

9969 Lake Landing Rd.
Montgomery Village, Md. 20886
April 3, 2008

Mr. Joe DaVia, Program Manager
U. S. Army Corps of Engineers, Baltimore District
10 S. Howard Street
Baltimore, Md. 21201

RE: M-83 (Mid-County Corridor Study)
Alternative Analysis

Dear Mr. DaVia:

We understand the County is meeting with you regulators to present their "summary" of the public comments on proposed alternatives for M-83 (Mid-County Corridor) study the week of April 6, 2008.

We were quite concerned with the paucity and inconsistent quality of the information they produced for the Dec. 2007 "Public Workshop": For example they showed no streams, lakes, schools, parkland, churches, wetlands, etc. on the maps distributed, which deprived residents of a context (like is there a school near a given alternative -- like Watkins Mill Elementary on Alternative #9?) (See glossy handout, attached)

They also improvised median widths, road widths (saying everything could be changed potentially?, etc.), mostly at variance with general County Master Plan specs for these roads. Using this hypothetical information they then attempted to improvise how much wetland, private property, farmland, etc. would be taken. The result was speculation, at many times acres different than general Master Plan requirements would be for their various alternatives, generally making all the County Master Plans a moving target -- or not.

In addition, even when we obtained a large detailed map, they failed to include Dayspring Church Silent Retreat in Germantown (See Section ③ final page map) which will be seriously impacted by Alternatives 11, 9, 8, 7, and 6. (This religious retreat comprises about 200 acres!). The larger map also fails to note 130 acres of the County's Vaunted Agricultural Reserve will be lost (re-zoned) which hasn't happened in its 30 plus years of existence (again, see Section ③ map as noted above). Finally no mention is made of particularly vulnerable areas like Wildcat Branch, a Class III trout reprocurring stream which will be destroyed with Alternatives 11, 9, 8, 7, 6 option A'a). These are just some of the omissions.

We are thus sending you our comments on their analysis (which has not been made available to the public yet) as we are told they aren't planning to send original citizen letters unless you ask for them, and we, of course, have no idea how they will present their synopsis of the public comments. We do know they have had an existing bias FOR the over 40 yr. old Master Plan*alignment since the 80's and have previously deliberately skewed "alternative analysis" to that end.

As we understand you will be further deciding on alternatives to be retained for further study, it is very important you know as much as possible as there is no further public meeting scheduled before such a decision is made.

Please take a moment to review this material if you will -- It is truly vital you have as complete information as possible. It is divided into three basic sections--

*Alt. #9

Wilder, Jane Ann S.

April 3, 2008

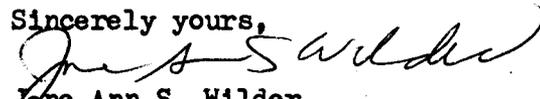
The sections include: ① cover letter with general critique of the whole process including falsification of Project History (see glossy handout, as above), irrelevancies and inconsistencies of Purpose and Need study with particular reference to the unsubstantial basis and wrong-headed concept of "Quality of Life". You will note ①, Enc. A, an analysis by South Village Homes Corp. President, Mark Firley (an Information Technology Architect at IBM), on flaws in methodology and modeling in the Purpose and Need study. The point generally is to request that the Purpose and Need Study be "revisited". And ① Enc. B, a paper by eminent scientists and health care professionals describing the dangers of locating a major highway within 500' of an elementary school; ② Our organization's (Citizens to Save South Valley Park and Whetstone Run) choice of alternatives; and ③ 19 key questions regarding the project, most of which were never adequately answered by the County in public forums or otherwise.

We also have complete supporting information like Regulatory reports from 1989, the Corps of Engineers' "kick out" letter from 1990 of the Permit request, a transcript of the County Council's unanimous rejection of the project in 1992, and the Planning Board's intention to take it out of the Master Plan in 2002, etc.

We hope to send some of this information under separate cover, and please feel free to contact us with any further questions or need for additional information.

Thank you very much for your conscientious attention to this information which is so vital to so many citizens!

Sincerely yours,


Jane Ann S. Wilder
Citizens to Save South Valley Park
and Whetstone Run
301 208-1828

Encls.

9969 Lake Landing Rd.
Mont. Village, Md. 20886
March 7, 2008

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S.M.D.
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Mr. Greg Hwang, Project Manager
Division of Capital Development
Mont. County Md.
101 Monroe St.
Rockville, Md. 20850

RE: Mid-County Corridor Study (M-83)
Alternative Analysis, Purpose and Need,
etc.
By FAX: 240 777-7277

Dear Mr. Hwang:

The late County Exec. Aide, Gubernatorial Aide* and Planning Board Commissioner, Gene Lynch, called the M-83 Master Plan route study of the late 80's:

"A conclusion in search of a research".

In other words, the DPWT knows what they want -- the Master Plan M-83 alignment (#9) -- and their Alternative Analysis, and Purpose and Need study (previously done), show they will do anything, fabricate anything to get it, including exclusion of key facts (like location of schools, streams, parkland, churches, etc.), marginalizing or failing to meaningfully include viable alternatives (even when the Corps of Engineers has purposely told them to do so like the Corridor Cities Transit), and prejudicially and virtually eliminating key alternatives before the public has had a chance to view them (like selecting 5 out of the proposed 11, a priori, and without public input), and contaminating virtually all those except the Master Plan route, #9 through the "poison pill" technique. This includes adding some devastatingly negative factors (almost always new, non any Master Plan, or out of whole cloth ones) to make them unacceptable and often outrageous on their face; i. e., putting a 16' median on Brink, Wightman, Snouffer School, Muncaster Mill Rds (#10) when the Master Plan right-of-way has been dedicated at only 80', 4-lanes for years, thus necessitating the taking of private property, unnecessary environmental invasion, etc.

Project History: The first example of this disingenuous technique is on the second page of their publicly disseminated Public Workshop document of 12/12/07 when they seriously misstate the Project History!

One would have no idea from this disingenuous entry that the County went full tilt to construct this project in the middle 80's when it first appeared in the CIP (budget) in 1986 with construction targeted for 1991 and completion in 1992 -- and it went down in flames!! Wetland destruction permits were applied for in Nov. 1988 (the route, of course, was haphazardly put on the sacred "Master Plan" in the 1960's before the Clean Water Act and the value of these cradles of life were known) from the Corps of Engineers, EPA, Fish and Wildlife Service, Md. Dept. of the Environment, and Dept of Natural Resources. A massive negative public opinion letter response ensued (the Corps calling our letters the best technical letters they had ever received). The result? Negative comments from all the Regulatory Agencies. Failing to get permits and facing a recession, the County Executive Sid Kramer (a road supporter) removed the project from the budget in 1989.

The Transportation Dept. (now DPWT) still tried to keep the project alive (there is an analogy here to the "undead" which will be noted later), but the Corps of Engineers returned their permit request in Jan. 1990. In 1992 when a previously funded massive study of the road was presented to the County Council (the previous pro-development Council and Executive had been voted out of office) they voted unanimously against it!!

MORE

*Chief of Staff under Md. Governor Parris Glendening

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Wilder, Jane Ann S.

March 7, 2008

In the late 90's, a Transportation Policy Report group (TPR) was instituted composed of a cross section of the public, developers, business interests, etc. to evaluate all roads in the Master Plan as to viability (the group was heavily weighted with development interests, however). The Group met several times a month for about 3 years. In the end their massive report recommended against M-83 for its negative environmental and community impacts (although supporting such projects as the ICC). In 2002 their report went to the the Park and Planning Commission which agreed:

"The comments at the public forums and review of the environmental and community constraints on extending Midcounty Highway from its current terminus at Montgomery Village Ave. (MD 124) to Md. 27 have convinced the Board that this section is not feasible to construct. It is reluctantly recommended that this be deleted from the Master Plans. . . . However, this action must be accompanied by an update to the land use sections of the Clarksburg and Germantown Master Plans by reducing the total development levels to be commensurate with what the reduced roadway network would support."

You'll notice none of this negative information is included in the Project History, or the final Purpose and Need study. It's like just everyone loves this road!!

The only reason it rose from the dead like a money, life-sucking vampire was the "Go Montgomery" program organized by then County Executive Doug Duncan (who had promised before his election that he would not pursue it??) and the Pro-development County Council he sponsored and heavily financed who caused it to be funded for early "facility planning" in 2003 for a study beginning in 2004. Their first attempt at a "Purpose and Need" phase fell flat when the Corps of Engineers proclaimed it "inadequate" in Oct. 2005 and they had to start over.

Purpose and Need+

I, in the last two days, received copies of the state studies that claim that "accident data on Route 355 exceeds statewide accidents on similar roads" under my FOIA request of Jan. 28 so I have not had extensive time to study it. I would thus point out only a couple of observations hopefully supplementing them later.

1. The only 2 studies out of 12 that were done were done before the Purpose and Need study was completed in Jan. 2007: (A) Route 355 from 124 to 121 -- (7.47 miles) and (B) Md. 355 to Brink Road -- (.54 miles) -- These dated May 9, 2006. All the other studies were done after the Purpose and Need study was completed and approved, later in 2007; e. g.; 3/20/07, 8/24/07, etc.??

2. In study A and B the overwhelming cause of accidents was "failure to give full attention" and 2nd "failure to yield right-of-way" (I am excluding "other or unknown causes" for obvious reasons.)

MORE

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Wilder, Jane Ann S.

March 7, 2008

Why would one expect building a new 6 lane highway within less than 1/2 mile of this highway affect either of these causes?!! Wouldn't remedies like "System management/Travel Demand Management" and technical improvements as in Alt. #2 or Intersection Improvement on 355 as in Alt. #5 improve these rider caused not road caused problems?!! Also, what about driver education or restrictions on distractions like cell phones and text messaging?

I include a preliminary study using traffic models recently obtained by South Village Homes Pres. Mark Firley which criticizes the County's Purpose and Need Study Models and illustrates the value of high tech features like intersection improvement innovations which can greatly improve traffic flow in high density areas. He notes the application of queueing theory in New York which resulted in a 12 percent increase in overall capacity of the Lincoln tunnel simply by re-timing traffic lights feeding and receiving tunnel traffic. (Section ① Enc. A) This is the 21st Century and this kind of thinking is what we need.

Quality of Life: The quality of life argument is a joke. The idea that you take out an entire ecosystem producing beauty, peace, animal habitat, clean air and water and replace it with a minimal decrease (at best) in commuting time is an improvement in the Quality of Life is ludicrous. Maybe it might be an "improvement" for people in Hagerstown, but we in Montgomery County aren't paying for roads in Hagerstown or living there. Saving ANY time and coming home to a wasteland as we would be in Montgomery County if M-83 is built is an insult and sets us back 60 years in the area of understanding the importance of the environment. Did you know, for example that one acre of trees uses up 20 tons of CO2 per year and emits enough O2 to sustain 1,000 people?!! How much does oxygen contribute to your "quality of life"? And how much does carbon dioxide harm it -- have you heard of global warming, and car emission produced asthma, particularly in vulnerable young children?? (See Section ① , Enc. B)

And why wasn't the public allowed to comment on this Purpose and Need study before the fact? You knew you had to do it all over in Oct. 2005 when the Corps of Engineers advised you of the same and the public meeting had been in 2004. Then you wouldn't release it until April 2007 on a fluke when you were well into the Alternative Analysis. What are you trying to hide?!!

We thus feel that the above observations constitute "change" in project conditions sufficient to justify revisiting previous project steps as noted in the Concurrence Form, specifically, the Purpose and Need study.

Sincerely yours,

Jane Ann S. Wilder
Jane Ann S. Wilder
Citizens to Save South Valley Park
and Whetstone Run
301 208-1828

Encls.

cc: Couty Executive Ike Leggett

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Ena. A

A First Editorial Comment on The Purpose and Needs Study

When reading the study, it is well to keep in mind that a great many mathematical symbols on a page and fancy charts should not be seen as a substitute for a rigorous understanding of the requirements or respect for the development process. None of the information that would be required to evaluate the soundness of the outcome has been provided. The nature of such key information as:

- the models used
- the assumptions about what constitute critical service levels by volume
- the assumptions about interarrival time of traffic
- the assumptions and/or metrics used to produce the specific mathematical model (for example, the difference between two different mathematical formulae used to express waiting time can result in as much as a ten percent difference in service)

Indeed, its very absence speaks volumes.

Perhaps there are good reasons why information critical to understanding the reports was left out of the public documents. Perhaps there are adequate background materials. But we cannot know on the basis of the material here. We will be undertaking analyses using a scientific discipline known as "queueing theory" to cross check the presented results.

What is queueing theory? It's a science of how lines and servers (like toll booths and intersections) work. An entire road network is only as good as its least-well performing intersection. In New York, application of queueing theory principles to traffic flow management resulted in a 12 percent increase in the overall capacity of the Lincoln tunnel simply by re-timing traffic lights feeding and receiving tunnel traffic. And that was done at zero construction cost. Zero.¹ From what we can tell, a similar analysis has not been performed for any of the alternatives listed. That kind of omission is very worrying.

We appear bent on constructing the Montgomery County equivalent of "the Big Dig" without any of the benefits.

¹ The work of Dr. Denos Gazis, IBM Research, Yorktown Heights, New York, Cited at: http://www.pasha.net/ibm_workers_unite/gazisatibm.html

See also:

Doganata, Y. N., Gazis, Denos C., and Tantawi, A. N., "The SWIFT System Architecture", *2nd ITS World Congress*, Yokohoma, Japan, November, 1995.

Doganata, Y. N., Gazis, Denos C., and Tantawi, A. N., "SWIFT Communication Modeling and Analysis", *2nd ITS World Congress*, Yokohoma, Japan, November, 1995

①
Enc. A

Comments on the
“Purpose and Need: Midcounty Corridor Study, Project 509337, January 2007”

Mark J. Firley
South Village Homes Corporation

I have undertaken some brief analysis of the document and share my findings below.

To summarize:

1. The document fails to meet basic standards of transparency regarding its technical underpinnings. Models, inputs and assumptions are undocumented. Outputs are presented without context or explanation that would establish their credibility.
2. The document fails to employ consistent, quantifiable methods in conducting what it purports are trades studies between the alternatives. From a management or operations research perspective, the “trade studies” are at a level that can fairly be called an expression of desire, rather than the result of analysis and evaluation.
3. The document fails to rigorously quantify identified costs or even fully enumerate (let alone quantify) benefits:
 - a. The differential travel time improvements are unclear and poorly quantified. And this assumes that travel time is the only desideratum.
 - b. Secondary benefits due to reduced travel time are not quantified
 - c. Primary costs estimates are missing key items required for evaluation
 - d. Secondary costs and effects are either not quantified or estimated using no more than what County planners admitted were merely “subjective” standards; that were not mathematically or statistically “reproducible.”
4. The document fails to estimate key secondary effects normally included by transportation planners, and demonstrated to be key elements to successful planning.
5. The document appears to present a number of reasonable alternatives for consideration which are, upon closer inspection, either relatively minor changes to the original proposal (the so-called “Master Plan” route) or contain provisions that introduce fatal flaws in the alternatives.
6. The document advocates a restricted set of the so-called “alternatives” be retained for further study. [These alternatives do not correspond in any way with the expressed preferences of the communities most affected by the construction.]
7. The document ignores several critical historical facts, including prior rejection of the “Master Plan Route” by both County officials and the U.S. Army Corps of Engineers.
8. The document fails to include in any rigorous or demonstrable way, the effects of larger determinants upon capacity requirements. These factors include:
 - a. The damaging effect of encouraging vehicle use against a background of increasing concern with environmental damage associated with greenhouse gas emission and long-term elevation of fuel prices.]
 - b. The effect of federal and private initiatives designed to encourage remote work and telecommuting.

- c. The effect of offsetting vehicular travel requirements with alternative surface transit options (including, but not limited to, the so-called "Corridor Cities" transit project).
- d. The potential effect of widening the study area to include several less costly and damaging alternatives to be considered. This was previously recommended by the Corps of Engineers.
- e. The effect of zoning and land use planning changes to reduce the requirement for, and damaging results of, the proposed route.¹

On basis of these facts, the credibility of the Purpose and Need document is so much in question that its conclusions cannot be trusted, and I recommend that the County take the following actions:

1. To immediately withdraw the Purpose and Need document in its current form
2. To begin the process of evaluation from the beginning using *open*, transparent, and *standards-based* methods, which give both the communities affected and the taxpayers of the county a reasonable expectation that their monies will be well spent.
3. To include the communities most affected in the evaluation of alternatives, without precondition.
4. To begin construction of a plan that is realistic, standards-based, transparent, and addresses the effects not just of permissive policy, but of intelligent development policy.

I would be less than fair if I did not acknowledge that one must approach the problem the county has created for itself with sympathy, as our addiction to development to finance ever more ambitious spending plans creates not a "borrow and spend" mentality, but a "pave and tax" feedback loop that ultimately will destroy the qualities which make the County a desirable place for residents and businesses.

However, that "bind" cannot be allowed to serve as the basis for a plan that has at least as much potential to be:

- Expensive
- Environmentally damaging and
- Ineffective

and which, on the basis of the instant document, *cannot be reasonably expected* to deliver benefits to the citizens of the County.

¹ A subtext of the proposal seems to be that having created a problem that reached the dimensions of a public scandal with zoning and planning mis-steps in a specific region of mid-county, the only "way out" is to allow higher density and more sprawl to create a background against which the failure will be less conspicuous. This is hardly the quality of thought and planning we expect or deserve from our County leadership.

①
Enc. A

If this plan proceeds in anything like the form so heavily favored by current staff, our communities will have no choice but to exercise the sanction of using political accountability to reassert responsibility over a group of unaccountable (and questionably competent) would-be technocrats run amok.

① Enc. B

March 4, 2005

To: Montgomery County Department of Public Works and Transportation (DPWT)
Attn.: Ms. Jeri Cauthorn, M-83 Study Manager
c.c.: Dan Hardy, Project Team Member, Park and Planning
Ki Kim, Project Team Member, Park and Planning
Fr: G.A.S.P. (Getting Air Standards Prioritized, an M-83 ad hoc study group of scientists and health-care professionals
Re: Health Risks Associated with Proposed M-83's Proximity to Watkins Mill Elementary School (northern Gaithersburg)

This letter is an appeal by scientists and health-care professionals to Montgomery County authorities to sufficiently distance the proposed M-83 highway from the Watkins Mill Elementary School to avoid respiratory damage to the school's students, faculty, and staff caused by M-83 traffic. The letter was prepared by the signatories on behalf of themselves and for organizations of communities near the school who are showing their support by their individual letters.

Proposed M-83 in Brief

M-83 (the "M" stands for Major) is a proposed extension of Midcounty Highway from its existing terminus at Montgomery Village Avenue to Route 27, and Middlebrook Road from Route 355 to M-83, for a combined length of approximately 6 miles. Near Route 27 M-83 would connect to a future extension (called A-305) to Clarksburg.

Prior to its current study (in process), M-83 has been proposed as a 6-lane divided highway within a 150-foot right-of-way. The last study of M-83 (1992) anticipated 50,000 cars per day with 50-60 mph speed limits.

M-83 was included in the Gaithersburg Master Plans (1971, 1985), the Germantown Master Plans (1996, 1974, 1989), and the Clarksburg Master Plans (1968, 1994). The 1994 Clarksburg Master Plan calls for 10,000 new homes plus new business sites. This has created the need to accommodate added north-south traffic. The widened I-270 and partly-widened 355 cannot handle the anticipated traffic volumes.

The Montgomery County Planning Board's Transportation Policy Report (1-15-02) states: *The comments at the public forums and review of the environmental and community constraints on extending Midcounty Highway from its current terminus at Montgomery Village Avenue to Ridge Road (D 27) have convinced the Board that this section is not feasible to construct. It is reluctantly recommending that this be deleted from the Master Plans.*

The county council nonetheless authorized, at its April 10, 2003 meeting, a \$1.5 million study of the feasibility of constructing the Montgomery Village Avenue/Ridge Road segment. That study, due for completion late 2005, is being undertaken by the county's Department of Public Works and Transportation.

Alternatives to M-83 include the broadly-supported Corridor Cities Transitway, a light-rail (or bus) service from Clarksburg to the Metropolitan Grove MARC train station and beyond to the Shady Grove Metro station. A complement to the Transitway is widening existing connecting roads: Brink, Wightman, and Snouffer School.

Because M-83 would be funded entirely by Montgomery County, an Environmental Impact Statement is not required. Instead the county will issue what it terms an "Environmental Assessment," originally scheduled for completion by December 2004 and currently rescheduled to late February 2005.

Proximity of M-83 to Watkins Mill Elementary School

Relying on the map of proposed highway M-83, prepared for DPWT and distributed at the November 15, 2004 "Midcounty Highway/Middlebrook Road Public Workshop: Parks, Recreational & Community Facilities," it appears the 150' right of way would come within approximately 50' of the ball fields on the Watkins Mill Elementary School (WMES), 320' of the closest portable classroom, and 430' from the brick-and-mortar school. These distances compel careful consideration of the likely health consequences caused by airborne automotive emissions in close proximity to school children, faculty, staff and local sports organizations.

It is the intent of G.A.S.P. to limit this commentary to the risk of M-83 aggravating respiratory problems among WMES students, setting aside the separate important consideration of risks to residents residing in nearby homes, school staff, faculty and sports organizations that use the ball fields. Towards this end we cite statements and conclusions found from studies published in peer-reviewed medical and public health journals evaluating the causal relationship between auto air emissions and aggravation of respiratory illness among children.

Pollution and Children's Lung Development

"Although most studies show that air pollution does not appear to cause asthma directly, children's asthma is known to be exacerbated by air pollution. ... Children are believed to be especially vulnerable due to higher relative doses of air pollution and increased susceptibility as their lungs develop and their bodies grow. ... Air pollution is linked to multiple adverse health effects in children, among them increased respiratory symptoms and hospitalizations for respiratory illnesses, increased or more severe asthma episodes, decreases in lung function, and longer-lasting lung infections. High levels fine particulates are especially linked to aggravation of children's asthma. Exposure to particulate matter is associated with increased lung irritation and respiratory symptoms in children, together with decrements in lung function." (1)

The Bay Area Study of Schools (San Francisco)

“Recent studies, primarily in Europe, have reported associations between respiratory symptoms and residential proximity to traffic; however, few have measured traffic pollutants or provided information about local air quality. We conducted a school-based, cross-sectional study in the San Francisco Bay Area in 2001. ... Concentrations of traffic pollutants [named] were measured at 10 school sites during several seasons. Although pollutant concentrations were relatively low, we observed differences in concentrations between schools nearby versus those more distant (or upwind) from major roads. ... Thus, we found spatial variability in traffic pollutants and associated differences in respiratory symptoms in a region with good air quality. Our findings support the hypothesis that traffic-related pollution is associated with respiratory symptoms in children. (2)

More Details of the San Francisco Bay Area Study

“In the first U.S. study evaluating a link between traffic pollution and respiratory symptoms, state scientists found that the air contaminants spewed from busy roads may pose a health risk to children.” (3)

“Even in an area with good regional air quality, air pollution from nearby traffic may pose a health risk, according to a recently-completed study by scientists from Cal/EPA’s Office of Environmental Health Hazard Assessment (OEHHA) that shows a possible link between air pollution from nearby traffic and respiratory symptoms in children. The study, involved air monitoring and a health survey of about 1,100 students at 10 Alameda County [San Francisco/Oakland area] elementary schools located various distances from major roads... (4)

“The study found that the prevalence of asthma and bronchitis symptoms were about 7 percent higher in children in neighborhoods with higher levels of traffic pollutants compared with other children in the study. ... (4)

“The Bay Area was a good location for the study because it has relatively good regional air quality. That makes it easier to evaluate the specific effects of air pollution from nearby traffic. (4)

“A school’s location near a busy road does not always mean children will be exposed to high levels of traffic pollution. Other factors that influence this include whether the school is upwind or downwind from the road, and the school’s ventilation system.” (4)

California Law Now Restricts School Construction Near Busy Roads

Senate Bill 352 (introduced by Senator Martha Escutia and abstracted here), passed in 2003, “prohibits the approval by the governing board of a school district of a school site that is within 500 feet from the edge of the closest traffic lane of a freeway or other busy

traffic corridor, unless prescribed conditions are met and would make conforming and other technical, non-substantive changes. (5)

“Cars and trucks release at least forty different toxic air contaminants, including, but not limited to, diesel particulates, benzene, formaldehyde, 1,3-butadiene and acetaldehyde. Levels of these pollutants are generally concentrated within 500 feet of freeways and very busy roadways. (5)

“Many studies have confirmed that increased wheezing and bronchitis occurs among children living in high-traffic areas. (5)

“The governing board of a school district may not approve a project involving the acquisition of a school site by a school district unless:

- “For a school site with a boundary that is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor, the governing board of the school district determines, through analysis pursuant to paragraph (2) of subdivision (b) of Section 44360 of the Health and Safety Code, based on appropriate air dispersion modeling, and after considering any potential mitigation measures, that the air quality at the proposed site is such that neither short-term nor long-term exposure poses significant health risks to pupils. (5)
- “The governing board finds that neither of the conditions set forth in subparagraphs [setting conditions for school sites] can be met, and the school district is unable to locate an alternative site that is suitable due to a severe shortage of sites that meet the requirement in subdivision (a) of Section 17213. If the governing board makes this finding, the governing board shall adopt a statement of Overriding Considerations pursuant to Section 15093 of Title 14 of the California Code of Regulations.” (5)

Other Studies Affirm Bay-Area Conclusion

A literature search by Winifred J. Hamilton, Ph.D, Director of Environmental Health Section of the Chronic Disease Prevention and Control Research Center, Baylor College of Medicine, shows that “Studies [mostly in other countries] published in a wide range of scientific journals document health effects for people living at various distances from roads with as few as 20,000 vehicles per day. ... The health effects appear strongest within 100 meters (about 1 football field) of major roads, but studies show effects up to 300 meters from major roads.” (6)

The Bay-area study is the best example of schools and traffic-related pollutants and health effects in the United States. There are numerous studies from the United Kingdom and Europe that support the same conclusions.

Watkins Mill ES Proximity to M-83 Seems High Risk

Probably more perilous than the Bay Area 10 elementary schools, located various distances from major roads, is the proximity of M-83 to the edge of the WMES school grounds. It appears the M-83 right of way falls within 50 feet of the school grounds, where ball fields, used by students and youth athletic associations, are now located.

According to M-83 engineering drawings prepared for the county in 1992 by Johnson, Mirmiran & Thompson, P.A., believed to be the latest available, a 150-foot right of way with a 44-foot median plus traffic lanes extending 52 to 64 feet, would allow only 21 feet to 27 feet on either side of the outer traffic lanes.

With traffic this close to WMES ground, the hazards of airborne pollutants seem to elevate the risks of respiratory problems compared to the Bay Area study.

Proposed M-83 would be upwind on the school's western boundary, where near the front of the school (i.e., the school's northern boundary) M-83 would cross and possibly interconnect with the existing Watkins Mill Road. The latter road is approved for a planned direct interconnect to I-270 thus surrounding the school on three sides with high volumes of traffic (two sides facing M-83, one side Watkins Mill Road).

Built in 1970 to accommodate 404 students, today's WMES enrollment of 653 is taught in the original building plus 13 portable classrooms. Plans call for expanding the building by adding six to eight 900 square-foot classrooms and two new kindergarten classrooms. The 10-acre grounds would not be expanded.

Asthmatic Children Currently at WMES

Ms. Terri Kranefeld of the American Lung Association of Maryland (ALA-M) phoned the school nurse at WMES to ask the number of students believed to have asthma. She was told the number known to her at December 2004 was "about 30." That represents about 5% of the 653 students. Based on data provided by ALA-M, approximately 11% of children through age 12 in Maryland have asthma. In Montgomery County the estimated number of asthma cases among children through age 12 increased 56% between 1999 and 2001, growing from 12,263 to 19,072. (7)

Our Request to the M-83 Study Project Team

An Environmental Assessment (EA), as yet undefined, is expected to be completed by DPWT late February 2005. We believe the EA will not be complete and should be revised if it does not include an analysis of the current and projected risk relating M-83 airborne pollutants to the respiratory health of students at WMES. The analysis should reference the projected traffic volume by time of day and the level of airborne pollutants created as a result of the forecast traffic on M-83. There should be two separate analyses done, one in which large trucks are included, and one in which large trucks are excluded,

① ENC. B

to reflect the possibility that large trucks may be prohibited from using the parkway. Both analyses should include an appropriate mixture of gasoline- and diesel-powered vehicles that reflects increasing market share of diesel-powered engines.

Summary

Children are said to be especially vulnerable to asthma. Several studies conclude that asthma is exacerbated by air pollutants emitted by traffic. The closer the traffic is to children, the greater their air pollution exposure and risk for cancer and respiratory disease. The right-of-way of proposed M-83 appears to be within 50 feet of the grounds of Watkins Mill Elementary School, currently attended by 653 children. The school nurse reports that about 30 children (5%) are known to have asthma. This excludes the count of children whose asthma is well-treated and controlled and unknown to the nurse.. The asthma rate statewide among children is reported to be 11 percent. Constructing M-83 within 500' of the school grounds runs the risk of increasing respiratory symptoms related to traffic-induced pollution. The planning of M-83 should carefully assess this risk and the associated liability potential faced by the county.

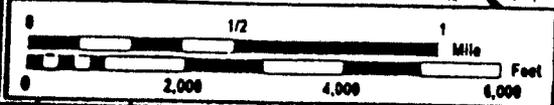
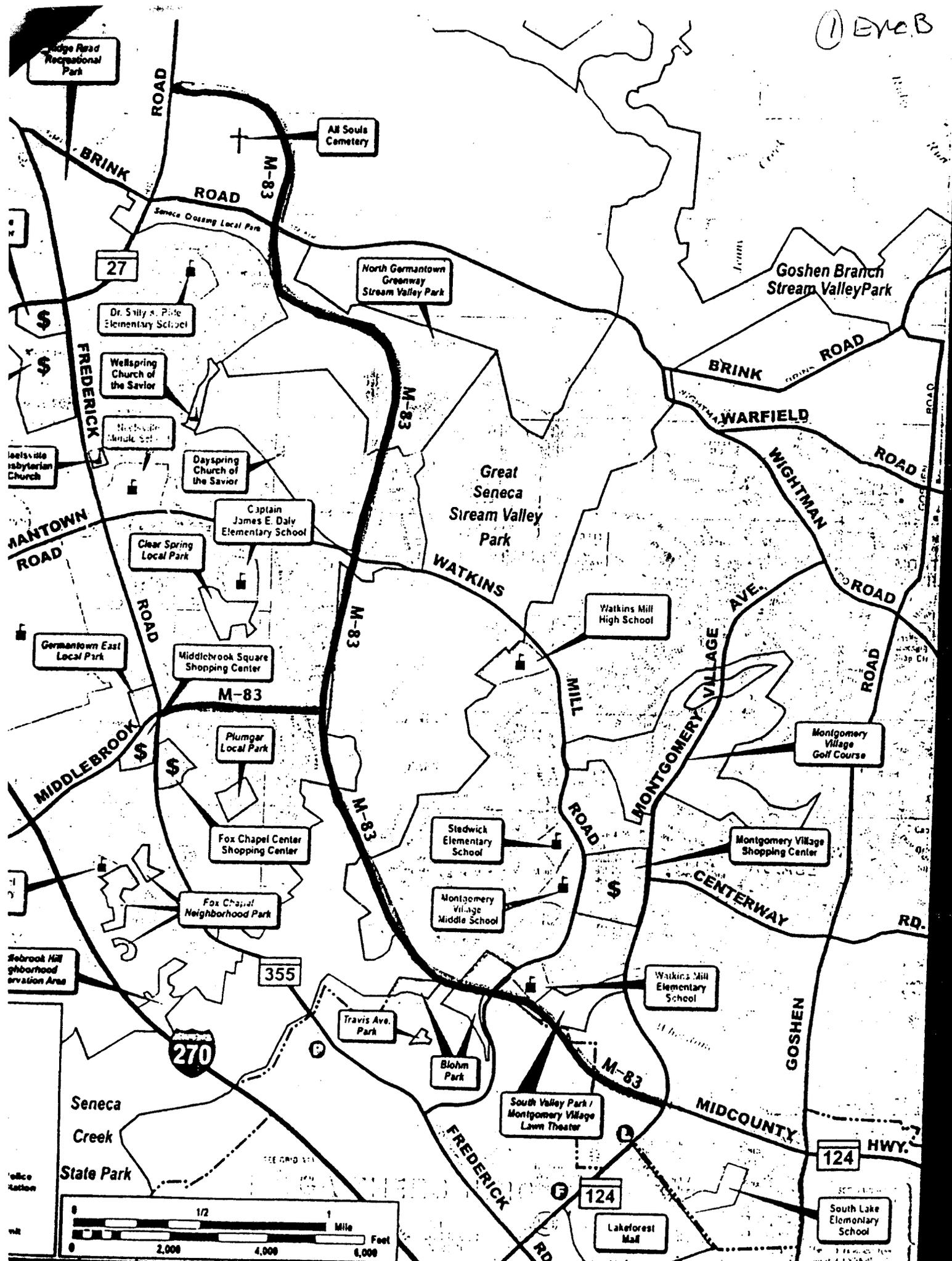
Maintaining healthful air standards at school locations must be ranked over highway needs in prioritizing community goals. We believe the M-83 study team, the DPWT, and the county council share this over-riding commitment.

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4. "OEHHA Study Shows Possible Link Between Traffic Pollution, Children's Respiratory Symptoms," News Release #04-09, October 19, 2004, Office of Environmental Health Hazard Assessment, California Environmental Protection Agency.
5. California State Senate Bill SB 352 (passed 2003). Introduced by Senator Martha Escutia (district phone is 562-929-6060, capitol phone is 916-327-8315). For entire copy of bill see http://info.sen.ca.gov/pub/03-04/bill/sen/sb_0351-0400/sb_352_bill_20031003_chaptered.html
6. "Health and the 2025 [Houston] Regional Transportation Plan," sent as an attachment to a personal e-mail. Author is Winifred J. Hamilton, PhD., at Hamilton@bcm.tmc.edu References cited are provided as an attachment herein.
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① EYCB



① Enc. B

**GETTING AIR STANDARDS PRIORITIZED
(G.A.S.P.)**

July 12, 2005

Ms. Jeri Cauthorn, Manager
M-83 Study Team
Montgomery County
Department of Public Works and Transportation
101 Monroe Street – 9th Floor
Rockville, MD 20850-2540

Dear Ms. Cauthorn:

Attached is a document, which I am pleased to submit on behalf of its signatories, referenced as “Health Risks Associated with Proposed M-83’s Proximity to Watkins Mill Elementary School.”

The document is dated March 4, 2005. It is released to you today because the signatories had prepared the document as a public-response statement to the release of your long-awaited Environmental Assessment of M-83. Because your assessment has not met any of its targeted release dates, G.A.S.P. believes it should not wait further to bring its document to the attention of your study team.

Please consider the attachment prior to release of your assessment. In a recent telephone conversation you assured me the document attached would be recognized as a submission in response to your Environmental Assessment, once that finding is made public.

Sincerely yours,

Walt Sonnevile
Communications Director
G.A.S.P.
314 Wye Mill Court
Gaithersburg, MD 20879
301 869 4460

c.c. Dan Hardy, Project Team Member-Park and Planning
Ki Kim, Project Team Member-Park and Planning

March 7, 2008

2

Mr. Greg Hwang, Project Mgr.
DPWT Mont. County
101 Monroe St., 9th Floor
Rockville, Md. 20850
Dear Mr. Hwang:

RE: M-83 Alternative Analysis
By FAX: 240 777-7277

The County has dealt us a devastating blow in misrepresentations regarding the M-83 Study in regards to Montgomery Village.

First, the public never got a chance to weigh in on the Purpose and Need phase as it was completed after the public meeting in 2004 (they were forced to redo it because the Army Corps of Engineers called it "inadequate").

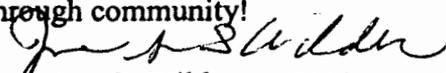
They then chose a study area directly targeting Montgomery Village, eliminating other sources of north-south traffic relief like Great Seneca Highway, ~~expanding~~ northern I-270, and Corridor Cities Transit, which they were specifically asked to consider by the Corps. Although Clarksburg stretches across the entire northern County they claim they can only use our east side for access?!!

The most important thing to know however is the "Master Plan" Route Alternative #9 has been completely discredited. It was thoroughly studied in the late 80's, permits applied for to Federal and State agencies were rejected by all, the application being returned in January 1990. Thereafter, when again put before the County Council in 1992, it was unanimously defeated. This is by far the worst alternative, most damaging, and must be rejected!

Of the other alternatives, the County has done their best to "poison pill" even viable ones and cause community conflict; E.g., those with Brink, Wightman and Snouffer School include a 16' median which would make the long dedicated right-of-way of 80' 4 lanes impossible or a preposterous 16-28' median on Watkins Mill and Stedwick Roads.

Others call for a bike path on the east of Village Avenue, which would take out all of Lake Whetstone trees, and present a hazard to the "significant hazard dam" which is Montgomery Village Ave.

Workable alternatives like #2 and #5 are give short shrift. *The only viable alternative is No Build with corresponding down-zoning as the Planning Board recommended in 2002. Moreover we must demand the study area be expanded so that Montgomery Village is not the sole north-south access to Clarksburg and we are relegated to being a pass-through community!


Jane Ann S. Wilder, Citizens to Save South Valley Park and Whetstone Run
9969 Lake Landing Rd.
Montgomery Village, MD 20886
301-208-1828

*We would consider adding some features from Alt. 2 and Alt. 5 in the area of technical improvements to the existing road networks they contemplate. Corridor Cities Transit, widening Great Seneca, and widening northern 270 and making a full interchange at Middlebrook are also important.

Sec.
②



Questions and Comments on M-83 & Request for further information--

1. Why wasn't the public allowed to comment on the final Purpose and Need study? DPWT had to redo what they had done after the 2004 public meeting by direction of the Corps of Engineers in Oct. 2005. Yet the redone study was never made public until 4 months after its completion in Jan. 2007 (released in April 2007) -- 4 months after they had gone on to the Alternative Analysis Phase?!!
2. The Purpose and Need study excluded many key things like: 1. The effect of a major ^{road} within 500' of school children such as Watkins Mill Elementary (DPWT had been provided with a study by a group of eminent scientists regarding this);^{***} 2. The Transportation Policy Review (TPR) group who worked on all the roads in the Master Plan for 3 years and the Planning Board in 2002 recommended that M-83 be removed from the Master Plan because of "environmental and community" impacts; 3. Accident figures on the current Mid-County Highway that are some of the highest in the area; 4. The fact that permits had been applied for for M-83 in 1988 and rejected by all the Federal agencies including the Corps of Engineers; 5. The fact that the County Council, which included the current County Executive voted unanimously against this project in 1992 after having seen a voluminous environmental document; 6. No discussion of key future intersections which will be grid-locked and dangerous like Mont. Village Ave. and M-83, and Watkins Mill Rd. and M-83 upon opening according to previous studies, etc., etc.
3. Why had DPWT virtually divided the Gaithersburg Master Plan when the County Council has not voted on it* & the Executive is on record opposing it, by limiting access routes to Clarksburg only to the very narrow so-called Mid County Corridor? The Stringtown Rd. 6-lane interchange has already been opened connecting Clarksburg 355 and 270 on the WEST side of Clarksburg and Metro is accessible in many ways from both the East and West? Who gave you permission to exclude Great Seneca Highway from consideration as a North-South access route to Clarksburg? Also see quest. #14
4. Why have no capacity studies been done on the alternatives (work and housing trips) which are critical in ascertaining the best choice? (Also, daily capacity?)^x
5. Why has the 40,000 community of Mont. Village been excluded from access to Corridor Cities Transit? You say it is included in the calculations, but in a non-cognizable way?? New stops are being added all the time for developers' projects like the King Farm; again, why are we being excluded?!! Ridership capacity is estimated to be from 3,300 to 14,400 per hour from previous studies! **
6. Why is volume of churches noted as a reason why #10 Alternative, for example, is not recommended while schools are not when medical evidence you were given shows proximity of schools to major highways are damaging to young children?
7. Why have you inserted non right-of-way, out-sized medians onto roads like Brink-Wightman (16'), and Watkins Mill Rd. (16-28') when both have a right-of-way of 80' long dedicated, when this will clearly take private property (when the Master Plan for these roads will not) and this clearly distorts your data on residential and other impacts which you have in your respective tables?
8. You speak of a bike path on the East of Mont. Village Ave. in several plans yet there is a "significant Hazard" dam in the middle of this area (Village Ave. IS the dam)? How can this be safely done?

MORE

*a secret so-called "straw vote" is not a legitimate vote

** And Gov. O'Malley requested \$80 million for it this Jan.

*** See G. A. S. P. study, Section ① Enc. B

Questions and Comments on M-83

Jane Ann S. Wilder

- 9. Why do you expect accident rates on 355 to be improved when the principal draw on 355 is the strip mall retail character of the road (i. e., driving in and out of retail outlets is a key function of the road and vital to merchants) ?
- 10. Why have you not considered an over-pass at the intersection of Mont. Village Ave. and 355 which was elaborately studied in the late 80's and 90's and would clearly improve safety at this most dangerous intersection on 355?
- 11. Why are frivolous, self-serving reasons being used to exclude alternatives like #10? For example, Mr. Johnson, Chief Engineer doesn't like it because it enters Shady Grove Rd. to access Metro less than 1/2 mile further away than Mid-County? This says "they want the Master Plan route because they want the Master Plan Route" -- We deserve better than this.
- 12. Why were not key areas like schools, churches, streams, lakes, even communities like Mont. Village overlaid on the maps distributed to the public in Dec.? How can anyone make a intelligent decision of impacts without this key information? Dayspring Church Silent Retreat in Germantown doesn't even appear on a more specific map we had requested (this takes in over 200 acres)?? Does this amount to religious discrimination as other churches on Wightman Rd. and Muncaster Mill Rd., etc. are named on this map and even given as a reason #10 would not be a desirable alternative?!!
- 13. The Purpose and need study discusses intersection performance in many areas in the so-called study area, many of which they call "failed". However no studies whatsoever are made of the 5+ NEW INTERSECTIONS to be created with M-83. These studies were done when the road was introduced in the mid and late 80's and showed failed service on both M-83 and Mont. Village Ave., and M-83 and Watkins Mill Rd. intersections and this was with far less development in 1988 and no new planned Interchange at 270 and Watkins Mill Rd. Why are similar studies not being done now and what is the point of exchanging one failed intersection for another, particularly at key areas like Mont. Village Ave., and Watkins Mill Rd. less than 400' feet from Watkins Mill Elementary School? At the same time cutting out the last pristine area of old growth forest and wetlands in the area for the trouble?!! These "planners" should be required to do these studies before the public is asked to make any decisions on "alternatives".
- 14. The U. S. Army Corps of Engineers Transportation Program Manager, Paul Wettlauffer wrote a letter to DPWT on Oct. 24, 2005 which noted the Purpose and Need study they had done was "inadequate" and instructing them how it should be done to conform to NEPA (National Environmental Policy Act) requirements. He stressed that areas outside the study area or "even alternatives which are outside the capability of the project proponent to construct (e.g., the Corridor Cities Transitway) must, nevertheless, be evaluated if they could potentially satisfy the need". (And by extension this would also include Great Seneca Highway, widening 270 north, etc.) YET, when such expansion of the study was asked by Montgomery Village Foundation President Keith Silliman in his letter of March 6, 2007 to Aruna Miller, Facility Planning Manager for DPWT she refused to expand the study saying "Great Seneca Highway currently provides congestion relief for the traffic west of I-270" (although two extra lanes are planned for Great Seneca which could service north-south for the entire area). Furthermore, in the letter from the Corps in March 1989 when the County first tried to push through this project -- and failed -- Chief of the Regulatory Branch, Donald W. Roeseke, stated: "The Identification of a roadway alignment in a master plan adopted prior to wetland protection laws, does not create an exemption from 404(b)1 compliance". Meanwhile, DPWT was still withholding the Purpose & Need study from the public (approved in Jan.07). How can DPWT defiantly ignore the requirements of a Federal Agency and NEPA in order to push their project?!!

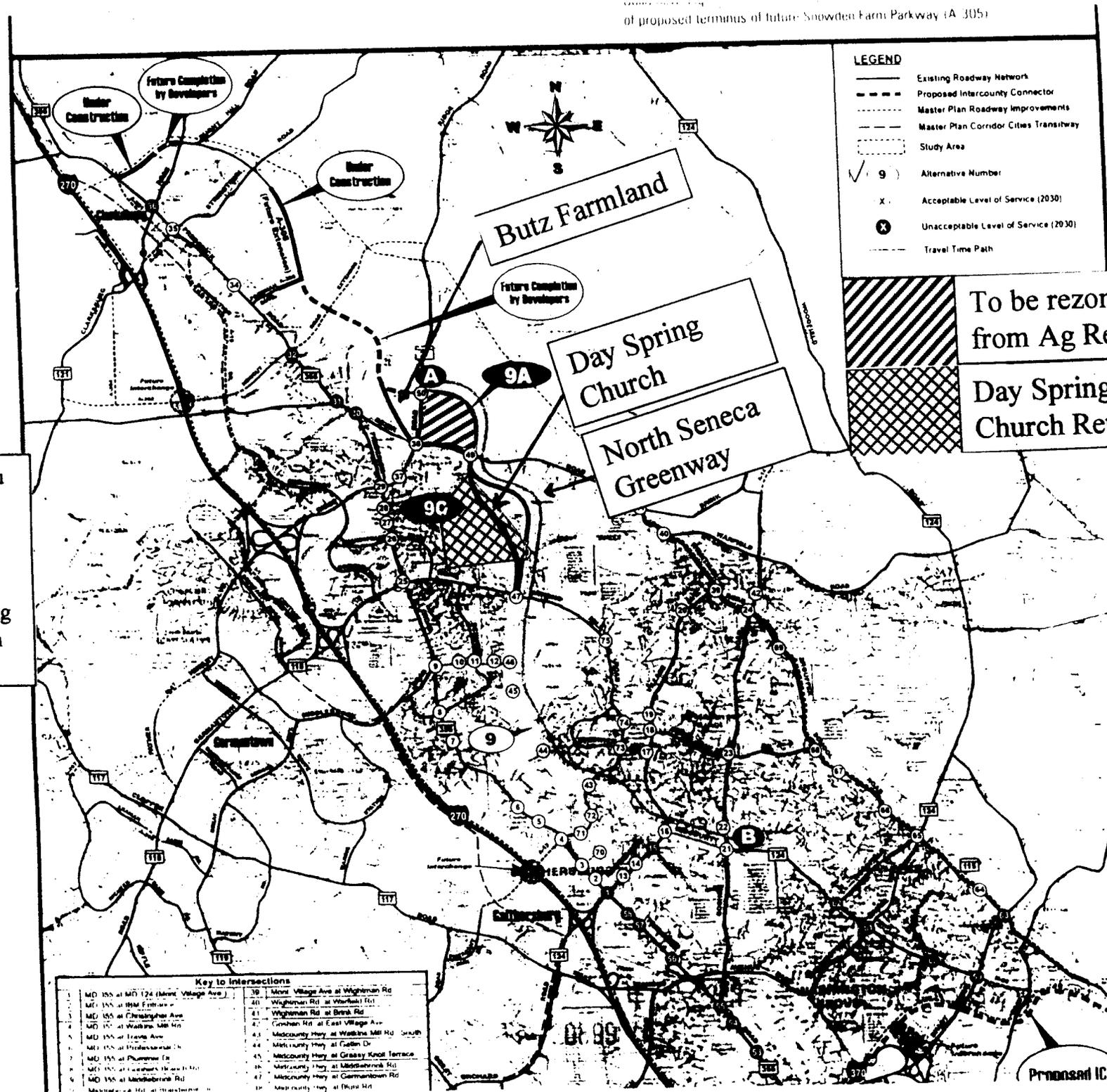
Questions and Comments on M-83

Jane Ann S. Wilder

15. The Alternatives 11-9-8-7-6 Option A's all unprecedentedly take out, "re-zone" 130 acres of the vaunted Agricultural Reserve (not violated for over 30 years) at the northern terminus according to two Master Plans (Germantown and Clarksburg) if these alignments are approved (see Enc. map) as well as destroy Class III Wildcat Branch/Stream. These Alternatives plus Option C at the lower loop take out part of Dayspring Church Silent Retreat and the upper Option C loop (between Brink and Ridge Roads) takes out farmland owned by Theodore Butz (according to Mr. Hwang's records). Ironically, although Alt. #6 is generally bad, the one good thing, Option 6 B which will cause less environmental damage in this area*was deleted by DPWT even after the maps were released in Dec. and without any general public input as in the Jan. 15 forum in Mont. Village. The reason "most impact to residential properties": It seems homes in the area of Brink Road have their own category of "special protection".
16. Wildcat Branch, a rare Class III reproducing trout stream, the highest quality stream in the State, will be destroyed with Alternatives 11-9-8-7-and 6 Option A's as noted above. The Fish and Wildlife Service (Dept. of the Interior) is supposed to be a "reviewing"agency according to the Purpose and Need Study, and indeed was a fully involved participating agency in the late 80's permit process (recommending against the road, by the way, as did all the other regulatory agencies). Why are they not involved now and why did a Senior Program Supervisor in Annapolis who we worked with in 1988 etc. know nothing about Wildcat Branch now being designated a Class III stream (1993) and that the M-83 project was being studied again?
17. In my Freedom of Information Act request letter of Jan. 28, 2008 I requested a copy of the RFP (Request for Proposal) to consultants (particularly RK & K who got the contract for the current Mid County Corridor Study). I was told there was none by Mr. Hwang. Is this an approximately \$1 1/2 million un-bid contract?!! He said on March 7, 2008 he would give me a written explanation next week.
- Also I would like to know if the same contractor or contractors can bid on or do "sans bids" the design and construction contracts if they are ever approved?
18. The "Maryland Streamlined Environmental and Regulatory Process for Transportation Projects" is mentioned in the Concurrence Form to be signed by Regulators: What is this? Is it similar to the process worked out between Pres. George W. Bush and Gov. Erlich to expedite the ICC? Why was this process never explained to the public?
19. How can the public reasonably choose alternatives to be "retained" for further study when no cost figures are available, particularly when all these exaggerated medians and options are in play which will take millions more in land acquisition costs? Is money no object here?!

*According to note at foot of map ""least impact to streams and Special Protection Areas"

See MAP (FINAL PAGE)



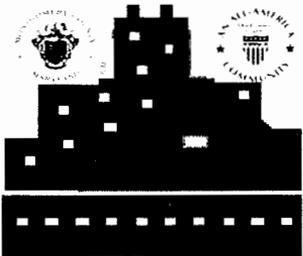
Every time you see this 9A buldge as in 11A, 8A, 7A, and 6A this is 130 acres of Ag Reserve which will be lost.

Key to Intersections

1. MD 155 at MD 124 (Monte Village Ave.)	39. Monte Village Ave at Wigham Rd
2. MD 155 at 18th Entrance	40. Wigham Rd at Wigham Rd
3. MD 155 at Chesapeake Ave	41. Wigham Rd at Brink Rd
4. MD 155 at Watkins Mill Rd	42. Goshen Rd at East Village Ave
5. MD 155 at Trapp Ave	43. Midcounty Hwy at Watkins Mill Rd South
6. MD 155 at Middlebrook Rd	44. Midcounty Hwy at Fatten Dr
7. MD 155 at Plumtree Ln	45. Midcounty Hwy at Grassy Knot Terrace
8. MD 155 at Leesbrook Rd	46. Midcounty Hwy at Middlebrook Rd
9. MD 155 at Middlebrook Rd	47. Midcounty Hwy at Germantown Rd
	48. Midcounty Hwy at Blue Rd

3

-30-
(LAST PAGE)



THE PLAN AHEAD

Isiah Leggett, Montgomery County Executive

Midcounty Corridor Study

Public Information
Workshop

December 12, 2007

*"Closest hand out" see page 3 →
except (before zero!)*

December 12, 2007

Arthur Holmes, Jr.,
Director, Department of
Public Works &
Transportation

Division of Capital
Development
101 Monroe Street,
9th Floor

Rockville, MD 20850

Phone: 240-777-7223

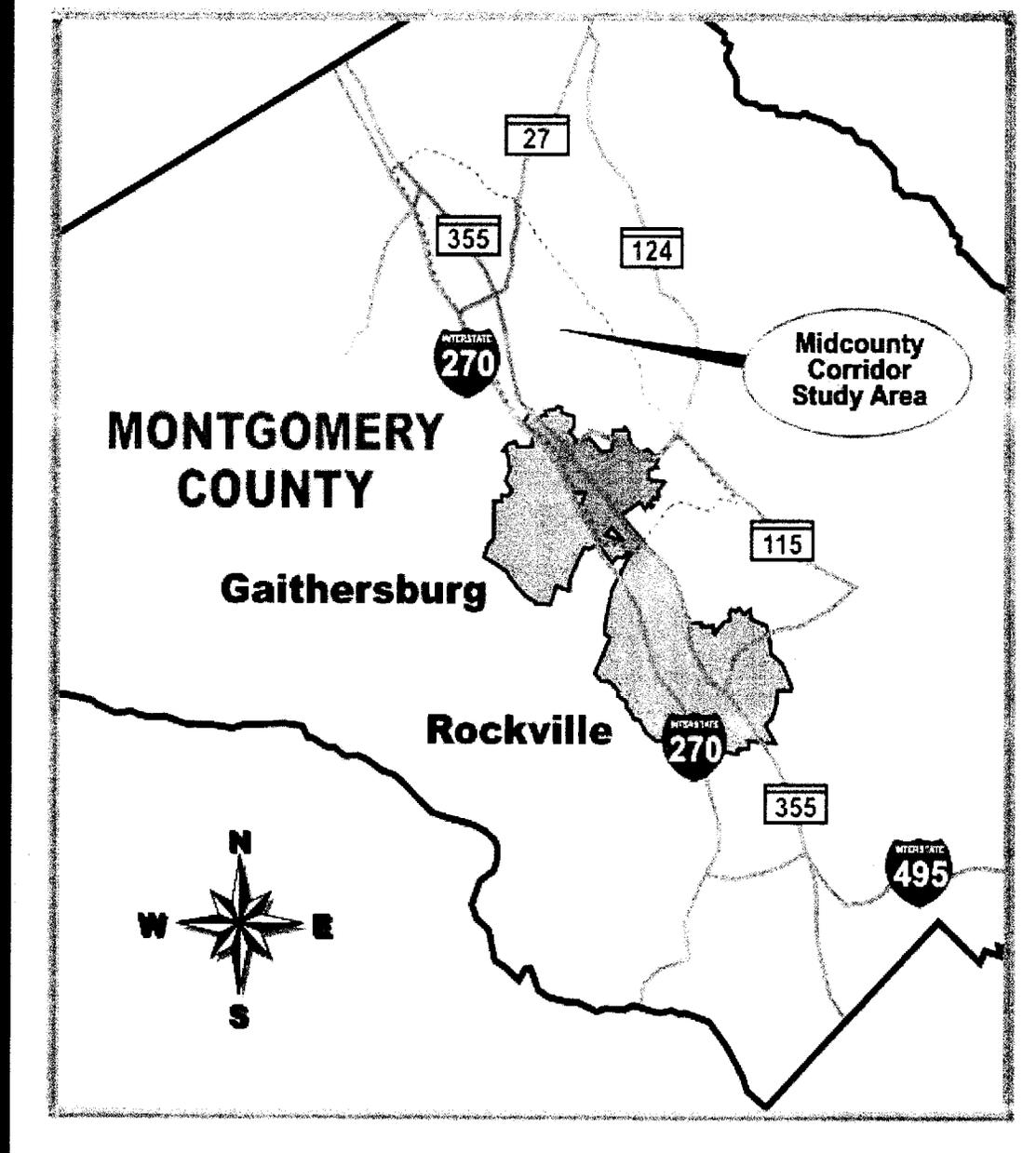
Welcome to the
Midcounty Corridor Study
Public Workshop

Fax: 240-777-7277

George Johnston, P.E.

