



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

January 28, 2014

RE: Project No. MO 593B21
MD185 at Jones Bridge Road/Kensington Parkway
Phase 3-BRAC Intersection Improvements
Montgomery County

Mr. Dennis M. Atkins
Assistant Division Chief
Environmental Planning Division
Maryland State Highway Administration
707 North Calvert Street
Baltimore, Maryland 21202

Dear Mr. Atkins:

On March 28, 2012, you sent a letter to the M-NCPPC Department of Parks detailing the proposed impacts of SHA's MD185 at Jones Bridge Road/Kensington Parkway project to North Chevy Chase Local Park, and requested concurrence on a finding of *de minimis* impacts to parkland. The impact cited was 0.077 acre of fee simple ROW acquisition and 0.024 acre of temporary construction easement. Based on the stated impacts, on May 10, 2012, our Park Development Chief, Mitra Pedoeem, signed a letter of concurrence on the *de minimis* finding and that the temporary use of the park was not subject to Section 4(f).

As you are aware, a traffic signal was installed at Spring Valley Road and Jones Bridge Road within the SHA project limits in response to concerns from the Chevy Chase Valley community that their existing access problems would be exacerbated by SHA's intersection improvements at MD185/Jones Bridge Road/Kensington Parkway. Since ingress into the Chevy Chase Valley neighborhood from MD185 was eliminated as part of SHA's Phases 1&2 project, Spring Valley Road is the sole point of ingress for that community.

The Montgomery County Department of Transportation (MCDOT) is currently preparing preliminary design plans for an extension of Platt Ridge Drive, which intersects Jones Bridge Road within the limits of your project. This project is being proposed as an alternative to the traffic signal at Spring Valley Road to provide ingress and egress for the Chevy Chase Valley community. It has been the Planning Board's position that a careful evaluation of the safety, effectiveness, and traffic impact of the traffic signal at Spring Valley Road would be conducted before it would consider making parkland available for the Platt Ridge Drive project. However, if it is SHA's position that the median at Spring Valley Road must be eliminated in any case, then the evaluation of the traffic signal is a moot point and alternative ingress to the Chevy Chase Valley community must be provided. Elimination of ingress from eastbound Jones

Bridge Road would make access from westbound Jones Bridge Road the only way to get into this neighborhood, thereby forcing provision of a new point of ingress.

I have been advised that at a public meeting on June 26, 2013 that was sponsored by MCDOT to discuss their Platt Ridge Drive project, that MCDOT staff stated that the closure of the Jones Bridge Road median at Spring Valley Road was necessary for the success of SHA's intersection project at MD185/Jones Bridge Road/Kensington Parkway and that SHA staff in attendance concurred in this assessment. I'm advised SHA staff subsequently confirmed this position. If this is the case, then I do not see how the park impacts of the Platt Ridge Drive project, which are significant, can be excluded from the SHA's project. If the median closure required by the SHA project would in fact require the creation of an alternative point of ingress, and that alternative access is the Platt Ridge Drive project, then the larger project has been segmented, which is not permitted under Section 4(f).

Former State Highway Administrator Neil Pedersen recognized the connection between the two projects in a letter dated August 18, 2010 that was written to Montgomery County Councilmember Roger Berliner. In that letter, he wrote, "The SHA will not exhaust funding and move forward with the Platt Ridge Road (sic) Extension without full support from MCDOT, M-NCPPC, and the Planning Board." Given that the Platt Ridge Drive Extension is not in the County's master plan and would be constructed on parkland, that commitment on an agreement between all parties was important.

MCDOT has submitted a Mandatory Referral request for their Platt Ridge Drive project, which we need to act on in the very near future. I'm asking for clarification if the SHA project now requires the closure of the median at Spring Valley Road. If so, M-NCPPC rescinds its May 10, 2012 *de minimis* finding and that the temporary use of the park is not subject to Section 4(f), and asks that SHA submit a new 4(f) concurrence request containing information that aligns with SHA's current proposal and reflects parkland impacts of the entire project.

Sincerely,

Michael F. Riley

Deputy Director of Administration

Cc: Caryn Brookman
Barbara Solberg
Yuqiong Bai
Bob Gonzales
Edgar Gonzalez
Bruce Johnston