



MCPB Item # 3

Date: 10 / 17 / 2013

MEMORANDUM

DATE: October 14, 2013

TO: Montgomery County Park Commission
 Thomas Autrey, Supervisor, Functional Planning and Policy Division, Planning Department

VIA: Mary Bradford, Director of Parks

Michael F. Riley, Deputy Director, Administration *MR*

Dr. John E. Hench, Ph.D., Chief, Park Planning and Stewardship Division (PPSD) *J. Hench*

Mitra Pedoeem, Chief, Park Development Division (PDD) *Mitra Pedoeem*

FROM: Charles S. Kines, AICP, Planner-Coordinator, Park and Trail Planning Section, PPSD *CSK*

Brooke Farquhar, Supervisor, Park and Trail Planning Section, PPSD *Brooke Farquhar*

Jai Cole, Acting Supervisor, Resource Analysis Section, PPSD *Jai Cole*

Andrew Frank, Supervisor, PDD *AF*

Stephen Reid, Project Manager, PDD

SUBJECT: Subject: Staff Comments on Purple Line Final Environmental Impacts Statement and Draft Section 4(f) Evaluation

Recommended Action: Transmit comments to the Maryland Transit Administration and the Montgomery County Council.

M-NCPPC Montgomery Parks (Parks) has reviewed the Final Environmental Impact Statement (FEIS) and Draft 4(f) Evaluation (dated August 2013) for the Purple Line project. The Draft Section 4(f) Evaluation and the FEIS identifies park impacts associated with Purple Line construction, and Maryland Transit Administration's (MTA) proposed minimization and mitigation strategies. The Planning Board, sitting as the Parks Commission and the officials with jurisdiction over parkland in Montgomery County, makes the final decisions regarding non-park uses of parkland as well as minimization strategies and mitigation measures for parkland impacts.

During this work session, Parks staff will summarize the project's short-term and long-term impacts to parkland, our recommendations to minimize and mitigate these impacts, as well as our expectation for future coordination during the project's detailed design. Parks staff asks the Planning Board to support our analysis and recommendations and officially transmit these comments to MTA and the County Council as part of the FEIS process. It is important to note that our comments are based on the information included in the FEIS, which is based on preliminary concept drawings from August 2012. Although MTA has likely refined the project design since then, we can only comment on what is included

in the FEIS. Staff expects MTA to provide more detailed design plans as the project advances to more fully determine the impacts to parkland.

The Draft 4(f) Evaluation will be finalized when the Federal Transit Administration (FTA) issues the Record of Decision (ROD) for the Purple Line project, which is expected in early December, 2013. At that point, mitigation and minimization measures for parkland impacts will be finalized. Immediately following the ROD, MTA will be issuing a draft request for proposals (RFP) for a public-private partnership. Bids on the project will be based on the Scope of Work identified in the ROD and the contractor will be obligated to fulfill those commitments. Due to the fact that this will be a public-private partnership, whereby MTA will continue to “own” the project, but a private contractor will be responsible for both constructing the project and operating the transit line, it will be difficult to negotiate additional mitigation and minimization measures during the design process that were not spelled out in the ROD. However, during final design stage, the contractor will have to obtain a Park Construction Permit for work being conducted on parkland. At that point in time, negotiations for minimization and mitigation for impacts not identified during this concept design phase may have to be conducted.

Background

The Planning Board reviewed the Purple Line Draft EIS in December 2008, at which time Parks shared a number of concerns and comments. Those comments are included as Attachment 1. Since then, Parks has met with MTA several times to discuss the FEIS and parkland impacts. Parks has also coordinated with MTA as part of ongoing sector plans, area master plans and functional master plans, including Chevy Chase Lake, Long Branch and most recently the Bethesda Purple Line Station Minor Master Plan Amendment.

The FEIS addresses many of our preliminary concerns from 2008, and generally identifies issues discussed since then. Additional coordination should continue to address remaining issues and impacts to parkland. This memorandum summarizes MTA’s analysis of parkland impacts, their proposed minimization and mitigation strategies, and our comments and recommendations on MTA’s approach.

What is Section 4(f)?

Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 is a Federal law that protects publicly owned parks, recreation areas, wildlife and/or waterfowl refuges, as well as significant historic sites both public and private. This law applies to all transportation projects that require funding or approval from USDOT.

Chapter 6 of the Purple Line FEIS is the Draft Section 4(f) Evaluation. This chapter summarizes the properties in the study area in both Montgomery and Prince George’s counties that are protected by Section 4(f), and evaluates the use of, and impacts to, these properties by the preferred alternative. The study area is defined as 250 feet on each side of the centerline of the preferred alternative.

There are three main types of 4(f) uses: 1) Permanent Use; 2) Temporary Use; and 3) Constructive Use. A permanent use occurs when the property (or portion thereof) is permanently incorporated into the project and future right-of-way for the Purple Line. In this case, MTA will need to acquire a portion of parkland and compensate Parks for the loss. A temporary use occurs when the property is needed only during construction phase, for example a temporary easement is needed to use parkland during construction. A constructive use refers to severe and unavoidable impacts caused by the property’s proximity to the transportation project. An example might be impacts to scenic vistas or restricted

ingress/egress to a park. Under all use types, the law requires MTA and FTA to evaluate avoidance, minimization and mitigation measures.

Under the 1966 law, the Federal Highway Administration (FHWA) and other DOT agencies may not approve the use of land for federally funded transportation projects from publically owned parks, recreational areas, wildlife and waterfowl refuges, or public and private historical sites unless the following conditions apply:

- a) There are no feasible and prudent alternates to the use of land; or
- b) The action includes all possible planning to minimize harm to the property resulting from use.

A *de-minimus* use can be proposed by MTA/FTA if the project does not “adversely affect the features, attributes and activities qualifying the property for protection under Section 4(f).” In other words, a de-minimus finding can be determined if the project does not permanently impact and/or displace the recreational facilities and/or access to those facilities. Alternatively, de-minimus can also be found if the officials with jurisdiction over the impacted properties agree/concur that the impacts can be mitigated and agree/concur with proposed mitigation measures. These impacts are said to be “as mitigated” and allow a project to proceed.

Direct Impacts to Parkland, MTA’s/FTA’s Proposed 4(f) Determinations, and Proposed Mitigation

Although the FEIS generally reflects past discussions and decisions between Parks staff and MTA, Parks staff expects the MTA to coordinate with Parks staff during final design to further refine and avoid, minimize or mitigate impacts to parkland.