Division Chief

MONITORING



Project Manager:

Greg Hwang

Phone: 240-777-7279

greg.hwang@montgomerycountymd.gov

www.montgomerycountymd.gov/midcountycorridorstudy

Midcounty Corridor Study

Project History

1960's Midcounty Highway (M-83) Incorporated as Part of Montgomery County's Transportation Master Plan

1990's Completed Preliminary Planning Study

*10 square foot
study
study
study*

Early 2004 Began Midcounty Highway (M-83) Phase I Facility Planning

Nov. 2004 Public Workshop Presented Purpose & Need and Environmental Site Assessment of Master Plan Alignment

*Public Workshop
was held in
November 2004*

Dec. 2004-Oct. 2005 DPWT Coordinated Revised Purpose & Need and NEPA Process with Environmental Agencies

Early 2007

Environmental Agencies Concurred with Revised Purpose & Need

Public could not review until April 2007

Dec. 2006-July 2007 ..

Study Team Developed and Analyzed Preliminary Alternatives

December 12, 2007 ..

Public Workshop to Present Preliminary Alternatives and Seek Public Input

Immediate Next Steps ..

Determine Alternatives Retained for Detailed Study (ARDS)
Seek Concurrence from DPWT Director/Planning Board/County Council/Environmental Agencies on ARDS

Project Website:

<http://www.montgomerycountymd.gov/midcountycorridorstudy>

Midcounty Corridor Study

Study Process and Schedule

**Develop & Evaluate
Preliminary Alternatives**

Fall 2007

Public Workshop



**Concurrence on Alternatives
Retained for Detailed Study
(ARDS)**

Summer 2008

**Prepare Draft
Environmental Document**

Spring 2009

Public Hearing

Identify Selected Alternative

Fall 2009

Prepare Final Environmental Document

Spring 2010

County Council Review

Summer 2010

**County Executive &
Montgomery County Council
Makes Decision on
Phase I Study**

Public input is welcomed at anytime

Project Website:

<http://www.montgomerycountymd.gov/midcountycorridorstudy>

Midcounty Corridor Study

Stay Informed and Contribute to the Study

Public input is the key to an effective planning process.

DPWT encourages you to stay involved regularly and provide input. There are many ways you can do this:

- **Contact the Project Manager, Greg Hwang, DPWT,**

Phone: (240) 777-7279

Email: greg.hwang@montgomerycountymd.gov

- **Visit the Project Website for Regular Updates:**
<http://www.montgomerycountymd.gov/midcountycorridorstudy>
- **Attend Public Workshops/Meetings**
- **Submit Pre-Paid Postage Comment Form**

Project Website:

<http://www.montgomerycountymd.gov/midcountycorridorstudy>



MONTGOMERY COUNTY PLANNING DEPARTMENT
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

March 7, 2008

Mr. Greg Hwang
Midcounty Corridor Study Project Manager
Division of Capital Development
Montgomery County Department
of Public Works and Transportation
101 Monroe Street, 9th Floor
Rockville, Maryland 20850

Dear Mr. Hwang:

Thank you for meeting with us regarding the Midcounty Highway (M-83) study on February 20. It was very helpful for us to understand the DPWT position regarding your initial recommendations on the Alternatives Retained for Detailed Study (ARDS). As discussed with you in the meeting, M-NCPPC staff provides the following comments on your preliminary analysis of the ARDS as summarized in the presentation materials used in the January 15, 2008 Montgomery Village Foundation meeting.

1. **Alternative 5, MD 355** - It is our understanding that your preliminary analysis includes limited roadway improvements between selected intersections within the current Master Plan recommended right-of-way. With limited roadway improvements, the preliminary analysis concludes that this Alternative would not meet the Purpose and Need (P&N) requirements, primarily because it does not provide sufficient access control or safety improvements. We recommend that the DPWT redefine this Alternative so that it can be found to meet the P&N requirements. The possible improvements to be considered may include parallel service roads along MD 355, consolidating access points to commercial/residential developments, grade-separation at limited intersections, and other feasible safety improvements. We think that it is important for both the public and decision-makers to understand what the impacts, costs, and master plan implications would be of fulfilling the Purpose and Need in the MD 355 corridor, just as the study will examine the same issues in the Brink/Wightman Road corridor. We are ready to assist you by providing information about the status of various properties that are being evaluated for long-term redevelopment potential in the master plan so that the improvements you develop conform as much as possible to the objectives of the master plan. In any case, we want an alternative that can fulfill the purpose and need, but is not so expansive that its impacts could not be incorporated within a potential new master plan vision. We therefore recommend a redefined Alternative 5 be considered for the ARDS as this Alternative has potential to accommodate planned growth while minimizing environmental impacts. We understand that the US Army Corps of Engineers has also recommended this Alternative be retained for similar reasons. While such a refined alternative was described as too costly during the presentation, that determination can only be made by first identifying proposed improvements and then comparing those costs to the costs of the other ARDS.

2. **Alternative 2, TSM/TDM** – It is our understanding that specific travel demand management (TDM) measures were not explicitly modeled in travel demand forecasts and hence could not be explicitly evaluated as part of Alternative 2. We recommend that TDM elements be considered in revised traffic forecasts for all ARDS and that this alternative be combined with each of the other alternatives. Decisions regarding any build alternative should incorporate all reasonable measures to reduce vehicular travel demand.
3. **Bikeway/Trail Connection** – Any alternatives to remove Midcounty Highway from its current master planned location must provide a Class I bikeway to allow completion of the Germantown Bicycle Beltway. The Germantown Bicycle Beltway is a major connection between hard surface trails either existing or planned in the upcounty area and we need to ensure we have a full Germantown Bicycle Beltway if the master planned Midcounty Highway is not selected. This facility could be provided along MD 355, through the neighborhood streets between MD 355 and Great Seneca Park or along the master plan alignment through the park.

A you know, we are in the process of updating the 1989 Germantown Master Plan for the core areas of Germantown. The currently master planned alignment for Midcounty Highway is outside of our master plan boundary but the facility is assumed in our transportation analyses. The new Germantown Master Plan is expected to be approved by the County Council in early 2009 which is ahead of the Midcounty Corridor Study schedule. We want the Master Plan to include a realistic picture of the potential for changes to MD 355 that could affect development along the road. The Germantown Master Plan should continue to be coordinated with the Midcounty Corridor Study as it relates to the MD 355 Alternative. We look forward to considering means by which the Germantown Plan can preserve options for possible additional right-of-way along MD 355 while your study is being completed.

As discussed in our meeting, we invite your team to brief the Planning Board on the status of the Midcounty Corridor Study in the near future. We thank you for providing us this opportunity to comment on the preliminary alternatives analysis and look forward to continuing to work with you during the next study phase.

Sincerely,



Dan Hardy, Acting Chief
Transportation Planning

DaVia, Joseph NAB02

From: Gale & Barbara Quist [twoquists@verizon.net]
Sent: Thursday, March 06, 2008 9:02 AM
To: Gwo-Ruey (Greg) Hwang
Cc: DaVia, Joseph NAB02; pcervova@mde.state.md.us; Jim Hall; Margaret Schoap
Subject: Dayspring History

Attachments: History of Dayspring Farm.rtf



History of
Dayspring Farm.rtf ..

Dear Mr. Hwang:

I am enclosing a document which outlines the history of Dayspring farm, to assist you in consideration of alternative routes for M-83. We should have done this long ago, but all this rich history is so engrained in us, it had not occurred to us to share it. I'm sure you will find this information fascinating, and I hope it is also helpful to your process.

Sincerely,
Gale Quist
Caregiver, Dayspring Church

A Brief History of The Church of the Saviour's Dayspring Farm

The 206 acre farm in Germantown, Maryland, owned since 1953 by The Church of the Saviour, and known as Dayspring, has had a long and rich history. This is a brief overview of some of the known activities on the land, from prehistory to the present.

It is generally known that this region was used for some thousands of years as a hunting ground by various native peoples, particularly the Seneca from what is now New York state. Archeologists preparing for construction of the adjoining Seneca Crossing development, and Dr. Sally K. Ride Elementary School, identified an ancient stone tool manufacturing site at the headwaters of Dayspring Creek, just northeast of Dayspring. The quartzite, or "white flint" points and flakes found occasionally on Dayspring are examples of the tools manufactured on that site.

In more recent times, the farm belonged to Horace Waters, an early settler in the Germantown vicinity. The farmhouse now located on Dayspring was built in about 1920 by Zachariah Thomas Briggs, on the former site of Horace Waters' house. It has been described in a report prepared in January, 1984 for the Montgomery County Historic Preservation Commission as follows: "It is a twentieth century Colonial Revival style house. It is a three bay by two bay structure with one over one windows. A porch supported by large rounded columns resting on concrete pedestals, runs the length of the facade. The house has a hipped roof, with a single hipped roof dormer.* These features are typical of Colonial Revival or "Four-Square" houses built during the early part of the twentieth century." The Commission also noted that "it was somewhat unusual to find a house of this style in a rural rather than an urban setting." The house is not currently listed in the atlas of historic resources. (* Note: there are actually two hipped roof dormers, front and rear.)

Near the farmhouse, across what is now an athletic field, and in the vicinity of the current picnic area bathhouse, there once stood a small log cabin, of which nothing remains. Also, in the 1970's, a small, two story cottage was built across the porch from the farmhouse to provide additional residential space.

In the years since this farmhouse has been under the church's care, it has served

as a residence for caretakers and pastors, as offices for the missions here, as a worship space, for countless meetings and celebrations, and as classroom for our School of Christian Living. It has also served as kitchen and dining room supporting many work days and other events on the farm, and a place for our many missions in Washington, D.C. to spend a quiet day away from the city.

A bank barn, thought to be of nineteenth century construction, was located nearby the farmhouse, and was burned by arsonists in 1973. Only the stone foundation of the barn remains today. Next to the old barn, there is a cement block building once part of a larger equipment shop and hay barn. The hay barn was burned by arsonists in 1983, and only the block building (24 x 30 feet) remains. It was used for some years as a farm market, and is currently a workshop. In addition, near the farmhouse are two small outbuildings: a single garage and a wood shed.

Another group of buildings which predate Church of the Saviour acquisition of Dayspring are located on the northeast corner of the property. One is a small house which is now collapsing in ruin. It is a primitive frame structure, about 11 by 16 feet, with a single room downstairs, and another single room up a steep and narrow open stairway, with a ceiling too low to allow an adult to stand erect. The house had a block chimney for a stove. Near the house is a tin roof shed 14 x 16 feet which appears for utility use, but could have also been a primitive residence. Finally, there was a single outhouse behind the first house. The Germantown Historical Society has documented that Horace Waters owned slaves, so one might speculate whether these structures housed those slaves, though the construction appears to be of later origin.

The first building constructed after purchase of the farm by Church of the Saviour was a retreat lodge, called the Lodge of the Carpenter. Construction was begun by church member volunteers in 1954, and completed in 1956. The Lodge is a single story building, 53 by 28 feet (and a 5 x 17 foot bump-out in the meeting room), with a flat, sloping roof. The design, attributed to Earl Disque of the National Park Service, though contemporary when new, remains attractive and functional today. The interior features many large windows with beautiful views of the farm and forest, exposed roof beams and T&G 2x6 roof boards, and knotty pine paneling throughout, all with natural wood finish. The back wall of the meeting room, called the Yoke Room, is flemish bond red brick construction, with a large fireplace. Numerous pieces of original art grace the interior, including a bas relief by Katherine Pitchford in the entry foyer depicting in nine panels, scenes in the

life of Jesus. In the Yoke room are a head of Jesus carrying the cross, hewn by John Levering from a large mahogany log, and a sketch by Robert Natkin of a Jewish head of Christ. Over the fireplace hangs a bronze and steel cross by Jimilu Mason, a famed artist and early member of the church.

Retreatants almost universally report, whether coming for the first time or returning after many visits, that they sense God's spirit as they enter the farm, and especially when in the Lodge of the Carpenter, they sense the presence of countless hours of prayer and meditation, seemingly "soaked right into the woodwork".

Elizabeth O'Connor, an early and beloved member of Church of the Saviour, wrote in her book *Call to Commitment* (Harper and Row, 1963), after describing the dedication service for the Lodge:

In silence we left the Lodge and the retreat area, which had also been dedicated. Since that time, whenever we have passed through the gate into this area, we have been conscious that it is land set aside for an especial use. No matter what activity may be taking place elsewhere on the farm, here in this portion of it solitude and silence can be found. Here a person's aloneness with God is respected and protected.

On the day of dedication we began our instruction in the nature of retreat. The Lodge of the Carpenter has never been used for planning conferences (*i.e. talking*). Some of our teachers in those days were John Casteel, through his writings, and Douglas Steere, through his book *Time To Spare*. John Casteel later led a retreat for our potential retreat leaders and Douglas Steere came to help us plan at a crucial point in our development of the retreat area.

In the summer of 1956, Ian Cramb, who was the chief stonemason of the Iona Community in Scotland, visited Dayspring for a few weeks. Among other projects during his visit, he built an arching stone bridge over one of Dayspring's small brooks. In 1957 it was decided that the church would hold a "Festival of Faith", and to accommodate the festival, volunteers undertook the construction of an amphitheater in the woods. It consists of a large stage platform, and rows of wood benches aligned up a slope. A simple brick and stone skirt in front of the stage, inspired by Ian Cramb's work, corrects an appearance of crookedness caused by the juxtaposition of level platform and sloping ground. Over the years, besides many festivals; weddings, dramatic presentations, seminars, and other

events have utilized this beautiful amphitheater, and the stone bridge provides a path to its site.

At about the same time, a baseball field and paved basketball court were carved into the sloping meadow beside the farmhouse. Soon a camp area was established, with tent platforms, a picnic pavilion with a kitchen, and a bathhouse. Ecumenical camps were offered for collegians, junior high camps, family camps, and camps for children from depressed areas of Washington, D.C. These offerings have continued up to the present.

In 1961-62, a residential Inn was added to the retreat Lodge, to provide overnight accommodations. It is a single story building of red brick construction, offering 18 rooms, each complete with bed, desk, chair, and sink, in the manner of a monastic "cell". There are two wings - "Matthew" and "Mark", connected by glass corridors to a central area for bathrooms, utilities, and storage.

In 1961 the first farm manager, Tom Hubers, built a residence on the southwest corner of the property, known as The Gatehouse. It is of a cape cod style, two story frame and brick, with a full basement. It has housed several of Dayspring's mission staff.

In 1968 a new residence called Overlook was built on Dayspring, to house the farm manager. It is of a traditional ranch style, with a finished full basement. In 1971 a unique double A-Frame home called Woodside was constructed on the north edge of the property by members of the church who wanted to live on Dayspring. On an adjoining lot, in 1972, a split-foyer house known as Rehoboth, with a finished full basement including a canning kitchen was constructed by another church family. This last house is currently privately owned on a one acre lot.

Also in the 1960's, three irrigation ponds were constructed to support agricultural activities, as well as enhance the environment for retreat visitors and wildlife. The largest is called "The Lake of the Saints"; one in the Retreat area is named Merton Pond, after the well known monk and mystic, Thomas Merton; and the third is informally named after long-time Dayspring member and resident Alice Fenn. There have been many baptisms conducted in the Lake of the Saints, and others in Dayspring Creek. This is another way in which the life of this church is deeply immersed in the land here, and born out of it.

In the 1960's, Don McClanen, who had founded the Fellowship of Christian

Athletes, came to Dayspring and took over management of the farm. During his tenure, a sod operation was undertaken, providing turf grass to many regional projects, including the new Kennedy Stadium in D.C. After the riots in Washington D.C. in 1968, Don founded the Washington Lift mission group, and young men from the city were brought to Dayspring to stay in the camp and experience the healing and nurture which is so unique to this place. In 1973 Don sensed a call to a new mission, and formed the Wellspring Mission Group. A conference center called Wellspring was constructed. The Center is intriguingly designed as an assembly of multiple triangles. The main room is a polyhedron with a triangle base, and three equal triangle roofs with a common vertex. There is a three sided skylight at the top, and vertical glass walls at the base of all three sides. At two corners of that meeting room are triangular additions providing offices, kitchen, restrooms, and a handicap accessible suite. A triangular covered entry patio completes the theme. Supporting the Center are three cabins and a director's residence. These are all simple frame construction, with rooms at three levels (a single story section connects up and down stairs to a two story section). The cabins are called Siloam, Bethsaida, and Jacob's Well. The Wellspring Center is used by many area churches, organizations, and county agencies for meetings and retreats.

In 1977 an additional residence was constructed for the Retreat Director. It is a wood frame house with a contemporary "split-ridge" roof, and many windows on its south side for daylighting and solar heat gain. The garage, once the studio of resident potter Bud Wilkinson, has been converted into a bedroom and office suite. It has a partially finished full basement.

In 1984, a large farm equipment storage and maintenance shed was constructed in a central area of the farm fields. It is simple frame construction, with high roof, skylights, three sliding vehicle doors and two personnel doors. It was covered with metal siding in 2005.

During 2005-06, two new staff cottages were constructed near the old barn and market building. They feature "green building" design, passive and active solar utilization, superinsulation, local building materials, and many other energy conserving techniques. They are part of a planned "Earth Ministry Homestead", the home of a teaching ministry joining faith and ecology.

During 2006 and 2007, a number of energy conservation improvements were made to some of Dayspring's buildings. The Wellspring Center got new efficient heat pumps to replace old electric heating, and extensive draft stopping and roof

insulation. The farmhouse received complete draft stopping and wall and ceiling insulation, and a new, more efficient heating/cooling system. The Retreat Lodge and Inn were both insulated and draft sealed, and the Lodge HVAC system had been replaced by a high-efficiency model just a few years earlier.

Over the 55 years of Dayspring's existence as a spiritual center, every square foot of the land has provided inspiration, solace, rest, and quiet for all who have come here. Paths through the woods and the meadows provide for quiet walking; benches, rocks, and logs provide for meditative sitting. Several notable outdoor sculptures provide inspiration, including a large two piece steel work by Frederick Franck titled "Hiroshima". There is probably not a tree or rock or blade of grass; pond or building or piece of artwork, that has not provided special inspiration to a visitor over the years. Every inch of Dayspring is sacred to those who have come here, and continue to come. Again quoting Elizabeth O'Connor from *Call to Commitment*:

We make attempts to be objective about many phases of our church's life, knowing full well that we do not wholly succeed. But when it comes to Dayspring, we do not even try.

We love all her ways: the woods, the fields, the trails, quiet spots and spacious stretches, the lessons we have learned there, the stillborn dreams we have had for this place as well as those that have found root in her soil. We even find the seasons different here, for summer and winter and spring and fall touch this land in a lavish, spendthrift way, or so it seems to those of us who grew up in cities of concrete.

Have you ever watched a man pause to look at the property he owns and noted that something happens between him and the land he calls "my land?" It yields to him its secret and he yields to it his secret and one knows that they are mysteriously bound. We are like that about Dayspring. It has made contemplatives of us all, even those who take a dim view of the mystical life.

Over a two year period after the property was purchased in 1953, hundreds of trees were planted in Arbor Day ceremonies, following a design planned by Earl Disque of the National Park Service, and landscape architect at the National Botanic Garden. A small orchard and vineyard were established. Many trees, shrubs, flowers, and grasses have been planted around the property over all the years following, to continuously enhance the natural beauty of the land, and to screen sensitive areas from roads and housing developments around Dayspring's edges. Ten seedlings of Maryland's famed Wye oak were planted in the '90's, of

which eight healthy white oak trees are maturing healthfully.

Since the Church of the Saviour purchased Dayspring in 1953, it has always had an agricultural component to complement its spiritual and recreational aspects. The first crop, planted by city folk with no farming experience, was a field of wheat which yielded \$400, establishing a pattern of financial support to Dayspring's missions. As mentioned earlier, Don McClanen established a successful sod operation, also with no previous farm experience. Robert True, who had come from the well known Koinonia Farm in Americus, Georgia, began a produce growing operation which ran from the mid-70's to the mid-80's. In 1984, the last year of produce farming, a group of Salvadoran refugees came to live on the farm. They worked as laborers part time, and were given English language, culture, and job placement assistance by the newly formed Amigos Juntos mission group. Some of these refugees were able to obtain green cards, and ultimately U.S. citizenship, as a result of their time at Dayspring. For a few years in the early 1990's the fields were certified for organic production, and a small Community Supported Agriculture operation was managed by Michael McClanen, Don's son who had grown up on the farm. Since 1997, the fields have been enrolled in a USDA Conservation Reserve Program (CRP) and managed for native plants and wildlife habitat. Mr. Rob Gibbs, natural resources manager for the Montgomery County Department of Parks, has observed that Dayspring's CRP fields are among the best old field habitat for grassland nesting birds remaining in the County.

At a number of locations around Dayspring, and especially on the hill above the Lake of the Saints, members of the Church of the Saviour have made memorials to departed loved ones. There are trees, benches, plaques, a large rough stone into which the words for "peace" in many languages have been chiseled, and other more subtle memorials to these departed saints of the community. Numerous pets, our non-human family members, are also remembered at special locations on the farm. The families whose loved ones are thus memorialized here take great solace in knowing their mothers and fathers, their sons and daughters, their brothers and sisters and dearest friends, are eternally remembered in this most sacred place.

Recognizing this rich history, Montgomery County planners stated in the 1968 Germantown Master Plan: "The Church of the Saviour's 'Dayspring Retreat Farm', the largest privately owned institutional facility in Germantown, *merits special attention . . . because of the unique value of Dayspring as a major retreat center and of its significance as part of the Germantown greenbelt . . .*" (Emphasis added)

JUL 08 2013

George and Patricia Aubin

21000 Brink Court

Gaithersburg MD 20882

July 3, 2013

301-869-1462

Mr. John Dinne

US Army Corps of Engineers

John.j.dinne@usace.army.mil

Mr. Sean McKewen

Maryland Department of the Environment

Sean.mckewen@maryland.gov

Dear Messrs. Dinne and McKewen:

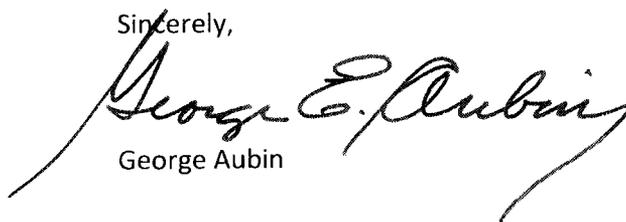
I am 91 years old and have lived in our home on Brink Court for xx years. I would very much like to testify at the August 7, 2013, hearing on transportation options. However, it would be impossible for me to stand in line in order to register to testify and then wait until I would be able to testify. Late night testifying would also be difficult, if not impossible, for me.

I have done everything Montgomery County has ever asked me to do. I have done whatever the USA has asked of me, including serving in World War II.

I would appreciate it if you would assign me a time to testify, and I will be there on time. I will also respect the three minute time limit for my comments.

Please let me know how you would like to help me. Thank you very much.

Sincerely,



George Aubin



Gaithersburg
A CHARACTER COUNTS! CITY

July 17, 2013

Mr. Jack Dinne, CENAB-OP-RMN
U.S. Army Corps of Engineers
Baltimore District
P.O. Box 1715
Baltimore, Maryland 21203-1715

Mr. Sean McKewen
Maryland Department of the Environment
Wetlands and Waterways Program
160 South Water Street
Frostburg, Maryland, 21532

Dear Sirs

The City of Gaithersburg would like to take this opportunity to comment on the Midcounty Corridor Study (MCS) released for public hearing. The City has long been involved with this project as a stakeholder and offers the following:

General Comments:

The City acknowledges the need for regional transportation alternatives to serve a growing population in this region. The MCS defines the "Project Need". Prior to comments related to specific Alternatives, the City offers the following related to the "Project Need":

Reduce existing and future congestion.

The document discusses the congestion on I-270 as a detriment to future economic growth; however, no data is provided to show how the various alternatives will impact I-270. While analysis of the alternatives is shown regarding congestion reductions on MD 355, the City would recommend that as part of any final environmental impact study (FEIS) modeling be restudied using current data. Based upon recent traffic counts initiated by the City, it appears that east/west traffic has been reduced significantly since 2011: Much of the data used in the MCS may no longer be accurate or reflect changing dynamics. Further, the study states MWCOG Regional Forecast Round 8.0 was used in the modeling. It is to be noted the current round is 8.2 with 8.3 to begin Fall 2013 and 9.0, Fall 2014. Lastly, the City supports the inclusion of a rapid transit vehicle (RTV) system as proposed in the County Executive's "Transit Task Force Report" and how such a system impacts the need for any expansion of M-83, Midcounty Highway as part of this study. While it is stated that the potential RTV system was not included because it is not funded or in the CLRP, continued references to an unplanned/unfunded possible connection to the ICC are made as a benefit to specific alternatives. This is not consistent.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • cityhall@gaitthersburgmd.gov •
www.gaithersburgmd.gov

MAYOR
Sidney A. Katz

COUNCIL MEMBERS
Jud Ashman
Cathy C. Drzyzgula
Henry F. Marraffa, Jr.
Michael A. Sesma
Ryan Spiegel

CITY MANAGER
Tony Tomasello

Improve vehicular safety.

The City questions the improvement to vehicular safety stated because the majority of conflict points, i.e. curb cuts on MD 355 remain regardless of alternative selected and further, as shown in the study, the City of Gaithersburg accident rates will be relatively unaffected regardless of alternative selected.

Enhance the efficiency of the roadway network and improve the connections between economic centers.

The City has concerns regarding the claimed improvements to the roadway network. Some of the alternatives proposed may divert traffic to City streets not currently impacted. The economic centers discussed include the Life Sciences Center and businesses such as MedImmune-both well outside of the study area. Further, the City questions the proposed benefits of the “ladder configuration” discussed. It does not seem efficient that a driver would exit a congested I-270 to drive past MD 355 to join M-83, especially if the intended destination is anywhere but the Shady Grove Metro area. As to efficiency, the City notes that the travel time savings along MD 355 illustrated in Figure 3-12 at best equates to ± 8 minutes northbound (Alternative 8) and ± 10 minutes southbound (Alternative 9) during the peak hour; however, this savings is over an approximately 5 mile span and potentially unnoticeable by a driver not traversing the full 5 mile route. The City again questions the overall impacts of the alternatives for such a relatively small savings in drive time.

Accommodate planned land use and future growth.

For the City of Gaithersburg, many of the proposed alternatives conflict with City goals and Master Plan recommendations including not facilitating RTV on Frederick Avenue, losing passive open space, and potentially impacting current and future commercial properties and growth along Frederick Avenue. The study in fact states Alternative 5 would have the greatest potential for long-term indirect effects on businesses through changes in access attributable to the closure of existing entrances and the construction of service roads.

Provide bicycle and pedestrian connections.

The City’s adopted 2009 Transportation Element identifies the deficiencies of the MD 355 bicycle/pedestrian facilities. The City believes none of the alternatives proposed address these issues. The bicycle/pedestrian facilities proposed would have little benefit to the City as it relates to MD 355 or connectivity for activity nodes within the City.

Improve the quality of life.

The City has no comments regarding Homeland Security issues. As to improving quality of life, the study presented states this is accomplished through reduced commuting times and offering safer alternatives to congested local roads; however, as shown previously the City questions whether these claims are valid as it relates within our incorporated limits. While the quality of life may improve for Clarksburg and Germantown-at what cost to Gaithersburg?

Comments Related to Alternatives:

Alternative 2:

The City can support Alternative 2, TSM/TDM methods. This alternative is shown in the MCS to alleviate congestion and improve drive times with minimal investment utilizing the existing infrastructure and public rights-of-way, coupled with new express bus service. While this alternative is stated to not substantially improve vehicular traffic safety or mobility; would not provide a new highway or additional lane capacity; and would not provide additional bicycle and pedestrian connections as opposed to other alternatives, the City as discussed has questioned these claims regardless. This alternative would have the least impact to natural resources, parks, and property while still providing relief on MD 355 within the City.

Alternative 5:

The City would like to re-emphasize our opposition to this alternative. The City of Gaithersburg has long expressed its opposition to any alternative that directs traffic onto MD 355, Frederick Avenue. The proposed improvements, such as services roads and MD 355 widening, seem more “theoretical” rather than feasible. The MCS acknowledges such improvements will involve property acquisitions and land use impacts conflicting with zoning approvals previously granted by the City. The City further questions whether there is consensus from State Highway Administration (SHA) regarding these proposed changes. The City would like to review SHA’s position on this alternative and Alternative 8. Again as stated, this alternative does not address the inclusion of a RTV system as proposed in the County Executive’s “Transit Task Force Report” and currently being studied.

Alternative 8:

This City also opposes this alternative in that it includes the fundamental issues related to the previous alternative discussed, plus the impacts to Blohm Park opposed in Alternative 9. In order for this alternative to work a number of improvements are needed that cannot be made without impacting existing properties located within the City. Further, the City is opposed to adding any M-83 “thru” traffic to the local streets. We continue to express concerns on the true impacts to the adjacent streets such as Russell Avenue and Christopher Avenue as well as the impacts to future redevelopment efforts in this vicinity. The study references M-83 as a northern Great Seneca Highway; however, it is the City’s opinion that this type of traffic should not be directed onto the City streets in this area.

Alternative 9:

The City has long documented its concerns regarding the Master Plan Alignment and its impacts to the City’s Blohm Park. This alternative would fundamentally change if not effectively destroy the form and function of this park. The passive, scenic park would no longer exist.

Pg. 4

Should this alternative be chosen as the preferred alternative, the City would request the following be considered as part of the alternative:

- Relocation of the existing gazebo structure;
- Location of new parking as a result of the loss of on-street spaces;
- An exchange of County owned parkland adjoining the City's corporate limits to replace impacted acreage; and
- Participation in constructing a repurposing of the park as an "active" amenity which could include design/build of a new skate park or similar type use.

In short, the City would prefer Alternative 2, but should it have to choose between the three other alternatives located within the City of Gaithersburg, the Master Plan alignment would be the least objectionable provided the considerations discussed above were made part of Alternative 9. Thank you for the opportunity to comment on the Midcounty Corridor Study.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rob Robinson III', with a stylized flourish at the end.

Rob Robinson III, Lead
Long Range Planning
City of Gaithersburg

Cc:

Mayor & City Council
Tony Tomasello, City Manager
Jim Arnoult, Director, DPW
John Schlichting, Director, Planning & Code Administration
Ollie Mumpower, Engineering Services Director
Greg Hwang, Capital Projects Manager, Montgomery County Department of Transportation
Matthew Folden, Planner Coordinator, Montgomery County Planning Department

July 19, 2013

Mr. Jack Dine, CENAB-OP-RMN
US Army Corps of Engineers
Baltimore District
PO Box 1715
Baltimore, MD 21203-1715

RE: Mid-County Corridor Study, 2007-07102-M15
MDE- 13-NT-3162/201360802/AI No. 14016

Dear Mr. Dine:

Montgomery County's Mid County Corridor Study contains descriptions of several alternatives for north/south transportation improvements in the project study area. The traffic capacity enhancements for all alternatives were presented but, critically, there was not analysis to show the combined capacity effects of Alternative 4 (Brink, Whitman, Snouffer School, Muncaster Mill Roads) and Alternative 5 (MD 355 service roads) together to determine the transportation capacity improvements of a non-Master Plan alignment option. This is a serious flaw in the County's Study and amounts to an unsound, incomplete and dishonest premise on which the joint application is made. I urge the US Army Corps of Engineers (USACOE) and the Maryland Department of the Environment (MDE) to deny the Montgomery County Department of Transportation's (MCDOT) application for a permit and reject the Mid County Corridor Study.

The Master Plan alignments (Alternatives 8 and 9) contain significant impacts to forestlands, wetlands, floodplains and waterways. Large areas of intact forestland will be removed for the Master Plan alignments resulting in fragmentation, edge effects, loss of wildlife habitat and overall degradation of the natural environment.

Bridges that propose to span six (6) stream systems, plus wetlands and floodplains in the Master Plan Alignment (Alternative 9) may, as a theoretical exercise, depict the minimization or elimination of natural resource impacts, but the reality is quite the opposite. The integrity, function and quality of aquatic resources are severely diminished or lost as a result:

- Earth disturbance and grading with their ensuing sediment delivery to waterways negatively impact aquatic environments (black sediment 'fencing' is commonly known to prevent barely 40% of sediment from reaching aquatic resources)
- Disconnection, fragmentation, and destruction of intact floodplain and riparian forest areas are detriments to fish and wildlife habitat and natural aesthetics

- Direct human contact and interaction with these stream corridors (through countless formal and informal trails) will be forever lost if the Master Plan alignment for MidCounty Highway Extended is constructed.

It is contrary to basic environmental planning principles that Alternative 9 is proposed to run parallel to Whetstone Run for approximately 1,800 feet from, generally, Tanyard Hill Road to Capehart Drive. This stream corridor's ecology will be grossly and permanently degraded as a result of the proposed alignment. In addition, this particular section of Alternative 9 will detrimentally impact Watkins Mill Elementary School and numerous residential properties, lowering property values and negatively affecting quality of life for residents.

It must be made clear that the County's description of Alternative 4 (Brink, Whitman, Snouffer School, Muncaster Mill Roads), greatly exaggerates the right-of-way required to build a fully functional 4-lane roadway. A 4-lane divided highway with one sidewalk can realistically be accommodated in an 80-ft right-of-way, which is present on the majority of the existing roads along Alternative 4. This right-of-way overstatement (105 feet) in the County's study is disingenuous; I posit that the intent was to make Alternative 4 appear much more problematic in terms of property impacts. There is no question that with a smaller right-of-way, Alternative 4 will have, by an order of magnitude, significantly fewer environmental impacts than Alternatives 8 and 9.

The County's Mid County Corridor Study failed to fully and truthfully analyze alternatives to the Mid-County Highway extended as shown on the Transportation Master Plan. The wetland/waterway permit for the Mid County Corridor project should not be granted by USACOE and MDE.

Sincerely,



Tim Goodfellow
18520 Boysenberry Drive
Unit 234
Gaithersburg, MD 20879
301.466.9527
monocacyriver@yahoo.com

AUG 03 2012

21410 Blunt Road
Germantown, MD 20876
July 29, 2012

Jack Dinne, Project Manager
US Army Corps of Engineers
CENAB-OP-RMN
Post Office Box 1715
Baltimore, Maryland 21203-1715

Dear Mr. Dinne:

I strongly support the M-83 Original Master Plan Route (Alternative 9 Option A).

The Upcounty is seriously impaired by the failure to provide the transportation infrastructure that was an integral part of the planning for large scale development in Germantown and Clarksburg. Alternative 9 Option A will use a Master-Planned right of way dating from the 1960s. All subsequent developments were approved with explicit knowledge of and in the anticipation of building M-83 along this right of way. Current residents purchased their homes with full knowledge of the anticipated Master Plan Route. Alternative 9 Option A will not displace any homes. I oppose all other options because they all have additional unacceptable impacts. Alternative 9 Option A is the best alternative to alleviate traffic problems—it is the critical missing link in a sensible road system.

I am strongly opposed to Alternative 4 Modified (Brink, Wightman, Goshen, etc.

routing). Alternative 4 Modified is completely incompatible with the Master Plans that are the basis for all community development. Passing through long-established residential areas with many individual driveways and multiple intersecting roads, it will adversely affect home owners, businesses and anyone driving in our area. It also will significantly lower our property values.

I also strongly oppose Options B and D of Alternative 9. These options will impact several homes located on or near Brink Road, and adversely impact the Agricultural Reserve. Option D will impact more properties, pipe 30% more stream length, impact 3.8 more acres of forest and 82% more farmland than Option A.

I oppose Alternative 1, the "No Build" option. Increased Upcounty development has been justified by having the M-83 Mid-County Highway Master Plan Route in place.

Please adhere to the Master Plan and construct the M-83 Mid-County Highway on the Master Plan Route as soon as possible.

Sincerely,


Cynthia D. Reilly

July 27, 2012

Comments: For Master Plan M-83

I, Phillis A. Prather-Copeland am in favor of the Montgomery County Dept. of Transportation adopting the original MASTER PLAN M-83 and apposing alternate 4, the widen of Brink and Wightman Road into four (4) lanes with a medium strip. This plan if approved would include:

- 1. The destruction of historical property, the "POSEY HOUSE". This house has been on its current site for as long as I've been a live 74 years. And now for the covenant of some and the pleasure of other, you propose to remove it as if it has no value to the community. I assure you it does.**
- 2. Your proposed actions would change the landscape of the lifelong residents as you enter into the community of PRATHERTOWN where the historical marker is placed.**
- 3. For some residents they would not be able to make a left hand turn out of their driveways. This action would pose a grave disadvantage and is unacceptable. It would prevent family members from reaching my 94 year old mother who lives in PRATHERTOWN in a timely manner in case of an emergency etc.**
- 4. Your proposed action would send in excessive amount of traffic down Brink & Wightman road thus, jeopardizing the lives of residents as they attempt to entering and exiting their driveways. We see firsthand now the excessive speed of drives along this stretch of road, like it's the Indy 500 Speedway nearly causing deadly accidents. You take your life in your own hands coming out of your driveways.**
- 5. Will your action also include the removal of the WIGHTMAN HOUSE on the curve too?**

In conclusion, I was borne, bread and raised in PRATHERTOWN. This community was built on the blood, sweat and tears of my ancestors who were slaves on the Blunt Farm off of Brink Road and now there appears to a move to removing any trace of our existence. As an advocate for the preservation of our history and roots, I urge you to adopt Master Plan M-83.

Respectfully,

Ms. Phillis A. Prather-Copeland

PUBLIC COMMENTS FORM

Arthur Holmes, Jr., Director, Department of Transportation

We Welcome Your Feedback!

Public input is the key to an effective planning process, as it allows decision makers and elected officials to understand the concerns of the community. We encourage you to complete the form below. Once received, your comments become a part of the public files and may be included and/or summarized in the *Midcounty Corridor Study Environmental Effects Report (EER)*. Regrettably, due to the high volume of comments we receive, MCDOT will not be able to reply directly to all comments, but we assure you that all comments will be evaluated.

MIDCOUNTY CORRIDOR STUDY

Your input is important! Please provide us with your comments and return by:

**FRIDAY,
JULY 6, 2012**

Montgomery County
Department of Transportation
DIVISION OF
TRANSPORTATION
ENGINEERING
100 Edison Park Drive, 4th Floor
Gaithersburg, Maryland 20878

Project Manager:
GREG HWANG
P: 240.777.7279
F: 240.777.7277

For alternative formats of this comment Form, please contact the Division of Transportation Engineering at:
240.777.7220 (voice).
TTY users call MD Relay.

Name *Phillis COPELAND* Date *July 27, 2012*
Address *33416 NEWITT AVENUE #82*
Silver Spring, MD 20906
Phone *(301) 633-3936*
E-mail

Comments: *Re: master plan 17-83*



July 29, 2012
Mr. Greg Hwang, Project Manager
Midcounty Corridor Study
Montgomery County Department of Transportation
Division of Transportation Engineering
100 Edison Park Drive, 4th Floor
Gaithersburg, Maryland 20878

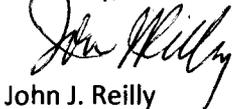
Dear Mr. Hwang,

As a resident of the Goshen Community, **I am strongly opposed to the Alternative 4 Modified** as completely incompatible and inconsistent with the County's Master plan which has called for the construction of M-83 (Alternative 9 Option A) for more than 30 years. When my wife and I purchased our Brink Road building lot in 1984 we consulted the Master Plan and were confident that the County Council and Government would honor their commitment to build M-83 and that we would not be adversely impacted by a major unplanned road project at our nearby intersection with Brink Road. As the local traffic burden associated with their approval and construction of the large scale Germantown and Clarksburg developments continued to grow, we remained confident that the County would honor its long-held planning commitment to build M-83. **Alternative 4 Modified is completely incompatible with established local Master Plans** which form the basis of all up-county community development. Along with many--if not most-- of our Goshen area neighbors, we were aware of and relied on the County plans, as stated in the Master Plan, to build M-83 when we purchased or built our homes.

I strongly support the M-83 Original Master Plan Route (Alternative 9 Option A) as the only viable response to the increasingly gridlocked up-county road transportation system which has developed only because the County Council, Planning Board, and Government approved the large scale development which has occurred in Germantown and Clarksburg over the last 30 years without providing adequate planned transportation infrastructure. **Alternative 9 Option A** will utilize the existing right-of-way for M-83 which was acquired starting in the 1960s and not result in any homes being displaced. What is particularly troubling in the debate is that many of those most vocal in their opposition to the Alternative 9 option A purchased or acquired their property interest with full knowledge of the planned Alternative 9 construction but who now want to rewrite history. With many of the original M-83 environmental concerns—which many of us recall prevented its construction apparently now resolved with improved engineering and construction methods, it is ironic that the County now appears intent on building an alternative (Alt. 4 modified) which will have dramatic impact on communities that had never contemplated that needed new roads would be routed through their established neighborhoods.

Finally, while I fully support Alternative 9 Option A, **I'm not in favor of any other Alternative 9 options** as all of them will have additional adverse impacts to established communities—including several homes and Village communities adjacent to Brink and Wightman Roads and the surrounding environment.

Sincerely,



John J. Reilly
1410 Blunt Road
Germantown, MD 20876
jreilly426@gmail.com

AUG 03 2012

cc:

Dr. Isiah Leggett, Montgomery County Executive
Council President, Roger Beriner
Councilmember, Craig Rice
Councilmember, George Levanthal
Councilmember, Marc Erlich
Councilmember, Nancy Floreen
Councilmember, Nancy Navarro
Councilmember, Valerie Ervin
Councilmember, Hans Reimer
Councilmember, Phil Andrews
Planning Board Chair Francoise Carrier
Jack Dinne, Project Manager, USACE
Barbra, Rudnick, Project Manager, USEPA Region III
Jeff Thompson, Project Manager, MDE
ki Kim, Planner, M-NCPPC
Steve Findley, Planner, M-NCPPC

CHARLES BARKLEY
39th Legislative District
Montgomery County

Economic Matters Committee

Chair, Alcoholic
Beverages Subcommittee

Public Utilities Subcommittee

Joint Audit Committee



The Maryland House of Delegates

ANNAPOLIS, MARYLAND 21401

Annapolis Office
The Maryland House of Delegates
6 Bladen Street, Room 223
Annapolis, Maryland 21401
301-858-3001
800-492-7122 Ext. 3001
Fax 301-858-3009
Charles.Barkley@house.state.md.us

District Office
19222 Golden Meadow Drive
Germantown, Maryland 20876
301-540-7071

August 7, 2013

U.S. Army Corps of Engineers
Baltimore District
P.O. Box 1715
Baltimore, MD 21203

Maryland Department of the Environment
Wetlands and Waterways Program
160 South Water Street
Frostburg, MD 21532

Attn: Mr. Jack Dinne and Mr. Sean McKewen,

I am Delegate Charles Barkley and I reside at 19222 Golden Meadow Drive in Germantown, MD 20876. Thank you for holding this hearing on the Midcounty Corridor Study. I am testifying on behalf of the entire District 39 Team (Senator Nancy King, Delegates Charles Barkley, Kirill Reznik and Shane Robinson). We strongly urge you to reject the permit application for M83, Midcounty Highway Extended, due to the environmental and community impacts that this destructive highway project will have on our District. We believe that the Montgomery County Department of Transportation's Environmental Effects Report (EER) pre-determined that the road would be built regardless of consequences to the environment and health of the citizens in the affected area.

The National Environmental Policy Act requires that you take a serious look at "mass transit" alternatives. In the more than 1,000 page EER document there are less than 2 pages of token inclusion regarding transit alternatives. Of the proposed alternatives, the only acceptable alternative is **Alternative 2**. This alternative makes the best use of our existing infrastructure by making improvements to MD 355, it costs the least, and enables the development of a high quality Bus Rapid Transit system connecting Clarksburg to Gaithersburg and points south. We need real traffic relief in the Upcounty and that will not come by building another road and encouraging people to get in their cars. With the intersection improvements in Alternative 2, we can easily start Bus Rapid Transit on MD 355 from Shady Grove metro to Clarksburg. The complete Corridor Cities Transitway (CCT) needs to be built now and extended to Clarksburg. The \$300 million needed to build M83 can be better spent on the CCT.

Since this is an Environmental Public Hearing let me address some of those concerns. Your job is to avoid, minimize and mitigate impacts to the environment. The compaction of wetlands by bulldozers, excavation equipment and temporary road construction will have a permanent impact on the affected area long after construction is complete. It will destroy habitats for all wildlife and seriously damage natural water filtration causing a change in water quality. Your job is to protect "aquatic resources" and avoid them from diminishing. I have been told that bridges will be built over the wetlands to protect them. That does not address the damages to the wetlands by the actual construction of the bridges and future pollution from the vehicles that will use the new road. Some of the proposed bridge heights are designed to be very low (only 11 feet from the ground) and extremely long (500 feet). Your job is also to look at cumulative impact on other construction projects in the same watershed. Please consider proposed Clarksburg construction around Ten Mile Creek. Once we lose the wildlife and the wetlands, you just never get them back. A temporary impact to wetlands and streams in reality can never actually be restored when the project is completed.

Let me finish by briefly talking about some of the other alternatives. We believe that the county is really only interested in getting support for the Master Plan alignment (Alternative 9). Some of the other alternatives were designed to steer community support to that alternative. Of all the alternatives, **Alternative 4** would be the most devastating to our community. Please look at the large number of homes and business properties that would be affected by this alternative. I think you would quickly agree that this alternative must be eliminated immediately.

I ask you to please review the purpose of the Midcounty Corridor Study and make sure that your decision will relieve projected congestion on roadway facilities between Clarksburg and Germantown, east of I-270. The proposed M83 will only make congestion worse. Thank you for listening.

Comments on the Proposed M83 Extension

Mark J. Firley

I come before you today as a private citizen to share some concerns and objections to the proposed extension of county road M83 from its current terminus in Montgomery Village into the Clarksburg area.

I should, at the outset, point out at least two flaws in the process which I believe may result in serious concerns about the project:

1. The purpose and needs documents originally offered have methodological and substantive defects which cause me to question the validity of any conclusions drawn from them. Examples:
 - No evidence can be found of coordination with other transportation modalities. The effects of the proposed Corridor Cities Transitway (CCT) were allegedly NOT part of the original plan, yet in subsequent public meetings, we were assured those effects had been included from the beginning. What is the real story?
 - No evidence can be found of coordination with the Federal and State plans for the I270-US15 corridor. To propose spending *hundreds of millions* of scarce taxpayer dollars (no matter what financing plan is approved) without clearly indicating how this piece will help do anything but add a lane or two to allow more of Frederick County and beyond to commute through Montgomery County on its way to the District is, at best, unresponsive and at worst irresponsible. It doesn't solve the problem it sets out for itself.
 - At no point was the traffic model or the assumptions used to craft it made transparent or even exposed to the public. The data presented suggest that assumptions were "cherry picked" to give the most favorable treatment to these specific alternatives in isolation, and that the only plan really ever considered remained the so called "Alternative 9"¹. In reading the examples and data given, one has a strong impression that approximate load factors were taken from tables and very basic linear models "cranked over" to produce these results. If something more sophisticated, starting with the SWIFT™ model, or OmniTRANS™, or CORSIM™ or Aimsun™ to name a just a few possibilities, there is no evidence of it here.
 - Basic queueing theory used in these models confirms a commonly available sensory experience. Traffic flow can be analogized to a balloon. Squeeze a section and constrict the flow, and it bulges out to form backups accordingly. The belief that we need this road this way is belied by a flaw in the final projections. Time and words are spent indicating the horrors of backlog in the middle of the Clarksburg-Rockville corridor. That's fair. But if this road were to be built, the constriction then appears at what theorists would call the terminal nodes of the network, that is, there isn't sufficient interconnectivity at either end of the proposed route to handle the increased volumes the middle section would drive, and we'd in effect have to build even more roads to

¹ At least *Plan 9 from Outer Space* was fiction and so bad as to be funny, Alternative 9 has no such redeeming social value.

keep up. We haven't actually solved the Clarksburg commuter problem, we've moved it around, but are doomed to repeat ourselves like some modern Sisyphus with a concrete mixer instead of a rock. We'd have to rework Shady Grove, SR355 and bits of I200 at the south end to make it all work. Where have we calculated that in the plan?

Failure to fully address these consequences is a fatal flaw in my view.

2. Another class of objections concerns the insistence that only a shiny new ribbon of concrete can solve the problem. SR355 is only two lanes north of Germantown, and it's already available for widening. I270 widening including hot lanes has been proposed. But let's look at one of the least expensive alternatives, which is dismissed here as "demand management" as if somehow that was an impossibility.

Demand management may include, among other things, strategies as simple as intelligent signalization of intersections. For 10 to 15 percent of the cost of this road, the entire county signal grid could be coordinated and moved toward adaptive signal timing. Where this has been tried, traffic flow improvements of over 15 to 20 percent are common. If you run the numbers through any one of the simulators I've spoken about above, you come to a rather astonishing conclusion: adaptive signalization reduces the need for overall road building in the county for a fraction of the cost of even one major road project.

In this area, we often pride ourselves on our forward thinking, but when it comes to transportation, we haven't even made the 1990s elsewhere. These techniques are working in California, New York, and Minnesota, to name a few places. But we run from them in order to make more bedroom suburbs with no downtowns so we can emit more carbon while doing more commuting at an ever slower pace. If that sounds undesirable to you, it sounds ridiculous to me.

The same county that touts "smart growth" based around transit when the construction is renewal and infill (the most expensive kind) suddenly reverses emphasis when we're a lot closer to green fields and lower implementation costs? How is that sensible?

The proposed M83 extension is worse than unworkable, the plan as stated contains internal contradictions and can be charitably described as intellectually incontinent. I view it as a tragedy of good intentions finding shop-worn solutions and clinging to 1950s models of execution. It's time we end this folly forever and move on to develop real solutions to the problems we created in the UpCounty.

We need to plan for the effect of transit, through commuting from Frederick and beyond, growth out toward the Agricultural Reserve, and integrated, intermodal transit where the private automobile is neither venerated nor vilified, but co-exists in a diverse mix with rail, omnibus, and other modalities.

We need to finally reach ahead of our problems and plan swift relief for UpCounty citizens, not just a "mulligan" of more road building.

Thank you.



August 6, 2013

Mr. Jack Dinne
US Army Corps of Engineers
PO Box 1715
Baltimore, MD 21203-1715

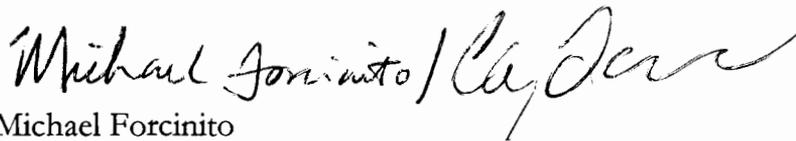
Dear Mr. Dinne,

We are residents in the Greater Goshen area of Gaithersburg and are writing to express our strong opposition to any potential widening of Wightman Road as part of a new link to the Midcounty Highway, ie, the Alternative 4 Modified option. Not only would the actual widening destroy the tranquility of the area but so many historical properties and areas would be adversely affected, including Prathertown, one of the last remaining original African-American settlements in the state. The increased noise and pollution that would come with a widened road would be unbearable. But most importantly, widening Wightman Road was never in the county's master plan. Many homeowners, we included, purchased our homes with the expectation that the neighborhoods in this area would be preserved as they are and not become major commuter routes. Widening Wightman Road and other roads in the Goshen area in order to create an eastern alternative to I-270 would be a complete betrayal on the part of the county and would result in vastly reduced property values for all residents. This is completely unacceptable.

We personally oppose any further road building in the county as current roads are so poorly maintained, but if Mid-County Highway must be extended to Route 27 then the only viable options are alternatives 8 or 9, both of which are consistent with the master plan. Either of these options would be a much better choice for all citizens of the county than widening roads throughout the Goshen area.

Thank you for taking our comments into consideration.

Sincerely,

A handwritten signature in black ink that reads "Michael Forcinito / Carey Lawrence". The signature is written in a cursive, flowing style.

Michael Forcinito
Carey Lawrence
9710 Wightman Road
Gaithersburg, MD 20879
(301) 977-7439
mforcini@yahoo.com

PIPED STREAMS

Reading the Draft Environmental Report (DEER) I was struck by the “worst case” comparison for wetlands and waters.

0.87ca wetland fill for alt. 9
1,282ft of piped streams for alt. 4

Preserving or creating additional wetlands can mitigate wetland fill. Goshen residents have already seen 20 acres of Goshen Branch Stream Valley Park converted to forested wetlands, replacing both trees and wetlands lost to the ICC.

Researching the effects of piped streams I found nothing to recommend this approach. Movement of all organisms within rivers and streams is an extremely important ecological process. This applies not just to fish but for everything from near microscopic benthic organisms to 300 pound white-tailed deer.

Interrupting the movement of animals can have many deleterious effects. It can delay migration for breeding, induce stress due to extra exertion required to pass obstacles or high velocity water, overcrowding at entrance and exit pools. Many culverts become barriers as flooding events change the adjacent streambed.

Culverts rarely are able to provide and maintain the necessary substrate for the smallest, weakest swimmers to manage to pass through a long pipe. High water velocity stops some entirely. Nor do culverts offer the safety of dry crossings on stream banks of the numerous terrestrial animals from mink to muskrat. These become roadkill. Obviously, deer cannot pass through a piped stream. When deer become roadkill, they can take humans with them.

It is thus important to maintain an unfragmented stream bottom and bank edge to allow continuous and inter-connected populations for the many weak swimming species and terrestrial animals.

The ecosystem of a stream is complex and interconnected. For example, say a fish species is eliminated that fresh water mussels rely on for reproductions. (Their young attach to the gills of fish at one stage of their life cycle. No fish means that the mussels die off. The essential function of filtering bacteria, algae and other small particles disappears with the mussels, as does their roll as food for larger animals. All things are interconnected, and the seemingly least significant creature can play a key roll in a healthy ecosystem.

In discussing alt. 4, the DEER includes many instances of the phrase, “Fish passage at the road culvert is unnecessary due to the absence of upstream habitat.” Well, fish habitat may be lacking, but what of salamanders, turtles, raccoons, opossums, beavers?

