

Purple Line FEIS - RECORD #701 DETAIL

First Name : Andy
Last Name : Hasselwander
Email Address : ahasselwander@gmail.com

Submission Content/Notes : The environmental impact statement seriously underestimates the impact of 270 trains per day on the people and wildlife of Montgomery County. First of all, the number of birds and small mammals killed by trains is not accounted for realistically; in a given day, I have seen Orioles, Tanagers, Red Tailed Hawks, Chipmunks, White Tailed Deer, Woodchucks--all on the trail. The trains will kill these animals--and cut off yet another means of moving from habitat to habitat. Second, the noise generated by trains will have a negative impact on the health of all residents of the surrounding area. There will be trains keeping people up and waking people up, including young children. At a time when Josh Starr is talking about opening BCC High School an hour later, we'll be running trains through high schoolers' neighborhoods at 6am. This environmental impact statement was clearly a fait accompli. We are losing so much for the sake of a train, when there are so many other options to accomplish the same thing.

E.11

E.9

Purple Line FEIS - RECORD #702 DETAIL

First Name : Alicia

Last Name : Fuentes

Email Address : alicia.fuentes@gmail.com

Submission Content/Notes : Por favor, mantengan el sendero tal como está, es un lugar de paz para el disfrute de todos. ¡Gracias!

C.3

Purple Line FEIS - RECORD #703 DETAIL

First Name : Debra
Last Name : Langford
Email Address : debradlang@aol.com

Submission Content/Notes : The FEIS is flawed. The Capital Crescent Trail is an invaluable, irreplaceable natural resource. The trail provides an oasis of solitude to large numbers of walkers, runners, bicyclists and others. I oppose a plan that requires cutting an irreplaceable mature forest inside the beltway. The trail should be preserved as parkland.

E.5

C.3

Purple Line FEIS - RECORD #704 DETAIL

First Name : Theresa
Last Name : Eason
Email Address : EasonDavidB@aol.com

Submission Content/Notes : I am completely OPPOSED to the proposed Purple Line! This studies have been flawed and this inefficient use of mass transit dollars are being spent on what will serve very few in this area. The Purple Line should be built, as originally proposed, around the city (i.e. around the beltway) connecting ALL of the metro lines!

C.2

A.2

Thank you.

Theresa Eason

Purple Line FEIS - RECORD #705 DETAIL

First Name : Joann

Last Name : Stern

Email Address : jstern12@verizon.net

Submission Content/Notes : Don't destroy the Crescent Trail.

C.3

Purple Line FEIS - RECORD #706 DETAIL

First Name : Elisabeth
Last Name : Hogan
Email Address : hoganbox@gmail.com

Submission Content/Notes : Daily as I walk on the Capital Crescent Trail north of Bethesda, I see the many adults, children and teenagers who use the trail to walk to school, bicycle, commute to work, walk their dogs or simply enjoy a moment in nature. I wonder where they will exercise and how they will commute to work and school once the trail is turned into a one-way path alongside train tracks with no canopy of older trees.

C.3

There are plenty of places for cars, busses and trains in our county but only one trail which provides safe passage for walkers, runners and bikers. Our county should be a leader in looking for ways to increase opportunities for exercise and encourage commuting by foot or bike rather than making it harder to do so.

I value public transportation and feel lucky to live close enough to the Red Line that our busy family of four does not need a second car as many do. I value public transportation but not at the expense of other important social goods, namely the public health and environmental well being of our county.

Please reconsider the current Purple Line plan and look for a way to preserve the Capital Crescent Trail as it is while solving our important transportation challenges. Consider running the light-rail along side an existing roadway or using busses instead which can be adapted more easily to evolving transportation needs.

Those who benefit greatly from the unique health and recreational opportunities afforded by the trail will thank you in years to come!

Regards, Elisabeth Hogan

Purple Line FEIS - RECORD #707 DETAIL

First Name : Tina
Last Name : Slater
Email Address : slater.tina@gmail.com

Submission Content/Notes : Thank you for moving the Purple Line along. The Purple Line is an infrastructure project that will provide a rapid East/West transit link, integrating various transit modes (Metro, MARC, buses). We look forward to the upcoming decisions on how to finance it and are eager to see the construction start!

A.1

F.1

Attached is a letter with names of 203 people who support the proposed Purple Line station at Wayne & Dale.

Best Regards,

Tina & Don Slater
402 Mansfield Rd
Silver Spring, MD 20910-5515

Attachments : Purple Line.Wayne-Dale Stop.2013 Oct.FEIS Comments.pdf (76 kb)

To: The Maryland Transit Administration
From: Tina & Don Slater
Date: October 21, 2013
Subject: FEIS Comments on Purple Line -- Support for Wayne & Dale Stop
cc: County Council, County Executive, District 20 Delegation, Governor O'Malley

The Purple Line is an *infrastructure* project that will serve the Maryland suburbs and integrate various transit modes for the next 75 years. We look forward to a future that gives us the option to leave the car behind. The Purple Line supports our ability to access jobs, visit and shop in downtown Silver Spring and elsewhere, travel from Silver Spring to Bethesda in 9 minutes, and attend events/classes at the University of Maryland.

We, the undersigned 203 residents, are writing in strong support of a Purple Line stop at Wayne Ave & Dale Drive to be **included in the initial construction phase** of the Purple Line, rather than at some "future" date.

A stop at Wayne and Dale would provide:

- improved, faster transit trips compared to the current bus system
- independent mobility for people who cannot drive (my neighbor across the street depends on transit -- he is legally blind)
- transportation for older residents who want to "age in place"
- independence for young people to go places without parents serving as "chauffeurs"
- a convenient stop midway between Wayne/Fenton and Wayne/Manchester Place stops (both of these stops are an uphill hike from our neighborhood)
- better transit access for faculty, staff, students and visitors at two schools (Silver Spring International Middle School and Sligo Creek Elementary School)
- transit access to the Old Blair Auditorium located at corner of Wayne and Dale (design & planning is in County CIP budget; target opening is 2017); using transit for events would take pressure off parking in the neighborhood
- neighborhood connections to downtown Silver Spring, Metro Red Line (both Silver Spring and Bethesda Metro), all three MARC train lines, Metro Green Line (at College Park) and Metro Orange Line (at New Carrollton)
- easy access to University of Maryland, with two stops on campus
- a neighborhood stop with more 'eyes on the street'
- reduced traffic congestion and significant decreases in our carbon footprint
- enhanced property values

Thank you for the opportunity to express our views on the Purple Line.

Sincerely,



Tina & Don Slater
402 Mansfield Rd
Silver Spring, MD 20910-5515
301-585-5038
Slater.tina@gmail.com

List of people who want stop at Wayne/Dale for Purple Line – as of 10/21/2013

1. Michael Alexander – 8301 Hartford Ave, SS, MD 20910
2. James Anderson – 126 Fleetwood Tr, SS, MD 20910
3. Deanna Anderson – 126 Fleetwood Tr, SS, MD 20910
4. Jeanne Atkinson – 510 Dartmouth Ave, SS, MD 20910
5. Amir Bahmani -- 111 Fleetwood Tr, SS, MD 20910
6. Victoria Barrientos -- 115 Croydon Ct, #4, SS, MD 20901
7. Jay Barrymore – 503 Deerfield Ave, SS, MD 20910
8. Noel Barrymore – 503 Deerfield Ave, SS, MD 20910
9. Cassandra Behler 606 Bennington Dr, SS, MD 20910
10. David Behler -- 606 Bennington Ln, SS, MD 20910
11. Jonathan Bernstein– 9224 Kingsbury Dr, SS, MD 20910
12. Rachael Bernstein– 9224 Kingsbury Dr, SS, MD 20910
13. Adele Biancarelli -- 134 Fleetwood Tr, SS, MD 20910
14. Nicolas Biber - 9039 Sligo Creek Pkwy, #308, SS, MD 20910
15. Marina Botero -- 8204 Nolte Ave, SS, MD 20910
16. Marta Brenden – 419 Mansfield Rd, SS, MD 20910
17. Geri Brennan -- 408 Deerfield Ave., SS, MD 20910
18. Duncan Brent -- 8615 Mayfair Pl, SS, MD 20910
19. Liz Brent - 8615 Mayfair Pl, SS, MD 20910
20. Mary Brewer - 8414 Queen Annes Dr, SS, MD 20910
21. Michael Brewer - 8414 Queen Annes Dr, SS, MD 20910
22. David Buchholz – 510 Dartmouth Ave, SS, MD 20910
23. William Busis – 608 Deerfield Ave., SS, MD 20910
24. Neko Butler - 103 Croydon Ct, #4, SS, MD 20901
25. Guerino Calemine – 241 Dale, SS, MD 20910
26. Mary Campbell – 522 Dartmouth Ave, SS, MD 20910
27. Sara Cavendish – 8304 Oakford Pl, SS, MD 20910
28. Luke Chenevert -- 182 Fleetwood Tr, SS, MD 20910
29. Edward Clabault – 404 Mansfield Rd, SS, MD 20910
30. Meg Clabault – 404 Mansfield Rd, SS, MD 20910
31. Robbie Clabault – 404 Mansfield Rd, SS, MD 20910
32. Jill Clark -- 8204 Cedar St, SS, MD 20910
33. Jim Clark – 5802 Nicholson Ln, Apt. 1004, Rockville, MD 20852
34. Patricia Clay – 306 Mansfield, SS, MD 20910
35. Mary Clive -- 143 Fleetwood Tr, SS, MD 20910
36. Michelle Clive -- 143 Fleetwood Tr, SS, MD 20910
37. Kris Colby – 615 McNeill Rd, SS, MD 20910
38. Heidi Condon -- 403 Mansfield Rd, SS, MD 20910
39. James B. Conklin, Jr. – 721 Dale Dr, SS, MD 20910
40. Elizabeth Conklin – 721 Dale Dr, SS, MD 20910
41. Alan Constantian - 608 Dale Dr, SS, MD 20910
42. Daniel Dancis -- 25 East Wayne Ave, Apt. 711, SS, 20901
43. Adam Daniel - 8416 Queen Annes Dr, SS, MD 20910
44. Jodi Daniel - 8416 Queen Annes Dr, SS, MD 20910
45. Sophia Daniel - 8416 Queen Annes Dr, SS, MD 20910
46. Jonah Daniel - 8416 Queen Annes Dr, SS, MD 20910
47. Norma Delcid -- 110 Schuyler Rd, #35, SS, MD 20901
48. Abeba Desta - 302 Mansfield Rd, SS, MD 20910
49. Mildred Dickerson – 300 Mansfield Rd, SS, 20910
50. Sherwood Dickerson – 300 Mansfield Rd, SS, 20910
51. Sean Dobson -- 506 Dartmouth Ave, SS, MD 20910
52. Leslie Downey – 510 Ashford Rd, SS, MD 20910

53. Phil Downey – 510 Ashford Rd, SS, MD 20910
54. Frank Dunn -- 139 Fleetwood Tr, SS, MD 20910
55. Donna Duquette – 503 Deerfield Ave, SS, MD 20910
56. Jon Elkind – 415 Ellsworth Dr, SS, MD 20910
57. Jeff Ensor – 609 Bonifant St, SS, MD 20910
58. Andrea Erasga -- 110 Schuyler Rd, SS, MD 20901
59. Elisa Espinal -- 102 Croydon Ct, SS, MD 20901
60. Dan Ezell – 8301 Hartford Ave, SS, MD 20910
61. Roni Falk -- 509 Greenbrier Dr, SS 20910
62. Stacy Farrar – 605 Mansfield Rd, SS, MD 20910
63. Caroline Frederickson -- 506 Dartmouth Ave, SS, MD 20910
64. Jose Funes -- 139 Fleetwood Tr, SS, MD 20910
65. Daniel Gaster – 8200 Queen Annes Dr, SS, MD 20910
66. Mikey Gaster – 8200 Queen Annes Dr, SS, MD 20910
67. Robin Gaster – 8200 Queen Annes Dr, SS, MD 20910
68. Nancy Gehman -- 627 Bennington Ln, SS, MD 20910
69. Neil Gladstein -- 516 Ashford Rd, SS, MD 20910
70. Eli Glaser -- 2205 Mark Ct., SS, MD 20910
71. Lisa Goldberg –417 Mansfield Rd, SS, MD 20910
72. Tonya Gregory -- 108 Schuyler Rd, SS, MD 20901
73. Stefan Gunther –417 Mansfield Rd, SS, MD 20910
74. John Griefer -- 604 Mansfield Rd, SS, MD 20910
75. Susan Griefer -- 604 Mansfield Rd, SS, MD 20910
76. Ariana Grier -- 415 Mansfield Rd, SS, MD 20910
77. Nathaniel Grier – 415 Mansfield Rd, SS, MD 20910
78. Leslie Hall -- 608 Deerfield Ave., SS, MD 20910
79. Nerissa Hamilton-vom Baur -- 406 Mansfield Rd, SS, MD 20910
80. Katie Harkless -- 182 Fleetwood Tr, SS, 20910
81. John Harper -- 509 Greenbrier Dr, SS, MD 20910
82. Diana Henao -- 8204 Nolte Ave, SS, MD 20910
83. Sash Hier-Majunder – 410 Deerfield Ave, SS, MD 20910
84. Tina Horstman --- 418 Mansfield Rd, SS, MD 20910
85. Jeanne Ireland – 514 Ashford Rd, SS, MD, 20910
86. Adam Issenberg – 604 Bonifant St, SS, MD 20910
87. Chris Johansson -- 634 Wayne Ave, SS, MD 20910
88. Erin Johansson -- 634 Wayne Ave, SS, MD 20910
89. Betsy Johnson – 4413 Ridge St, Chevy Chase, MD 20815
90. Robert Jones – 705 Bonifant St, SS, MD 20910
91. Eric Juzenas -- 800 Bonifant St, SS, MD 20910
92. Bella Juzenas -- 800 Bonifant St, SS, MD 20910
93. Jake Juzenas -- 800 Bonifant St, SS, MD 20910
94. NorahJuzenas -- 800 Bonifant St, SS, MD 20910
95. Ed King -- 7981 Eastern Ave., Apt 407, SS, MD 20910
96. Joan King – 7981 Eastern Ave., Apt 407, SS, MD 20910
97. Vicki King -- 8419 Queen Annes Dr, SS, MD 20910
98. Matthew Kittell – 605 McNeill Rd, SS, MD 20910
99. Gary Klauber – 514 Bonifant St, SS, MD 20910
100. Anna Levine -- 104 Dale Dr, SS, MD, 20910
101. Elliott Levine -- 104 Dale Dr, SS, MD, 20910
102. Jia Li – 605 McNeill Rd, SS, MD 20910
103. Jim Lieberman – 8405 Galveston Rd, SS, MD 20910
104. Patricia Littiya - 233 Dale Dr, SS, MD 20910
105. Gloria Lopez -- 102 Schuyler Rd, SS, MD 20901
106. Kathy Lorr - 302 Windsor St, SS, 20910

107. Erin Malone -- 408 Deerfield Ave., SS, MD 20910
108. John Malone -- 408 Deerfield Ave., SS, MD 20910
109. Reilly Malone -- 408 Deerfield Ave., SS, MD 20910
110. Andrew Malone -- 423 Mansfield Rd, SS, MD 20910
111. Elizabeth Malone -- 423 Mansfield Rd, SS, MD 20910
112. Frank Malone -- 423 Mansfield Rd, SS, MD 20910
113. Sarah Malone -- 423 Mansfield Rd, SS, MD 20910
114. Linda Matthews-- 9224 Kingsbury Dr, SS, MD 20910
115. Jenny McCartney -- 307 Mansfield Rd, SS, MD 20910
116. Kevin McCauley -- 401 Mansfield Rd, SS, MD 20910
117. Susan McCauley -- 607 Dale Dr Silver Spring MD 20910
118. Matt McKeever -- 418 Mansfield Rd, SS, MD 20910
119. John McQuaid -- 306 Mansfield, SS, MD 20910
120. Hannah McQuaid -- 306 Mansfield Rd, SS, MD 20910
121. Matthew McQuaid -- 306 Mansfield Rd, SS, MD 20910
122. Suzanne Mintz -- 415 Ellsworth Dr, SS, MD 20910
123. Stuart Moore -- 9318 Ocala St, SS, MD
124. Megan Moriarty -- 8215 Schrider St, SS, MD 20910
125. Robert Musgrove - 9119 Manchester Rd, SS, MD 20901
126. Lorin Obler -- 307 Mansfield Rd, SS, MD 20910
127. Jeff O'Connor -- 718 Dartmouth Ave, SS, MD 20910
128. Kyle O'Connor -- 718 Dartmouth Ave, SS, MD 20910
129. David Ottalini -- 906 Robin Rd, SS, MD 20901
130. Louise Peltier -- 109 Croydon Ct., #6, SS, MD 20901
131. Rosemary Peterson -- 810 Park Crest Dr, SS 20910
132. Joseph Pranio -- 305 Mansfield Rd, SS, MD 20910
133. Sara Pranio -- 305 Mansfield Rd, SS, MD 20910
134. Beth Py-Lieberman -- 8405 Galveston Rd, SS, MD 20910
135. Joann Ott -- 422 Mansfield Rd, SS, MD 20910
136. Seeger Ott-Rudolph -- 422 Mansfield Rd, SS, MD 20910
137. Cesar Plaza -- 412 Mansfield Rd, SS, MD 20910
138. Jackie Pliskin -- 800 Bonifant St, SS, MD 20910
139. Roger Portillo - 110 Schuyler Rd, Apt 37, SS, MD 20901
140. Franca Posner -- 709 Woodside Pkwy, SS, MD, 20910
141. Marc Posner -- 709 Woodside Pkwy, SS, MD, 20910
142. Gautham Rao -- 406 Mansfield Rd, SS, MD 20910
143. Wyndy Rausenberger -- 604 Bonifant St, SS, MD 20910
144. Dan Reed - 401 Mansfield Rd, SS, MD 20910
145. Jane Reeves -- 611 McNeill Rd, SS, MD 20910
146. Jim Reeves -- 611 McNeill Rd, SS, MD 20910
147. Mea Rhee -- 815 Bonifant, SS, MD 20910
148. Lynn Rhinehart -- 516 Ashford Rd, SS, MD 20910
149. James Riley -- 514 Mansfield Rd., SS, MD 20910
150. Angie Rodrigue -- 111 Croydon Ct, Apt 1A, SS, MD 20901
151. Geri Rosenberg - 235 Dale Dr., SS, MD 20910
152. Karin Rudolph -- 422 Mansfield Rd, SS, MD 20910
153. Victor Salazar -- 9215 Flower Ave, SS, MD 20901
154. Patsy Santiago - 101 Croydon Ct, SS, MD 20901
155. Bill Schauman -- 419 Mansfield Rd, SS, MD 20910
156. Nancy Schweisow -- 9734 Glen Avenue SS, MD 20910
157. David Schweisow -- 9734 Glen Avenue SS 20910
158. Paul Schweisow -- 9013 Sudbury Rd. SS, MD 20901
159. Kirsten Schwiesow -- 9734 Glen Avenue, SS, MD 20910
160. Paul Seltman -- 514 Ashford Rd, SS, MD, 20910

161. Mary Beth Sheridan – 411 Deerfield Ave, SS, MD 20910
162. Jen Silber -- 10132 Greenock Rd, SS, MD 20901
163. Joanna Slaney – 610 McNeill Rd, SS, MD 20910
164. Don Slater – 402 Mansfield Rd, SS, MD 20910
165. Jessica Slater – 402 Mansfield Rd, SS, MD 20910
166. Tina Slater – 402 Mansfield Rd, SS, MD 20910
167. Will Smith -- 1203 Fidler Lane Apt 1105, SS, MD 20910
168. Richard Solano -- 8204 Nolte Ave, SS, MD 20910
169. James Sorrentino --- 172 Fleetwood Tr, SS, MD 20910
170. Sophia Sorrentino --- 172 Fleetwood Tr, SS, MD 20910
171. Vincent Sorrentino --- 172 Fleetwood Tr, SS, MD 20910
172. Kathy Stevens -- 823 Gist Ave, SS, MD 20910
173. Elise Stigliano -- 172 Fleetwood Tr, SS, MD 20910
174. William Strein –522 Dartmouth Ave, SS, MD 20910
175. Rosalyn C. Steward --1203 Fidler Lane Apt 1105, SS, MD 20910
176. Helen Stuart – 705 Bonifant St, SS, MD 20910
177. Emma Stuart – 705 Bonifant St, SS, MD 20910
178. Nicole Stuart – 705 Bonifant St, SS, MD 20910
179. Eyael Suga - 106 Croydon Ct, Apt 8, SS, MD 20901
180. Neil Sullivan - 303 Windsor St, SS, MD 20910
181. Christian Sweeney-- 406 Deerfield Ave, SS, MD 20910
182. Chris Swope – 407 Mansfield Rd, SS MD 20910
183. Jessica Swope -- 407 Mansfield Rd, SS MD 20910
184. Alphonsine Tahj -- 106 Croydon Court, Apt 2, SS, MD 20901
185. Rebecca Tanner – 410 Deerfield Ave, SS, MD 20910
186. Peter Tantisunthorn -- 8704 Manchester Rd, Apt 7, SS, MD 20901
187. Francisco Tatiano -- 8419 Queen Annes Dr, SS, MD 20910
188. Mariana Tatiano -- 8419 Queen Annes Dr, SS, MD 20910
189. Debora Thompson –400 Mansfield Rd, SS, MD 20910
190. Shawn Thompson –400 Mansfield Rd, SS, MD 20910
191. Tsige Teka -- 102 Schuyler Rd, SS, MD 20901
192. Diane Tokaji -- 8200 Queen Annes Dr, SS, MD 20910
193. Bhartesh Tripathi -- 303 Mansfield Rd, SS, MD 20910
194. Darian Unger 8204 Cedar St, SS, MD 20910
195. Michael Ussery -- 607 Dale Dr Silver Spring MD 20910
196. Jean Walker -- 503 Mansfield Rd, SS, MD 20910
197. Josh Walker -- 503 Mansfield Rd, SS, MD 20910
198. Mitch Warren – 610 McNeill Rd, SS, MD 20910
199. Jerry Withers – 206 Dale Dr, SS, MD 20910
200. Grace Wu -- 412 Mansfield Rd, SS, MD 20910
201. Daria Zakharova – 241 Dale Dr, SS, MD 20910
202. Mary Ann Zehr -- 575 Thayer Avenue, #505, SS, MD 20910
203. Ashley Zielinski -- 401 Mansfield Rd, SS, 20910

Purple Line FEIS - RECORD #709 DETAIL

First Name : Paul
Last Name : Feldman
Email Address : 3suns5@gmail.com
Submission Content/Notes : Paul Feldman
7112 Edgevale St.
Chevy Chase, MD 20815

Home Owner Response to the FEIS

My home backs to the Capital Crescent Trail, and I am seeking mitigation should the proposed Purple Line project be built.

E.11

Trees: we have several mature trees on our property that have grown close to our property line at the ROW. If these roots are cut, they will likely die from root shock. I ask that any trees that can be conserved are carefully shielded from construction, any trees on our property that die due to construction, are replaced.

E.3

Survey for Easement and fence: and I discovered my home listed in a Post article, saying our property has an easement (storm water.) We received no notice, including at a special meeting for our area, where we went over each property. They did not mention they planned to access the easement and there were no survey markers to show where it is exactly. We ask that the project survey the boundaries, then install a tall fence at the edge of the easement to provide Visual and noise Mitigation along the length of the easement during the construction.

E.9

Wall Height: At the Edgevale - East Bethesda MTA meeting, project planners said they would put in 6' walls in this section of the Capital Crescent Trail. The FEIS only says 4'. I believe a taller wall than 6' may be necessary to mitigate the negatively High Visual Impact the project will have on our home. A large, reinforced masonry wall perhaps 10 feet tall would go a long way to mitigating the extreme noise, vibrations and visual impact of a rail line through our small neighborhood.

E.10

I expect a higher level of professionalism from all workers on the project. I have walked on the Trail recently and saw an MTA employee (I asked) smoking cigarettes and spitting on the Trail, while another MTA employee walked to a resident's gate and pushed it open to look around. Another instance, an MTA employee (I asked) peeped over our fence into our yard and stated to engage with our dogs, then started to try to chat with my wife! Perhaps some training needs to be in place, with clear expectations..

Respectfully,
Paul Feldman

Purple Line FEIS - RECORD #711 DETAIL

First Name : Harry
Last Name : Feldman
Email Address : harryfeldman@Hotmail.com
Submission Content/Notes : Harry Feldman
Chevy Chase, MD 20815
Oct. 21, 2013

Response to the FEIS

C.3

I am a high school student at BCC HS and live 5 minutes walk to school on the Capital Crescent Trail. I am stunned that the Purple Line project will remove so many awesome, huge trees. It will forever change the local climate in a terrible way. And it won't take cars off the road! As I have grown up during the Great Recession, I am aware that my generation will be shouldered with the cost of this boondoggle of a project, and I'm not happy about it at all.

E.8

The Purple Line will impact my high school in the economic justice area. The noise during construction and the noise of every 3 minute trains running at 45 MPH is a huge disadvantage for all students, but especially for disadvantaged students. At least build a big wall to contain all the sound and sight of so many trains.

E.14

E.11

B-CC HS, is the smallest HS campus in Montgomery County. It is a crowded, urban, ever-growing comprehensive HS, currently with 4 classroom pods, with a small addition planned for 2015. However, this will mean even less outdoor space, leading to a more intense demand for Trail use. Currently, B-CC uses the Trail for training in Physical Education classes, track, cross country, football, etc. The loss of tree canopy will have a really negative affect on students working out in the sun, with no more shade. Please promise to plant more trees to replace those that are forced to go.