Parks believes MTA has negotiated in good faith and many of our comments should be not construed to suggest otherwise. But several key mitigation and minimization issues have yet to be resolved and probably cannot be resolved until the project’s design becomes clearer. As part of this worksession, we would like to discuss with the Board which comments/recommendations should be officially transmitted to MTA, and which should just be noted as topics for future interagency coordination.

It should be noted that agencies with land impacted by the Purple Line (including Parks, State Highway Administration (SHA) and Montgomery County) are holders of National Pollutant Discharge Elimination Systems (NPDES) permits, which regulates stormwater discharges through Municipal Separate Storm Sewer System (MS4) permits. These permits require these agencies to identify and implement stormwater reduction strategies which include retrofitting existing, and treating new, impervious surfaces. When a major infrastructure project that involves significant modifications to existing stormwater conveyance structures of untreated impervious areas is developed, its scope of work should include the retrofit of all affected areas to the greatest extent feasible. In the down county area, the vast majority of MS4s discharge into park streams. Therefore, Parks believes that MTA should commit to incorporating these retrofits into the Purple Line project.

As part of this review, we also recommend a number of potential minimization and mitigation projects and measures for the Planning Board’s consideration. Some of these projects have been discussed previously with MTA, some not; some are included in the FEIS, some not. One lesson learned from working on the Intercounty Connector (ICC) was that commitments for minimization and mitigation measures should be well defined during the FEIS process and confirmed in the record of decision (ROD). Parks expects further development of planned minimization and mitigation measures to occur as design progresses and that MTA address these matters either in a Memorandum of Agreement (MOA) and/or through the technical provisions of its Request for Proposals.

Parks staff comments on the FEIS are organized by park, moving in a west to east direction. For each park, the general location, type and size are identified; the facilities, features and attributes are discussed; and any ongoing or known future projects in or around the park are presented. Also presented are: 1) the Purple Line's direct impacts; 2) MTA's and FTA's proposed Section 4(f) determinations and associated proposed mitigation and minimization measures; 3) construction impacts and related environmental concerns; and 4) issues that will require ongoing coordination as the project proceeds into detailed design.

Staff expects further coordination and review as design advances. The FEIS includes "Conceptual Engineering Plans", which provides information about locations, elevations, and impacted areas. In addition, there are several general concerns that apply to all our parks. These include:

- Stormwater Management (SWM) Plan: All impervious areas (existing and proposed) outfalling onto parkland need to be retrofitted with modern storm water management (SWM) facilities within the ROW to the extent feasible. The Purple Line also needs to develop a comprehensive SWM plan to treat runoff generated by existing and proposed impervious areas along the project area. In the past, parkland has been targeted for locating SWM facilities; however current design technologies should allow this treatment to occur within the project area. In addition, outfalls from these facilities can result in stream bank and downstream erosion, and must be reviewed and approved by Parks.
- Forest Fragmentation/Stream Valley Buffer Impacts: The Purple Line will be bisecting stream valley parks, impacting riparian forests and other natural resources. These impacts must be minimized through the design review process and stream valley crossings designed in an environmentally sensitive manner to achieve riparian connectivity.
- Erosion and Sediment Control: This can impact parks either directly (trenching silt fence near mature trees) or indirectly (sediment-laden runoff into Park-owned streams). These designs need to be reviewed and coordinated during detailed design.
- Stream Crossings: Existing stream valley crossings need to be modified and enlarged to accommodate the Purple Line, and therefore stream impacts are unavoidable. As discussed above, Parks requests that MTA design environmentally sensitive crossings and provide appropriate stream channel stabilization upstream and downstream of the crossings during final design.
- Temporary Use and Constructive Use Impacts: While the location of the Purple Line is known, it will be difficult to know the full visual and audible impacts associated with the close proximity to active use parks. Any parks temporarily impacted during construction need to be reconstructed and reviewed and approved by Parks.
- Construction Sequencing/Interim Conditions: The plans do not show how construction will be sequenced at each park and what the interim conditions will be. Park user safety, park access, and impacts to parking are primary concerns during the construction period, and these issues will need to be coordinated throughout the detailed design process. This also includes maintaining and improving any ADA access routes.

It is noted that many of the above impacts need to be coordinated through the detail design process. Since there are several direct impacts to parkland, each area will require a technical review and park permit approval for both the permanent and temporary impacts, including staging areas.

Moving west to east, six parks are within the 250-foot study area for the Purple Line: 1) Elm Street Urban Park; 2) Rock Creek Stream Valley Park; 3) Sligo Creek Stream Valley Park; 4) Long Branch Stream Valley Park; 5) Long Branch Local Park; and 6) New Hampshire Estates Neighborhood Park. See Attachment 2, a map of parks in the 250-foot study area. Section 6.4.1 of the FEIS includes MTA's analysis of impacts to each park and their proposed minimization/mitigation strategies. Following is Park staffs' summary of analysis of impacts, potential mitigation, and proposed 4(f) determinations.

Elm Street Urban Park

This park is adjacent to the Purple Line's western terminus and is 2.1 acres in size. It is located within the Town of Chevy Chase along the eastern edge of the Bethesda Central Business District and features a playground, half-basketball court, meandering walking paths and picnic areas (Attachment 3).

Several current and future projects are impacting this park: 1) developer-funded improvements to renovate the northern section of the park; 2) Capital Crescent Trail (CCT) Surface Route; 3) a new Bikeshare station; 4) Proposed new tunnel recommended in Bethesda Purple Line Station Minor Master Plan Amendment; and 5) the Purple Line project. With the exception of the CCT surface trail project, all impacts are on the section of park north of the Elm Street "promenade" (Attachment 4).

We mention these various projects because each one may possibly be constructed prior to or at the same time as the Purple Line, so the impacts need to be addressed as a whole. The Board's comments and recommendations on the FEIS need to account for the various possible scenarios of projects not being built at all or being delayed to be sure nothing falls through the cracks.

The Purple Line project does not cause any permanent impacts to the park's features, attributes and activities, but it does have impacts to the park's operation. Parks staff remains concerned about the safety of park users and the flow of trail traffic when the tunnel is closed and all CCT traffic is diverted through the park (via the CCT Surface Trail) to bypass the closed tunnel.