Piped streams do nothing to facilitate deer passage. Check the soil under the Watkins Mill Road or Rt. 335 bridges over Great Seneca Creek and you will find a veritable wildlife highway as shown by the tracks left by deer and other animals. Alternative 4 does not offer this essential passage. Thanks to the determined efforts of the DOT and the Montgomery County taxpayer, alternative 9 has bridges with 7, 17 and 18 feet of underclearance – exactly what is needed to allow deer passage and reduce deer-vehicle collisions.

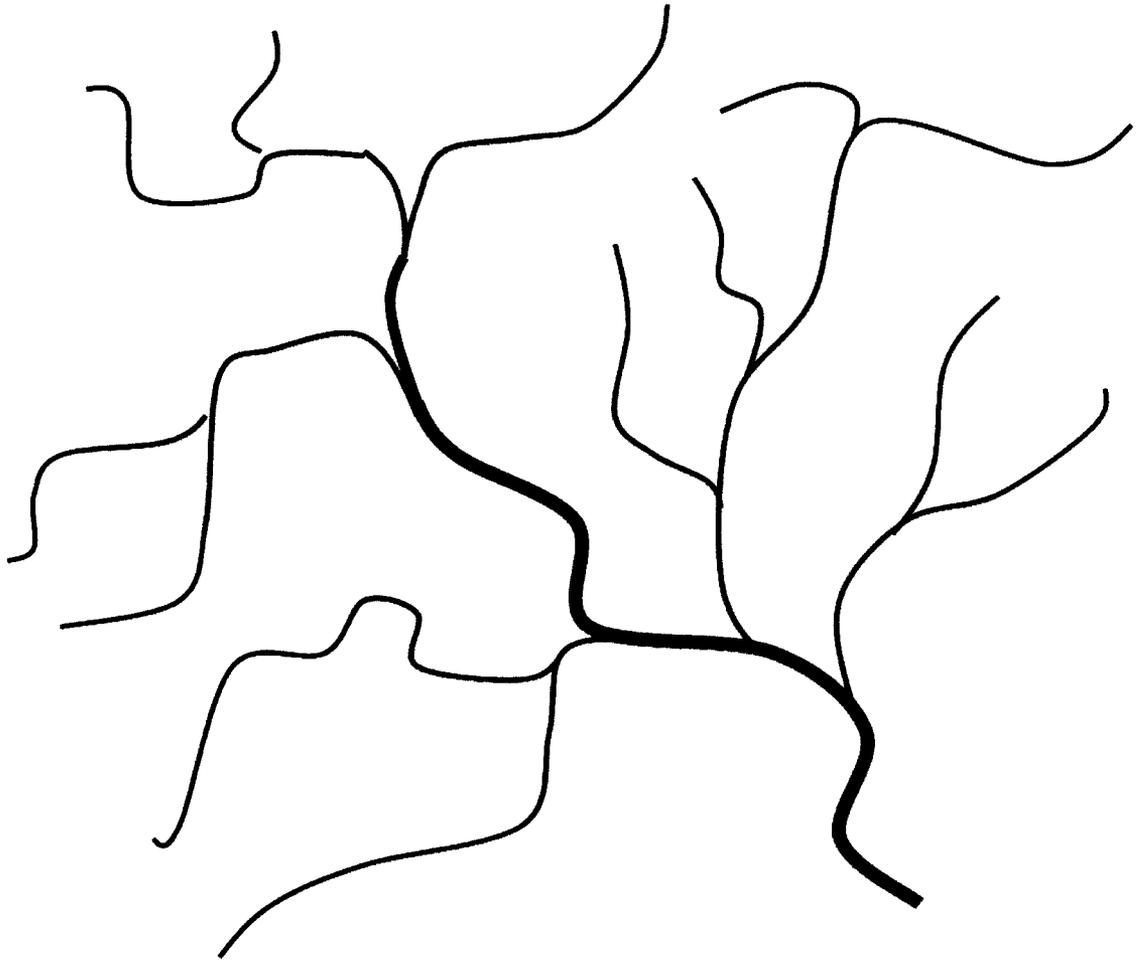
The wedges and corridors plan embraced by the planners in Montgomery County is equally valid for people as for our wildlife populations.

Please review this website for an overview of culverts:

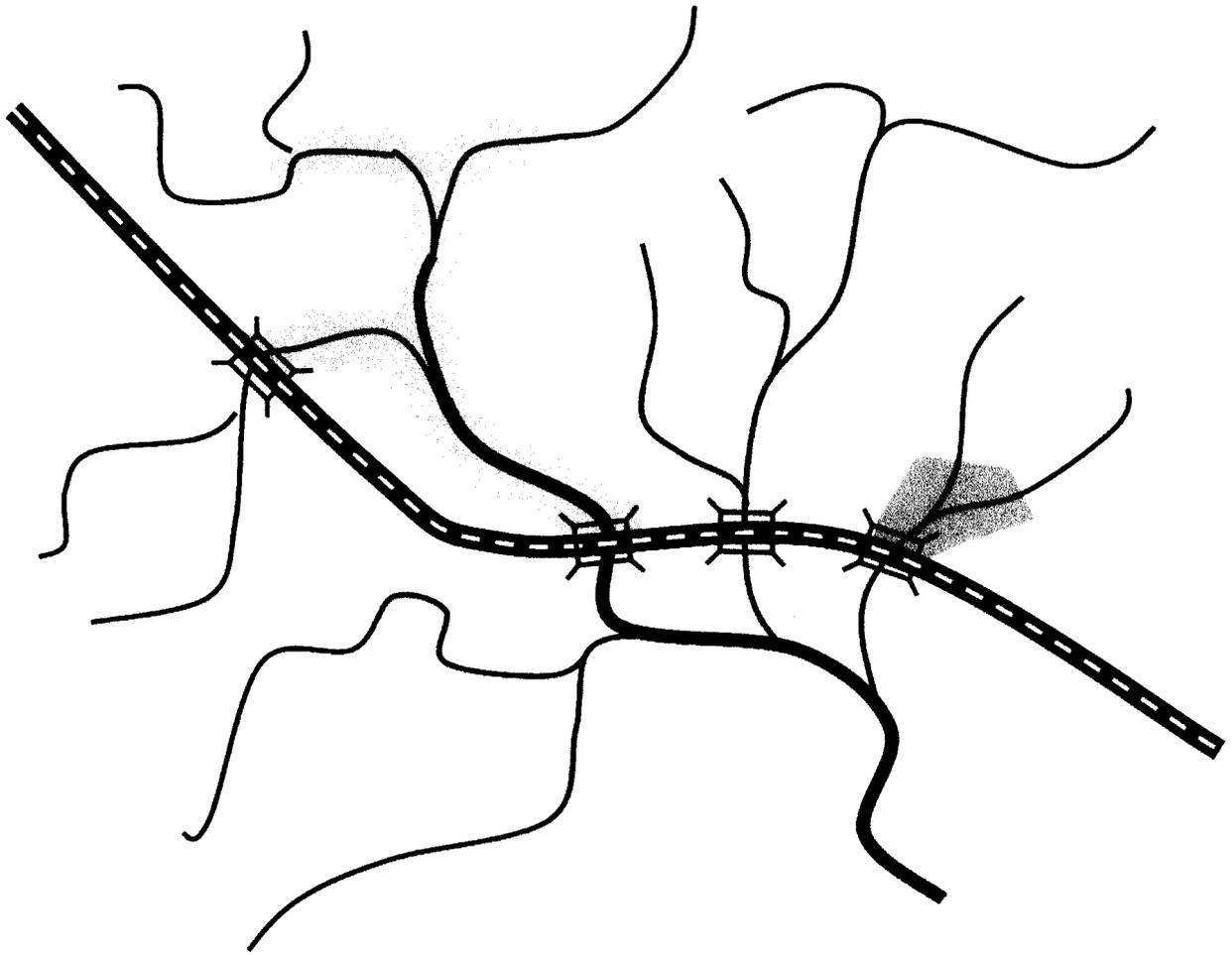
<http://www.streamcontinuity.org/index.htm>

Respectfully submitted 6 August 2013

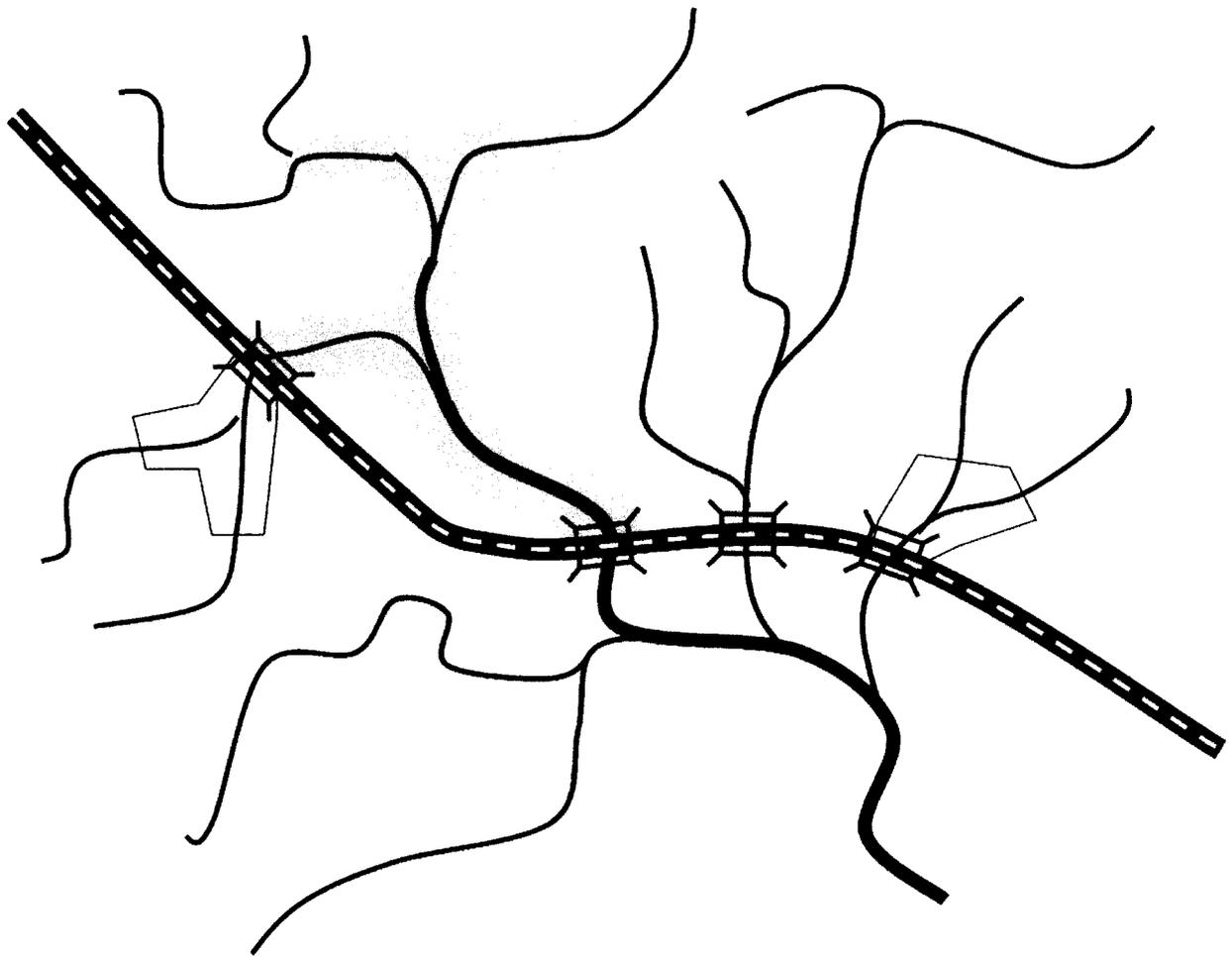
Bonnie Bell
Goshen MD



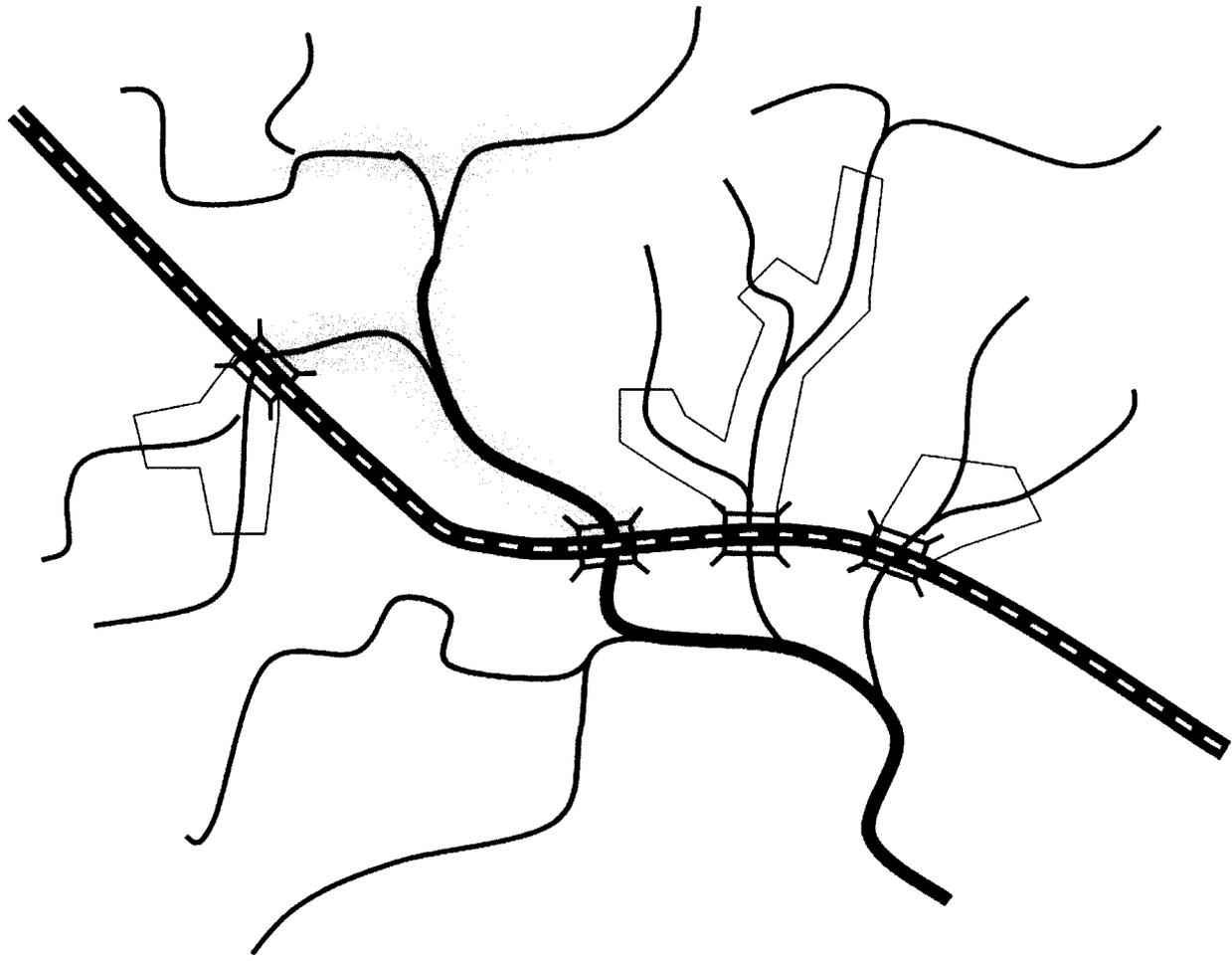
INTACT STREAM HABITAT



**PIPED STREAM
CROSSINGS LIMIT
POPULATION
MOVEMENT**



**SMALLEST HABITAT
AREA POPULATIONS
DIE FIRST**



**ONLY LARGE
HABITATS WITH
CONNECTIONS
BETWEEN AREAS CAN
SUPPORT WILDLIFE**

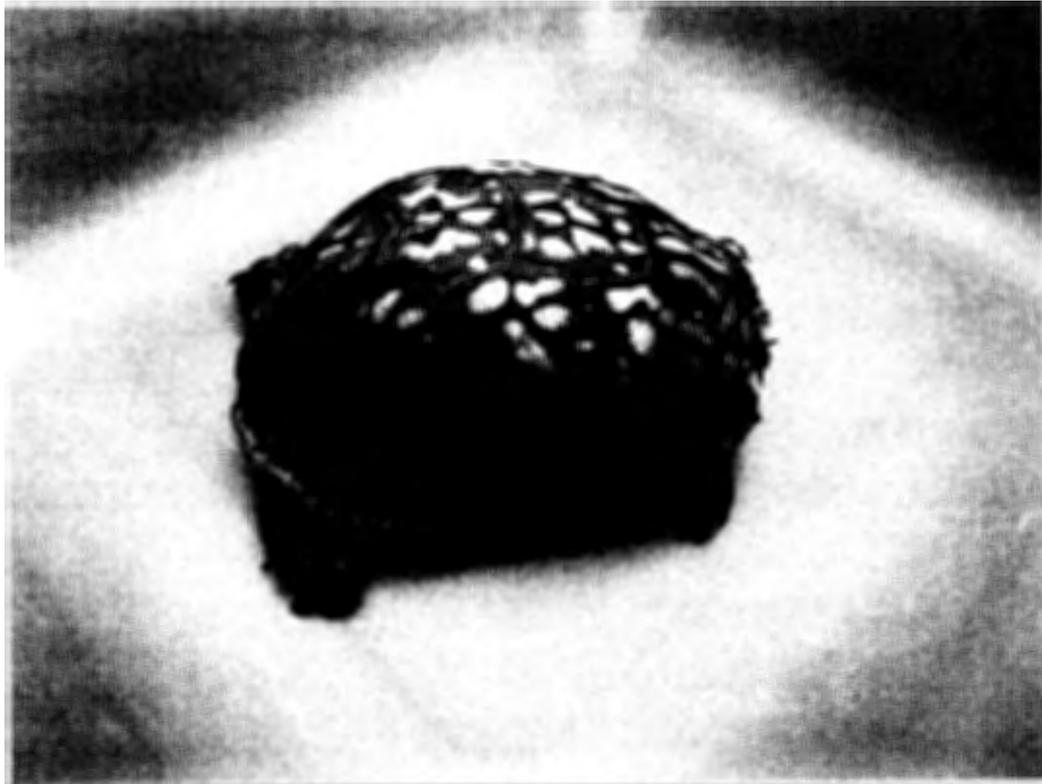
Red-backed Salamanders



Spotted Salamander



Eastern Box Turtle
Injured crossing Wightman Road 8/6/13



Beaver in Great Seneca Creek 8/4/13



August 7, 2013

Good Evening,

Not long ago, I was in the political know as political director for SEIU Local 500. I had a finger to the pulse of local issues and the ear of local politicians on a range of civic issues. I seem to remember that not long ago, the Cooridor Cities Transit Way was the looming road infrastructure improvement. Bringing people to jobs and technology, abating traffic congestion and linking communities in the I-270 cooridor to the idustries we want to see growing and thriving in Montgomery County.

Now, here it is almost 20 years since I bought into Montgomery Village, joined the board of directors and had a family. We have been confronted with the prospects of the Webtrack light industrial track, Goshen Road widening, Wightman Road widening, and building hirises on the golf course track. M-83 was always the 20,000 pound gorilla hiding in the back room. All residents were in agreement over the destructive impact that this cross-cutting hiway would have on our neighborhoods. No one could understand the necessity to bisect an established 40-year old commuity with another road to nowhere. What would it do to promote employment and low impact living? Yet, each time it was shadened in with a dottedline because the road itself was just not teneble.

I have walked this trail through the backyards of Stewick, the Heights, parts of several others and seen the destruction it would cause. Yes, these "exclusive" moderate income neighborhoods have grown accustomed to peace and quiet and deservedly so, we don't have many other strong selling points in the Village. But again and again, given the choice between sexy and sellable and green and remote, we have always fought hard to maintain, green, quaint and quiet. We don't need starbucks on the corner, or Target out the backdoor, but we want to preserve our walking paths, Seneca Creek Greenway Trail and links each others backyards without getting in the car. We bought into what I would call an "intentional community" centered around getting our children to school and pool without the need to jump on the freeway, or in this case, run across it to get there.

I am Virginia Nuta from the Northgate Homes Corporation in Montgomery Village, MD.

I am opposing Alternative 4 for a variety of reasons, but specifically, today, I ask you to take into account that the route of this proposed alternative would invade more than one area of historic interest in Montgomery County, sites that have been here for more than 100 years and a road that has been here for more than 200 years.

To begin with, Brink Road – along which a substantial portion of Alt. 4 would run -- is one of the oldest roads in Montgomery County and in Maryland. Brink Road was created in 1793 as part of a road project, Baltimore Road, which started from the mouth of the Monocacy River and ran to Baltimore. The road was built to help farmers get their goods to Baltimore, and along it, over the years, there were several mills drawing power from the local creeks. Specifically, the route included “13 miles to Seneca Creek” from the Georgetown Road which is now 355, past Goshenville Mill, Goshen preaching house, on to what is today Unity, and to the Patuxent.

Brink Road has retained its rural appearance for more than two centuries. It edges and then enters the County Agricultural Reserve. It was NEVER included in the Master Plan as a major thoroughfare, only as an 80 ft. arterial road, and homeowners in its vicinity had no way to know that a 4- lane divided highway could take its place. Although you might point out that because there are homeowners along Brink Road, it is an already developed vicinity, I would respond by saying that the numerous entrance points and driveways along the road would mean that it would not likely be a whole lot faster for commuters than it is today. I would also ask you to consider that a beautiful tree-lined suburban landscape that retains the character of a rural landscape is not less important to residents of this county than new-growth woods.

There is further history to the road. You might recall that in September of 1862 Robert E. Lee invaded Maryland, prior to the Battle of Antietam. In Washington, D.C., there was concern that the Confederate Army could invade the District of Columbia by coming down Baltimore Road from the North and entering the city down Georgia Avenue. Seneca Creek was a major crossing on the Baltimore Road.

In response to the supposed threat from the Confederate Army, the first unit to respond was the 1st New York Cavalry on September 6. Two days later, 5000 additional troops and two batteries of artillery from General Burnside’s IX Corps, and they camped between Seneca Bridge and Goshen. This bridge is at the junction of Wightman Road and Brink Road. On September 10, they were replaced by the Kanawha Division and the 1st Ohio Artillery. All were under orders to hold the bridge. This information was compiled by Susan Soderberg from Official Records of the Union and Confederate Armies, and the book Before Antietam by John Michael Priest. The site is a designated historical site.

After Brink Road meets Wightman Road at the bridge, the proposed Alt 4 route runs through another historic area, Prathertown, before entering the planned community of Montgomery Village.

Prathertown was settled in 1883 by freed Moses, Marshall, Job, Rezin, and Annie Prather who had been slaves at the nearby Woodburne Plantation. They bought nearly 7 acres of land, part of the original “Dorsey’s Meadow” tract, which they purchased for \$390. Adjacent land was bought by other freed slaves. They established truck gardens and hired out their labor to neighboring farms. By the 2nd and 3rd generations, many descendants had earned college degrees. Prathertown is one of the oldest African American communities in Montgomery County and it has been continually populated by descendants of the original freed slaves.

Alt. 4 would remove nearly all of the yard between the Thompson-Wightman House and Wightman Road. This house is one of the oldest sites from the original "Dorsey's Meadows" tract. It was built in the 1860s and possibly built above an earlier dwelling in its present basement.

A second impact would be the removal of a yard from the John E. Benson House built in 1880, part of Prathertown. The yard that would be removed separates the present road from the oldest part of the house. The house is built on a foundation that predates 1880 and was surrounded by outbuildings.

The history of these two homes is documented by the Montgomery County Historical Society and particularly through the work of Sarah Houser.

Finally, Alt. 4 would completely demolish the 1910 Sarah Posey House. The Posey house was named for its owner Sarah Posey, an African-American midwife and one of few African-Americans to own property in the county. This house is on the Maryland Inventory of Historic Properties maintained by the Maryland Historic Trust, No. 20-42. In the documentation maintained by the MD Historic Trust, the house is described as "graceful, elegant, and one of the loveliest homes in the Goshen area." These houses sit just above the area called "Wightman's Meadows" where people would come from all over the county for picnics and swimming in the Great Seneca Creek.

I would just like to mention another historic area where I live, which is Montgomery Village. I say historic because to my knowledge it was the first planned community in Montgomery County. In the 1970s when the area around Wightman Road was being built, no mention was made that the road could be widened to 105 and 120 feet and that the attractive trees and green space which separate townhouses and Wightman Road would disappear. Why should people who bought townhomes in a planned community have to have a road running not a few yards away but right under their bedroom windows, when this was never on the Master Plan? Why should their few acres of a pleasant planned village be destroyed for the sake of a trees on the original M-83 route that only exist because of a delay in building that road?

While we all know that needs in a community may change over time, residents in the north end of the Village have never had any reason to suspect that M-83 would destroy the suburban character of their planned community, given that the public has been on notice for 40 years that the route for the road was elsewhere. Those living along that route were, on the contrary, on notice, and are the ones to bear the consequences of their decision to live there.

Virginia R Nuta

9850 Dairyton Court

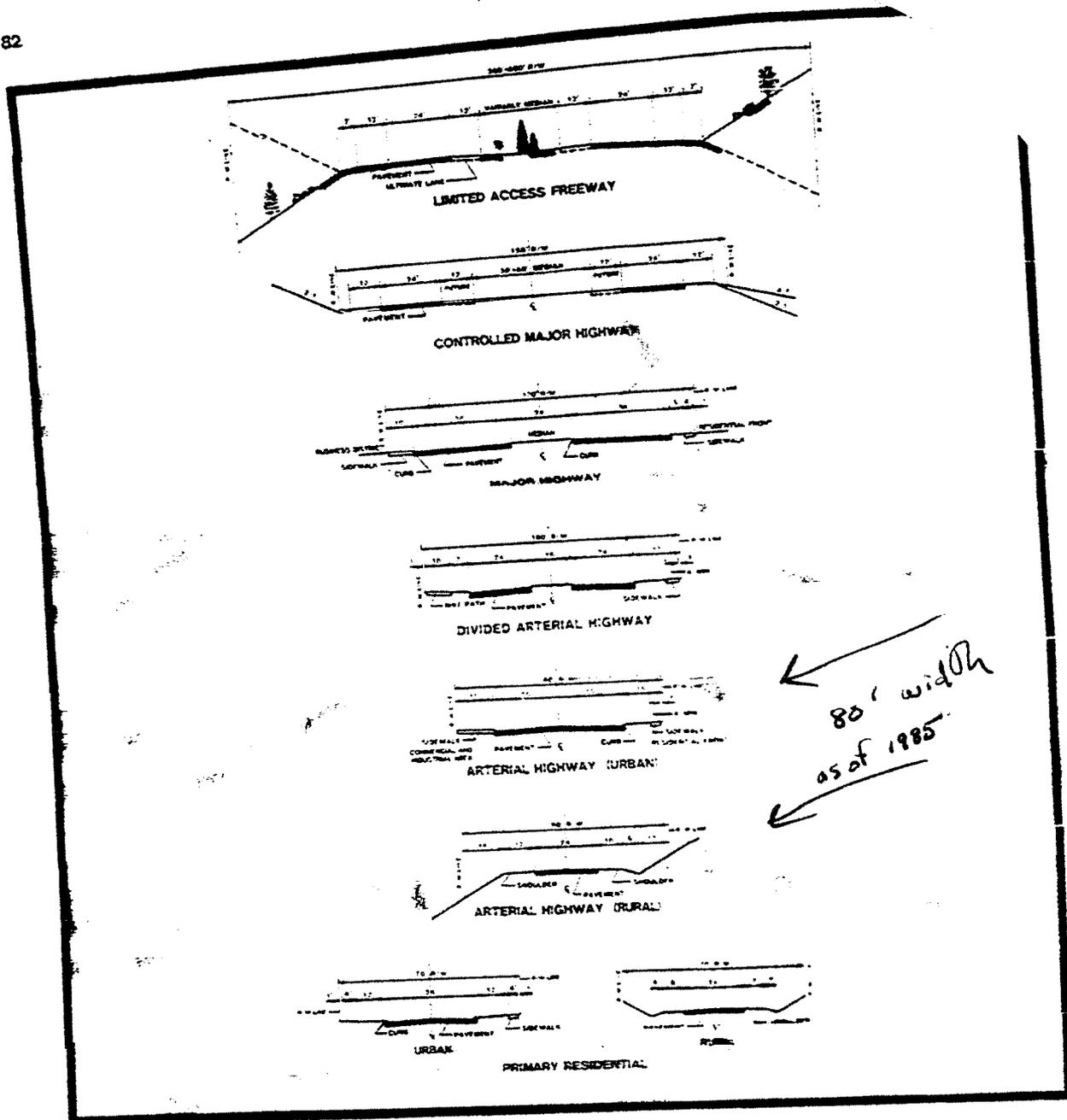
Montgomery Village, MD 20886

301-948-0014

vrnuta@verizon.net

SENECA BRIDGE





HIGHWAY CROSS SECTIONS

TABLE 7
STREET AND HIGHWAY CLASSIFICATIONS

Project Number	Route Number	Name	Limits	Right-of-Way Width	Recommended Number of Lanes or Pavement Width
FREEWAYS					
F-1	I-270	Washington National Pike	From Great Seneca Creek to Rockville City Boundary at Shady Grove Road	250'	8
F-9	I-370	Metro Access Highway/Intercounty Connector	From I-270 to Plan Boundary (Redland Road) (P-7)	300'	6
CONTROLLED MAJOR HIGHWAYS					
M-83	MD 115	Midcounty Highway	From Great Seneca Creek to Redland Road (P-7)	150'	4 to 6
M-90	-	Great Seneca Highway	From Great Seneca Creek to Shady Grove Road at West Ritchie Parkway	150'	4 to 6
MAJOR HIGHWAYS					
M-6	MD 355	Frederick Avenue	From Great Seneca Creek to Rockville City Boundary	120'	6
M-15	-	Muddy Branch Road	From Damnestown Road (M-22) to West Diamond Avenue (M-26)	120'	6
M-21	MD 124 (Part)	Oden'hal Avenue	From Lost Knife Road (A-18) to Girard Street Relocated	120'	4-6
M-21	MD 124	Galthersburg-Laytonsville Road Relocated	From Midcounty Highway (M-83) to Warfield Road (P-1)	120'	4-6
M-22	MD 28	Damestown Road/Key West Avenue	From Pepeo Right-of-way to Rockville City Boundary	120'	4-6
M-23	-	Gude Drive	From Key West Avenue (M-22) to Rockville City Boundary	120'	4-6
M-24	MD 124 (Part)	Quince Orchard Road/Montgomery Village Avenue	From Damestown Road (M-22) to A-295 (500 feet north of Club House Road)	120'-150'	4-6
M-25	-	Goshon Road	From Oden'hal Avenue (M-21) to Warfield Road (P-1)	120'	4-6
M-26	MD 117/124	Clopper Road/West Diamond Avenue	From Great Seneca Creek to Muddy Branch Road (M-15)	120'	4-6
M-28	-	I-370 Extended (Snn Elg Highway)	From Great Seneca Highway (M-90) to I-270 (F-1)	150'	4 to 6
M-42	-	Shady Grove Road	From Great Seneca Highway (M-90) to Munenator Mill Road (P-2)	120'	6
M-94	-	Metro Access Road	From Metro Access Highway/Intercounty Connector (F-9) to Metro Station	150'	4
ARTERIAL HIGHWAYS/BUSINESS DISTRICT STREETS					
A-16	-	Snouffer School Road	From Goshon Road (M-25) Galthersburg-Laytonsville Road Relocated (M-21)	80'	4
A-17	-	Longdraft Road/Watkins Mill Road	From Quince Orchard Road (M-24) to Great Seneca Creek (Excluding those portions within the City)	80'	4
A-18	-	Christopher Avenue/Lost Knife Road	From Galthersburg City Boundary to Oden'hal Avenue (M-21)	80'	4
A-33	-	Longdraft Road	From Longdraft Road/Watkins Mill Road (A-17) to B&O Railroad	80'	4
A-34	-	Shady Grove Road Extended	From Great Seneca Highway (M-90) to Plan Boundary	80'	4
A-36	-	Wrightman Road/Drink Road	From Great Seneca Creek to Goshon Road (M-25)	80'	4
A-103	-	Riffle Ford Road	From Great Seneca Creek to Damestown Road (M-22)	80'	4
A-255	-	Oakmont Avenue	From Shady Grove Road to the Galthersburg City Boundary	80'	4

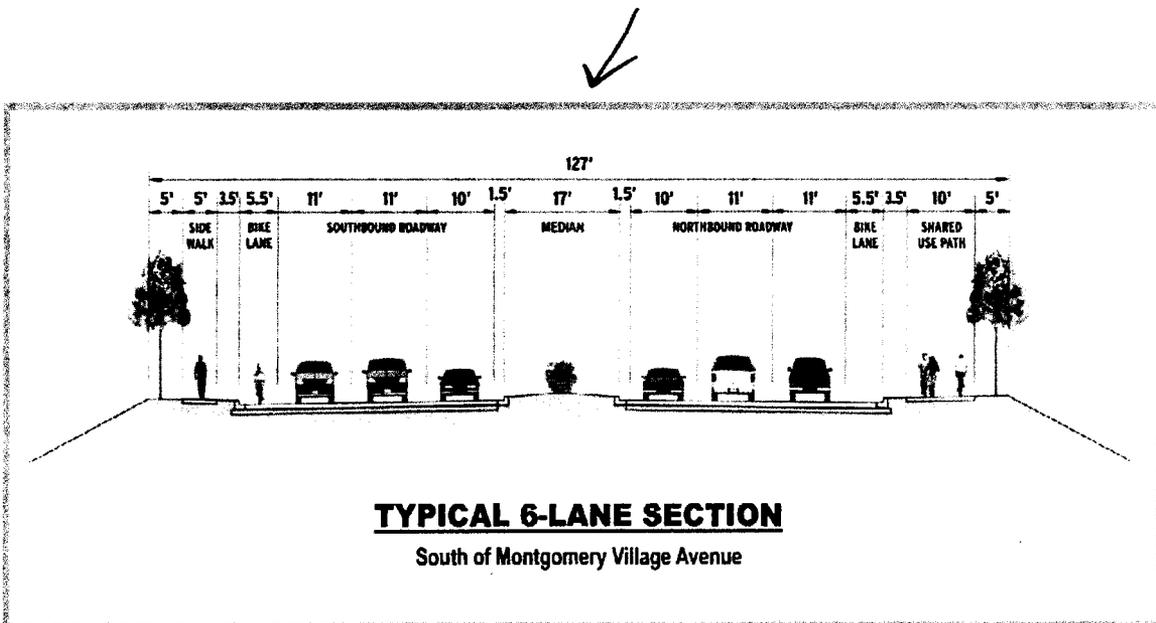
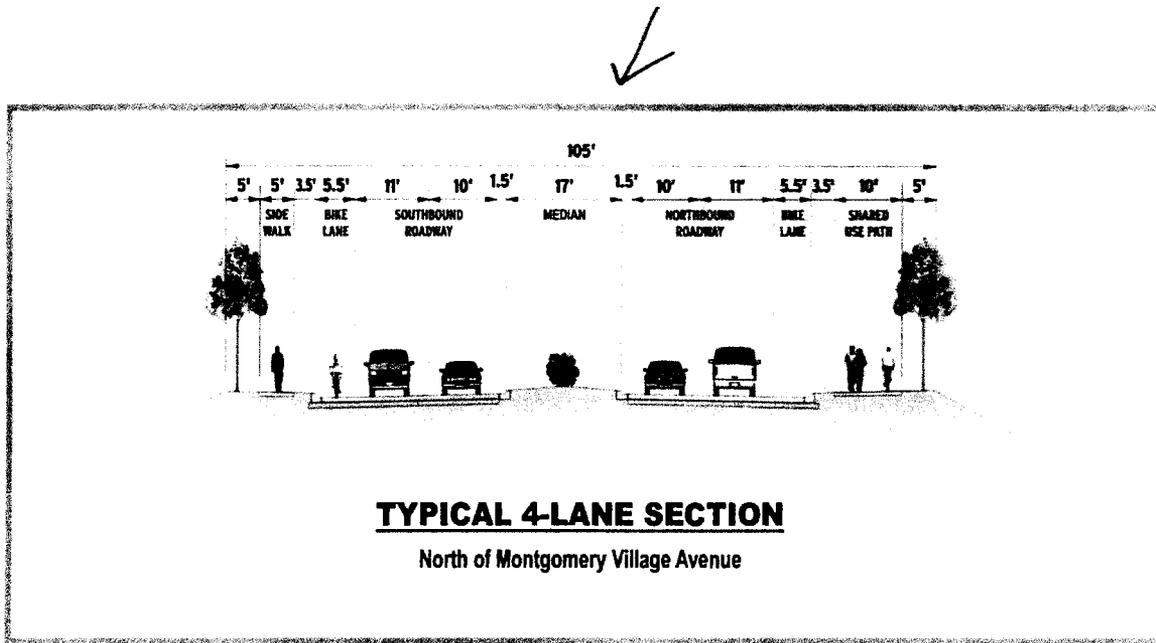


Figure 2-11: Alternative 4 Modified, 4-lane and 6-lane Typical Sections

HALT ALT. 4!

1862 UNION ENCAMPMENT PROTECTING CAPITAL DURING CIVIL WAR

Sarah Posey House—on MD Inventory of Historic Buildings—to be destroyed

HISTORIC COMMUNITY OF PRATHERTOWN



Brink Road—laid out 1794, and Agricultural Reserve

Thompson-Wightman House

1880 Benson House

Alt. 4 Modified would disrupt historic Prathertown, a Civil War site, would destroy an historic home and disrupt two more. It would invade the Agricultural Reserve, turning the 2-lane 1794 Brink Road into a 4 lane divided high-

Alt. 4 modified, if adopted, would be the alternative to the original extension of M83—also known as the Mid-County Highway. The original extension, on the county's Master Plan in 1969, would cross Montgomery Village Avenue and continue through property already purchased by the county, ending at Brink Road near Wildcat Road. The original extension has been opposed by the Montgomery Village Foundation; the Dayspring Community which owns a tract of land used for a retreat that would be impacted, and by the Montgomery County Parks Department.

Because of this opposition, Alt. 4 was proposed in an unknown year as one of several alternatives. Homeowners Associations learned of it in 2011 when other alternatives were rejected except for (a) doing nothing, (b) mass transit, (3) widening Frederick Avenue, (d) the original extension (with some different endings when it reaches Brink Road), and (e) Alt. 4—modified, which would widen Snouffer School Road, Wightman Road, and Brink Road.

The widening would be drastic. Snouffer School Road from #124 as it becomes Wightman Road to Montgomery Village Avenue would go from two lanes to six lanes with a median strip. From Montgomery Village Avenue, Wightman Road to Brink, and Brink to Wildcat Road would be four lanes with a median strip. Because such a road was never identified on the Master Plan, townhouses, single family homes, churches and businesses were not built in contemplation of a road this size. The grounds separating townhouse communities from the road would disappear, noise would increase, and the appearance and character of the community—the historic Prathertown community and Montgomery Village, a planned community—would be severely affected. The faint beige lines at the edge of the road, above, shows what road planners call the “Level of Disturbance.”

Alt. 4 Mod. Would Impact the Character of the Historic Community of Prathertown



In 1883 and 1884, Ann, Reason, Marshall, Moses, and John Prather, former slaves owned by the William W. Blunt, who owned Woodbourne on Blunt Road, purchased about 6.5 to 7.5 acres along Wightman Road, part of a larger tract called "Dorsey's Meadows." They paid \$60 cash to William H. Benson and his wife. Later, nearby land was bought by other freed slaves. The families hired out labor to other farms, the women took in washing, and they also farmed small truck gardens on the land. Prathertown is one of the oldest African America communities in Montgomery County and one of few to have retained its ethnic identity. Many of the people living in Prathertown today are direct descendants of the original settlers.

Alt. 4 Mod. Would Impact the Thompson-Wightman House

Alt 4 Modified would remove nearly all of the yard between Thompson-Wightman House and Wightman Road. This is one of the oldest sites at 9821 Wightman Road of the original "Dorsey's Meadows" tract upon which most of this community was built. The house was built in the 1860s and possibly built above an earlier dwelling, which is its present basement. It was in the possession of just two families between 1829-1966. (MC Historical Society. Research by Susan Emma Houser, 2005)

Alt. 4 Mod. Would Impact the Benson House

Alt 4 Mod. would remove the front yard of the John E. Benson house, an 1880 house built by the Benson family, which is part of Prathertown. This yard separates the road from the oldest part of the house. The house is built on an older stone foundation and was surrounded by outbuildings. John E. Benson was a son of William H. Benson, who sold many of the Prathertown plots to African-Americans. (MC Historical Society, Research by Susan Emma Houser, 2005)

Alt. 4 Mod. Would Destroy the Sarah Posey House

Alt. 4 was planned so to tear down the Sarah Posey House at 9631 Wightman Road, described by documents in the Maryland Inventory of Historic Properties as "graceful, elegant, and one of the loveliest homes in the Goshen area," and also as "the last remaining example of folk architecture of Prathertown." Built in 1910, it was owned by an African American woman, Sarah Posey, a midwife, remaining in her family for 68 years. It is one of the last remaining early 20th century homes of Prathertown. (Maryland Inventory of Historic Properties, No. 20-42)



Alt. 4 Mod. Would Impact an 1862 Civil War Site

A historical marker stands at Seneca Creek Bridge to commemorate its place in history. President Lincoln anticipated that the Confederate armies might attack Washington, D.C., through Brink, Goshen, and Laytonsville to Route 108 and Georgia Avenue. Therefore when Robert E. Lee crossed the Potomac River in September of 1862, it was important to protect the Bridge at Seneca Creek. A squadron of the 1st New York Cavalry arrived followed by General Reno's Corps. On September 10, 1862, General McClellan wrote, "General Burnside has 5000 men at Goshen and Seneca Bridge." (Susan Soderberg, MD National Capital Park and Planning Commission)



Alt. 4 Mod. Would Turn an Early American Road Into a 4-Lane Divided Highway and Invade the Agricultural Reserve

On March 13, 1793, a road was certified in Montgomery County to run from the Potomac to Green's Bridge over the Patuxent River. The road was constructed from the Mouth of the Monocacy to intersect the Frederick-Baltimore Road (Rt. 40) in Howard County and was to provide a convenient way for farmers to get their produce and animals to Baltimore, Rt. 40 being too far north, and not well maintained. The new road also passed several mills, including the Goshen Mills in our vicinity. The road was called Old Baltimore Road, but a portion is now called Brink Road. (From "roads" file at MCHS, provided by Susan Soderberg.) In 1980, farmland surrounding Brink Road was declared part of an Agricultural Reserve to be protected.

OUTRAGED? Contact your County Council members to let them know. CRAIG RICE, District 2; NANCY FLOREEN, MARC ELRICH, GEORGE LEVENTHAL, HANS RIEMER, Members at Large. MAIL: 100 Maryland Ave., Rockville, MD 20850. PHONE: (240) 777-7900. All can be e-mailed at councilmember.(insert last name)@montgomerycountymd.gov. You can contact the Greater Goshen Civic Association at ourgg-ca@hotmail.com, or, the author of this flyer, Virginia Nuta, vrnuta@verizon.net.

So, please when you consider the revised Engineering scopes that say less surface area will allow a "greener" alternative route, consider the impacts of cutting the thousands of trees down. The erosion alone is going to impact the Seneca Creek a great deal. The noise the highway is going to ruin our quiet and air quality around schools and playgrounds will increase asthma and related illnesses by a good percentage if you read the studies...

So, please do not build this road. Opt for Bus Rapid Transit, the alternative roads or whichever alternative you can, this road is not beneficial enough to cross cut our neighborhoods and lessen our property values and quality of life.

Sincerely,

Sylvia Lake

9621 Marston Lane

Montgomery Village, MD 20886

301-503-7954

Speaker Robert Portanova
Residence Montgomery Village
Phone 301-990-4881
Event August 7 Public Hearing

My name is Bob Portanova and I have lived in Montgomery Village since 1987. I currently reside in a community called Stedwick. I moved there for the open fields, streams and woods behind my house. It is now threatened due to the M-83 proposed highway.

I have been following the progress of this project for several years now. I would like to state that the entire project has been kept in the dark, shielded from the general public. In addition, Montgomery County DOT has broken numerous NEPA process laws in announcing this Public Hearing. A total lack of transparency exemplified in the hidden and biased means of getting on their distribution just to find out about the Public Hearing. I was lucky enough to have called and talked with Greg Hwang several years ago - so at that point I must have been added to the DOT mailing list. The average resident would not know and therefore excluded from the announcement. The time of the hearing, scheduled at 4:30 is unfair to make hourly working people unable to get off work early. The public speaking time is 6:30 but one has to be present by 4:30 to sign up. This is confusing and purposefully ambiguous and a clear violation of the NEPA process.

The highway itself will result in nothing short of an environmental holocaust. Most of the 5.7 mile terrain is made up of dense forest, a meandering creek at points 30-50 feet wide with water flowing over gorgeous rock formations, mounds and mounds of ferns, 100 year old sycamores, small creek offshoots from main artery, huge boulders on sides of hills with 45% pitch - all home to thousands of animals - deer, raccoon, fox, possum, turtles, fish birds, salamanders.

The human impact is just as bad. This road is proposed to split thru a strip of forest with condo complexes on either side, housing over 5,000 residents - the strip between the two is only about 30 yards. The route will also pass along several large run-off ponds, a tennis court, a pool, over a football field, over a softball field, alongside an Elementary School, over a main road, thru a massive floodplain, under Pepco power lines, over Colonial Gas pipelines and thru dense forest wetlands.

This proposal is an absolute environmental and human violation and should endure criminal prosecution. The pictures I have in front of me will tell the story better than I can.

Thank You.

Historical Goshen



Butlers Orchard
located in Agricultural Reserve
Designated Historical

Wild Cat and Davis Mill Road
(Designated Historical)



Horse Farm



John Davis Mill



Woodbourne, 1807
Designated Historical



Flood Plains and Wetlands
and Wildlife



Wightman House
Montgomery County Historical Registry

Pratherstown established 1883
Historical African American Community



Great Seneca Creek Bridge
5,000 Federal Troops
Native American artifacts discovered
over 3,000 years old.



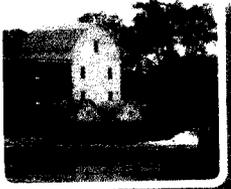
Sarah Posey House
Montgomery County Historical Registry



Benson House
Montgomery County Historical Registry



Durr and Wingo Mill
Montgomery County Historical Registry



Goshen Mills, 1792



Fabric House



The Old Post Office Building
Montgomery County Historical Registry



Fertile Meadows, 1891
Montgomery County Historical Registry

AUG 09 2013

9916 Walker House Rd, #2
Montgomery Village, MD 20886
August 8, 2013

US Army Corps of Engineers
Baltimore District
Attn: Mr. Jack Dinne, CENAB-OP-RMN
P.O. Box 1715
Baltimore, MD 22103-1715

Dear Mr. Dinne,

I live in the path of M-83 and want to voice my strongest opposition to the project. Aside from the environmental impacts (which are many), the outrageous cost, the proximity to an elementary school and the fact that the residential nature of the surrounding areas mean that no meaningful economic growth can come from this project, this 4-6 lane road at highways speeds would destroy the woodlands near my house which my family regularly walks. It would also make it infinitely more difficult for my young son to safely traverse Montgomery Village Ave on our way to walk to Lakeforest Mall or Trader Joe's .

When we moved to Normandie on the Lake II, this project had effectively been killed. For this reason, we decided to pay a premium to live in a condo with views of the woods. Now, the County wants to move the goalposts and resurrect this ill-conceived road; blocking our views with concrete barriers and destroying access to my condo association's pool. I should also add that the County's current BRT proposal does not include anything for Mid-County Highway. Even if it did, the wholesale reduction of public transportation on the ICC is indicative that the authorities are only interested in creating automobile capacity at the expense of all other forms of transit.

While I am somewhat sympathetic to up-county residents, the fact of the matter is that this road was not approved earlier and there is no good reason to approve it now.

I would, instead urge widening existing State roads such as 355 or 124. Additionally, HOV lanes should be extended on I-270 up to Exit 18 and another lane added to this road. This should assist considerably in increasing capacity on roads leading to Shady Grove or the southern part of the county.

Thank you for your consideration.

Sincerely,



Michael Sheib

AUG 27 2013



Gaithersburg
A CHARACTER COUNTS! CITY

August 12, 2013

Mr. Jack Dinne, CENAB-OP-RMN
U.S. Army Corps of Engineers
Baltimore District
P.O. Box 1715
Baltimore, Maryland 21203-1715

Mr. Sean McKewen
Maryland Department of the Environment
Wetlands and Waterways Program
160 South Water Street
Frostburg, Maryland, 21532

Dear Sirs

The City of Gaithersburg would like to take this opportunity to further comment on the Midcounty Corridor Study (MCS) 2013 Draft Environmental Effects Report. The City would like to amend and clarify its position stated in the comment letter dated July 17, 2013 (attached) regarding the various Alternatives Retained for Detailed Study.

While the statements expressed in the July 17 letter's "General Comments" stand, the City recognizes the potential benefits of an additional north-south major arterial roadway paralleling both Interstate I-270 and Maryland (MD) 355 within the defined study area. Regarding the "build" alternatives discussed in the MCS, the City reaffirms its opposition to Alternatives 5 and 8. To make clear, the City has determined Alternative 9 is the least objectionable of the various build alternatives and should be designated as the "Preferred Alternative" with the requests expressed in the July 17 letter; however, based upon the benefits defined in the MCS, the intersection improvements associated with Alternative 2 should be incorporated into any and all of the build alternatives. Thank you for the opportunity to clarify the City of Gaithersburg's position.

Sincerely,

Rob Robinson III, Lead
Long Range Planning
City of Gaithersburg

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
301-258-6300 • FAX 301-948-6149 • TTY 301-258-6430 • cityhall@gaitthersburgmd.gov •
www.gaitthersburgmd.gov

MAYOR
Sidney A. Katz

COUNCIL MEMBERS
Jud Ashman
Cathy C. Drzyzgula
Henry F. Marraffa, Jr.
Michael A. Sesma
Ryan Spiegel

CITY MANAGER
Tony Tomasello

Cc:

Mayor & City Council

Tony Tomasello, City Manager

Jim Arnoult, Director, DPW

John Schlichting, Director, Planning & Code Administration

Ollie Mumpower, Engineering Services Director

Greg Hwang, Capital Projects Manager, Montgomery County Department of Transportation

AUG 19 2013

11509 Summer Oak Drive
Germantown, MD 20874
August 13, 2013

US Army Corps of Engineers
Baltimore District
Attn: Mr. Jack Dinne
CENAB-OP-RMN
Box 1715
Baltimore, MD 21203

Midcounty Highway Corridor Study

I have been a resident of Germantown since 1974, have seen many changes and have been very involved in civic life.

Ever since I have lived here, M83 has been on all local master plans and the regional master plan. The original plan took into account historic places and buildings, and the designated right of way was placed in the most efficacious location.

I ask you to follow the Master Plan Alignment Alt 9a and issue a permit for this alignment. The road was planned, together with transit options, for the planned expansion of Germantown and Clarksburg. Germantown has since had a further expansion of many millions of square feet of commercial development and many thousands residential units. This puts further pressure on the existing roads and makes M83 even more necessary.

We do not need any more money to be wasted on studies. We need M83.

Sincerely,



J. Elaine Huey

Cc: Maryland Dept. of the Environment
Montgomery County Dept. of Transportation

AUG 22 2013

Germantown Historical Society

P.O. Box 475

Germantown, MD 20875

US Army Corps of Engineers
Baltimore District
Attn: Mr. Jack Dinne
CENAB-OP-RMN
Box 1715
Baltimore, MD 21203
August 14, 2013

Mid County Highway Corridor Study

The Amended Germantown Master Plan of 1974 designated an alignment for M83 which carefully avoided the historic structures and African-American Town of Prathertown

In 1974 it had been decided that M83 was a necessary element (together with transit) for the future expansion of Germantown and beyond and was to be funded through the five year CIP at that time.

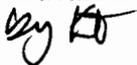
Residents should not have to be continually fighting decisions already made and written into master plans which they are supposed to rely upon when they buy their houses.

It is now time to stop any further study and grant the permit to build the road. The Germantown Historical Society supports the 1974 Amended Master Plan and its present closest alignment, 9A.

Sincerely,



Susan Soderberg, President



Cc: Maryland Dept. of the Environment
Montgomery County Dept. of Transportation

AUG 22 2013

US Army Corps of Engineers
Baltimore District
Attn: Mr. Jack Dinne, CENAB-OP-RMN
PO Box 1715
Baltimore MD 21203-1715

8/15/13

Dear Mr. Dinne:

I strongly support the permit application for the Master Plan alignment of M-83 (Alt. 9, Option A). It is the only option that will improve traffic flow safely and efficiently and won't negatively impact the "human" environment. Options B & D both destroy a home. [Option B destroys wells or septic for about 15 homes along Brink Road and in some cases that could result in the loss of homes. Option D intrudes through and takes land from the Agricultural Reserve, which would set a precedent for the taking of Ag Reserve land for purposes other than agriculture.]

The Master Plan alignment would have fewer obstacles than trying to "retrofit" existing roads, such as is proposed in Alternative 4 Modified. Existing roads with homes, and consequently dozens of driveways and school bus stops, would cause a myriad of safety problems if these roads were turned into 4-lane highways with 50-mph speed limits. [I can't even imagine the terrible effect to traffic and residents during the months or years of construction *alone*. But then once it is finished, Alternative 4 Modified would cause virtually everyone living on the widened roads to have to go right out of their driveway, then make a U-turn to go left. They'll have to go past their house and make a U-turn instead of being able to make a left turn into their driveways. As a resident of Brink Road it would affect me, but my point is not that it would just affect me: **It will affect every family along the widened roads.** Ninety driveways, according to the Draft Environmental Effects Report. All these U-turns would use more gas, as well as our cars idling while we wait for an opening in two or three lanes of oncoming traffic before we can make our turns, as opposed to the one lane of traffic we cross now.

The current stretch of Midcounty Highway is a great smooth-moving road until it abruptly ends at Montgomery Village Ave. A limited access highway is exactly what is needed to continue the safe and efficient flow of high-volume traffic with minimal interference from existing roads and none from private driveways. Alternative 4 has been projected to impact 90 driveways. Ninety! That is not acceptable. Alternative 4 also would impact 25 unsignalized intersections in that same span, and 13 signalized intersections. 128 access points. This will not promote safe, efficient, high-volume 50-mph traffic flow. This will waste fossil fuels and be more dangerous for drivers, pedestrians, and residents.

For the safest, most efficient, smooth flowing option for motorists, please approve the permit application for Alt. 9 (Option A). That road will minimize intersections, potential pedestrian-related accidents, and impact on school bus stops, which I believe would be much safer for everyone involved. The resulting smooth-flowing traffic will minimize air pollution and carbon emissions as well as reduce gas consumption. **Healthier air, safer people, and reduced gas consumption: Isn't this what we should be striving for?** But instead we are looking for options because we don't want to cut down trees that grew in the Master Plan right of way, designated in the 1960's? The trees grew because the area was reserved from development. **Because M-83 was supposed to be built there!** So let's build it. The Master Plan alignment has been planned for and makes sense. It gives us the efficient north/south route we need.

