



January 6, 2022

TO: County Executive Marc Elrich

RE: Clarksburg/MD355 Bypass in the Ten Mile Creek Headwaters

FROM: The Friends of Ten Mile Creek and Little Seneca Reservoir

Dear Executive Elrich,

We are sending this letter as a follow-up to correspondence sent to you in June 2021 – see two letters attached.

As we stated in our June letter, the Montgomery County Department of Transportation (MCDOT) is on record expressing support for the outdated 1994 master plan alignment. We urge you to assure that MCDOT implements the recommendations of the 2014 Ten Mile Creek Master Plan Amendment.

We reiterate our concerns that the proposed alignment for the Clarksburg/MD355 Bypass does not conform to the recommendations of the 2014 Ten Mile Creek Limited Amendment to the Clarksburg Master Plan. Rather, plans submitted by the developer of the Miles-Coppola property continue to promote the outdated environmentally harmful 1994 Clarksburg Master Plan alignment, putting at risk a headwater tributary, forest cover and a large wetland. Additional harm would also occur due to this alignment traversing and creating steep slopes thereby increasing the risk of erosion and stream sedimentation. These environmental impacts are not only unacceptable, they are also entirely avoidable.

In August 2021, a Preliminary Plan (#120220010) for the Miles-Coppola Property was filed. The M-NCPPC planning staff expressed concerns that the plan for the Bypass did not comply with recommendations of the 2014 Ten Mile Creek Amendment. The staff concerns are expressed in the September 2021 Development Review comments at:

<https://eplans.montgomeryplanning.org/UFS/32841/99198/32-DRC-120220010.pdf/32-DRC-120220010.pdf>

As you can see, M-NCPPC staff (Katherine Nelson) specified “requested revisions” to the Preliminary Plan so that the Bypass would comply with the 2014 Ten Mile Creek Master Plan. Ms. Nelson noted that the 2014 Master Plan (p.19) specifically calls to:

“Minimize disturbance of natural resources throughout the Ten Mile Creek watershed, especially forests in the headwater areas.”

Ms. Nelson also stressed the following recommendations from page 26 of the 2014 Ten Mile Creek Master Plan Amendment specific to the Miles-Coppola Property:

"Retain the MD 355 bypass but realign it as a T-intersection 0.3 miles south of Snowden Farm Parkway. Reduce the number of through lanes on the Bypass segment north of Clarksburg Road to two lanes, plus the Corridor Cities Transitway, within a 130-foot right-of-way. This will avoid significant wetland impacts while still providing access to developable properties."

Furthermore, Ms. Nelson issued the following comments concerning Master Plan Compliance:

*"These master plan conformance comments are based on the drawings as submitted. The proposal is not currently in conformance with the Planning Board approved Pre-Preliminary Plan **or the master plan**, as the bypass does not connect to 355, as conditioned by the Planning Board. Further review and analysis for master plan conformance will be necessary for any redesign of the project."*

*"The 2014 Ten Mile Creek Master Plan provides guidance for the protection of stream valleys, forest, erodible soils, wetlands, ephemeral streams, and steep slopes and to specifically minimize "disturbance of natural resources throughout the Ten Mile Creek Watershed, especially forests in the headwater areas." It also recommends that direct impact associated with new infrastructure should be minimized. The proposed plan impacts to sensitive areas are most noticeable where the access road from MD 355 has been placed within a headwater wetland. **The Master Plan County Council analysis studied and recommended a right-of-way that would protect this large wetland.** See Figure 1. Efforts should be made to protect this wetland and other sensitive areas and minimize impact."*

"The Master Plan recommends minimizing the need for grading and for protecting steel slopes due to the highly erodible nature of the soils in Ten Mile Creek. This application proposes the creation of multiple extreme steep slopes that will likely be unstable and a source of erosion and sedimentation in the long-term."

As of early January 2022 there have been no plan revisions filed by the developer of the Miles-Coppola Property. We are very concerned that the environmental recommendations of the 2014 Master Plan are being ignored, and that the developers and MCDOT are turning a blind eye to the inevitable environmental destruction of the outdated environmentally harmful 1994 Clarksburg Master Plan Alignment.

Again, we urge you to assure that MCDOT implements the recommendations of the 2014 Ten Mile Creek Master Plan Amendment.

We thank you for your work to protect Ten Mile Creek by passing the 2014 Master Plan Amendment. This unique and vital stream will be protected only in as far as the Master Plan recommendations are implemented.

Sincerely,

Sylvia Tognetti, President, Friends of Ten Mile Creek and Little Seneca Reservoir