The Purple Line will include a connection from the Capital Crescent Trail to the park, requiring a 0.02 acre temporary construction easement on a pathway in the park. The FEIS proposes a de-minimus use ("as mitigated") of this park. Park staff support this designation with the caveat that MTA will need to provide for a functional interim condition for the park in the event that the following improvements are not in-place at the time of construction of the Purple Line:

- If developer-funded improvements (new playground and new pathways) do not occur prior to Purple Line construction, the Purple Line project will construct a 10' interim trail connector through the north section of the park between the Purple Line ROW and 47th Street as depicted on Attachment 4 along the general alignment on which the developer will construct the permanent trail. The Purple Line project will also design and construct Park improvements, as needed, to provide safe and functional use during and following project construction.
- Related trail improvements funded by Montgomery County DOT (as part of surface trail or new tunnel) should be coordinated closely with Purple Line project, to minimize the length of time that transportation projects will impact the park, and to be sure a temporary trail connection through the park is completed prior to closure of the tunnel, and a permanent trail concurrent with the completion of the permanent CCT.
- If developer-funded improvements occur prior to Purple Line construction, the project should minimize harm/impacts to these improvements, which include a new playground, and provide all transitions needed to create a safe and functional system.

- The Purple Line project shall coordinate all impacts to or improvements through this park with Parks, including obtaining a park construction permit for work done on parkland.
- The interim condition of Elm Street Park is designed to provide full trail function, as well as safe and functional use of park amenities.

Rock Creek Stream Valley Park

This 3,960-acre stream valley park follows Rock Creek and extends from the D.C. line to Olney. It includes the 14-mile Rock Creek Trail, which is also a National Recreational Trail. It features numerous other park facilities, including playgrounds and athletic fields. The stream valley park is divided into units, correlating with land acquisition sequencing. Rock Creek Stream Valley Unit (SVU) #2 is the only portion of the park within the 250 foot study area for the Purple Line project. Nearby, but outside the study area, is Ray's Meadow Local Park, which includes ballfields and a playground. Attachment 5 presents a map from the FEIS of SVU #2 in the vicinity of the Purple Line.

The Purple Line project proposes to remove the current Trestle bridge, replace it with a new bridge for the transit line, and construct a new separate bridge for the permanent Capital Crescent Trail. The project also includes a new switchback trail connector between the CCT and the Rock Creek Trail. These improvements will require extensive forest clearing.

While the Purple Line and the permanent Capital Crescent Trail – and its connection to the Rock Creek Trail – will be constructed entirely within 250-foot Georgetown Branch right-of-way, this crossing and trail connections should be designed with consideration of the functionality of the stream valley, park user features, trails and other attributes and activities within Rock Creek SVU #2. The FEIS proposes a de-minimus use (“as mitigated”) of this park. Parks staff support this proposal providing that; 1) all infrastructure associated with the existing trestle bridge be removed (including existing abutments); and 2) the part of the Rock Creek Trail that will be impacted during construction should be rebuilt to park standards and specifications. Currently, the trail is constricted between two piers and there are ongoing maintenance issues related to sediment accumulation. The new trail should be built to minimize these issues.

The purchase of this parkland was funded by the Capper-Cramton Act, therefore the National Capital Planning Commission (NCPC) also must concur with the de-mimimus finding.

Park staff expects additional information on construction methods and designs as the design is developed, as well as the proposed mitigation. In addition to the general comments listed above, our specific concerns are outlined below:

- The train and trail crossings at Rock Creek SVU#2 should be designed as “signature bridges” with aesthetic consideration for park users. This is in-line with design for the ICC crossing of Rock Creek based on comments by NPS.
- The existing trestle bridge is elevated such that scenic views and a unique experience are provided. Parks would like to review detail designs of the bridge (specifically the CCT bridge) in order to preserve as much of this experience as possible.

Sligo Creek Stream Valley Park

Among the oldest parks in Montgomery County, this 543-acre park extends from the Prince George's County line to Wheaton. Like Rock Creek, this stream valley park is also divided into units. Stream

Valley Units 1 and 2 are within the Purple Line study area. The park includes the Sligo Creek Trail, also a National Recreational Trail, as well as numerous playgrounds, ballfields and other facilities. Attachment 6 is a map of this park from the FEIS.

To accommodate the new transit vehicles and track configuration, the Wayne Avenue bridge over Sligo Creek must be widened and realigned. Because of the new bridge alignment, Sligo Creek will need to be realigned as well. Both the construction of the new bridge and the realignment of the stream will have impacts to natural and recreational resources in the park.

Parks staff is concerned about these proposed impacts. The current alignment of the stream in relation to the existing bridge is very poor and includes a concrete wall to protect the intersection of Wayne Avenue and Sligo Creek Parkway from the stream. The currently proposed realignment does not adequately allow for a stable stream alignment and will need to be reviewed extensively with MTA. In addition, there is a proposal to replace a storm drain pipe that runs under the track of Silver Spring International School (which is on parkland) and into Sligo Creek north of the stream realignment project. The result will be extensive riparian tree impact and an increase of untreated stormwater flow into the stream. We do not think this is prudent. MS4 permits require that all projects reduce stormwater flow, not increase it.

The FEIS proposes a de-minimus use ("as mitigated"). As with Rock Creek, this park was also acquired using Capper-Cramton funding and therefore NCPD must concur with the proposed de-minimus use. While parks staff agrees that the park use can be considered "de-minimus," the impacts must be minimized and the mitigation package must be strengthened to improve current stream and storm water deficiencies. Sligo Creek is subject to frequent flooding and high velocity flows during moderate to heavy rain events. Below is a list of proposed commitments we would like the Board to consider, support and request.

The Staff expect to further coordination and review as additional design details and proposed mitigation are developed. However, below is a list of specific concerns and Parks' proposed mitigation:

- The widening and re-alignment of the bridge is going to have an impact on the stream valley. While the FEIS indicates that there will be stream restoration associated with this bridge, the limits and methodology of stream restoration, as well as bridge designs (including orientation and cross sections) are minimal. If designed in accordance with environmentally sensitive stream crossings, the bridge can become an asset to the stream. Parks looks forward to reviewing more detailed information on this stream crossing during detail design.
- Impacts to the limited riparian buffer will need to be carefully reviewed during detail design. Parks will work with MTA to identify all opportunities to reduce tree loss associated temporary impacts, locations for reforestation, and long-term maintenance plans.
- There is an existing playground north of Wayne Avenue. It is unclear how construction will impact this playground and nearby open field. In addition, opportunities should be evaluated for providing SWM for this area as part of the MS4 mitigation strategy. Parks will work with MTA to minimize impacts to the playground.
- The concept designs show replacing/constructing an existing storm drain that runs partially under the school track (which is owned by Parks). Parks recommends providing SWM for all impervious areas draining through this pipe, and aligning this pipe within the Purple Line ROW in order to further minimize parkland impacts.
- The Sligo Creek Trail is to remain open and available to trail users during the project's construction. Planned detours and signage shall be coordinated with Parks.