For 30 years the Midcounty Highway has provided excellent access from Montgomery Village to Metro, downcounty roads and recently the Intercounty Connector. M-83's Master Plan route will extend this benefit to the rest of the upcounty. M-83 is needed to relieve congestion on 355 and I-270 and the need only gets greater with the development of the Clarksburg/Germantown/Damascus areas.

Why is Alternative 4 Modified even still an option, when it will be more dangerous for drivers, pedestrians, and residents, gives us no real benefit in commuting time and would use more fossil fuels? Please do not approve a permit application for this option. This alternative is made up of rural routes that are distant from the transportation corridor, that are near and crossing streams. In places this route is prone to flash flooding which would only get worse if you more than double the amount of impervious surface with four lanes of road, a sidewalk, and a multi-use path.

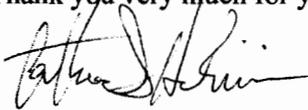
If you are looking to improve safety and fuel efficiency on the roads, as well as accommodate future growth, you should rule out Alternative 4 modified and stick with the Master Plan alignment (Alt. 9, option A.) It would be the preferred alternative for fuel efficiency because of reasons stated above, and because it could support a designated bus lane.

I am strongly opposed to the permit application for Alt. 4 Modified. It adds over seven acres of impervious surfaces to areas that are already prone to flash flooding, thereby making the flooding risk worse. More residents will have unacceptable levels of noise (417 homes) because the route runs right next to so many homes, schools, and churches.

With Alt. 4 Modified, water quality in our wells on Brink Rd. and other roads that are widened will suffer because of increased runoff from the four-lane highway. It will be the least safe, and with the longest travel time. It is the worst alternative for the "human" environment.

Please do not approve a permit for Alt. 4 Modified.

Thank you very much for your time and consideration.



Catherine Hekimian
10501 Brink Rd.
Germantown, MD 20876

PS: Development rose up around the M-83 right-of-way in anticipation of the road being built to the Master Plan route. M-83's construction has been assumed in all upcounty development planning and approval. Changing the project alignment will be more troublesome to the county and to the affected county residents. M-83's Master Plan right-of-way has been mapped, reserved, advertised and marked on the ground. Efforts have been made to disclose the right-of-way to those who chose to live near it. *Please don't penalize residents who consulted the Master Plan before they purchased their property.*

AUG 22 2013

August 15, 2013

Maryland Department of the Environment,
Wetlands and Waterways Program
Attn: Mr. Sean McKewen
160 South Water Street
Frostburg, MD 21532

Re: Proposals for M-83 Highway Construction

Dear Mr. McKewen:

This letter addresses proposed M-83 construction (Montgomery County's preferred Alternative 9 and Alternatives 1, 2, 4, 5, and 8). I urge that Alternative I be selected: No action to be taken, no construction, and no cost.

Other comments you receive will detail problems specific to each alternative. In my comments below, I will address what those alternatives share in common, difficulties that make the entire concept of increasing road capacity and M-83 construction a bad choice. My concerns are encompass three broad areas: decline in our quality of life, threats to human health, and damage to ecosystems and the environment.

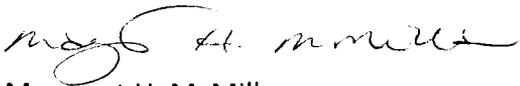
- I. Harmful impacts on Montgomery Village. As a community that offers inexpensive housing in an attractive setting, Montgomery Village has been one of the county's crown jewels for quality of life. Homeowners and renters enjoy an abundance of green space and water, mature trees, and recreational opportunities. The level of vehicular traffic intersecting the community is relatively low and well separated from residences.

Montgomery Village offers some of the area's finest recreational and wildlife viewing opportunities with parks such as South Valley, Lake Whetstone, North Creek Lake, and Milton Kaufmann Park, and other green spaces. The beautiful Greenway Trail—which follows Seneca Creek from Damascus to the Potomac River—offers magnificent hiking and biking opportunities uncommon in a suburb. Slashing it with a major highway would murder a significant portion of the trail.

This peaceful community is already challenged by future traffic demands. Proposed construction on the present sites of the golf course and the Professional Center would significantly increase vehicles traveling through Montgomery Village.

Thank you for considering my comments.

Sincerely,



Margaret H. McMillan

10517 Cambridge Court

Montgomery Village, MD 20886

Margaret.H.McMillan@gmail.com

301-512-9935

cc: U.S. Army Corps of Engineers, Baltimore District
Attn: Mr. Jack Dinne
CENAB-OP-RMN, P.O. Box 1715
Baltimore, MD 21203-1715

AUG 22 2013

US Army Corps of Engineers
Baltimore District
Attn: Mr. Jack Dinne, CENAB-OP-RMN
PO Box 1715
Baltimore MD 21203-1715

August 15, 2013

Dear Mr. Dinne:

I strongly oppose Alternative 4 Modified. The Master Plan alignment of M-83 (Alternative 9, Option A) should be completed to safely improve traffic flow and to accommodate existing and planned development.

Alternatives would not be as safe for motorists or pedestrians as a limited-access highway. The planned M-83 extension is the most efficient and safest approach. It minimizes the impact on intersections, and it has absolutely no impact on driveways and school bus stops.

I am particularly concerned that Alternative 4 to M-83 is still under consideration. It would involve widening Brink Rd., among others. This alternative would impact 90 driveways and 38 intersections. The disruption caused during its construction would be huge, and the construction itself would be a nightmare in a tightly constricted right of way with no good alternative for existing traffic. Once the project was completed the road would be widened to four lanes, the speed limit would be increased to 50 mph, and it would be much more difficult to safely access our driveways (due to the raised median) or turn at intersections. We would be making left turns across two or three lanes of traffic at unsignalized intersections. We would need to make U-turns when the median was in our way for left turns. This is inefficient and dangerous.

Residents on Brink Rd. must use their turn signal well in advance to let cars behind know they will be slowing down to turn. Motorists routinely travel at unsafe speeds. I can't imagine how daunting it will be with two or three lanes of traffic to worry about rather than just one. A driver's line of sight may be blocked by the cars in front of them, or because of a hill or curve in the road. This is a very real concern.

Another concern is the number of deer that get hit on Brink Rd. every week already. Double the lanes and increase the speed limit and you will see many more, I'm sure. Not only should the speed limit not be increased, I think Brink Rd. should actually have a **reduced** speed limit at night, like on Shady Grove Rd. extended. I have expressed my concern to the county before on this issue. At night, with the hills and curves of Brink Rd. it is very difficult to see safely ahead enough to go the speed limit. I always go well under the limit at night. I wish the limit were reduced so everyone had to do the same.

Montgomery County's own studies have shown Alt. 4 Modified would have:

- the greatest number of failing intersections
- the greatest residential property impacts (242)
- the greatest potential noise impact to most residents (417)
- the greatest amount of piped streams (1,282 lf)
- at least two residential displacements

I strongly support Alt. 9, option A. M-83 extended is a key element in the upper Montgomery County road system and is urgently needed as Clarksburg, Germantown and Damascus continue to grow. Of all the alternatives under consideration, it has:

- the lowest projected accident rate
- greatest improvements to commute times
- less than one acre of wetlands impacted

The efficient flow of traffic along this controlled-access highway would result in reduced fuel consumption and fewer carbon emissions. The run-off from the new highway would not have adverse effects on homeowners' well-water quality like Alt. 4 Modified would. Alt. 4 runs through semi-rural neighborhoods where the homes rely on well water. Alt. 4 Modified would destroy the well and septic systems for 20 or more homes, likely leading to additional home loss.

Please do not approve the permit application for Alt. 4 Modified. Looking at the county's study results, it makes no sense that it is still under consideration.

Thank you.

A handwritten signature in black ink that reads "Kristen Guidace". The signature is written in a cursive style with a large, prominent initial "K".

Kristen Guidace
10505 Brink Rd.
Germantown MD 20876

AUG 26 2013

10121 Brink Road
Germantown, MD 20876

August 19, 2013

U. S. Corps of Engineers
Baltimore District
ATTN: Mr. Jack Dinne, CENAB-OP-RMN
Box 1715
Baltimore, MD 21203

RE: Master Plan (M-83)

Dear Sirs:

Bill and I bought land on Brink Road in 1978 with the idea of building our home on a quiet, up-county road. Before the contract was signed, we checked with authorities on any future plans for airports, schools, roads, etc. The Midcounty Highway (M-83) was not that close to the property so we purchased it. In other words, we did our homework.

We have been life long tax paying residents of Montgomery County and never did we expect to be put through the anxiety of losing our property to a highway that was never on the Master Plan.

Please do not even consider Alternate 4 because hundreds of residences will be severely effected if this alternate route is chosen.

Stick with the original Master Plan Alternate 9, Option A (M-83).

Sincerely,


William H. Webb, Jr


Marion M. Webb

AUG 16 2013

9969 Lake Landing Rd.
Montgomery Village, Md. 20886
August 15, 2013

U.S Army Corps of Engineers
Baltimore District
Attn: Mr. Jack Dinne, CENAB-OP-RMN
R. O. Box 1715 *10 Howard St,*
Baltimore, Md. 21203-1715

RE: Mid-County Corridor Study
By Fed Ex

Dear Mr. Dinne:

Enclosed is the full document regarding the above study sent to project contact Steve Elinsky on July 31, 2012 and received by your offices on Aug. 1, 2012 by Fed Ex (See enclosed receipt).

This contained 3 exhibits: Ex. A Agricultural Reserve; Ex. B Danger to Children; and Ex. C Adherence to Federal Law particularly the Clean Water Act. You said you had the letter in your files but not the last exhibit. I am therefore sending you the complete document including the Fed Ex receipt. Please let me know if you receive it in tact.

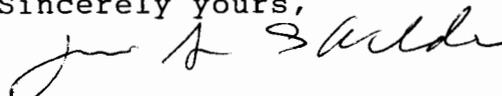
Further information will be sent to you regarding this project, including my testimony which I was unable to complete at the Aug. 7 hearing due to confusion regarding info you gave me about relocating Whetstone Run in front of Watkins Mill El. School and contradictory info from the consultants during the map display period. My understanding according to our phone conversations this week is that the stream will not be relocated here.

You said you had asked Greg Hwang to call me about my further questions on the maps in the study which I (and others) have found very confusing: As of today he has NOT called me. (no legends, etc.)

I would suggest lengthening the comment period due to the confusing preparation of the study and other factors.

Thank you very much.

Sincerely yours,



Jane Ann S. Wilder
Potomac Valley Environmental Group

Enclosures

P. S.: You said in our recent conversation that the Post Mark is the relevant factor in making the Aug. 21 comment deadline, Correct?



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Device ID: GAIKK-POS2
Employee: 2025183
Transaction: 78059221649

PRIORITY OVERNIGHT
00116842285 0.30 lb (S) 21.00

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IRG, MD

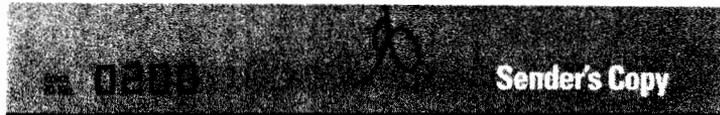
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Recipient: BALTIMORE, MD
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Someone at recipient's address may sign for delivery. **Fee applies.**
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August 06, 2012

FedEx Customer
(301) 869-1424

Dear FedEx Customer:

Our records reflect the following delivery information for the shipment with the tracking number 800116842285.

Delivery Information:

Signed For By: P.NORTON

A handwritten signature in black ink, appearing to read "P. Norton".

Delivery Date: August 01, 2012

Delivery Time: 09:57 AM

Shipping Information:

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Ship Date: July 31, 2012

Shipper: GAITHERSBURG, MD
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Recipient: BALTIMORE, MD
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9969 Lake Landing Rd.
Mont. Village, Md. 20886
July 30, 2012

Mr. Steve Elinsky
U. S. Army Corps of Engineers
10 Howard Street
Baltimore, Md. 21217

RE: Mid-County Corridor Study, Mont. County,
Md.

By: Fed. Ex.

Ag alt 9; For 1, 2, 5 & Transit

Dear Mr. Elinsky :

We hope this material will assist you in making your critical environmental decisions. We most strongly oppose Alt. #9 and support 1, 2, 5, and transit.

Ex. A: Agricultural Reserve --

The fact that Alternative #9 ("Master Plan") will take out (re-zone) ^{in fact} 130 acres of the previously sacrosanct Agricultural Reserve in Mont. County. (The up-d-ted Germantown Master Plan has not changed this according to the Mt. C. Planning Board.) (See Ex. A)

Ex. B: Danger to School Children --

The health study done a few years ago by the group "G. A. S. P." (Getting Air Standards Prioritized) and sent to the Transportation Dept. as early as 2005, about the disastrous effects of major highways within 500' of an elementary school. This was done precisely for Watkins Mill Elementary School which is the most impacted school on the M-83 route. The children's ballfield is within 50' of the road and the new brick and mortar classrooms within 430'! (See Ex. B)

Ex. C: Adherence to Federal ^{LAW} Particularlly the Clean Water Act --

Enclosed is a copy of the Corps of Engineers 1989 response to Mont. County's attempt to get approval for the "Master Plan Route" (#9). The phrase on page 2, pp.3 (A):

"The identification of a roadway alignment in a Master Plan adopted prior to wetland protection laws, does not create an exemption from 404 (b) 1 compliance."

We believe this also applies to the new County "Roadcode" which has made a mockery of Alternative 4 ("modified") by splaying the 80' long-time existing right-of-way to 109-119' (??), with elaborate bikeways, and foot paths quaranted to panic those near Wightman and Brink Roads (whose property would otherwise be unaffected.) (See also, same pp., sentence one regarding "Brink-Wightman. . ." etc. Ex. C)

If you have any further questions please do not hesitate to ask.

Thank you very much for your consideration of this material.

Sincerely yours,

Jane Ann S. Wilder
Jane Ann S. Wilder
Citizens to Save South Valley Park
and Whetstone Run (Board)
301-208-1828

Encls.

M-83 WILL TAKE AN UNPRECEDENTED 130 ACRES OUT OF THE AGRICULTURAL RESERVE!!

One more thing that argues for not building M-83 - It will take over 130 acres from the Ag Reserve! This will be in the area of Rustic Wildcat Rd. a Class III P Wildcat Branch stream off Brink Rd. in Germantown. M-83 previously was routed straight up Brink Rd. until the 1988 Germantown Master Plan when it was re-routed across Brink over Wildcat Rd. and into the Ag Reserve "to increase traffic capacity (i.e. the development capacity) in Clarksburg."

The Germantown Master Plan specifically notes on pages 210-212 that the new alignment "requires an amendment to the Clarksburg Master Plan and the Functional Master Plan for the Preservation of Agricultural and Rural Open Space in Montgomery County". (see Exhibit A.)

In addition, the Clarksburg Master Plan approved and adopted 6/1994 under "Areas Proposed for Zones Requiring Future County Council Action" the map on page 99 shows and the document on page 76 states:

"East of Ridge Rd., this proposed Midcounty Highway alignment forms the edge of a 130 acre area presently zoned for Agriculture. This plan recommends a change in the land use for that parcel because Midcounty Highway, once built, will separate the acreage from the larger Ag Reserve area. The plan proposes a change to rural land use that allows low-density residential use as well as farming. However, as noted in the Implementation Strategies chapter, rezoning from the present Ag Zone to the Rural Zone should not occur until the location and design of Midcounty Highway is underway." (see Exhibit B.)

This is absolutely unacceptable if one is concerned with preserving the Ag Reserve.

The argument that widening Brink to 2 extra lanes violates the Ag Reserve is not factual or comparable. This will require no zoning or land use changes. First of all the Ag Reserve Master Plan does not mention road widths and 80' right of way (which is standard 4 lanes in this alignment was already dedicated at subdivision as well as this alignment on Wightman and Snouffer School Rds. along this continuing route). Widening Brink to 4 lanes will not violate the Ag Reserve - M-83 will!

This fact of the present intent of these plans to remove and rezone 130 acres of the Ag Reserve had not been precisely known until recently when research was done at the Planning Board, as to this precise language and clear intent. This is, in fact, more land violated in the Ag Reserve than proposed by Bethel World Outreach Church (119 acres) which was notably denied by the County Council and is presently the subject of a court case!

Besides dividing communities and destroying parkland, wetlands and old growth forests throughout the route as has been known, M-83 will remove the first substantial chunk of Ag Reserve in its 26 years of existence!

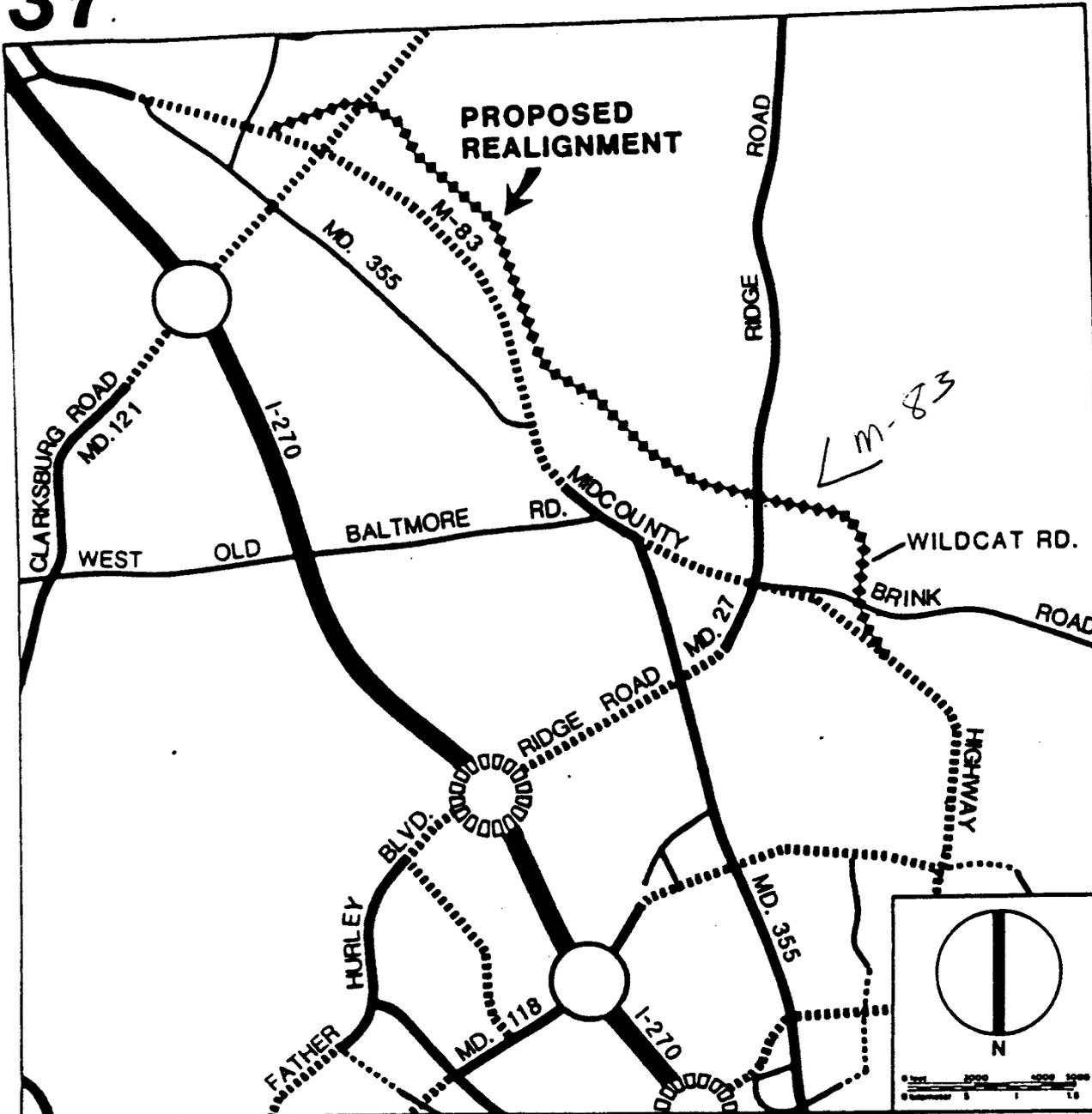
The more we learn about this road the more reprehensible it appears!

ENCLS

EX. A

Jane Ann S. Wilder & Whetston
Citizens to Save South Valley Park /
9969 Lake Landing Rd., Mont. Village, N
301-208-1828

37



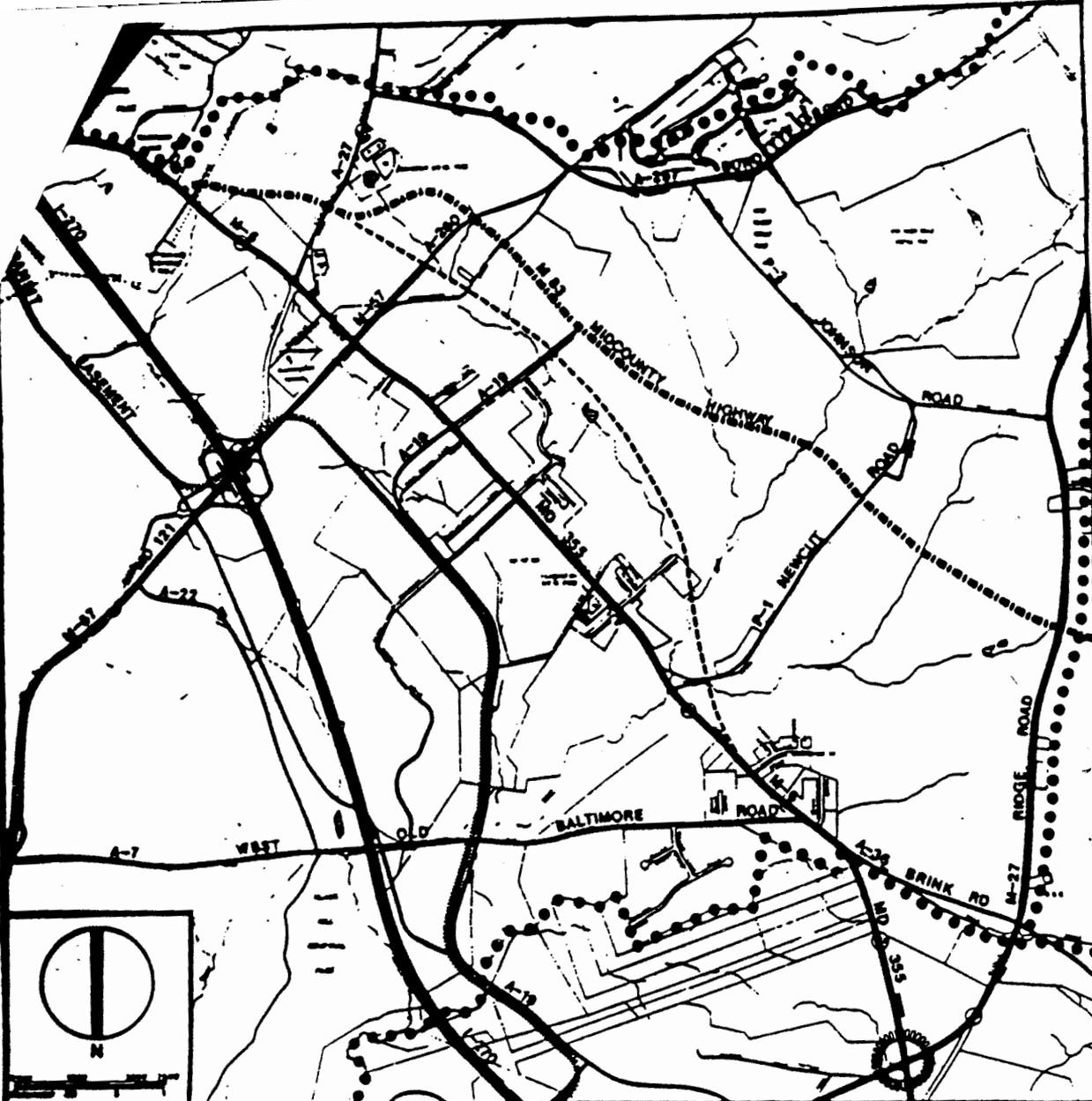
**Comprehensive Amendment
to the Master Plan
for Germantown**
Montgomery County, Maryland

Proposed Realignment
This realignment requires an amendment to the Clarksburg Master Plan and the Functional Master Plan for the Preservation of Agriculture and Rural Open Space in Montgomery County.

**Proposed Realignment of
Midcounty Highway (M-83)**

The Maryland-National Capital Park and Planning Commission

E.P.A



**Comprehensive Amendment
to the Master Plan
for Germantown**
Montgomery County, Maryland

**Amendment to the Clarksburg
Master Plan: Revision to the Alignment
of M-83 and Addition of Two Alternative
Transit Easement Alignments.**

HIGHWAY CLASSIFICATIONS

- FREEMAY
- MAJOR HIGHWAY
- ARTERIAL ROADWAY
- PRIMARY ROADWAY
- M-83 (MIDCOUNTRY HIGHWAY)
- RECOMMEND ALIGNMENT
- PREVIOUS ALIGNMENT

TRANSIT ALIGNMENTS

- ALTERNATIVE A
- ALTERNATIVE B

THIS AND OTHER ALTERNATIVE
ALIGNMENTS ARE BEING STUDIED
AS PART OF THE CORRIDOR CITIES
TRANSIT EASEMENT STUDY - SEE
MASTER PLAN AND FIGURE 30

PLANNING AREA BOUNDARY

The Maryland-National Capital Park and Planning Commission

implementation of this Plan. The road alignments and the number of lanes recommended in this Plan are intended to provide adequate capacity for the end-state development while minimizing the negative impacts of through-traffic on Germantown's residential communities. Appendix I describes the major highways in Germantown and their planned alignments:

Also included in this Plan is a road alignment change in the Clarksburg Planning Area. The 1968 Clarksburg Master Plan indicates that Midcounty Highway (M-83) intersects MD 355 at Brink Road, just north of the Germantown Planning Area. The amended alignment, shown on Figures 37 and 37A, keeps Midcounty Highway parallel to MD 355 through the Clarksburg Planning Area, joining it north of Clarksburg. This alignment change would increase the traffic capacity in Clarksburg.

This alignment change also amends the 1980 Functional Master Plan for the Preservation of Agriculture and Rural Open Space since the alignment now crosses Brink Road east of MD 355 and follows Wildcat Road until it turns west crossing MD 355. (See Figures 37 and 37A.)

Arterial Highways:

Arterial, business district and industrial roads have two-to-five lane cross-sections. They generally provide links between major highways and provide access from the major highways to the residential areas in the villages. The alignments of these roads have been designed to facilitate bus transit service. Appendix I describes the alignments of some of the significant arterial roadways. The Proposed Roadway System Map (Figure 35) shows the ultimate highway network just as the land use plan describes the ultimate development pattern.

TRANSIT SERVICEABILITY

One of the most significant objectives of this planning effort is to provide a complementary roadway and transit system that serves this vibrant corridor city. The land use recommendations expressed in this Plan are intended to foster a transit serviceable community.

Detailed planning for transit serviceable land use is evolving. The level of transit serviceability is thought to be the result of a number of interrelated elements such as:

- length of time to wait for the next bus or train;
- ease of access from residences to bus stops and transit stations;
- ease of access from the transit service to the destination.

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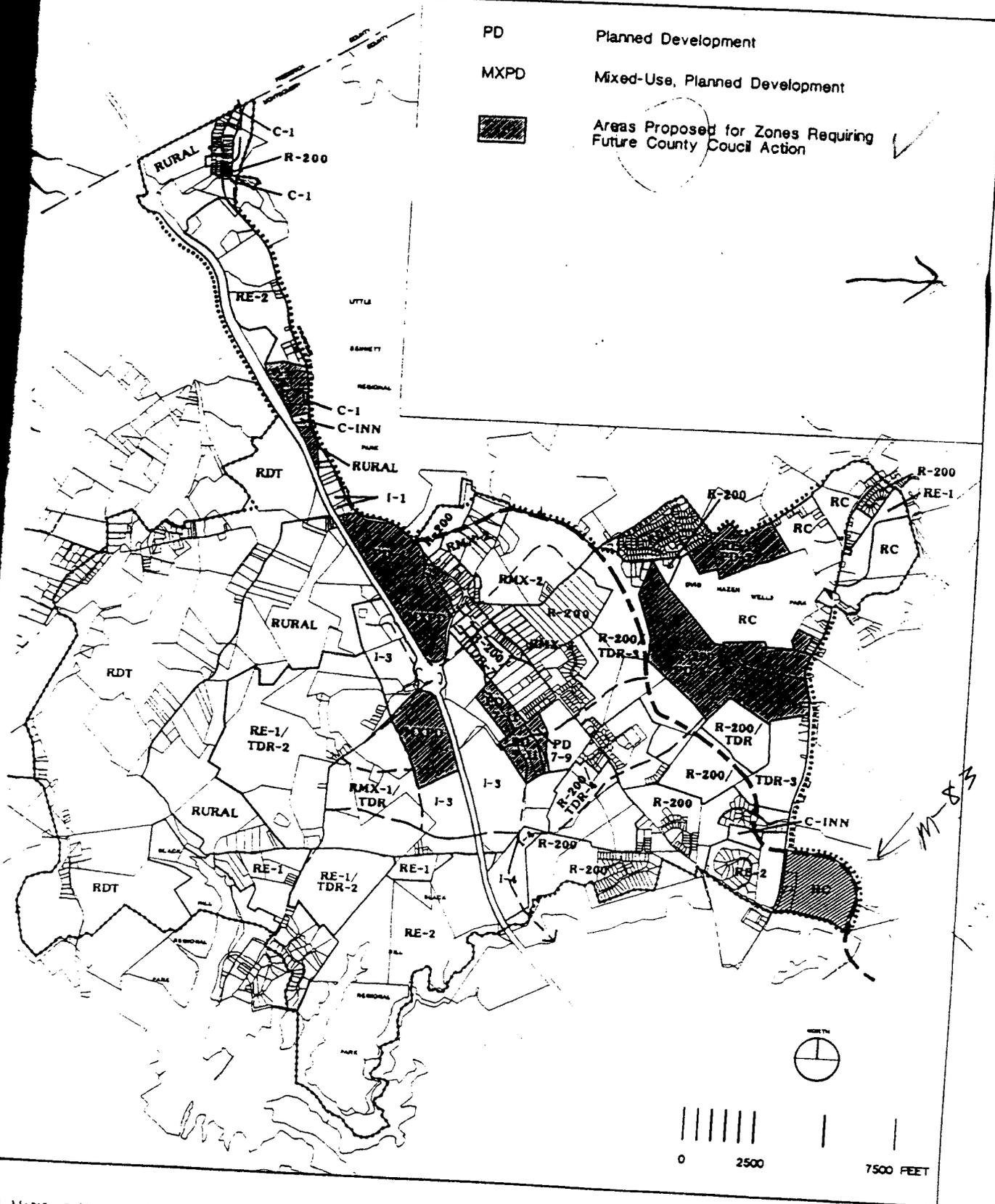
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Areas Proposed for Zones Requiring Future County Council Action

Figure 39



EPB

- Reinforce the North Germantown greenbelt concept.

The open space pattern in this area is created by stream valley buffers and parks. Pedestrian connections to the Little Seneca Creek greenway will be encouraged as development proceeds.

- Designate Midcounty Highway as an appropriate edge to the Agricultural Reserve area east of Ridge Road.

 East of Ridge Road, the proposed Midcounty Highway alignment forms the edge of a 130-acre area presently zoned for agriculture. This Plan recommends a change in land use for that parcel because Midcounty Highway, once built, will separate the acreage from the larger Agricultural Reserve area. The Plan proposes a change to rural land use that allows low-density residential uses as well as farming. However, as noted in the Implementation Strategies chapter, rezoning from the present agricultural zone to the Rural Zone should not occur until the location and design of Midcounty Highway is under way.

February 13, 2008

Mr. Greg Hwang, Project Manager
Midcounty Corridor Study
Department of Public Works and Transportation
Division of Capital Development
101 Monroe Street – 9th Floor
Rockville, MD 20850

Dear Mr. Hwang:

On behalf of G.A.S.P. (**Getting Air Standards Prioritized**), an ad-hoc study group formed to evaluate M-83 proposals, I am re-submitting the group's March 4, 2005 letter sent to your predecessor, Ms. Jeri Cauthorn.

During 2005 and 2006 the M-83's DPWT study team several times rescheduled an Alternative Analysis/Purpose and Need Public Workshop that was to follow the first public workshop held November 15, 2004 at the Neelsville Middle School. Ms. Cauthorn agreed to let me submit G.A.S.P.'s comments March 4, 2005 and assured me the comments would be considered when the aforementioned second workshop was held.

The position of G.A.S.P., as stated by the six health professionals comprising that study group (see attachment) is this: M-83 should not be routed near the Watkins Mill Elementary School. Placing a major highway on the very edge of the school's playgrounds can be expected to increase respiratory illness among students, faculty and administrators and exacerbate existing respiratory problems. There is no way to mitigate respiratory-health threat if the road is aligned next to the school. There is no space to move the playground to another location.

Alternatives must be found to avoid the vicinity of the Watkins Mill Elementary School's 10-acre campus. One alternative, not offered among the 11 alternatives proposed in your December 12, 2007 Public Workshop, is the Corridor Cities Transitway (CCT). Governor O'Malley last month proposed an \$80M funding to study the engineering of the CCT. G.A.S.P. recommends that your study group suspend further consideration of alternative routes until CCT can be studied by the Maryland Department of Transportation.

Sincerely,

Walt Sonneville, Secretary
G.A.S.P.
314 Wye Mill Court
Gaithersburg, MD 20879
waltsonneville@earthlink.net

March 4, 2005

To: Montgomery County Department of Public Works and Transportation (DPWT)
Attn.: Ms. Jeri Cauthorn, M-83 Study Manager
c.c.: Dan Hardy, Project Team Member, Park and Planning
Ki Kim, Project Team Member, Park and Planning
Fr: G.A.S.P. (Getting Air Standards Prioritized, an M-83 ad hoc study group of
scientists and health-care professionals
Re: Health Risks Associated with Proposed M-83's Proximity to
Watkins Mill Elementary School (northern Gaithersburg)

This letter is an appeal by scientists and health-care professionals to Montgomery County authorities to sufficiently distance the proposed M-83 highway from the Watkins Mill Elementary School to avoid respiratory damage to the school's students, faculty, and staff caused by M-83 traffic. The letter was prepared by the signatories on behalf of themselves and for organizations of communities near the school who are showing their support by their individual letters.

Proposed M-83 in Brief

M-83 (the "M" stands for Major) is a proposed extension of Midcounty Highway from its existing terminus at Montgomery Village Avenue to Route 27, and Middlebrook Road from Route 355 to M-83, for a combined length of approximately 6 miles. Near Route 27 M-83 would connect to a future extension (called A-305) to Clarksburg.

Prior to its current study (in process), M-83 has been proposed as a 6-lane divided highway within a 150-foot right-of-way. The last study of M-83 (1992) anticipated 50,000 cars per day with 50-60 mph speed limits.

M-83 was included in the Gaithersburg Master Plans (1971, 1985), the Germantown Master Plans (1996, 1974, 1989), and the Clarksburg Master Plans (1968, 1994). The 1994 Clarksburg Master Plan calls for 10,000 new homes plus new business sites. This has created the need to accommodate added north-south traffic. The widened I-270 and partly-widened 355 cannot handle the anticipated traffic volumes.

The Montgomery County Planning Board's Transportation Policy Report (1-15-02) states: *The comments at the public forums and review of the environmental and community constraints on extending Midcounty Highway from its current terminus at Montgomery Village Avenue to Ridge Road (D 27) have convinced the Board that this section is not feasible to construct. It is reluctantly recommending that this be deleted from the Master Plans.*

The county council nonetheless authorized, at its April 10, 2003 meeting, a \$1.5 million study of the feasibility of constructing the Montgomery Village Avenue/Ridge Road segment. That study, due for completion late 2005, is being undertaken by the county's Department of Public Works and Transportation.

Alternatives to M-83 include the broadly-supported Corridor Cities Transitway, a light-rail (or bus) service from Clarksburg to the Metropolitan Grove MARC train station and beyond to the Shady Grove Metro station. A complement to the Transitway is widening existing connecting roads: Brink, Wightman, and Snouffer School.

Because M-83 would be funded entirely by Montgomery County, an Environmental Impact Statement is not required. Instead the county will issue what it terms an "Environmental Assessment," originally scheduled for completion by December 2004 and currently rescheduled to late February 2005.

Proximity of M-83 to Watkins Mill Elementary School

Relying on the map of proposed highway M-83, prepared for DPWT and distributed at the November 15, 2004 "Midcounty Highway/Middlebrook Road Public Workshop: Parks, Recreational & Community Facilities," it appears the 150' right of way would come within approximately 50' of the ball fields on the Watkins Mill Elementary School (WMES), 320' of the closest portable classroom, and 430' from the brick-and-mortar school. These distances compel careful consideration of the likely health consequences caused by airborne automotive emissions in close proximity to school children, faculty, staff and local sports organizations.

It is the intent of G.A.S.P. to limit this commentary to the risk of M-83 aggravating respiratory problems among WMES students, setting aside the separate important consideration of risks to residents residing in nearby homes, school staff, faculty and sports organizations that use the ball fields. Towards this end we cite statements and conclusions found from studies published in peer-reviewed medical and public health journals evaluating the causal relationship between auto air emissions and aggravation of respiratory illness among children.

Pollution and Children's Lung Development

"Although most studies show that air pollution does not appear to cause asthma directly, children's asthma is known to be exacerbated by air pollution. ... Children are believed to be especially vulnerable due to higher relative doses of air pollution and increased susceptibility as their lungs develop and their bodies grow. ... Air pollution is linked to multiple adverse health effects in children, among them increased respiratory symptoms and hospitalizations for respiratory illnesses, increased or more severe asthma episodes, decreases in lung function, and longer-lasting lung infections. High levels fine particulates are especially linked to aggravation of children's asthma. Exposure to particulate matter is associated with increased lung irritation and respiratory symptoms in children, together with decrements in lung function." (1)

The Bay Area Study of Schools (San Francisco)

“Recent studies, primarily in Europe, have reported associations between respiratory symptoms and residential proximity to traffic; however, few have measured traffic pollutants or provided information about local air quality. We conducted a school-based, cross-sectional study in the San Francisco Bay Area in 2001. ... Concentrations of traffic pollutants [named] were measured at 10 school sites during several seasons. Although pollutant concentrations were relatively low, we observed differences in concentrations between schools nearby versus those more distant (or upwind) from major roads. ... Thus, we found spatial variability in traffic pollutants and associated differences in respiratory symptoms in a region with good air quality. Our findings support the hypothesis that traffic-related pollution is associated with respiratory symptoms in children. (2)

More Details of the San Francisco Bay Area Study

“In the first U.S. study evaluating a link between traffic pollution and respiratory symptoms, state scientists found that the air contaminants spewed from busy roads may pose a health risk to children.” (3)

“Even in an area with good regional air quality, air pollution from nearby traffic may pose a health risk, according to a recently-completed study by scientists from Cal/EPA’s Office of Environmental Health Hazard Assessment (OEHHA) that shows a possible link between air pollution from nearby traffic and respiratory symptoms in children. The study, involved air monitoring and a health survey of about 1,100 students at 10 Alameda County [San Francisco/Oakland area] elementary schools located various distances from major roads... (4)

“The study found that the prevalence of asthma and bronchitis symptoms were about 7 percent higher in children in neighborhoods with higher levels of traffic pollutants compared with other children in the study. ... (4)

“The Bay Area was a good location for the study because it has relatively good regional air quality. That makes it easier to evaluate the specific effects of air pollution from nearby traffic. (4)

“A school’s location near a busy road does not always mean children will be exposed to high levels of traffic pollution. Other factors that influence this include whether the school is upwind or downwind from the road, and the school’s ventilation system.” (4)

California Law Now Restricts School Construction Near Busy Roads

Senate Bill 352 (introduced by Senator Martha Escutia and abstracted here), passed in 2003, “prohibits the approval by the governing board of a school district of a school site that is within 500 feet from the edge of the closest traffic lane of a freeway or other busy

traffic corridor, unless prescribed conditions are met and would make conforming and other technical, non-substantive changes. (5)

“Cars and trucks release at least forty different toxic air contaminants, including, but not limited to, diesel particulates, benzene, formaldehyde, 1,3-butadiene and acetaldehyde. Levels of these pollutants are generally concentrated within 500 feet of freeways and very busy roadways. (5)

“Many studies have confirmed that increased wheezing and bronchitis occurs among children living in high-traffic areas. (5)

“The governing board of a school district may not approve a project involving the acquisition of a school site by a school district unless:

- “For a school site with a boundary that is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor, the governing board of the school district determines, through analysis pursuant to paragraph (2) of subdivision (b) of Section 44360 of the Health and Safety Code, based on appropriate air dispersion modeling, and after considering any potential mitigation measures, that the air quality at the proposed site is such that neither short-term nor long-term exposure poses significant health risks to pupils. (5)
- “The governing board finds that neither of the conditions set forth in subparagraphs [setting conditions for school sites] can be met, and the school district is unable to locate an alternative site that is suitable due to a severe shortage of sites that meet the requirement in subdivision (a) of Section 17213. If the governing board makes this finding, the governing board shall adopt a statement of Overriding Considerations pursuant to Section 15093 of Title 14 of the California Code of Regulations.” (5)

Other Studies Affirm Bay-Area Conclusion

A literature search by Winifred J. Hamilton, Ph.D, Director of Environmental Health Section of the Chronic Disease Prevention and Control Research Center, Baylor College of Medicine, shows that “Studies [mostly in other countries] published in a wide range of scientific journals document health effects for people living at various distances from roads with as few as 20,000 vehicles per day. ... The health effects appear strongest within 100 meters (about 1 football field) of major roads, but studies show effects up to 300 meters from major roads.” (6)

The Bay-area study is the best example of schools and traffic-related pollutants and health effects in the United States. There are numerous studies from the United Kingdom and Europe that support the same conclusions.

Watkins Mill ES Proximity to M-83 Seems High Risk

Probably more perilous than the Bay Area 10 elementary schools, located various distances from major roads, is the proximity of M-83 to the edge of the WMES school grounds. It appears the M-83 right of way falls within 50 feet of the school grounds, where ball fields, used by students and youth athletic associations, are now located.

According to M-83 engineering drawings prepared for the county in 1992 by Johnson, Mirmiran & Thompson, P.A., believed to be the latest available, a 150-foot right of way with a 44-foot median plus traffic lanes extending 52 to 64 feet, would allow only 21 feet to 27 feet on either side of the outer traffic lanes.

With traffic this close to WMES ground, the hazards of airborne pollutants seem to elevate the risks of respiratory problems compared to the Bay Area study.

Proposed M-83 would be upwind on the school's western boundary, where near the front of the school (i.e., the school's northern boundary) M-83 would cross and possibly interconnect with the existing Watkins Mill Road. The latter road is approved for a planned direct interconnect to I-270 thus surrounding the school on three sides with high volumes of traffic (two sides facing M-83, one side Watkins Mill Road).

Built in 1970 to accommodate 404 students, today's WMES enrollment of 653 is taught in the original building plus 13 portable classrooms. Plans call for expanding the building by adding six to eight 900 square-foot classrooms and two new kindergarten classrooms. The 10-acre grounds would not be expanded.

Asthmatic Children Currently at WMES

Ms. Terri Kranefeld of the American Lung Association of Maryland (ALA-M) phoned the school nurse at WMES to ask the number of students believed to have asthma. She was told the number known to her at December 2004 was "about 30." That represents about 5% of the 653 students. Based on data provided by ALA-M, approximately 11% of children through age 12 in Maryland have asthma. In Montgomery County the estimated number of asthma cases among children through age 12 increased 56% between 1999 and 2001, growing from 12,263 to 19,072. (7)

Our Request to the M-83 Study Project Team

An Environmental Assessment (EA), as yet undefined, is expected to be completed by DPWT late February 2005. We believe the EA will not be complete and should be revised if it does not include an analysis of the current and projected risk relating M-83 airborne pollutants to the respiratory health of students at WMES. The analysis should reference the projected traffic volume by time of day and the level of airborne pollutants created as a result of the forecast traffic on M-83. There should be two separate analyses done, one in which large trucks are included, and one in which large trucks are excluded,

to reflect the possibility that large trucks may be prohibited from using the parkway. Both analyses should include an appropriate mixture of gasoline- and diesel-powered vehicles that reflects increasing market share of diesel-powered engines.

Summary

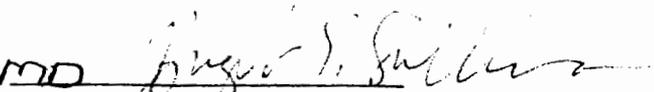
Children are said to be especially vulnerable to asthma. Several studies conclude that asthma is exacerbated by air pollutants emitted by traffic. The closer the traffic is to children, the greater their air pollution exposure and risk for cancer and respiratory disease. The right-of-way of proposed M-83 appears to be within 50 feet of the grounds of Watkins Mill Elementary School, currently attended by 653 children. The school nurse reports that about 30 children (5%) are known to have asthma. This excludes the count of children whose asthma is well-treated and controlled and unknown to the nurse.. The asthma rate statewide among children is reported to be 11 percent. Constructing M-83 within 500' of the school grounds runs the risk of increasing respiratory symptoms related to traffic-induced pollution. The planning of M-83 should carefully assess this risk and the associated liability potential faced by the county.

Maintaining healthful air standards at school locations must be ranked over highway needs in prioritizing community goals. We believe the M-83 study team, the DPWT, and the county council share this over-riding commitment.

Sincerely,
For G.A.S.P.
(Co-signer, Degree, and School Awarding the Degree)



Stephen Gleason
MD, University of Maryland
Home: 917 Wild Forest
Gaithersburg, MD 20879



Bridget Sullivan, Medical Research Librarian
M.L.S., University of Maryland
Home: 332 Wye Mill Court
Gaithersburg, MD 20879

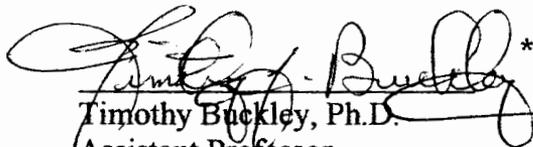


Ellen Hutchins
Sc.D.
Johns Hopkins School of
Public Health
Home: 1715 Log Mill Lane
Gaithersburg, MD 20879

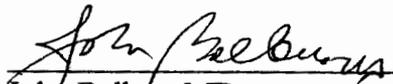


Kristine Wojtuszewski Poulin
Ph.D. – Molecular Biology and Biochemistry
Wesleyan University
Home: 334 Wye Mill Court
Gaithersburg, MD 20879

This G.A.S.P. Letter is Commended by:



Timothy Buckley, Ph.D.
Assistant Professor
Dept. of Environmental Health
Johns Hopkins
Bloomberg School of
Public Health
615 N. Wolfe St.
Room E6614
Baltimore, MD 21205



John Balbus, MD
Senior Scientist and Director of
Environmental Health Program
Environmental Defense
1875 Connecticut Avenue NW
Washington, DC 20009

* Dr. Buckley in this matter represents only his own expert opinion and is not speaking for the Johns Hopkins Bloomberg School of Public Health.

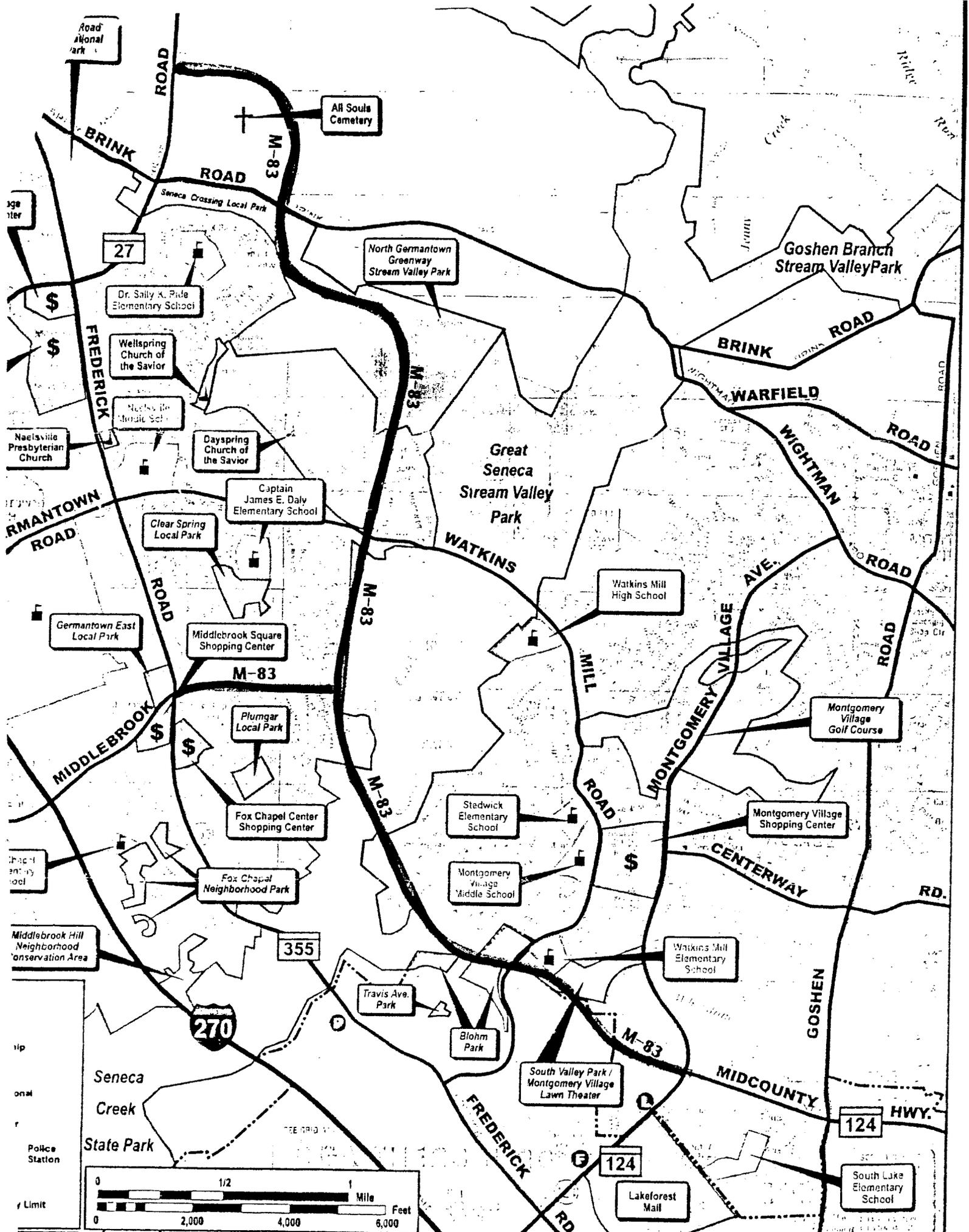
ATTACHMENT

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3. "Respiratory Ills in Kids Linked to Traffic Pollution," article by Jane Kay, Chronical Environment Writer, *San Francisco Chronicle*, October 20, 2004
4. "OEHHA Study Shows Possible Link Between Traffic Pollution, Children's Respiratory Symptoms," News Release #04-09, October 19, 2004, Office of Environmental Health Hazard Assessment, California Environmental Protection Agency.
5. California State Senate Bill SB 352 (passed 2003). Introduced by Senator Martha Escutia (district phone is 562-929-6060, capitol phone is 916-327-8315). For entire copy of bill see http://info.sen.ca.gov/pub/03-04/bill/sen/sb_0351-0400/sb_352_bill_20031003_chaptered.html
6. "Health and the 2025 [Houston] Regional Transportation Plan," sent as an attachment to a personal e-mail. Author is Winifred J. Hamilton, PhD., at Hamilton@bcm.tmc.edu References cited are provided as an attachment herein.
7. Terri Kranefeld, American Lung Association of Maryland, phone conversation, December 16, 2004 (phone 410-560-2120, ext. 206).



Road National Park

Age Meter

Dr. Sally X. Pile Elementary School

Wellspring Church of the Savior

Northville Presbyterian Church

Naetsville Presbyterian Church

RMANTOWN ROAD

Germantown East Local Park

Police Station

Middlebrook Hill Neighborhood Conservation Area

Seneca Creek State Park

Speed Limit

All Souls Cemetery

27

Dr. Sally X. Pile Elementary School

Wellspring Church of the Savior

Northville Presbyterian Church

Naetsville Presbyterian Church

Dayspring Church of the Savior

Captain James E. Daly Elementary School

Clear Spring Local Park

Middlebrook Square Shopping Center

M-83

Plumgar Local Park

Fox Chapel Center Shopping Center

Fox Chapel Neighborhood Park

355

270

North Germantown Greenway Stream Valley Park

Great Seneca Stream Valley Park

WATKINS ROAD

Watkins Mill High School

MILL ROAD

Stedwick Elementary School

Montgomery Village Middle School

MONTGOMERY VILLAGE

Montgomery Village Shopping Center

Montgomery Village Golf Course

CENTERWAY ROAD

Watkins Mill Elementary School

Travis Ave. Park

Blohm Park

South Valley Park / Montgomery Village Lawn Theater

FREDERICK ROAD

124

Lakelorest Mall

MIDCOUNTY

124 HWY.

South Lake Elementary School

Goshen Branch Stream Valley Park

BRINK ROAD

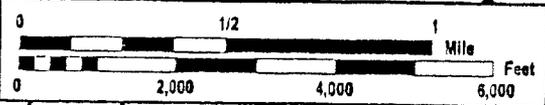
WARFIELD ROAD

WIGHTMAN ROAD

ROAD

ROAD

RD.





DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1718
BALTIMORE, MARYLAND 21203-1718

DEPT. OF TRANSPORTATION
MAR 01 1989

MAR 01 1989

REPLY TO ATTENTION OF
Operations Division

Subject: CENAB-OP-RR(MCDOT Germantown-Montgomery Village
Connector)88-0373-5

Montgomery County Department of Transportation
Attn: Mr. John Clark
101 North Monroe Street
Rockville, Maryland 20850

Dear Mr. Clark:

I am replying to your subject application to construct a roadway called the Germantown-Montgomery Village Connector (M-83) following an alignment from Montgomery Village Avenue to Brink Road in Montgomery County, Maryland. Enclosed are copies of correspondence from Federal, State and local agencies containing comments on your proposed project.

The U.S. Fish and Wildlife Service (FWS) and the Environmental Protection Agency (EPA) have expressed strong objections to the project specifically, they are concerned about the 10.9 acres of wetland fill and modification and about the absence of an adequate alternatives analysis. The FWS has requested that an Environmental Impact Statement be prepared to further address associated environmental impacts of the project.