Harry Feldman

Purple Line FEIS - RECORD #712 DETAIL

First Name : Cynthia
Last Name : Schollard
Email Address : Cschollard@gmail.com

Submission Content/Notes : We moved to this area particularly because of the Capital Crescent. It is an oasis from the traffic and constant movement and noise in this area. Our children love the path for biking and walking, we use it to bike to Bethesda and Georgetown - reducing the traffic on the roads. I believe in public transport but the current plan would destroy a wonderful part of our current community. The noise and movement the light rail would create so close to the capital crescent would destroy the special nature of the trail.

E.9

C.3

E.10

Purple Line FEIS - RECORD #713 DETAIL

Business/Agency/Association Name : Seven Oaks Evanswood Citizens Association

Email Address : soeca.board@gmail.com

Submission Content/Notes : Resending comments plus 1 appendix.

Jean Cavanaugh
Seven Oaks Evanswood Citizens Association

On Mon, Oct 21, 2013 at 4:14 PM, Seven Oaks / Evanswood Citizens' Association <soeca.board@gmail.com> wrote:

> See attached joint response from Park Hills Civic Association and
> Seven Oaks Evanswood Citizens Association, Silver Spring, MD
>
> --
> This message was sent on behalf of the Seven Oaks / Evanswood
> Citizens' Association by Jean Cavanaugh, Association President.
>

--
This message was sent on behalf of the Seven Oaks / Evanswood
Citizens' Association by Jean Cavanaugh, Association President.

Attachments :

PL_FEIS_joint_response_PHCA_SOECA_final_Oct_21_2013-1.pdf
(632 kb)
Wayne Ave TPSS Appendix 1 for FEIS Oct 2013.pdf (383 kb)

October 21, 2013

Purple Line FEIS Maryland Transit Administration
Transit Development & Delivery
100 S. Charles Street – Tower Two, Suite 700
Baltimore, MD 21201

Contact: Seven Oaks Evanswood Citizens Association, soeca.board@gmail.com
Park Hills Civic Association, melchris@erols.com

Comments about the Final Environmental Impact Statement from the Park Hills Civic Association and the Seven Oaks Evanswood Citizens Association, Silver Spring

Overview

Residents of the Park Hills and Seven Oaks Evanswood sections of Silver Spring and East Silver Spring, totaling about one thousand households, overwhelmingly support mass transit. We feel strongly that if we are to invest a significant sum of public funds to design and build a Purple Line light-rail system, one that will permanently impact our natural and built environment in profound ways, then it needs to be done right. Our response to the Purple Line Final Environmental Impact Statement addresses the following areas of concern:

- Noise and vibration issues
- Visual impacts on local environment
- Traction power substation
- Watershed impacts on Sligo Creek and Federal Clean Water Act Compliance
- Loss of mature tree canopy on Wayne / Impacts to school property
- Future Dale Drive Station
- Pedestrian and traffic safety challenges
- Mitigation during construction activity

For the record, we object to the short timeline for response to the very large, unwieldy and technical Purple Line FEIS. The FEIS introduces a lot of new issues that we have not discussed nor had time to closely review.

Our residential neighborhoods straddle the Wayne Avenue corridor between Fenton Street and Sligo Creek Parkway in Silver Spring. Our residents and patrons and employees of several neighborhood institutions will bear the brunt of the Purple Line's impact. Our neighborhoods, as well as nearby Sligo Branview neighborhood along Wayne Avenue, host the unique stretch of the 16-mile rail line where it is proposed that trains will travel close to front doors of homes in long-established neighborhoods while sharing lanes with cars on a smaller county road. As long-time observers of and participants in the local planning discussions, we are concerned that the high quality of investments are not being made equally across the length of the Purple Line system.

Furthermore, given that portions of Wayne Avenue have been designated “Environmental Justice” areas, we ask that the Maryland Transit Administration do more to significantly reduce impacts on residents, as well as employ sufficient mitigation measures to offset adverse effects including: noise and vibration, visual “noise” of catenary lines, nuisance of a large power substation in a tight residential area, watershed degradation and loss of verdant hillside on public school property due to road widening, elimination of nearly the entire mature tree canopy, loss of private property and right-of-way green space, vulnerability of upzoning for the residential area adjacent to a proposed station, potential for road traffic to collide with trains, and pedestrian dangers of complex intersections at Dale Drive and Sligo Creek Parkway – particularly for children attending the public middle and elementary schools located on Wayne Avenue.

Given that this proposed light-rail line will be the State of Maryland’s first foray into a significantly single-family residential community, it is in everyone’s interests that the Purple Line serve as a showcase for future light rail projects in sensitive and established neighborhoods. **Park Hills and Seven Oaks Evanswood communities request the MTA establish a working group with residents to meet monthly on design, implementation, construction and operation issues, with oversight of its progress outside of Purple Line staff, as we embark together on building this new transit system in our region.**

1. Noise & Vibration Issues

G.2

As residents who have attended, and in some cases convened, numerous meetings with the MTA Purple Line project team over the past 7 years, it is disconcerting to learn for the first time with the release of this FEIS in September of 2013, that noise impacts will extend to “500 feet of the planned route, both during construction and once trains began passing by 70 times a day,” as pointed out by the *Washington Post*. It was incumbent upon the State to inform residents of these detrimental impacts far earlier. We have had no time to react.

E.9

The same *Washington Post* article also revealed to local residents new details on the construction of the nearby Plymouth tunnel, a process that we are only now told will take 2½ years and one that will involve considerable noise, particularly during the blasting phase.

The FEIS does not document the current noise level in our neighborhood, which is very quiet at night. We are greatly concerned that too little attention was given in the FEIS technical report on the overall problem of noise with which we will have to live for decades; a total of only four sentences to address noise avoidance and minimization – a major quality-of-life issue for the hundreds of Park Hills and Seven Oaks Evanswood residents who live within 500 feet of the Purple Line, to wit:

- Given the steep grade of slope for one half mile on Wayne Avenue, as well as degree of curvature, wheel squeal is inevitable to some degree and a legitimate concern, and that is so identified by MTA. There are measures that can be used to minimize wheel squeal

that involve track lubrication (as in [San Diego's light rail](#), as well as Seattle's system); however, as pointed out by Gary Erenrich from Montgomery County's Department of Transportation, "it is unlikely that lubricating systems will be utilized on road surfaces that involve mixed traffic on a grade." .” That the County has already ruled out one of the only known remedies for wheel squeal known to be effective, and MTA knew for some time that it is ruled out for shared lanes on Wayne, this extremely serious consequence for residents should be addressed in depth in any FEIS but MTA gives it no attention whatsoever. This is engineering, this is environmental impact on thousands of residents, and it is a glaring absence in this FEIS.

- It is discouraging to learn, in an independent assessment from a professional engineering firm, that, (1) “the MTA analysis contains a highly questionable assumed benefit from vehicle skirts” and, (2) “over time, wheels can get ‘flat’ and tracks can become rough due to ‘rolling contact fatigue’ - thus, without rigorous maintenance (e.g., wheel ‘truing’ and rail ‘grinding’), light rail noise can increase 5–10 dBA. Continued community attention is reasonable.” This same engineer concluded that, “if wheel squeal is properly addressed in the design process and maintained when the system is in operation, wheel squeal is a solvable problem.”
- Finally, given that the tracks will be unheated, we are also concerned about the potential need to run the Purple Line continuously through the night during winter so that frozen precipitation does not adversely/prohibitively affect performance.

Our communities request a high level of attention to Purple Line noise; this is a fundamental quality of life issue for our residents. **Park Hills and Seven Oaks Evanswood need special assistance with wheel squeal on Wayne Avenue** - particularly eastbound between Cedar Street and where the road approaches Sligo Creek where braking and negotiating the curves on the downhill will cause severe squeal - **since lubrication of the tracks in mixed traffic is not an option**. Sound barrier walls are also not an option. At the very minimum, the Purple Line will have to travel very slowly through the Wayne Avenue corridor. If the Purple Line is funded through a Public Private Partnership (P3) mechanism, contract requirements must include the rigorous maintenance required to keep wheel noise to a minimum, and specific speed level requirements.

Additional noise from the “future” Dale Drive Station will adversely impact nearby neighbors. At least seventy trains are expected to stop at the station daily on each side, which will add to the noise from train signals and announcements. Special care must be taken to reduce both the sound of announcements, and arrival and departure signals that will impact the single family homes directly adjacent to the station, as well as the hundreds of homes within a half mile radius. **Acceptable noise levels for both the construction and operation of the Purple Line must meet not Federal standards as indicated in the FEIS, but the stricter more realistic standards of Montgomery County. We request a full review of noise mitigation options.**

2. Visual Impacts on Local Environment

E.7

MTA categorizes the Wayne Ave corridor a “high impact” area which means the visual impact of the Purple Line and its infrastructure will cause “an extensive change to the visual character” of our neighborhood.

The presence of catenary wires and their extensive supporting infrastructure, including power substations and their concomitant industrial strength, long, and high fencing truck-sized access for maintenance, will significantly degrade the visual environment of our residential, tree canopied, single family detached home neighborhood. Our neighborhoods are in the VAU-4 area in the FEIS.

MTA, after five years of engineering work, does not address, in the FEIS, visual impact mitigation for our high visual impact neighborhood, although it has done visual mitigation work in other sections of the route. Our neighborhoods expect stipulation if there is approval of this FEIS that MTA must remedy the visual impact in this VAU-4 area with comparable investment in budget and skill that it has expended for years in other sectors.

MTA renderings of the Purple Line on Wayne Avenue do not adequately or realistically capture the negative visual impact wrought by the light-rail line and its attendant hardware. We request MTA revisit options for a catenary-free systems like ones that are being employed in Europe and Asia. If a catenary system is used, we would like to see substantial investment by the County and State to minimize the effect of catenary wires.

The following visual impacts have neither been depicted on MTA drawings or maps, nor addressed with specific mitigation plans for residents in any aggregate matter. Most were discovered by residents only on September 7, 2013 when the FEIS volumes were released, and the existence of these items is buried in the data in the voluminous engineering conceptual drawings.

We urge that MTA is required to create visually accurate visuals depicting Wayne Avenue with the Purple Line and its infrastructure, showing how it will treat and mitigate, for the residences facing Wayne Avenue, the following elements which only appeared publicly in the FEIS fine print:

- Actual width of Wayne Avenue with Purple Line, showing before and after, when it is all built;
- Where, how many, and what kind of, Catenary Upright Poles and their wires, along residential Wayne Avenue in terms of frequency, color, height, placement;
- Whether catenary wires and new traffic signals are anchored to the sides of the street (in front yards) for the entire residential length of Wayne or are on a high chrome trusses across the street (which would also be anchored in front yards);

- Whether new traffic lights will span Wayne on large and high metallic trusses as happens for the light rail all around Baltimore, but unlike anything in this residential, verdant neighborhood;
- New “retaining walls” all the way along Wayne Avenue which appear in detail on some MTA blueprints but have not been discussed with residents;
- “New Signalized Pedestrian Crosswalks” MTA includes in its FEIS Chapter 4, 4.19.5 for residential Wayne Avenue, but never talked about with residents;
- Unacceptable clear-cutting of the scarce tree canopy along this Environmental Justice area on Wayne Avenue, the “before and after” all the old trees are removed, because – according to some MTA documents -- the MTA will destroy all trees along the route; MTA should revisit the Wayne Avenue route with the County’s ROW arborist and identify trees to save, which is possible with attentive planning;
- Sparse canopy for the next 20 years: MTA has never shown a tree replacement plan, actual heights of replacement trees, if and where they will be planted, plan for replacing those that don’t survive which statistics show are usually about 1 in 3, and what the route will look like in the next few decades, as it will take 15-20 years for any canopy to grow back;
- A half mile of new bright street lights all along residential Wayne resulting in powerful light pollution for residents and the seniors’ residential community that front the street;
- Dark spots where pedestrians are on foot approaching bright stations;
- The before and after plan for Sligo Creek Cabin Park and its trees and the rerouting of Sligo Creek itself;
- Significant change along Wayne Avenue for curbs and storm drainage along Wayne Avenue;
- Treatment of and impact on the more than 45 private driveways along Wayne Avenue;
- Retaining walls on school property and in front of single family homes.

We support the Art in Transit program where appropriate in our neighborhoods. We also urge MTA to work closely with the Montgomery County Planning Department in **redesigning the bridge over Sligo Creek to improve aesthetics that will mark this gateway to Silver Spring and homage to the natural feature of Sligo Creek and Sligo Creek Park.**

3. Traction Power Substation Nuisance

C.4

Park Hills and Seven Oaks Evanswood communities strongly urge MTA to move the traction power substation (TPSS) from its proposed site on Wayne Avenue at Cloverfield Road to another less residential location, and to bury that substation.

Given the significant expenditures that MTA is willing to make for other communities along the Purple Line (e.g., the optional [\\$40-50 million overpass](#) at Connecticut Avenue, sound baffling along the Capital Crescent Trail, two golf cart underpasses for the Columbia Country Club), we find the proposal to locate a traction power substation on Wayne Avenue near Cloverfield Road and “disguise” it with a high wall or “fake house” to be highly inadequate, particularly with respect to this residential area that MTA categorizes as a “design sensitive area.”

We are pleased that County Executive Ike Leggett and our 5th District Councilmember Valerie Ervin support residents’ desire to see this power substation relocated and buried. There is a growing movement among planners nationwide that substations and their settings must become more “neighborhood-friendly,” or power substations will never be let into established neighborhoods.

We are encouraged that MTA has engaged the Residential Wayne Avenue Working Group on Purple Line Design – representatives from four adjacent civic associations whose boundaries run along or near Wayne Avenue – on the issue of relocating the power substation. We have been waiting since April 2013 for assessment of power substation location options.

We endorse the study and recommendations by the Wayne Avenue Working Group on Purple Line Design calling for the traction power substation to be moved from the Cloverfield/Greenbrier location and buried, attached as Appendix 1 to this response.

4. Watershed Impacts on Sligo Creek and Federal Clean Water Act Compliance

E.11

Given the increased impervious surface due to road widening, as well as the installation of the paved hiker/biker “Green Trail” – in combination with significant loss of tree canopy along the Wayne Avenue corridor (see section below), the Purple Line route through the Sligo Creek watershed must be carefully designed and constructed through close coordination with M-

E.12

NCPPC Montgomery County Planning Department environmental staff, Department of Environmental Protection, Department of Permitting Services stormwater and sediment control permit review, with oversight and coordination from the Maryland Department of the Environment and Department of Natural Resources in order to fully comply with federal Clean Water Act mandates.

E.13

Montgomery County DEP is charged locally with administering the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit Program, an EPA regulatory program administered in Maryland by the Maryland Department of the Environment. The program is intended to reduce and eliminate pollution from rainfall runoff, which flows through storm drain systems to local streams, ponds, and other waterways. Specifically, the goal of the MS4 Permit program is to restore and maintain the chemical, physical, and biological integrity of the nation's waters, as defined in the Clean Water Act, by controlling previously uncontrolled sources of pollution across the landscape that are transported by rainfall runoff or stormwater.

Sligo Creek, in particular, is subject to pollutant loading limits defining maximum amounts of pollutants that it can receive in order to meet water quality standards. **MTA must work with DEP and the Montgomery County Planning Department to assure compliance with federally mandated Total Maximum Daily Loads (TMDLs) allowed under the Clean Water Act. During tunnel construction at Manchester and Wayne, bridge construction over Sligo Creek on Wayne, Best Management Practices and additional measures must be taken to completely control sediment and erosion, as well as restricting the flow of toxins, trash, and other materials that will impair Sligo Creek beyond the TMDLs set by the Environmental Protection Agency (EPA).**

Moving beyond the construction phase, use of “green tracks,” including infiltration under the tracks, in sensitive areas such as Sligo Creek will work to reduce heavy metals, salt, organic molecules, and nutrients from entering the creek.

According to Doug Redmond, Natural Resources Manager for the County’s Department of Parks, the environmental impact of mature tree loss, and their protective shade which helps keep temperatures cooler, can be significant. In addition to the environmental harm caused by the loss of tree canopy, imperviousness is probably the biggest single negative impact on an urban watershed: rainfall tends to run off into streams, with the water being warm and dirty. The good news is that under Maryland’s Stormwater Management Act of 2007, the requirement for stormwater management and sediment control for projects has changed its focus. As a result of the Purple Line project, there will be an opportunity to implement stormwater management practices that are presently absent. Additionally, Park Hills and Seven Oaks Evanswood residents will monitor - under the watchful eye of the County and State, we expect - the relocation of Sligo Creek both 180 feet upstream and downstream of the Wayne Avenue bridge.

We will also be depending on the Maryland Department of Natural Resources to **ensure that MTA’s project plans will comply with the statutory and regulatory requirements of the Maryland Scenic and Wild Rivers Act to assure that the Purple Line will not jeopardize the scenic value of the Sligo Creek stream valley.**

5. Loss of Mature Tree Canopy on Wayne / Impacts to School Property

Park Hills and Seven Oaks Evanswood greatly value our tree canopy for its aesthetics, health benefits, air cleaing, noise absorbing and stormwater management functions.

According to MTA representative Mike Madden in October 2010, MTA had not yet counted the number of trees that would be removed along the Wayne Avenue corridor, stating that the tree inventory would be done during the Preliminary Engineering phase. However, in July 2013 when asked at a community meeting about tree canopy loss, MTA declined to present the inventory. “We would like to present this information to the group at a future meeting,” MTA officials said. Our tree canopy is a major visual characteristic of our neighborhoods. **We urge**

E.11

MTA to start now to implement a local native canopy trees replacement plan to at least partially mitigate what will be a huge loss to our community.

We are also deeply saddened that the reconfiguration of the parking lot at the Silver Spring International Middle School will result in additional loss of tree canopy – green space that is enjoyed daily by students, parents, and teachers. Once again, we encourage MTA to release tree removal and replanting plans now to mitigate tree loss on MCPS property, ROW, and private property.

Montgomery County has recently passed legislation reflecting the replacement value of mature trees. We would like to see MTA go beyond required replacement minimums to mitigate for specimen tree loss throughout the ROW and on parkland. MTA, in removing valuable and irreplaceable mature tree canopy, must focus on planting native canopy trees to eventually mitigate that loss. If the Purple Line is funded through a Public Private Partnership (P3) arrangement, the contract requirements must include planting and monitoring of trees over a three year period, until the survivability of each tree is ascertained.

It is important to point out that road widening is only one reason for the loss of trees on Wayne Avenue; the paved hiker/biker “Green Trail” is the other. **The Residential Wayne Avenue working group has introduced the idea to county planners of planting new native canopy trees now, and to also look into planting on private lawns, where owners welcome the idea of hosting a tree. MTA should also fund removal of stumps so as to allow for additional tree planting. We will continue to work with MTA and the County on ways to minimize tree loss along Wayne Avenue.**

6. Future Dale Drive Station

F.1

Montgomery County councilmembers affirmed that a station at Dale Drive would not be constructed without “community consensus.” Councilmembers did not define “consensus” or establish a method for collecting that consensus. **We urge MTA to work with the Montgomery County Council to fund and collect data that will reflect community support – or a lack thereof - for a Dale Drive Station before determining whether to build that station.**

The Purple Line Functional Master Plan’s key features of the Dale Drive Station concept plan include:

- there is no intent or desire to change the zoning in the single-family residential neighborhoods in and around the Wayne Avenue/Dale Drive intersection, if a station is established at this location in the future;
- the station is not included in initial construction phase; the timing of implementation to be determined;
- platform in median of Wayne Avenue; and

- access for walk-up users and persons with disabilities only.

One major downside to the proposed plan is that four stations in quick succession from the Silver Spring Transit Center in the space of only about a mile and a half, combined with the route traveling comingled with traffic along a road with many intersections, residences facing the train, an elementary and middle school, will negatively impact the speed of the light-rail line.

A much larger downside to the proposed Dale Drive station is that the surrounding residential area would then be vulnerable to upzoning given that, as a current practice, high density around transit stops is desired to maximize both ridership and public investment in a major transit line. We are encouraged by both the County’s Purple Line Functional Master Plan and District 5 Councilmember Valerie Ervin’s assertion on behalf of County Council that, “there is no intent or desire” to develop the area around the proposed Dale station. Nevertheless, County residents have been given such assurances in the past regarding upzoning, only to see them forgotten. For this reason, the Residential Wayne Avenue working group will continue to work with County Council and Montgomery Planning Department staff to enact protective measures to ensure that the area around Dale and Wayne retains its single-family home residential character.

7. Pedestrian & Traffic Safety Challenges

D.2 Wayne Avenue is the only section of the Purple Line where it is proposed that trains will run on the street while sharing lanes with cars. In Park Hills and Seven Oaks Evanswood communities, Wayne Avenue runs for about a half mile from a commercial area in downtown Silver Spring, past single family homes, a multiunit retirement community of nearly 200 active seniors and staff, a public middle school and elementary school, 45 driveways to single family homes, and a very well used county park. Multiple county agencies oversee slices of these issues, but MTA has responsibility for the overall pie and has yet to offer a coordinated presentation of the aggregate pedestrian and traffic safety plan for all of these pieces.

D.3

D.5 Our first concern is the safety of our children, and the children of neighboring communities who traverse Wayne Avenue to go to school or downtown Silver Spring. Many of the children of Park Hills and Seven Oaks Evanswood, in addition to those from other communities along the Purple Line’s route, will cross Purple Line tracks or walk next to the tracks most days of the week while commuting to or from either Sligo Creek Elementary School or Silver Spring International Middle School. The County has suggested “safety fencing” all along the street, but the residents want other options rather than even more walls and hardware in our residential area. **MTA must work with Montgomery County Public Schools (MCPS) to implement a Purple Line safety education program for all children in the two schools in our neighborhood.**

Given the challenge and danger of having to cross the Purple Line, the Green Trail, local buses, and Dale Drive traffic, MCPS recommends consideration of a controlled signal intersection and using the best and most protective pedestrian safety engineering at Wayne Avenue and Dale

Drive. Park Hills and Seven Oaks Evanswood residents have also been informed that MTA, in conjunction with Montgomery County Park & Planning and the County Department of Transportation, has developed a working relationship with MCPS and already convened a number of meetings with representatives from both schools to work out various planning challenges related to the Purple Line – such as bus movements before and after school, automobile traffic at drop-off/pick-up times, and parking space for school staff. Park Hills and Seven Oaks residents are very concerned, however, that sidewalks along both sides of Wayne Avenue be given buffers to prevent pedestrians from being forced to walk immediately next to a widened road carrying vehicular traffic and a light-rail train.

Our communities are also concerned that the FEIS Transportation chapter neglects discussion of physical changes required for safety. We request MTA research and report on the maximum safe speed for the Purple Line on Wayne Avenue by providing data from the experience of other cities where light rail shares lanes, as the Purple Line will pass dozens of street front homes, 45 private driveways, seven neighborhood side streets, several churches, stores, parks, bus stops, schools as discussed above, a multi-unit resident for seniors, on a steeply sloped and curved, highly traveled road. Research is critical to determine a speed safe for sudden braking while traveling downhill on Wayne Avenue with a fully loaded train, in the event a child or out of control cyclist from the bike path suddenly appears in the road. These safety details are not covered in the FEIS.

Park Hills and Seven Oaks Evanswood communities would like to know if State or Federal law requires crossing gates at certain or all intersections, as are used in Baltimore. If crossing gates must be used, what is the noise level, infrastructure footprint, and physical space needed? Will additional traffic signals be installed on Wayne Avenue to better manage cross traffic?

We would like to see a discussion of these pedestrian and traffic safety questions in the FEIS:

- How will MTA manage pedestrian crossings which are now at uncontrolled intersections?
- Specifically, residents and employees of the Springvale Terrace retirement home must access the Ride On bus stop on the east side of Wayne Avenue at Springvale Road. Now, they cross at their peril at a marked but uncontrolled pedestrian crosswalk. How will MTA manage that pedestrian crossing?
- Where will other pedestrian crosswalks be placed on Wayne Avenue and what additional new pedestrian safety technology will be used?
- How does traffic moves if a car, truck or bus breaks down on Wayne Avenue.
- Will there be a system of fast response and removal in place?
- The same applies for trains breaking down. How will those trains be moved, and to where?
- What is the MTA requirement for train operators to hit their “warning clang” when vehicles, bicycles or pedestrians come too close to the train?

With increased traffic jams expected during construction and, at the least, early operation of the Purple Line, MTA must work with MCDOT and the Planning Department to protect the interior streets of single family home neighborhoods on either side of Wayne Avenue from cut-through traffic which is trying to circumvent heavy traffic. New “left turn lanes” may divert traffic off of Wayne Avenue onto Cedar Street and Dale Drive. MTA should work with County Department of Transportation to assess and propose traffic calming measures such as curb bump outs, speed tables or other devices that will discourage cut through traffic while keeping neighborhood residents and their children safe.

8. Mitigation During Construction Activity

G

We have the following general comments about the impact of Purple Line construction as they affect the Park Hills and Seven Oaks – Evanswood neighborhoods.

Temporary Construction Activities. We request that MTA use vacant or publicly-owned property, rather than privately-owned and developed property, for temporary construction activities. Moreover, we request that MTA restore properties affected through a temporary easement to an acceptable pre-construction condition following construction activities. We further request that, during construction that MTA provide parking facilities for County, MTA and contractor employees in a location or locations that do not adversely affect the quality of life of our residents.

Community Facilities within the Study Area. With regard to the significant public and private facilities — Sligo Creek Elementary School, Silver Spring International Middle School, Springvale Senior Community, and St. Michael’s church — within our neighborhoods, we request that there be regular and timely communication between the project contractor, MTA and other government agencies about any project activities that might adversely impact these facilities, with particular attention to the noise, vibration, traffic and construction impacts of construction activities. We would like to be kept timely informed of plans for the reconstruction of roadways, bicycle lanes, and the addition of new sidewalks

Proposed Staging Areas. With regard to the Proposed Staging Areas, we request that these areas be properties that will be acquired for the project.