- During detailed design, the final alignment and design of the Sligo Creek Trail and any related improvements will be coordinated with Parks.

Long Branch Local Park

Located on the north side of Piney Branch Road between Arliss Street and University Boulevard, this park includes the Long Branch Community Center and the Long Branch Pool. It is approximately 14 acres and also includes a playground, ballfields, a walking path and tennis courts. The Long Branch Trail is proposed to pass through this park in the future. Attachment 7 is a map of this park from the FEIS (which wrongly depicts the Long Branch Trail on the west side of the stream; this trail does not yet exist).

The Purple Line physically impacts this park very little with regard to features and attributes; however, the project will impact the activities of the park, specifically motor vehicle access. Because the Purple Line will be constructed in the median of Piney Branch Road and proposes to restrict motor vehicle turning movements to only signalized intersections, access to the park, community center and pool will be restricted to right in/right out turning movements. Currently, park patrons have full access to the facilities.

MTA proposes to mitigate the loss of full access/turning movements into and out of the park by asking patrons to make u-turns at Arliss Street (for exiting patrons wishing to travel east) and University Boulevard (for entering patrons traveling from the west). This proposal is problematic from a local transportation engineering standpoint and therefore both Planning staff and Parks staff find this solution undesirable. MTA will need to coordinate potential solutions during final design with Parks and Planning staff, MCDOT and the State Highway Administration.

As part of the Long Branch Sector Plan, the Planning Board and County Council approved the purchase of the Miles Glass Company property to facilitate left turns out to Piney Branch Road at the Barron Street signal. The driveway for the pool and recreation center will be realigned to go through this property to align with the Barron Street signal. M-NCPPC purchased the property earlier this year and is making plans for an interim use. The schedule of, and funding for, the realignment of the driveway is not known at this time. As mitigation for the Purple Line restricting access to the pool and recreation center, M-NCPPC Montgomery Parks would like MTA to reimburse the cost of the land purchase, as well as contribute to the cost of demolishing the building and constructing the realigned driveway.

The FEIS proposes this park for de-minimus use. Park staff supports this de-minimus use designation if additional mitigation as described below is incorporated into the project. We ask the Planning Board to support our proposed package of mitigation for this park:

- To improve access restrictions to the pool and recreation center, reimburse M-NCPPC for purchasing the Miles Glass Company property. Pay for the building's demolition, remediate the site and construct a new driveway to the Barron Street signal. To date, MTA does not support this level of mitigation and the Planning Department has remained silent.
- Route the Long Branch Trail along the south side of Piney Branch Road to the Barron Street signal, design the crosswalk to AASHTO bikeway standards and build the portion of Long Branch Trail parallel to the new driveway to pool and recreation center. Install signage to direct trail users along this new route. Coordinate signage design and placement with Parks.
- The widening of Piney Branch Road will impact the existing parking lot and require reconstruction of several stormwater conveyance structures (inlets, pipes, outfalls). Parks will

work with MTA and Montgomery County Department of Recreation to determine how parking lot impacts may be mitigated. Parks would like to evaluate the potential for reducing some of the parking lot size and providing stormwater management for the other parking areas as part of the MS4 mitigation strategy.

- Replace the existing round culvert with a box culvert that features a naturalized bottom (MS-4 opportunity).
- SWM retrofit of existing Long Branch Pool and Community Center
- SWM retrofit of existing Long Branch Library

Long Branch Stream Valley Park

Located on the south side of Piney Branch Road, this 41-acre linear park includes the stream as well as the Long Branch Trail. Long Branch Stream Valley Park Unit #1 is within the Purple Line study area. Attachment 8 shows the impacts to this park.

As described above, this park will be impacted by the project's widening of Piney Branch Road and associated replacement/reconstruction of the culvert. There will be both temporary construction impacts and permanent impacts. The FEIS proposes a de-minimus use ("as mitigated") for this park. Park staff supports this designation with the following conditions.

There are hydraulic and hydrologic problems with the existing culvert. While the conceptual plans show the culvert being reconstructed and extended, additional information is needed on how this will be accomplished as the design advances. Parks requires that any modifications to this culvert to accommodate the Purple Line be done in accordance with the latest industry practices for environmentally sensitive crossings. This includes reconnecting the culvert with the stream bed (it is currently perched about 4.5 feet above the stream bed) and providing stream substrate (natural channel bottom) in the culvert in order to provide for fish passage. In addition, the culvert appears to be undersized, creating backwater problems upstream of the culvert and a pressure flow situation downstream of the culvert, necessitating extensive armoring to prevent the stream bank from collapsing. The reconstructed culvert should be designed to improve this situation. Finally, stream improvements will need to be made both upstream and downstream of the culvert to ensure proper stream alignment and long-term stability are achieved after construction is completed. Similar to Sligo Creek Stream Valley Park, the Purple Line will impact the limited riparian forest in this area. Parks will work with MTA to identify all opportunities to reduce tree loss associated temporary impacts, locations for reforestation, and long-term maintenance plans.

New Hampshire Estates Neighborhood Park

This 4.7 acre park is located along University Boulevard near the intersection with Piney Branch Road. It features a parking lot, 2 playground areas, an informal rectangular field, and a picnic area. To accommodate the Purple Line's approach to and departure from the Piney Branch Road intersection as well as the proposed station, University Boulevard must be widened, and this widening requires 0.20 acres of the park. Attachment 9 is a map of the park from the FEIS.

During the Long Branch Sector Plan process, Parks staff coordinated closely with Planning Department staff and the MTA to discuss Purple Line impacts to this park, as well as impacts caused by other sector plan recommendations. There are numerous potential impacts to this park that must be coordinated.

In addition to impacts caused directly by the Purple Line, the park also may be impacted by a proposed new road (Gilbert Street Extended, Attachment 10). As mitigation for impacts caused by both the Purple Line and the new road, several mitigation measures are identified in the sector plan, which should likewise be reflected in the FEIS and ROD.

As mitigation for the Purple Line using park property, the FEIS proposes replacement parkland adjacent to or in the vicinity of the park. Negotiations will continue, but MTA is committed to finding replacement land in the Long Branch area, as specified in the Planning Board Draft Long Branch Sector Plan (May 2013).