The Maryland Department of Natural Resources (DNR) said that the alternatives analysis, as presented in the Final Project Prospectus submitted by Montgomery County, was not adequate.

The Maryland Historical Trust (MHT) has identified eleven sites along the proposed alignment that may be eligible for the National Register of Historic Places. It is their recommendation that an archeological investigation be performed on the entire alignment and a report of the findings be presented to the MHT so that they may further evaluate the project's impacts on these sites.

Following the comment period, the Maryland National Capital Park and Planning Commission (MNCPPC) provided comments which support the basic need for the roadway. Although the MNCPPC is supportive of the proposal, they have suggested various construction practices that may reduce the overall environmental impact of the project.

In addition to the review agency comments, we received 183 letters and a petition including 2,666 signatures from citizens stating objections to the proposed road construction. Most of the 183 letters included a request for a public hearing on the project. Also, letters from the National Audubon Society and the Sierra Club question the need for the roadway and recommend that it not be constructed. Four letters were also received from developers in support of the project.

EX. C

113

Following a site investigation on December 19, 1988 and based on a preliminary review of the project as proposed, we agree with the concerns expressed by the review agencies. More specifically, we are very concerned about loss of over eight acres of valuable wetlands in a rapidly developing watershed and the relocation of over 1,000 linear feet, or 2.9 acres of stream which flows through mature palustrine forested wetlands. These wetlands, in addition to providing significant water quality functions, also provide fish and wildlife habitat which is already severely depleted in the Montgomery Village area. We are aware that the county has made some effort to minimize impacts, and that a small portion of the impacted wetlands are of marginal quality; however, there appear to be major impacts to the remaining high quality wetland areas. We are also concerned about the other impacts contained in the letters from the public. These include serious concerns regarding aesthetics, safety, noise, air quality, recreation and flood damage protection.

Before our evaluation can continue, we request that you address the following issues:

a) "The Final Project Prospectus only compares two alternatives, when there appear to be several other road corridor combinations; (e.g., the Brink-Wightman-Snouffers School-Huncaster Mill alignment) which if widened, along with Route 355, could handle projected traffic volumes. Other alignments also impact less wetlands. The identification of a roadway alignment in a master plan adopted prior to wetland protection laws, does not create an exemption from 404(b)1 compliance. Also, the proposed disturbance to Whetstone Run and Great Seneca Creek is in direct contradiction with the 1985 Approved and Adopted Gaithersburg Vicinity Master Plan which identifies vital watersheds that should be protected.

b) During our December 19, 1988 site visit, we noted that several issues dealing with altered hydrology had not been addressed. Two stormwater ponds serving existing developments are to be filled or altered. Also, you are required to treat the first one-half inch of run-off from all impervious surfaces, using the Maryland Department of the Environment's "First Flush Guidelines." The re-direction of stormwater from the above mentioned ponds or the treatment of run-off from the road may further impact wetlands; therefore, your plans should be updated to include these impacts.

c) The preparation of an Environmental Impact Statement at this time may be premature; however, several environmental factors need to be addressed before a final decision can be made on your application. You are requested to prepare an environmental document which incorporates the alternatives analysis and which discusses expected impacts, including, but not limited to, the following:

- 1) public safety
- 2) flood plain management
- 3) water quality
- 4) fish and wildlife resources

- 5) air quality
- 6) noise
- 7) wetland functions and values
- 8) economics
- 9) aesthetics
- 10) historical and cultural resources

In summary, you are requested to prepare an alternatives analysis, an environmental document, and to provide us with preliminary stormwater management plans.

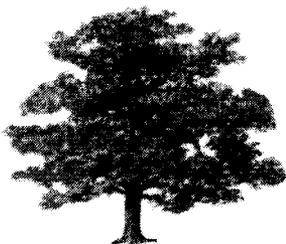
If you have any questions concerning this matter, please call Mr. Webster Macomber of this office (301) 962-3477.

Sincerely,



Donald W. Roesaka
Chief, Regulatory Branch

AUG 26 2013



Woodland Hills Home Owners Association, Inc.

c/o Peggy Toland ~ Community Associations, Inc.
P. O. Box 1130 ~ Germantown, MD 20875
(301) 258-7711 ~ Facsimile (301) 258-8362
e-mail peggy@communityvassn.com

August 16, 2013 (via e-mail)

U.S. Army Corps of Engineers
Baltimore District
Attn: Mr. Jack Dinne, CENAB-OP-RMN
P.O. Box 1715
Baltimore, MD 21203-1715

Dear Mr. Dinne:

It is my understanding that "The Midcounty Corridor Study (MCS) 2013 Draft Environmental Effects Report," released May 2, 2013, excludes evaluation of the environmental consequences of Alternative Nine to the respiratory health of the students, faculty and administrative staff at the Watkins Mill Elementary School. The proposed Midcounty Corridor Extension ("M-83"), in its Alternative Nine, would bring this six-lane highway to the very edge of the school campus.

This is a major omission from the study. The attachment provided herein reviews the health risks associated with proposed M-83's proximity to that school. It was prepared and signed by six health professionals. A copy of this attachment, dated March 4, 2005, was sent at that time to Ms. Jeri Cauthorn, the M-83 study manager for the Montgomery County Department of Public Works and Transportation. A follow-up copy was sent February 13, 2008, to Ms. Cauthorn's successor, Mr. Greg Hwang.

Respiratory problems at the school conceivably could reach a point where the school would have to be closed, with re-location sites extremely unlikely.

Public Transportation additions and Alternative 2 appear to represent options that bring the greatest benefits at affordable fiscal levels and minimal environmental disturbances.

Sincerely,

A handwritten signature in black ink that reads "Leesa Willis". The signature is written in a cursive style and is positioned below the word "Sincerely,".

Leesa Willis
President, on behalf of the Board of Directors
Woodland Hills Home Owners Association

cc via e-mail: Sean McKewen, Maryland Department of the Environment
Rob Robinson, City of Gaithersburg

February 13, 2008

Mr. Greg Hwang, Project Manager
Midcounty Corridor Study
Department of Public Works and Transportation
Division of Capital Development
101 Monroe Street – 9th Floor
Rockville, MD 20850

Dear Mr. Hwang:

On behalf of G.A.S.P. (Getting Air Standards Prioritized), an ad-hoc study group formed to evaluate M-83 proposals, I am re-submitting the group's March 4, 2005 letter sent to your predecessor, Ms. Jeri Cauthorn.

During 2005 and 2006 the M-83's DPWT study team several times rescheduled an Alternative Analysis/Purpose and Need Public Workshop that was to follow the first public workshop held November 15, 2004 at the Neelsville Middle School. Ms. Cauthorn agreed to let me submit G.A.S.P.'s comments March 4, 2005 and assured me ~~the~~ comments would be considered when the aforementioned second workshop was held.

The position of G.A.S.P., as stated by the six health professionals comprising that study group (see attachment) is this: M-83 should not be routed near the Watkins Mill Elementary School. Placing a major highway on the very edge of the school's playgrounds can be expected to increase respiratory illness among students, faculty and administrators and exacerbate existing respiratory problems. There is no way to mitigate respiratory-health threat if the road is aligned next to the school. There is no space to move the playground to another location.

Alternatives must be found to avoid the vicinity of the Watkins Mill Elementary School's 10-acre campus. One alternative, not offered among the 11 alternatives proposed in your December 12, 2007 Public Workshop, is the Corridor Cities Transitway (CCT). Governor O'Malley last month proposed an \$80M funding to study the engineering of the CCT. G.A.S.P. recommends that your study group suspend further consideration of alternative routes until CCT can be studied by the Maryland Department of Transportation.

Sincerely,



Walt Sonnevile, Secretary
G.A.S.P.
314 Wye Mill Court
Gaithersburg, MD 20879
waltsonnevile@earthlink.net

March 4, 2005

To: Montgomery County Department of Public Works and Transportation (DPWT)
Attn.: Ms. Jeri Cauthorn, M-83 Study Manager
c.c.: Dan Hardy, Project Team Member, Park and Planning
Ki Kim, Project Team Member, Park and Planning
Fr: G.A.S.P. (Getting Air Standards Prioritized, an M-83 ad hoc study group of
scientists and health-care professionals
Re: Health Risks Associated with Proposed M-83's Proximity to
Watkins Mill Elementary School (northern Gaithersburg)

This letter is an appeal by scientists and health-care professionals to Montgomery County authorities to sufficiently distance the proposed M-83 highway from the Watkins Mill Elementary School to avoid respiratory damage to the school's students, faculty, and staff caused by M-83 traffic. The letter was prepared by the signatories on behalf of themselves and for organizations of communities near the school who are showing their support by their individual letters.

Proposed M-83 in Brief

M-83 (the "M" stands for Major) is a proposed extension of Midcounty Highway from its existing terminus at Montgomery Village Avenue to Route 27, and Middlebrook Road from Route 355 to M-83, for a combined length of approximately 6 miles. Near Route 27 M-83 would connect to a future extension (called A-305) to Clarksburg.

Prior to its current study (in process), M-83 has been proposed as a 6-lane divided highway within a 150-foot right-of-way. The last study of M-83 (1992) anticipated 50,000 cars per day with 50-60 mph speed limits.

M-83 was included in the Gaithersburg Master Plans (1971, 1985), the Germantown Master Plans (1996, 1974, 1989), and the Clarksburg Master Plans (1968, 1994). The 1994 Clarksburg Master Plan calls for 10,000 new homes plus new business sites. This has created the need to accommodate added north-south traffic. The widened I-270 and partly-widened 355 cannot handle the anticipated traffic volumes.

The Montgomery County Planning Board's Transportation Policy Report (1-15-02) states: *The comments at the public forums and review of the environmental and community constraints on extending Midcounty Highway from its current terminus at Montgomery Village Avenue to Ridge Road (D 27) have convinced the Board that this section is not feasible to construct. It is reluctantly recommending that this be deleted from the Master Plans.*

The county council nonetheless authorized, at its April 10, 2003 meeting, a \$1.5 million study of the feasibility of constructing the Montgomery Village Avenue/Ridge Road segment. That study, due for completion late 2005, is being undertaken by the county's Department of Public Works and Transportation.

Alternatives to M-83 include the broadly-supported Corridor Cities Transitway, a light-rail (or bus) service from Clarksburg to the Metropolitan Grove MARC train station and beyond to the Shady Grove Metro station. A complement to the Transitway is widening existing connecting roads: Brink, Wightman, and Snouffer School.

Because M-83 would be funded entirely by Montgomery County, an Environmental Impact Statement is not required. Instead the county will issue what it terms an "Environmental Assessment," originally scheduled for completion by December 2004 and currently rescheduled to late February 2005.

Proximity of M-83 to Watkins Mill Elementary School

Relying on the map of proposed highway M-83, prepared for DPWT and distributed at the November 15, 2004 "Midcounty Highway/Middlebrook Road Public Workshop: Parks, Recreational & Community Facilities," it appears the 150' right of way would come within approximately 50' of the ball fields on the Watkins Mill Elementary School (WMES), 320' of the closest portable classroom, and 430' from the brick-and-mortar school. These distances compel careful consideration of the likely health consequences caused by airborne automotive emissions in close proximity to school children, faculty, staff and local sports organizations.

It is the intent of G.A.S.P. to limit this commentary to the risk of M-83 aggravating respiratory problems among WMES students, setting aside the separate important consideration of risks to residents residing in nearby homes, school staff, faculty and sports organizations that use the ball fields. Towards this end we cite statements and conclusions found from studies published in peer-reviewed medical and public health journals evaluating the causal relationship between auto air emissions and aggravation of respiratory illness among children.

Pollution and Children's Lung Development

"Although most studies show that air pollution does not appear to cause asthma directly, children's asthma is known to be exacerbated by air pollution. ... Children are believed to be especially vulnerable due to higher relative doses of air pollution and increased susceptibility as their lungs develop and their bodies grow. ... Air pollution is linked to multiple adverse health effects in children, among them increased respiratory symptoms and hospitalizations for respiratory illnesses, increased or more severe asthma episodes, decreases in lung function, and longer-lasting lung infections. High levels fine particulates are especially linked to aggravation of children's asthma. Exposure to particulate matter is associated with increased lung irritation and respiratory symptoms in children, together with decrements in lung function." (1)

The Bay Area Study of Schools (San Francisco)

“Recent studies, primarily in Europe, have reported associations between respiratory symptoms and residential proximity to traffic; however, few have measured traffic pollutants or provided information about local air quality. We conducted a school-based, cross-sectional study in the San Francisco Bay Area in 2001. ... Concentrations of traffic pollutants [named] were measured at 10 school sites during several seasons. Although pollutant concentrations were relatively low, we observed differences in concentrations between schools nearby versus those more distant (or upwind) from major roads. ... Thus, we found spatial variability in traffic pollutants and associated differences in respiratory symptoms in a region with good air quality. Our findings support the hypothesis that traffic-related pollution is associated with respiratory symptoms in children. (2)

More Details of the San Francisco Bay Area Study

“In the first U.S. study evaluating a link between traffic pollution and respiratory symptoms, state scientists found that the air contaminants spewed from busy roads may pose a health risk to children.” (3)

“Even in an area with good regional air quality, air pollution from nearby traffic may pose a health risk, according to a recently-completed study by scientists from Cal/EPA’s Office of Environmental Health Hazard Assessment (OEHHA) that shows a possible link between air pollution from nearby traffic and respiratory symptoms in children. The study, involved air monitoring and a health survey of about 1,100 students at 10 Alameda County [San Francisco/Oakland area] elementary schools located various distances from major roads... (4)

“The study found that the prevalence of asthma and bronchitis symptoms were about 7 percent higher in children in neighborhoods with higher levels of traffic pollutants compared with other children in the study. ... (4)

“The Bay Area was a good location for the study because it has relatively good regional air quality. That makes it easier to evaluate the specific effects of air pollution from nearby traffic. (4)

“A school’s location near a busy road does not always mean children will be exposed to high levels of traffic pollution. Other factors that influence this include whether the school is upwind or downwind from the road, and the school’s ventilation system.” (4)

California Law Now Restricts School Construction Near Busy Roads

Senate Bill 352 (introduced by Senator Martha Escutia and abstracted here), passed in 2003, “prohibits the approval by the governing board of a school district of a school site that is within 500 feet from the edge of the closest traffic lane of a freeway or other busy

traffic corridor, unless prescribed conditions are met and would make conforming and other technical, non-substantive changes. (5)

“Cars and trucks release at least forty different toxic air contaminants, including, but not limited to, diesel particulates, benzene, formaldehyde, 1,3-butadiene and acetaldehyde. Levels of these pollutants are generally concentrated within 500 feet of freeways and very busy roadways. (5)

“Many studies have confirmed that increased wheezing and bronchitis occurs among children living in high-traffic areas. (5)

“The governing board of a school district may not approve a project involving the acquisition of a school site by a school district unless:

- “For a school site with a boundary that is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor, the governing board of the school district determines, through analysis pursuant to paragraph (2) of subdivision (b) of Section 44360 of the Health and Safety Code, based on appropriate air dispersion modeling, and after considering any potential mitigation measures, that the air quality at the proposed site is such that neither short-term nor long-term exposure poses significant health risks to pupils. (5)
- “The governing board finds that neither of the conditions set forth in subparagraphs [setting conditions for school sites] can be met, and the school district is unable to locate an alternative site that is suitable due to a severe shortage of sites that meet the requirement in subdivision (a) of Section 17213. If the governing board makes this finding, the governing board shall adopt a statement of Overriding Considerations pursuant to Section 15093 of Title 14 of the California Code of Regulations.” (5)

Other Studies Affirm Bay-Area Conclusion

A literature search by Winifred J. Hamilton, Ph.D, Director of Environmental Health Section of the Chronic Disease Prevention and Control Research Center, Baylor College of Medicine, shows that “Studies [mostly in other countries] published in a wide range of scientific journals document health effects for people living at various distances from roads with as few as 20,000 vehicles per day. ... The health effects appear strongest within 100 meters (about 1 football field) of major roads, but studies show effects up to 300 meters from major roads.” (6)

The Bay-area study is the best example of schools and traffic-related pollutants and health effects in the United States. There are numerous studies from the United Kingdom and Europe that support the same conclusions.

Watkins Mill ES Proximity to M-83 Seems High Risk

Probably more perilous than the Bay Area 10 elementary schools, located various distances from major roads, is the proximity of M-83 to the edge of the WMES school grounds. It appears the M-83 right of way falls within 50 feet of the school grounds, where ball fields, used by students and youth athletic associations, are now located.

According to M-83 engineering drawings prepared for the county in 1992 by Johnson, Mirmiran & Thompson, P.A., believed to be the latest available, a 150-foot right of way with a 44-foot median plus traffic lanes extending 52 to 64 feet, would allow only 21 feet to 27 feet on either side of the outer traffic lanes.

With traffic this close to WMES ground, the hazards of airborne pollutants seem to elevate the risks of respiratory problems compared to the Bay Area study.

Proposed M-83 would be upwind on the school's western boundary, where near the front of the school (i.e., the school's northern boundary) M-83 would cross and possibly interconnect with the existing Watkins Mill Road. The latter road is approved for a planned direct interconnect to I-270 thus surrounding the school on three sides with high volumes of traffic (two sides facing M-83, one side Watkins Mill Road).

Built in 1970 to accommodate 404 students, today's WMES enrollment of 653 is taught in the original building plus 13 portable classrooms. Plans call for expanding the building by adding six to eight 900 square-foot classrooms and two new kindergarten classrooms. The 10-acre grounds would not be expanded.

Asthmatic Children Currently at WMES

Ms. Terri Kranefeld of the American Lung Association of Maryland (ALA-M) phoned the school nurse at WMES to ask the number of students believed to have asthma. She was told the number known to her at December 2004 was "about 30." That represents about 5% of the 653 students. Based on data provided by ALA-M, approximately 11% of children through age 12 in Maryland have asthma. In Montgomery County the estimated number of asthma cases among children through age 12 increased 56% between 1999 and 2001, growing from 12,263 to 19,072. (7)

Our Request to the M-83 Study Project Team

An Environmental Assessment (EA), as yet undefined, is expected to be completed by DPWT late February 2005. We believe the EA will not be complete and should be revised if it does not include an analysis of the current and projected risk relating M-83 airborne pollutants to the respiratory health of students at WMES. The analysis should reference the projected traffic volume by time of day and the level of airborne pollutants created as a result of the forecast traffic on M-83. There should be two separate analyses done, one in which large trucks are included, and one in which large trucks are excluded,

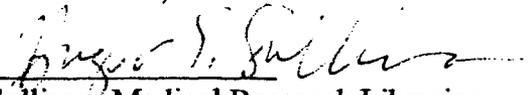
to reflect the possibility that large trucks may be prohibited from using the parkway. Both analyses should include an appropriate mixture of gasoline- and diesel-powered vehicles that reflects increasing market share of diesel-powered engines.

Summary

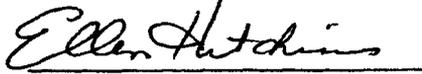
Children are said to be especially vulnerable to asthma. Several studies conclude that asthma is exacerbated by air pollutants emitted by traffic. The closer the traffic is to children, the greater their air pollution exposure and risk for cancer and respiratory disease. The right-of-way of proposed M-83 appears to be within 50 feet of the grounds of Watkins Mill Elementary School, currently attended by 653 children. The school nurse reports that about 30 children (5%) are known to have asthma. This excludes the count of children whose asthma is well-treated and controlled and unknown to the nurse.. The asthma rate statewide among children is reported to be 11 percent. Constructing M-83 within 500' of the school grounds runs the risk of increasing respiratory symptoms related to traffic-induced pollution. The planning of M-83 should carefully assess this risk and the associated liability potential faced by the county.

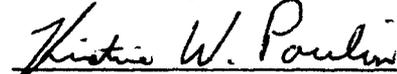
Maintaining healthful air standards at school locations must be ranked over highway needs in prioritizing community goals. We believe the M-83 study team, the DPWT, and the county council share this over-riding commitment.

Sincerely,
For G.A.S.P.
(Co-signer, Degree, and School Awarding the Degree)

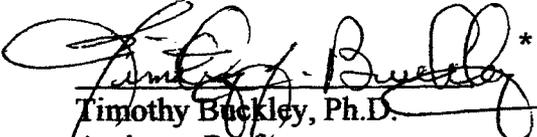
 
Stephen Gleason
MD, University of Maryland
Home: 917 Wild Forest
Gaithersburg, MD 20879

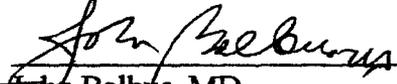
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This G.A.S.P. Letter is Commended by:


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John Balbus, MD
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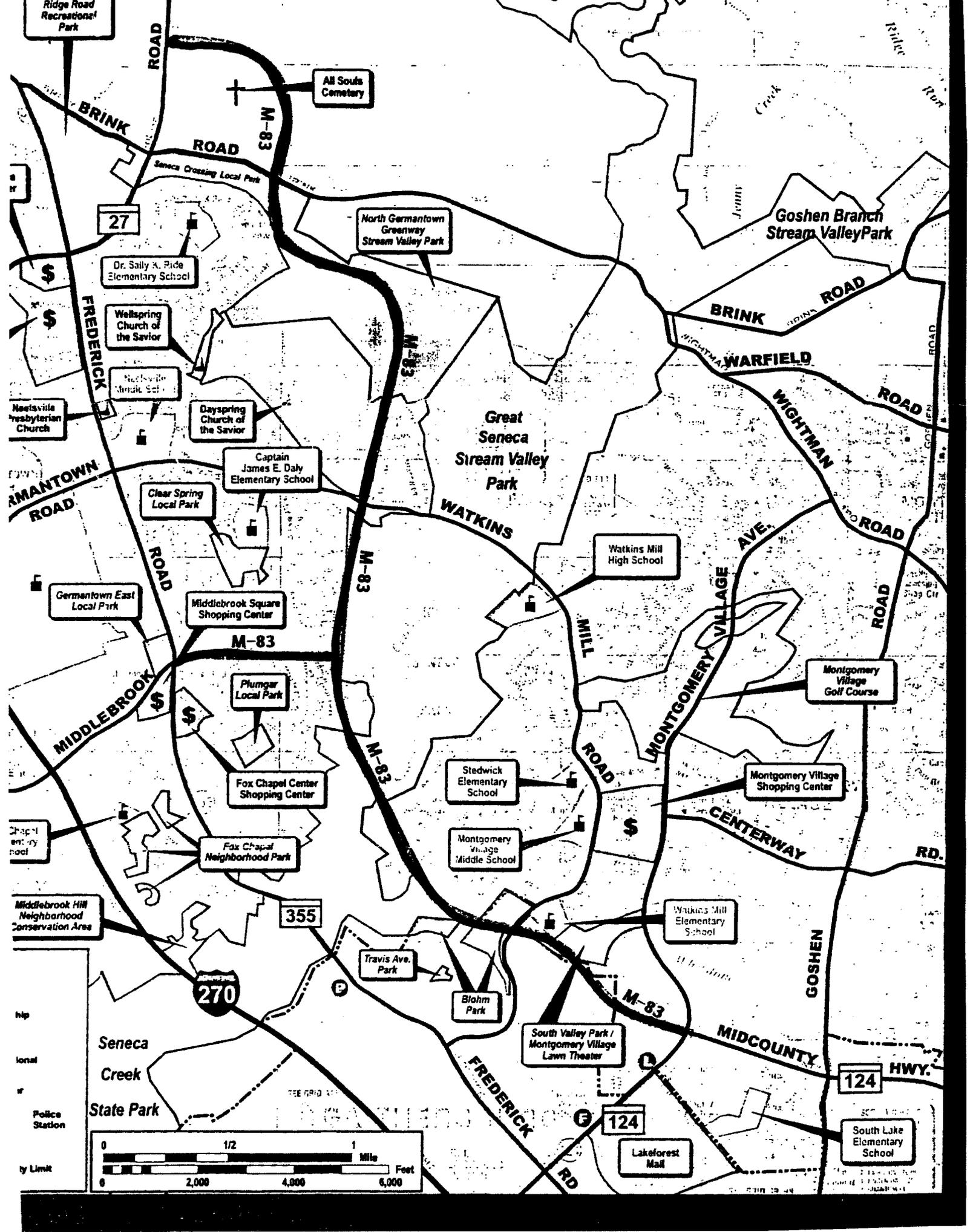
* Dr. Buckley in this matter represents only his own expert opinion and is not speaking for the Johns Hopkins Bloomberg School of Public Health.

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1. "Air Pollution and Children's Health," a chapter excerpt from the Health Atlas of Southern California, 2003, prepared by Andrea Hricko et al at the Southern California Environmental Health Science Center, a partnership of USC and UCLA, funded by the National Institute of Environmental Health Sciences. See http://hydra.usc.edu/scehsc/coep/coep_atlaschap.asp
2. "Traffic-related Air Pollution Near Busy Roads – The East Bay Children's Respiratory Health Study," by Janice J. Kim et al, *American Journal of Respiratory and Critical Care Medicine*, Vol. 170, pp 520-526, 2004
3. "Respiratory Ills in Kids Linked to Traffic Pollution," article by Jane Kay, Chronical Environment Writer, *San Francisco Chronicle*, October 20, 2004
4. "OEHHA Study Shows Possible Link Between Traffic Pollution, Children's Respiratory Symptoms," News Release #04-09, October 19, 2004, Office of Environmental Health Hazard Assessment, California Environmental Protection Agency.
5. California State Senate Bill SB 352 (passed 2003). Introduced by Senator Martha Escutia (district phone is 562-929-6060, capitol phone is 916-327-8315). For entire copy of bill see http://info.sen.ca.gov/pub/03-04/bill/sen/sb_0351-0400/sb_352_bill_20031003_chaptered.html
6. "Health and the 2025 [Houston] Regional Transportation Plan," sent as an attachment to a personal e-mail. Author is Winifred J. Hamilton, PhD., at Hamilton@bcm.tmc.edu References cited are provided as an attachment herein.
7. Terri Kranefeld, American Lung Association of Maryland, phone conversation, December 16, 2004 (phone 410-560-2120, ext. 206).

ATTACHMENT
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Ridge Road
Recreational
Park

All Souls
Cemetery

27

Dr. Sally K. Ride
Elementary School

Wellspring
Church of
the Savior

Northville
Merrick Sch.

Dayspring
Church of
the Savior

Captain
James E. Daly
Elementary School

Clear Spring
Local Park

Great
Seneca
Stream Valley
Park

Goshen Branch
Stream Valley Park

AMANTOWN
ROAD

Germantown East
Local Park

Middlebrook Square
Shopping Center

Plunger
Local Park

Fox Chapel Center
Shopping Center

Fox Chapel
Neighborhood Park

WATKINS

Watkins Mill
High School

MONTGOMERY
VILLAGE
AVE.

Montgomery
Village
Golf Course

Montgomery Village
Shopping Center

Stedwick
Elementary
School

Montgomery
Village
Middle School

CENTERWAY
RD.

Chapel
entry roof

Middlebrook Hill
Neighborhood
Conservation Area

355

Travis Ave.
Park

Blohm
Park

South Valley Park /
Montgomery Village
Lawn Theater

Watkins Mill
Elementary
School

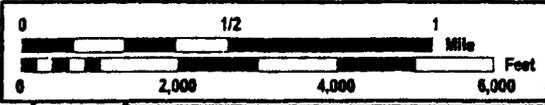
GOSHEN

Seneca
Creek
State Park

MIDCOUNTRY

124 HWY.

South Lake
Elementary
School



124

Lakeforest
Mail

AUG 22 2013

August 16, 2013

U.S. Army Corps of Engineers
Baltimore Districts
Att: Mr. Jack Dinne, CENAB-OP-RMN
P.O. Box 1715
Baltimore, Maryland 21203-1715

Re: PN# 13-37 Comment Period August 7, 2013 Seneca Valley High School

Mr. Jack Dinne:

Enclosed are my written comments I request to be included in the official record.

Phillis A. Prather-Copeland


August 7, 2013

Greetings, my name is Phillis A. Prather-Copeland the oldest daughter of the late Reverend James E. Prather and Edan Mae Prather. My mother 95 years old still lives in Prathertown in the house she and my father built many years ago and raised six(6) children.

I stand in favor of the Montgomery County Dept of Transportation adopting the original **MASTER PLAN M-83 and opposing alternate 4.** Plan M-83 would preserve and protect the historical contributions made to the growth and development of Montgomery County by my ancestors.

I am reminded as I stand before you today, that when God created the heavens and earth he made man to be caretakers of that which he had created. And that includes the parcel of land and roadway which is under consideration for re-configuration Your plan would not only change the landscape and the historical value of this stretch of road way it would remove the historical marker as you enter into Pratherstown that sets on the land own by my sister and husband (Peggy-Prather and Denver Saunders) .

For the record, any plan to widen Brink or Wightman's Road or to erect a wall in front of the homes along Brink or Wightman Road is strongly opposed.

What will be next, for man and his greed is never satisfied until he have it all.

This section of Montgomery County was once known for being out in the country where you could enjoy peace, quietness, and reflect on its great history. Now all is being threaten; to be taken away because of poor planning and man greed.

It is now like the Indy 500 Speedway with the two lanes what will it be like with four lanes? Oh I forgot you want to erect a wall, make us invisible, take some of our land and remove the historical value of this section of Montgomery County, Maryland and the Prathertown community.

Respectfully

Ms. Phillis A. Prather-Copeland

A handwritten signature in black ink, appearing to read "Phillis A. Prather-Copeland", written over a horizontal line.

To: U. S. Army Corps of Engineers, Baltimore District
Attn: Mr. Jack Dinne
P. O. Box 1715
Baltimore, Maryland 21203-1715
August 18, 2013

I oppose Alternative 4 Modified
I support Alternative 9

1. The analysis for Alternative 4 Modified is inadequate - it does not address the likely impacts to the communities through which it passes.
 - a. The increase in traffic volume, congestion, and reduced access to the residents of adjacent communities was not identified in a manner understood by the residents impacted.
 - b. Access to the markets and services that developed to support the communities was not evaluated with regards to access for the residents or accessibility for the businesses.
 - c. Impacts to the daily routines of these vibrant communities were not identified, such as: school bus pick-up; reduced highway access and increased rerouting of traffic through communities to accommodate reduced highway access; commuter access; etc.
2. The analysis does not identify the likely impacts to the Montgomery Village community by bisecting the northern portion of the Village by the 6-lane highway and the effective additional bisecting of the east and west portions of the Village by the increased traffic on Montgomery Village Avenue.
3. With regards to the "Projected Crash Rates Along the Build Alignments"
 - a. The analysis does not identify in clear terms the projected increase in accidents, injuries and deaths that will occur by having a 6-lane highway pass through multiple, medium to high-density communities. The parameters for the model are too narrow and do not take into consideration the rerouting of local traffic through neighborhoods to accommodate reduced access to the highway. This is a simple matter of statistical analysis and broadening the narrow parameters of the current model.
 - b. The analysis provides projections of accidents for Alternative 9, however, they are based on a generalized formula rather than on the actual accident rates for Mid-County Highway - a much more realistic basis for projections and a more accurate representation of continuing Mid-County Highway to Brink.
4. The analysis of environmental impacts for Alternative 9 is flawed by not identifying whether critical habitat will be affected (not all habitat is equal); what effect the proposed environmental impacts will have on identified protected species (flora and fauna); or, what short- or long-term effects will occur to those protected species (if present).
5. The analysis of environmental impacts for Alternative 9 is inadequate because it only addresses one form of mitigation (bridging) of the environmental impacts rather than providing options that have varying effects (short-term and long-term) of the environment.
6. The environmental analysis treats all wetlands as being equal - as though accidental wetlands of associated flood plains are similar to pristine and highly productive wetlands along the coast. The analysis does not address the history of the land or that the area was highly manipulated while farmland; was significantly impacted during the development of the adjacent communities and road systems; and, continues to be heavily impacted due to the inadequate drainage, right of ways, and current use.
7. The analysis does not address the current environmental problems along the current ROW or how mitigation for Alternative 9 could improve the overall environmental quality of the area; rather it only addresses how it will mitigate the immediate effects of implementing Alternative 9.

Over the course of 30 years Montgomery County has been fairly consistent in the planning, design, and development of its roadways and zoning with regards to the development of a Midcounty Corridor.

It built Mid-County Highway specifically as part of that design concept and the communities within that service area were planned and designed for on the basis of the County's published plans. All of the residents of those areas knew of those plans through public meetings, public notices, the local media, and the signing erected by the County identifying the future route of the corridor.

With the exception of its extension, Mid-County Highway meets all of the criteria identified in the "Purpose and Need" document for the Midcounty Corridor Study.

Now we are evaluating alternatives that are at the extreme edge of the study area. Alternatives that will impact dozens of large communities directly and indirectly by increasing traffic, impacting access, and converting local roads needed for local service into a highway corridor that compromises the original development plans, the concept of a Midcounty Corridor, and the communities that it will impact.

From the perspective of Montgomery Village, the impact will be significant. Alternative 4 Modified will directly separate the northern section of the Village from the southern part by going from a 2-lane country road to a 6 lane highway corridor. However, there has been no mention of the clear and obvious consequence of the new alignment. Montgomery Village Avenue will become the shortest route between the new highway and Mid-County Highway. While the County may want to make Goshen more enticing as a cross over, Montgomery Village Avenue will remain a significant if not primary alternative for traffic having as it destination the ICC or Shady Grove Metro. Whereas the development of Montgomery Village, including the location of the schools and services, was based on the continuation of Mid-County Highway.

This mixing of regional and local traffic throughout the length of Snouffer School Road, Muncaster Mill Road, Wightman Road, Goshen Road, and Montgomery Village Avenue is not only inefficient, but will result in a greater number of accidents, reduce the safety of the dedicated bicycle lanes, and create a significant number of potentially dangerous conflict points.

Regarding environmental protection: I strongly support the involvement of the Corps of Engineers, the Maryland Department of the Environment, U. S. Fish and Wildlife, etc. It is absolutely essential that any environmental impacts due to political and/or management decisions be evaluated and weighed. However, in the end a decision must be made that not only takes the environment into consideration but the social, cultural, and economic impacts as well.

Michael Brown
10006 Maple Leaf Drive
Montgomery Village, Md. 20886

SAMPLE LETTERS OR EMAILS

Personal letters or emails are most effective. But a form letter or email is definitely more effective than no letter at all. The form letters are suggestions, and, of course can be modified as you see fit. The human effect is very important to these agencies. Adding any of the information from the preceding Talking Points that seems compelling to you might be helpful also. Thanks.

Maps of Alternatives 4 Modified and 9 are at the end of the packet.

A) Strongly oppose Alternative 4 Modified, and strongly support Master Plan route – Alternative 9, Option A:

Dear Mr. Jack Dinne,

I am strongly opposed to Alternative 4 Modified. It is completely incompatible with the Master Plans that are the basis for our community development. It is located well outside the central transportation corridor area it is supposed to support. Passing through an area of long established residential areas with many individual driveways and multiple intersecting roads increases the gridlock and affects safety. This in turn generates excessive air pollution and carbon dioxide emissions.

I strongly support the completion of the Midcounty Highway along the Master Plan route – Alternative 9, Option A. All adjacent communities were developed and occupied with notice of this roadway. It is designed to minimize interference with communities and existing roads. It will allow an efficient traffic flow, minimizing travel time, air pollution and carbon dioxide emissions. It will tie existing roads together into a coherent transportation system and allow optimal communication between upcounty residential communities, employment centers, and commercial areas. It can provide the backbone for an effective bus system.

The Master Planned M-83 is long overdue and badly needed.

(Please add how these Alternatives will affect YOU,

B) Strongly oppose Alternative 4 Modified:

Dear _____:

I strongly oppose Alternative 4 Modified.

Alternative 4 Modified bulldozes through long established communities that were never planned for a major transportation corridor.

This Alternative will destroy dozens of homes due to loss of wells and septic systems, leave hundreds more with a major highway on their doorstep, impinge on the Agricultural Reserve, and destroy a living history that includes colonial-area sites and two communities established by freed slaves.

Alternative 4 Modified inevitably will lead to the deterioration of stable residential communities and a thriving retail center. Alternative 4 Modified is not a transportation solution. It is in the wrong location to serve the needs of the larger upcounty area and traffic will be encumbered by existing roads (38) and driveways (90), traffic lights, and four high-volume multi-lane right angle turns.

The inevitable congestion, stop-and-go traffic, and extended travel times will have significant economic costs, further burden domestic life, and greatly increase CO₂ emissions. It is dangerous.

Alternative 4 is a violation of the County's Master Plan pledge to the residents of established communities, does not improve our already bad transportation situation, and seriously increases the emissions of greenhouse gases.

(Please add how this Alternative will affect YOU.)

C) Strongly support Alternative 9, Option A (M-83)

Dear _____:

I strongly support Alternative 9, Option A (M-83), the Master Plan Route.

The Upcounty is seriously impaired by the failure to provide the transportation infrastructure that was an integral part of the planning for large scale development. More transit is needed, but that is not enough – most residents will need roads to reach transit, jobs, schools, and retail centers. Alternative 9, Option A is the critical missing link in an effective transportation system.

Alternative 9, Option A will use a Master-Planned right of way dating to the 1960s. Subsequent developments were built with explicit knowledge of the location of this right of way. This minimizes interference between the road and adjacent developments.

Alternative 9, Option A will only intersect 13 established roads or other access points, the lowest of all the alternatives. This provides an efficient flow of traffic with minimal travel times, improved public safety and lower CO₂ emissions.

(Please add how this Alternative will affect YOU.)

If you want additional information about all six of the Alternatives, it is available, in abundance, at the MCS website. www.montgomerycountymd.gov/corridor A short but helpful overview of all of the Alternatives is available at the above website under "1. Public Notice". The full Draft Environmental Effects Report including detailed interactive maps is available at the link above at "2. May 2013 Draft Environmental Effects Report". (The Executive Summary of the Report is helpful.)

Mary Stanfield
Barbara Bell
21030 Brink Ct,
Gaithersburg, Md
20882

AUG¹² 2 2013

**Christine L. Trippel McGrew
22708 Ward Avenue
Germantown, Maryland 20876
cltmcgrew@verizon.net**

August 19, 2013

U.S. Corps of Engineers
Baltimore District
Attn: Mr. Jack Dinne, CENAB-OP-RMN
P.O. Box 1715
Baltimore, MD 21203-1715
john.j.dinne@usace.army.mil

SENT VIA EMAIL & USPS

Maryland Department of the Environment
Wetlands and Waterways Program
Attn: Mr. Sean McKewen
160 Water Street
Frostburg, MD 21532
sean.mckewen@maryland.gov

Reference: Interested Party Concern - Fetrows Neighborhood, Wacomor Drive & Ward Avenue
CENAB-OP-RMN (Mid County Corridor Study) 2007-07102-M15
13-NT-3162/201360802/AI No. 140416

This project study area and each of the proposed alternatives, including Alternative 1 - No Build, affect our neighborhood. Our safety and property values will be affected by action taken in this matter.

Our homes have been here since the 1960's; both Wacomor Drive and Ward Avenue are dead-end streets with ingress and egress via Route 27/Ridge Road. The amount of traffic on Route 27/Ridge Road has increased with the construction of homes in Clarksburg and more recently, construction of Clarksburg Village. In turn, increased traffic is created by Little Seneca Parkway at Route 27/Ridge Road and more will come from the extension of Snowden Farm Parkway.

We have no relief from traffic at any time of the day - the southbound grade on Route 27/Ridge Road hinders our view of northbound oncoming vehicles. We are trapped by traffic turning right onto Route 27/Ridge Road from Little Seneca Parkway and Skylark as well as oncoming southbound traffic. We have few windows of safe exit or entrance to our neighborhood.

Maryland State Highway refused a request for a traffic signal at Wacomor advising that we should make u-turns at Skylark! Anyone would certainly know that this is impossible given the flow of traffic. We should not have to drive miles out of our way to travel southbound on Route 27/Ridge Road.

With the addition of more traffic signals north of us, any window of traffic relief has been destroyed. The speed limit on Route 27/Ridge Road north of Brink Road is 40 miles per hour; this is ignored and many of the speed limit signs were taken down during recent roadway construction at Clarksburg Village. We need safe access to Route 27/Ridge Road from our neighborhood. It is not clear in the Public Notice materials how the Alternatives and proposed

divided lanes on Route 27/Ridge Road will affect the south egress and north ingress to our neighborhood.

In less than two years, a middle school will open at the corner of Little Seneca Parkway and Route 27. The queuing traffic for the school will also be a hindrance for us. Added travel lanes will require drivers to "let us out" - an effort that is almost impossible now.

I am surprised that there was not a concerted effort made to reach out to us -we are an established neighborhood that has only one ingress/egress. Though we do not have a community association, this should not negate communication or mention in the Alternatives. We do not appear on any of the alternative maps. Given our proximity to key intersections, we deserve to have the same consideration and assistance with any chosen plan going forward.

We need:

- Clear information on how the Alternatives affect our ingress/egress - none mention or identify our transportation needs
- A safe ingress/egress via a dedicated access lane to connect the traffic signal
 - Access lanes are mentioned in conjunction with MD355, one is needed for our community, Rt. 27/Ridge Road @ Wacomor
- Better timed traffic flow to allow windows of opportunity between Brink Road and Little Seneca Parkway/Skylark.
- Consideration of the queuing line for traffic at Little Seneca Parkway so that it does not block the entrance/exit of Wacomor Drive at Route 27/Ridge Road.
 - How will this intersection be signaled?
 - Controlled right turns from Little Seneca?
 - Controlled left and u-turns from Route 27/Ridge Road?

I invite you to come and view the situation we currently have and see the challenges that are present each day before 5:00am and that last well into the evening 9:00-10:00pm.

Thank you for your consideration and I hope to hear from you regarding how the Alternatives protect and provide safe egress and ingress for our neighborhood.

Sincerely,



Christine L. Trippel McGrew
22708 Ward Avenue
Germantown, MD 20876
cltmcgrew@verizon.net

cc: SHA, District 3

August 19, 2013

Elizabeth E. Greene
20201 Grazing Way
Montgomery Village, MD 20886

Mr. Jack Dinne, CENAB-OP-RMN
U.S. Army Corps of Engineers
Baltimore District
P. O. Box 1715
Baltimore, MD 21203-1715

Dear Mr. Dinne,

I am writing in response to the proposed alternatives for the Mid County Corridor Study(MCS) (2007-07102-M15).

I am in favor of Alternative 2 or Alternative 5. I am opposed to Alternative 4 (modified), which would negatively impact too many homes and which was not on the original Master Plan. I am most strenuously opposed to any of the alternatives under Number 9, which would result in unacceptable damage to the environment. Other speakers have detailed the damage in their remarks on August 7th at the public hearing.

I also spoke at the hearing on August 7, 2013. However, due to the limitations of time, I was unable to expand upon my support for mass transit – which I would like to put into the record.

As someone who has studied city planning, I feel that any of the alternatives to relieve traffic congestion between Clarksburg and Gaithersburg must include viable mass transit options. Washington, D.C. (including its Maryland suburbs) is one of the few major capitals in the world without sufficient and robust mass transit options. This is not sustainable. Without public transportation options, the future of the Maryland suburbs will be an ugly tangle of huge highways, destroying the character and ecology of the region.

It is a myth that more and larger roads will relieve congestion. In fact, more roads encourage more drivers to add their cars to the system, thus creating more congestion downstream and at destination points. Enlarging the roads and creating new ones in Gaithersburg and Clarksburg without any mass transit options will only attract more cars onto those roads. It may (temporarily) relieve congestion at those intersections, but the added traffic will only create more congestion on the lower part of I-270, and it will create gridlock in Bethesda and Silver Spring.

Creating more roads is a losing battle. The more roads we create, the more cars we attract and the more roads we need to continue to build.

The only way to relieve traffic congestion is to take cars out of the system. This can be done through mass transit options. We needed a light rail along I-270 or an extension of the Red Line past Shady Grove years ago. It is now at a critical point. If the County and the State can put together \$350 million dollars to spend on Alternative 9, then that money should be spent instead on extending the Red Line.

Americans do not have a culture of using mass transit, and this is something we will have to confront. We need disincentives to individual drivers, and incentives for using mass transit. Right now a major disincentive to individual driving is congestion. It is one of the few things encouraging people to carpool. But carpooling is not enough.

Mass transit is the only option that will actually relieve congestion, not just in Gaithersburg, but throughout the entire system of roads in the County. It is the only option that will retain the beauty and ecology of our County, and preserve its heritage for future generations.

Sincerely,

A handwritten signature in cursive script that reads "Elizabeth E. Greene".

Elizabeth E. Greene
Doctor of Planning and Development Studies

AUG 22 2013

Nadine Kitchen
20736 Highland Hall Dr.
Montgomery Village, MD 20886

August 16, 2013

U.S. Army Corps of Engineers
Baltimore District
Attn: Mr. Jack Dinne, CENAB-OP-RMN
P.O. Box 1715
Baltimore, Maryland 21203

Dear Mr. Jack Dinne,

I write you as a resident of Montgomery Village, Maryland strongly opposed to Alternative 4 Modified to the M-83 Master Plan and request for it to be removed as an alternative.

My family resides less than ½ mile from Wightman road where the proposed work would take place. This is a beautiful and peaceful neighborhood that would be devastated by widening of Wightman road. Wightman road (as only 2 lanes) is already a hazard to cross as drivers frequently ignore pedestrians in the crosswalk. Adding lanes and traffic to this road will jeopardize safety, increase air and noise pollution, and drop our property values.

Alternative 4 is the most costly of the alternatives and the most devastating to my family and neighbors. Please consider my opposition to Alternative 4 in the official record.

Regards,



Nadine Kitchen

SEP 03 2013



MONTGOMERY COUNTY PUBLIC SCHOOLS
MARYLAND
www.montgomeryschoolsmd.org

August 23, 2013



Mr. Jack Dinne, CENAB-OP-RMN
U.S. Army Corp of Engineers
Baltimore District
P.O. Box 1715
Baltimore, Maryland 21203

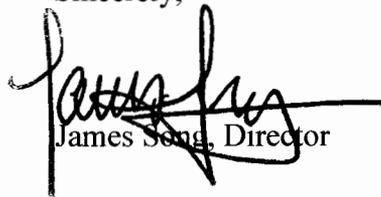
RE: CORPS: CENAB-OP-RMN (Mid-County Corridor Study)
2007-07102-M15
MDE Nontidal Wetlands and Waterways: 13-NT-3162/
201360802/AI No. 140416

Dear Mr. Dinne:

This is provided in response to the Public Notice for the above referenced study. The Montgomery County Public Schools (MCPS) appreciates the opportunity to review and provide comments on the proposed alternatives. Alternatives Two (2) and Five (5) have impacts on the MCPS Neelsville Middle School property's southern and western boundaries. Additionally, Alternative Nine (9) has potential impacts to the southwestern boundaries of the Watkins Mill Elementary School property. However, the maps provided do not provide sufficient details to determine the severity of impacts. While the proposed alternatives do not seem to indicate substantial impacts, the primary concern of MCPS is school safety, both during and after construction. We request the opportunity to review more detailed plans which more clearly show impacts of Right-of-Ways, grading and drainage, limits of disturbance, and plans for mitigating any impacts.

Mr. Peter Geiling, team leader, Real Estate Management, will be contacting you to review and discuss possible impacts to school operations and how these impacts may be mitigated. Mr. Geiling can be reached at 240-314-1069. We appreciate the opportunity to provide our comments on this vital project and look forward to working with you.

Sincerely,



James Song, Director

JS:acs

Copy to:
Mr. Geiling

Department of Facilities Management

45 West Gude Drive, Suite 4000 ♦ Rockville, Maryland 20850 ♦ 240-314-1060

AUG 22 2013

8/21/13

To:

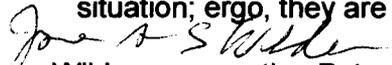
- Mr. Jack Dinne CENAB-OP-RMN
U.S. Army Corps of Engineers Baltimore District
10 Howard St.
Baltimore, MD 21217
- Mr. Sean McKewen
MD Department of the Environment
Wetlands and Waterway Program
160 South Water Street
Frostburg, MD 21532

Public hearing testimony on **CORPS: CENAB-OP-RMN (Mid County Corridor Study) 2007-07102-M15** and **MDE Nontidal Wetlands and Waterways: 13;NT;3162/201360802/AI No. 140416**

Questions for the Mid County Corridor Study Wetland and Water Quality Permit Application:

1. On the controversial "wetland conversion" of wetland impacts (aka degradation) how can you compare functions as was done in the 80's by then Corps contact Mary Dircks? (ENC. a)
2. Relating to above documented ethical questions regarding DOT and consultants how can regulators make a fair judgement which conforms to the Federal and State law? I include a summary to the County Council in approximate 2003 illustrating the many lies and false statements so typical of DOT? (ENC. b)
3. There are so many factual errors on maps – Walkers Run being called Whetstone Run on page 7; seriously harmed Normandy II condos being called Normandy I page 49 sheet 7; no naming of Dayspring Church Silent 200 acre retreat in Germantown; and no naming of USE III Wildcat Branch Alternate 9 sheet 1D etc. How can the public make any real judgement on how the road impacts them and the things they love? (ENC. c)
SEA STUDY
4. M-83 is a State road. This is verified in (a) a letter from former Planning Board head Norman Chisteller to Congress woman Connie Morella in 1988 and (b) In a paper by former Transportation staffer Henry Bain to the T&E Committee when he discusses forward funding of State roads and (c) In the 1st two CIPs 1986 and 87 when the State's contribution is mentioned. "The County will attempt to recover reimbursement from the State to cover the County share of this project at a later date." The County is trying to say only our own funds to be used to avoid stricter environmental regulations as State (ENC. d)

dollars are often comingled with Federal funds (albeit Feds are involved in a wetlands situation; ergo, they are doing anything they can do to reduce the wetland count.)



Jane Wilder representing Potomac Valley Environmental Group
9969 Lake landing Rd.
Montgomery Village, MD 20886
(301) 208-1828

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

23 NOV 87
field review

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value ** (occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
- 3. Sediment Trapping (short-term)
- 4. Flood Desynchronization
- 5. Nutrient Retention (short-term)
- 6. Food Chain Support (nutrient export)
- 7. Dissipation of Erosive Forces
- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

Rating

Value

Any combination of functions including 2 and 6.

High

Any combination of 3 functions from the functions list, excluding 2 and 6.

Medium

Less than 3 functions total.

Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

** Threatened or Endangered Species habitat or Areas of State Critical Concern are always "high" valued wetlands regardless of function, size or location.

Handwritten notes

Enc. a

September, 1986
Project Development
Division: State Highway Adm.

Project & Limits RIDGE RD AND LEWISIAN
Contract No. 66091
Wetland Site # 14

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value **
(occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
- 3. Sediment Trapping (short-term)
- 4. Flood Desynchronization
- 5. Nutrient Retention (short-term)
- 6. Food Chain Support (nutrient export)
- 7. Dissipation of Erosive Forces
- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

	<u>Rating</u>	<u>Value</u>
Any combination of functions including 2 and 6.		High
Any combination of 3 functions from the functions list, excluding 2 and 6.		Medium
Less than 3 functions total.		Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

** Threatened or Endangered Species habitat or Areas of State Critical Concern are always "high" valued wetlands regardless of function, size or location.

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value **
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- 7. Dissipation of Erosive Forces
- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

Rating

Value

Any combination of functions including 2 and 6.

High

Any combination of 3 functions from the functions list, excluding 2 and 6.

Medium

Less than 3 functions total.

Low

C. TYPE OF WETLANDS

Tidal

Non-tidal

** Threatened or Endangered Species habitat or Areas of State Critical Concern are always "high" valued wetlands regardless of function, size or location.

September, 1986
Project Development
Division: State Highway Adm.

Project & Limits WALKINS MEADOW
Contract No. W/091
Wetland Site # 12

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value **
(occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
- 3. Sediment Trapping (short-term)
- 4. Flood Desynchronization
- 5. Nutrient Retention (short-term)
- 6. Food Chain Support (nutrient export)
- 7. Dissipation of Erosive Forces
- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

	<u>Rating</u>	<u>Value</u>
Any combination of functions including 2 and 6.		High
Any combination of 3 functions from the functions list, excluding 2 and 6.		Medium
Less than 3 functions total.		Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

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RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

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- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

Rating

Value

Any combination of functions including 2 and 6.

High

Any combination of 3 functions from the functions list, excluding 2 and 6.

Medium

Less than 3 functions total.

Low

*1.2 acres
Wetland*

C. TYPE OF WETLANDS

Tidal

Non-tidal

** Threatened or Endangered Species habitat or Areas of State Critical Concern are always "high" valued wetlands regardless of function, size or location.

September, 1986
Project Development
Division: State Highway Adm.

Project & Limits QUAIL RIDGE
Contract No. 66091
Wetland Site # 10

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value **
(occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
- 3. Sediment Trapping (short-term)
- 4. Flood Desynchronization
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- 6. Food Chain Support (nutrient export)
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- 8. Active Recreation
- 9. Groundwater Discharge
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- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

	<u>Rating</u>	<u>Value</u>
Any combination of functions including 2 and 6.		High
Any combination of 3 functions from the functions list, excluding 2 and 6.		<u>Medium</u>
Less than 3 functions total.		Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

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September, 1986
Project Development
Division: State Highway Adm.

Project & Limits GREAT SENECA PARK
Contract No. 106091
Wetland Site # 9

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

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(occurs often).
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Any combination of 3 functions from the functions list, excluding 2 and 6.		<u>Medium</u>
Less than 3 functions total.		Low

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RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

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- 11. Sediment Trapping (long-term)
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B. VALUE

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Any combination of functions including 2 and 6.	<u>High</u>
Any combination of 3 functions from the functions list, excluding 2 and 6.	Medium
Less than 3 functions total.	Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

** Threatened or Endangered Species habitat or Areas of State Critical Concern are always "high" valued wetlands regardless of function, size or location.

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value **
(occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
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- 4. Flood Desynchronization
- 5. Nutrient Retention (short-term)
- 6. Food Chain Support (nutrient export)
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- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

<u>Rating</u>	<u>Value</u>
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Any combination of 3 functions from the functions list, excluding 2 and 6.	Medium
Less than 3 functions total.	Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

** Threatened or Endangered Species habitat or Areas of State Critical Concern are always "high" valued wetlands regardless of function, size or location.

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONSCHECKLISTA. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value **
(occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
- 3. Sediment Trapping (short-term)
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- 5. Nutrient Retention (short-term)
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- 9. Groundwater Discharge
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- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

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<u>Rating</u>	<u>Value</u>
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Less than 3 functions total.	Low

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- Tidal
- Non-tidal

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September, 1986
Project Development
Division: State Highway Adm.

Project & Limits WOODLAND HILLS
Contract No. 66901
Wetland Site # 4A

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value **
(occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
- 3. Sediment Trapping (short-term)
- 4. Flood Desynchronization
- 5. Nutrient Retention (short-term)
- 6. Food Chain Support (nutrient export)
- 7. Dissipation of Erosive Forces
- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

	<u>Rating</u>	<u>Value</u>
Any combination of functions including 2 and 6.		High
Any combination of 3 functions from the functions list, excluding 2 and 6.		<u>Medium</u>
Less than 3 functions total.		Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

** Threatened or Endangered Species habitat or Areas of State Critical Concern are always "high" valued wetlands regardless of function, size or location.

