hearing were to obtain Planning Board direction on a preferred alternative and environmental mitigation for the project. The Planning Board prepared a summary letter dated November 25, 2013 (**Appendix C**) based on the all testimony received. In summary, the Planning Board recommended:

- That MCDOT proceed with Alternative 9A (the original Master Plan Alignment) as the preferred alternative; and
- MCDOT and M-NCPPC continue to work toward finding appropriate mitigation for parks properties which would include replacement of park land, recreational facilities, and appropriate environmental stewardship projects.