Visual Assessment Units (VAU) (4-80). Because the Park Hills – Seven Oaks/Evanswood communities will be highly impacted by the project and as they considered an area of visual sensitivity, we request that the project contractor and the MTA use all means to improve the visual character of the project area, during construction and during project operations. We support the proposed use of the Art-In-Transit program to enhance key elements of the project.

E.9

Noise Sources Related to LRT Vehicle Operations (4-107). We request that MTA keep the community informed about its progress towards developing a a Bell & Horn Policy for the

J.1

Purple Line that would impact the Park Hills and Seven Oaks Evanswood communities. We would request a policy that both maximizes safety of our residents and visitors, but one that also takes into account the residential nature of our neighborhoods.

Noise During Construction. We request that MTA require the project contractor to take the following steps to minimize noise and vibration during construction:

G.1

- Notify the community of all blasting operations well before the activities commence.
- Schedule blasting or pile driving activities during hours that would least impact residents
- Divert heavy equipment and construction equipment movements away from sensitive receptors by utilizing roadways that contain a limited number of residential or sensitive structures.

G.3

- Hire a Blasting Consultant with adequate experience in performing controlled blasting.
- Set vibration limits for blasting
- Monitor the vibration of each blast.
- Conduct test blasts prior to full production blasts.
- Conduct pre-construction survey and post-construction survey in sensitive areas.

With regard to Project Construction (4-109), we urge

- MTA to conduct construction activities ONLY during the daytime
- Conduct truck loading, unloading and hauling operations in a manner that minimizes noise.
- Route construction equipment and other vehicles carrying spoil, concrete, or other materials over routes that would cause the least disturbance to residents in the vicinity of the activity.
- Locate site stationary equipment away from residential areas to the extent reasonably feasible with the site/staging area
- Employ the best available control technologies to limit excessive noise when working near residences.

E.13

Hazardous Materials 4.16 (4-134). According to MTA, in addition to impacts resulting from pre-existing contamination in the study area, the operation and the maintenance of the Purple Line could be associated with petroleum releases from the equipment and materials associated with the project. To this end, we request that MTA should release timely and publicly information on hazardous material encountered during construction, as well as information regarding the release of hazardous materials during operations. Moreover, MTA and the project contractor should take all possible means to secure any hazardous materials associated with construction or project operations so that they will not be a danger to the community. The Park Hills/Seven Oaks – Evanswood communities request that they be kept regularly informed about the storage

and use of hazardous materials in the Wayne Avenue corridor or anywhere in the project area adjacent to the Park Hills/Seven Oaks-Evanswood communities.

Conclusion

It is important to note that this is the first time MTA is building a light-rail line on shared streets through a single-family residential community. It is our fervent hope that the Purple Line serves as a showplace light-rail system. The Purple Line must be designed and constructed with great care devoted to all of the aesthetic, environmental, traffic calming, safety, noise abatement measures raised in our report. Otherwise, we fear that the Purple Line will result in a degraded Wayne Avenue corridor, which in turn will degrade the quality of life for the many nearby residents. We foresee the construction of other future light-rail projects in similarly sensitive residential areas, and it is critical that Maryland invest enough money, effort, and resources into the Purple Line so that other communities will want to emulate the example in Silver Spring.

Very sincerely yours,

Park Hills Civic Association
Alan Bowser, President
Chris Richardson, Vice-President
Paul Guinnessy, Secretary
Leslie Kramer Downey, Treasurer

Seven Oaks Evanswood Citizens Association
Jean Cavanaugh, President
Michael Gurwitz, Vice President
Tom Armstrong, Secretary
Bill Kaupert, Treasurer

Purple Line FEIS - RECORD #714 DETAIL

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And

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Senior Economist and President

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October 21, 2013

Submit the Following Comments

by email to: FEIS@purplelinemdÆcom

and via the US Postal Service to:

FEIS Comment

Maryland Transit Administration

Transit Development Delivery

100 S.E. Charles Street, Tower Two, Suite 700

Baltimore, MD 21201

Comments on the Environmental Impact Statement

For the Purple Line

Proposed by the Maryland Department of Transportation

Introduction

John M. Fitzgerald, Christine Real de Azua, Dedun Ingram and Center for Sustainable Economy (CSE) hereby offer the following comments on the Final Environmental Impact Statement (FEIS) for the proposed Purple Line Project. John M. Fitzgerald, Christine Real de Azua and Dedrun Ingram are individuals residing in the area affected by the Purple Line Project whose interests will be harmed by the project in a number of ways: the project will diminish the quality and the extent of their use and enjoyment of their homes on Elm Street, the street paralleling that portion the proposed Purple Line Capital Crescent Trail, the trail which they use often for recreation and fitness, Elm Street, Leland Center and Rock Creek Parks and the species, services and features thereof. Fitzgerald and Real de Azua are also active members of Center for Sustainable Economy.

Center for Sustainable Economy is a non-profit advocate for the transition to an economy based on principles of social, environmental, and economic sustainability. CSE has active members who reside in and around the project area who will be harmed by the loss of aesthetic, historic, ecological, and economic resources of urban forests, streams, and open spaces. CSE also has an interest in protecting these green infrastructure elements for their benefits in reducing water quality management costs downstream and generating a host of ecosystem services of great benefit to surrounding communities.

The Maryland State Department of Transportation is planning to seek Federal and private funding to build and operate a light railroad across Montgomery and Prince Georges Counties just north of the District of Columbia. It would cross Rock Creek Park and negatively and permanently affect Rock Creek Park, several other parks, forests, migratory birds, and the Rock Creek watershed that contains a highly endangered species, the Hay's Spring amphipod. This small crustacean is a key part of the ground water and creek ecosystems, turning leaves into nutrients for other species. It is highly sensitive to water pollution of the sort expected to be generated by the construction and operation of the Purple Line.

The primary publicly stated purpose for building the Purple Line, and for routing over the path of a former railroad and a hiking and biking trail is to alleviate east-west traffic congestion and strengthen east-west transit between College Park and Bethesda. However, the unstated, underlying driving force for the proposal is to enable large-scale residential and commercial development at Connecticut Avenue and along the Capitol Crescent Trail mainly to Silver Spring and to provide those new residents with access to Bethesda that is easier than taking a walk, a bike, a bus, a pedal cab or motor cab or a new dedicated bus line. Any of these could cost much less and lead to less net pollution and risk to the communities affected.

The direct cost to taxpayers of the construction can be measured in millions of dollars and five years of interruptions. The indirect, unavoidable costs of construction and operation include the lost opportunities to pay within existing tax rates for projects that are already built, and for several already planned as well as the potential losses inherent in an undrafted contract with private partners.

Maryland has committed similar errors in recent years primarily driven by one major private developer and for which citizens are still paying in the form of higher taxes, lost opportunities and lost ecosystems. A prime example is the InterCountyConnector, as set out in Bethesda Magazine in September 2013, for which traffic and revenue have turned out to be far lower than projected, and for which costs escalated from the initial estimate of \$1 billion to as much as \$4 billion including interest payments[1] --payments which are still today draining the State's Transportation Trust Fund.

In these comments we outline several fatal flaws in the Environmental Impact Statement for the Purple Line. The project proponent and the State may believe that the EIS standards need not be met due to an attempted waiver for similar projects in the 2012 Highway Act that has not yet been tested in court as applied to this project in particular. That waiver, however, does not waive the Federal and state requirements that such proponents comply with other laws and state fully, and without misleading or withholding, in any EIS or other such statements, all information relevant to government permits or funding. This EIS fails to meet that standard and places all agencies relying on it at risk.

Therefore, should the objections raised in these comments not be satisfactorily addressed in the near future, we will have to considering further action, beginning with a sixty days' notice of the intent of coauthors to sue to uphold the laws affected and prevent harm to the resources, wildlife, and people that the Purple Line project puts at risk.

Main Points

1) There are serious flaws in the EIS, including the failure to disclose the presence of a highly endangered species, the Hay's Spring amphipod, *Stygobromus hayi*, downstream in Rock Creek Park, which, through required interagency consultation by the Federal funding agency, and possible litigation by concerned citizens, including the coauthors of these comments, is likely to alter and/or delay and increase the cost of the project;

E.11

E.12

2) The EIS understates the extent and cost of the loss of tree canopy and natural green space and of its stormwater runoff and air and water pollution reduction, shade-providing, noise and wind buffering, and other

environmental services.

H

E.5

3) The above-ground option for the Purple Line would result in the degradation of Parks, in violations of Section 4(f) Park Protections in the Transportation Act – that are beyond the legal limit of De Minimus; and in hazards to school children -- from Nursery through High School -- that are beyond cavalier.

E.2

4) Migratory Bird Treaty Act – Some potential impacts and potentially illegal bird kills are ignored.

E.8

5) The Environmental Compliance Plan is not included as it is not yet developed – Proposed zoning changes and ensuing development associated with the Line are also not covered. Therefore the impact of the actions cannot be assessed based on this EIS and the EIS is inadequate as an legal assessment or as a basis for prior informed consent or decision-making per se.

E.1

In addition:

6) Key elements of any binding contract between public and private partners for the construction and operation of the Line are obviously not yet available nor ready for inclusion in the "request for qualifications" that will be sent out and lead to a joint application for that Federal funding;

7) Many other elements of the environmental and economic performance that will be required by State and Federal law in order to obtain Federal and state funding, including the Compliance Plan, are mere guesses at this stage, while the numbers have been arrayed so as to cast the project in the best light, which barely made it over the Federal standard for such matches at an earlier stage; and

C.1

8) Many better alternatives for inner east-west flow improvements are available (yet not assessed fully) and the costs of pursuing this one opportunity would preclude all of those and many other worthy transportation projects meeting additional and more pressing needs at lower risk and lower cost.

Discussion of Main Points

E.11

1) The EIS admits an impact on wetlands but ignores key wetlands and a highly endangered wetlands-dependent species.

E.12

The EIS admits that a Section 404 Clean Water Act permit will be required due to the apparent impact on wetlands but appears to ignore the impacts on some wetlands such as Coquelin Run in Chevy Chase and completely omits the threat to a highly endangered species downstream.

E.11

The EIS does not disclose that a wetlands-dependent endangered species, the Hay's Spring amphipod, has its only known population in and near Rock Creek. Rock Creek and its many tributaries to it, will have their sediment loads and pollutant loads increased for five years in all likelihood due to construction of the Purple Line. It is probable that Rock Creek's sediment and pollution loads will be increased to some extent for a considerably longer period.

Sediment and pollution were cited as primary threats to the endangered Hay's Spring amphipod and a potentially more rare relative, Kenk's amphipod, in the official Endangered Species Bulletin of the US Fish and Wildlife Service (which summarized scholarly articles and recent grants to the Maryland Department of Natural Resources for status surveys). See

<http://www.fws.gov/ENDANGERED/bulletin/2002/01-02/08-09.pdf>;

The report stated:

Obvious vulnerability comes from the narrow distribution in the specialized subterranean habitat, and threats come from potential groundwater pollution. The urban area surrounding the park poses potential risks due to toxic spills (such as oil and gas), nonpoint source inputs (such as fertilizers and pesticides), land disturbances, sewer leaks, and excessive stormwater flows that might adversely affect groundwater. Except for parklands, additional potential habitat where Hay's Spring amphipod populations may have occurred in the District has largely been lost to development.

Another vulnerable species, Kenk's amphipod (*Stygobromus kenki*), occurs in Rock Creek Park in two other springs and may be more rare than the Hay's Spring amphipod.[2]

Construction may cause rock fractures – allowing increased pollution of ground water downstream affecting the amphipod and possible leaks into the stations on the Metro Red Line

The 2009 letter in the appendices of the EIS, received from David Hayes of the DOI -- (the Regional Transportation Liaison, rather than the Deputy Secretary of the same name) notes that rock fractures from construction of the purple line could make leaks of water already occurring into the Red Line of the Metro system worse, leading to more shut downs in service or greater expenses for additional pumps, etc.

The potential problems brought on by increasing fractures in underground rock layers seemed not to be addressed in the Final EIS and it presents a serious risk not only on the Metro Stations the Purple Line is intended to serve but also to the Hay's Spring amphipod which depends on clean ground water as a major part of its habitat. New fractures in rock formations along the train tracks would likely lead to the leaching of hazardous wastes near ground level at various sites along the right of way, as marked in the maps of the EIS, that may have to date been contained by uncompromised or un-cracked layers of rock. That may result in the pollution of bodies of water near the waste sites, such as the pond and stream on the Chevy Chase Country Club adjacent to the hazardous waste site at the dry cleaners at the junction of the trail and Connecticut Avenue. Ironically, that is the lot that is at the center of the complex of buildings that is driving the proposal to route the Purple Line through the Capitol Crescent Trail. Therefore, the residents of the site may share with the birds, fish, snails and amphipods that depend on this water the increased levels of hazardous air and water pollution stirred up by the construction of the Purple Line.

The law cannot permit an agency action to jeopardize any listed species. There is hardly a better definition of jeopardy to a listed species within the realm of likely impacts in or near the District than the impact on wetlands and water set out, however incompletely, in the EIS. This potential negative affect upon a listed species, and in this case, rising to the point of jeopardizing the continued existence of a listed species due to the impact on the only known population on earth, calls for a biological assessment by the action agency and a formal biological opinion in return from the FWS before any Federal funds can be expended or irretrievably committed, and similarly requires a formal incidental taking statement or permit before any non-federal action affecting the species may legally take place.

State listed species of concern such as the Appalachian Spring snail (category S2) may also be present in the affected area. There is also the possibility that other Federally – listed species may be present in the areas affected, including downstream of the Purple Line route. All of these should be determined not to be affected before the project proceeds without formal permits addressing such species.

The EIS ignores the affirmative duty of the Federal agencies to enhance the recovery prospects of the Hay's Spring Amphipod if the project affects the species.

Furthermore, we note that to the extent that the Purple Line builders and operators rely upon Federal agency permits, actions or subsidies the standard of care is not just to avoid jeopardizing the likelihood of recovery but that there is also an affirmative duty to undertake actions that will be likely to lead to the recovery of the species, including protecting areas where the species may be re-introduced or may yet be found to have migrated in later status surveys. This duty is not just for wide-ranging species such as wolves or anadromous fish, but also for any listed species and has been found to exist and to protect listed amphipods in the path of Federally-subsidized

private actions. (See, *Sierra Club v. Glickman*, 5th Circuit, as discussed in by E Kristen in 27 Ecology LQ 699, 2000[3]).

This means that the potential effects of the Purple Line's construction and operation on the potentially useable amphipod habitat, including groundwater, springs and cave-like structures throughout the Rock Creek watershed should be considered and not allowed to negatively affect such areas.

Federal project partners must consult with the USFWS on the effects of the Purple Line on Hay's Spring amphipod

Because the Purple Line is likely to adversely affect Hay's Spring amphipod (*Stygobromus hayi*) and its habitat, the Federal Transit Administration, National Park Service, and the National Capital Planning Commission have a duty to consult with the U.S. Fish and Wildlife Service over these impacts and develop measures to avoid or mitigate harm. 16 U.S.C. § 1536(a)(2); 50 C.F.R. § 402.14(a). Section 7 consultation is required for "any action [that] may affect listed species or critical habitat." 50 C.F.R. § 402.14. Formal consultation with the U.S. Fish and Wildlife Service (USFWS) must be initiated "at the earliest possible time" so as to avoid irreversible commitments of resources and to eliminate the possibility of the Purple Line causing an incidental take of this important indicator species for the health of the Rock Creek ecosystem.

Federal agencies have thus far erred in determining that there are no endangered species affected by the Purple Line Project. According to the FEIS, "[i]n the October 27, 2011 letter from USFWS, the USFWS stated that there are no federally proposed or listed endangered or threatened species known to exist within the project area; therefore, no Biological Assessment or further Section 7 Consultation with the USFWS is required" (FEIS at 4-117). But this determination was based on an incomplete project record provided by FTA. The information and studies cited herein, provide a more accurate assessment, and we trust that the federal agencies involved will now act expeditiously to initiate formal consultation in accordance with the procedures outlined in 50 C.F.R. § 402.14, work with USFWS to prepare a biological opinion, and develop measures to avoid incidental take.

Expeditious consultation will obviate the need for CSE and its members to take further legal action over this critical issue, including filing of a sixty-day notice of intent to sue under the ESA and subsequent litigation to enforce ESA's consultation and incidental take provisions.

E.11

2) The EIS understates the extent and cost of the loss of tree canopy and natural green space and of the environmental services they provide, including stormwater runoff, air and water pollution reduction, shade, and the buffering of noise and wind.

The EIS understates the loss of forest cover by covering the issue primarily in the cumulative effects section of the EIS. This appears to limit the analysis of forest cover loss to the arbitrarily drawn circles around the stations and leave most of the Trail and its environs between station circles uncounted. The EIS also appear to exclude the losses in Rock Creek Park by stating that the figures for the park were unavailable (see Table 7.7) (That the Park does not know its own forest is rather

hard to believe -- see the letter from the Park Service in the appendices and another from the National Capitol Planning Commission dated 4/29 and 1/16/09 respectively. The two letters list many faults in the Draft EIS that do not appear to be corrected or addressed in the final including insufficient information to allow the agencies to assess the many effects, beyond loss of trees, of the Purple Line on the Park. We address one of the issues they raise below on the threats posed by the construction process fracturing underground rock and leading to leakage and leaching.[4])

The Final EIS appears to admit to the cutting of 47.6 acres of forest, primarily along what is now the Capital Crescent Trail, which the EIS refers to as the Georgetown Branch Right of Way. The EIS also admits that this is on top of a 3% loss in the area from 2002-2010. The EIS fails to calculate the value of the services provided by these trees, and to report that loss as a cost to society in its section on "Benefits and Effects". For such a calculation the EIS could use the "itree" [5] program available from USDA to calculate the value of the ecosystem services that different tree types and ages provide. For example, the itree program presents and can calculate the storm water management, air and water purification and carbon capture services as high economic values provided by trees and entire urban forests, which will be lost to the Purple Line.

C.3

For users of the popular Capital Crescent trail, and residents of The Town of Chevy Chase, among others, the attractiveness of the neighborhoods will be dramatically reduced by the Purple Line and in particular by the loss of these trees and the linear park that they form, their shade, their contributions to air quality, water retention and purification, and other enhancements. Loss of the entire tree canopy in the corridor between Bethesda and Silver Spring will make any hiker-biker trail constructed along the rails unprotected from summer heat and force the thousands of people who use the trail each weekend to be exposed to more cancer causing UV rays and a higher potential for heat stroke. There will also be indirect losses in health as many people will cease to use the more constricted, noisy, and less pleasant trail.

Indeed, the section on Benefits and Effects, while noting job creation benefits of an above-ground Purple Line, fails to tally the job creation benefits and other genuine economic benefits of alternatives, including an underground Purple Line, and of completing the Capital Crescent Trail solely as a dedicated hiker-biker trail.

E.5

3) The above-ground option for the Purple Line would result in the degradation of Parks, in violations of Section 4(f) Park Protections in the Transportation Act – that are beyond the legal limit of De Minimus; and in hazards to school children -- from Nursery through High School -- that are beyond cavalier.

H

The EIS attempts to avoid the application of Section 4(f)

requirements of the Transportation Act of 1966 by omitting, minimizing or mischaracterizing description of the harms caused to Elm Street, the park at the Leland Center, called Leland Park it seems in the EIS, and Rock Creek Parks, among others. Section 4(f) prohibits any detrimental use of parks or historic properties by Federally supported transportation projects which can only be permitted if they are de minimus uses (49 USC 303, 23 CFR Part 774). The EIS representation of impacts on parks is not only inaccurate and thus not in compliance with NEPA, the Transportation Act and other planning laws, but also runs the risk of violating additional prohibitions against the withholding of or misrepresenting material facts in Federal proceedings or permitting procedures (e.g., 18 USC 1001 and 1505). Instead of alleviating the bursting demand for hiker-biker commuting and recreation trails in the area, above-ground construction of the Purple Line will discourage Capital Crescent Trail (CCTrail) use and make it hazardous. While it could be argued that the (CCTrail) is exempt from 4(f) (by virtue of the 1995 Montgomery County Resolution that declared its reservation as part of the park system to be temporary, which is debatable, particularly as to other jurisdictions affected), the affects on other parks are not exempted. For example, to assert that the sound and presence of pile drivers, earth moving machines and then 70 trips a day of trains with warning bells or horns sounding as they move through Chevy Chase and the other neighborhoods, in addition to the sounds and dangers of the trains themselves, is "de minimus", stretches the definition of the term "de minimus" which means of such small amount as not to be recognizable or noticeable in the law. It is wrong to apply it in this context in particular, for parks are specifically intended to provide quiet settings in which people can enjoy the benefits of a natural environment and the purpose of 4(f) is to protect that quiet enjoyment. The decibel levels and duration of the sounds themselves were not evident in my review and the cumulative noise levels were not provided in the EIS despite the duty to report on cumulative and associated impacts. (Expected noise levels of 70dB and above were reported to the Town of Chevy Chase.) Yet the EIS asserts that the "Bethesda Station would have no cumulative effects on resources of interest." (p. 7-11). Elm Street Park and Leland Park are per se, legal, or de jure, resources of interest, and the forest cover and water flows and noise levels in the area are certainly de facto resources of interest to all residents, caregivers, teachers and workers here.

Construction of the Purple Line will result in degradation of Elm Street Park because, among other things, a wide pathway will probably have to be built through it so that bikers and hikers displaced from the Capital Crescent Trail can reach Willow Lane, and because a portion of the park will be used during construction of the Purple Line. The EIS asserts that damage to the Park will not amount to adverse impacts to Elm Street Park in light of a presumed or planned total reconstruction of "the entire Park within the next few years as a requirement of nearby development". This is circular logic and also fails to recognize that the Park was created to protect the Town of Chevy Chase from such development and to mitigate and offset commercial development. The Park should be expanded rather than reduced in response to nearby development. (p. 6-27). On p. 6-28 the EIS misleadingly asserts there will be no noise vibration or visual effects and no "constructive use" (an indirect use of parks forbidden by Section 4(f) of the Transportation Act of 1966) of Elm Street Park while building ramps and overpasses near the Park) as follows:

The Preferred Alternative would not permanently use any part of Elm Street Urban Park. *The FEIS Chapter 4.0 assessment of effects indicates that the Preferred Alternative would not cause noise, vibration, or visual effects on Elm Street Urban Park that would constitute a constructive use; no substantial impairment of the activities, features or attributes—playgrounds, gazebo, picnic tables, benches, trails and public art—that qualify the park for protection under Section 4(f) would occur.**

* Note that the Purple Line plan was modified after release of the EIS: a “minor” zoning change was requested after the EIS release to allow the bike trail to run through and thus “use” Elm Street Park or on the road next to it, thus affecting Elm Street Park and using it permanently. In addition, in the zoning change request, the entire Elm Street Park is included as part of the Bethesda Purple Line Train Station and encircled in yellow as such. These are not minor changes legally as properly understood for the serious and permanent changes that they are, they are probably forbidden by Section 4(f) of the Transportation Act.

** Note however, that horns or bells of 70 approaching trains each day would be sounded as each approaches the Wisconsin Avenue underpass which is just a few feet away from the park. This is also a permanent degradation of the Park and thus probably in violation of Section 4(f).

Additionally, children playing in the park would be separated from serious injury by only a four-foot wall. That small barrier, combined with the attractive nuisance that the trains would represent to children are yet another serious risk in fact to the community and probably a violation per se of Section 4(f).

When the EIS admits to a greater level of impact or use of a Park, it seeks a temporary exclusion from the 4(f) requirements by asserting the impact will be temporary. This assertion is not correct; significant impacts will continue for the life of the Purple Line and they are not de minimus.

The EIS shows power stations, including one across from the

Town Hall of the Town of Chevy Chase and its Leland Street Park. The EIS indicates that noise and vibration monitors will be located south of the power station, on the property of a town resident. The presence of such monitors seems to anticipate that noise and vibration may be problematic, but we could not find any discussion of levels in the EIS summary sections (although they might be in the technical reports). However, at this point there appears to be no meaningful limitation on noise or vibration levels in the EIS as the Compliance Plan is to be developed later (See below).

Threats to schoolchildren and other pedestrians are understated

H

Beyond the noise levels are the threats to immediate safety of children of all ages who use and cross these parks and the trail. There are day care centers on and near the trail and children who cross the trail to get to school at numerous points. No discussion of covering the tracks with a light roof with walls that would prevent people from climbing over the tracks for the portion from Connecticut to Wisconsin was included. That would have reduced the threats.

With regard to safety issues beyond Elm Street Park many children and adults currently walk or otherwise cross the trail at Lynn Drive. The state promised that this crossing would remain but have reneged on this. They have not offered a viable solution and admit now that they can't let people cross the tracks here because it would be too dangerous. There is a curve in the path so the sight lines are poor and trains will be moving at 45 miles per hour here and they refuse to reduce the speeds. Children will have to walk along East West highway on a narrow sidewalk to get to school or they'll try to get over fences to get to school on time putting themselves in great danger.

E.11

4) Migratory Bird Treaty Act – Some potential impacts and potentially illegal bird kills are ignored.