September, 1986
Project Development
Division: State Highway Adm.

Project & Limits WOODLAND HILLS
Contract No. 66609
Wetland Site # 4

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value ** (occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
- 3. Sediment Trapping (short-term)
- 4. Flood Desynchronization
- 5. Nutrient Retention (short-term)
- 6. Food Chain Support (nutrient export)
- 7. Dissipation of Erosive Forces
- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

<u>Rating</u>	<u>Value</u>
Any combination of functions including 2 and 6.	<u>High</u>
Any combination of 3 functions from the functions list, excluding 2 and 6.	Medium
Less than 3 functions total.	Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

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RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value ** (occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
- 3. Sediment Trapping (short-term)
- 4. Flood Desynchronization
- 5. Nutrient Retention (short-term)
- 6. Food Chain Support (nutrient export)
- 7. Dissipation of Erosive Forces
- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

<u>Rating</u>	<u>Value</u>
Any combination of functions including 2 and 6.	High
Any combination of 3 functions from the functions list, excluding 2 and 6.	<u>Medium</u>
Less than 3 functions total.	Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

** Threatened or Endangered Species habitat or Areas of State Critical Concern are always "high" valued wetlands regardless of function, size or location.

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value ** (occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
- 3. Sediment Trapping (short-term)
- 4. Flood Desynchronization
- 5. Nutrient Retention (short-term)
- 6. Food Chain Support (nutrient export)
- 7. Dissipation of Erosive Forces
- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

	<u>Rating</u>	<u>Value</u>
Any combination of functions including 2 and 6.		<u>High</u>
Any combination of 3 functions from the functions list, excluding 2 and 6.		Medium
Less than 3 functions total.		Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

** Threatened or Endangered Species habitat or Areas of State Critical Concern are always "high" valued wetlands regardless of function, size or location.

To: T and E Committee
From: Jane Ann S. Wilder, Citizens to Save South Valley Park and Whetstone Run
RE: M-83 Packet for April 3, 2003
Date: April 2, 2003

At the March 6 T and E Committee meeting the Committee requested background information on M-83. The Packet they received Ap. 1, prepared by Glenn Orlin, Edgar Gonzalez (and other DPWT staff) and some Planning Board staff, is indeed an April Fool's Day joke if one is seeking complete and accurate information:

This is exemplified by the "Chronology of M-83" at figure 12. How can these staffs possibly exclude things like:

- A. Dec. 1988 -- DOT's application for Federal and State wetland permits (lead agency -- U. S. Army Corps of Engineers).
- B. 1989 -- The negative response from all Federal and State agencies ranging from serious concern (U. S. Fish and Wildlife Service) to outright denial (EPA). (Enc. 1 a-e)
- C. Dec. 1989 -- The defunding of M-83 from the CIP by County Exec. Sid Kramer (a strong proponent) for fiscal reasons (and because **it** was clear the permitting and public opposition would be a problem.) (Enc. 2)
- D. Jan. 1990 -- The throwing out ("withdrawal", "return") of DOT's Federal wetlands permit request from the Army Corps of Engineers, in spite of DOT's pleas to keep the permit active. (Enc. 3)
- E. 1992 -- The presentation of the huge Environmental Document to County Council
- F. May 5, 1992 -- The unanimous vote against M-83 by the County Council after evaluation of the Environmental Document, under the auspices of a "referendum" on M-83 devised by Glenn Orlin regarding turning lanes for M-83 as part of the Watkins Mill Bridge project. (Enc. 4)
- G. Nov. 2001 -- The Transportation Policy Task Force, in their TRP II Task Force recommendations does not recommend M-83. This remarkable decision by the Transportation Policy Task Force, a group of 35 citizens from all parts of the community, despite slanted information and strong pressure from DPWT, etc. (the group voted for almost all major road projects presented including Brink-Wightman-Snouffer School widening) did not endorse M-83. (Encls. 5a and 5b)
- H. 2002 -- Planning Board, recommended that M-83 be removed from the Master Plan in their Transportation Policy Report due to "an environmental and community disruption perspective". They note that this will require an "update to the land use sections of the Clarks burg and Germantown Master Plans by reducing the total development levels to be commensurate with what the reduced roadway network would support." (Enc. 6)

How can the exclusion of these historic widely documented events be by accident?!!
This packet does not serve the Council well.

MORE

ENC. b

Page 2

To: T and E Committee

From: Jane Ann S. Wilder

RE: M-83 Packet for April 3, 2003

Date: April 2, 2003

Of further concern are entries like 1991 (Chronology and Page 4 text), there Glenn Orlin and company describe secret meetings with all the environmental agencies (after the permit had been thrown out and the project defunded), claiming "all the necessary mitigation measures were defined by the reviewing agencies to make this a permittable project"?! This appears to imply an under the table deal (without Federally required public input) to guarantee permits?! If these assurances were so convincing (or even happened), why were they never brought before the County Council when the Environmental Report was considered before the May 5, 1992 vote?

In spite of the precise language in the Planning Board's TPR Report (Enc.) Orlin and company note (Page 1 text, pp2), "Furthermore, it (the Planning Board) notes a facility planning study would be useful in producing the Master Plan Amendment". This implies they endorse the CIP Facility Planning funding -- We can find no such citation in the Jan. 15, 2002 TPR Planning Board report?!!

On Page 2 text, Orlin and company talk about continuous right-of-way acquisition as a sign of public knowledge and acceptance. These processes are substantially out of public view and have no public input.

Also on Page 2, he describes M-83 being part of the "Corridor Cities transportation system". First of all, M-83 is in the wedge not the corridor, but is the Corridor Cities Transitway which focuses on public transit and has widespread support now being corrupted into an excuse for building more roads under the title "transportation system"?!!

On Page 5 text, they again quote the the TPR (Task Force Report or Planning Board?) as saying the part of Brink in the Agriculture Reserve is not recommended for widening in the Master Plan of Highways, yet the 80' right-of-way necessary for 4 lanes has long since been dedicated at subdivision for this area. (The Task Force also endorsed it).

On Page 3 text, again discussing Brink, Wightman, Snouffer School, and Muncaster Mill Rd., it is said the alignment is "not in the right place" to serve as a functional alternative to M-83. In fact, Brink and M-83 empty onto Ridge Rd. (Route 27) within 1/2 mile of each other (this is after revision in the Clarksburg Master Plan, before which M-83 joined with 355 at Route 27.) If Brink does not go to "the right place" neither does M-83! (See their own figure 15).

In summary, this packet unfortunately does not answer the request of Tand E members for more background information on M-83 as the implication of the Council request is for accurate and complete background information, not that only serving the interests of those who have been pushing this project since 1986. The County Council and the citizens of Montgomery County deserve better.

September 19, 1988

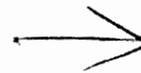
The Honorable Constance A. Morella
11141 Georgia Avenue
Suite 302
Wheaton, Maryland 20902

Dear Mrs. ^{Constance} Morella:

I am pleased to respond to your request for information regarding the road project designated M-83 about which you have received correspondence from Mr. and Mrs. Richard Wilder.

I will provide some planning background for the road project, but you should understand that the design and construction of the road are under the purview of the Montgomery County Department of Transportation. This will be a State road (hence the M-83 designation on our master plans), but the County is undertaking the initial construction in order to provide traffic capacity earlier than could be done by the State.

The General Plan for Montgomery County establishes the basic policy framework for land use and transportation decisions. The plan is titled "...On Wedges and Corridors" because it recommends that development be concentrated in the I-270 and I-95 transportation corridors and the areas outside the corridors be preserved as wedges of agriculture and open space with only the lowest density residential development. In order for the corridor cities of Gaithersburg, Germantown, and Clarksburg to work as envisioned by the General Plan, several major highways more or less parallel to I-270 are necessary. Our Master Plan of Highways and area master plans show the widening of MD 117 (Clopper Road) and MD 355 (Frederick Road) as well as two new major roads, described as the Western Arterial and the Eastern Arterial (M-83). Great Seneca Highway is the western arterial and is now under construction. Midcounty Highway or M-83 is the eastern arterial. The County constructed two lanes of this road from Shady Grove Road to Montgomery Village Avenue and the State is now widening it.



Enc. A-1

6

3. Related Issues

Some confusion has arisen in the community and the local press regarding a memorandum prepared by our staff. Some members of the public have interpreted this memorandum to imply that the Midcounty Highway is not needed. This is an incorrect interpretation. My explanation of this situation is outlined in letters I sent to State Delegate Counihan and Congresswoman Morella (see copies attached).

In essence, this explanation tries to make clear that the short term timing of the road should not be confused with the long term need for it. We happen to believe that it makes very good sense for it to be built prior to the building of Route 355. However, regardless of its timing, there is absolutely no question that the road is a vital element in our comprehensive plan.

In conclusion, the Montgomery County Planning Board strongly supports the construction of the Midcounty Highway, and recognizes the need for this section of the road to be engineered so that the minimum possible impact on the environment is achieved. If you or your staff have any questions regarding my comments, you may direct them to Mr. Jorge Valladares of our Environmental Planning Division at (301) 495-4540.

Sincerely,


Norman L. Christeller
Chairman, MCPB

NLC:JM:dws

Attachments

cc: County Council
County Executive
Mr. McGarry
Mr. Cochran
Mr. and Mrs. Wilder
Germantown Gazette

Handwritten initials

The program deletes nine road projects, most of them rather small. To allow the Council to consider these projects during the CIP deliberations, even though they are not in the recommended CIP, the Executive has provided the accompanying table showing their costs and expenditure schedules as prepared by the Department of Transportation. (See Table 6.) These deleted County roads, which would make an important contribution to traffic safety and capacity in the areas that they serve, are intimately related to the State highways mentioned above. Deletion of the County funding for the State routes would free up enough money to fund several of these much-needed improvements in County roads during the next six years.

Locations of Road Projects

To assist the Committee in its review of the road projects, the Executive has provided the accompanying table that sorts them out by Policy Area. (See Table 7.)

It is suggested that the Committee focus its attention on projects marked (by Council staff) in the "T&E Focus" column of Table 7. These projects deserve special attention because they are 1) new, 2) deleted or substantially deferred, 3) State or State-caliber roads, or 4) ongoing projects.

The unmarked projects are generally well advanced toward completion and do not raise policy issues.

What Additional Funds Could Do

In its review of the road projects, the Committee might find it useful to ask what could be done with an additional revenue for roads of \$25 million per year. This flow of funds might, for example, enable the County to make the following additions to the road program in a five-year period (allowing one year for the revenue to start flowing).

	(\$M)
Proceed with the nine deleted projects at the pace proposed in last year's CIP	\$ 13.7
Build, or make a substantial start, on the following roads by returning to the expenditure schedule proposed in last year's CIP:	
Goshen Road	7.3
Redland Road North	2.6
Dewey Road	.9
Watkins Mill Road Extended	12.1
Return some other projects that have been deferred to their original schedules, and accelerate some other much-needed highways. Also, add some master-plan highways to the CIP.	88.4
Total	\$125.0

Encl-2

Table 7

FYs 91-96 Recommended Roads Program
 Roads By Policy Area
 1/19/89

Title	T&E Focus	Status	Page #
Up-County			

PATUXENT			
Belle Cote Drive	N	New	8-53
POOLESVILLE			
Whites Ferry Rd./Fisher Avenue		Ongoing	8-135
DAMASCUS			
MD 124 Extension	S	Ongoing	8-99
Sweepstakes Road		Ongoing	8-128
GERMANTOWN			
Germantown/Montgomery Village Connector	S	Ongoing	8-72
MD 118 Relocated	S	Ongoing	8-97
Middlebrook Rd.		Ongoing	8-106
Father Hurley Blvd./Ridge Rd. Extension	S	Ongoing	8-67
Waring Station Rd. - MD 117 to CSX	D	Deleted	N/A
GAITHERSBURG EAST			
Airpark Road/Shady Grove Road Ext.		Ongoing	8-51
Goshen Road	D	Ongoing	8-76
Midcounty Highway Design & Landscaping		Ongoing	8-102
Midcounty Noise Walls	N	New	8-104
Muncaster / Shady Grove Rds. Ext (N)	D	Deleted	N/A
Redland Road North	D	Ongoing	8-117
Shady Grove Road - Six Lane	D	Deleted	N/A
Snouffer School	D	Deleted	N/A
Watkins Mill Rd. - School Access		Ongoing	8-133
Watkins Mill Rd. Extended	D	Ongoing	8-134
GAITHERSBURG WEST			
Fields Rd./Muddy Branch to Omega		Ongoing	8-69
Great Seneca Hghwy. Phase 3		Ongoing	8-78
Jones Lane	D	Deleted	N/A
Key West - Gude Drive to I-270		Ongoing	8-85
Key West Av. - Shady Grove to Gude		Ongoing	8-87
Key West Av. and MD 28		Ongoing	8-89
Life Sciences Center Roadway Improvements		Ongoing	8-92
Longdraft Road		Ongoing	8-93
Muddy Branch Road		Ongoing	8-110
Quince Orchard Road South	D	Deleted	N/A
Sam Eig Highway		Ongoing	8-121
Central County			

FYs 91-96 Recommended Roads Program
 Roads By Policy Area
 1/19/89

Title	T&E Focus	Status	Page #
BETHESDA/CHEVY CHASE			
CABN Noise Abatement (I-495)	N	New	8-58
Friendship Boulevard/The Hills Plaza		Ongoing	8-71
NORTH BETHESDA			
Nebel Street ALARF Reimbursement	N	New	8-112
Windemere Noise Abatement (I-270)	N	New	8-136
Countywide			

Preliminary Project Engineering	O	Ongoing	8-114
Public Facilities Roads	O	Ongoing	8-115
Subdivision Roads Participation	O	Ongoing	8-126
Transportation Improvements for New Schools	O	Ongoing	8-130



T&E Focus

- N New Project
- D Deleted or Substantially Deferred Project
- S State Road (or Road of State Caliber) Funded by County
- O Ongoing Project

3 forwarded

1 Project Number 863116	Agency No	A. IDENTIFICATION AND CODING INFORMATION					7 PRE PDF PG NO 1269	8 REQ ADEQ PUB FAC IDENT		F. APPROPRIATION AND EXPENDITURE DATA		
		2 Date <u>DEC. 27, 1987</u> REVISED:							Date First Appropriation <u>86</u> (\$000) Initial Cost Estimate <u>7,517</u> First Cost Est Current Scope (89) <u>26,025</u> Last FY's Cost Estimate <u>7,853</u> Present Cost Estimate (89) <u>26,025</u>			
3 Project Name <u>GERMANTOWN/MONT. VILL. CONNECTOR</u>		5. Agency <u>TRANSPORTATION</u>					6. Planning Area <u>GERMANTOWN</u>			Cumulative Appropriation <u>642</u> Expenditures/Encumbrances <u>412</u> Unencumbered Balance <u>230</u>		
4 Program <u>TRANSPORTATION</u>		B. EXPENDITURE SCHEDULE (\$000)										
Cost Elements	(8) Total	(9) Thru FY87	(10) Estimate FY88	(11) Total 6 Years	(12) Year 1 FY89	(13) Year 2 FY90	(14) Year 3 FY91	(15) Year 4 FY92	(16) Year 5 FY93	(17) Year 6 FY94	(18) Beyond 6 Years	
1 Planning, Design & Suprv	2200	95	322	1493	300	100	150	253	325	325	290	
2 Land	1785			1785			545	1240				
3 Site Improvements and Utilities	2049			769				769			1280	
4 Construction	19991			7200				200	3500	3500	12791	
5 Furniture and Equipment												
6 Total	26025	95	322	11247	300	100	695	2502	3825	3825	14361	
C. FUNDING SCHEDULE (\$000)												Appropriation Request, Budget Yr FY 89 <input type="text" value="d75"/>
G.C. BONDS	17567	95	322	8295	300	100	655	2000	2600	2600	8855	Supplemental Appropriation Request <input type="text" value="0"/>
IMPACT FEES	8458			2952				502	1225	1225	5506	Current Year FY 88 <input type="text" value="0"/>
D. ANNUAL OPERATING BUDGET IMPACT (000 \$)												G. RELOCATION IMPACT:
DEBT SVC	10	38	2205	36	47	130	365	667	960	H. MAP Reference Code:		
NET IMPACT	10	38	2205	36	47	130	365	667	960	See Accompanying Map Page		
WCRK YRS										I. COORDINATION & OTHER INFORMATION (INCL SUBPROJ & WORK PRGM LISTS)		

E. DESCRIPTION AND JUSTIFICATION Q0151 PROJECT NO. 863116 PROJECT NAME GERMANTOWN/MONT. VILLAGE CONNECTOR

DESCRIPTION: This project includes the construction of four-lanes of an ultimate six-lane roadway along the M-83 (Mid-County Highway) Master Plan alignment between Montgomery Village Avenue and MD 118, and two lanes of the ultimate six-lanes between MD 118 and MD 27, and the construction of the Master Plan alignments for M-61 (MD 118 Extended) and M-85 (Middlebrook Road Extended). This project includes appropriate sidewalks, bikeways, stormwater management, landscaping and two major bridges. Capacity: Refer to the Germantown-Montgomery Village Connector Study for details. Service Area: Germantown East Policy Area.

JUSTIFICATION: Specific Data: The Germantown-Montgomery Village Connector Study has been completed. According to the study, the construction of M-83 best meets the traffic needs of the area. The State has agreed to begin Project Planning for MD 355. This improvement will be needed as access for existing and planned development east of I-270 in Germantown. It will provide more capacity for shorter north-south trips in the I-270 corridor and will complement the function performed by Great Seneca Highway west of I-270. Plans and Studies: Each segment of this project is included in either the Germantown or Gaithersburg Vicinity Master Plans. Cost Increase: The cost increase reflects added lanes and sections (see Other); the addition of stormwater management; noise attenuation and utility relocation costs; higher planning, design and supervision costs; and inflation.

STATUS: Planning Stage.

OTHER: The cost estimate is based upon the construction of Mid-County Highway as four-lanes between Montgomery Village Avenue and MD 118 and two lanes between MD 118 and MD 27, two lanes of Brink Road from MD 27 to MD 355, four-lanes of MD 118 Extended from Mid-County Highway to MD 355, and four-lanes of Middlebrook Road from Mid-County to MD 355, including full-width rights-of-way for all segments. The present project scope was developed in FY 88 and has an estimated total cost of \$26.0 million.

FISCAL NOTE: Impact fees are assessable on this project at 50.0% of the cost of projects for the portion of the project within the Germantown Impact Fee Area. The County will attempt to recover reimbursement from the State to cover the County share of this project at a later date. The schedule revision is the result of the design contract award target date being later than originally anticipated.

I. COORDINATION & OTHER INFORMATION (INCL SUBPROJ & WORK PRGM LISTS)

MSHA
M-NCPPP
WRA
Kettler Brothers, Inc.
MD 118 Relocated, CIP Project # 863171
Historic Preservation Commission
Middlebrook Road, CIP Project # 863125
Montgomery Village Ave Widening
CIP Project # 883106
Watkins Mill Road Bridge
CIP Project # 883754

ENC. D-3-M7

1. PROJECT NO. **863116**

2. DATE **DEC. 27, 1986**

3. PROJECT NAME **GERMANTOWN /MONT.VILL. CONNECTOR**

4. PROGRAM **TRANSPORTATION**

5. AGENCY **TRANSPORTATION**

6. PLANNING AREA **GERMANTOWN**

F. APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	86	(\$000)
Initial Cost Estimate		250
First Cost Est Current Scope (86)		7,517
Last FY's Cost Estimate		7,517
Present Cost Estimate (86)		7,893
Cumulative Appropriation	642	
Expenditures/Encumbrances	152	
Unencumbered Balance		490
Appropriation Request, Budget Yr. FY 88		0
Supplemental Appropriation Request		
Current Year FY 87		0

B. EXPENDITURE SCHEDULE (\$000)

Cost Elements	(8) Total	(9) Thru FY86	(10) Estimate FY87	(11) Total 6 Years	(12) Year 1 FY88	(13) Year 2 FY89	(14) Year 3 FY90	(15) Year 4 FY91	(16) Year 5 FY92	(17) Year 6 FY93	(18) Beyond 6 Years
1. Planning, Design & Suprv.	1149	7	75	1067	312	302	75	126	252		
2. Land	1785			1785			445	1340			
3. Site Improvements and Utilities											
4. Construction	4959			4959				759	4200		
5. Furniture and Equipment											
6. Total	7893	7	75	7811	312	302	520	2225	4452		

C. FUNDING SCHEDULE (\$000)

	(8) Total	(9) Thru FY86	(10) Estimate FY87	(11) Total 6 Years	(12) Year 1 FY88	(13) Year 2 FY89	(14) Year 3 FY90	(15) Year 4 FY91	(16) Year 5 FY92	(17) Year 6 FY93	(18) Beyond 6 Years
G.O. BOND	5336	7	75	5254	210	203	350	1497	2994		
IMPACT FE	2557			2557	102	99	170	728	1458		

D. ANNUAL OPERATING BUDGET IMPACT (000 \$)

	8	1618	28	52	93	262	600	583
DEBT SVC								
NET IMPACT	8	1618	28	52	93	262	600	583
WORK YRS								

G. RELOCATION IMPACT:
TO BE DETERMINED

H. MAP Map Reference Code:
SEE ACCOMPANYING

E. DESCRIPTION AND JUSTIFICATION PROJECT NO. **863116** PROJECT NAME **GERMANTOWN/MONT.VILL. CONNECTOR**

DESCRIPTION: This project provides for design, land acquisition, and construction of additional highway capacity parallel to I-270 between Montgomery Village and Germantown. Alternative alignments will be studied to determine whether this improvement will be (1) the widening of MD 355 to four or six lanes between MD 124 and MD 27, or (2) the construction of roadways along the M-83 (Eastern Arterial), M-61 (MD 118 Extended), and/or M-85 (Middlebrook Road Extended) alignments, or (3) some improvements in both corridors. This project includes appropriate sidewalks, bikeways, and landscaping. **Capacity:** To be determined. **Service Area:** Germantown East, Gaithersburg.

JUSTIFICATION: **Specific Data:** This improvement will be needed as access for existing and planned development east of I-270 in Germantown. It will provide more capacity for shorter north-south trips in the I-270 corridor and will complement the function performed by Great Seneca Highway west of I-270. **Plans and Studies:** Each alternative is included in the Germantown and Gaithersburg Vicinity Master Plans. **Cost Increase:** Not applicable.

STATUS: Planning Stage.

OTHER: The cost estimate (which is subject to change when the alternatives study is complete) is based upon the construction of the Eastern Arterial as two lanes between Montgomery Village Avenue and MD 118 Extended, and two lanes of MD 118 Extended from the Eastern Arterial to MD 355, including the full-width right-of-way for both segments. The project scope has remained the same.

FISCAL NOTE: Funding schedule for this project reflects implementation of Chapter 49A, Montgomery County Code, entitled "Development Impact Fees for Major Highways" which provides for assessing of such fees on new building construction in designated impact areas. Impact fees are assessable on this project at 50.0 % of project cost for the portion of the project within the Germantown Impact Fee Area. The County will attempt to recover reimbursement from the State to cover the County share of this project, at a later date.

I. COORDINATION & OTHER INFORMATION (INCL SUBPROJ & WORK PRGM LISTS)

M-NCPPC

WRA

Kettler Brothers Inc.

MD 118 Relocated

Middlebrook Road

MSHA

Special legislation is pending

ENC. 2-3-1

AUG 22 2013

8/7/13

To:

- Mr. Jack Dinne CENAB-OP-RMN
U.S. Army Corps of Engineers Baltimore District
10 Howard St.
Baltimore, MD 21217
- Mr. Sean McKewen
MD Department of the Environment
Wetlands and Waterway Program
160 South Water Street
Frostburg, MD 21532

Public hearing testimony on **CORPS: CENAB-OP-RMN (Mid County Corridor Study) 2007-07102-M15** and **MDE Nontidal Wetlands and Waterways: 13;NT;3162/201360802/AI No. 140416**

This is shark week on TV: a Megalodon (aka M-83) the monster shark lives, although the County DOT in its unethical attempt to do M-83 Master Plan alignment is far more dangerous to people and the environment than any prehistoric fish.

I refer particularly to plans for Watkins Mill Elementary school. Nowhere in the document is a mention of this primarily minority school (some children even live in motels), nor any other school, such as three others in the area of alternate 9 although a study by prestigious scientists (mostly from Johns Hopkins) commissioned by a group called GASP, in 2005 was presented to the County and mysteriously disappeared?! (Exhibit 1) It showed how elementary school children within 500 feet of a major highway could be seriously at risk for lung problems and even chromosome damage. Watkins Mill ballfields are to be within 50 feet of M-83. The ballfields are not even shown on current maps, how can one compare and evaluate. I again included this study in a public opinion survey on alternatives, by DOT in 2008 as well as the County Council, Executive, all the regulators, etc. Still DOT's Edgar Gonzales said that he had never seen it at a recent meeting. Finally all the above entities were FedExed or hand delivered the same study on August 1, 2012 (receipts received for all). Corps representative Dinne said that he didn't have Exhibit C of the submissions with the important 1989 critical Corps letter on M-83 Master Plan Alignment. (Recently re-sent.) And yet the school or ballfields appear nowhere in the text of the study or in any identifiable drawing – No wonder! The road is supposedly being “bridged” over the wetlands, a bridge 150' wide and 11' high, backed up by a retaining wall. For wetlands this is like a shaded mud flat – what can survive without sun?

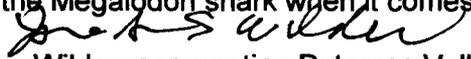
The fact is the maps in the study are unintelligible (no proper north-south direction arrows, no readable legend, etc., much less a cognizable picture of the school, bridge and stream relocation if done. The old maps from the 80's and 90's are far clearer and user friendly, that is the map prepared for the first permit attempt (Exhibit 2) from the Corps to destroy wetlands in 1988 which was thrown out in 1990 (Exhibit 3) after the public outcries, unanimous negative opinions from regulatory agencies in addition to costs tripling (although the DOT begged it to be retained.) (Exhibit 4) Finally in 1992 the County Council voted unanimously that the road would never be built! (Exhibit 5) It disappeared until 2002 even after the Transportation Policy Review (TPR) Group and the Planning Board (Exhibit 6) voted against it, it was brought back by Doug Duncan's "End Gridlock" slate.

This brings us to the point of the honesty, transparency and bias of this document. A false history begins the text (see section S-I and Exhibit 7), which doesn't even note that the original study was to compare M-83 with a widened MD-355 for north-south traffic relief. It is symbolic that the 1986 study RFP stated: "The preferred alignment is the M-83 alignment, therefore the actual analysis between the two alternatives would be a minor task." (Exhibit 8) (Sound familiar?!!) In 2003 DOT's Edgar Gonzales denied a permit had ever been applied for before the T and E Council Committee even when I held up a copy of the 1988 application at the meeting. (See Exhibit 2.)

Do you want your money used to produce a biased study? Do you want to pretend children and schools don't exist or mean nothing? DOT wants the Master Plan alignment and they will do anything, ethical or not to get their way (and they are public servants?!!) Is this in the public interest?

The Corps in 1989 stated that: "The identification of a roadway in a Master Plan adopted prior to wetland protection laws, does not create an exemption from 404 (b) 1 compliance." (See Exhibit 2 permit agency opinions.) Also safety is stressed as well as the "needs and welfare of the people". Thus the new "Local Road Code" does not preempt the Federal Clean Water Act either.

This is indeed "shark week" for environmentalists. The cumulative impact of the destruction that will be caused by Master Plan alternate 9 for M-83 and the ICC will render this county as extinct as the Megalodon shark when it comes to the quality of life.


Jane Wilder representing Potomac Valley Environmental Group
9969 Lake Landing Rd.
Montgomery Village MD, 20886
(301) 208-1828

March 4, 2005

To: Montgomery County Department of Public Works and Transportation (DPWT)
Attn.: Ms. Jeri Cauthorn, M-83 Study Manager
c.c.: Dan Hardy, Project Team Member, Park and Planning
Ki Kim, Project Team Member, Park and Planning
Fr: G.A.S.P. (Getting Air Standards Prioritized, an M-83 ad hoc study group of
scientists and health-care professionals
Re: Health Risks Associated with Proposed M-83's Proximity to
Watkins Mill Elementary School (northern Gaithersburg)

This letter is an appeal by scientists and health-care professionals to Montgomery County authorities to sufficiently distance the proposed M-83 highway from the Watkins Mill Elementary School to avoid respiratory damage to the school's students, faculty, and staff caused by M-83 traffic. The letter was prepared by the signatories on behalf of themselves and for organizations of communities near the school who are showing their support by their individual letters.

Proposed M-83 in Brief

M-83 (the "M" stands for Major) is a proposed extension of Midcounty Highway from its existing terminus at Montgomery Village Avenue to Route 27, and Middlebrook Road from Route 355 to M-83, for a combined length of approximately 6 miles. Near Route 27 M-83 would connect to a future extension (called A-305) to Clarksburg.

Prior to its current study (in process), M-83 has been proposed as a 6-lane divided highway within a 150-foot right-of-way. The last study of M-83 (1992) anticipated 50,000 cars per day with 50-60 mph speed limits.

M-83 was included in the Gaithersburg Master Plans (1971, 1985), the Germantown Master Plans (1996, 1974, 1989), and the Clarksburg Master Plans (1968, 1994). The 1994 Clarksburg Master Plan calls for 10,000 new homes plus new business sites. This has created the need to accommodate added north-south traffic. The widened I-270 and partly-widened 355 cannot handle the anticipated traffic volumes.

The Montgomery County Planning Board's Transportation Policy Report (1-15-02) states: *The comments at the public forums and review of the environmental and community constraints on extending Midcounty Highway from its current terminus at Montgomery Village Avenue to Ridge Road (D 27) have convinced the Board that this section is not feasible to construct. It is reluctantly recommending that this be deleted from the Master Plans.*

The county council nonetheless authorized, at its April 10, 2003 meeting, a \$1.5 million study of the feasibility of constructing the Montgomery Village Avenue/Ridge Road segment. That study, due for completion late 2005, is being undertaken by the county's Department of Public Works and Transportation.

BR, I

Alternatives to M-83 include the broadly-supported Corridor Cities Transitway, a light-rail (or bus) service from Clarksburg to the Metropolitan Grove MARC train station and beyond to the Shady Grove Metro station. A complement to the Transitway is widening existing connecting roads: Brink, Wightman, and Snouffer School.

Because M-83 would be funded entirely by Montgomery County, an Environmental Impact Statement is not required. Instead the county will issue what it terms an "Environmental Assessment," originally scheduled for completion by December 2004 and currently rescheduled to late February 2005.

Proximity of M-83 to Watkins Mill Elementary School

Relying on the map of proposed highway M-83, prepared for DPWT and distributed at the November 15, 2004 "Midcounty Highway/Middlebrook Road Public Workshop: Parks, Recreational & Community Facilities," it appears the 150' right of way would come within approximately 50' of the ball fields on the Watkins Mill Elementary School (WMES), 320' of the closest portable classroom, and 430' from the brick-and-mortar school. These distances compel careful consideration of the likely health consequences caused by airborne automotive emissions in close proximity to school children, faculty, staff and local sports organizations.

It is the intent of G.A.S.P. to limit this commentary to the risk of M-83 aggravating respiratory problems among WMES students, setting aside the separate important consideration of risks to residents residing in nearby homes, school staff, faculty and sports organizations that use the ball fields. Towards this end we cite statements and conclusions found from studies published in peer-reviewed medical and public health journals evaluating the causal relationship between auto air emissions and aggravation of respiratory illness among children.

Pollution and Children's Lung Development

"Although most studies show that air pollution does not appear to cause asthma directly, children's asthma is known to be exacerbated by air pollution. ... Children are believed to be especially vulnerable due to higher relative doses of air pollution and increased susceptibility as their lungs develop and their bodies grow. ... Air pollution is linked to multiple adverse health effects in children, among them increased respiratory symptoms and hospitalizations for respiratory illnesses, increased or more severe asthma episodes, decreases in lung function, and longer-lasting lung infections. High levels fine particulates are especially linked to aggravation of children's asthma. Exposure to particulate matter is associated with increased lung irritation and respiratory symptoms in children, together with decrements in lung function." (1)

The Bay Area Study of Schools (San Francisco)

“Recent studies, primarily in Europe, have reported associations between respiratory symptoms and residential proximity to traffic; however, few have measured traffic pollutants or provided information about local air quality. We conducted a school-based, cross-sectional study in the San Francisco Bay Area in 2001. ... Concentrations of traffic pollutants [named] were measured at 10 school sites during several seasons. Although pollutant concentrations were relatively low, we observed differences in concentrations between schools nearby versus those more distant (or upwind) from major roads. ... Thus, we found spatial variability in traffic pollutants and associated differences in respiratory symptoms in a region with good air quality. Our findings support the hypothesis that traffic-related pollution is associated with respiratory symptoms in children. (2)

More Details of the San Francisco Bay Area Study

“In the first U.S. study evaluating a link between traffic pollution and respiratory symptoms, state scientists found that the air contaminants spewed from busy roads may pose a health risk to children.” (3)

“Even in an area with good regional air quality, air pollution from nearby traffic may pose a health risk, according to a recently-completed study by scientists from Cal/EPA’s Office of Environmental Health Hazard Assessment (OEHHA) that shows a possible link between air pollution from nearby traffic and respiratory symptoms in children. The study, involved air monitoring and a health survey of about 1,100 students at 10 Alameda County [San Francisco/Oakland area] elementary schools located various distances from major roads... (4)

“The study found that the prevalence of asthma and bronchitis symptoms were about 7 percent higher in children in neighborhoods with higher levels of traffic pollutants compared with other children in the study. ... (4)

“The Bay Area was a good location for the study because it has relatively good regional air quality. That makes it easier to evaluate the specific effects of air pollution from nearby traffic. (4)

“A school’s location near a busy road does not always mean children will be exposed to high levels of traffic pollution. Other factors that influence this include whether the school is upwind or downwind from the road, and the school’s ventilation system.” (4)

California Law Now Restricts School Construction Near Busy Roads

Senate Bill 352 (introduced by Senator Martha Escutia and abstracted here), passed in 2003, “prohibits the approval by the governing board of a school district of a school site that is within 500 feet from the edge of the closest traffic lane of a freeway or other busy

traffic corridor, unless prescribed conditions are met and would make conforming and other technical, non-substantive changes. (5)

“Cars and trucks release at least forty different toxic air contaminants, including, but not limited to, diesel particulates, benzene, formaldehyde, 1,3-butadiene and acetaldehyde. Levels of these pollutants are generally concentrated within 500 feet of freeways and very busy roadways. (5)

“Many studies have confirmed that increased wheezing and bronchitis occurs among children living in high-traffic areas. (5)

“The governing board of a school district may not approve a project involving the acquisition of a school site by a school district unless:

- “For a school site with a boundary that is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor, the governing board of the school district determines, through analysis pursuant to paragraph (2) of subdivision (b) of Section 44360 of the Health and Safety Code, based on appropriate air dispersion modeling, and after considering any potential mitigation measures, that the air quality at the proposed site is such that neither short-term nor long-term exposure poses significant health risks to pupils. (5)
- “The governing board finds that neither of the conditions set forth in subparagraphs [setting conditions for school sites] can be met, and the school district is unable to locate an alternative site that is suitable due to a severe shortage of sites that meet the requirement in subdivision (a) of Section 17213. If the governing board makes this finding, the governing board shall adopt a statement of Overriding Considerations pursuant to Section 15093 of Title 14 of the California Code of Regulations.” (5)

Other Studies Affirm Bay-Area Conclusion

A literature search by Winifred J. Hamilton, Ph.D, Director of Environmental Health Section of the Chronic Disease Prevention and Control Research Center, Baylor College of Medicine, shows that “Studies [mostly in other countries] published in a wide range of scientific journals document health effects for people living at various distances from roads with as few as 20,000 vehicles per day. ... The health effects appear strongest within 100 meters (about 1 football field) of major roads, but studies show effects up to 300 meters from major roads.” (6)

The Bay-area study is the best example of schools and traffic-related pollutants and health effects in the United States. There are numerous studies from the United Kingdom and Europe that support the same conclusions.

Watkins Mill ES Proximity to M-83 Seems High Risk

Probably more perilous than the Bay Area 10 elementary schools, located various distances from major roads, is the proximity of M-83 to the edge of the WMES school grounds. It appears the M-83 right of way falls within 50 feet of the school grounds, where ball fields, used by students and youth athletic associations, are now located.

According to M-83 engineering drawings prepared for the county in 1992 by Johnson, Mirmiran & Thompson, P.A., believed to be the latest available, a 150-foot right of way with a 44-foot median plus traffic lanes extending 52 to 64 feet, would allow only 21 feet to 27 feet on either side of the outer traffic lanes.

With traffic this close to WMES ground, the hazards of airborne pollutants seem to elevate the risks of respiratory problems compared to the Bay Area study.

Proposed M-83 would be upwind on the school's western boundary, where near the front of the school (i.e., the school's northern boundary) M-83 would cross and possibly interconnect with the existing Watkins Mill Road. The latter road is approved for a planned direct interconnect to I-270 thus surrounding the school on three sides with high volumes of traffic (two sides facing M-83, one side Watkins Mill Road).

Built in 1970 to accommodate 404 students, today's WMES enrollment of 653 is taught in the original building plus 13 portable classrooms. Plans call for expanding the building by adding six to eight 900 square-foot classrooms and two new kindergarten classrooms. The 10-acre grounds would not be expanded.

Asthmatic Children Currently at WMES

Ms. Terri Kranefeld of the American Lung Association of Maryland (ALA-M) phoned the school nurse at WMES to ask the number of students believed to have asthma. She was told the number known to her at December 2004 was "about 30." That represents about 5% of the 653 students. Based on data provided by ALA-M, approximately 11% of children through age 12 in Maryland have asthma. In Montgomery County the estimated number of asthma cases among children through age 12 increased 56% between 1999 and 2001, growing from 12,263 to 19,072. (7)

Our Request to the M-83 Study Project Team

An Environmental Assessment (EA), as yet undefined, is expected to be completed by DPWT late February 2005. We believe the EA will not be complete and should be revised if it does not include an analysis of the current and projected risk relating M-83 airborne pollutants to the respiratory health of students at WMES. The analysis should reference the projected traffic volume by time of day and the level of airborne pollutants created as a result of the forecast traffic on M-83. There should be two separate analyses done, one in which large trucks are included, and one in which large trucks are excluded,

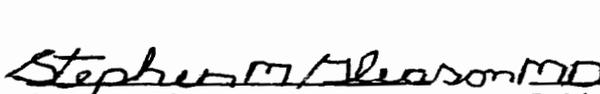
to reflect the possibility that large trucks may be prohibited from using the parkway. Both analyses should include an appropriate mixture of gasoline- and diesel-powered vehicles that reflects increasing market share of diesel-powered engines.

Summary

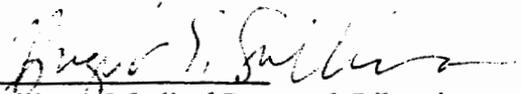
Children are said to be especially vulnerable to asthma. Several studies conclude that asthma is exacerbated by air pollutants emitted by traffic. The closer the traffic is to children, the greater their air pollution exposure and risk for cancer and respiratory disease. The right-of-way of proposed M-83 appears to be within 50 feet of the grounds of Watkins Mill Elementary School, currently attended by 653 children. The school nurse reports that about 30 children (5%) are known to have asthma. This excludes the count of children whose asthma is well-treated and controlled and unknown to the nurse. The asthma rate statewide among children is reported to be 11 percent. Constructing M-83 within 500' of the school grounds runs the risk of increasing respiratory symptoms related to traffic-induced pollution. The planning of M-83 should carefully assess this risk and the associated liability potential faced by the county.

Maintaining healthful air standards at school locations must be ranked over highway needs in prioritizing community goals. We believe the M-83 study team, the DPWT, and the county council share this over-riding commitment.

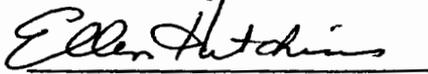
Sincerely,
For G.A.S.P.
(Co-signer, Degree, and School Awarding the Degree)



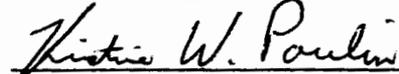
Stephen Gleason
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Bridget Sullivan, Medical Research Librarian
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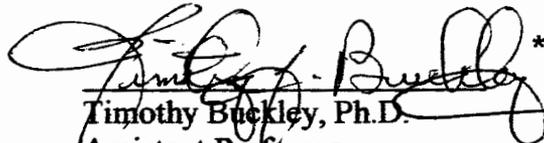


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This G.A.S.P. Letter is Commended by:



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John Balbus, MD
Senior Scientist and Director of
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Environmental Defense
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Washington, DC 20009

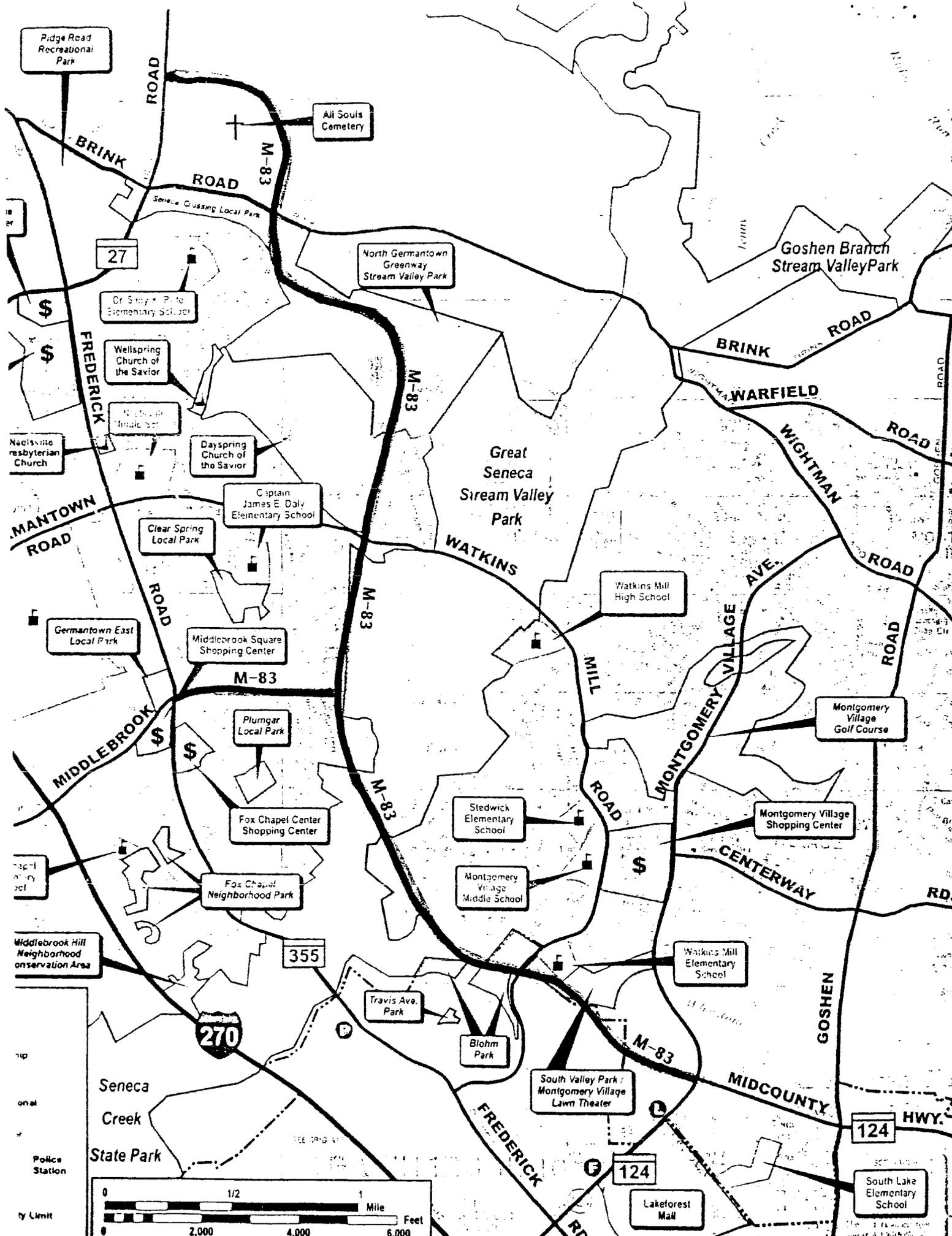
* Dr. Buckley in this matter represents only his own expert opinion and is not speaking for the Johns Hopkins Bloomberg School of Public Health.

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2. "Traffic-related Air Pollution Near Busy Roads – The East Bay Children's Respiratory Health Study," by Janice J. Kim et al, *American Journal of Respiratory and Critical Care Medicine*, Vol. 170, pp 520-526, 2004
3. "Respiratory Ills in Kids Linked to Traffic Pollution," article by Jane Kay, Chronical Environment Writer, *San Francisco Chronicle*, October 20, 2004
4. "OEHHA Study Shows Possible Link Between Traffic Pollution, Children's Respiratory Symptoms," News Release #04-09, October 19, 2004, Office of Environmental Health Hazard Assessment, California Environmental Protection Agency.
5. California State Senate Bill SB 352 (passed 2003). Introduced by Senator Martha Escutia (district phone is 562-929-6060, capitol phone is 916-327-8315). For entire copy of bill see http://info.sen.ca.gov/pub/03-04/bill/sen/sb_0351-0400/sb_352_bill_20031003_chaptered.html
6. "Health and the 2025 [Houston] Regional Transportation Plan," sent as an attachment to a personal e-mail. Author is Winifred J. Hamilton, PhD., at Hamilton@bcm.tmc.edu References cited are provided as an attachment herein.
7. Terri Kranefeld, American Lung Association of Maryland, phone conversation, December 16, 2004 (phone 410-560-2120, ext. 206).

ATTACHMENT
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Ridge Road Recreational Park

All Souls Cemetery

27

North Germantown Greenway Stream Valley Park

Goshen Branch Stream Valley Park

Dr. Stacy P. Pate Elementary School

Wellspring Church of the Savior

Northville Presbyterian Church

Dayspring Church of the Savior

Captain James E. Daly Elementary School

Great Seneca Stream Valley Park

Clear Spring Local Park

MANTOWN ROAD

Germantown East Local Park

Middlebrook Square Shopping Center

Watkins Mill High School

MIDDLEBROOK ROAD

Plumgar Local Park

Fox Chapel Center Shopping Center

Stedwick Elementary School

Montgomery Village Golf Course

Fox Chapel Neighborhood Park

Montgomery Village Middle School

Montgomery Village Shopping Center

Middlebrook Hill Neighborhood Observation Area

355

Travis Ave. Park

Watkins Mill Elementary School

270

Blohm Park

South Valley Park / Montgomery Village Lawn Theater

Seneca Creek State Park

FREDERICK ROAD

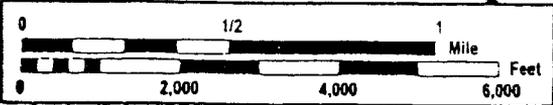
124

Lakeforest Mall

MIDCOUNTY ROAD

124 HWY.

South Lake Elementary School





Public Notice

**US Army Corps
of Engineers
Baltimore District**

In Reply Refer to Application Number **CE MABOP - RR (MCDOT - M-83 Connector) 88-0373-5** Date **25 November 1988**

Comment Period: 25 November 1988 to 27 December 1988

THE PURPOSE OF THIS NOTICE IS TO SOLICIT A RESPONSE FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

This District has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) as described below:

APPLICANT: Montgomery County Department of Transportation
101 North Monroe Street
Rockville, MD 20850

WATERWAY: At Whetstone Run and Great Seneca Creek, Montgomery County, Maryland

WORK: To construct a new roadway called the Germantown-Montgomery Village Connector (M-83) which will follow an alignment from Montgomery Village Avenue to Brink Road in Montgomery County, Maryland. The proposed alignment will impact a total of 10.9 acres of wetlands along Whetstone Run and Great Seneca Creek as follows:

- a) A total of 0.5 acres of wetlands will be filled for embankment construction at five sites.
- b) A total of 7.5 acres of wetlands will be impacted by stream crossing at six sites.
- c) A total of 2.9 acres of wetlands will be impacted by the possible relocation of a portion of Whetstone run.

All work is to be completed in accordance with the enclosed plan(s). If you have any questions, please contact Mr. Webster Macomber at (301)962-3477.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof, among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and, in general, the needs and welfare of the people.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act. Any written comments concerning the work described above which relate to water quality certification must be received by the Maryland Department of Health and Mental Hygiene, Office of Environmental Programs/Technical Analysis Division, P.O. Box 13387, 201 W. Preston Street, Baltimore, Maryland 21201 within the comment period as specified above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1718, Baltimore, Maryland 21203-1718, within the comment period as specified above to receive consideration.

EX. 2A



PURPOSE

INSTALLATION OF NEW ROADWAY (M-83)

**M-83 CONNECTOR
MONTGOMERY CO., MD.
LOCATION MAP
WETLAND SITES 1-12**

CONTRACT NO. MCDOT 6631116

SCALE: 1"=9000'

DATE: 6/88

SHEET 1

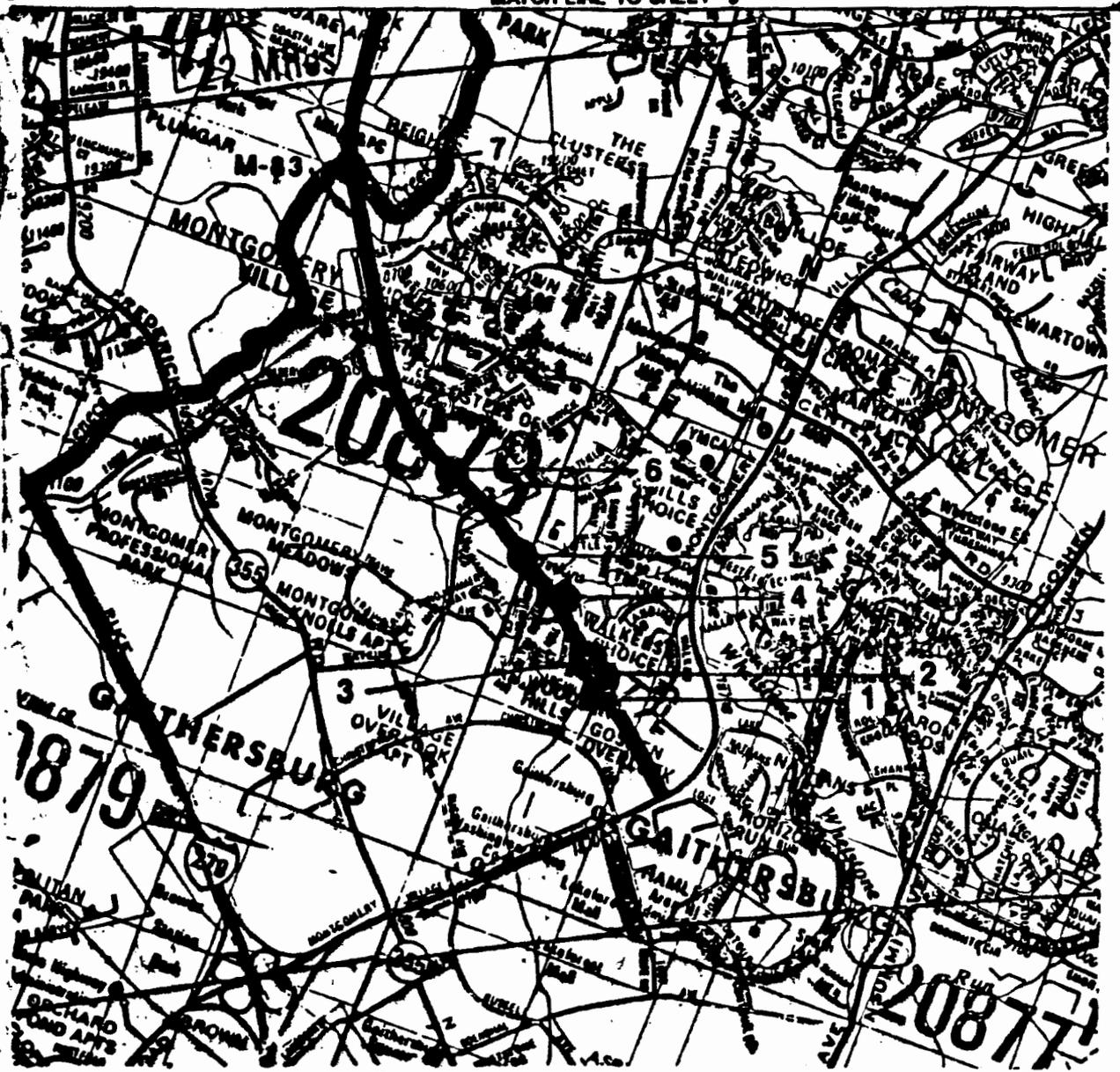


Johnson, Mirmiran and Thompson, P.A.
PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
210 CLINE AVENUE, SUITE 200 • BALTIMORE, MD • 21201
PHONE: 530-1100 FAX: 530-1101

Wetland Site**Area Filled****Purpose**

1	0.1 acre	embankment construction
2	0.1 acre	embankment construction
3	0.4 acre	embankment/crossing of Whetstone Run
4	0.002 acre	embankment construction
5	2.9 acre	relocation of portion of Whetstone Run
6	1.3 acre	embankment/crossing of Whetstone Run
7	0.4 acre	Seneca Creek bridge abutment Fill
8	0.2 acre	embankment construction
9	1.3 acre	embankment/crossing of unnamed trib.
10	0.1 acre	embankment construction
11	2.6 acre	embankment/crossing of unnamed trib.
12	1.5 acre	embankment/crossing of unnamed trib.

MATCH LINE TO SHEET 3



● WETLAND SITE (NOT TO SCALE)

PURPOSE

INSTALLATION OF NEW ROADWAY (M-83)

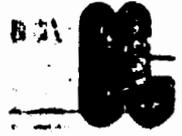
M-83 CONNECTOR
 MONTGOMERY CO., MD.
 VICINITY MAP
 WETLANDS 1,2,3,4,5,6&7

CONTRACT NO. MCDOT 8631116

SCALE: 1"=2000'

DATE: 6/88

SHEET 3



Johnson, Mirmiran and Thompson, PA
 PLANNERS ENGINEERS ARCHITECTS LANDSCAPE ARCHITECTS
 200 CLONEVILLE CT • SUITE 200 • GAITHERSBURG MD • 20878
 (301) 948-1100



MATCH LINE TO SHEET 3

● WETLAND SITE (NOT TO SCALE)

PURPOSE

INSTALLATION OF NEW ROADWAY (M-83)

M-83 CONNECTOR
MONTGOMERY CO., MD.