MTA also has committed to providing funding to redesign the park following the Purple Line construction. Additional mitigation and minimization measures will be identified as the project proceeds into detailed design. We ask the Planning Board to support a land exchange (equal or greater recreational and economic value) and also support our approach to require additional mitigation during detailed design, as follows:

- Temporary and permanent impacts are proposed near the entranceway of this park. This includes impacting the plaza and pedestrian walkways from University Boulevard. Since the permanent park design will not be completed until after Gilbert Street Extended is constructed, MTA must redesign the park frontage along University Boulevard as an interim (and possibly long term) condition. The design of these improvements has not been discussed previously with MTA, but nonetheless, these improvements are necessary to ensure the safety and comfort of park patrons and must be coordinated with Parks during detailed design.
- MTA proposes temporary replacement parking for park patrons north of the park on land it will acquire for construction staging. MTA must evaluate ADA access from this temporary parking area to the park and construct any necessary pathways and ramps to make this connection ADA compliant.
- There is a small sand filter adjacent to existing parking lot the will be impacted during construction. This feature should be improved as part of the reconstruction of the entranceway. (MS-4 opportunity)
- There is currently a drainage ditch/riprap swale located on the east boundary of the park. It appears that this is ephemeral, and Parks does not know the source of the water and drainage area leading to the swale. This drainage ditch should be investigated and opportunities to improve this runoff should be evaluated as part of the MS4 mitigation strategy.

If these conditions are agreed upon by MTA/FTA, Parks staff supports a de-minimus designation for this park.

All of the above comments are based on preliminary review of the Conceptual Engineering Plans. The final impacts to parkland and implementation of minimization and mitigation measures will be determined during detail design. No construction can be started where there are park impacts until a park construction permit is issued.

Cultural Resources

The National Historic Preservation Act requires that project proponents take into account the effect of their project on National Register listed or eligible cultural resources whenever any Federal funding or permitting (or state-initiated projects that use federal funding or licensing) is involved. An evaluation of the Purple Line route was conducted and the results presented to the Maryland Historical Trust (MHT)

and consulting parties. The findings show that only three standing structures (not on parkland) and no known archeological resources are to be affected by the alignment. A draft Programmatic Agreement, however, outlines a procedure to follow should unknown archaeological resources be discovered during construction.

cc: John Nissel, Deputy Director, Department of Parks
Bill Tyler, Chief, Southern Region, Department of Parks
Antonio DeVaul, Chief, M-NCPPC Park Police, Montgomery County Division

ATTACHMENT 1 – 2008 Memo



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

ATTACHMENT 1

December 8, 2008

To: Tom Autrey, Transportation Planner/Coordinator,
Transportation Planning Division, Montgomery County Planning Department

From: Doug Redmond, Section Leader, Resource Analysis Section,
Park Planning and Stewardship Division
Brooke Farquhar, Acting Supervisor, Park Planning and Stewardship Division
Marian Elsasser, Landscape Architect, Park Development Division

Via: John E. Hench, Chief, Park Planning and Stewardship Division
Douglas Alexander, Chief, Park Development Division

Subject: Purple Line DEIS and Alternatives Analysis

Background

The Park Planning and Stewardship Division and the Park Development Division have reviewed the Draft Environmental Impact Statement (DEIS) for impacts to M-NCPPC parkland. It appears that the impacts overall will be minimal but there is the potential for substantial impact to two parks. In accordance with Section 4(f) of the Department of Transportation Act of 1966, any parkland which is taken for the project must be replaced, and it does not appear that potential replacement parkland has been identified.

The DEIS and Alternatives Analysis document presents six alternatives (some with sub-alternatives) for the Purple Line – three utilizing bus and three utilizing light rail. While impacts on parkland are evaluated in terms of acreage, the exact types of impacts have not been specified; once an alternative is selected, more specific impact analysis can be expected. With the exception of the Meadowbrook Maintenance Annex and the New Hampshire Estates Neighborhood Park, the impacts to individual parks will apparently be minimal, but issues such as access to the parks may become problems. From the standpoint of environmental impacts to parks, differences among the alternatives are minimal, and the Department of Parks is not expressing a preference for any alternative at this time.

The parks that are likely to be impacted include the Meadowbrook Maintenance Annex in Rock Creek Stream Valley Unit 1, Rock Creek Stream Valley Park (Stream Valley Unit 2), Sligo Creek Stream Valley Park (Stream Valley Units 1 and 2), Long Branch Stream Valley Park, Sligo Cabin Neighborhood Park, and New Hampshire Estates Neighborhood Park. In addition, the usage of the Capital Crescent Trail is likely to increase during construction.

Meadowbrook Maintenance Annex, Rock Creek Stream Valley Park, SVU 1:

One park which will be severely impacted is the Meadowbrook Maintenance Annex, which apparently will be completely eliminated by the project, but which has not been identified as public parkland within 500 feet of the alignment alternatives (not listed in Table 3-1 of the Preliminary Section 4(f) Evaluation Technical Report). Two maps of the park are attached.

It is possible that SHA missed this park because the property is not signed as parkland and is titled to Montgomery County (as is much of the M-NCPPC parkland in the County). The CIP included a trailhead for the Georgetown Branch Trail at this site.

Rock Creek Stream Valley Park

Trail Connections: The current trestle bridge over Rock Creek is proposed to be replaced by two bridges. The lower bridge will carry the CCT. The CCT is recommended to connect to the Rock Creek Trail through a series of switchbacks, in areas with challenging topography and constrained by private property. There is not enough information to determine the feasibility of the trail connection as proposed from an engineering, environmental, or community standpoint. This trail connection is important for connecting the Rock Creek Hiker-Biker Trail to the CCT.

Bridge Design: The design of the bridges over Rock Creek will be important because of the prominent views of the bridges from both the Rock Creek stream valley and the Rock Creek Trail. The bridge design must be coordinated with M-NCPPC and the National Park Service. These bridges should be signature bridges as part of the continuation of the historic Rock Creek Stream Valley.

Sligo Creek Stream Valley Park, SVU 1 and 2

Trail Crossings: Options 3, 4, 6, and 7 will cross Sligo Creek Parkway at grade on Wayne Avenue. Safe crossing of the purple line should be designed wherever the heavily used Sligo Creek Hiker-Biker trail crosses the Purple Line.

Sligo Creek Cabin Neighborhood Park: This neighborhood park is likely to be impacted by some of the options. The extent of the impact is not clear within the report. This is a heavily used park which will be soon receiving a renovated playground.