The 47 acres or more of mostly mature canopy and natural green space that will be lost – an area almost twice the size of Dumbarton Oaks Park in Washington DC, provide shelter, habitat, food sources and other life support functions for many wildlife, some common and others less so, including birds that are listed and protected under the Migratory Bird Treaty Act.[6]

The following are examples of birds protected under the MBTA that use or live in the affected area and that the coauthors of these comments regularly see (or, in the case of the screech owl, hear) in that canopy

and green space on the trail or in properties along the trail and forming part of its network:

Archilochus colubris, Ruby-throated Hummingbird,

Zenaida macroura, Mourning Dove

Buteo lineatus, Red Shouldered Hawk

Megascops asio, Eastern Screech-Owl

Picoides pubescens, Downy Woodpecker

Dryocopus pileatus, Pileated Woodpecker

Baeolophus bicolor, Tufted Titmouse

Thryothorus ludovicianus, Carolina Wren

Pipilo erythrophthalmus, Eastern (Rufus-sided) Towhee

Junco hyemalis, Dark-eyed Junco

Carduelis tristis, American Goldfinch

Ardea herodias, Great Blue Heron

In addition to affecting and removing habitat, shelter, and food, the Purple Line would pose a potential danger: The issue of high power lines over the tracks, including what would appear to be un-insulated live wires to supply the trains passing underneath, presents the likelihood of migratory and other protected birds being electrocuted after alighting on the live, un-insulated wires if they make contact with other parts of the structure that create a circuit and thus electrocute them.

The FWS letter to the consultant in appendix G provides a link to guidelines for compliance with the MBTA but that appears to be in response to the felling of the many nesting trees and not in response to the permanent presence of high-power lines that are not insulated. Even insulated transmission and distribution wires are leading causes of death as birds still touch un-insulated portions where the wires join the poles. Even passing birds such as Bald Eagles may alight on the wires, especially over streams and creeks. They must be protected or the operators will potentially be in violation of the law.

There is also the question of bright lights during and after construction of the Purple Line at its service facilities and elsewhere.

As the FWS MBTA office has noted—

Migratory birds are a "trust resource" with 1,007 species protected by the Migratory Bird Treaty Act (MBTA). Bright lights have been extensively documented to attract and kill migratory birds, especially at night. Migratory birds are protected by the MBTA, which is a strict liability criminal statute. Each time a protected migratory bird is documented injured or killed at a lit structure such as this one -- most mortality occurring at night during migration, and an existing "conservation measure" is readily available to address it (i.e., turn the light off), then each incident represents a "take" that could have criminal consequences. [7]

No discussion of covering the tracks with a roof for any portions, such as the one from Connecticut to Wisconsin Avenues was included, for example. That would have reduced the threats to children and birds and reduced the "need" to cut trees away at an angle as some have heard, to avoid wet leaves falling on and accumulating on the live electric rail.

E.1

5) The Environmental Compliance Plan is not included as it is not yet developed. Proposed zoning changes and ensuing development associated with the Line are also not covered. Therefore the impact of the actions cannot be assessed based on this EIS and the EIS is inadequate as a legal assessment or as a basis for prior informed consent or decision-making per se.

Section 5.4 of the EIS states that the MTA will develop an Environmental Compliance Plan after the Record of Decision is issued. That would seem to miss the point of an EIS of informing decision makers of the likely impact of their decisions as to the preferred and alternative courses of action. Also absent from this Final EIS are the

changes that would follow proposed alterations in zoning announced after the EIS was published. Those changes would encourage the permanent conversion and reduction of part of Elm Street Park as noted above, and increasingly dense development, near the Purple Line and its stations. This is a classic example of segmented, piecemeal revelations and sleight of hand intended to by-pass the requirements of planning law and to fly under the radar of busy elected officials and citizens. Therefore, before funds are dedicated to the Purple Line, the preferred alternative and several reasonable alternatives should be reassessed and a supplemental EIS completed for them along with a complete description of all compliance steps required. It is necessary to do this, despite the 2012 streamlining of the Transportation Act requirements because other laws apply that have not changed or been preempted. These include the Endangered Species Act, the Migratory Bird Treaty Act (active nesting trees, etc.) the Clean Water and Historic Preservation Acts, and similar Maryland and potentially District of Columbia (e.g. water pollution and wildlife) laws.

Finally, any decision based on the EIS's limited and understated analysis and its lack of a compliance plan would seem to be arbitrary and capricious for purposes of federal or state administrative law alone given the serious financial, health and safety risks that are evident.

Sincerely,

John M. Fitzgerald, J.D.

On behalf of –

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[1] <http://www.bethesdamagazine.com/Bethesda-Magazine/September-October-2013/The-Intercounty-Connector/>

[2] Sources cited by the FWS article include:

Culver, D.C., L. L. Master, M.C. Christman, and H.
H. Hobbs III. 2000. Obligate cave fauna of the
48 contiguous United States. *Conservation Bi-*
ology 14:386-401.

Holsinger, J. R. 1978. Systematics of the subterranean amphipod genus *Stygobromus* (Crangonyctidae), par II: Species of the eastern United States. *Smithsonian Contributions to Zoology*, No. 266. Smithsonian Institution Press, Washington, D.C.

Holsinger, J. R. 1967. Systematics, speciation, and distribution of the subterranean amphipod genus *Stygonectes* (Gammaridae). *United States National Museum Bulletin*, No. 259. Smithsonian Institution Press, Washington, D.C.

Hubricht, L. and J. G. Mackin. 1940. Description of nine new species of fresh-water crustaceans with notes and new localities for other species.

American Midland Naturalist 23:187-218.

[3] HeironLine suggests that we “See Hay, supra note 57, at 1462 n.29 (citation omitted ... species on the endangered or threatened list include the Comal Springs dryopid beetle [Stugopamus comalensis), Comal Springs riffle beetle [Heterelmis comalensis} and Peck's cave amphipod [Stygobromus peckQ. ...”

[4] One DOI letter of 2009 noted that rock fractures from construction of the purple line could make leaks of water already occurring into the Red Line of the Metro system worse, leading to more shut downs in service or greater expenses for additional pumps, etc.

[5] <http://www.itreetools.org/index.php>

[6] US Fish and Wildlife Service:

<http://www.fws.gov/migratorybirds/regulationspolicies/mbta/taxolst.html>

[7] Email from Dr. Albert Manville of the USFWS, October 18, 2013, concerning a construction site light in the vicinity of Chevy Chase, MD.

Begin forwarded message:

Attachments :

JMF DDI CR + JT Purple Line Comments -- 10-21-4 pm.pdf (593 kb)

**John M. Fitzgerald, J.D.
Christine Real de Azua
Dedun Ingram**

And

**John Talberth, Ph.D.
Senior Economist and President
Center for a Sustainable Economy**

October 21, 2013

Submit the Following Comments

by email to: FEIS@purplelinemd.com

and via the US Postal Service to:

FEIS Comment
Maryland Transit Administration
Transit Development Delivery
100 S.E. Charles Street, Tower Two, Suite 700
Baltimore, MD 21201

**Comments on the Environmental Impact Statement
For the Purple Line
Proposed by the Maryland Department of Transportation**

Introduction

John M. Fitzgerald, Christine Real de Azua, Dedun Ingram and Center for Sustainable Economy (CSE) hereby offer the following comments on the Final Environmental Impact Statement (FEIS) for the proposed Purple Line Project. John M. Fitzgerald, Christine Real de Azua and Dedrun Ingram are individuals residing in the area affected by the Purple Line Project whose interests will be harmed by the project in a number of ways: the project will diminish the quality and the extent of their use and enjoyment of their homes on Elm Street, the street paralleling that portion the proposed Purple Line Capital Crescent Trail, the trail which they use often for recreation and fitness, Elm Street, Leland Center and Rock Creek Parks and the species, services and features thereof. Fitzgerald and Real de Azua are also active members of Center for Sustainable Economy.

Center for Sustainable Economy is a non-profit advocate for the transition to an economy based on principles of social, environmental, and economic sustainability. CSE has active members who reside in and around the project area who will be harmed by the loss of aesthetic, historic, ecological, and economic resources of urban forests, streams, and open spaces. CSE also has an interest in protecting these green infrastructure elements for their benefits in reducing water quality management costs downstream and generating a host of ecosystem services of great benefit to surrounding communities.

The Maryland State Department of Transportation is planning to seek Federal and private funding to build and operate a light railroad across Montgomery and Prince Georges Counties just north of the District of Columbia. It would cross Rock Creek Park and negatively and permanently affect Rock Creek Park, several other parks, forests, migratory birds, and the Rock Creek watershed that contains a highly endangered species, the Hay's Spring amphipod. This small crustacean is a key part of the ground water and creek ecosystems, turning leaves into nutrients for other species. It is highly sensitive to water pollution of the sort expected to be generated by the construction and operation of the Purple Line.

The primary publicly stated purpose for building the Purple Line, and for routing over the path of a former railroad and a hiking and biking trail is to alleviate east-west traffic congestion and strengthen east-west transit between College Park and Bethesda. However, the unstated, underlying driving force for the proposal is to enable large-scale residential and commercial development at Connecticut Avenue and along the Capitol Crescent Trail mainly to Silver Spring and to provide those new residents with access to Bethesda that is easier than taking a walk, a bike, a bus, a pedal cab or motor cab or a new dedicated bus line. Any of these could cost much less and lead to less net pollution and risk to the communities affected.

The direct cost to taxpayers of the construction can be measured in millions of dollars and five years of interruptions. The indirect, unavoidable costs of construction and operation include the lost opportunities to pay within existing tax rates for projects that are already built, and for several already planned as well as the potential losses inherent in an undrafted contract with private partners.

Maryland has committed similar errors in recent years primarily driven by one major private developer and for which citizens are still paying in the form of higher taxes, lost opportunities and lost ecosystems. A prime example is the InterCountyConnector, as set out in Bethesda Magazine in September 2013, for which traffic and revenue have turned out to be far lower than projected, and for

which costs escalated from the initial estimate of \$1 billion to as much as \$4 billion including interest payments¹ --payments which are still today draining the State's Transportation Trust Fund.

In these comments we outline several fatal flaws in the Environmental Impact Statement for the Purple Line. The project proponent and the State may believe that the EIS standards need not be met due to an attempted waiver for similar projects in the 2012 Highway Act that has not yet been tested in court as applied to this project in particular. That waiver, however, does not waive the Federal and state requirements that such proponents comply with other laws and state fully, and without misleading or withholding, in any EIS or other such statements, all information relevant to government permits or funding. This EIS fails to meet that standard and places all agencies relying on it at risk.

Therefore, should the objections raised in these comments not be satisfactorily addressed in the near future, we will have to considering further action, beginning with a sixty days' notice of the intent of coauthors to sue to uphold the laws affected and prevent harm to the resources, wildlife, and people that the Purple Line project puts at risk.

Main Points

- 1) There are serious flaws in the EIS, including the failure to disclose the presence of a highly endangered species, the Hay's Spring amphipod, *Stygobromus hayi*, downstream in Rock Creek Park, which, through required interagency consultation by the Federal funding agency, and possible litigation by concerned citizens, including the coauthors of these comments, is likely to alter and/or delay and increase the cost of the project;
- 2) The EIS understates the extent and cost of the loss of tree canopy and natural green space and of its stormwater runoff and air and water pollution reduction, shade-providing, noise and wind buffering, and other environmental services.
- 3) The above-ground option for the Purple Line would result in the degradation of Parks, in violations of Section 4(f) Park Protections in the Transportation Act – that are beyond the legal limit of *De Minimus*; and in hazards to school children -- from Nursery through High School -- that are beyond cavalier.

¹ <http://www.bethesdamagazine.com/Bethesda-Magazine/September-October-2013/The-Intercounty-Connector/>

² Sources cited by the FWS article include:

- 4) Migratory Bird Treaty Act – Some potential impacts and potentially illegal bird kills are ignored.
- 5) The Environmental Compliance Plan is not included as it is not yet developed – Proposed zoning changes and ensuing development associated with the Line are also not covered. Therefore the impact of the actions cannot be assessed based on this EIS and the EIS is inadequate as an legal assessment or as a basis for prior informed consent or decision-making *per se*.

In addition:

6) Key elements of any binding contract between public and private partners for the construction and operation of the Line are obviously not yet available nor ready for inclusion in the "request for qualifications" that will be sent out and lead to a joint application for that Federal funding;

7) Many other elements of the environmental and economic performance that will be required by State and Federal law in order to obtain Federal and state funding, including the Compliance Plan, are mere guesses at this stage, while the numbers have been arrayed so as to cast the project in the best light, which barely made it over the Federal standard for such matches at an earlier stage; and

8) Many better alternatives for inner east-west flow improvements are available (yet not assessed fully) and the costs of pursuing this one opportunity would preclude all of those and many other worthy transportation projects meeting additional and more pressing needs at lower risk and lower cost.

Discussion of Main Points

1) The EIS admits an impact on wetlands but ignores key wetlands and a highly endangered wetlands-dependent species.

The EIS admits that a Section 404 Clean Water Act permit will be required due to the apparent impact on wetlands but appears to ignore the impacts on some wetlands such as **Coquelin Run in Chevy Chase and completely omits the threat to a highly endangered species downstream.**

The EIS does not disclose that a wetlands-dependent endangered species, the **Hay's Spring amphipod**, has its only known population in and near Rock Creek. Rock Creek and its many tributaries to it, will have their sediment loads and pollutant loads increased for five years in all likelihood due to construction of the Purple Line. It is probable that Rock Creek's sediment and

pollution loads will be increased to some extent for a considerably longer period.

Sediment and pollution were cited as primary threats to the endangered Hay's Spring amphipod and a potentially more rare relative, Kenk's amphipod, in the official Endangered Species Bulletin of the US Fish and Wildlife Service (which summarized scholarly articles and recent grants to the Maryland Department of Natural Resources for status surveys). See <http://www.fws.gov/ENDANGERED/bulletin/2002/01-02/08-09.pdf>; The report stated:

Obvious vulnerability comes from the narrow distribution in the specialized subterranean habitat, and threats come from potential groundwater pollution. The urban area surrounding the park poses potential risks due to toxic spills (such as oil and gas), nonpoint source inputs (such as fertilizers and pesticides), land disturbances, sewer leaks, and excessive stormwater flows that might adversely affect groundwater. Except for parklands, additional potential habitat where Hay's Spring amphipod populations may have occurred in the District has largely been lost to development.

Another vulnerable species, Kenk's amphipod (*Stygobromus kenki*), occurs in Rock Creek Park in two other springs and may be more rare than the Hay's Spring amphipod.²

² Sources cited by the FWS article include:

Culver, D.C., L. L. Master, M.C. Christman, and H. H. Hobbs III. 2000. Obligate cave fauna of the 48 contiguous United States. *Conservation Biology* 14:386-401.

Holsinger, J. R. 1978. Systematics of the subterranean amphipod genus *Stygobromus* (Crangonyctidae), par II: Species of the eastern United States. *Smithsonian Contributions to Zoology*, No. 266. Smithsonian Institution Press, Washington, D.C.

Holsinger, J. R. 1967. Systematics, speciation, and distribution of the subterranean amphipod genus *Stygonectes* (Gammaridae). *United States National Museum Bulletin*, No. 259. Smithsonian Institution Press, Washington, D.C.

Hubricht, L. and J. G. Mackin. 1940. Description of nine new species of fresh-water crustaceans with notes and new localities for other species.

American Midland Naturalist 23:187-218.

Construction may cause rock fractures – allowing increased pollution of ground water downstream affecting the amphipod and possible leaks into the stations on the Metro Red Line

The 2009 letter in the appendices of the EIS, received from David Hayes of the DOI -- (the Regional Transportation Liaison, rather than the Deputy Secretary of the same name) notes that rock fractures from construction of the purple line could make leaks of water already occurring into the Red Line of the Metro system worse, leading to more shut downs in service or greater expenses for additional pumps, etc.

The potential problems brought on by increasing fractures in underground rock layers seemed not to be addressed in the Final EIS and it presents a serious risk not only on the Metro Stations the Purple Line is intended to serve but also to the Hay's Spring amphipod which depends on clean ground water as a major part of its habitat. New fractures in rock formations along the train tracks would likely lead to the leaching of hazardous wastes near ground level at various sites along the right of way, as marked in the maps of the EIS, that may have to date been contained by uncompromised or un-cracked layers of rock. That may result in the pollution of bodies of water near the waste sites, such as the pond and stream on the Chevy Chase Country Club adjacent to the hazardous waste site at the dry cleaners at the junction of the trail and Connecticut Avenue. Ironically, that is the lot that is at the center of the complex of buildings that is driving the proposal to route the Purple Line through the Capitol Crescent Trail. Therefore, the residents of the site may share with the birds, fish, snails and amphipods that depend on this water the increased levels of hazardous air and water pollution stirred up by the construction of the Purple Line.

The law cannot permit an agency action to jeopardize any listed species. There is hardly a better definition of jeopardy to a listed species within the realm of likely impacts in or near the District than the impact on wetlands and water set out, however incompletely, in the EIS. This potential negative affect upon a listed species, and in this case, rising to the point of jeopardizing the continued existence of a listed species due to the impact on the only known population on earth, calls for a biological assessment by the action agency and a formal biological opinion in return from the FWS before any Federal funds can be expended or irretrievably committed, and similarly requires a formal incidental taking statement or permit before any non-federal action affecting the species may legally take place.

State listed species of concern such as the Appalachian Spring snail (category S2) may also be present in the affected area. There is also the possibility that other Federally – listed species may be present in the areas

affected, including downstream of the Purple Line route. All of these should be determined not to be affected before the project proceeds without formal permits addressing such species.

The EIS ignores the affirmative duty of the Federal agencies to enhance the recovery prospects of the Hay’s Spring Amphipod if the project affects the species.

Furthermore, we note that to the extent that the Purple Line builders and operators rely upon Federal agency permits, actions or subsidies the standard of care is not just to avoid jeopardizing the likelihood of recovery but that there is also an affirmative duty to undertake actions that will be likely to lead to the recovery of the species, including protecting areas where the species may be re-introduced or may yet be found to have migrated in later status surveys. This duty is not just for wide-ranging species such as wolves or anadromous fish, but also for any listed species and has been found to exist and to protect listed amphipods in the path of Federally-subsidized private actions. (See, [Sierra Club v. Glickman](#), 5th Circuit, as discussed in by E Kristen in 27 Ecology LQ 699, 2000³).

This means that the potential effects of the Purple Line’s construction and operation on the potentially useable amphipod habitat, including groundwater, springs and cave-like structures throughout the Rock Creek watershed should be considered and not allowed to negatively affect such areas.

Federal project partners must consult with the USFWS on the effects of the Purple Line on Hay’s Spring amphipod

Because the Purple Line is likely to adversely affect Hay’s Spring amphipod (*Stygobromus hayi*) and its habitat, the Federal Transit Administration, National Park Service, and the National Capital Planning Commission have a duty to consult with the U.S. Fish and Wildlife Service over these impacts and develop measures to avoid or mitigate harm. 16 U.S.C. § 1536(a)(2); 50 C.F.R. § 402.14(a). Section 7 consultation is required for “any action [that] may affect listed species or critical habitat.” 50 C.F.R. § 402.14. Formal consultation with the U.S Fish and Wildlife Service (USFWS) must be initiated “at the earliest possible time” so as to avoid irreversible commitments of resources and to eliminate the possibility of the Purple Line causing an incidental take of this important indicator species for the health of the Rock Creek ecosystem.

³ HeinonLine suggests that we “See Hay, supra note 57, at 1462 n.29 (citation omitted ... species on the endangered or threatened list include the Comal Springs dryopid beetle [*Stugopamus comalensis*), Comal Springs riffle beetle [*Heterelmis comalensis*] and Peck’s cave amphipod [*Stygobromus peckQ*. ...”

Federal agencies have thus far erred in determining that there are no endangered species affected by the Purple Line Project. According to the FEIS, “[i]n the October 27, 2011 letter from USFWS, the USFWS stated that there are no federally proposed or listed endangered or threatened species known to exist within the project are; therefore, no Biological Assessment or further Section 7 Consultation with the USFWS is required” (FEIS at 4-117). But this determination was based on an incomplete project record provided by FTA. The information and studies cited herein, provide a more accurate assessment, and we trust that the federal agencies involved will now act expeditiously to initiate formal consultation in accordance with the procedures outlined in 50 C.F.R. § 402.14, work with USFWS to prepare a biological opinion, and develop measures to avoid incidental take.

Expeditious consultation will obviate the need for CSE and its members to take further legal action over this critical issue, including filing of a sixty-day notice of intent to sue under the ESA and subsequent litigation to enforce ESA’s consultation and incidental take provisions.

2) The EIS understates the extent and cost of the loss of tree canopy and natural green space and of the environmental services they provide, including stormwater runoff, air and water pollution reduction, shade, and the buffering of noise and wind.

The EIS understates the loss of forest cover by covering the issue primarily in the cumulative effects section of the EIS. This appears to limit the analysis of forest cover loss to the arbitrarily drawn circles around the stations and leave most of the Trail and its environs between station circles uncounted. The EIS also appear to exclude the losses in Rock Creek Park by stating that the figures for the park were unavailable (see Table 7.7) (That the Park does not know its own forest is rather hard to believe -- see the letter from the Park Service in the appendices and another from the National Capitol Planning Commission dated 4/29 and 1/16/09 respectively. The two letters list many faults in the Draft EIS that do not appear to be corrected or addressed in the final including insufficient information to allow the agencies to assess the many effects, beyond loss of trees, of the Purple Line on the Park. We address one of the issues they raise below on the threats posed by the construction process fracturing underground rock and leading to leakage and leaching.⁴)

The Final EIS appears to admit to the cutting of 47.6 acres of forest, primarily along what is now the Capital Crescent Trail, which the EIS refers to as

⁴ One DOI letter of 2009 noted that rock fractures from construction of the purple line could make leaks of water already occurring into the Red Line of the Metro system worse, leading to more shut downs in service or greater expenses for additional pumps, etc.

the Georgetown Branch Right of Way. The EIS also admits that this is on top of a 3% loss in the area from 2002-2010. The EIS fails to calculate the value of the services provided by these trees, and to report that loss as a cost to society in its section on “Benefits and Effects”. For such a calculation the EIS could use the “itree”⁵ program available from USDA to calculate the value of the ecosystem services that different tree types and ages provide. For example, the itree program presents and can calculate the storm water management, air and water purification and carbon capture services as high economic values provided by trees and entire urban forests, which will be lost to the Purple Line.

For users of the popular Capital Crescent trail, and residents of The Town of Chevy Chase, among others, the attractiveness of the neighborhoods will be dramatically reduced by the Purple Line and in particular by the loss of these trees and the linear park that they form, their shade, their contributions to air quality, water retention and purification, and other enhancements. Loss of the entire tree canopy in the corridor between Bethesda and Silver Spring will make any hiker-biker trail constructed along the rails unprotected from summer heat and force the thousands of people who use the trail each weekend to be exposed to more cancer causing UV rays and a higher potential for heat stroke. There will also be indirect losses in health as many people will cease to use the more constricted, noisy, and less pleasant trail.

Indeed, the section on Benefits and Effects, while noting job creation benefits of an above-ground Purple Line, fails to tally the job creation benefits and other genuine economic benefits of alternatives, including an underground Purple Line, and of completing the Capital Crescent Trail solely as a dedicated hiker-biker trail.

3) The above-ground option for the Purple Line would result in the degradation of Parks, in violations of Section 4(f) Park Protections in the Transportation Act – that are beyond the legal limit of *De Minimus*; and in hazards to school children -- from Nursery through High School -- that are beyond cavalier.

The EIS attempts to avoid the application of Section 4(f) requirements of the Transportation Act of 1966 by omitting, minimizing or mischaracterizing description of the harms caused to Elm Street, the park at the Leland Center, called Leland Park it seems in the EIS, and Rock Creek Parks, among others. Section 4(f) prohibits any detrimental use of parks or historic properties by Federally supported transportation projects which can only be permitted if they are *de minimus* uses (49 USC 303, 23 CFR Part 774). The EIS representation of impacts on parks is not only inaccurate and thus not in compliance with NEPA,

⁵ <http://www.itreetools.org/index.php>

the Transportation Act and other planning laws, but also runs the risk of violating additional prohibitions against the withholding of or misrepresenting material facts in Federal proceedings or permitting procedures (*e.g.*, 18 USC 1001 and 1505). Instead of alleviating the bursting demand for hiker-biker commuting and recreation trails in the area, above-ground construction of the Purple Line will discourage Capital Crescent Trail (CCTrail) use and make it hazardous. While it could be argued that the (CCTrail) is exempt from 4(f) (by virtue of the 1995 Montgomery County Resolution that declared its reservation as part of the park system to be temporary, which is debatable, particularly as to other jurisdictions affected), the affects on other parks are not exempted. For example, to assert that the sound and presence of pile drivers, earth moving machines and then 70 trips a day of trains with warning bells or horns sounding as they move through Chevy Chase and the other neighborhoods, in addition to the sounds and dangers of the trains themselves, is "*de minimus*", stretches the definition of the term "*de minimus*" which means of such small amount as not to be recognizable or noticeable in the law. It is wrong to apply it in this context in particular, for parks are specifically intended to provide quiet settings in which people can enjoy the benefits of a natural environment and the purpose of 4(f) is to protect that quiet enjoyment. The decibel levels and duration of the sounds themselves were not evident in my review and the cumulative noise levels were not provided in the EIS despite the duty to report on cumulative and associated impacts. (Expected noise levels of 70dB and above were reported to the Town of Chevy Chase.) Yet the EIS asserts that the "Bethesda Station would have no cumulative effects on resources of interest." (p. 7-11). Elm Street Park and Leland Park are per se, legal, or *de jure*, resources of interest, and the forest cover and water flows and noise levels in the area are certainly *de facto* resources of interest to all residents, caregivers, teachers and workers here.