VICINITY MAP
WETLANDS 8,9,10,11&12
CONTRACT NO. MCDOT 8631116

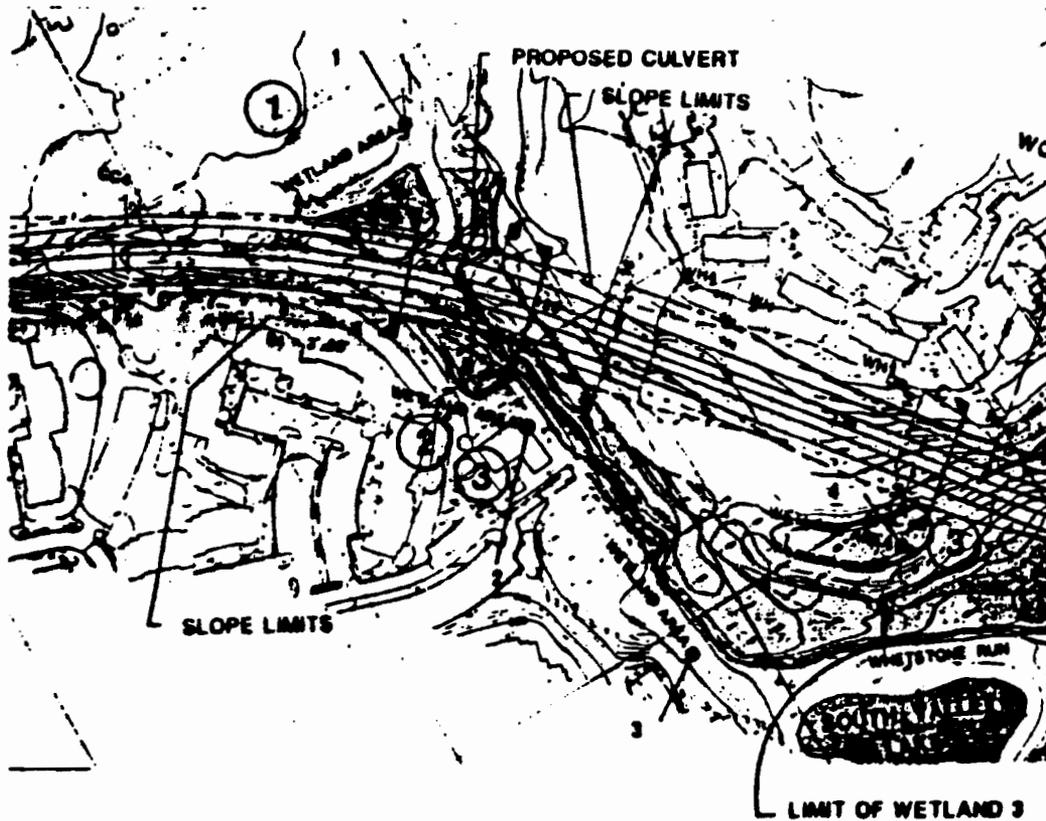


Johnson, Mirmiran and Thompson, P.A.
PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS
800 CALHOUN CT • SUITE 200 • BALTIMORE MD • 21204
TEL: 410-528-1100

SCALE: 1"=2000'

DATE: 6/88

SHEET 4



-C-F- CUT/FILL LIMITS

TYPICAL PLAN

WETLAND AREA

PURPOSE

INSTALLATION OF NEW ROADWAY (M-83)

**M-83 CONNECTOR
MONTGOMERY CO., MD.**

**PLAN
WETLAND AREAS 1,2,3,4**

CONTRACT NO. MCDOT 8631116

SCALE: 1" = 300'

DATE: 6/88

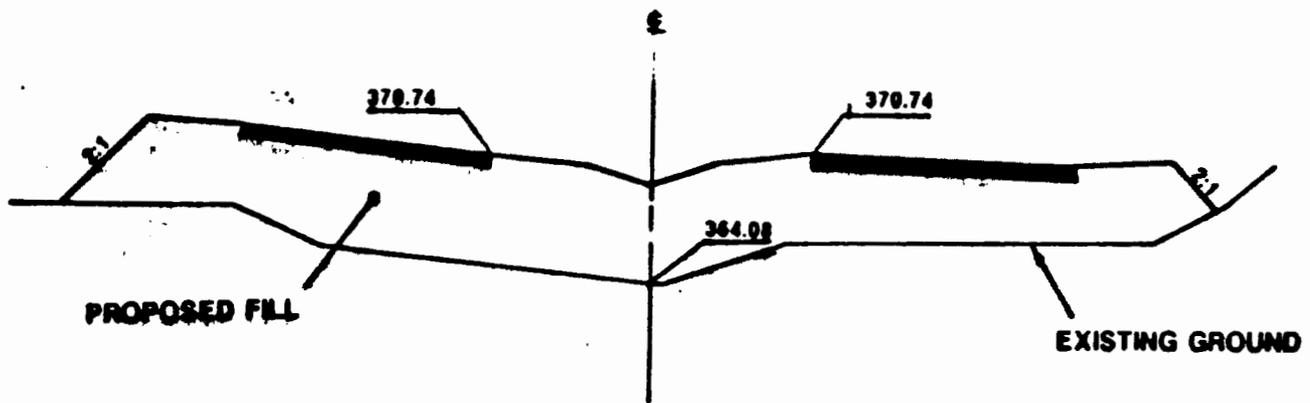
SHEET 5



Johnson, Mirvira and Thompson, P.A.

PLANNERS ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS

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SECTION A-A
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TOTAL FILL FOR WETLAND 1: APPROXIMATELY 1,122 C.Y.
TOTAL FILL FOR WETLAND 2: APPROXIMATELY 231 C.Y.

TYPICAL SECTION

PURPOSE

INSTALLATION OF NEW ROADWAY (M-83)

M-83 CONNECTOR
MONTGOMERY CO., MD.

SECTION
WETLAND AREAS 1&2

CONTRACT NO. MCDOT 8631116

SCALE: H=1"=20'
V=1"=10'
SHEET 6

DATE: 6/88



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 (410) 528-1000



DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 1718
BALTIMORE, MARYLAND 21203-1718

DEPT. OF TRANSPORTATION
RECEIVED
MAR 5 1989

MAR 01 1989

REPLY TO ATTENTION OF
Operations Division

Subject: CENAB-OP-RR(MCDOT Germantown-Montgomery Village
Connector) 88-0373-5

Montgomery County Department of Transportation
Attn: Mr. John Clark
101 North Monroe Street
Rockville, Maryland 20850

Dear Mr. Clark:

I am replying to your subject application to construct a roadway called the Germantown-Montgomery Village Connector (M-83) following an alignment from Montgomery Village Avenue to Brink Road in Montgomery County, Maryland. Enclosed are copies of correspondence from Federal, State and local agencies containing comments on your proposed project.

The U.S. Fish and Wildlife Service (FWS) and the Environmental Protection Agency (EPA) have expressed strong objections to the project; specifically, they are concerned about the 10.9 acres of wetland fill and modification and about the absence of an adequate alternatives analysis. The FWS has requested that an Environmental Impact Statement be prepared to further address associated environmental impacts of the project.

The Maryland Department of Natural Resources (DNR) said that the alternatives analysis, as presented in the Final Project Prospectus submitted by Montgomery County, was not adequate.

The Maryland Historical Trust (MHT) has identified eleven sites along the proposed alignment that may be eligible for the National Register of Historic Places. It is their recommendation that an archeological investigation be performed on the entire alignment and a report of the findings be presented to the MHT so that they may further evaluate the project's impacts on these sites.

Following the comment period, the Maryland National Capital Park and Planning Commission (MNCPPC) provided comments which support the basic need for the roadway. Although the MNCPPC is supportive of the proposal, they have suggested various construction practices that may reduce the overall environmental impact of the project.

In addition to the review agency comments, we received 183 letters and a petition including 2,666 signatures from citizens stating objections to the proposed road construction. Most of the 183 letters included a request for a public hearing on the project. Also, letters from the National Audubon Society and the Sierra Club question the need for the roadway and recommend that it not be constructed. Four letters were also received from developers in support of the project.

EM 2B

117

Following a site investigation on December 19, 1988 and based on a preliminary review of the project as proposed, we agree with the concerns expressed by the review agencies. More specifically, we are very concerned about loss of over eight acres of valuable wetlands in a rapidly developing watershed and the relocation of over 1,000 linear feet, or 2.9 acres of stream which flows through mature palustrine forested wetlands. These wetlands, in addition to providing significant water quality functions, also provide fish and wildlife habitat which is already severely depleted in the Montgomery Village area. We are aware that the county has made some effort to minimize impacts, and that a small portion of the impacted wetlands are of marginal quality; however, there appear to be major impacts to the remaining high quality wetland areas. We are also concerned about the other impacts contained in the letters from the public. These include serious concerns regarding aesthetics, safety, noise, air quality, recreation and flood damage protection.

Before our evaluation can continue, we request that you address the following issues:

a) "The Final Project Prospectus only compares two alternatives, when there appear to be several other road corridor combinations; (e.g., the Brink-Wightman-Snouffers School-Muncaster Mill alignment) which if widened, along with Route 355, could handle projected traffic volumes. Other alignments also impact less wetlands. The identification of a roadway alignment in a master plan adopted prior to wetland protection laws, does not create an exemption from 404(b)1 compliance. Also, the proposed disturbance to Whetstone Run and Great Seneca Creek is in direct contradiction with the 1985 Approved and Adopted Gaithersburg Vicinity Master Plan which identifies vital watersheds that should be protected.

b) During our December 19, 1988 site visit, we noted that several issues dealing with altered hydrology had not been addressed. Two stormwater ponds serving existing developments are to be filled or altered. Also, you are required to treat the first one-half inch of run-off from all impervious surfaces, using the Maryland Department of the Environment's "First Flush Guidelines." The re-direction of stormwater from the above mentioned ponds or the treatment of run-off from the road may further impact wetlands; therefore, your plans should be updated to include these impacts.

c) The preparation of an Environmental Impact Statement at this time may be premature; however, several environmental factors need to be addressed before a final decision can be made on your application. You are requested to prepare an environmental document which incorporates the alternatives analysis and which discusses expected impacts, including, but not limited to, the following:

- 1) public safety
- 2) flood plain management
- 3) water quality
- 4) fish and wildlife resources

- 5) air quality
- 6) noise
- 7) wetland functions and values
- 8) economics
- 9) aesthetics
- 10) historical and cultural resources

In summary, you are requested to prepare an alternatives analysis, an environmental document, and to provide us with preliminary stormwater management plans.

If you have any questions concerning this matter, please call Mr. Webster Macomber of this office (301) 962-3477.

Sincerely,



Donald W. Roeseke
Chief, Regulatory Branch

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

10 1989

Colonel Bernard E. Stalman
 District Engineer
 Baltimore District
 Corps of Engineers
 P. O. Box 1715
 Baltimore, Maryland 21203

Attn: Webster Macomber

Re: RR (MCDOT - M-83 Connector) 88-0373-5

Dear Colonel Stalman:

The EPA has reviewed the referenced public notice dated November 25, 1988. The proposal calls for the construction of a new four lane highway (M-83) from Montgomery Village Avenue to Brink Road in Montgomery County, Maryland. A total of 10.9 acres of non-tidal wetlands will be impacted by this proposal. This highway will traverse previously undeveloped land and is designed to alleviate congestion in the area and to facilitate new development.

EPA has concerns with this proposal. Alternatives appear to exist that would avoid these wetlands. One alternative is the scheduled widening of existing MD Rt. 355 which runs parallel to the proposed alignment. Rt. 355 is scheduled to be widened by the State Highway Administration and a June 1988 Maryland - National Capital Park and Planning Commission Study shows this to be sufficient to ease traffic congestion. Several other existing road widening proposals, if implemented in combination with each other, could also alleviate congestion. Widening of Brink Road, Snouffer School Road and Highway 124 have been proposed and should be explored further. The combined effect of widening these roads should reduce the need for M-83.

Finally, another reason to build M-83 is to improve access to the Shady Grove Metro Station. We understand that the opening of I-370 will satisfy this purpose. We, therefore, question the role of M-83 in this regard.

CONCURRENCES

SYMBOL								
SURNAME								
DATE								

1- B

EPA believes alternatives exist to this proposal which would impact fewer or possibly no wetland areas. Additional analysis of alternatives is needed. Furthermore, given the significance of both the environmental and social impacts of this proposal a full Environmental Assessment is warranted. Therefore, we recommend denial of this application. Please let our Agency know what action you intend to take on this permit application.

Sincerely,

Greene A. Jones, Director
Environmental Services Division

Stokely's disk #200/#19			CONCURRENCES 12/21/88		
L	3ES42	3ES42	3ES40	Greene A. Jones, Director	
ME	STOKELY	D'ANGELO	POMONIO	Environmental Services Division	
	1-3-89	1-2-89			



United States Department of the Interior

FISH AND WILDLIFE SERVICE
DIVISION OF ECOLOGICAL SERVICES
1825 VIRGINIA STREET
ANNAPOLIS, MARYLAND 21401

December 23, 1988

Colonel Bernard E. Stalman
District Engineer
Baltimore District, Corps of Engineers
Post Office Box 1715
Baltimore, MD 21203

Dear Colonel Stalman:

The U.S. Fish and Wildlife Service has reviewed Public Notice CENAPOP RR-88-0373 dated November 25, 1988. The applicant, Montgomery County Department of Transportation has requested a permit to construct a new roadway called the Germantown-Montgomery Village Connector (M-83) which will follow an alignment from Montgomery Village Avenue to Brink Road in Montgomery County, Maryland. The proposed alignment will impact a total of 10.9 acres of vegetated and nonvegetated wetlands along Whetstone Run and Great Seneca Creek. The proposed project would involve direct fill of wetlands for stream crossings and embankment construction and relocation of a portion of Whetstone Run. This letter constitutes the report of the Service and Department of the Interior on the application and is submitted in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

As proposed, this project will result in a large amount of direct fill to nontidal wetlands, approximately 1,000 feet of stream relocation, and sizable alterations of the 100-year floodplain. It is well documented that wetlands are important and necessary (Crance, 1988). Wetlands moderate the effects of flooding, maintain and improve water quality, provide fish and wildlife habitat, support food chains, and provide a multitude of opportunities for aesthetic and recreational pursuits.

The majority of the wetlands to be impacted by this project are riverine palustrine forested wetlands. The Service has determined that the wetlands are high quality habitat that is scarce or becoming scarce in the region. The mitigation goal is no net loss of this habitat. During the fairly recent past, there have been significant losses of palustrine forested riparian wetlands in the mid-Atlantic region. In Maryland, during the 23 year period between 1955 and 1978, over 15,000 acres of nontidal wetlands were destroyed (Tiner, 1987). A valuable resource becomes more valuable as it becomes rarer, which is the case regarding these wetland areas.

This project will not only have direct wetland impacts due to fill but, will involve numerous alterations to the hydrology of the area from additional alterations to the floodplain through fill and relocation of a stream channel. Primary productivity, secondary productivity, food chain support, habitat composition, and water quality characteristics of wetlands respond to hydrology. In turn fisheries and other wildlife values of forested riparian wetlands are determined. Before such changes are made, it needs to be determined what the impact of these changes will be on the ecology of the area. The fact that Whetstone Run and Great Seneca Creek are part of the Chesapeake Bay watershed should be considered in this regard. Such considerations are necessary if the Bay environment is to be maintained.

1-C

(47)

Additional information needs to be made available on alternatives to the proposal. Although the Final Project Prospectus prepared by the Montgomery County Department of Transportation does go into detail on several alternatives, other possible solutions were not addressed. There is no mention in the "Prospectus" of the Maryland National Capitol Park & Planning study (June, 1988). This analysis indicates that widening of Rt. 355 to six lanes, and improvement of feeder roads would provide sufficient capacity to address the needs of the area. There is also no mention of the proposed Marriot/Milestone complexes and its influence on any roadway preferences.

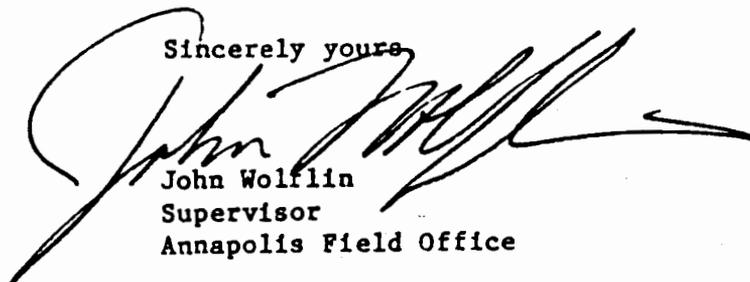
The proposed Germantown-Montgomery Village Connector is a complex and controversial project requiring an in-depth analysis of impacts and alternatives. For this reason, the Service requests that an Environmental Impact Statement be prepared to help in the evaluation process. The following information be included:

- * Analysis of direct and indirect alteration of wetlands due to the project and the impact to the ecology of the area.
- * Analysis of the effect of the project on the hydrology of Whetstone Run and Great Seneca Creek and its impact on the ecology of the area.
- * Analysis of all alternatives including, but not limited to:
 - the widening of Rt. 355 to six lanes
 - the widening of Brink Road to four, five and six lanes
 - upgrading of intersections and feeder roads in the are
 - the widening of Great Seneca Highway to six lanes
 - the widening of Rt. 117 to six lanes
 - the impact that current or proposed additions to I-270 will have on traffic conditions in the area
 - any combination of the above
- * Discussion of what impacts major proposed developments will have on the traffic situation and vice versa

The Service has received numerous letters and telephone calls from concerned citizens on this project. Considering the controversial nature of the project, the Corps may want to hold a public hearing to assure that all issues and concerns are brought to light.

If you have any questions about these comments, you may contact Claudia Jones at (301) 269-5448.

Sincerely yours



John Wolflin
Supervisor
Annapolis Field Office

REFERENCES

- Crance, J. H. 1988. Relationships between palustrine wetlands of forested riparian floodplains and fishery resources: a review. U.S. Fish and Wildlife Service Biological Report 88(32). 27 pp
- Tiner, Ralph W. 1987. Mid-Atlantic Wetlands A Disappearing Natural Treasure. U.S. Fish and Wildlife Service.

Page Two
Webster Macomber
U.S. Army Corps of Engineers

Stan Wong, Chief
Waterway Permits Division

Should the issue of avoidance be resolved to the satisfaction of permit and review agencies, minimization of impacts must be addressed. The crossings in the application are for culverts, while the project prospectus repeatedly mentions bridges. The applicant should be required to bridge the streams and floodplains once it has been demonstrated that impacts are unavoidable. Use of bridges helps maintain the existing hydrology.

DC/hcj

GAITHERSBURG Express



Volume X, Number 49

Wednesday, December 20, 1989

(301) 258-7434

Kramer expected to kill major highway

Decision would leave Marriott out just when they are expected to announce they want in

by Karl Spain

In a move that one community leader said will "devastate" the Germantown master plan and "will leave Germantown commuters stuck in traffic for years to come," County Executive Sidney Kramer is expected to announce next week that he will

withdraw a major four-lane divided highway that was to be constructed from Montgomery Village Avenue to Germantown (M-83) from his upcoming Capital Improvements Budget, the *Express* learned this week.

According to Kramer, he is reacting to

radically increased budget pressures and the Marriott Corp.'s inability to make up their mind about whether they plan to locate their corporate headquarters in Germantown.

Kramer is also reacting to an internal budget assessment that places the new

cost of building the highway at nearly double of what it was expected to cost just one year ago, according to sources within county government.

Last year's CIP had the cost estimate for the road at \$26 million. Because of environ-

Continued on page 3



I-270 wrecked?

by Pat Reber
Express Staff Writer

Top officials involved in last Thursday's 16-hour Interstate 270 closure after an accident are scheduled to meet Wednesday to conduct what officials called a routine post-mortem.

The accident, in which police say a truck carrying hazardous materials overturned

of the Rockville/Route 28 interchange about 5 p.m.

Closure affected literally tens of thousands of motorists and has sent two messages to travellers and residents:

Drivers should keep radios tuned to news radio stations or the state's special traffic channel, CHART, on AM 530.

And Montgomery County proceeds cautiously with potentially hazardous spills.

While some officials engage in finger-pointing during the aftermath of what

Cost of road doubles leaving M-83 out

Continued from page 1

mental constraints concerning the Whetstone Run stream valley, the new, still unreleased estimates for the road are \$51 million, a high level official said. Department of Transportation staffers have kept the lid on a tension filled atmosphere in the executive office building for weeks now as every single road project in the current CIP has come under intense scrutiny by the executive and DOT head Robert McGarry as they study alternatives to slash road money needed for other budget priorities like schools.

"Just to give you some idea how bad it is," one staffer said, "we started with a \$329 million budget. At one point they had us down to \$149 million. You can see where that leads; you either have to kill half of the 75 projects currently in the CIP or some of the expensive ones like M-83."

Kramer admitted in a phone interview at press time that the new estimates for building M-83 were double the old and that he was leaning toward removing the road from the budget altogether.

Kramer has repeatedly voiced his frustration with the Marriott Corp. over their hot and cold attitude toward developing

their 200-acre site located at the corner of MD 118 and I-270. Marriott originally announced plans to build a new 3 million-square-foot corporate office complex as well as a 500-room hotel and a 125,000-square-foot training center.

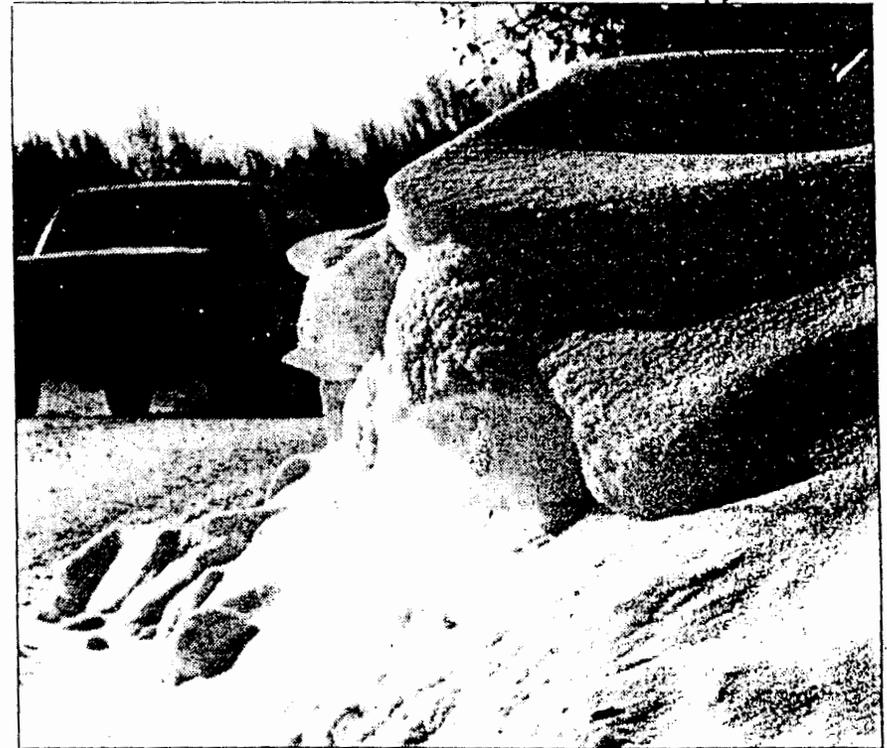
In recent months, the Fortune 100 company located in Bethesda sold off its In-Flight services food division and announced just this week their plans to sell nearly 800 restaurants, including the entire Roy Rogers and Bob's Big Boy chains.

Outside analysts speculated this week that these corporate spinoffs have eased the pressure on Marriott to locate to bigger quarters and that these sales are the reasons behind Marriott's reluctance to move ahead in Germantown.

Sources within Marriott, however, denied that these corporate sell-offs were behind Marriott's silence and speculated this week that even with the cutbacks, Marriott still intends to come to Germantown and will make an announcement in the next few weeks confirming that intention.

"We're still coming, but it will be a much smaller commitment from strictly Marri-

Continued on page 18



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Express/David Colwell

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M-83 out of budget

Continued from page 3

ott's point of view - probably in the 1.3 million square foot range," the source estimated.

"They are going to get a rude welcome when they make that announcement," one County Council member confided in a telephone interview this week. "They (Marriott) had a lot of friends in the county government pulling for them and bending over backwards to accommodate them, but they've blown a lot of that good will away. They haven't communicated with us or the executive for months. At this moment they stand a good chance of being left out of the plan completely."

Kramer confirmed that he was proceed-

ing with the plan as if Marriott would not be involved in it and admitted that if Marriott announced they were still coming and M-83 is withdrawn it would create a collision between his budget and Marriott's intentions.

"This is why communication is so important," Kramer complained. "We thought they needed a fast track, and I did everything humanly possible to accommodate that, and now I haven't heard a word from them for four months. I sincerely hope it doesn't come to a problem like that, but at this point, it's possible."

According to Kramer, between the county government and the governor he had lined up \$60 million worth of roads to support the Marriott project and that nothing more

could be done by the county for Marriott, considering the constraints on the budget in the coming year.

Department of Transportation staffers explained that the removal of M-83 from the budget will not affect the other major development in Germantown located adjacent to the Marriott site, the Milestone tract, being developed by Aldre Inc. The Milestone tract is planned to contain a

regional shopping mall, approximately 700 single family homes and some office space. A spokesperson for Aldre confirmed that Marriott was proceeding with the plans that interconnect their two properties and was giving every intention of moving forward.

"They are pushing us right now as a matter of fact," the spokesperson said, "to wind up our land swap with them."

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Peace

Have

'Tis the season for good friends and good food.
And the place for good

FEB 20 1990

Operations Division

Subject: CENAB-OP-RR(MCDOT - M-83 CONNECTOR)88-0373-1

Mr. Robert McGarry, Director
Montgomery County Department of Transportation
101 North Monroe Street
Rockville, Maryland 20850

Dear Mr. McGarry:

I am replying to your subject application for Department of the Army authorization to discharge fill for the construction of the M-83 Connector between Montgomery Village Avenue and Maryland Route 27 in Montgomery County, Maryland.

According to the January 26, 1990 letter from Mr. Robert Merryman, of your staff, the construction of M-83 is being delayed for at least six years. Mr. Merryman's letter also included recent changes in the project alignment which will require that we issue a revised public notice. We also anticipate that changes in alignment or project features will continue to be made as the project progresses through final design. Although we remain available to review your environmental document and alternatives analysis, the evaluation of a Department of the Army permit application this early in the project's development is premature. Therefore, your application is considered withdrawn and is returned. It is requested that you resubmit your application at least one year prior to the anticipated construction date.

As you develop the requested documentation, please be aware that we continue to have concerns with the adequacy of the alternatives analysis as presented in both the "Final Project Prospectus" and in the preliminary "Environmental Documentation Report." There is insufficient information for us to conclude that a four or five lane improvement on the Brink Road-Wightman Road-Snouffers School Road alignment, in combination with a six lane improvement on MD Route 355, is not practicable due to severe social, economic, and/or environmental impacts, or due to its failure to accommodate projected traffic volumes.

If you have any questions concerning this matter, please call Mr. Paul Wettlaufer of this office at (301) 962-3477.

Sincerely,

Donald W. Roeseke
Chief, Regulatory Branch

Enclosure

CC: Mr. Merryman, MCDOT
MDE
MD DNR

RC: CENAB-OP-RC

Wettlaufer/CENAB-OP-RR/pw/2-3477
Smith/CENAB-OP-RR
Roeseke/CENAB-OP-R

EX. 3



Montgomery County Government

January 25, 1990

Mr. Donald W. Roeseke
Chief, Regulatory Branch
Department of the Army
Baltimore District, Corps of Engineers
P.O. Box 1715
Baltimore, Maryland 21203-1715

Re: Germantown/Montgomery Village Connector
CIP Project No. 853115
CENAB-OP-RR (MCDOT M-83 Connector) 88-0373-1

Dear Mr. Roeseke:

This is in response to your letter of January 12, 1990 concerning the above project. On December 27, 1989, the County Executive submitted the recommended Capital Improvement Program (CIP) which shows the above project being delayed beyond 6 years (1995). I have attached copies of last year's Approved CIP and this year's Recommended CIP so you can see the difference. This delay in funding is due to several reasons including the following:

1. In recent months we have found that the development dependent on this alignment is now not anticipated to occur as rapidly as we had earlier expected.
2. The projects total cost has increased to over \$51 million mainly due to increased mitigation and land costs.
3. The County in the next several years is placing a stronger emphasis on expenditures for schools.

Please be aware that the CIP is prepared on an annual basis and therefore the project's schedule could be expedited or delayed further depending on changing conditions.

In regard to the Environmental Document and plans for the project, we have taken the following actions:

Exhibit 4

Department of Transportation, Division of Transportation Engineering

101 Monroe Street, 9th Floor, Rockville, Maryland 20850, 301/217-2120

Mr. Donald W. Roeseke
January 26, 1990
Page 2

1. June 6, 1989 - Signed contract with the consulting firm of Johnson Mermiran & Thompson (JMT) to complete the preliminary construction plans and the hydraulic/hydrologic analysis for the project. Also JMT will complete the final construction plans for the Watkins Mill Road Bridge.
2. June 8, 1989 - Our General Engineering Consulting (GEC) firm of Kaiser/Century Engineering (KE/CE) began preparing the Environmental Document for the M-83 in accordance with the requirements of the Corps letter of March 1, 1989.
3. August 1989 - After much of the work was completed on the alignment, we were notified by the Maryland National Capital Park and Planning Commission (MNCPPC), that the northern terminus of the project was being revised to intersect Md 27 about 3000' south of the earlier expected location (see attached map). This has caused delays in our document preparation.
4. December 8, 1989 - Copies of the Draft Environmental Document were sent to all members on the Citizens Advisory Committee (CAC).
5. January 18, 1990 - A meeting was held with the CAC to brief them on what has been completed on the document so far.

Our proposed schedule for completing the document is as follows:

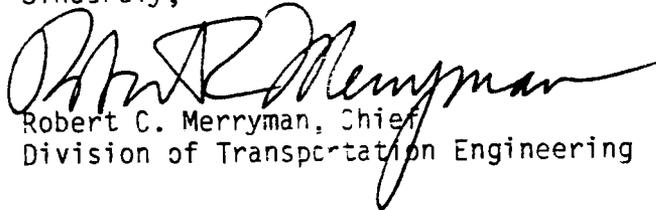
1. March 1, 1990 - Complete the Final Draft of the Document including all changes on the northern end, and submit to the Corps of Engineers and all other agencies for review.
2. April 2, 1990 - Receive comments from agencies.
3. May 1, 1990 - Submit Final Document for approval.

We realize that we will not be able to obtain any of the necessary permits at this time due to the delay in the project's schedule. However, we are hoping to obtain approval of the document for the field conditions that now exist so that we can have a firm understanding of the mitigation measures and costs that will be associated with this project. We request that you please do keep this project's application on an active status.

Mr. Donald W. Roeseke
January 26, 1990
Page 3

If you have any questions, please contact the Project Manager Gary Johnson
at (301) 217-2121.

Sincerely,



Robert C. Merryman, Chief
Division of Transportation Engineering

RCM:mp

Attachments

cc: Robert S. McGarry, Director, Department of Transportation
Harry J. Grossman, Chief, Design Section

Testimony Against M-83 and the ICC in Transportation Plan

By Jane Ann S. Wilder
Potomac Valley Environmental Group
9969 Lake Landing Rd.
Gaithersburg, Md. 20886
301-208-1828

9-9-1999

In 1992 the DOT and Council Transportation staff framed the issue of the plausibility of the extension of environmentally destructive highway M-83 (Germantown-Montgomery Village Connector, Mid County Highway or whatever be the current name), over the CIP issue of the Watkins Mill Bridge expansion. A 5th lane for the previously 4-lane bridge had been mysteriously added to the CIP that Jan. It was soon made clear that this was to be a turning lane onto M-83 which would cross the bridge at that point going north.

When long time M-83 opponents challenged this virtual piecemealing of part of M-83 (which had been removed from the CIP in 1989 due to cost and environmental problems), they were met with a full court press by the DOT and Council Trans. staff -- which featured the submission of the final, 4 inch thick, environmental document on the road-- making the bridge a virtual referendum on M-83.

In Council Transportation Leg. Analyst Glenn Orlin's packet for the T and E Committee meeting on March 9, 1992 he stated:

"DOT will be ready to release the M-83 environmental document in a few days. . . There will be time for the public to review the report prior to a briefing to the Planning Board in early April and to the full Council on April 14. At that time the Council should examine these alternative Watkins Mill Road Bridge PDF's: If M-83 is deemed to be buildable despite the environmental constraints, the bridge over Whetstone Run should be constructed wide enough for an ultimate five lanes; if not, bridge accommodating four lanes would be appropriate. If there is any doubt, the bridge accommodating five lanes should be constructed."

In his packet for the final vote on the bridge (May 5, 1992) he stated more specifically:

"Put another way, the wider bridge should be built if the council believes there is a better than 22% chance . . . that M-83 will be built to or across Watkins Mill Road." using a risk analysis methodology which he presented.

The environmental document made clear the road was even more destructive than previously when all the environmental agencies denied the permit in 1989, although it now was only to the Germantown line, rather than into Clarksburg.

MORE

EX. 5

Testimony Against M-83 and the ICC in Transportation Plan

Jane Ann S. Wilder

Thus, the issue was joined for the final Council vote on May 5. As noted in the enclosed Council vote minutes, Mr. Orlin's "risk analysis statement" noted that if the Council even saw as little as a 22% chance M-83 would be built the council should elect to build a 5th lane on the bridge.

In one of the most remarkable votes we have ever seen on the Council, the body voted 8-1 against a 5th lane and a dramatic 9-0 for the final vote on a 4-lane bridge and the concomitant understanding that M-83 would not be built. What is so remarkable is that 2 long supporters of M-83, Bill Hanna and Mike Subin joined in the Unanimous vote against it!

No one had bought that the environmental damage would be mitigatable, the cost was acceptable, or that the road was ^{needed} as the alternative route, a widened 355 was already being done by the State.

Now 7 years later, when a widened 355 is nearing completion, we see M-83 rearing its ugly head. And we now have a County Council with an even greater record of environmental sensitivity than in 1992.

The reason is MORE. Nothing is ever enough for these road addicts on the Planning Staff. In addition, with plans to connect several of the equally destructive ICC routes to Mid county, which according to State and County Trans. officials, will virtually force the construction of M-83, we see a proverbial "Vast Conspiracy".

The 2 roads in combo, which would form a giant destructive U from Frederick to BWI, will surely gut our treasured environment and ruin the quality of life in M. C.

Please just say NO to these irresponsible planners in their unquenchable quest for MORE and remove M-83 and the ICC from our transportation future.

Transcript of County Council Hearing on Watkins Mill Bridge Project -- 5/5/92
Vote on Left Turn Lane into Windbrooke Condominium

Mr. Adams: I want to understand what this PDF says about the turn lane into Windbrooke.

Mr. Orlin: The PDF doesn't mention it but when I reviewed the plans . . .

Mr. Adams: But maybe the PDF should.

Mr. Orlin: the plans for the 4 and 5 lanes does include the left turn lane, the storage lane.

Mr. Adams: So I take it, the Council . . . Is there a motion to have the PDF say that they're not going to do that?

Ms. Krahnke: I move that it be a 4 lane cross-section on the bridge and on both sides of the bridge . . .

Mr. Adams: And that there not be a turn lane. . .

Ms. Krahnke: That's right.

Mr. Adams: Into Windbrooke.

Ms. Krahnke: That's right.

(Applause)

Mr. Adams: Is there a second?

Ms. Praisner: Second.

Mr. Adams: All in favor raise your hands. (counting) 1... 2...3...4...5...6...7...8
Eight opposed. Eight to one, Derick Berlage in the negative.
All right. Is there any other technical . . .

Mr. Norton: I want to be sure I heard, you said 4 lanes versus 5 lanes.

Mr. Adams: That's what the Committee said all along.

Mr. Orlin: They're saying 4 lanes not even a left lane into Windbrooke?

Mr. Adams: And not a turn lane into Windbrooke.

(Applause)

Mr. Norton: You understand the left turn lane into Windbrooke has nothing to do with the bridge.

Mrs. Krahnke: We understand, let me just be clear: I do think that the turn lane into Windbrooke, I mean I am convinced that seeing that, that if ever in the future we need M-83 this whole area is going to have to be re-configured and it's going to cost money and the money can be on the M-83 project if that's what's going to be built, because this configuration, what we're doing now, is not going to solve the M-83 problem even if we put the 5th lane in.

Mr. Adams: O. K.

(Council goes on to adopt the PDF unanimously)

The ICC increases total countywide vehicle miles traveled (VMT). That is another way of saying that it creates an incentive for people to use cars and drive further distances than if it were not built. People could live further away from their jobs with the ICC than without it. Although a very expensive project, it will not eliminate congestion in its' corridor. As a matter of public policy, some would argue that the county should invest in expanding transit options that get people out of cars and into transit.

To summarize disadvantages, the ICC would:

- Increase vehicle miles traveled (VMT) countywide and increase average trip distance
- Increase total congested VMT countywide
- Negatively affect the environment in a number of irreparable ways by splitting interior forests, impinging on wetlands in a high quality watershed, reducing parkland, and potentially decreasing air quality (see increased VMT)
- Absorb fiscal resources that might otherwise be spent on transit
- Adversely affect local neighborhoods.
- The full Master Plan alignment is problematic under current environmental regulations
- Many intersections would still be over desirable congestion levels.
- The ICC may have a sprawl-inducing impact on land use.

Network Costs

Table 3 summarizes the estimated capital costs for the Master Plan and recommended network in two ways. One shows the costs by transit and roadways, the other the costs by section of the county. The costs for projects that travel through the rural district are included in the other areas.

Major Transportation Facilities Not in Recommended Network

Although TPR II examined many road and transit projects, much of the Task Force's attention was focused on a few major facilities, the Intercounty Connector being one. Some of the other high-profile facilities not recommended include the Midcounty Highway crossing Great Seneca Creek, a new Potomac River crossing, and the Outer Purple Line. **In addition to these major projects, master-planned roads not recommended include the widening of Norwood Road, portions of MD 108, the Fairland Road widening east of US 29, Clopper Road limited to four lanes through Seneca Park, and the widening of Georgia Avenue (MD 97) north of Olney.**

Midcounty Highway North of Montgomery Village Avenue (MD 124)



The comments at the public forums and review of the environmental and community constraints on extending Midcounty Highway from its current terminus at Montgomery Village Avenue (MD 124) to MD 27 have convinced the Board that this section is not feasible to construct. It is *reluctantly* recommended that this be deleted from the Master

Plans.⁶ However, this action must be accompanied by an update to the land use sections of the Clarksburg and Germantown Master Plans by reducing the total development levels to be commensurate with what the reduced roadway network would support.

This section of Midcounty Highway was intended to connect this part of the county with activity areas to the east, and little additional capacity on other roads is available. There is no good travel option from Montgomery Village Avenue (MD 124) to the north except Fr derick Road (MD 355), and that road, as well as the remaining area network, is already slated for widening to the master plan maximum. Removing this roadway makes sense from an environmental and community disruption perspective but would create transportation capacity deficiencies that must be rebalanced.

Table 3 – Transportation Network Cost Comparison

Transit and Road Project Countywide Cost Comparison		
Type of Project	Base Master Plan (excludes ICC)	Recommended Network (excludes projects requiring further study)
Transit		
Cost (millions)	\$1,196	\$2,363
Percent of Total Cost	20%	34%
Road		
Cost (millions)	\$4,834	\$4,579
Percent of Total Cost	80%	66%
Total Cost (rounded)	\$6,031	\$6,942
	100%	100%
Cost Comparisons by TPR II District		
TPR II District	Base Master Plan (excludes ICC)	Recommended Network (excludes projects requiring further study)
Georgia Avenue & Eastern County	\$1,168	\$1,447
Percent of Total Cost	19%	21%
I-270 Corridor	\$4,515	\$4,114
Percent of Total Cost	75%	59%
Inside the Beltway	\$347	\$1,382
Percent of Total Cost	6%	20%
Total Cost	\$6,031	\$6,942

⁶ The CLRPP contains Midcounty Highway from MD 27 to Middlebrook Road; this section would have to be removed from the CLRPP concurrent with its deletion from the Master Plan.



History

1960s

Midcounty Highway (M-83) appears in the transportation master plan. Over the years, 3.1 mile section of roadway is built.

The State Build, Road of Midcounty Highway County Forward - funded

26000 sq ft see 9/19/98

ASBEND

1980s

Maryland Route 355 Corridor Study concludes improvements to BOTH MD 355 and M-83 are required within the next 10-15 years to alleviate traffic congestion.

MD 355 Corridor Study 3/11/80 - 8/31/85

1986-92

Great Seneca Highway (8.1 miles) from Middlebrook to Darnestown Roads is constructed.

2004

Midcounty Highway (M-83) Study is reinitiated.

early 2000s

Transportation Policy Review Group considers M-83.

1994-2000

SHA upgrades MD 355 [MVA-Middlebrook Rd] from a 2 to 6 lane divided highway. M-83 is placed on hold.

Preliminary Engineering is performed for Midcounty Highway Extended and right-of-way is dedicated.

not reinitiated
Make M-83 a priority
Spending money on M-83
concern note against
Don't want to spend money on M-83

LXW

EXECUTIVE SUMMARY

Table

Project History

The Midcounty Highway (M-83) was first listed in Montgomery County's Master Plan of Highways in the 1960s and was planned to extend from Ridge Road (MD 27) in Clarksburg to Redland Road in Derwood as an 8.7-mile, controlled access, four to six-lane major highway. Over the years, three miles of Midcounty Highway were constructed between Shady Grove Road and Montgomery Village Avenue.

In the 1980s, the Maryland State Highway Administration (SHA) conducted the *Maryland Route 355 Corridor Study*. This study concluded that existing and planned development in the 10-15 year planning horizon would require construction of both M-83 and the widening of MD 355.

Accordingly, in 1986 MCDOT initiated the *Germantown-Montgomery Village Connector Study (Montgomery County CIP #863116)*. The scope of this study included preliminary engineering for the northern extension of Midcounty Highway from Montgomery Village Avenue to Ridge Road. The study was put on hold in 1992 due to the grim fiscal climate in the early 1990s. In the interim, development has proceeded along the Master Plan alignment, and the required M-83 right-of-way has been reserved by the developers, consistent with Montgomery County's Master Plan requirements. In addition, SHA has widened MD 355 as a 4-6 lane major arterial between Montgomery Village Avenue in Gaithersburg and Ridge Road in Germantown.

The Midcounty Highway (M-83) Facility Planning Study was reinitiated in 2004 to evaluate the master plan alignment from Montgomery Village Avenue to Ridge Road (MD 27). A Purpose and Need Statement was presented to the public in November 2004. After revisions to incorporate community input and environmental agency comments, the Purpose and Need was concurred upon by the environmental agencies in January 2007. As it became apparent that the project would require an Individual Permit from the U.S. Army Corps of Engineers (USACE), the study was expanded to include an analysis of alternative alignments, forming the basis for an expanded study that would comply with the National Environmental Policy Act (NEPA) and the Maryland Non-tidal Wetlands Protection Act. Eleven different preliminary alternatives were then evaluated.

After subsequent analysis, and coordination with environmental agencies and the public, including a public workshop in December 2007, the suite of preliminary alternatives was narrowed to five build alternatives and the No-Build Alternative, to be studied in detail. In early 2011, MCDOT obtained the concurrence of the cooperating agencies with the Alternatives Retained for Detailed Study. Since that time, the five build alternatives were further refined and their socio-economic and environmental impacts evaluated. This Draft Environmental Effects Report (EER) presents the results of these detailed studies, including the analysis of benefits, impacts, and costs of each build alternative.

EXECUTIVE SUMMARY

Falae

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Midcounty Highway (M-83) appears in the transportation master plan. Over the years, 3.1 mile section of roadway is built.

The State Bill, R-10000 Midcounty Highway Authority Forwarded for...

2/10/78 see 9/19/78 letter

1980s

Maryland Route 355 Corridor Study concludes improvements to BOTH MD 355 and M-83 are required within the next 10-15 years to alleviate traffic congestion.

When the study was completed in 1985...

2004

Midcounty Highway (M-83) Study is reinitiated.

early 2000s

Transportation Policy Review Group considers M-83.

at this time...

1994-2000

SHA upgrades MD 355 [MVA-Middlebrook Rd] from a 2 to 6 lane divided highway. M-83 is placed on hold.

SHA upgrade of MD 355... MVA Middlebrook Rd... Council vote against

1986-92

Great Seneca Highway (8.1 miles) from Middlebrook to Darnestown Roads is constructed.

Preliminary

Engineering is performed for Midcounty Highway Extended and right-of-way is dedicated.

Preparation of plan for right of way...

4x4



Montgomery County Government

June 9, 1986

RE: Request for Proposal - Germantown-Montgomery Village Connector
Alternative Analysis and Project Prospectus

Department of Transportation - RFP #66091

The Montgomery County Government Department of Transportation is soliciting proposals to prepare an alternative analysis and project prospectus for the Germantown-Montgomery Village connector.

Attached is a copy of RFP #66091, including the Functional Requirements, Evaluation Criteria, and Minority, Female, Disabled (MFD) requirements to be followed in submitting your proposal. Please submit three (3) copies of your proposal to: Purchasing and Materiel Management Division, Room 1301, Executive Office Building, 101 Monroe Street, Rockville, MD 20850. Please note that YOUR PROPOSAL MUST BE RECEIVED NO LATER THAN 3:00 PM on JULY 7, 1986. The proposal package MUST BE IDENTIFIED BY #66091. NOTE: NO proposal will be accepted after 3:00 PM on Monday, July 7, 1986.

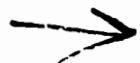
An OPTIONAL pre-submission conference will be held at 2:30 PM on June 24, 1986 in the Executive Office Building Lobby Auditorium, 101 Monroe Street, Rockville, MD. No other pre-submission interviews will be held. To ensure that vendors have equal access to information provided at any pre-submission conference, questions may be submitted in writing no later than three (3) days before the conference.

Please refer all technical questions, including questions regarding anticipated award date, to Ms. Elizabeth D. Scullin at (301) 251-2145.

For all other information, please contact Nadean B. Pedersen, Contracts Coordinator, Purchasing and Materiel Management Division, at (301) 251-7311.

MONTGOMERY COUNTY GOVERNMENT


Purchasing & Materiel Mgmt. Div.
Finance Department



Attachment

JAB:mbf pcr 120

Exp. 8

REQUEST FOR PROPOSALS

Germantown - Montgomery Village Connector

Alternative Analysis & Project Prospectus

Background

The Montgomery County Department of Transportation (MCDOT) is seeking proposals to prepare an Alternative Analysis and Project Prospectus for the Germantown - Montgomery Village Connector.

The study consists of an Alternative Analysis in the corridor between MD 27 and Montgomery Village Avenue and a Project Prospectus for the preferred alignment. The two alignments that would be studied are 1) the widening of MD 355 to four/six lanes, and 2) the construction of a four/six lane arterial roadway along the M-83 alignment with connections to MD 118 and Middlebrook Road. (See attached map.) The preferred alignment is the M-83 alignment, therefore, the actual analysis between the two alternatives would be a minor task. This project will not be federally funded and therefore the analysis will not need to follow federal standards or regulations.

Scope of Services

The consultant must prepare a Project Prospectus on one recommended alternative. OPPD has prepared several project prospecti and has developed an outline for these reports (attached). The purpose of the report is to summarize all available information and prior decisions relating to the project; identify transportation, environmental, land use, community issues and impacts raised by the project; and present initial cost estimates, right-of-way requirements, and project need. The prospectus also includes a recommendation of whether the project should be submitted for design, and if so, details of the typical cross-sections, right-of-way and intersection concepts plans.

OPPD will work closely with the consultant so that all members of the Project Development Section will have the opportunity to follow the process and methodology of preparing this major prospectus. Biweekly meetings will be held (as necessary) for progress reports and staff training. OPPD will provide the consultant with the following items:

1. existing traffic volumes in the area - consultant would be required to take additional counts as needed;
2. surrounding land uses;
3. bus routes, commuter rail, metrorail routes;
4. survey and stake the alignment of M-83;
5. walk and videotape M-83 alignment with consultant,

Mr. Sean McKewen 8-21-22
MDE - Wetlands & Waterway Prog.
160 S. Water St.
Frostburg, Md. 21532

AUG 23 2013

Dear Mr. McKewen;

There was confusion at Fed Exp
and I am not sure you got copies of
both documents. (a) testimony not
allowed to be completed at hearing with
EX exhibits & (B) Questions on Study.
I am thus re-sending these
materials.

The materials were addressed
on 1st page to both you & Mr. Dinne,
but Fed Exp employees may not
have put both documents in
envelopes. I have been unable to
reach you or Mr. Dinne so I am
re-sending them to be sure you
got them.

Please let me know if you
have received them. Thank you
sincerely yours

* We are also
told you share
documents - please do!

✓ CC: J. Dinne

Jane S. Wilder
9969 Lake Landing Rd
Mont. Village Md 20886
301 208-1828

8/21/13

To:

- Mr. Jack Dinne CENAB-OP-RMN
U.S. Army Corps of Engineers Baltimore District
10 Howard St.
Baltimore, MD 21217

Dwp?

- Mr. Sean McKewen
MD Department of the Environment
Wetlands and Waterway Program
160 South Water Street
Frostburg, MD 21532

Public hearing testimony on **CORPS: CENAB-OP-RMN (Mid County Corridor Study) 2007-07102-M15 and MDE Nontidal Wetlands and Waterways: 13;NT;3162/201360802/AI No. 140416**

Questions for the Mid County Corridor Study Wetland and Water Quality Permit Application:

1. On the controversial "wetland conversion" of wetland impacts (aka degradation) how can you compare functions as was done in the 80's by then Corps contact Mary Dircks?
2. Relating to above documented ethical questions regarding DOT and consultants how can regulators make a fair judgement which conforms to the Federal and State law? I include a summary to the County Council in approximate 2003 illustrating the many lies and false statements so typical of DOT?
3. There are so many factual errors on maps – Walkers Run being called Whetstone Run on page 7; seriously harmed Normandy II condos being called Normandy I page 49 sheet 7; no naming of Dayspring Church Silent 200 acre retreat in Germantown; and no naming of USE III Wildcat Branch Alternate 9 sheet 1D etc. How can the public make any real judgement on how the road impacts them and the things they love?
4. M-83 is a State road. This is verified in (a) a letter from former Planning Board head Norman Chisteller to Congress woman Connie Morella in 1988 and (b) In a paper by former Transportation staffer Henry Bain to the T&E Committee when he discusses forward funding of State roads and (c) In the 1st two CIPs 1986 and 87 when the State's contribution is mentioned. "The County will attempt to recover reimbursement from the State to cover the County share of this project at a later date." The County is trying to say only our own funds to be used to avoid stricter environmental regulations as State

Enc. a.

Enc b

see study

*ENC.
D-1
D-2
d-31
3-2*

dollars are often comingled with Federal funds (albeit Feds are involved in a wetlands situation; ergo, they are doing anything they can do to reduce the wetland count.)

Jane Wilder representing Potomac Valley Environmental Group
9969 Lake landing Rd.
Montgomery Village, MD 20886
(301) 208-1828

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

23 NOV 87
field review

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value ** (occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
- 3. Sediment Trapping (short-term)
- 4. Flood Desynchronization
- 5. Nutrient Retention (short-term)
- 6. Food Chain Support (nutrient export)
- 7. Dissipation of Erosive Forces
- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

Rating

Value

Any combination of functions including 2 and 6.

High

Any combination of 3 functions from the functions list, excluding 2 and 6.

Medium

Less than 3 functions total.

Low

C. TYPE OF WETLANDS

Tidal

Non-tidal

** Threatened or Endangered Species habitat or Areas of State Critical Concern are always "high" valued wetlands regardless of function, size or location.

Wetland

ENCA

September, 1986
Project Development
Division: State Highway Adm.

Project & Limits RIDGE RD AND LEATHAN
Contract No. 66091
Wetland Site # 14

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

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Any combination of functions including 2 and 6.		High
Any combination of 3 functions from the functions list, excluding 2 and 6.		Medium
Less than 3 functions total.		Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

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Value

32 areas
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Less than 3 functions total.

Low

C. TYPE OF WETLANDS

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September, 1986
Project Development
Division: State Highway Adm.

Project & Limits WALKINS MEADOW
Contract No. WMD91
Wetland Site # 12

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

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*3 acres
willow*

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Wetland site map

September, 1986
Project Development
Division: State Highway Adm.

Project & Limits QUAIL RIDGE
Contract No. 66091
Wetland Site # 10

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

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September, 1986
Project Development
Division: State Highway Adm.

Project & Limits GREAT SENECA PARK
Contract No. 106091
Wetland Site # 9

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

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RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

CHECKLIST

A. OCCURRENCE

Potential functions ranked in descending order of probable occurrence specific to wetlands found throughout Maryland.

- 1. Passive Recreation and Natural Heritage Value **
(occurs often).
- 2. Habitat for Aquatic Wildlife or Fisheries
- 3. Sediment Trapping (short-term)
- 4. Flood Desynchronization
- 5. Nutrient Retention (short-term)
- 6. Food Chain Support (nutrient export)
- 7. Dissipation of Erosive Forces
- 8. Active Recreation
- 9. Groundwater Discharge
- 10. Nutrient Retention/Removal (long-term)
- 11. Sediment Trapping (long-term)
- 12. Groundwater Recharge (Few occurrences)

B. VALUE

<u>Rating</u>	<u>Value</u>
Any combination of functions including 2 and 6.	<u>High</u>
Any combination of 3 functions from the functions list, excluding 2 and 6.	Medium
Less than 3 functions total.	Low

C. TYPE OF WETLANDS

- Tidal
- Non-tidal

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September, 1986
Project Development
Division: State Highway Adm.

Project & Limits WOODLAND HILLS
Contract No. 66901
Wetland Site # 4A

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September, 1986
Project Development
Division: State Highway Adm.

Project & Limits WOODLAND HILLS
Contract No. 66609
Wetland Site # 4

RELATIVE WETLAND QUALITY BASED ON WETLAND FUNCTIONS

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- 5. Nutrient Retention (short-term)
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To: T and E Committee
From: Jane Ann S. Wilder, Citizens to Save South Valley Park and Whetstone Run
RE: M-83 Packet for April 3, 2003
Date: April 2, 2003

At the March 6 T and E Committee meeting the Committee requested background information on M-83. The Packet they received Ap. 1, prepared by Glenn Orlin, Edgar Gonzalez (and other DPWT staff) and some Planning Board staff, is indeed an April Fool's Day joke if one is seeking complete and accurate information:

This is exemplified by the "Chronology of M-83" at figure 12. How can these staffs possibly exclude things like:

- A. Dec. 1988 -- DOT's application for Federal and State wetland permits (lead agency -- U. S. Army Corps of Engineers).
- B. 1989 -- The negative response from all Federal and State agencies ranging from serious concern (U. S. Fish and Wildlife Service) to outright denial (EPA). (Enc. 1 a-e)
- C. Dec. 1989 -- The defunding of M-83 from the CIP by County Exec. Sid Kramer (a strong proponent) for fiscal reasons (and because it was clear the permitting and public opposition would be a problem.) (Enc. 2)
- D. Jan. 1990 -- The throwing out ("withdrawal", "return") of DOT's Federal wetlands permit request from the Army Corps of Engineers, in spite of DOT's pleas to keep the permit active. (Enc. 3)
- E. 1992 -- The presentation of the huge Environmental Document to County Council
- F. May 5, 1992 -- The unanimous vote against M-83 by the County Council after evaluation of the Environmental Document, under the auspices of a "referendum" on M-83 devised by Glenn Orlin regarding turning lanes for M-83 as part of the Watkins Mill Bridge project. (Enc. 4)
- G. Nov. 2001 -- The Transportation Policy Task Force, in their TRP II Task Force recommendations does not recommend M-83. This remarkable decision by the Transportation Policy Task Force, a group of 35 citizens from all parts of the community, despite slanted information and strong pressure from DPWT, etc. (the group voted for almost all major road projects presented including Brink-Wightman-Snouffer School widening) did not endorse M-83. (Encls. 5a and 5b)
- H. 2002 -- Planning Board, recommended that M-83 be removed from the Master Plan in their Transportation Policy Report due to "an environmental and community disruption perspective". They note that this will require an "update to the land use sections of the Clarksburg and Germantown Master Plans by reducing the total development levels to be commensurate with what the reduced roadway network would support." (Enc. 6)

How can the exclusion of these historic widely documented events be by accident?!
This packet does not serve the Council well.

