



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

MEMORANDUM

Date: June 23, 2009

TO: The Montgomery County Planning Board

VIA: Mark Pfefferle, Acting Chief *MP*
Green/Environmental Planning Division

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Green/Environmental Planning Division

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SUBJECT: CCT/1-270/US 15 Alternative Analysis/Environmental Assessment and
Technical Report Review

This memorandum contains Environmental Planning's comments on the Alternative Analysis/ Environmental Assessment and Technical Report for the CCT/ 1-270/US 15 corridor. There are general recommendations for the overall assessment and specific recommendations for locations along the study area:

The **general recommendations** include:

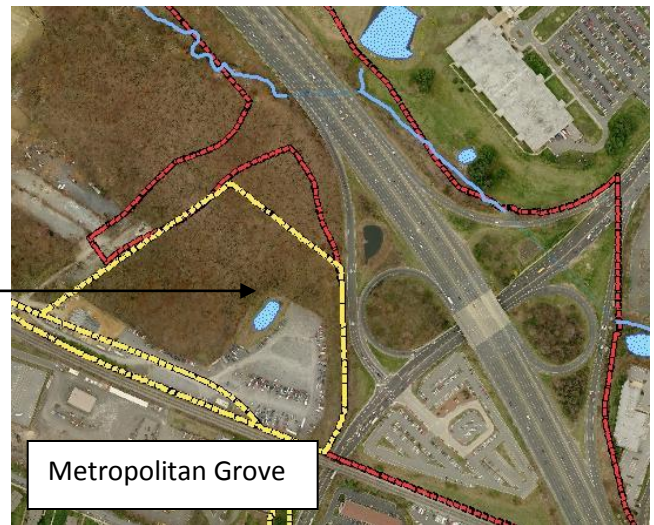
1. The Planning Board, the County and State should work together to evaluate whether these projects, independently and together with other north/south transportation improvements (such as Mid-County Highway alternatives and/or 355 improvements), address the strategies and objectives of the growth policy, climate protection, and other planning and carbon reduction programs. This analysis will help us build only transportation facilities that produce the fewest vehicle miles traveled with the least carbon emitted and the fewest community and environmental impacts. Evaluations should occur periodically as information and

analysis becomes available and as various master plans and policies are approved by the County Council.

2. Stage the proposed transportation projects with an immediate emphasis on the construction of the CCT first. The CCT, a mass transit system will serve the local community and sustainable growth centers and will support the county's goals of reducing vehicle miles travelled and greenhouse gas emissions and improve local and regional air quality.
3. I-270 improvements should be constructed in phases to ease choke points reducing congestion and easing transportation flow, focusing first where these improvements have few adverse environmental impacts.
4. Design and construction of Mid-County Highway should be held until a comprehensive analysis of the results of transportation improvements and master planning in the corridor is completed to determine the need for the expanded highway.
5. Develop a project delivery mechanism that provides continuing opportunities to minimize resource impacts including the use of contractual financial incentives.

Specific Recommendations for Operations and Maintenance Facilities

1. There are a few sites proposed for the O&M facilities associated with the CCT and Transitway. Each location will impact forests, prime farmland, specimen trees, and other resources. The Comsat site is the most sensitive location sited in the Upper Little Seneca Creek, Use IV, and Clarksburg Special Protection Area. There are no sites that would avoid environmental impacts.



We recommend the Metropolitan Grove Park for the location of the O&M facility as having the fewest environmental impacts compared to the Comsat site (Linthicum property), and the 18.7 acres of forest off Game Preserve Road (Pepco property). When designing the O&M facility avoidance and minimization strategies should be applied to reduce the footprint of the maintenance facility and roadway connection to the greatest extent possible.