Construction of the Purple Line will result in degradation of Elm Street Park because, among other things, a wide pathway will probably have to be built through it so that bikers and hikers displaced from the Capital Crescent Trail can reach Willow Lane, and because a portion of the park will be used during construction of the Purple Line. The EIS asserts that damage to the Park will not amount to adverse impacts to Elm Street Park in light of a presumed or planned total reconstruction of "the entire Park within the next few years as a requirement of nearby development". This is circular logic and also fails to recognize that the Park was created to protect the Town of Chevy Chase from such development and to mitigate and offset commercial development. The Park should be expanded rather than reduced in response to nearby development. (p. 6-27). On p. 6-28 the EIS misleadingly asserts there will be no noise vibration or visual effects and no "constructive use" (an indirect use of parks forbidden by Section 4(f) of the Transportation Act of 1966) of Elm Street Park while building ramps and overpasses near the Park) as follows:

The Preferred Alternative would not permanently

use any part of Elm Street Urban Park. *The FEIS Chapter 4.0 assessment of effects indicates that the Preferred Alternative would not cause noise, vibration, or visual effects on Elm Street Urban Park that would constitute a constructive use; no substantial impairment of the activities, features or attributes—playgrounds, gazebo, picnic tables, benches, trails and public art—that qualify the park for protection under Section 4(f) would occur.**

* Note that the Purple Line plan was modified after release of the EIS: a “minor” zoning change was requested after the EIS release to allow the bike trail to run through and thus “use” Elm Street Park or on the road next to it, thus affecting Elm Street Park and using it permanently. In addition, in the zoning change request, the entire Elm Street Park is included as part of the Bethesda Purple Line Train Station and encircled in yellow as such. These are not minor changes legally as properly understood for the serious and permanent changes that they are, they are probably forbidden by Section 4(f) of the Transportation Act.

** Note however, that horns or bells of 70 approaching trains each day would be sounded as each approaches the Wisconsin Avenue underpass which is just a few feet away from the park. This is also a permanent degradation of the Park and thus probably in violation of Section 4(f).

Additionally, children playing in the park would be separated from serious injury by only a four-foot wall. That small barrier, combined with the attractive nuisance that the trains would represent to children are yet another serious risk in fact to the community and probably a violation *per se* of Section 4(f).

When the EIS admits to a greater level of impact or use of a Park, it seeks a temporary exclusion from the 4(f) requirements by asserting the impact will be temporary. This assertion is not correct; significant impacts will continue for the life of the Purple Line and they are not *de minimus*.

The EIS shows power stations, including one across from the Town Hall of the Town of Chevy Chase and its Leland Street Park. The EIS indicates that noise and vibration monitors will be located south of the power station, on the property of a town resident. The presence of such monitors seems to anticipate that noise and vibration may be problematic, but we could not find any discussion of levels in the EIS summary sections (although they might be in the technical reports). However, at this point there appears to be no meaningful limitation on noise or vibration levels in the EIS as the Compliance Plan is to be developed later (See below).

Threats to schoolchildren and other pedestrians are understated

Beyond the noise levels are the threats to immediate safety of children of all ages who use and cross these parks and the trail. There are day care centers on and near the trail and children who cross the trail to get to school at numerous points. No discussion of covering the tracks with a light roof with walls that would prevent people from climbing over the tracks for the portion from Connecticut to Wisconsin was included. That would have reduced the threats.

With regard to safety issues beyond Elm Street Park many children and adults currently walk or otherwise cross the trail at Lynn Drive. The state promised that this crossing would remain but have reneged on this. They have not offered a viable solution and admit now that they can't let people cross the tracks here because it would be too dangerous. There is a curve in the path so the sight lines are poor and trains will be moving at 45 miles per hour here and they refuse to reduce the speeds. Children will have to walk along East West highway on a narrow sidewalk to get to school or they'll try to get over fences to get to school on time putting themselves in great danger.

4) Migratory Bird Treaty Act – Some potential impacts and potentially illegal bird kills are ignored.

The 47 acres or more of mostly mature canopy and natural green space that will be lost – an area almost twice the size of Dumbarton Oaks Park in Washington DC, provide shelter, habitat, food sources and other life support functions for many wildlife, some common and others less so, including birds that are listed and protected under the Migratory Bird Treaty Act.⁶

The following are examples of birds protected under the MBTA that use or live in the affected area and that the coauthors of these comments regularly see (or, in the case of the screech owl, hear) in that canopy and green space on the trail or in properties along the trail and forming part of its network:

Archilochus colubris, [Ruby-throated Hummingbird](#),

Zenaida macroura, Mourning Dove

⁶ US Fish and Wildlife Service:
<http://www.fws.gov/migratorybirds/regulationspolicies/mbta/taxolst.html>

Buteo lineatus, Red Shouldered Hawk

Megascops asio, Eastern Screech-Owl

Picoides pubescens, Downy Woodpecker

Dryocopus pileatus, Pileated Woodpecker

Baeolophus bicolor, Tufted Titmouse

Thryothorus ludovicianus, Carolina Wren

Pipilo erythrophthalmus, Eastern (Rufus-sided) Towhee

Junco hyemalis, Dark-eyed Junco

Carduelis tristis, American Goldfinch

Ardea herodias, Great Blue Heron

In addition to affecting and removing habitat, shelter, and food, the Purple Line would pose a potential danger: The issue of high power lines over the tracks, including what would appear to be un-insulated live wires to supply the trains passing underneath, presents the likelihood of migratory and other protected birds being electrocuted after alighting on the live, un-insulated wires if they make contact with other parts of the structure that create a circuit and thus electrocute them.

The FWS letter to the consultant in appendix G provides a link to guidelines for compliance with the MBTA but that appears to be in response to the felling of the many nesting trees and not in response to the permanent presence of high-power lines that are not insulated. Even insulated transmission and distribution wires are leading causes of death as birds still touch un-insulated portions where the wires join the poles. Even passing birds such as Bald Eagles may alight on the wires, especially over streams and creeks. They must be protected or the operators will potentially be in violation of the law.

There is also the question of bright lights during and after construction of the Purple Line at its service facilities and elsewhere.

As the FWS MBTA office has noted—

Migratory birds are a "trust resource" with 1,007 species protected

by the Migratory Bird Treaty Act (MBTA). Bright lights have been extensively documented to attract and kill migratory birds, especially at night. Migratory birds are protected by the MBTA, which is a strict liability criminal statute. Each time a protected migratory bird is documented injured or killed at a lit structure such as this one -- most mortality occurring at night during migration, and an existing "conservation measure" is readily available to address it (i.e., turn the light off), then each incident represents a "take" that could have criminal consequences.⁷

No discussion of covering the tracks with a roof for any portions, such as the one from Connecticut to Wisconsin Avenues was included, for example. That would have reduced the threats to children and birds and reduced the "need" to cut trees away at an angle as some have heard, to avoid wet leaves falling on and accumulating on the live electric rail.

5) The Environmental Compliance Plan is not included as it is not yet developed. Proposed zoning changes and ensuing development associated with the Line are also not covered. Therefore the impact of the actions cannot be assessed based on this EIS and the EIS is inadequate as a legal assessment or as a basis for prior informed consent or decision-making *per se*.

Section 5.4 of the EIS states that the MTA will develop *an* Environmental Compliance Plan after the Record of Decision is issued. That would seem to miss the point of an EIS of informing decision makers of the likely impact of their decisions as to the preferred and alternative courses of action. Also absent from this Final EIS are the changes that would follow proposed alterations in zoning announced after the EIS was published. Those changes would encourage the permanent conversion and reduction of part of Elm Street Park as noted above, and increasingly dense development, near the Purple Line and its stations. This is a classic example of segmented, piecemeal revelations and sleight of hand intended to by-pass the requirements of planning law and to fly under the radar of busy elected officials and citizens. Therefore, before funds are dedicated to the Purple Line, the preferred alternative and several reasonable alternatives should be reassessed and a supplemental EIS completed for them along with a complete description of all compliance steps required. It is necessary to do this, despite the 2012 streamlining of the Transportation Act requirements because other laws apply that have not changed or been preempted. These include the Endangered Species Act, the Migratory Bird Treaty Act (active nesting trees, etc.)

⁷ Email from Dr. Albert Manville of the USFWS, October 18, 2013, concerning a construction site light in the vicinity of Chevy Chase, MD.

the Clean Water and Historic Preservation Acts, and similar Maryland and potentially District of Columbia (*e.g.* water pollution and wildlife) laws.

Finally, any decision based on the EIS's limited and understated analysis and its lack of a compliance plan would seem to be arbitrary and capricious for purposes of federal or state administrative law alone given the serious financial, health and safety risks that are evident.

Sincerely,



John M. Fitzgerald, J.D.

On behalf of –

Christine Real de Azua
4502 Elm Street
Chevy Chase, MD 20815

Deborah Ingram
4411 Elm Street
Chevy Chase, MD



John Talberth, Ph.D.
President and Senior Economist
Center for Sustainable Economy
1112 16th St. NW, Suite 600,
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Purple Line FEIS - RECORD #718 DETAIL

First Name : Pascale

Last Name : Q

Email Address : pascaleq@verizon.net

Submission Content/Notes : I enjoy the trail every day with my dogs. It is serene and a great asset to Bethesda residents. Please consider another alternative such as having the purple line start at Medical Center and run along the highway.

C.3

C.2

Purple Line FEIS - RECORD #720 DETAIL

First Name : Scott
Last Name : Williams
Email Address : scott.williams@forefrontstrategies.com

Submission Content/Notes : I am a Bethesda resident and live near the Crescent Trail. I use it heavily to avoid driving and for recreation.

C.3

My view on the Purple Line is that its an idea that has been overrun by time and events. The current plan to use the Crescent trail ignores the significant benefits of the trail as a resource for the community, and does not take into account the significant development changes that have occurred in Bethesda. Why, for example, does the line not run on the much wider Jones Bridge Road and service the massive new population at the Navel Medical Center? That development was not even imagined when the line was planned. Sure, removing the line from the trail to the road would pose some challenges but the loss to the community as a whole would be much less, and the benefit to ease the terrible traffic and transportation issues would be directly addressed. Indeed, I don't know why (perhaps this is in planning), the line doesn't go to Wisconsin Ave/Medical Center Station, with plans to take it north to Rockville and south into downtown Bethesda?

C.2

C.1

In Salt Lake City they have done an excellent job incorporating light rail along major roads, and it has been a huge hit with the public. Why does the County and State continue to promote a plan that is out of touch with the reality of today's Bethesda? The County created the mess, and they are simply destroying an amazing natural resource with a plan that should be sent back to the drawing board.

Purple Line FEIS - RECORD #721 DETAIL

First Name : Lynda
Last Name : Williams
Business/Agency/Association Name : Edgevale Community Association
Email Address : 3suns5@gmail.com

Submission Content/Notes : Edgevale Community Association
7112 Edgevale St.
Chevy Chase, MD 20815

October 23, 2013
Purple Line FEIS Comment
Maryland Transit Administration
Transit Development and Delivery
100 S. Charles Street
Tower Two, Suite 700
Baltimore, MD 21201

Re: Comments of the Edgevale Community Association on the Purple Line Final Environmental Impact Statement

Dear Sir/Madam:

Thank you for providing the Edgevale Community with an opportunity to review and comment on the Purple Line's Final Environmental Impact Statement (FEIS.) We are submitting for your consideration, our comments about the significant impact the project would have on our community, health and our homes.

The Edgevale community, which resides north of East West HWY, between the Columbia Country Club and the Sleaford Rd access junction, was established in 1950. It is nestled in the last existing stand of the old Columbia Forest, hence our name "Columbia" on maps, as well as the name of the Country Club. It is one of the largest parcels of forested green space in Montgomery County inside the beltway. The community comprises 23 single family homes, 43% of which border the Georgetown Branch right-of-way (aka the Capital Crescent Trail or simply, the Trail.) We chose to live below the mature tree canopy and in a park setting in the middle of an urban environment, and we are thus concerned about the Purple Line project and, particularly, the severe impact it will have on our community and the trail.

After review, we would like to share our perspective on several issues that directly impact us:

Trail/Transit Noise, Vibrations and Trail Safety

Visual Impact

Loss of Tree Canopy and Air Pollution

Access to the trail via the Sleaford Rd Access Junction

Trail/Transit Construction and Trail Availability

Increased pedestrian and automobile traffic at Edgevale St and East West HWY

Trail Aesthetics/Maintenance

Derailment

Sound Barrier

Noise, Vibrations and Trail Safety

Please note that FEIS mitigation methods of noise and vibrations should be mandated as part of the construction of the proposed Purple Line project from the beginning. Edgevale homeowners should also be given the same consideration that has been given to Columbia Country Club and the University of Maryland, namely that noise and vibration would be mitigated to the extent that it would not disturb people in the club house at Columbia CC or the students and researchers at the University of Maryland, even though the Dorms and Classroom buildings are located further away from the project line than our homes.

E.9

E.10

Vibrations: The high frequency of vibrating ground from a high volume

light rail line would be a significant problem for our community, especially for those with homes backing to the project. The project, for most of the line, will move at 20 - 30 MPH. What has been proposed uniquely for our area is a much more intense use of light rail, moving at 45 MPH, at most hours of the day, in the narrowest part of the rail project, in very close proximity to older homes. We are very concerned about the effects of all of these vibrations on our health (mental and physical) and on the integrity of our properties.

Noise: The Edgevale community reviewed the information in the FEIS regarding expected noise levels on the trail and the homes adjacent to the trail. We understand that MTA has computed these estimated noise levels via FTA criteria. These levels, however, have little bearing on the actual noise levels that Edgevale residents will experience when in one's back yard or using the trail. The actual peak noise level when a train passes by is almost 90 decibels. One cannot carry on a conversation, nor hear a bike bell alerting that a biker is passing, at 90 decibels. Edgevale residents at home or on the trail, would experience these peak noise levels as frequently as every three minutes at most hours of the day. The Edgevale community finds these extreme vibration and noise levels completely unacceptable and seek significant mitigation.

Trail users should not be exposed to peak noise levels approaching 90 decibels. Noise mitigation measures need to be factored into the trail/transit design. The Edgevale community endorses the construction of a noise barrier, at least 10 feet high, between the trail and the transit line, incorporated in the design so no property is taken. Such a barrier will help mitigate noise for trail users and Edgevale residents and ensure the separation of trail users from the transit line, facilitating safer trail use. [Please note: The wall height may need to be higher than 10 feet to account for noise emanating from electric catenary wires, a noise source which was totally ignored in the FEIS noise analysis.] Importantly, this type of noise mitigation will also significantly reduce noise exposures at the trail access points and for homes adjacent to these points. Access to the transit right-of-way, which are necessary in the event of an emergency, may be facilitated by creating occasional gates in the noise barrier.

K.5

Additionally, to further mitigate noise and vibration levels for Edgevale and surrounding areas, trains should reduce their speed and frequency during the early morning and evening hours. We also question proposed ridership demand that calls for the light rail to run so frequently in the early morning and late at night, and at such extreme hours.

Visual Impact

E.7

According to the FEIS, Edgevale ranks at the highest level in terms of negative visual impact to a community. The old freight train running 2x per day through our forested area at 20 MPH, was a minor visual impact. 270 trains per day at 45 MPH in a tree-less landscape, would be a huge negative visual impact. During the early morning and evening hours, there would be a substantial visual impact of train headlights and lighting in the train cabins whizzing by, as well as the near constant visual energy of trains racing by at most other hours, in very close proximity to resident's homes. Perhaps the best way to mitigate noise and visual impacts in this limited area is with a substantial masonry/concrete wall, much like what one would see along an interstate. Such a wall would also help guard against derailment (see item #9) and go a long way toward mitigating visual and noise impacts to those of us who would be immediate neighbors to the rail line. We also recommend special lights for the train to minimize light escape into the night sky.

3. Loss of Tree Canopy and Air Pollution

E.8

According to an American Forest (American Forest.org) analysis of the Interim Capital Crescent Trail and the proposed rail line found that with 75.4% of the Trail covered with trees, 1,683 pounds of air pollutants are absorbed from the air each year. They note that, "by absorbing and filtering out pollutants, trees perform a vital air cleaning service that directly affects the well-being of urban dwellers." This loss of pollution filtering will have direct health impact on Edgevale residents, yet there is no analysis of this impact or ways to attempt to mitigate it. The FEIS reports the area will be clear cut, with no attempt to conserve trees. Also not noted in the FEIS are the many trees that are on private property that may die when their root system is damaged during construction. We ask that an analysis be done to determine how take as few trees as possible, as well as to provide for the removal and replanting of trees directly and indirectly killed by the construction of the rail line, as close to the community as possible.

E.11

4. Access to the Trail via the Sleaford Rd Access Junction

C.3

The FEIS explains that there will be access from East West HWY to the trail along Sleaford Rd, and that this access includes a tunnel constructed under the trail/train. The Edgevale community is concerned about safety and aesthetic issues raised by a 50 - 60 foot tunnel in a residential neighborhood. We respectfully request that the tunnel not be lit at the intersection to the trail, so to avoid disturbing the adjacent residences and to keep from bringing unnecessary attention to the tunnel after dark. We understand that the tunnel should have lighting, we request that the lighting be confined to the tunnel itself. In addition, we request that the tunnel be equipped with a gate at each end to be opened no earlier than 6:00 a.m. and closed no later than 10 p.m. These accommodations would be the same as those used by the tunnel which runs under Wisconsin Ave. Currently, the Bethesda Urban Partnership takes responsibility for the Wisconsin Ave tunnel including daily gate opening and closing, general maintenance and graffiti removal. We would recommend a similar arrangement be made for the new tunnel.

Finally, the community requests that MTA and Montgomery County work with those individual home owners that would be impacted by the access trail and tunnel to make accommodations for safety, security, and aesthetics to meet homeowners concerns.

5. Trail/Transit Construction and Trail Availability

G.2

Information on the construction phase of the Purple Line is very limited in the FEIS. As the Edgevale community will not only be severely impacted by the construction of the train and access points, but as right-of-ways for construction vehicles as well, we request the following accommodations:

J.1

The Edgevale community requests active engagement with MTA and the construction contractor during the building phase. The community would provide a community representative(s) to participate in a community advisory board or at regular meetings in order to be updated on progress and to actively participate in the decision making process. Construction in residential areas must be limited to the times of 8 a.m. to 5 p.m., weekdays and 9 a.m. to 4 p.m. on weekends. Construction vehicles, of any sort, will not be allowed to idle at anytime. Heavy construction equipment will not be parked in the neighborhood, which includes the East West Hwy Conservation Area. Construction access to the trail/transit right-of-way shall be from Connecticut Ave or Pearl Street. Purple Line employees, unless visiting a particular home/s for an

appointment, will park at municipal lots, rather than park on Edgevale Street or Court.

All Purple Line employees working in our neighborhood and their vehicles will have clearly visible identification at all times. Necessary vehicles will abide by local parking rules.

All Purple Line employees working in our neighborhood will be held to a high degree of professional and personal conduct behavior. Monthly snail or email mail updates (depending on individual neighbor needs) on the status of construction activity and plans for the next month will be provided to the community representative/s and the homeowners adjacent to the trail.

Access to any private property must be requested by snail mail/email according to neighbor need, 72 hours in advance and must be explicitly made to the homeowner.

Finally, it is very important to the Edgevale community that the trail be available for use for the greatest extent possible during construction. It would be entirely unacceptable if the trail was unavailable for any significant period of time, as many of us use the trail for commuting to work and/or school, regular errands, and fitness.

6. Trail Aesthetics/Maintenance

C.3

The Edgevale Community understands that while MTA and its construction company will build the trail/transit complex, Montgomery County will finance trail construction and retain the responsibility to maintain the trail long-term. The Edgevale community believes that the trail should be a key consideration at the time of construction. With the construction of the Purple Line, Edgevale residents will lose the de facto quiet, linear park that is a neighborhood treasure. This permanent loss needs to be properly accounted for with ample investment in and careful consideration of the trail experience. To that end, we request that the following accommodations within the current Purple Line and trail footprint to enhance the post-Purple Line trail aesthetics and experience:

The conservation and/or re-planting of as many trees as possible to provide shade relief, absorb air pollution, as well as provide visual mitigation to the area, which according to the FEIS, will have major negative visual impact. This is the least MTA can do for this community. Shaded benches should be placed at equal intervals along the trail. Careful consideration should be given to drainage to avoid ponding of water on the trail and any negative impacts on plantings in the "green" median.

Edgevale is mostly downhill of the project. Storm water run-off must get careful attention.

As these matters will have to be discussed as part of the trail/transit construction, the Edgevale Community's interests should be adequately represented if our Association is afforded the opportunity to participate in a construction advisory committee, as noted above under item 5.

D.5

D.3

G.1

7. Increased pedestrian and automobile traffic at Edgevale St and East West HWY

As there is currently no public access to the trail from the Edgevale community and with the addition of the Sleaford Rd access, the Edgevale community anticipates increased automobile traffic within our neighborhood, as well as pedestrian traffic across East West HWY from neighboring communities, especially during weekends and holidays. Currently, given the topography of East West HWY at Edgevale St, it is VERY difficult to see traffic coming (as a motorist, bicyclist or pedestrian) from

D.3

either direction, especially given the high rate of speed at which cars, buses and trucks regularly travel. Despite the 35mph speed limit, vehicles regularly exceed 50mph as they travel downhill in the direction of Edgevale St. Individuals regularly cross East West HWY in order to use the Metro bus system, with bus stops located on each side of the HWY. We respectfully request that the following accommodations be made to ensure the safety and security of our residents:
A traffic light should be installed at Edgevale St. and East West Hwy to allow for pedestrians to safely cross East West HWY. This light will additionally allow the residents of the Edgevale Community to safely exit onto East West HWY, especially during hours of peak congestion when it is difficult to turn onto East West HWY. As an added measure, the traffic light could be speed sensitive (similar to lights used in other jurisdictions, such as Arlington, VA) such that the light would automatically turn red for vehicles that were exceeding the speed limit in either direction. In Bethesda's Kenwood neighborhood, Brookside Dr. exits at River Road. A sensor reads that a car is waiting, and a light change is set.

We request a wider sidewalk be installed from the trail access point at the Sleaford/East West HWY intersection that includes a "green strip" between the curb of East West HWY and side walk, as has been installed up the road next to Columbia Country Club. Separation from the curb is a key to safety. Montgomery County's own transportation plan for East West HWY calls for the green strip. Additionally, to enable safe pedestrian egress from Edgevale St. to the tunnel, a short section of sidewalk on the east side of Edgevale Street along the East West Highway Conservation Area would improve pedestrian safety to the tunnel. We are aware that East West HWY is a state road. We ask MTA to work with the State Highway Administration to make these mitigations happen.

8. Derailing

C.3

We request that the possibility of both a derailment be considered and planned for. Normally, a light rail train, like those found all over Europe, is not a derailing concern because it moves at 20 or 30 MPH (often with traffic). However, the proposed design speed through our neighborhood is the highest on the entire proposed route. Trains will be moving at 50+ MPH. This type of speed, combined with the weight of the trains, causes legitimate concerns about derailing. The kinetic energy of trains moving at 45+ MPH is huge and, if they were to derail, they would destroy any house in its path. More space and setbacks would help guard against derailing. However, the Right of Way (ROW) is actually at its narrowest point in our neighborhood (66', by comparison, the ROW through CCC is about 100' wide). Perhaps the best way to guard against derailing is to either limit speed or provide physical design barriers to trap/channel a derailed train. We are not design engineers, but perhaps lowering/depressing the train route into the ground and providing a reinforced concrete wall of some appropriate height to help contain a derailed train. Also, if a derailed train were to strike the center poles carrying the overhead electric wire, it is conceivable that the wire could fall over and come into contact with the proposed barrier fence that MTA wants to put on top of the 4' sound walls, thereby charging the fence and creating an electrocution hazard. To help prevent such an occurrence we seek ways to "ground" fencing or otherwise insulate the electrical system.

Sound Barrier

According to the FEIS, a 4' sound barrier will be installed. However at the special community meeting for homes backing to the trail in

C.3

Edgevale and East Bethesda in August 2013, officials stated clearly that the wall in our area would be at least 6'. Please update the FEIS to honor this statement, as well as understand that the Edgevale community seeks a wall of 10' to try to mitigate the severe visual impact level, etc., as outlined above.

11. Conclusion

The Edgevale Community again appreciates the opportunity to provide these comments to MTA. Please contact Lynda Williams at 301-767-5044 or 3suns5@gmail.com, or Kate Detwiler at 703-351-8788 or Kate.Detwiler@gmail.com to address any questions you may have regarding the concerns of the Edgevale Community on these matters. Thank you for considering our perspectives.

Sincerely,
Lynda Williams
President, Edgevale Community Association

Cc:Mike Madden, Purple Line Project, MTA
Roger Berliner, Montgomery County Council Member, District 1
Rich Madaleno, MD Senator, District 18
Al Carr, MD State Representative, District 18
Chris Van Hollen, MD, 8th Congressional District
Arthur Holmes, Direct, Montgomery County DOT

Purple Line FEIS - RECORD #722 DETAIL

First Name : richard l
Last Name : greene
Email Address : rickg@umd.edu

Submission Content/Notes : I strongly support the effort to save the natural environment of the trail that runs from Silver Spring to Bethesda, especially the section from Conn Ave to Bethesda. It would be a severe permanent loss to our area to run trains through this last remaining natural area. Surely, the purple line could be put elsewhere. Even if the cost were higher for another route, so be it. The natural environment in our area is priceless.

C.3

R. L. Greene
Chevy Chase, MD

Purple Line FEIS - RECORD #723 DETAIL

First Name : Cecily
Last Name : Baskir
Email Address : cebaskir@gmail.com

Submission Content/Notes : Attached and below please find our comments on the FEIS for the purple line.

To Whom It May Concern:

We are residents of the Town of Chevy Chase (one of whom is also a 1992 Bethesda-Chevy Chase High School graduate) and write to express some specific concerns about the Final Environmental Impact Statement for the proposed Purple Line. In principle, we support more transit and the idea of the Purple Line. We are also, however, parents of future B-CC students and avid Capital Crescent/Georgetown Branch trail users. The following issues are therefore very important to us.