MORE

ENC. b

Page 2

To: T and E Committee

From: Jane Ann S. Wilder

RE: M-83 Packet for April 3, 2003

Date: April 2, 2003

Of further concern are entries like 1991 (Chronology and Page 4 text), there Glenn Orlin and company describe secret meetings with all the environmental agencies (after the permit had been thrown out and the project defunded), claiming "all the necessary mitigation measures were defined by the reviewing agencies to make this a permittable project"?! This appears to imply an under the table deal (without Federally required public input) to guarantee permits?! If these assurances were so convincing (or even happened), why were they never brought before the County Council when the Environmental Report was considered before the May 5, 1992 vote?

In spite of the precise language in the Planning Board's TPR Report (Enc.) Orlin and company note (Page 1 text, pp2), "Furthermore, it (the Planning Board) notes a facility planning study would be useful in producing the Master Plan Amendment". This implies they endorse the CIP Facility Planning funding -- We can find no such citation in the Jan. 15, 2002 TPR Planning Board report?!!

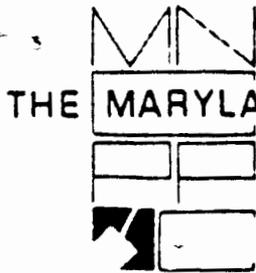
On Page 2 text, Orlin and company talk about continuous right-of-way acquisition as a sign of public knowledge and acceptance. These processes are substantially out of public view and have no public input.

Also on Page 2, he describes M-83 being part of the "Corridor Cities transportation system". First of all, M-83 is in the wedge not the corridor, but is the Corridor Cities Transitway which focuses on public transit and has widespread support now being corrupted into an excuse for building more roads under the title "transportation system"?!!

On Page 5 text, they again quote the the TPR (Task Force Report or Planning Board?) as saying the part of Brink in the Agriculture Reserve is not recommended for widening in the Master Plan of Highways, yet the 80' right-of-way necessary for 4 lanes has long since been dedicated at subdivision for this area. (The Task Force also endorsed it).

On Page 3 text, again discussing Brink, Wightman, Snouffer School, and Muncaster Mill Rd., it is said the alignment is "not in the right place" to serve as a functional alternative to M-83. In fact, Brink and M-83 empty onto Ridge Rd. (Route 27) within 1/2 mile of each other (this is after revision in the Clarksburg Master Plan, before which M-83 joined with 355 at Route 27.) If Brink does not go to "the right place" neither does M-83! (See their own figure 15).

In summary, this packet unfortunately does not answer the request of Tand E members for more background information on M-83 as the implication of the Council request is for accurate and complete background information, not that only serving the interests of those who have been pushing this project since 1986. The County Council and the citizens of Montgomery County deserve better.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

8787 Georgia Avenue • Silver Spring, Maryland 20910-3760

September 19, 1988

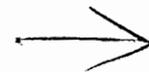
The Honorable Constance A. Morella
11141 Georgia Avenue
Suite 302
Wheaton, Maryland 20902

Dear Mrs. ^{Constance} Morella:

I am pleased to respond to your request for information regarding the road project designated M-83 about which you have received correspondence from Mr. and Mrs. Richard Wilder.

I will provide some planning background for the road project, but you should understand that the design and construction of the road are under the purview of the Montgomery County Department of Transportation. This will be a State road (hence the M-83 designation on our master plans), but the County is undertaking the initial construction in order to provide traffic capacity earlier than could be done by the State.

The General Plan for Montgomery County establishes the basic policy framework for land use and transportation decisions. The plan is titled "...On Wedges and Corridors" because it recommends that development be concentrated in the I-270 and I-95 transportation corridors and the areas outside the corridors be preserved as wedges of agriculture and open space with only the lowest density residential development. In order for the corridor cities of Gaithersburg, Germantown, and Clarksburg to work as envisioned by the General Plan, several major highways more or less parallel to I-270 are necessary. Our Master Plan of Highways and area master plans show the widening of MD 117 (Clopper Road) and MD 355 (Frederick Road) as well as two new major roads, described as the Western Arterial and the Eastern Arterial (M-83). Great Seneca Highway is the western arterial and is now under construction. Midcounty Highway or M-83 is the eastern arterial. The County constructed two lanes of this road from Shady Grove Road to Montgomery Village Avenue and the State is now widening it.



Enc d-1

6

3. Related Issues

Some confusion has arisen in the community and the local press regarding a memorandum prepared by our staff. Some members of the public have interpreted this memorandum to imply that the Midcounty Highway is not needed. This is an incorrect interpretation. My explanation of this situation is outlined in letters I sent to State Delegate Coughlin and Congresswoman Morella (see copies attached).

In essence, this explanation tries to make clear that the short term timing of the road should not be confused with the long term need for it. We happen to believe that it makes very good sense for it to be built prior to the building of Route 355. However, regardless of its timing, there is absolutely no question that the road is a vital element in our comprehensive plan.

In conclusion, the Montgomery County Planning Board strongly supports the construction of the Midcounty Highway, and recognizes the need for this section of the road to be engineered so that the minimum possible impact on the environment is achieved. If you or your staff have any questions regarding my comments, you may direct them to Mr. Jorge Valladares of our Environmental Planning Division at (301) 495-4540.

Sincerely,


Norman L. Christeller
Chairman, MCPB

NLC:JM:dws

Attachments

cc: County Council
County Executive
Mr. McGarry
Mr. Cochran
Mr. and Mrs. Wilder
Germantown Gazette

The program deletes nine road projects, most of them rather small. To allow the Council to consider these projects during the CIP deliberations, even though they are not in the recommended CIP, the Executive has provided the accompanying table showing their costs and expenditure schedules as prepared by the Department of Transportation. (See Table 6.) These deleted County roads, which would make an important contribution to traffic safety and capacity in the areas that they serve, are intimately related to the State highways mentioned above. Deletion of the County funding for the State routes would free up enough money to fund several of these much-needed improvements in County roads during the next six years.

Locations of Road Projects

To assist the Committee in its review of the road projects, the Executive has provided the accompanying table that sorts them out by Policy Area. (See Table 7.)

It is suggested that the Committee focus its attention on projects marked (by Council staff) in the "T&E Focus" column of Table 7. These projects deserve special attention because they are 1) new, 2) deleted or substantially deferred, 3) State or State-caliber roads, or 4) ongoing projects.

The unmarked projects are generally well advanced toward completion and do not raise policy issues.

What Additional Funds Could Do

In its review of the road projects, the Committee might find it useful to ask what could be done with an additional revenue for roads of \$25 million per year. This flow of funds might, for example, enable the County to make the following additions to the road program in a five-year period (allowing one year for the revenue to start flowing).

	(\$M)
Proceed with the nine deleted projects at the pace proposed in last year's CIP	\$ 13.7
Build, or make a substantial start, on the following roads by returning to the expenditure schedule proposed in last year's CIP:	
Goshen Road	7.3
Redland Road North	2.6
Dewey Road	.9
Watkins Mill Road Extended	12.1
Return some other projects that have been deferred to their original schedules, and accelerate some other much-needed highways. Also, add some master-plan highways to the CIP.	88.4
Total	\$125.0

Table 7

FYs 91-96 Recommended Roads Program
 Roads By Policy Area
 1/19/89

Title	T&E Focus	Status	Page #
Up-County			
PATUXENT			
Belle Cote Drive	N	New	8-53
POOLESVILLE			
Whites Ferry Rd./Fisher Avenue		Ongoing	8-135
DAMASCUS			
MD 124 Extension	S	Ongoing	8-99
Sweepstakes Road		Ongoing	8-128
GERMANTOWN			
Germantown/Montgomery Village Connector	S	Ongoing	8-72
MD 118 Relocated	S	Ongoing	8-97
Middlebrook Rd.		Ongoing	8-106
Father Hurley Blvd./Ridge Rd. Extension	S	Ongoing	8-67
Waring Station Rd. - MD 117 to CSX	D	Deleted	N/A
GAITHERSBURG EAST			
Airpark Road/Shady Grove Road Ext.		Ongoing	8-51
Goshen Road	D	Ongoing	8-76
Midcounty Highway Design & Landscaping		Ongoing	8-102
Midcounty Noise Walls	N	New	8-104
Muncaster / Shady Grove Rds. Ext (N)	D	Deleted	N/A
Redland Road North	D	Ongoing	8-117
Shady Grove Road - Six Lane	D	Deleted	N/A
Snouffer School	D	Deleted	N/A
Watkins Mill Rd. - School Access		Ongoing	8-133
Watkins Mill Rd. Extended	D	Ongoing	8-134
GAITHERSBURG WEST			
Fields Rd./Muddy Branch to Omega		Ongoing	8-69
Great Seneca Hghwy. Phase 3		Ongoing	8-78
Jones Lane	D	Deleted	N/A
Key West - Gude Drive to I-270		Ongoing	8-85
Key West Av. - Shady Grove to Gude		Ongoing	8-87
Key West Av. and MD 28		Ongoing	8-89
Life Sciences Center Roadway Improvements		Ongoing	8-92
Longdraft Road		Ongoing	8-93
Muddy Branch Road		Ongoing	8-110
Quince Orchard Road South	D	Deleted	N/A
Sam Eig Highway		Ongoing	8-121
Central County			

FYs 91-96 Recommended Roads Program
 Roads By Policy Area
 1/19/89

Title	T&E Focus	Status	Page #
BETHESDA/CHEVY CHASE			
CABN Noise Abatement (I-495)	N	New	8-58
Friendship Boulevard/The Hills Plaza		Ongoing	8-71
NORTH BETHESDA			
Nebel Street ALARF Reimbursement	N	New	8-112
Windemere Noise Abatement (I-270)	N	New	8-136
Countywide			

Preliminary Project Engineering	O	Ongoing	8-114
Public Facilities Roads	O	Ongoing	8-115
Subdivision Roads Participation	O	Ongoing	8-126
Transportation Improvements for New Schools	O	Ongoing	8-130

T&E Focus

- N^v New Project
- D Deleted or Substantially Deferred Project
- S State Road (or Road of State Caliber) Funded by County
- O Ongoing Project

2 forwarded



1. PROJECT NUMBER: 863116
 2. DATE: DEC. 27, 1986
 3. PROJECT NAME: GERMANTOWN /MONT. VILL. CONNECTOR
 4. PROGRAM: TRANSPORTATION
 5. AGENCY: TRANSPORTATION
 6. PLANNING AREA: GERMANTOWN

B. EXPENDITURE SCHEDULE (\$000)

Cost Elements	(8) Total	(9) Thru FY86	(10) Estimate FY87	(11) Total 6 Years	(12) Year 1 FY88	(13) Year 2 FY89	(14) Year 3 FY90	(15) Year 4 FY91	(16) Year 5 FY92	(17) Year 6 FY93	(18) Beyond 6 Years
1 Planning Design & Suprv	1149	7	75	1067	312	302	75	126	252		
2 Land	1785			1785			445	1340			
3. Site Improvements and Utilities											
4 Construction	4959			4959				759	4200		
5 Furniture and Equipment											
6 Total	7893	7	75	7811	312	302	520	2225	4452		

C. FUNDING SCHEDULE (\$000)

G.O. BOND	5336	7	75	5254	210	203	350	1497	2994		
IMPACT FE	2557			2557	102	99	170	728	1458		

D. ANNUAL OPERATING BUDGET IMPACT (000 \$)

DEBT SVC	8	1618	28	52	93	262	600	583
NET IMPACT	8	1618	20	52	93	262	600	583
WORK YRS								

E. DESCRIPTION AND JUSTIFICATION PROJECT NO. 863116 PROJECT NAME GERMANTOWN/MONT.VILL. CONNECTOR

DESCRIPTION: This project provides for design, land acquisition, and construction of additional highway capacity parallel to I-270 between Montgomery Village and Germantown. Alternative alignments will be studied to determine whether this improvement will be (1) the widening of MD 355 to four or six lanes between MD 124 and MD 27, or (2) the construction of roadways along the M-83 (Eastern Arterial), M-61 (MD 118 Extended), and/or M-85 (Middlebrook Road Extended) alignments, or (3) some improvements in both corridors. This project includes appropriate sidewalks, bikeways, and landscaping. **Capacity:** To be determined. **Service Area:** Germantown East, Gaithersburg.

JUSTIFICATION: Specific Data: This improvement will be needed as access for existing and planned development east of I-270 in Germantown. It will provide more capacity for shorter north-south trips in the I-270 corridor and will complement the function performed by Great Seneca Highway west of I-270. **Plans and Studies:** Each alternative is included in the Germantown and Gaithersburg Vicinity Master Plans. **Cost Increase:** Not applicable.

STATUS: Planning Stage.

OTHER: The cost estimate (which is subject to change when the alternatives study is complete) is based upon the construction of the Eastern Arterial as two lanes between Montgomery Village Avenue and MD 118 Extended, and two lanes of MD 118 Extended from the Eastern Arterial to MD 355, including the full-width right-of-way for both segments. The project scope has remained the same.

FISCAL NOTE: Funding schedule for this project reflects implementation of Chapter 49A, Montgomery County Code, entitled "Development Impact Fees for Major Highways" which provides for assessing of such fees on new building construction in designated impact areas. Impact fees are assessable on this project at 50.0 % of project cost for the portion of the project within the Germantown Impact Fee Area. The County will attempt to recover reimbursement from the State to cover the County share of this project, at a later date.

F. APPROPRIATION AND EXPENDITURE DATA

Date First Appropriation	86	(\$000)
Initial Cost Estimate		250
First Cost Est Current Scope (86)		7,517
Last FY's Cost Estimate		7,517
Present Cost Estimate (86)		7,893
Cumulative Appropriation	642	
Expenditures/ Encumbrances	152	
Unencumbered Balance		490
Appropriation Request, Budget Yr FY 88		0
Supplemental Appropriation Request Current Year FY 87		0

G. RELOCATION IMPACT:
TO BE DETERMINED

H. MAP Map Reference Code:
SEE ACCOMPANYING

I. COORDINATION & OTHER INFORMATION (INCL SUBPROJS & WORK PRGM LISTS)

M-NCPPC
 WRA
 Kettler Brothers Inc.
 MD 118 Relocated
 Middlebrook Road
 MSIA

Special legislation is pending

1-5-P-24 E

1 Project Number 863116		Agency No		A. IDENTIFICATION AND CODING INFORMATION				7 PRE PDF PG NO 1269		8 REQ ADEQ PUB FAC IDENT	
3 Project Name GERMANTOWN/MONT. VILL. CONNECTOR		4 Program TRANSPORTATION		2 Date DEC. 27, 1987		REVISOR		5 Agency TRANSPORTATION		6 Planning Area GERMANTOWN	
B. EXPENDITURE SCHEDULE (\$000)											
Cost Elements	(8) Total	(9) Thru FY87	(10) Estimate FY88	(11) Total 6 Years	(12) Year 1 FY89	(13) Year 2 FY90	(14) Year 3 FY91	(15) Year 4 FY92	(16) Year 5 FY93	(17) Year 6 FY94	(18) Beyond 6 Years
1 Planning, Design & Suprv	2200	95	322	1453	300	100	150	253	325	325	290
2 Land	1785			1785			545	1240			
3 Site Improvements and Utilities	2049			769				769			1280
4 Construction	19991			7200				200	3500	3500	12791
5 Furniture and Equipment											
6 Total	26025	95	322	11247	300	100	695	2502	3825	3825	14361
C. FUNDING SCHEDULE (\$000)											
G.C. BONDS	17567	95	322	8295	300	100	655	2000	2600	2600	8855
IMPACT FEES	8458			2952				502	1225	1225	5506
D. ANNUAL OPERATING BUDGET IMPACT (000 \$)											
DEBT SVC		10	38	2205	36	47	130	365	667	960	
NET IMPACT		10	38	2205	36	47	130	365	667	960	
WCRK YRS											

F. APPROPRIATION AND EXPENDITURE DATA		
Date First Appropriation	86	(\$000)
Initial Cost Estimate		7,517
First Cost Est Current Scope (89)		26,025
Last FY's Cost Estimate		7,853
Present Cost Estimate (89)		26,025
Cumulative Appropriation	642	Unencumbered Balance
Expenditures Encumbrances	412	230
Appropriation Request, Budget Yr FY 89		875
Supplemental Appropriation Request		0
Current Year FY 88		0

G. RELOCATION IMPACT:

H. MAP Reference Code:

See Accompanying Map Page

E. DESCRIPTION AND JUSTIFICATION **Q0151 PROJECT NO. 863116 PROJECT NAME GERMANTOWN/MONT. VILLAGE CONNECTOR**

DESCRIPTION: This project includes the construction of four-lanes of an ultimate six-lane roadway along the M-83 (Mid-County Highway) Master Plan alignment between Montgomery Village Avenue and MD 118, and two lanes of the ultimate six-lanes between MD 118 and MD 27, and the construction of the Master Plan alignments for M-61 (MD 118 Extended) and M-85 (Middlebrook Road Extended). This project includes appropriate sidewalks, bikeways, stormwater management, landscaping and two major bridges. Capacity: Refer to the Germantown-Montgomery Village Connector Study for details. Service Area: Germantown East Policy Area.

JUSTIFICATION: Specific Data: The Germantown-Montgomery Village Connector Study has been completed. According to the study, the construction of M-83 best meets the traffic needs of the area. The State has agreed to begin Project Planning for MD 355. This improvement will be needed as access for existing and planned development east of I-270 in Germantown. It will provide more capacity for shorter north-south trips in the I-270 corridor and will complement the function performed by Great Seneca Highway west of I-270. Plans and Studies: Each segment of this project is included in either the Germantown or Gaithersburg Vicinity Master Plans. Cost Increase: The cost increase reflects added lanes and sections (see Other); the addition of stormwater management; noise attenuation and utility relocation costs; higher planning, design and supervision costs; and inflation.

STATUS: Planning Stage.

OTHER: The cost estimate is based upon the construction of Mid-County Highway as four-lanes between Montgomery Village Avenue and MD 118 and two lanes between MD 118 and MD 27, two lanes of Brink Road from MD 27 to MD 355, four-lanes of MD 118 Extended from Mid-County Highway to MD 355, and four-lanes of Middlebrook Road from Mid-County to MD 355, including full-width rights-of-way for all segments. The present project scope was developed in FY 88 and has an estimated total cost of \$26.0 million.

FISCAL NOTE: Impact fees are assessable on this project at 50.0% of the cost of projects for the portion of the project within the Germantown Impact Fee Area. The County will attempt to recover reimbursement from the State to cover the County share of this project, at a later date. The schedule revision is the result of the design contract award target date being later than originally anticipated.

I. COORDINATION & OTHER INFORMATION (INCL SUBPROJ & WORK PRGM LISTS)

MSHA
M-NCPPP
HRA
Kettler Brothers, Inc.
MD 118 Relocated, CIP Project # 863171
Historic Preservation Commission
Middlebrook Road, CIP Project # 863125
Montgomery Village Ave Widening
CIP Project # 883106
Watkins Mill Road Bridge
CIP Project # 883754

Emc.d-3-2

George e. Aubin

August, 2013

Agency represenatives and County Council members

My name is George Aubin. I live at 21000 Brink Court in Gaithersburg. I and my family have lived at this address for fifty years. I am 91 years old. I was the original president of the first Goshen Civic Association. My neighbor Wade Palmer and I met with all residents of Goshen estate to contest the enlargement and lengthening of the air park run way. The association was heard and the runway enlargement was cancelled. I hope this August body will hear and act on my comments.

I am here to give you a small history of the roadway known as m-83.

I worked at Kettler Bros. for twenty five years as the vice President of special projects. Late in 1964, Milton Kettler, Clarence Kettler, Bill Hurley, Ed Crowley and an engineer from Dewberry Nealon and Davis, Tom Wiley, and I met with the Planning commission and offered the easement and right of way to have the continuation of M-83 roadway constructed through a portion of Montgomery Village. The easement is behind the complex known as Walkers Choice.

Milton Kettler , who was in charge of sales, told his sales people, that even though the easement was on the master plan they should ignore it because, as Milton stated, it would take a long time for the county to execute the roadway. An understatement, that easement and right of way is on the master plan for 49 years. If I recall properly, Kettler Bros. had a scale model of Montgomery Village and each prospective client was shown the scale model. M-83 was on the scale model. Obviously it did not interfere with the successful development of Montgomery Village.

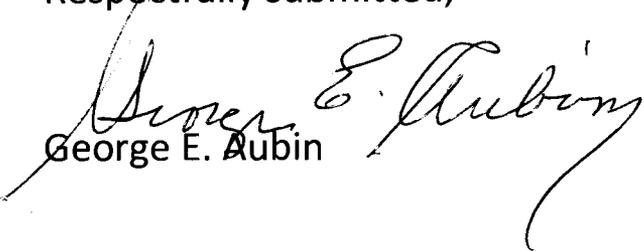
Since then, the plan has many studies and it comes back to this. There will be some streams and agricultural land that will be affected,

and there will be opposition to any plan selected. In my opinion, plan 9A, the original M-83, should be adopted. It is the least destructive and most comprehensive. I am in support of the original master plan shown as, plan 9A.

It's my tax money that produces the studies and I say, enough is enough. Get on with it and select plan 9A. The county has studied the plan to death and if the roadway is that important don't delay the project any longer. I support plan 9-A. Get it done.

Thanks for listening to my comments.

Respectfully submitted,


George E. Aubin

Testimony re: M83

Good Evening. My name is Beth Daly and I live in Dickerson. For the past 14 years I have been commuting to work and running errands along Route 355 from Comus Road south thru Clarksburg to Germantown and have seen first-hand the impact development without infrastructure improvements has had on our local roads. And I am concerned about the increasing traffic congestion.

But I do not think that M83—the Midcounty Highway Extended—is the solution. I am here this evening to urge you to reject the permit application for M83 and support Alternative 2—which improves traffic flow by improving our existing infrastructure, particularly at intersection choke points. And most importantly, use the dollars to invest in public transit.

Yes, the Upcounty needs traffic relief. It is the fastest growing region in the County yet many of its residents are not served by a nearby Metro station or any comprehensive transit system. But building a road is not a long term solution. We need a plan with vision. The estimated \$700M county dollars should instead be utilized to construct transit options to get Upcounty residents (and thru commuters from growing Frederick County and beyond) off the roads and to their work centers, social destinations and back home. For that reason, I support the 355 North corridor of the Rapid Transit extended to Clarksburg as well as a third track on the Brunswick MARC line-- which serves the points north of our county's Ag Reserve and then travels south to high density areas throughout Montgomery County and beyond. If we do not have the dollars to extend the Metro's Red Line, then we must provide effective, convenient ways for residents to get to Shady Grove.

In fact the development in Clarksburg was predicated on public transit, on page 22 of the Clarksburg Master Plan it states: "Transit is an essential feature of this plan; without it, the Plan's vision cannot be realized." How can the county in good conscience go forward with existing development and expect to attract

good jobs to the Upcounty without this essential feature? In fact, in the case of M83, transit has not been considered at all.

As a resident of the Ag Reserve, I am also concerned about the environmental impact of the proposed M83—particularly its long term effect on the aquifer. Montgomery County residents in the Ag Reserve and elsewhere get their drinking water from underground wells. Clarksburg—which borders the Ag Reserve-- is expected to grow to 40,000 residents and serve as a work center for others. That is a lot of pavement. Pavement forces rainwater to become overland runoff, depriving the aquifer of recharge volume. The on-going Clarksburg development coupled with construction of M83 would increase imperviousness and ultimately affect the quality and quantity of underground water sources and degrade the water quality for the entire region. USACE and MDE should carefully consider and study the cumulative impact of M83 construction in conjunction with the already approved development.

And, finally, there is no study that can explain the pain of having your home or neighborhood bulldozed. This is especially unfair to residents who consulted the Master Plan and bought homes with the understanding that M83 was not in the path of their neighborhoods.

It is 2013. Montgomery County has the opportunity to employ new, innovative transit options to move Upcounty residents to their destinations and attract businesses to the area. Just building a road to solve congestion is –as my kids would say –“so 1980’s”. Let’s show some vision.

Many thanks for your time and work on behalf of Montgomery County citizens.



Dinne, John J NAB

From: Beth Daly [beth.daly1@gmail.com]
Sent: Tuesday, August 06, 2013 11:49 AM
To: mcp-chairman@mncppc-mc.org; Ike.leggett@montgomerycountymd.gov; Dinne, John J NAB; sean.mckewen@maryland.gov; rudnick.barbara@epa.gov
Subject: M83 Testimony
Attachments: m83 testimony.docx

Please find my attached testimony. Thanks-Beth Daly

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Find me on TWITTER: <http://twitter.com/telemundogirl>



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029**

AUG 20 2013

Joseph DaVia
U.S. Army Corp of Engineers
Baltimore District
P.O. Box 1715
Baltimore, Maryland 21203-1715

RE: CENAB-OP-RMN (Mid-County Corridor Study) Public Notice 2007-07102-M15,
MidCounty Highway (M83), Montgomery County Department of Transportation, Montgomery
County, Maryland.

Dear Mr. DaVia:

The U.S. Environmental Protection Agency (EPA) has completed its review of the Public Notice (PN) 2007-07102-M15 for Montgomery County Department of Transportation's (MCDOT) MidCounty Corridor Study (MCS) located in Montgomery County east of I-270 between Clarksburg and Gaithersburg. The applicant proposes to place fill material into waters of the United States to construct a highway project. The purpose of MCS is to develop transportation improvements that will relieve projected congestion, improve safety and efficiency, improve vehicular, pedestrian, and bicycle access to destinations within the study area, and be implemented in an environmentally sensitive manner. Our comments herein are based upon the Public Notice and the May 2013 MCS Draft Environmental Effects Report (EER) that have been made available for review.

EPA's review is intended to ensure that the proposed project meets the requirements of the Clean Water Act (CWA). The CWA Section 404(b)(1) Guidelines (40 C.F.R. Part 230) provide the substantive environmental criteria against which this application must be considered. Fundamental to the Guidelines is the premise that no discharge of dredged or fill material may be permitted if: (1) it causes or contributes, after consideration of disposal site dilution and dispersion, to violations of any applicable state water quality standard; (2) a practicable alternative to the proposed discharge exists that would have a less adverse impact on the aquatic environment; or (3) the discharge would cause or contribute to significant degradation of the waters of the United States (WOUS), including wetlands and streams. EPA's comments are also provided for the Corps' consideration during their public interest review.

During the review, EPA identified several areas of concern. These include: alternatives analysis, avoidance and minimization of impacts, compensatory mitigation, environmental justice, and secondary and cumulative impact analysis. The enclosure describes EPA's review in greater detail and provides specific comments and questions.

Project Description

The EER prepared by MCDOT evaluated six alternatives including the no-build alternative. All of the build alternatives included a design speed of 40 miles per hour (mph), a divided highway with a minimum of four through lanes, and sidewalk and shared use path elements. No preferred alternative has been identified at this time. Alternative 1 represented the no build alternative assuming all programmed transportation improvements within the study area have been completed by the year 2030 except the extension of the Midcounty Highway. Alternative 2 included transportation system management/travel demand management (TSM/TDM) improvements at 16 intersections in the study area. Alternative 4 modified represented an upgrade of existing roads, which included a 7.5 mile widening of Ridge Road, Brink Road, Wightman Road, Snouffer School Road, and Muncaster Mill Road. Alternative 5 included a 6.6 mile widening along MD 355. Alternative 8 included the creation of new highway along the County's Master Plan alignment truncated at Watkins Mill Road. Alternative 9 included the creation of new highway along the County's Master Plan alignment that is not truncated. Alternatives 8 & 9 would require the selection of one of three northern terminus options; all from Watkins Mill Road to Ridge Road. Northern Terminus Option A included the creation of new highway bisecting Brink Road and crossing Northern Germantown Stream Valley Park, Seneca Crossing Local Park, Dayspring Church Silent Retreat Center, and All Souls Cemetery. Northern Terminus Option B included the creation of new highway crossing North Germantown Stream Valley Park then follows a widened Brink Road to Ridge Road. Northern Terminus Option D included the creation of a new highway through North Germantown Stream Valley Park crossing Brink Road then bisecting two farm properties and cross Wildcat Road and All-Souls Cemetery.

The proposed permanent wetland impacts associated with the evaluated action alternatives range from zero acres to 0.87 acres. Proposed wetland conversion from action alternatives ranges from zero to 1.70 acres. The proposed action alternatives would temporarily impact between zero and 0.82 acres of wetland. Permanent impacts to streams, including relocation, range from zero to 1,639 linear feet (lf). Proposed action alternatives 8 & 9 would impact forest interior dwelling species (FIDS) ranging from 9.92 to 19.08 acres; remaining alternatives would result in zero FIDS impacts. Proposed alternatives would result in permanent impact to FEMA floodplain ranging from zero to 4.8 acres. Proposed parkland impacts range from zero to 48.1 acres. The applicant proposes to conduct permittee responsible compensatory mitigation for wetlands and streams.

Project Purpose and Need, Alternatives, and Avoidance and Minimization

To identify the least environmentally damaging practical alternative (LEDPA) (40 C.F.R. § 230.10(a)), a range of practicable alternatives must be considered. The range of alternatives should include not only geographical siting of the project, but also functional alternatives such as

design modifications that avoid or further minimize impacts, and even the no action alternative. An alternative is practicable if it is available and capable of being done after taking into consideration cost, existing technology and logistics, in light of overall project purposes (40 C.F.R. § 230.3(q)). The applicant should be aware that neither increased costs of an alternative nor an unwillingness to pursue an alternative necessarily renders that alternative not practicable. While we recognize the importance of the County's Master Plan to this project and to the County, for the purposes of the Clean Water Act Section 404 the Corps must evaluate a suite of practicable alternatives based on the overall project purpose and associated impacts regardless of the vision presented in the Master Plan, although the applicant's needs and the type of project being proposed should be considered. The overall project purpose is used to evaluate the LEDPA and should be specific enough to define the applicant's needs, but not so restrictive as to constrain the range of alternatives that must be considered under the CWA 404(b)(1) Guidelines.

The applicant appears to have applied screening criteria beyond the purpose and need, as applied in Sections 3.5 & 3.6 of the EER and shown in Table 3-9. Each alternative has been rated high, moderate or low for each purpose and need element. While not identified in the P&N it appears that the Master Plan may have been a consideration in the screening process. It hasn't been stated how the rating has been objectively identified or assigned. While some supporting evidence has been provided for each alternative and need, it isn't clear that the rating value itself represents anything more than the applicant's subjective opinion. Screening criteria is frequently used, however EPA recommends that additional detail and explanation be provided in order for the Corps to conduct a impartial and neutral analysis of how each alternative presented meets the elements of the purpose and need, as well as the overall project purpose.

EPA understands that under the Corps' Regulations a public interest review is to be conducted. EPA is concerned that the documentation provided may not be sufficient for the Corps to conduct a thorough review of their identified public interest review factors. Especially in light of significant public interest and controversy, we recommend that additional information be provided by the applicant in order for the Corps to adequately conduct the required public interest review, which may include noise, air and community facilities.

It is unclear whether all potential impacts associated with the project alternatives have been identified and evaluated. Potential components of the project that may result in impacts to aquatic resources do not appear to have been evaluated, including identification of stormwater management control, increased limits of disturbance for noise abatement features, and additional temporary construction impacts including but not limited to stream crossings. EPA is also concerned whether impacts to wetlands and/or streams have been fully avoided to the maximum extent practicable. No discharge of dredged or fill material shall be permitted unless appropriate and practicable steps have been taken which will minimize potential adverse impacts of the discharge on the aquatic ecosystem (40 C.F.R. §230.10(d)). With some level of uncertainty of whether the impact figures are complete and accurate, it is difficult to evaluate whether impacts have been fully avoided and whether unavoidable impacts have been fully minimized. Several bridges are included in the action alternatives, including the proposed creation of new bridges over WOUS which are associated with Alts 8 & 9. EPA requests a clear list or table of stream crossings locations, including but not limited to bridges, dimensions, including lengths, widths and heights, and a quantification of WOUS to be crossed. This information is not only important

to demonstrate efforts taken to avoid and minimize impacts to WOUS, but also to ensure that impacts are accurately characterized, which is especially important for indirect and cumulative impacts to be assessed. EPA is concerned that efforts taken to reduce direct permanent impacts to WOUS, while possibly effective at this goal, may still result in diminished water quality or habitat.

Ultimately, the permit issued by the Corps should reflect the LEDPA. 40 C.F.R. § 230.10(a). The EER states that the preferred alternative could be a combination or portion of the alternatives presented; however analysis was not presented for any combination. Based on the information provided in the EER and given the applicant's stated purpose and need, it appears that a combination of alternatives presented may represent the LEDPA. For example, consideration should be given to Alternative 5 in combination with Alternative 2. Both Alternatives 2 & 5 have zero temporary and permanent impact to wetlands. Alternative 2 includes zero permanent impact to streams. Alternative 5 would permanently impact 85 lf of perennial/intermittent stream. These alternatives would also require the least amount of compensatory mitigation based on their impacts. Table 3-2 on congestion analysis at 2030 conditions shows that Alt 2 would allow 88% of total intersections to have an acceptable level of service; Alt 5 would have 89% of the total intersections with an acceptable level of service, which is the highest among alternatives. Alternative 5 has the second lowest projected crash rates as shown on Table 3-4, and it could be assumed that with the additional implementation of Alt 2 crash rates would also decrease thereby improving vehicular safety. The combination of Alternatives 2 & 5 appears to be practicable and capable of being completed while achieving the project purpose. EPA recommends that the Corps and the applicant evaluate whether combinations of alternatives, such as Alternatives 2 & 5 meet the overall project purpose. We further suggest that the applicant make the selection their preferred alternative known to the public, resource agencies and interested stakeholders upon full and careful consideration of comments received.

Compensatory Mitigation

At this time the compensatory mitigation plan (CMP) outlined by the applicant does not provide sufficient information for review. EPA recognizes that neither a preferred alternative nor the LEDPA have been identified, and as alternatives have a range of project impacts it is difficult to prepare a detailed CMP without this selection. The applicant has presented a collection of potential stream and wetland sites that could be used to offset unavoidable impacts to WOUS. Until an alternative is selected and a detailed CMP is prepared, it is difficult for EPA to provide comprehensive mitigation comments. When a detailed CMP in compliance with the 2008 Compensatory Mitigation is available, EPA requests the opportunity to review and provide comments on that document.

Cumulative Impacts

The Section 404(b)(1) Guidelines direct consideration of cumulative and secondary impacts. Cumulative impacts are defined as "the changes in an aquatic ecosystem that are attributable to the collective effect of a number of individual discharges of dredged or fill material. Although the impact of a particular discharge may constitute a minor change in itself,

the cumulative effect of numerous such piecemeal changes can result in a major impairment of the water resources and interfere with the productivity and water quality of existing aquatic ecosystems.” 40 C.F.R. § 230.11(g)(1); *see also id.* §§ 230.1, 230.11 and 230.12. The indirect and cumulative effects analysis provided in the EER does not appear to be complete. Given the current, past and reasonably foreseeable future activities within the project area, EPA recommends that the Corps conduct an independent and objective review of indirect and cumulative impacts. We suggest an approach that would manage and link proposed projects to overall water quality and habitat on a sub-basin and sub-watershed basis, as well as allow for a full evaluation of public and community impacts that need to be evaluated in the Corps public interest review. Additional comments on indirect and cumulative impacts are provided in the enclosure to this document.

Consistent with Executive Order 12898 entitled “Federal Actions to Address Environmental Justice In Minority Populations and Low-income Populations,” the accompanying Presidential Memorandum, and the August 4, 2011 Interagency Memorandum of Understanding on Environmental Justice and Executive Order 12898, EPA recommends that the Corps conduct additional analysis on the potential for disproportionate effects on low-income and/or minority populations in the study, as well as ensure meaningful engagement of affected communities. Environmental justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to development, implementation, and enforcement of environmental laws, regulations, and policies. There should be proactive steps taken to assure the early, timely and meaningful involvement of the community stakeholders in this project. While the EER did include some EJ evaluation, EPA is concerned that environmental justice issues may not have been adequately addressed, that populations may not have been adequately characterized, additional documentation of impacts on populations of EJ concern may be needed, and that there may be impacts to populations of concern. Additional comments on EJ in consultation with EPA’s Regional Environmental Justice Coordinator are provided in the enclosure to this document.

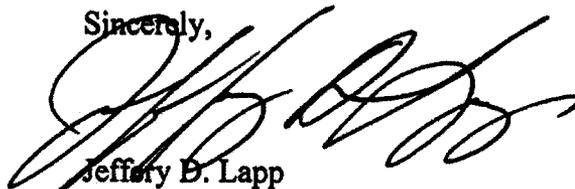
Conclusion

EPA requests that the Corps consider the provided comments in order to aid in the identification of the LEDPA. While EPA recognizes that the MCS EER has been prepared in the spirit of the National Environmental Policy Act (NEPA), the EER cannot take the place of the Corps required independent NEPA analysis. When a LEDPA is identified the Corps should evaluate the LEDPA against the CWA Section 404(b)(1) Guidelines and the public interest review. The Corps should ensure that adequate information has been provided to sufficiently address public interest review factors, including but not limited to conservation, general environmental concerns, wetlands, historic properties, fish and wildlife values, floodplain values, land use, recreation, water quality, safety, consideration of property ownership, and the needs and welfare of the people. Once a LEDPA is identified, EPA requests that the Corps put this selected alternative out on Public Notice in order for EPA and the public to provide detailed comments specific to the LEDPA.

Thank you for the opportunity to provide comments. We look forward to working with you and the applicant to identify the LEDPA and develop a more refined analysis on that

selected alternative. EPA also looks forward to the opportunity to provide additional detailed comments on the LEDPA. If you have any questions please do not hesitate to contact Alaina McCurdy, staff contact, at 215-814-2741 or Barbara Rudnick, NEPA Team Leader, at 215-814-3322.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey B. Lapp', written in a cursive style.

Jeffery B. Lapp
Associate Director
Office of Environmental Programs

Enclosure

Enclosure- Detailed comments on MidCounty Highway Public Notice

Alternatives Analysis & Purpose and Need

- Descriptions of alternatives should read evenly and provided conclusions should reference or include supporting documentation. Discussion and presentation of each alternative should be similar in presentation, even if that requires departure from prepared text or previous documents. Equal or equivalent data and documentation should be fairly presented in each section. As no preferred alternative has been identified, equal analysis and supporting documentation should be provided for each alternative and represented in similar formats throughout the document for comparison.
- Section 2- Alternatives details and rationale for alternatives dismissed should be able to be presented without drawing conclusions on their merit. If the applicant wishes to express why alternatives have been retained, we suggest this discussion be moved into a separate section from the detailed descriptions of alternatives, so that it can be more clearly explained for all alternatives.
- Minimum footprints for facilities, including medians, on-road bike facilities, sidewalks, shared use paths, or overall project footprint, should be provided. It should be explained why footprints on different alternatives would be different from one another and from the minimum requirement, for example explain why one alternative would have a substantially greater footprint and specific dimensions for above facilities than others. EPA understands the County's desire and interest in the mentioned "Complete Street" policy; however, EPA recommends that the Corps consider the minimum dimensions as it is needed for a comparison across alternatives, documentation of avoidance and minimization, and to aid in the identification of the LEDPA. Suggest consideration be given to modify the dimensions/footprints for alternative 4 modified. Specific dimensions do not appear to be supported by the P&N. As presented, Alternative 4 does not appear to be the LEDPA. It has not been evaluated if Alternative 4 modified with a reduced/ 'right sized' footprint, similar to what has been presented and evaluated for the Master Plan alignments, could be a viable alternative. Additionally, it should be evaluated if portions of a reduced Alternative 4 Modified in combination with Alternative 2 could have merit against the P&N and improve intersection operations throughout the study area.
- Stormwater management (SWM) facilities should be included in the footprint for each build alternative, as it has been EPA's experience that when is added later in design unanticipated adverse impacts to WOUS sometimes occur. Without including this expanded footprint, an accurate representation of total adverse impacts to natural resources cannot be determined or used to accurately compare alternatives. Stormwater management controls should not be located in wetlands and/or streams. EPA is concerned that additional adverse impacts to aquatic resources may result from the inclusion of stormwater management facilities. It is not clear how impacts associated with alternatives can be used to identify the LEDPA if the full project footprint is unknown. EPA suggests that the Corps consider a worst-case scenario or rough prediction of full project footprint from SWM controls and associated impacts for a complete evaluation of alternatives.

- Pg 2-32- Three intersection concepts are presented for Alternative 8- Master Plan Alignment truncated at Watkins Mill Road. Could the intersection options that were eliminated have resulted in alternate or decreased aquatic resources impacts? Include concept drawings and impact estimates. If dismissed truncation concepts can operate at an acceptable level of service (i.e., a CLV of 1425 vehicles) and result in fewer impacts to aquatic resources they should be retained for detailed study. Clarify if there would have been any difference in impact between these options.
- Pg 2-32- What criteria was used to evaluate the need for auxiliary service lanes along 355, between Watkins Mill Road and Montgomery Village? Explain whether or not the use of ASL was evaluated on Alternative 4 modified, especially as it may reduce the number of driveway/entry conflicts on Alt 4 modified. Clarify if the same criteria used to evaluate Alt 5 could also be used to evaluate ASL on Alt 4 modified. We understand that there may be significant challenges associated with the use of ASL on Alt 4 modified, however we suggest that some analysis or documentation be included in the document.
- Pg 2-34 and 2-35- Northern Terminus Options appear to be compared to one another on these pages, however this section is to include a brief summary of the refinements of the ARDS. Suggest limiting information presented on options to the refinements that were made during preliminary engineering phase.
 - It should be noted that the P&N does not specify controlled access as a requirement.
- Pg 2-37- it is noted that the selection of Preferred Alternative will attempt to satisfy many objectives, one objective listed is “within the fiscal constraints of Montgomery County”. If possible, please clarify what the approval process by the County council would be depending on which alternative is ultimately revealed to be the preferred alternative.
- Pg 3-1- Section 3.1 Montgomery County’s Vision for the MD355/ I-270 Technology Corridor. It is not clear how section 3.1 relates to the overall Section III- ability of the alternatives to satisfy the purpose and need, especially as a large portion of this Corridor is outside of the study area. This information, while important, may be better served to be identified as background information, or this information may be more useful to be included in Section IV Economic Resources. While Section 3.1 may accurately describe the County’s vision, it does not tie directly to the P&N or with Section 3 Transportation Comparison of Alternatives.
- Pg 3-15/16, Alt 8 is compared to Alt 9. Generally, it would be a more objective analysis if action alternatives were compared to baseline conditions or the no action alternative. In this section which is about the ability of alternatives to meet the purpose and need, it would be more beneficial to actually relate the congestion analysis back to the P&N, instead of comparing alternatives, which does not help aid in the determination of an alternatives ability to meet the purpose and need. Overall, alternatives throughout the document should be compared to the no action to determine the degree to which the alternative meets the P&N.
- Section 3, Need No. 2: Consider providing additional detail to this need if equal accident information can be given for each segment in this section, including total number of crashes, injury related crashes, state average, section average, and most common crash type. If available, please provide available State and/or County data. This project study has been underway for a long period of time; has consideration been given during that time to collect unavailable crash data?

- Please provide in a table the projected vehicle miles traveled for each alternative.
- Pg 3-20- Need 3 analysis includes information on quickest route, number of driveways, and traffic diversion. These items appear to be more directly related to need 1- congestion.
 - This need mentions mobility frequently. It is not clear that the term mobility directly equates to network efficiency and connecting economic centers. Please clarify.
- Pg 3-22- Need 4 should be analyzed against each alternative, including the no action. Each Need presented in Section IV should be analyzed again each alternative, including the no action. Supporting data and documentation should be provided for any conclusions drawn.
 - Need 4 include information on traffic reductions, which seems better suited to address Need 1- Congestion.
 - Need 4 is about accommodating planned land use and future growth, however limited information about future growth and land use is presented. Without this information it would be difficult to draw conclusions as how well each alternative meets this need.
- Pg 3-28 Need 6-Homeland Security was not analyzed as much as other needs, and evaluation of this need include as much supporting data or documentation. Information that is presented seems to focus on traffic incidents and emergency vehicle passage along these roadways, as opposed to emergency response/evacuation as is noted in the purpose and need. It is not clear how the degree to which the action alternatives meet this need than the no action alternative.
 - Additionally, Pg 3-28 notes that cars can pull over into the bike lanes to allow emergency vehicles to pass, emergency vehicles can pass cars using bike lanes; and disable vehicles can pull into bike lanes. However, these movements do not account for on-road cyclists which appear to be forced into lanes of traffic in order to maneuver around these obstacles.
- Pg 3-34 Need 7 Improve Quality of Life- the EER notes that quality of life can include a large number of factors; however analysis was only focused on travel time. While travel time is certainly an important data to include in the EER, it may best be included under Need 1 or 3. Suggest expanding analysis of this need to factors beyond transportation, specifically travel time in order to have a more comprehensive study including topics/concerns raised by the public and interested stakeholders.

Natural and Community Resources

- Pg 5-12- Section 5.5 Water Quality and Aquatic Habitat describes the Maryland COMAR Sub-Basin in which the study area is located. It is also stated that the study area is located in the Middle Great Seneca Creek watershed and the Upper Rock Creek watershed. Consider making the watershed location more clear, especially as Maryland defined watershed boundaries do not always overlap with USGS hydrologic unit code boundaries as well as have different code numbers. Please consider clarifying that the Great Seneca Creek and Upper Rock Creek subwatersheds are USGS 12 digit HUC's and provide the HUC codes. Watershed boundaries and HUC's are also relevant to discussions regarding compensatory mitigation, especially in light of the watershed

approach outlined in the 2008 Compensatory Mitigation Rule. Additionally, watershed boundaries may be useful to the Corps indirect and cumulative impact assessment. This assessment would require the identification of a cumulative impact area study boundaries not limited by the overall study area, which may utilize the watershed boundaries to evaluate potential cumulative impacts to WOUS and other resources.

- Pg 5-17- This section notes that effects would be minimized through the use of SWM, which further supports EPA's above concern that these facilities be identified, particularly in identified Special Protection Areas. Beyond permanent SWM controls to be utilized when the facility is open, EPA is also concerned that even though SWM will be required during construction, especially should a new highway be constructed, streams and benthic communities may be adversely impacted. Corps should consider how each alternative may affect water quality, especially for alternatives that involve a new alignment. EPA is concerned that there may be potential impacts associated with bridges and culverts, and suggests that the Corps consider effects of shading, effects on macroinvertebrate communities, temperature impacts and other affects associated with decreased canopy over the stream, and effects of sediment, TDS, and TSS. This information may also be relevant to the Corps' indirect and cumulative impacts analysis.
- Pg 5-76 states that to avoid further fragmentation of wildlife habitat and to reduce collisions between wildlife and motorists that new stream valley crossings will include bridges that are high enough and long enough to allow wildlife passage beneath the highway. While it may be possible for wildlife to physically be contained by the proposed bridges, it is not clear that these structures have been designed with wildlife crossings in mind or with the intention that they adequately or effectively allow for wildlife passage. As wildlife passage may be considered by the Corps as part of their public interest review, EPA suggests that the Corps and applicant consider at a minimum wildlife passage techniques employed by the similar and adjacent Inter-County Connector project as well as scientific peer-reviewed literature on wildlife passage. Additionally, EPA suggests that the Corps consider potential impacts to Green Infrastructure hubs and corridors in their public interest review, which may also be relevant to the Corps' indirect and cumulative impact analysis.
- Numerous community facilities are located along the various alternatives. EPA is concerned that some facilities may be adversely impacted by some of the proposed action alternatives. Should the Corps find it helpful for their public interest review, EPA suggests that the size of each facility and amount of facility impacted by the each alternative may be relevant, especially to evaluate the level of impact on facilities or if any of these facilities may be significantly impacted. This information may also be relevant to the Corps indirect and cumulative impact analysis.
- EPA requests that the Corps consider noise impacts on the community when conducting their public interest review, as well as consider concerns regarding noise raised by the community. To the extent the Corps may find the following information useful to their review, EPA suggests additional noise mapping be provided which shows the existing and no action 2030 67dBA noise contour as well as action alternative alternatives noise contours. EPA further suggests that a map showing properties impacted by noise, including those counted on Table 4-11, map showing areas that may be quality for noise abatement, and a table showing the number of new residential properties that contained in

the 67dBA above the no action be provided. Noise impact information may also be relevant to the Corps indirect and cumulative impact assessment.

Indirect and Cumulative Impacts

- EPA suggests that the Corps indirect and cumulative impact assessment begin with defining the geographic and temporal limits of the study; this is generally broader than the study area of the project. Geographic boundaries are typically shown on a map; and a historic baseline is often set at a major event changing the local environment, perhaps in this case the opening of the airfield. Appropriate maps should be provided showing the geographic boundary, as well as identified past, present and reasonably foreseeable projects.
- EPA recommends that the Corps' indirect and cumulative impact assessment include analysis specific to resources. The indirect effects analysis in the EER is limited to agricultural reserves and businesses. EPA recommends that the Corps' indirect effects analysis include other resource topics analyzed in the EER, topics relevant to the public interest review, and secondary and induced growth and development. EPA also recommends that the Corps utilize a trend analysis for resources that may be adversely affected by the proposed alternatives.
- All past, present and reasonably foreseeable projects in the project area should be included in the Corps' cumulative impact analysis. Limited direct documentation was provided in the EER and only referenced that the InterCounty Connector Draft Environmental Impact Statement/Draft Section 4(f) Evaluation. While the ICC DEIS may have provided a comprehensive list of past, present and reasonably foreseeable projects that were relative to the ICC and ICC study cumulative impact study area, EPA recommends that the Corps provide a separate assessment of cumulative impacts relevant to this permit action. The ICC project is not related to this project, and the project proponent is not the same. The ICC cumulative impact study area would not be the same as the cumulative effects study area for this project. Additionally, the DEIS was released in November 2004. Since 2004 it is reasonable to assume that area conditions have changed, which may include newly proposed projects, new construction etc that would not have been available at the time the DEIS was developed. While the ICC cumulative effects analysis may serve this project as a guide or reference, it should not be used by the Corps in place of an objective cumulative impact analysis for this project.
- The cumulative analysis provided in the EER puts heavy emphasis on the MD 355 Technology Corridor, yet improvements and development in the Technology Corridor was not adequately addressed throughout the entire EER. EPA suggests that the Corps consider additional information related to the MD 355 Technology Corridor as it pertains to their review.

Environmental Justice

- Provide a clear definition and/or boundary for the term "Economic Study Area", provide parameters or documentation used to identify it, and define how it may be different than the study area. Tracks identified as part of the economic study area should be shown in a table and depicted on a map.

- EPA is concerned regarding the manner in which the identification of areas of potential Environmental Justice concern was conducted. Suggest altering text on page 4-27 to more accurately represent the CEQ Guidance, which states, “Minority population: Minority populations should be identified where either: (a) the minority population of the affected area exceeds 50 percent or (b) the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis. In identifying minority communities, agencies may consider as a community either a group of individuals living in geographic proximity to one another, or a geographically dispersed/transient set of individuals (such as migrant workers or Native American), where either type of group experiences common conditions of environmental exposure or effect. The selection of the appropriate unit of geographic analysis may be a governing body’s jurisdiction, a neighborhood, census tract, or other similar unit that is to be chosen so as to not artificially dilute or inflate the affected minority population. A minority population also exists if there is more than one minority group present and the minority percentage, as calculated by aggregating all minority persons, meets one of the above-stated thresholds.”
- It should be first of all noted that CEQ has not identified a method for identification of low income populations; however the applicant is inappropriately applying the method that CEQ used to identify minority populations for assessing low income populations. EPA is concerned with the methodology selected to identify low income populations, which used the Montgomery County Percent below poverty plus an additional 100% of that total. Doubling the low income population benchmark seems inappropriate and seems to dilute the low income census tracts that would be identified as being in areas of Environmental Justice concern. We do not agree that the selected benchmark, which is double the percentage of low income residents in Montgomery County, is appropriate and should be revised. EPA suggests utilizing a commonly used benchmark that is simply set as exceeding the state or county average, because the population figure that we are using are not the most accurate and up to date figures since there is continuing dynamic movement within the population. If the suggested method were to be used for conducting an assessment of the low income populations in the study area, then the following census tracts would need to be included: Census Tract 7003.04, Census Tract 7007.13, Census Tract 7007.16, Census Tract 7007.21, Census Tract 7008.11, Census Tract 7008.13, Census Tract 7008.33, and Census Tract 7008.34. EPA recommends including these census tracts in a labeled and shaded map.
- Please note that communities of potential Environmental Justice concern are those minority and/or low income populations that exceed the respective benchmarks, there are now a total of 20 total census tracts (instead of 19) that are in areas of potential Environmental Justice Concern (exceeding either minority and/or low income benchmarks). They are: 7001.03, 7001.04, 7001.05, 7003.04, 7007.10, 7007.13, 7007.15, 7007.16, 7007.19, 7007.21, 7007.22, 7008.10, 7008.11, 7008.12, 7008.13, 7008.30, 7008.32, 7008.33, 7008.34, and 7008.35.
- Figure 4.4 is very difficult to read. We recommend revising this figure, highlighting the areas of potential Environmental Justice concern.
- Documentation presented should be strong enough to support the finding that no impact will occur within areas of Environmental Justice concern. We recommend the focus of the assessment look at the overall project and identify who may be at risk, what those

risks may be, and how those risks may be addressed. EPA is concerned as the project study area has a large population of at risk residents and many of those impacted will be members of the population of potential EJ concern. EPA requests that the Corps analysis ensure that these populations will not be adversely impacted.

- EPA recommends that the Corps carefully consider all of the potential impacts that may take place during the course of this project, and take appropriate steps to assure that these at risk populations are protected from adverse impacts and are recipients of any benefits of the project. Corps analysis should ensure that community input regarding noise impacts, exposure to fugitive dust, displacements, takings of land, impacts on views, traffic and construction, and disruption of services is taken into consideration.