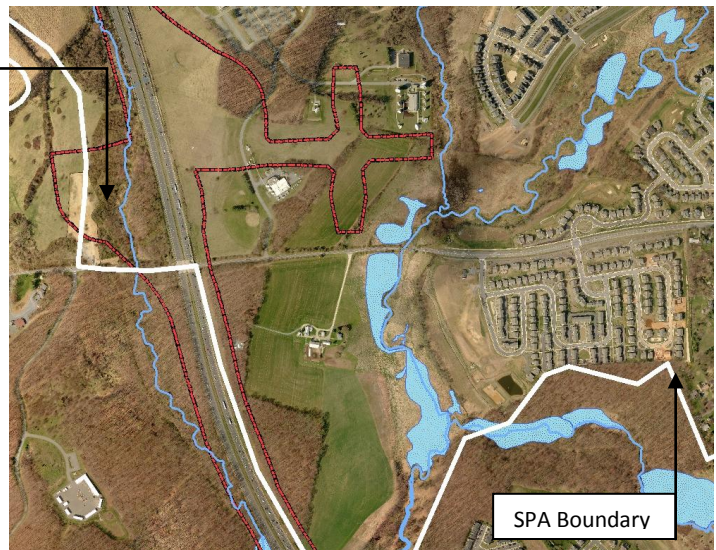
2. East of exit 15 on I-270 as a part of the I-270 corridor expansion, clearing is proposed in the area shown on the right, in red. The eastern portion of the clearing area is within a 50+ acre high quality mature forest that has been recommended for protection in the approved Germantown Master Plan. It is owned by Montgomery College. A general outline of the protected area is delineated in orange.

We recommend complete avoidance of any and all disturbances within the 50 acre parcel proposed for protection.



3. Station 620-635: This area is within the Clarksburg Special Protection Area. Two cloverleaves are proposed to the east and west of I-270. On the west side is Upper Little Seneca Creek, a Use IV stream with steep slopes, a high quality mature forest and approximately 6 acres of wetlands. East of I-270 is the historic Comsat property with an associate forest.

Efforts should be made to avoid the natural and cultural resources on both sides of I-270. Consider relocating the western cloverleaf outside of the forested, wetland stream valley. In the event that avoidance is not feasible, substantial efforts should be made to minimize impacts and maintain a wide buffer along the stream and wetlands to protect the biological function and integrity of the system.



4. *Reduce the footprint to the maximum extent possible in the Little Bennett tributary areas along the I-270 ROW including the weigh stations.*



Specific Comments on the Alternatives Analysis/Environmental Assessment & Natural Environmental Technical Report (NETR)

Neither the Alternative Analysis or the Natural Environmental Technical Report provides a comparative analysis with the alignments addressed in the 2002 Draft Environmental Impact Statement (DEIS). Instead, these studies evaluate the impacts for two completely different transit systems: the CCT, and the alternative 6A/B and 7A/B for the I-270/15 Corridor. For the I-270/15 corridor only the new impact information is included in the 2009 reports.

1. *The SHA should take appropriate noise abatement measures to mitigate noise impacts on segments of the I-270/US 15 Corridor where predicted year 2030 noise levels exceed the 66 dBA noise abatement criteria.*
2. *All of the following concerns raised below regarding air quality should be addressed by the SHA:*
 - a. The potential for express toll lanes (ETLs) or high occupancy toll (HOT) lanes to affect air quality in the study area. Studies have shown that while a HOT policy has many benefits, in some states it has discouraged carpooling by increasing traffic and reducing the average speed on the former HOV lanes. Displaced HOV users then move to general purpose lanes, switch to

single occupant vehicle use or cut through side roads thereby increasing VMT, traffic congestion, and vehicle emissions (especially carbon).