C.3

1. We want to see a safe and practical crossing at Lynn Drive for our children and others to get to B-CC High School without having to take a longer, more dangerous detour along Wisconsin Avenue and/or East West Highway. We urge you to carefully reexamine the possibility of an at-grade crossing to permit students to reach B-CC by walking predominantly along safer neighborhood streets.

C.3

2. We use the Capital Crescent and Georgetown Branch trails regularly, including the tunnel under Wisconsin Avenue, for both recreational and commuting purposes. We are concerned about plans to preclude the use of the trail through the tunnel/ by the new Bethesda station, forcing large numbers of trail users to cross Wisconsin Avenue at street level. We would not be surprised if many users continue to go through the tunnel on the proposed sidewalk, crowding the sidewalk and station platform. Please take this into consideration and try to find a safe, workable solution for trail users that does not require crossing Wisconsin Avenue at street level.

3. We also want to express our very strong desire that the trail between Bethesda and Silver Spring be preserved, with construction done in a way that leaves the trail as safe, quiet, and shaded as possible. One of the wonderful things about walking, jogging, and cycling on the Georgetown Branch trail is its peaceful, shady nature. We are concerned about the

significant loss of canopy trees and prospective noise levels along the new Purple Line, destroying much of the wonderful character of the trail and bordering neighborhoods (not to mention raising safety and health issues). Please do whatever is necessary to ensure that the trail is not sacrificed as plans for and construction of the Purple Line move forward.

In general, we are concerned that promises have been made to trail users and residents of neighborhoods along the proposed Purple Line in attempts to garner support for the project, yet some of those promises (or compromises) are being abandoned or may be abandoned in the future, due to cost and other reasons. The trail has been a wonderful and safe way for countless numbers of people to travel and enjoy recreational activities for decades - and one of us used the Lynn Drive crossing to get to B-CC High School more than twenty years ago. If the developers of this project fail to keep their promises regarding the Capital Crescent/Georgetown Branch trail while proceeding with construction of the Purple Line and deforestation of the surrounding areas, we will surely express our disapproval at the ballot box and elsewhere.

Sincerely,

Cecily Baskir & John Freedman

4408 Ridge St.

Chevy Chase, MD 20815

301-907-0242

Attachments :

Purple Line FEIS comment-Baskir.docx (16 kb)

Purple Line FEIS - RECORD #724 DETAIL

First Name : Martha Blair

Last Name : FitzGerald

Email Address : fitzfam1@verizon.net

Submission Content/Notes : The Purple Line is a terrible idea!
Social Engineering at its best by O'Malley!
Its expensive and completely unnecessary when you could do the rapid
transit bus system and accomplish the same objective!! Riduculous!!!!

A.2

C.1

Purple Line FEIS - RECORD #725 DETAIL

First Name : David
Last Name : Stinson
Email Address : dylcarcal@aol.com

Submission Content/Notes : As a home owner on Dale Drive and a resident of the Seven Oaks Evanswood neighborhood, I ask that MTA keep open the issue of what to do about the Power Substation on Wayne. The imposition of a train line on Wayne Avenue is going to affect the neighborhood quite a bit. Please help preserve the character of our neighborhood by at least designing a substation that does not detract from the neighborhood. The best option is to place it underground. MTA can do this if they make it a priority. It should be a priority.

C.4

David Stinson
715 Dale Drive
Silver Spring

Purple Line FEIS - RECORD #726 DETAIL

First Name : Robert

Last Name : Fitzgerald

Email Address : ggfitzgerald@verizon.net

Submission Content/Notes : As 90 Year old widower who has lived here since 1967, I ask that MTA keep open the matter of the Power Substation on Wayne Ave.

C.4

Preservation of this neighborhood is essential and can only be achieved by creating a substation whose location and design are compatible with the area.

Robert D. Fitzgerald 620 Bennington Dr. Silver Spring, MD

Purple Line FEIS - RECORD #727 DETAIL

First Name : Anne
Last Name : Spielberg
Email Address : aspielberg@harmoncurran.com

Submission Content/Notes : To the Maryland Transit Administration - Purple Line Maryland
I am a 20 year resident of Silver Spring who lives within one and half blocks of Wayne Avenue, where the Purple Line is scheduled to be built in the midst of our residential neighborhood. I am writing to address the failure of the proposed Purple Line project and the FEIS to address critical environmental impacts on our community, to adequately consider alternatives, and to appropriately balance the exorbitant costs of the project against its adverse impacts compared with those of alternatives that would avoid some of those adverse impacts.

C.4

Traction Power Substation at Cloverfield Road/Greenbrier Drive Must be Moved and Buried

The proposed Purple Line plans to place a traction power substation at the end of my street on Wayne Avenue at Cloverfield Road and Greenbrier Drive. This power substation does not belong in the midst of our residential community, essentially sitting on front lawn of a house, yards from our homes and a nearby senior retirement community. The proposal to "disguise" the substation is simply inadequate.

E.7

Instead, alternatives to this proposed siting of the power substation are available and should be used. The substation can be moved to a nearby commercial area and it can be buried, as has been persuasively proposed by the Wayne Avenue Working Group on Purple Line Design, whose comments I endorse and incorporate by reference. The state can expend the necessary resources to make these alternatives a reality, as has been done to protect other communities affected by the Purple Line in the western part of Montgomery County. Those alternatives have not been explored or considered in the FEIS even though pursuing them would avoid the adverse effects caused by the current proposal for the substation.

F.1

Dale Drive Station is Not Necessary and Should Not Be Included

The proposed Purple Line leaves space in the design for a possible future station at Wayne Avenue and Dale Drive, resulting in unneeded adverse impacts on the surrounding community. There is no need for such a station, given the low ridership that will be generated from the surrounding area (as demonstrated by accurate, supporting data) and the existence of three other stations within a very short distance.

D.2

Eliminating a Dale Drive station, even if only in concept, will avoid widening Wayne Avenue at that location (the width of Colesville Road), thereby helping to preserve additional mature trees and green space. It will also avoid the traffic and safety problems arising from creating a stop at that intersection near both an elementary and a middle school, and the significant noise pollution associated with train after train stopping at the station. This station is unnecessary and will only slow the Purple Line Train down further, making it unattractive to commuters. The alternative of leaving out this station, unless its need is proven at a later date, must be pursued and adopted.

D.5

E.9

Less Expensive and Destructive Alternatives Must be Considered and Adopted

The planned Purple Line section through the residential neighborhood on Wayne Avenue does not achieve one of its purported goals of improving public transit and presumably having fewer cars on our streets. The route on Wayne Avenue will be extremely slow, given that lanes will be shared with cars, the route must go slowly through numerous intersections and downtown Silver Spring, and there are an excessive number of proposed station stops. It has been acknowledged by MTA that the Purple Line will NOT improve traffic congestion.

E.11

While not helping traffic congestion, the proposed Purple Line will have many adverse environmental effects, including destruction of our already rapidly disappearing tree canopy, loss of green space, division of the community by erecting a barrier down the middle of Wayne Avenue, destruction of the visual landscape by the poles and wires required for the line, noise pollution from the trains' wheels and whistles, traffic and safety problems because of the shared lanes and surrounding

E.12

residences and schools, and adverse sediment and stormwater impacts on Sligo Creek.

C.1

Many of these impacts can be avoided if instead of building the Purple Line, more express buses are used on Wayne Avenue or if bus rapid transit were pursued instead. Hybrid vehicles can be used which are better for the environment, and buses would not result in as significant tree and green space loss, noise pollution, and visual pollution. Express buses would also provide better and more flexible rapid transit, at a fraction of the astronomical cost to be spent on the Purple Line. In addition, the lower cost of using of buses would ensure that our government remains in control of our critical infrastructure, rather than having to create a public-private partnership beholden to private investors to be able to afford the Purple Line.

E.2

Rather than spending scarce public resources on a wasteful and destructive Purple Line for the benefit of developers and private parties, MTA and the FEIS must consider and pursue express bus and bus rapid transit alternatives that avoid the detrimental impacts on our environment and community.

E.4

Sincerely,

Anne Spielberg
606 Greenbrier Drive
Silver Spring, MD 20910
301-587-7972

Purple Line FEIS - RECORD #728 DETAIL

First Name : John
Last Name : Midlen
Email Address : john@midlen.com

Submission Content/Notes : The FEIS does not seem to recognize the portion of the Capital Crescent Trail between Bethesda and Silver Spring as a park; rather it is merely a right of way, i.e., the Georgetown Branch of an abandoned rail line. That rail line was a single track used just a few time a week to sloooooooooowly deliver coal from the main rail line to Georgetown. I have lived on Lynn Drive, less than a block from the old rail line, since July 1, 1974. After that rail line was abandoned in the early 1980s, what is now the Capital Crescent Trail from Georgetown along the C & O Canal, up through the Palisades, past Dalecarlia Reservoir, through Bethesda, through Chevy Chase and into Silver Spring came into being as a linear park through Rails to Trails. To destroy so much of it as runs from Bethesda to Silver Spring is an ecological nightmare and disaster. The tree canopy alone is irreplaceable. The hiking and biking experience will be destroyed if relegated to being nothing more than a sun baked sidewalk next to a dual track light rail line with trains racing past at up to 45 mph. This insanity simply can not be funded by rational beings.

C.3

E.5

Purple Line FEIS - RECORD #730 DETAIL

First Name : Ellen
Last Name : Mentzer
Business/Agency/Association Name : Sligo Branview Community Association
Email Address : ellenm612@starpower.net
Submission Content/Notes : All recipients:

The attachment contains the comments on the Purple Line FEIS of 28 August 2013 that were generated by the Sligo Branview Community Association of Silver Spring, MD 20901.

William R Mentzer Jr.

President,

Sligo Branview Community Association

<mailto:ellenm612@starpower.net> ellenm612@starpower.net

SLIGO-BRANVIEW COMMUNITY ASSOCIATION

Silver Spring, MD 20901

Sligo Branview Community Association (SBCA) Comments and Suggestions on the Purple Line (PL) Final Environmental Impact Statement (FEIS) signed 28 August 2013

C.4

Representatives of the SBCA¹ reviewed and discussed relevant sections of the Final FEIS for the proposed Purple Line (PL) light rail transit project. The proposed alignment for the project passes through or in close proximity to our neighborhood, at grade, in mixed traffic and through a tunnel, with 3 stations (Manchester Place, Long Branch, and Piney Branch) in our immediate vicinity. As such, residents and businesses in our neighborhood will be directly impacted not only during the construction phase but for decades to come. For this reason, we have studied the voluminous materials comprising the FEIS and have the following comments and concerns which we expect not only the Maryland Transit Administration (MTA) but also Montgomery County (MoCo) agencies and our representatives at the states and local levels to respond to. By response, we mean action – making appropriate adjustments to the preliminary plans and working with SBCA and the other affected civic associations and their members along the entire route as the process moves forward.

D.2

D.5

Traffic Management: The PL will be at grade, in mixed traffic along Wayne Ave. up to the tunnel east of Manchester Rd., and again from Arliss St. and Piney Branch Rd. to Piney Branch Rd. and University Blvd. The intersections at Sligo Creek Pkwy./Wayne Ave., Manchester Rd./Wayne Ave., Arliss St./Piney Branch Rd. and Flower Ave./Piney Branch Rd. are already heavily congested at peak hours and are failing. MTA's own traffic forecasts with the Purple Line, envision worsening congestion over the next two decades and beyond. At the same time, the time savings attributed to the PL between Dale Drive and Piney Branch stations Park are at odds with those traffic forecasts, (assuming trip times of less than 12 minutes versus present bus times of over 20 minutes at peak hours). Our concern is that the FEIS documents and discussions with MTA and MoCo representatives present woefully insufficient measures along this alignment to offset the negative congestion impacts the PL will exacerbate, especially at peak hours. These negative effects are due largely to the fact that the PL travels in mixed traffic in this area. Changes are called for regarding:

E.2

- **Roadway widening near congested intersections**
- **Changes to bus routes/schedules on congested roadways**
- **Traffic calming on side streets.**

While the FEIS documentation indicates some changes to the roadway along Wayne and Arliss to reduce congestion, those measures are partial and incomplete, largely comprised of right turn lanes added to a couple of intersections. Road widening to permit right and left turn lanes in addition to through lanes should be instituted at Wayne Ave./Sligo Creek Pkwy., in both directions, Wayne Ave. and Manchester Rd., and Arliss St./Piney Branch Rd. Regarding bus routes and schedules, there are currently 6 lines running along the most congested parts of

¹ The SBCA section of East Silver Spring totals over 940 single family homes plus 64 townhouses and some apartments.

E.9 Wayne Ave. which stop all along the street, especially at the choke point between Manchester Rd. and Sligo Creek Pkwy. The FEIS indicates only a single change (J4 metro bus) in routes/schedules leaving the PL to compete with all of the remaining lines for road space and headway through our community. Buses should be rerouted off of critical stretches of Wayne Ave. and Flower Ave. and/or their schedules reduced, not increased during peak hours. Beyond bus schedules and routes, the location of stops needs to be changed significantly to accommodate the PL. The drawings in Vol. II of the FEIS for Wayne Ave. are either vague or inappropriate regarding bus stop locations. Wayne Ave. between Sligo Creek Pkwy and the PL tunnel should be free of bus stops. Those stops should be moved to other streets (route changes) or further east on Wayne Ave. (above Manchester Pl.) and west on Wayne Ave. (west of Sligo Creek Pkwy.).

E.10 Congestion along Wayne Ave., Flower Ave. and Piney Branch Rd. at peak hours has given rise to growing “cut through” traffic on residential side streets (Eton Rd., Bradford Rd. - east and west of Wayne Ave., Plymouth St., Manchester Rd. - east and west of Wayne Ave., Manchester Pl. and Walden Rd.). These streets are narrow and cannot accommodate vehicles traveling at even moderate speeds to skirt traffic on the main roads. Traffic calming measures are called for, whether in the form of “right turn only” off of the main roadway at peak hours, speed bumps or similar measures. None of these appear to have been considered in the FEIS but must be in order for our neighborhood roads to remain just that, residential side streets.

K.5 **Pedestrian Access and Safety:** The drawings in the FEIS are not particularly informative about pedestrian access along the PL route and in and around the Manchester Place station. Where the PL crosses pedestrian crosswalks, either signals or “must stop” signage should be used. For the Manchester Place station, complete ADA compliant sidewalks on both sides of the station and to the entrances must be provided. FEIS drawings indicate pedestrians on Wayne Ave. cannot access the Manchester Place station directly from Wayne Ave which will seriously impact access to the station by the majority of potential users of that station, i.e., people residing in the multi-unit garden and high-rise apartments as well as single family homes on the north side of Wayne Ave. Moreover, quality and placement of lighting, stairways and elevators are not described but are of great concern to the community. Safety is also a major concern: the drawings indicate no barriers to entering the tunnel from Wayne Ave. nor from Plymouth St., merely retaining walls. The FEIS contains no analysis of maximum safe speeds in mixed traffic in hilly, residential neighborhoods such as those along Wayne Ave., nor of incident management in the event of sudden braking to avoid collision with pedestrians or cyclists crossing in its path. We implore the MTA’s PL team to spend more time (and money) on these access and safety issues than on ‘Art in Transit’ features and shrubbery choices.

D.4 **Residential Parking:** According to the FEIS, no parking facilities are to be provided at the Manchester Place, Long Branch, nor Piney Branch PL stations. The assumption is that all riders will walk or take buses to these stations, at all times of year, regardless of weather, distance or ambulatory ability. Many civic associations and their members have repeatedly expressed skepticism, indeed disbelief to MTA and MoCo transportation officials regarding this assumption. Many people in the area who plan to use the PL have explicitly indicated they would drive to the station and try to park on the side streets. The side streets in the SBCA neighborhood tend to be quite narrow, indeed narrower than those found elsewhere in East Silver Spring and are too narrow to accommodate parking on both sides and still permit safe passage of

vehicles traveling in two directions. At present, there are no parking restrictions on any side streets off of Wayne Ave., Flower Ave., Arliss St. or Piney Branch Rd. For the PL, parking is to be eliminated on Arliss St. For streets within 5 blocks of the Manchester Place stations (Eton Rd., Bradford Rd., Plymouth St., Reading Rd., Manchester Pl.), the county should institute permit parking for residents of those streets. For the Long Branch Station on Arliss Rd., permit parking should be instituted on Walden Rd., Garland Ave., and Plymouth St. Moreover, the county should provide public parking close to the Long Branch Station (which is recommended in the new draft Long Branch Sector Plan).

C.4

TPSS Station-Arliss: The FEIS proposes a Traction Power Substation (TPSS) on the north side of Arliss St. and Flower Ave. This is a long structure ~52 feet, which will “hum” 24/7, to be sited above grade in a highly visible location next to multi-family residences². The FEIS states that the TPSS will be ‘disguised’ as a windowless home, 10’ x 60’ with large gates for a truck entrance. This is visually unacceptable and invites crime (common with unoccupied structures). The intended site for this TPSS is adjacent to the PL Wayne Ave. - to - Arliss St. tunnel, near the Arliss St. end. This end of the tunnel is to be built by the open trenching method. Since this is the case and since this type of TPSS can be buried, as has been done in other US localities (eg Anaheim CA). The structure to house this TPSS should be incorporated into the tunnel structure near the intended site. By doing this, the TPSS access and water management concerns, which are similar to those for the train tunnel maintenance can be addressed concurrently. If this proves to be infeasible, the TPSS should be still be buried elsewhere on that site.

E.9

Noise and Vibration: The FEIS notes but does not adequately address noise produced by the PL trains: Wheel squeal, warning bells, horns and possibly train gate closures. The PL train will pass literally 100s of residencies in our neighborhood. As it does, it will generate noise from wheel squeal (especially at turning points of which there are several in our area), sound warning bells at all manner of crossings, and horns.³ The abatement methods suggested in the FEIS (train skirts) are inadequate and sound barriers are ineffective in mixed traffic. Experience from other Light Rail Transit (LRT) systems in the US indicates more effective methods including continuous track lubrication to deal with wheel squeal. Other means need to be identified for reducing the decibel level of warning bells and horns. There is no mention in the FEIS of ‘train gates’ yet these are currently used in Baltimore. Much more needs to be done to address these matters to comply fully with County standards on acceptable noise levels.

The SBCA and its members, together with other civic associations along Wayne Ave., Arliss St., and Piney Branch Rd. are sharing our strong concerns with you on these matters to ensure it fits well with our neighborhoods which it is ostensibly meant to serve. We are aware that some of the changes we are insisting on will cost money. However, the amounts in questions are modest by any standard, and relative to the costly changes recently incorporated into the design of the PL in Bethesda and Chevy Chase to mitigate negative impacts in those neighborhoods. The residents of our areas merit the same consideration. We are the riders and taxpayers who will use and pay

² The FEIS designates Wayne Ave as a ‘high impact’ area (chapter 4): “an extensive change to visual character constituting high visual effect would occur along ...Wayne Ave.....For visual impacts, continued coordination with EJ populations and assessment of design and aesthetic treatments...will be performed during further design development to address adverse visual impacts’

³ It is unclear whether train gates are to be used at signal crossings and other points along the alignment.

for this important project. Our concerns are valid and our proposals for modification should be acted upon by the MTA and by the relevant MoCo agencies.

Thank you for your consideration. We look forward to working with MTA and MoCo agencies to take the necessary actions to fully respond to these concerns.

William R. Mentzer Jr.

President
Sligo Branview Community Association
Silver Spring, Maryland 20901

Dist:

MTA Purple Line: FEIS@purplelinemd.com

Henry Kay, Maryland Transit Administration: hkay@mta.md.gov

Michael Madden, MTA Director, Purple Line Project: mmadden@mta.md.gov

State Delegate, Sheila Hixson: sheila.hixson.annapolis@house.state.md.us

State Delegate, Tom Hucker: tom.hucker@house.state.md.us

State Delegate, Heather Mizeur: heather.mizeur@house.state.md.us

State Senator, Jamie Raskin: jamie.raskin@senate.state.md.us

County Executive, Isiah Leggett: ocemail@montgomerycountymd.gov

Councilmember, Valerie Ervin: Councilmember.ervin@montgomerycountymd.gov

Gary Erenrich, Montgomery County Department of Transportation:

gerenreich@montgomerycountymd.gov

Ms. Francoise Carrier, Montgomery County Planning Board: MCP-Chair@mncppc-mc.org

Katherine Shaver: katherine.shaver@washpost.com

Aline Barros: abarros@gazette.net

Purple Line FEIS - RECORD #731 DETAIL

First Name : Kahlil S

Last Name : Glenn

Email Address : kglenn1229@outlook.com

Submission Content/Notes : I l've the trail and use it 4 times a week . It would be destroyed by noise and dangerous trains if the purple line is put thete

C.3

D.5

Purple Line FEIS - RECORD #732 DETAIL

First Name : Rafe
Last Name : Petersen
Address : 3200 Farmington Drive
City : Chevy Chase
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Submission Content/Notes : Attached are comments on the purple line.
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Attachments : RHPS comments.pdf (278 kb)

October 21, 2013

Purple Line Outreach Team
Maryland Transit Administration
100 S. Charles Street | Tower Two, Suite 700
Baltimore, Maryland 21201

Comments on Purple Line Environmental Impact Statement

My name is Rafe Petersen, I am the father of two students who are currently at Rosemary Hills Elementary School (RHPS) and my three children will all attend public schools in the Bethesda Chevy Chase (BCC) cluster. I am filing these comments on the Environmental Impact Statement (EIS) for the proposed Purple Line and the impacts of this project on RHPS.

E.9
E.10
The preferred alternative for the Purple Line will run within 69 feet of RHPS, a primary school consisting of approximately 650 children in grades Kindergarten to second. The EIS fails to adequately analyze the direct, indirect and cumulative impacts of this project on RHPS and the surrounding neighborhood. Foremost, the EIS fails to adequately analyze the noise and vibration impacts on the school as well as the impacts from construction. While the EIS suggests that there may be future site specific assessments and appropriate mitigation measures this is inadequate under the National Environmental Policy Act (NEPA). The vague and equivocal offer to "coordinate with" Rosemary Hills Elementary School, "to minimize disruptions to the extent reasonably feasible" is inadequate.

NEPA requires federal agencies proposing any "major Federal action significantly affecting the quality of the human environment" to prepare an Environmental Impact Statement ("EIS").¹ The EIS helps "public officials make decisions that are based on understanding of environmental consequences, and take actions that protect, restore, and enhance the environment."² It informs the public and provides a "springboard for public comment."³ It "ensures that important effects will not be overlooked or underestimated only to be discovered after resources have been committed or the die otherwise cast."⁴ Essential to an adequate EIS are assessment of the social, economic, and environmental impacts of a proposed action or project and consideration of appropriate impact mitigation: avoidance, minimization and compensation. Neither has been done for RHPS.

¹ 42 U.S.C. §4332(2)(C).

² 40 C.F.R. §1500.1(c).

³ *Robertson v Methow Valley Citizens Council*, 490 U.S. 332, 349 (1989)

⁴ *Id*

The EIS must consider the direct and indirect impact on RHPS

NEPA requires agencies to consider in their environmental impact analyses three types of effects of their proposed actions: direct, indirect, and cumulative.⁵ The NEPA regulations define "effects" to include "ecological . . . aesthetic, historic, cultural, economic, social, or health."⁶ NEPA's action forcing requirements are not driven by environmental values alone. Here, the project proponent makes little effort to adequately understand the impact of running this high volume of trains so close to a primary school. The EIS concludes that "No noise impacts [to RHPS] are anticipated from any of the Build Alternatives." A comparison with the sporadic use of the existing freight line is not sufficient. The EIS must consider the whole spectrum of impacts on the school and these five to eight year old students, who are the most vulnerable in our cluster.

Once the EIS has adequately explained the impacts any proposed mitigation must be appropriate and reasonable. NEPA requires consideration of mitigation measures in comparison of alternatives to avoid or lessen potentially significant environmental effects of proposed actions. In turn, at the time of the decision, the agency must discuss mitigation measures and how they factored into selection of the preferred alternative.⁷

Mitigation is defined by the Council on Environmental Quality (CEQ) regulations to include the following:

- (a) Avoiding the impact altogether by not taking a certain action or parts of an action.
- (b) Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
- (c) Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
- (d) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.
- (e) Compensating for the impact by replacing or providing substitute resources or environments.⁸

"Mitigation . . . and other conditions established in the environmental impact statement or during its review and committed as part of the decision shall be implemented by the lead agency or other appropriate consenting agency."⁹ Hence, lead agencies shall "include appropriate conditions [*i.e.* mitigation] in grants, permits or other approvals" and shall "condition funding of actions on mitigation."¹⁰

For the "credit" of mitigation to have any meaning it must be something that an agency identifies in a NEPA document and commits to implement to achieve an environmentally

⁵ 40 C.F.R. § 1508.25(c). Cumulative effects include "the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (Federal or nonfederal) or person undertakes such other actions." 40 C.F.R. § 1508.7

⁶ 40 C.F.R. § 1508.8

⁷ 40 C.F.R. § 1505.2.

⁸ 40 C.F.R. § 1508.20.

⁹ 40 C.F.R. § 1505.3.