Long Branch Stream Valley Park

The Purple Line is to be located on an existing road which already crosses Long Branch on a bridge. When the plans become more specific, this location should be studied more closely.

New Hampshire Estates Neighborhood Park

Construction of the Purple Line is reported in the EIS to require removal of brick columns, walkways, and benches within the front of the park. Staff believes that the parking lot will also likely be removed. All of these facilities should be studied and replaced, with Department of Park's oversight. This park was completely renovated in 2000 and is an important and well used community amenity. It will be difficult to replace or mitigate because of the developed nature of this part of the County.

Safety and Security

Capital Crescent Trail: During construction of the Purple Line, the Georgetown Branch Trail will be closed. This will likely create more usage of the Capital Crescent Trail as the only alternative off-road trail in the vicinity of Bethesda. MTA should study the impact to the M-NCPPC's portion of the CCT.

Construction Zones: Any construction zones on park property should be reviewed and approved by the Department of Parks for safety and security.

Stream and Wetland Mitigation

Potential stream mitigation and wetland mitigation sites are listed in the Natural Resources Technical Report, and many of them are located on parkland. Coordination between MTA and the Department of Parks must begin as soon as possible to determine if any of these sites are feasible.

One indirect impact to parkland which must be evaluated is the bridge over Rock Creek. Although the bridge itself is within existing right-of-way, there is parkland (Rock Creek Stream Valley Park) immediately upstream and downstream of the right-of-way, and construction of the bridge has the potential to significantly impact Rock Creek within the Stream Valley Park downstream of the right-of-way. In addition, the replacement of the Wayne Avenue bridge over Sligo Creek may have impacts to the stream.

DR:BF:cg

cc: Mary Bradford
Mike Riley
Darien Manley
Stephen Chandlee
Brian Woodward
William Gries

Enclosures:
Meadowbrook Maintenance Annex2
Meadowbrook Maintenance Annex

MEADOWBROOK MAINTENANCE ANNEX 2



Map compiled on December 09, 2008 at 2:01 PM | Site located on base sheet no. - 211MW03

NOTICE

The planimetric, property, and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Parks and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map other than for general planning purposes is not recommended. - Copyright 1998

MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION
2707 Georgia Avenue Silver Spring, Maryland 20910-0700

Key Map



MEADOWBROOK MAINTENANCE ANNEX



Map compiled on December 05, 2008 at 2:07 PM | Site located on base sheet no - 211NW03 | Date of Orthophotos April 2005 - Used with permission from Montgomery County Government

NOTICE

The planimetric, property and topographic information shown on this map is based on copyrighted Map Products from the Montgomery County Department of Park and Planning of the Maryland-National Capital Park and Planning Commission, and may not be copied or reproduced without written permission from M-NCPPC.

Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14,400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area printed at an earlier time as the data is continuously updated. Use of this map, either for general planning purposes is not recommended. - Copyright 1998

Key Map



N



Research & Technology Center

0 200

1 inch = 200 feet

1 : 2400

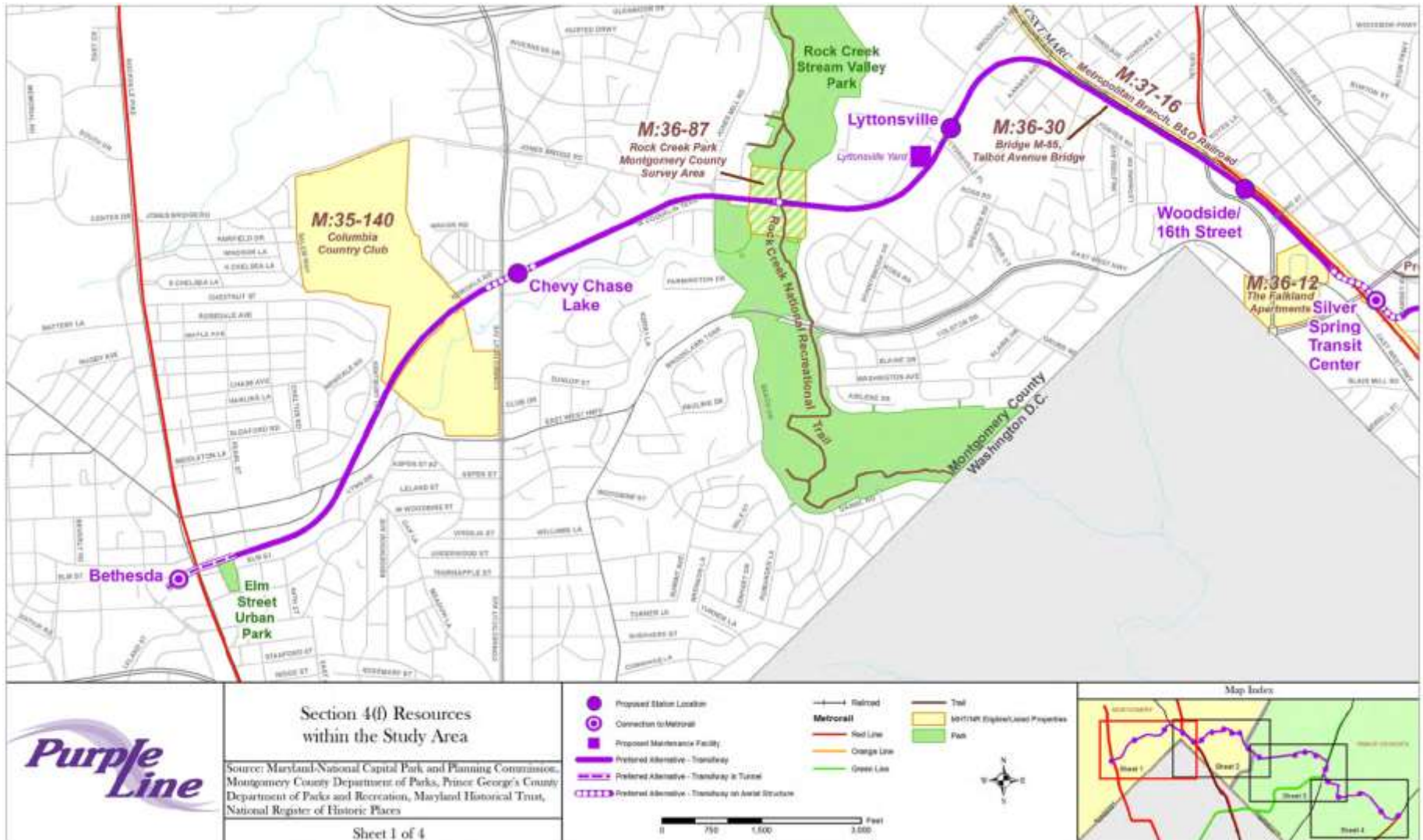
MONTGOMERY COUNTY DEPARTMENT OF PARK AND PLANNING
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
4307 Georgia Avenue - Silver Spring, Maryland 20910-7700