- b. In the hotspot analysis for the locally preferred alternative SHA should note that the EPA has temporarily suspended the Washington Metro area's non-conformity for ozone and PM_{2.5} only as long as the region continues to attain the 1997 PM_{2.5} standards. This determination could be reversed at any time and the area would once again be non-conforming. This means that if there is a major conformity or SIP issue in the Baltimore area then potentially the DC region transportation plan could be at risk. This risk would be a conformity freeze or lapse that stops all new transportation capacity enhancing projects from getting into a new Transportation Implementation Plan.
 - c. Although technical shortcomings of emissions and dispersion models and uncertain science with regard to health effects of mobile source air toxics (MSATs) prevent a quantitative estimate of the health effects from MSAT emissions, the state should nevertheless, be guided by the precautionary principle in estimating the potential impacts of exposure to MSAT emissions, on vulnerable human populations (schools, hospitals, day care centers, senior citizen housing, etc).
 - d. The project uses diesel buses in its PM_{2.5} assessment of LRT versus BRT as options to relieve congestion (Ch IV). Montgomery County currently uses mainly buses fueled with clean natural gas and not diesel. Since diesel buses emit more particulate matter than natural gas-fueled buses this assessment unfairly favors LRT over BRT.
3. Groundwater: According to the NETR, impacts to the Piedmont sole source aquifer and local streams may occur due to chemical spills, deicing, heavy metals, gasoline, and other pollutants from runoff within the highway and transitway alignments. However, larger volumes of these and other pollutants are expected for the O&M facilities due to the large amount of impervious cover proposed for those sites. Stormwater management will be required by MDE which will help reduce the levels of contaminants.

We recommend meeting Montgomery County's Stormwater Management criteria to help further reduce the levels of potential contaminants from entering streams, wetlands, and groundwater systems.

4. Stormwater management should be a high priority of the project utilizing state-of-the-art linear and/or underground stormwater controls in Use-IV subwatersheds (Little Seneca), in the SPA, or where the CCT/I-270/15 crosses through parkland.

Within these areas, apply the same stormwater design, construction and mitigation standards as was required in the SPA's for the Inter-County Connector to protect and restore existing natural resources.

5. *We recommend that stormwater management facilities should be designed to infiltrate and/or discharge a portion of runoff to maintain associate stream and wetland hydrology.*
6. Wetlands: Impacts to wetlands and waterway resources is larger for the ETL alternative because of the larger ROW necessary to accommodate the ETL alternatives. In 2002 ephemeral waterways (rain runoff or snowmelt) were not regulated by the Army Corp of Engineers but are now considered jurisdictional requiring permitting and mitigation for impacts. This has increased the amount of total waterway impact.

We strongly recommend the following avoidance and minimization techniques be used throughout the design build process:

- a. *Avoid and minimize impacts to all wetlands and waterways wherever feasible.*
 - b. *Use 2:1 slopes for graded shoulders throughout the project corridor for the proposed highway alignment to decrease roadway footprint and impacts.*
 - c. *Where bridges and culverts are needed, designs should maintain existing hydrology.*
 - d. *Where culverts are proposed depressed them deep enough to allow for the maintenance of a natural stream bottom and fish passage. They should be designed to the geomorphic characteristics of the stream to avoid downstream scour and channel degradation.*
 - e. *Where wetlands are impacted and/or altered preconstruction hydrology should be maintained post construction.*
7. *Compensatory mitigation for stream, wetland and forest impact should occur within the same subwatershed as was the impact. If for some reason this cannot be achieved expand mitigation to the same watershed.*
 8. Vegetation: Impacts to plant communities by the project build alternatives include direct losses from clearing within the ROW and changes in plant community structure and composition along the edge. There will be effects from human induced introduction of invasive non-native plant species into undisturbed habitat adjacent to newly impacted sites.

To reduce long-term impacts, provide ongoing invasive plant control along the I-270/15 corridor and transitway where they traverse parkland.

9. Impacts to wildlife are expected as animals try to traverse corridors.

To reduce wildlife mortality and highway accidents wildlife exclusion fencing should extend along the entire length of I-270/15 corridor.

10. All proposed alignments will have direct and indirect impact on the state threatened species 'comely shiner (Notropis amoenus) found within Little Seneca Creeks.

Every effort should be made to protect the comely shiner during and post construction. Adherence to closure periods should be followed closely.