¹⁰ 40 C.F.R. § 1505.3.

preferable outcome (*i.e.* it allows the agency to conclude that the chosen alternative is environmentally preferable). In those situations, the agency is required to ensure that the mitigation is adopted and implemented via the Record of Decision (ROD).¹¹ Simply disclosing that mitigation is possible and will reduce impacts does not appreciably advance the analysis of the EIS. According to the CEQ Guidance, mitigation measures should be clearly described as part of the proposed action and implemented with the proposed action.¹² Otherwise, the mitigation cannot be relied upon in determining which alternative is environmentally superior.¹³

If the preferred alternative is selected, the project proponent must demonstrate a concerted effort to avoid, minimize and mitigate the harm on RHPS and its students. Yet, the EIS fails to provide any detail concerning how it will ameliorate the effects on the educational environment from the Purple Line from noise, vibration and potential visual impacts when the school is expanded to two stories. The peak ridership of the Purple Line will occur when RHPS kids are at school. In turn, as the project proponent is aware, RHPS will be built to two stories in the near future. The EIS must explore and offer adequate mitigation for all visual, noise, vibration and construction impacts of the Purple Line on RHPS in its present and future configuration.¹⁴

E.14

Environmental Justice

The lack of adequate analysis of the impact of this project on RHPS and the surrounding area raises the specter of environmental justice. The demographics of our student body has racial and ethnic diversity and has many students receiving free and reduced-price meals (FARMS).

As you are aware, Executive Order 12898 directs each Federal Agency to “make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. . . .” In turn, mitigation measures identified as part of an EIS should, whenever feasible, address significant and adverse environmental effects of proposed federal actions on minority populations and low-income populations. Thus, among the core principles of environmental justice is the requirement that impacts are adequately identified and that mitigation is appropriately utilized.

¹¹ 40 C.F.R. § 1505.2(c).

¹² The January 14, 2011 CEQ memorandum on mitigation, reiterates that “agencies should clearly identify any mitigation measures adopted as agency commitments or otherwise relied upon (to the extent consistent with agency authority or other legal authority). . . .” *Appropriate Use of Mitigation and Monitoring and Clarifying the Appropriate Use of Mitigated Findings of No Significant Impact* (“CEQ Guidance”) at 3-6. The CEQ Guidance also states that the ROD must identify those mitigation measures that the agency is adopting and committing to implement. *Id.* at 6-7.

¹³ See 40 C.F.R. § 1502.2 (requiring some comparison between alternatives in the ROD); CEQ 40-Questions, #19 (explaining that mitigation outside the jurisdiction of the lead or cooperating agencies may be identified but are not committed to as part of the ROD); *cf.*, *Sierra Club v. Marsh*, 769 F.2d 868, 877 (1st Cir. 1985) (“[Preparation of an EIS] is essential to ensure that the final decision is based on all the relevant factors and that the full NEPA process will result in enforceable mitigation measures through the Record of Decision.”).

¹⁴ For example, if private residences are offered sound barriers (a situation where most people are not home during peak ridership), then surely a primary school (where the kids are in school during peak use) is equally worthy of a barrier.

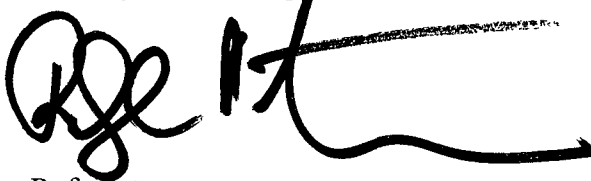
Here, there appears to be no effort to understand the impact of this project on RHPS and its students. There is no way to understand if such impacts will be addressed, but the fact that other sections of the line in other neighborhoods already appear to have mitigation evaluated suggests an issue of environmental justice.

Growth inducing impacts on our schools

NEPA requires that an EIS address the indirect effects of a proposed project. Indirect effects may include "growth inducing effects and other effects related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems." 40 C.F.R. §1508.8(b). Growth-inducing effects are indirect impacts of a federal action "which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable." 40 C.F.R. §1508.8(b). Direct growth-inducing impacts occur if a federal action would foster population growth including the construction of housing, lead to urbanization of land in a remote area, or lead to substantial economic expansion or growth. In addition, indirect growth inducement may occur where the federal action removes impediments to growth in an area such as one with a lack of infrastructure.

Unquestionably the Purple Line will lead to growth inducing impacts. Indeed, it appears to be one of the stated purposes of this transit project. Given that, the project proponents must consider the impact of this project on our already overcrowded schools. For example, the project will enable the development of Chevy Chase Lakes which will result in several thousand new housing units. Other multifamily and single family projects will be enabled by the Purple Line. The BCC cluster is drastically overenrolled and is one of the most crowded clusters in the County.¹⁵ The EIS must study and disclose the indirect impacts on the BCC cluster related to the number of students that will enter into our schools as a result of the indirect growth inducing effects of this project. Nevertheless, the project proponent must give adequate consideration to the indirect impacts of this project on enrollment in the BCC cluster.

Thank you for the opportunity to submit these comments.



Rafe Petersen

¹⁵ Ironically, the growth inducing impacts of this project will likely trigger a building moratorium in the BCC Cluster given the inadequacies of the capacities of the schools.

Purple Line FEIS - RECORD #733 DETAIL

First Name : Ann
Last Name : Bittman
Email Address : Annbittman@verizon.net

Submission Content/Notes : DON'T DESTROY THE PARK - The FEIS is flawed. For more than 20 years the Capital Crescent Trail has been enjoyed as a Park. The FEIS doesn't acknowledge the trail as an irreplaceable 20 acre natural resource. Shouldn't the Final Environmental Impact Statement recognize how invaluable parks are in people's lives?

C.3

E.5

E.9

270 TRAINS A DAY - Another flaw in the document is its failure to recognize the noise disturbance a walker, runner or biker will endure alongside trains traveling 50mph. The peaceful, tranquil setting it is today will be harmfully impacted by a train sound as often as every three minutes.

Purple Line FEIS - RECORD #734 DETAIL

First Name : Margaret
Last Name : Auger
Email Address : margaret.auger5@gmail.com

Submission Content/Notes : The Trail is such a vital part of our community for individual, group, and family activities. Please, please keep this wonderful natural resource!!! Citizens of all ages needs to be active and the trail is an essential part of our health and well-being.

C.3

Thank you!!!

Purple Line FEIS - RECORD #735 DETAIL

First Name : Jim
Last Name : Roy
Email Address : jim@luxmanor.com

Submission Content/Notes :

C.3

I am a taxpayer, local driver and trail user. Upon learning that the state was considering replacing the shade covered trail with a high speed light rail system (with a glorified sidewalk next to it that will be called the Capital Crescent Trail) I have begun studying and learning more about it. I have become an expert on the topic by reading about the proposed purple line from many sources (journalists and government employees), done my own research, studied the Draft EIS as well as the final EIS and attending dozens of meetings on the matter. I also walk the trail regularly.

D.5

I have concerns about the safety. Walkers being passed by bikers will hear them if a 60-70 decibel train is passing at the same time. I have concerns about noise levels for nearby residents. I attended a meeting run by the head of MTA in the Town of Chevy Chase over a year ago. It featured a noise level demonstration with a slide show and actual speakers depicting how loud the trains would be. Within a month of that meeting, the same head of the MTA was asked by a nearby resident at a neighborhood meeting in Bethesda-Chevy Chase High School how loud the trains would be. Instead of answering honestly, he told her they do not yet know.

E.9

E.11

I cringe when I think about the destruction of the entire tree canopy (we'll be left with a shade-less strip of asphalt). How this is not central to the ENVIRONMENTAL impact study is beyond me. Is it even mentioned? I have concerns about the new traffic issues we would have with the proposed light rail (more on this below).

In addition to all of this I find it to be a huge financial waste and future burden on tax payers that will not meet the needs of the area.

C.1

I take issue with the way the rail was proposed and changed over the last 12 years (slow speed single track trolley to double track light rail system). I take issue with being told that the rail will make the campus at UMD more safe (my own research found this to be faulty). I take issue with the fact that the trail would not go under Wisconsin Ave. MTA indicated are recently as February 2010 that the trail would always go under Wisconsin. Such "facts" have slowly changed for the worse every step of the way. If this is funded, who knows how much extra it will cost and what other promises will be broken to ram this project through?

I take issue with the concept of saving people time. Between certain points, the line would save people time. Using MTA's own estimates, end to end transportation would take 5 minutes longer on the proposed line vs. driving or taking currently existing heavy rail through the city, changing trains and coming back out of the city. This is true for many points using Metro trains or buses.

K.5

As far as the need for the train, we'll be acting in a counterproductive way based on what this area really needs. The estimated new jobs (100,000) as stated by the MD governor means at least 65,000 more people on the road than now. This is based on MTA's estimate of about 35,000 riders (69,000 trips) daily in 2030. The 65,000 number is likely very low because one must assume that the new jobs will bring people to the area who will have families. If only one family member works and the other drives, the amount of new cars on roads that are already failing (condition and traffic) should be enough to stop the proposed light rail at this stage before more time and money is spent on the issue. We need more parkland and less traffic.

Take a look at the people asking for the train. Is it riders? No. It is Cyclists who need the train in place for the current trail to be paved and brought to downtown Silver Spring. It's politicians who have specifically

said they want a billion dollars of federal funds sent to this area. It is developers who can expand their FAR (floor area ratio) in the areas near a proposed station. In fact, in the dozens of meetings to which I've gone, I've met a total of 5 people who said they would personally ride the train and only one who said he'd ride it regularly. In the hours of petitioning I've done, the vast majority of people with whom I've spoken either don't know about the proposed light rail and 9/10 are willing to sign or do know and are happy to sign the petition against putting in on the trail. If you're reading this and want further proof, contact us at savethetrail.org, ask to join on a day when we are petitioning and see how many local people really don't want the proposed light rail system. See how many have received bad information from MTA.

MTA's estimates for the Inter County Connector (ICC) were so far off, to believe their numbers for cost or ridership of the proposed Purple Line is an insult to anyone with common sense.

A.2

For these reasons and many others, I strongly object to the proposed Purple Line. Please: save the trees, save the community, save the drivers, save the taxpayers and save the future taxpayers who would have to shoulder a financial nightmare. The newly proposed partnership with some private firm will leave taxpayers holding the bag at the end of the day. There are better options out there. The facts, if truly examined and understood, show this as a completely non-viable project that would do far more harm than good.

Purple Line FEIS - RECORD #736 DETAIL

First Name : AJ
Last Name : Emerson
Email Address : ajemerson@gmail.com
Submission Content/Notes : Dear MTA:

A.1

I write to express my support for the Purple Line project because I support the accompanying work to complete the Capital Crescent Trail between Bethesda and Silver Spring.

C.3

The CCT must be completed as part of this project as a paved, grade-separated, safe connection between downtown Bethesda and downtown Silver Spring. This should be done regardless the details of the alignment and the ownership of the necessary right-of-way, and the FEIS should more clearly state that MTA will work with MCDOT and necessary stakeholders to ensure that the trail is built as promised.

While I support the Purple Line as a means of providing alternatives to the use of single occupancy vehicles for east-west transportation in the region, the completion of the CCT as a viable bicycling connection is critical.

Thank you.

AJ Emerson
1616 Tilton Drive
Silver Spring, MD 20902

Purple Line FEIS - RECORD #737 DETAIL

First Name : Richard
Last Name : Pratt
Email Address : rhpc@his.com

Submission Content/Notes : PURPLE LINE FEIS COMMENT BY RICHARD H. PRATT

This set of comments on the Purple Line FEIS is submitted on behalf of myself, Richard H. Pratt, P.E. It reflects my interest and concern not just as a Montgomery County resident, taxpayer and transportation system user, but also importantly as a transportation planner/engineer.

It is relevant to note that in my career I undertook the first engineering feasibility analysis that looked at utilization of the B&O Georgetown Branch right-of-way for cross-county transportation ("East-West Transitway Feasibility Study," prepared for the Montgomery County Department of Transportation, Office of Planning and Project Development, by Richard H. Pratt, Consultant, Inc., in association with Lea, Elliot, McGean & Company, March 31, 1986). (The Metropolitan Washington Council of Governments undertook a parallel ridership analysis, and had done an earlier study of using the right-of-way for a transitway focused on service into the District of Columbia.) It is also relevant to note that earlier I served as Project Manager for a series of Metrorail planning studies (for example, "Traffic, Revenue and Operating Costs, Adopted Regional System 1968, Revised February 1969," prepared for the Washington Metropolitan Area Transit Authority by W. C. Gilman & Co., Inc. and Alan M. Voorhees & Associates, Inc., February 1969).

My comments are focused on two areas of ongoing controversy: 1) The segment between Rock Creek and the Chevy Chase Lake development, where tree removal, visual impact and noise are of continuing concern to abutting residents, and 2) The entrance into central Bethesda, where impacts on the Georgetown Branch Trail (future Capital Crescent Trail extension) and the Town of Chevy Chase have proven exceeding difficult to resolve. I offer proposals for mitigating or otherwise addressing the concerns raised by the plans for these two segments. Since my suggestions pertaining to the first-listed area of controversy would involve the lesser engineering, cost, and legal issues, I comment on that first, followed by comment on the second-listed area of controversy:

SEGMENT BETWEEN ROCK CREEK AND CHEVY CHASE LAKE

As noted above, in the segment between Rock Creek and the existing and future Chevy Chase Lake development, major concerns are tree removal, visual impact and light rail transit (LRT) operations noise. It appears to me from field inspection that lowering the elevation of the LRT tracks through this area would substantially reduce these impacts at perhaps not as much added total cost as it might first appear. I feel an examination of this option should be made, and set forth my reasoning below, sub-segment by sub-segment, east to west:

C.2

JONES MILL ROAD. The point of greatest elevation reduction would probably be at Jones Mill Road, where the track elevation reduction would be designed to allow LRT undercrossing of Jones Mill Road. The Georgetown Branch Trail (hereinafter "GB Trail") could optionally be grade separated in parallel with the LRT or it could be left at grade with a signalized crossing as at present. With lower track elevation, the top of the existing large fill east of Jones Mill Road would be lowered, and the broader base of the trapezoidal fill-removal cross-section would allow increased space for the two LRT tracks and GB Trail. Quite likely, with minor horizontal alignment adjustment, the remaining fill would only need to be widened on one side, allowing mature trees on the other side to remain. The piers of the Rock Creek LRT bridge would be less tall, a cost saving to balance against the Jones Mill Road undercrossing cost.

With a lowered grade, interconnection of the GB Trail with the Rock Creek Hiker-Biker trail would become more feasible. The through GB Trail could go across Rock Creek at the LRT track elevation, presumably on a cantilevered extension to the LRT bridge deck, while a Rock Creek connector trail could drop down (west to east), passing through the LRT bridge piers (in the manner of the trail bridge built into the LRT bridge over the North Saskatchewan River between the Grandin and University stations of the Edmonton, Alberta, LRT). Research has shown that trail interconnection is a major factor in encouraging walking and bicycling.

IMMEDIATELY WEST OF JONES MILL ROAD. West of and near Jones Mill Road, to the point where the land starts to drop down, the LRT could be placed in a simple box tunnel or, alternatively, retaining walls could be integrated with a concrete deck over the tracks and catenary (overhead electrical wires). The top or deck of the tunnel would be at the grade desired for the GB Trail, thus all that would be seen when finished would be the trail, roughly the same as today. The cost of this type of so-called tunnel would be a fraction of conventional subway, as no utilities would be involved, no traffic would need to be rerouted, and the deck would need only the strength to carry the GB Trail and its landscaping and traffic, including maintenance vehicles. The width of disturbance and tree removal would be less than surface construction, in large measure because the trail would be on top of the LRT. (This type of construction appears to have been used in the early 20th Century in the vicinity of Ashmont Station, albeit without trail, when what is now Boston's Red Line was extended south to that station via a former railroad.)

The tunnel section would presumably be terminated where the land drops off, headed west. (This is the first location west of Jones Mill Road where one encounters fencing on the existing trail to prevent trail users from ending up on the sides of the existing embankment.) Since embankment widening would be minimized by virtue of dropping the track elevation (see discussion above relative to the trapezoidal fill-removal cross-section east of Jones Mill Road), tree removal would be similarly minimized. The lower track elevation would reduce noise transmission into the neighborhood. An option to examine would be strengthening the catenary support structures in this area such that they could hold a bridging of the GB Trail over and along the tracks, between the tunnel section just discussed and the tunnel section discussed next.

FIRST EXISTING CUT WEST OF JONES MILL ROAD. Following the area of lower adjoining yards discussed immediately above is high ground, through which the existing railroad grade passes in a substantial cut. Under the grade-lowering alternative, a box tunnel or equivalent would be employed here, with the GB Trail on top. Environmental, cost, and other benefits and considerations would be similar to those already described, with major reduction in this area in mature tree removal.

MAJOR COQUELIN RUN TRIBUTARY VALLEY WEST OF JONES MILL ROAD. After the area presently in cut just described is a valley which the existing track bed crosses on high fill. (This is the second location going west from Jones Mill Road where one encounters fencing on the existing GB Trail to protect trail users from the embankment drop-off.) Again, fill removal to lower the track grade will provide a wider base for the double-tracked LRT line, minimizing disturbance and removal of trees outside of the LRT track and catenary envelope.

In this area one possibility for handling the GB Trail without introducing sharp up-and-down grades for trail users would be to swing the trail to the side on a high bridge or trestle structure constructed with no disturbance of the valley floor except at piers. Alternatively, the idea

offered above of placing the trail above the tracks in connection with catenary support construction could possibly be employed for this longer distance. LRT and/or trail alignment adjustment options in this area may be facilitated by the presence of an existing horizontal alignment curve on the east side of the valley.

SECOND EXISTING CUT WEST OF JONES MILL ROAD. On the west side of the valley addressed above is another section of high ground through which the existing railroad grade passes in a substantial cut. Under the grade-lowering alternative, a box tunnel or equivalent would be employed here, with the GB Trail on top. The amount of grade-lowering could be reduced by this point if engineering studies were to support such an approach. Environmental and other benefit and cost considerations would be similar to those already described for box-tunnel sections, again with major reduction in mature tree removal in this area.

LESSER VALLEY ON EASTERN PERIPHERY OF CHEVY CHASE LAKE. Following the second cut west of Jones Mill Road is a lesser valley. (This is the third location going west from Jones Mill Road where one encounters fencing on the existing GB Trail to protect trail users.) The same opportunities and considerations apply here as are described above for the "Major Coquelin Run Tributary Valley West Of Jones Mill Road," with one exception. It is probably sufficient here to swing the GB Trail off to the side into the trail alignment selected for passing through the Chevy Chase Lake development. The LRT track elevation would rise (or continue to rise) here up to the original railroad grade and then higher to conform with the approach to the planned overcrossing of Connecticut Avenue.

OTHER ROCK CREEK TO CHEVY CHASE LAKE SEGMENT CONSIDERATIONS. In addition to the tree preservation, visual impact reduction and noise reduction opportunities afforded by lowering LRT track elevations as described, this approach should lower operating costs for the life of the Purple Line. In addition to savings such as elimination of Jones Mill Road grade crossing protection maintenance, the ability to run downhill from the Lyttonsville station and then uphill approaching the Chevy Chase Lake station stop and vice-versa (without need to slow at Jones Mill Road) should afford substantial electrical power savings over time.

I would be pleased to walk this section or otherwise meet with such persons deemed appropriate by the MTA and its Engineer in order to better explain the observations in this comment.

ENTRANCE INTO CENTRAL BETHESDA

The Purple Line LRT entrance into Bethesda remains in controversy because of adverse impacts perceived by the Town of Chevy Chase, including a school pedestrian crossing issue, and also because of proposals to close the tunnel under Wisconsin Avenue to GB Trail bicycle and pedestrian traffic. Resolution of the latter apparently entails demolition and rebuilding of a multi-story commercial building, the outcome of which is uncertain. There are other deficiencies with the current plan which, although less discussed, are no less important: 1) The chosen terminus location requires opening of a Bethesda Metro Station south entrance in order to provide reasonably direct passenger interconnection with Metrorail, and this second-entrance project is both very costly and of uncertain timing. 2) The chosen terminus location does not provide reasonable access to the bus terminal in the Bethesda Metro Station complex, requiring a three-block walk for bus-LRT interchange. 3) The terminus, with its southwesterly orientation,

provides for no reasonable expansion of the system, as the sector of Montgomery County beyond the terminus is primarily low-density residential.

These issues call for examination of an alternate route into central Bethesda. Fortunately, East-West Highway offers an alternative. The East-West Highway right-of-way between the Montgomery Avenue intersection and Pearl Street has not needed full utilization for traffic flow since the street was converted from two-way flow into serving as half of a one-way pair. The corridor should be able to readily support reserved surface LRT tracks along the north side of East-West Highway as far west as Pearl Street, similar to the arrangement on the Portland, Oregon, Tri-Met Blue Line LRT along Northeast Holladay Street in the Convention Center to Lloyd Center area. Such an arrangement could be facilitated by the fact that that much of the existing north side development along the involved part of East-West Highway consists of older (but not historic) single-family residential structures repurposed into various commercial and other uses, probably ripe for redevelopment assuming zoning is supportive.

The surface trackage would need to drop into subway west of Pearl Street, with the terminus under East-West Highway itself at Wisconsin Avenue. An existing pedestrian undercrossing of Wisconsin Avenue provides access, within the Bethesda Metro complex, to the existing Metrorail entrance and the existing bus terminal. If the Wisconsin Avenue station of this alternate alignment is designed for future LRT line extension, the Purple Line in the future could be taken out to some logical point such as the Rock Springs Park and Montgomery Mall area, where an I-270 express bus interchange could be developed.

Looking at this alternative on a block by block basis from east to west, the LRT tracks would swing off the presently planned alignment just north of the East-West Highway bridge over the GB Trail and climb to parallel East-West Highway on the north side. Acquisition of one to three single-family residential structures of the type described above would probably be required for the curve. The GB Trail would continue on its present Georgetown Branch alignment to pass through the Wisconsin Avenue tunnel and connect with the Capital Crescent Trail as it does today.

West of Chelton Road, depending on the amount of street space that could be reclaimed from the Bethesda Towers frontage roads across East-West Highway, it might be necessary to substantially narrow the broad sidewalk along the front of Bethesda Chevy Chase Senior High School (BCC). If school security could be adequately accommodated, it could be desirable to relocate the sidewalk onto an easement north of the mature trees fronting the present walkway, which was apparently built when one-way couplet traffic operation was implemented. West of BCC a relocated sidewalk could hopefully be integrated with land redevelopment. The passage into subway west of Pearl Street is aided by the lay of the land, such that the portal could presumably be sited reasonably close to Pearl Street, leaving much of the Our Lady of Lourdes church frontage on East-West Highway essentially as it presently is. The final block-and-a-half of line would have to be in conventional LRT subway under East-West Highway traffic lanes, entailing normal utility relocation and traffic maintenance during construction. The cost would have to be balanced against benefits of the revised alignment and the structure demolition and reconstruction the present plan apparently involves.

There is, of course, the more expensive sub-alternative of constructing a tunnel/subway north of East-West Highway in the area proposed above

for reserved surface LRT tracks. Topography would favor such a solution, as the LRT tracks could swing off the presently planned alignment into the subway portal with little change in track elevation required. East and west of BCC, a coordinated construction and redevelopment strategy used in some of the earlier Toronto, Ontario, subway segments could possibly be employed. This would involve taking of improvements that represent underutilization of the land (or coordination with landowners), demolition, construction of the LRT line in open cut, and land redevelopment either concurrently or subsequently over the LRT. If the alignment were to be placed far enough back of East-West Highway to the north, cut-and-cover tunnel construction across the BCC front lawn could avoid most if not all of the mature trees as well as a lot of the more recently planted trees.

Again, I would be pleased to walk this section or otherwise confer with designated staff in order to better explain the options in this comment.

ONE FINAL COMMENT

There has been much talk over the years of utilizing bus rapid transit instead of LRT for the Purple Line. Indeed, the study I directed in 1985-86 (see second paragraph of this comment submission) tentatively recommended a guided busway between Silver Spring and Bethesda. There comes a time, however, when discussion of alternative modes becomes counterproductive. A project as far advanced as the Purple Line should be pursued to conclusion of the basis of the officially selected mode, LRT in this case. Otherwise nothing will ever get accomplished, and this corridor needs the public transit accessibility and options that a Purple Line LRT will bring. At this stage the objective should be not to derail the project, but rather to work to get it done right.

Richard H. Pratt, P.E.
11112 Rokeby Avenue
P.O. Box 158
Garrett Park, MD 20896

Phone: 301-942-1764
Cell: 301-933-0400
Email: rhpratt@his.com

C.1

A.1

Purple Line FEIS - RECORD #738 DETAIL

First Name : Michael
Last Name : Srnik
Email Address : mpsrnik@comcast.net

Submission Content/Notes : I think almost everyone supports public transportation but the purple line is a solution looking for a problem. It absolutely will not take cars off EW hwy (any consultant that told you it will, took our money) but will simply move some hourly workers off buses onto the rail. And few at that, because the bus has more pickup/drop locations.

A.2

B.1

Purple Line FEIS - RECORD #739 DETAIL

First Name : Kathy
Last Name : Srnik
Email Address : ksrnik@gmail.com

Submission Content/Notes : I think that running the Purple Line along the Capital Crescent Trail is a worse decision than the ICC. It's not going to take cars off of the road; just take passengers off of the buses which already do a fine job from Silver Spring to Bethesda and back. Colossal waste of resources and destruction of green space.

A.2

C.3

Purple Line FEIS - RECORD #740 DETAIL

First Name : Nancy

Last Name : Penczner

Email Address : Nancypenczner@aol.com

Submission Content/Notes : The trail supports a community lifestyle for health and well being for all residents and visitors. The green canopy of trees is an integral part of the trail experience. Please save the trail!

C.3

Purple Line FEIS - RECORD #741 DETAIL

First Name : Kathleen
Last Name : Gregory
Email Address : katmgregory@yahoo.com

Submission Content/Notes : I am in favor of public transportation, but do not feel it is being properly planned and am disturbed by the special consideration given to those with power and influence. Please listen to the valid concerns of those who live in and around the trail!