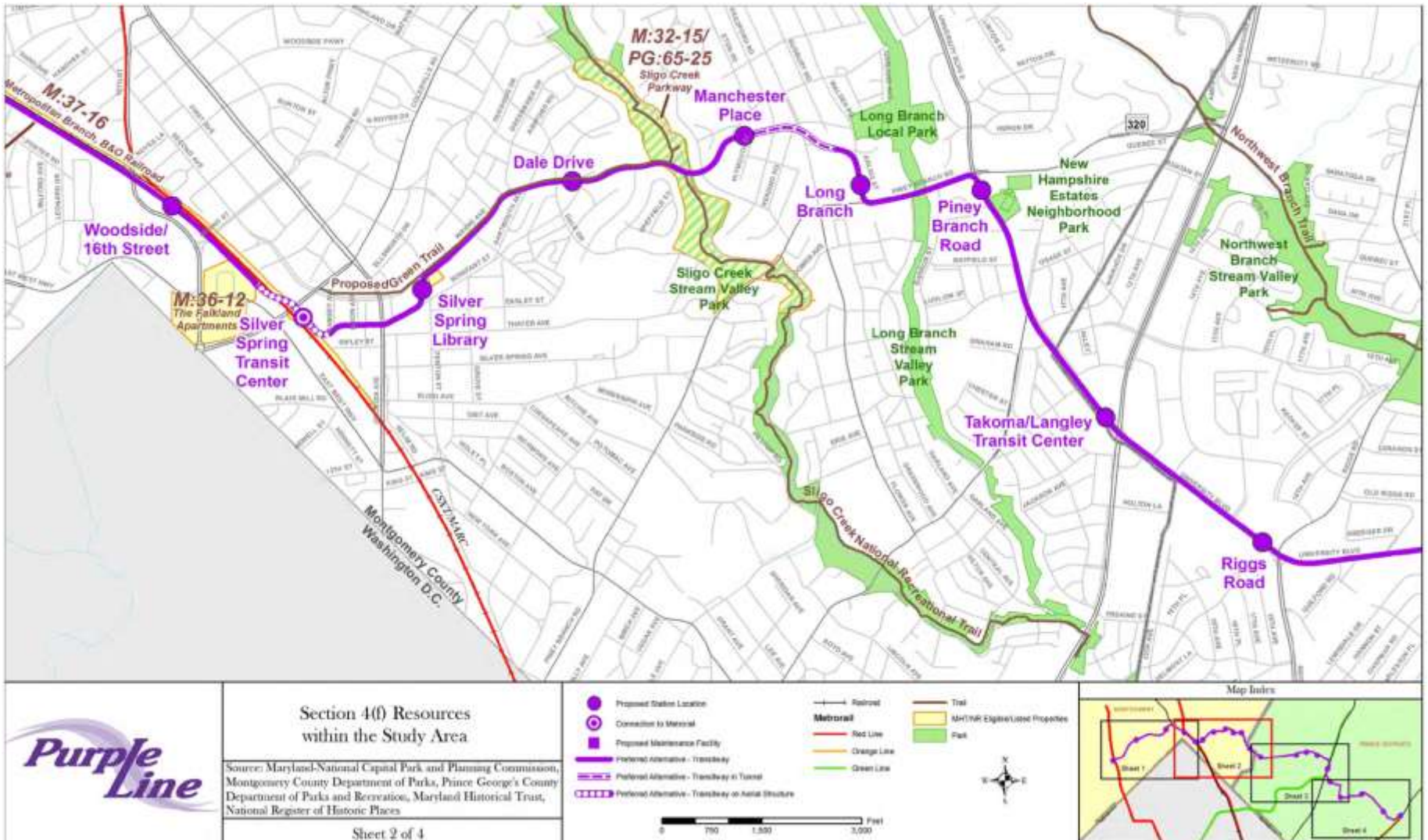
**PARK PLANNING &
STEWARDSHIP**

1109 Spring Street, Suite 800 - Silver Spring, Maryland 20910
www.MontgomeryParks.org

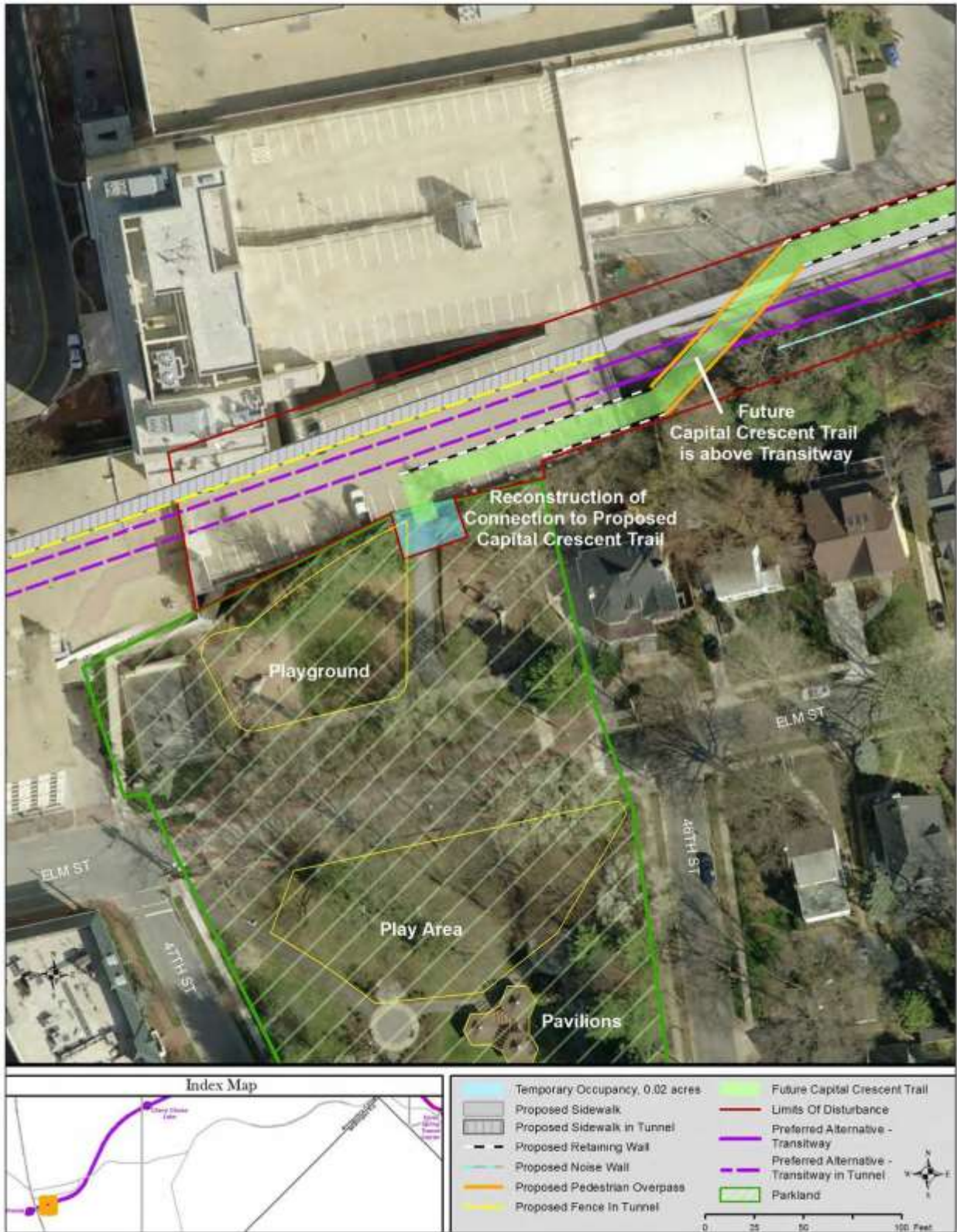
301.650.4370
fax 301.650.4379

ATTACHMENT 2 – Overview map of all parks in 4f study area (Figure 15, page 6-23 and 6-24)





ATTACHMENT 3 – Map of Elm Street Urban Park from FEIS



ATTACHMENT 4 – Elm Street Urban Park, All Proposed Improvements



