

Attachment F: Additional Comments on MD 355 Bus Rapid Transit Corridor Planning Study Phase 2 July 3, 2019

This documents includes staff-level comments to be transmitted to MCDOT.

Historic Preservation

The Cultural and Historic Resources Report is in draft form and Historic Preservation staff will send comments directly to MCDOT on technical corrections separately. For the purposes of evaluating the findings of the draft report as they relate to cultural resources impacts for the BRT project as presented, staff has the following comments:

- The March 2019 DC Circuit Court opinion in *National Parks Conservation Association v. Semonite* has determined that adverse effects now include visual, auditory and other environmental effects as “direct” whereas previous practice has been to generally classify these as “indirect” effects. See: <https://www.achp.gov/sites/default/files/2019-06/NPCA%20v%20Semonite.pdf>
- For the purposes of defining the area of potential effect (APE), this case may expand the APE beyond the initial study boundary. Further consultation with Maryland Historical Trust (MHT) is needed to determine if the existing APE is adequate in light of this recent determination.
- The report did not reference or examine the information regarding the County’s list of Burial Sites that is available via the Planning Department’s website and through the Historic Preservation (HP) program office. This information should be examined to see if any burial sites are located within the project APE.
- At the time this report was written, MCDOT has undertaken significant archaeological studies within the boundaries of the Clarksburg Historic District. The findings of this study, including MHT comments and findings regarding National Register-eligible archaeological sites, should be included in this report and factored into findings of adverse effect for the project.
- The Alternative C alignment (Chapter 3, page 57) that routes BRT south on MD 355 through the Clarksburg Master Plan Historic District should be excluded from further study. Any alterations within the Master Plan Historic District boundaries must receive an Historic Area Work Permit (HAWP) from the Historic Preservation Commission (HPC) and comply with Chapter 24A and the Sec. of the Interior’s Standards for Rehabilitation. The rural character of this District has been largely retained despite several major infrastructure projects within and adjacent to its boundaries. Alternative C has the potential to create serious adverse effects to this District. Other alignments for Segment 7 exist that would entirely avoid the Clarksburg Historic District. These alternatives should be further explored.

Transportation

- Two-stage crossings of MD 355 are not recommended

Environmental and Parkland

- The proposed alternatives that would require widening existing roadways adjacent to environmentally constrained areas with high natural and cultural resource value must employ avoidance and minimization measures and consider repurposing traffic lanes for a median transitway to reduce the costs and impacts to environmental resources and parkland (as well as residential and commercial properties).
- In particular, stream valley crossings should minimize any reduction in floodplain storage capacity. Adding fill in floodplains should be avoided.

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- The preliminary natural resources analysis indicates that habitat for Forest Interior Dwelling Species (FIDS) may be present within the study area of the preferred option. Due to concern for declining populations of FIDS, additional study should be undertaken during the early design phase to more definitively ascertain FIDS habitat areas, and to use design features that avoid and minimize impacts to FIDS habitat.
- Alignment refinements, construction options (including retaining walls and other approaches for reducing impacts), and operational alternatives should all be considered early in the design phase to maximize the effectiveness of the measures and reduce costs of construction.
- Segment 1: Mixed traffic alternative preferred to reduce impacts to Rock Creek SVU3 between Tuckerman Ln South and Pooks Hill Rd. Significant impacts to the Rock Creek floodplain are likely should additional widening be necessary through this section. The historical Linden Oak tree adjacent to the intersection of Rockville Pike and Beach Dr is a County Champion in the Register of Champion Trees and would be impacted by any widening of the roadway in this area. Avoidance measures must be implemented in this area.
- Segment 7 / Snowden Farm Parkway Alignment: Of the alternatives provided for Segment 7, this is preferable, but not without impacts to natural resources. The alignment passes by Ridge Road Recreational Park and Seneca Crossing Local Park, both of which contain forested habitat immediately adjacent to the existing ROW. Little Seneca Greenway Stream Valley Park would also be impacted by any significant widening of Snowden's Farm Parkway. No further widening of this portion of the Segment would be supported. Any alternative that is chosen through this segment needs to minimize impacts in this environmentally constrained reach.
- Segment 7 / Observation Drive Alignment: This option would have significant impacts to natural resources in Little Seneca Greenway SVP and North Germantown Greenway SVP. The road has not been built through either of these stream valleys and any roadway construction would fragment existing forest, impact the floodplain, and inhibit wildlife uses of this critical corridor. This option is not supported for this project.
- Segment 7 / MD 355 Alignment: This option is not supported due to impacts to the Historic District and Dowden's Ordinary Special Park as well as the potential natural resource impacts to Ridge Road Recreational Park, Little Seneca Greenway SVP and North Germantown Greenway SVP.
- Any impacts to Parkland would be subject to the Policy for Parks, which states that any approved non-park-use of parkland is must take every measure to avoid, then minimize impacts. Unavoidable impacts must be mitigated at an equal or greater natural, cultural and/or historical value.
- Any work that impacts Parkland is subject to approval of a Park Construction Permit prior to construction on Parkland.
- Once an Alternative is selected, Parks will provide additional detailed comment about suitable connections between BRT stops and Parks and the Park trail network.
- Reduce impacts to existing trees within the Limits of Disturbance and protect the critical root zones of adjacent trees.
- Provide supplemental and mitigation canopy tree planting along the BRT alignment. Where plantings are feasible, canopy tree spacing should be 35-feet on center but no less than 40-feet predicated on a minimum soil volume of 800-1,000.

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- Stormwater Management proposed within the ROW and offsite must not be located where there are existing, healthy and beneficial trees and/or forest cover.
- Stream valley crossing impacts should be minimized. Crossings must not reduce floodplain storage capacity. All crossings must support and not inhibit the crossing of all aquatic, amphibian, or mammalian wildlife species, and they must replicate the natural hydrology of the existing streams.