ATTACHMENT #5 – Map of Rock Creek SVP from FEIS



A TTACHMENT #6 – Map of Sligo Creek SVP from FEIS



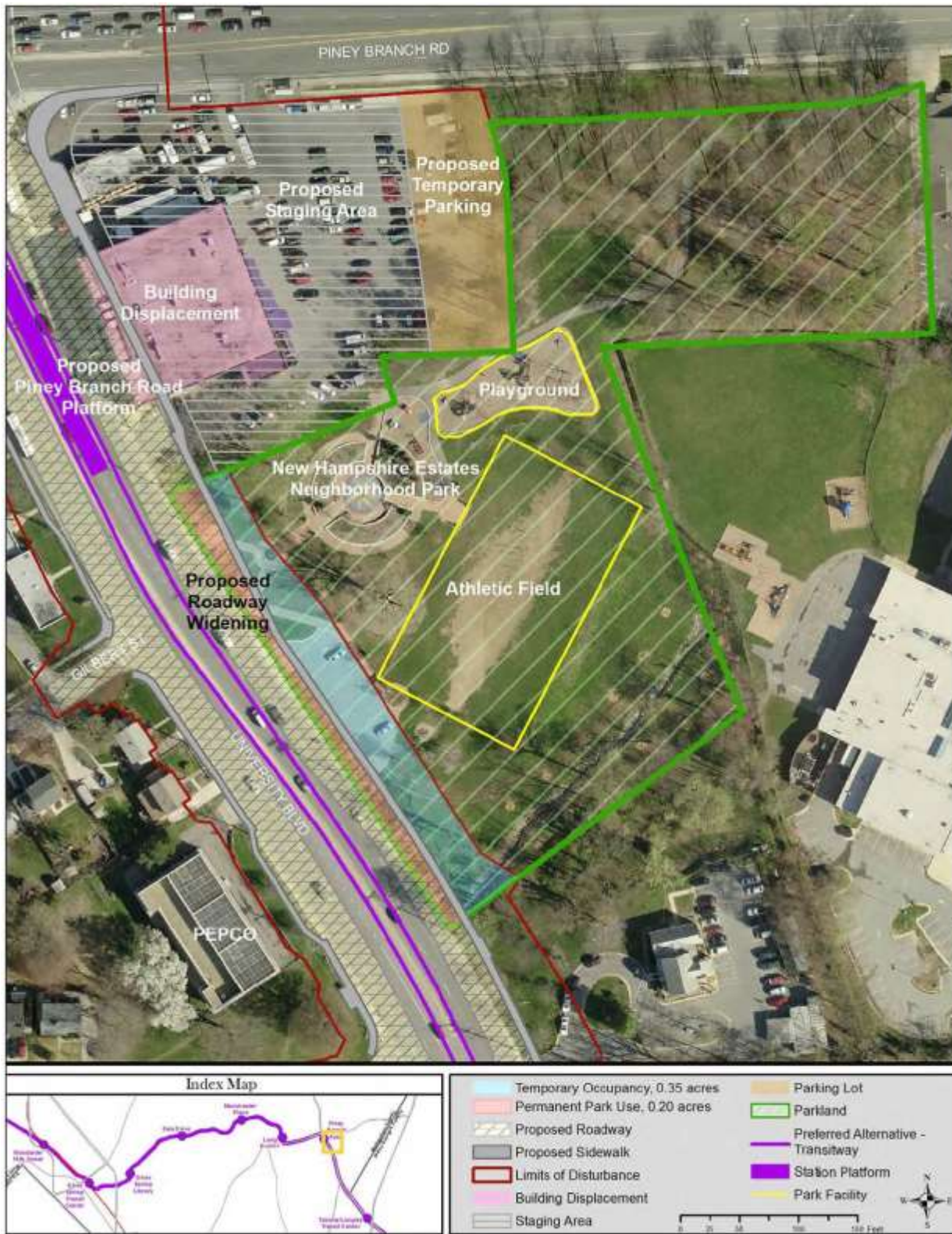
ATTACHMENT #7 – Map of Long Branch Local Park from FEIS



ATTACHMENT #8 – Map of proposed Piney Branch Road culvert extension from FEIS



ATTACHMENT #9 – Map of New Hampshire Estates Neighborhood Park from FEIS



ATTACHMENT #10 – Map of all proposed transportation impacts to New Hampshire Estates Neighborhood Park (Long Branch Sector Plan)