K.5

E.9

>From the New York Times:"...the scientific evidence shows that loud sound is physically debilitating. A recent World Health Organization report on the burden of disease from environmental noise conservatively estimates that Western Europeans lose more than one million healthy life years annually as a consequence of noise-related disability and disease."

Shouldn't a Final Environmental Impact Statement reveal this potential environmental degradation?

Purple Line FEIS - RECORD #742 DETAIL

First Name : Julie
Last Name : Stanish
Email Address : JAstanish@hotmail.com

Submission Content/Notes : Not only will wildlife be negatively impacted by building of the Purple Line, but people will as well. If the goal is to reduce traffic, I simply don't buy that this will have any positive impact. If anything, car traffic will increase due to increased density near the purple line. If the plan is to increase retail and condo/apartments near the line, I hardly think that there will be less traffic on the streets near the purple line. This increased activity will make the standard of living lower for the people nearby and much worse for the natural environment.

D.2

C.3

E.11

If the goal is to reduce traffic congestion, then leaving the trail the way it is would be the best option as that would reduce the density of traffic and help to encourage bicycle usage. If anything, more frequent buses should be encouraged for those who want to take public transit. And, BTW, there is already red line service to New Carrollton, Silver Spring and College Park. I don't see the necessity of detroying the trail with its growth of trees and an already recreation site in favor of more traffic density.

Julie Stanish
Elm Street
Chevy Chase

Purple Line FEIS - RECORD #743 DETAIL

First Name : Stephen
Last Name : Rhodes
Email Address : Rhodes2003@hotmail.com

Submission Content/Notes : I have reviewed the Final Environmental Impact Statement for the Purple Line and find it to be a very biased and flawed assessment. My family and I have enjoyed the Capital Crescent Trail since we moved to Chevy Chase in 1997. As a lifelong Washingtonian, I consider the Trail to be one of the real gem's in the entire region. Simply put, the Trail is an irreplaceable natural resource to thousands of people every day who value it as a place to quietly walk, run, and ride bikes in a natural environment that is a refuge from the noisy, surrounding city. The Purple Line will permanently destroy the Trail.

C.3

C.1

The Silver Spring area is rapidly changing. By the time the Purple Line would be completed, who knows how many riders would use it? Given the uncertainties of future use, an option that does not permanently destroy the environment is more prudent and responsible. Enhanced bus service is an example of a transportation option that is immediate, inexpensive, flexible and adaptable to the inevitable changes in ridership over the next decade without permanently destroying one of the most valuable resources in the region.

Sincerely,

Stephen Rhodes
Chevy Chase, MD

Purple Line FEIS - RECORD #744 DETAIL

First Name : Robert

Last Name : Lane

Email Address : rlane@lanecpa.com

Submission Content/Notes : I want to preserve the trail as is. I live near it and use it daily. I would be a crime if this purple line happens.

C.3

Purple Line FEIS - RECORD #745 DETAIL

First Name : Dave

Last Name : Baker

Email Address : davewbaker@hotmail.com

Submission Content/Notes : WORLD CLASS PARK - Friends of the Capital Crescent Trail envisions a world class trail and park system from Georgetown through Bethesda and connecting Rock Creek and downtown Silver Spring. According to this Final Environmental Impact Statement, the Capital Crescent Trail isn't worth saving. Help us realize our vision - Help Us Save The Trail!

C.3

E.5

Purple Line FEIS - RECORD #746 DETAIL

First Name : amy

Last Name : ross

Email Address : arross@yahoo.com

Submission Content/Notes : I SUPPORT the Purple Line. I think anything that encourages non-car transportation is great for the environment and the trail use will benefit from the make-over.

A.1

Purple Line FEIS - RECORD #748 DETAIL

First Name : James

Last Name : Slater

Email Address : cjimblues@gmail.com

Submission Content/Notes : Since the beginning efforts many, many years ago to create the Capital Crescent Trail from Georgetown to Silver Spring as a rails-to-trails project, the idea was to create a parklike pathway for bikers, hikers, walkers and recreational users in the Washington D.C. area. I was one of many people who led hikes on the trail before the tracks were removed and the Georgetown to Bethesda section was paved and landscaped. I organized and participated in clean-up campaigns to remove tons of trash from the pathway. The Georgetown-Bethesda trail section has been an unbelievable success -- thousands of people use this trail every week for recreation and commuting. The reason is its serenity, the wide path that safely accommodates traffic in both directions, the feeling of escape from the urban area we live in without having to leave the area. The intent was always to complete this parkland path from Bethesda to Silver Spring in like manner. The idea of introducing a train or trolley on the pathway is totally in opposition to this intent and the spirit of the original vision for the whole Capital Crescent Trail. Keep in mind that this was and still should be a rails-to-trails project, not rails-to-rails. The noise, trash, maintenance facilities, power stations, ugly walls and all the other concomitant effects of a rail system are a complete disconnect with the section of the Capital Crescent Trail already in place and will be a disservice to the community at large and a huge waste of money. Please stop the train plan and complete the fantastic trail that has already proved itself.

C.3

A.2

Purple Line FEIS - RECORD #749 DETAIL

First Name : Julia

Last Name : Johnson

Email Address : j20815@verizon.net

Submission Content/Notes : I am opposed to the Purple Line given the uncertainties regarding the number of users, the total cost, and the damaging effects on the much-loved Capital Crescent Trail.

A.2

K.2

K.5

Purple Line FEIS - RECORD #750 DETAIL

First Name : Jane
Last Name : Lehman
Email Address : lehman.jane@gmail.com
Submission Content/Notes : Dear MTA:

A.1

I write to express my support for the Purple Line project because I support the accompanying work to complete the Capital Crescent Trail between Bethesda and Silver Spring.

C.3

The CCT must be completed as part of this project as a paved, grade-separated, safe connection between downtown Bethesda and downtown Silver Spring. This should be done regardless the details of the alignment and the ownership of the necessary right-of-way, and the FEIS should more clearly state that MTA will work with MCDOT and necessary stakeholders to ensure that the trail is built as promised.

While I support the Purple Line as a means of providing alternatives to the use of single occupancy vehicles for east-west transportation in the region, the completion of the CCT as a viable bicycling connection is critical.

Thank you.

Jane Lehman
816 Gist Avenue
Silver Spring, MD 20910

Purple Line FEIS - RECORD #751 DETAIL

First Name : Ilana
Last Name : Gordon
Email Address : ilana@wordwizardsinc.com

Submission Content/Notes : Since the Capital Crescent Trail opened, my life has changed exponentially. The ability to walk in a peaceful environment and bike among smiling faces, walk my dog and soak in the environment makes this a special place to live. I exercise more and so do most of my neighbors and friends.

C.3

When you walk the trail everyone has smiling faces. I can't imagine what it will be like to have trains going by and still enjoy the environment in the same way. The impact upon the environment is substantial as taking away hundreds of trees will change the look and feel of the trail as well as the effects of every living thing in it's path, especially the people who live and breath in this area.

There are very few towns that have such a jewel available to residents. Bethesda/Chevy Chase will be changed forever in a negative way!

Please save our trail!

Purple Line FEIS - RECORD #752 DETAIL

First Name : Stanley
Last Name : Scheiner
Email Address : thescheiners@msn.com

Submission Content/Notes : Please do not do anything that would affect the Capital Crescent Trail! There are so many reasons to save this marvelous resource. I use the Trail every single day; I would be lost without it. The Trail is a unique way for older people to get exercise, and to enjoy nature, so close to home. It is without doubt my favorite thing about living here. I know MANY PEOPLE who feel the same way. Economically, the Trail is one of the best things about this area, and anything adversely affecting it would hurt property values enormously. Stop trying to build things! Just leave this wonderful area alone, and do not destroy it.

C.3

E.4

Purple Line FEIS - RECORD #753 DETAIL

First Name : Marcie and George

Last Name : Stickle and French

Email Address : marcipro@aol.com

Submission Content/Notes : Please accept our FEIS COMMENTS attached. Please acknowledge receipt from French and Stickle, 10-21-13 COMMENTS attached. Please acknowledge receipt from French and Stickle, 10-21-13

Purple Line FEIS - RECORD #754 DETAIL

First Name : Eva
Last Name : Santorini
Email Address : eks1958@rcn.com

Submission Content/Notes : I use the Capital Crescent Trail to bike from Silver Spring to Bethesda. It is such a delight to be able to do so, and i've run into wildlife and friends and always am energized after my ride. To think that the preparations for the Purple Line will decimate the old-growth trees kills me. I am still not quite sure why you are planning the PL, instead of expanding Express bus service along E-W Highway. DON'T KILL THE TRAIL AND DO NOT KILL THE TREES!

C.3

C.2

C.1

E.11

Purple Line FEIS - RECORD #755 DETAIL

First Name : Patty

Last Name : Marcus

Email Address : balibliss@yahoo.com

Submission Content/Notes : Keep it only nature--we all need this!, no trains ever!

A.2

Purple Line FEIS - RECORD #756 DETAIL

First Name : Virginia
Last Name : Onufer
Email Address : virginiahume@gmail.com

Submission Content/Notes : The Crescent Trail is one of the best loved and most used such trails in the state! It is not only quiet, but it has a wonderful tree canopy, stretching over its top and making the trail a haven even on a blazing summer day. The planned double track light rail system will effectively destroy this trail, at great cost and dubious benefit. The Purple Line is unhealthy - for our nation's precarious finances, for citizens in need of greater venues to pursue fitness, and for the environment. The U.S. Department of Transportation, the Federal Transit Administration and the US Congress should reject the MTA's request for funding to build the Purple Line on the Capital Crescent Trail.

C.3

B.1

K.2

K3

K.4

Purple Line FEIS - RECORD #757 DETAIL

First Name : David
Last Name : Bigio
Email Address : david.bigio@gmail.com
Submission Content/Notes : Dear MTA:

A.1

I write to express my support for the Purple Line project because I support the accompanying work to complete the Capital Crescent Trail between Bethesda and Silver Spring.

C.3

The CCT must be completed as part of this project as a paved, grade-separated, safe connection between downtown Bethesda and downtown Silver Spring. This should be done regardless the details of the alignment and the ownership of the necessary right-of-way, and the FEIS should more clearly state that MTA will work with MCDOT and necessary stakeholders to ensure that the trail is built as promised.

While I support the Purple Line as a means of providing alternatives to the use of single occupancy vehicles for east-west transportation in the region, the completion of the CCT as a viable bicycling connection is critical.

Thank you.

David Bigio
4856 Sweetbitch Dr.
Rockville, MD 20853

Purple Line FEIS - RECORD #758 DETAIL

First Name : Ella
Last Name : Krainsky
Email Address : ellakrainsky@gmail.com

Submission Content/Notes : To whom it may concern,
Since moving to Bethesda, I run on the Capital Crescent Trail approximately 4 times a week. Thanks to this wonderful resource, I enjoy exercising and am physically fit. My children, who have both just learned to ride their bikes on the trail, are looking forward to a reward of riding on the trail to get to our local ice cream shop. Whenever my family uses the trail, I marvel at how lucky I am to live so close to this treasure. My neighbors and I care about health and value the trail as a safe, convenient, and lovely, shaded area to jog, walk, bike, or walk our pets. It is one of my favorite things about living in Bethesda. I hope you will reconsider your plans and save our trail. Thank you.

C.3

Purple Line FEIS - RECORD #759 DETAIL

First Name : Anne
Last Name : Himmelfarb
Email Address : annehimmelfarb@gmail.com

Submission Content/Notes : If the Purple Line is going forward, it must take the needs and preferences of the community into account. Please preserve green spaces, including the Capital Crescent Trail; don't subject residents of Barrington Apartments to high vibration levels (in excess of what FTA deems acceptable); and study in more depth the impact on surrounding roads (East-West Highway, Lyttonsville, and Brookville).

C.3

E.10

D.2

Purple Line FEIS - RECORD #760 DETAIL

First Name : Juan

Last Name : pelaez

Email Address : Jcpelaez24@gmail.com

Submission Content/Notes : I do exercises inthe trail every weekend is my favorite place, because is nature, quiet and green ; is better that a noisy lighth train .
Thanks

C.3

Purple Line FEIS - RECORD #761 DETAIL

First Name : Nancy

Last Name : Edwards

Email Address : nancyedwards@aya.yale.edu

Submission Content/Notes : Please save the trail. I don't believe a train travelling at 50 MPH can exist next to walker, joggers, etc.
the environmental hazards have not been fully explored from this point of view either.

C.3

Purple Line FEIS - RECORD #762 DETAIL

First Name : Jennifer
Last Name : Riddell
Email Address : jlrippell@verizon.net

Submission Content/Notes : Many regions in the US and internationally understand the value of green space within the dense fabric of urban living, and movements to reinstitute/reclaim formerly industrial or infrastructural areas as green space amid congested areas is growing (see New York, Seoul, and myriad other cities). It is tragic that our regional urban planners are so behind the times and wish to eliminate green space for unneeded and intrusive infrastructure that will add stress, noise, congestion to people's lives as well as damage a valuable natural resource.

C.3

So many people are against the purple line -- why are the people's voices not being heard?

Purple Line FEIS - RECORD #763 DETAIL

First Name : Sam
Last Name : Strulson
Email Address : samstrulson@gmail.com

Submission Content/Notes : As an avid user of the Capital Crescent Trail, I would be extremely disappointed to lose the quiet, peaceful experience that comes with a walk, run, or ride on the trail. I ask that the decision makers strongly consider moving the purple line to another corridor, so that our community can enjoy this unspoiled natural resource for generations to come.

C.3

Purple Line FEIS - RECORD #764 DETAIL

First Name : Juli
Last Name : Bollinger
Email Address : juli.murphy@gmail.com
Submission Content/Notes : To whom it may concern,

C.4

I am a resident of the Seven Oaks-Evanswood neighborhood whose home is one block distant from the proposed Wayne Avenue Power Substation site. I write to ask that *MTA **keep OPEN the issue of what to do about the Power Substation on Wayne*. It's not just us residents, but the County as well, that will benefit from preserving the character of our neighborhood by assuring a Substation location/design that's compatible with our area.

Sincerely,
Juli Bollinger
8500 Mayfair Place

Purple Line FEIS - RECORD #766 DETAIL

First Name : PAULINE
Last Name : LITTLETON
Email Address : PAULINE99H@HOTMAIL.COM
Submission Content/Notes : Dear MTA:

A.1

I write to express my support for the Purple Line project because I support the accompanying work to complete the Capital Crescent Trail between Bethesda and Silver Spring.

C.3

The CCT must be completed as part of this project as a paved, grade-separated, safe connection between downtown Bethesda and downtown Silver Spring. This should be done regardless the details of the alignment and the ownership of the necessary right-of-way, and the FEIS should more clearly state that MTA will work with MCDOT and necessary stakeholders to ensure that the trail is built as promised.

While I support the Purple Line as a means of providing alternatives to the use of single occupancy vehicles for east-west transportation in the region, the completion of the CCT as a viable bicycling connection is critical.

Thank you.

PAULINE LITTLETON
11907 WHISTLER CT
POTOMAC, MD 20854

Purple Line FEIS - RECORD #767 DETAIL

First Name : a.k.

Last Name : jhangiani

Email Address : karesjhangiani@yahoo.com

Submission Content/Notes : Trees are life, not to be taken un-seriously when the Capital area is full of smog and other pollutants. They protect us from the oise and pollution, keep our summers cool and act as a bulwark against the cold wind from the north. They are our joyous canopies; please save and prtoect them and us.

E.11

Purple Line FEIS - RECORD #768 DETAIL

First Name : Sara
Email Address : Sara@pureintensity.net
Submission Content/Notes : Please save the trail...

C.3

Purple Line FEIS - RECORD #769 DETAIL

First Name : Libby

Email Address : LibbyBMay@gmail.com

Submission Content/Notes : I oppose the Maryland Transportation Administration's current Purple Line plan to construct a double-tracked, light rail system on the Capital Crescent Trail because I enjoy my peaceful Saturday morning runs.

C.3

Purple Line FEIS - RECORD #770 DETAIL

First Name : Beth
Last Name : Van Gelder
Email Address : beth.a.vangelder@gmail.com

Submission Content/Notes : Investment in the Purple line will take away of the great resources in the Bethesda community. We use the trail almost every weekend as a safe alternative to get to downtown Bethesda than walking on the busy roads. The trail is a wonderful resource and a way for Bethesda's residents to experience a piece of natural beauty in an otherwise urban landscape. The increased noise from the Purple line and the lose of the nature resources required to create it will less the quality of life for those living near its path. An investment in the Purple Line is a bad investment for the community.

C.3

Purple Line FEIS - RECORD #771 DETAIL

First Name : Ann

Last Name : Leger

Email Address : aleger_ssmd@yahoo.com

Submission Content/Notes : Please ask the MTA to keep OPEN the issue of what to do about the Power Substation on Wayne Avenue in Silver Spring.

C.4

I am a resident of the Seven Oaks-Evanswood neighborhood whose home is one block from the proposed Wayne Avenue Power Substation site.

It's not just us residents, but the County as well, that will benefit from preserving the character of our neighborhood by assuring a Substation location/design that's compatible with our area.

Sincerely,

Ann Leger
603 Greenbrier Drive
Silver Spring, MD 20910

Purple Line FEIS - RECORD #772 DETAIL

First Name : Stacey
Last Name : Colino
Email Address : staceycolino@earthlink.net

Submission Content/Notes : The expense and the damage to the natural beauty in this area do not warrant building the Purple Line along the Georgetown Branch trail. The ridership numbers are also not convincing enough. And the noise pollution (from all those trains passing to and fro) will be damaging to both adjacent neighborhoods and walkers/bikers who would use the trail that's supposed to run alongside the Purple Line. A better alternative is BRAC up to Walter Reed; then, you're more likely to get the ridership you're aiming for. That's an approach that makes sense; the Purple Line doesn't.

C.2

C.3

E.9

K.5

Purple Line FEIS - RECORD #773 DETAIL

First Name : JOHN

Last Name : ADAMOVICH

Email Address : JOHN.ADAMOVICH@YAHOO.COM

Submission Content/Notes : ANY "LIGHT RAIL" OR EQUIVALENT IN A FORESTED AREA SHOULD FACTOR IN NOISE POLLUTION. THE FACT THAT THIS ENVIRONMENTAL IMPACT STUDY DOES NOT DISCUSS THIS FACT IS INEXCUSABLE. MONTGOMERY COUNTY SHOULD BE ASHAMED. STOP THAT METRO LINE!!!!

E.9

Purple Line FEIS - RECORD #774 DETAIL

First Name : Grace
Last Name : Morsberger
Email Address : morsbergerg@gmail.com

Submission Content/Notes : Please preserve the Capital Crescent Trail. There are other options for the Purple Line, including a dedicated bus line and a line that would run to NIH, that would be both cheaper and less destructive to the environment. The Crescent Trail provides hikers and bikers with an unparalleled swath from Silver Spring all the way down to Georgetown. It is unique in our area and is heavily used. It would be a great loss to the community and to the houses that border the trail to cut down all the trees and to have trains running along there. In addition, many students use the trail to safely navigate from B-CC High School to their homes and to downtown Bethesda. Why get rid of a vital green area and further urbanize Bethesda?

C.3

Purple Line FEIS - RECORD #775 DETAIL

First Name : paul
Last Name : langosch
Email Address : p1957rl@hotmail.com

Submission Content/Notes :

A.2

E.3

K.2

I would like to add my voice to the residents of Montgomery County Maryland that oppose the building of the Purple Line. This plan is harmful to the people who reside in Montgomery County, expensive and poorly conceived. Yes, we do need to vastly improve our public transportation choices however, the Purple Line is NOT the answer. The environmental impact study has many troubling aspects. The demolition of existing homes and businesses should be enough to abandon this disastrous idea. Upon further examination, the amount of disruption to our way of life is extraordinary. Much more so then the construction of public transportation in other parts of the greater Washington DC area. Then there is the cost. What needs to be done in downtown Bethesda to accommodate the Purple Line is ludicrous. And for what? The positive impact on the traffic congestion in our area is minimal.

It is not fair that this transportation plan has been forced on us. This has been shown to be a bad idea from the very beginning. For some reason the supporters will not listen to the residents or the voice of reason. I hope someone has the courage to say enough is enough.

Thank you,
Paul R. Langsoch

Purple Line FEIS - RECORD #776 DETAIL

First Name : Jeanne
Last Name : berg
Email Address : Jaybeeberg@comcast.net

Submission Content/Notes : Please do no transform the trail into a sidewalk next to a loud busy street. That's what we'll have if you build a rail track through it--a huge loss of trees, shade and silence, which human beings need to recharge from the stress of urban living. This linear park is irreplaceable.

C.3

E.9

E.11

Purple Line FEIS - RECORD #777 DETAIL

First Name : Margaret

Last Name : Gross

Email Address : margie.gross@gmail.com

Submission Content/Notes : I live a couple of 100 yards from the trail and am very concerned about the

C.3

amount and decibels of noise pollution that the light rail will make all day long. Also when walking along the new trail path there will be too much

E.9

noise disturbance to comfortably be able to use the trail path.

Purple Line FEIS - RECORD #778 DETAIL

First Name : Julia
Last Name : Begley
Email Address : julia.begley@gmail.com

Submission Content/Notes :

C.4

Hello,
I am a resident of the Seven Oaks-Evanswood neighborhood. I am generally in favor of the Purple Line but am concerned about the plans for the proposed Wayne Avenue Power Substation site.

I am writing to ask MTA keep OPEN the issue of what to do about the Power Substation on Wayne. It is important that the end result be compatible to the location and preserve the character of the neighborhood.

Thank you,
Julia Begley
8605 Mayfair Place, Silver Spring, MD 20910

Purple Line FEIS - RECORD #779 DETAIL

First Name : Olwen

Last Name : Pongrace

Email Address : Opongance@comcast.net

Submission Content/Notes : The trail is vital to the community and to make the purple line the priority is a mistake. Why can't we have both?

C.3

Purple Line FEIS - RECORD #780 DETAIL

First Name : Jennifer

Last Name : Gallivan

Email Address : gallivansgarage@comcast.net

Submission Content/Notes : Please don't destroy the Capital Crescent trail which is enjoyed by call as a walking trail and as a Park. Trains and noise would destroy this irreplaceable 20 acre natural resource.

C.3

E.5

Purple Line FEIS - RECORD #782 DETAIL

First Name : Tom
Last Name : Flaherty
Email Address : tfi03@yahoo.com

Submission Content/Notes : To the MTA –

This note is in response to the Final Environmental Impact Statement (FEIS). I was hoping that the documents would convince me to support the Purple Line. They instead made me deeply skeptical that the proposed benefits of the Purple Line outweigh the costs.

In summary, the project proposes to spend \$2.2 billion dollars to build a light rail train. After

going through the documents, I've reached the following conclusions:

* This proposal has an inconclusive impact on transit times

* The light rail will have a negligible effect on improving air quality or reducing greenhouse gas emissions

* The trains will be loud and visually unappealing

* The study documents themselves frequently omit information that would be useful to determine whether this project makes sense

These concerns, coupled with the cost and disruptions of constructing this line, cause me to doubt that this is a good use of taxpayer

money. I request that this issue be kept

open until the above points can be satisfactorily addressed.

Below, please find more specific points about several documents within the FEIS.

Inconclusive impact on transit times

From the Traffic Analysis Technical Report

(http://www.purplelinemd.com/images/studies_reports/feis/volume_03/09_PL-Tech-Report_Traffic%20Analysis_August%202013.pdf)

· The traffic analysis report, Table 4-5, compares forecasts for the Purple Line and the No Build Alternatives. It does not provide numbers - just letter grades. The fact that these are letter grades and not

actual numbers makes this impossible to assess. Is the difference between D, and E, for

example, a mere 10 seconds of delay? We

cannot make an informed decision about the merits of this project without that

information. · Assuming the letter grades are somehow

meaningful, in many cases, the Purple Line makes a letter grade worse.

In others, it improves the letter grade, but

usually not by much. And, as noted

above, it's impossible to tell whether this improvement would actually matter

in the real scheme of things. (I'm

assuming that many people would not mind if their commute was, say, 10 seconds

longer.)

· Does the traffic model used in this report include

the potential for increased telecommuting? Does the model include the possibility that drivers would adjust their

commutes based on adverse traffic conditions? Does it include the possibility of increased

carpooling if traffic becomes really bad? If not, these seem like pretty big omissions

that would have a material impact on the results.

From the Travel Forecasts Report

E.8

E.7

E.9

K.5

D.2

K.5

(http://www.purplelinemd.com/images/studies_reports/feis/volume_03/010_PL-Tech-Report_Travel%20Forecast_August%202013.pdf):

- * Do the time savings calculated in Figure 9 and Table 18 include the time to get to the train station? Since there's no parking at these train stops, most people will have to walk or take a bus to them, which will add to the travel time. Not including this detail overstates the potential time savings of this project, making it seem more attractive than it actually is.
- * Assuming the travel time estimates are reasonable accurate, are the savings of ~10 minutes enough to justify a \$2.2 billion investment?
- * Table 23 in this document is incomprehensible.
- * First, the row and column labeled "Total" does not show a total. This makes me question all of the math behind this report. If the authors intended to label this as an "average" and it's really just an oversight, why should we trust the project team's attention to detail?
- * Secondly, is table 23 attempting to say that if I start a trip in Bethesda, for example, and also end my trip in Bethesda, I can expect to somehow get 24 minutes of a "user benefit"? This is completely unclear.
- * Finally, with respect to Table 23, using an average – as I assume they do – generates misleading results due to a few large numbers in the table. Using median or mode seems like a more appropriate choice to show what a "typical" benefit would be.
- * Despite these shortcomings, the data in Table 23 cause the authors to assert that "Table 23 shows that user benefits per project trip average 30 minutes over the entire region." I'm really not sure what this means, but they seem to suggest that an average commuter on an average commute will save 30 minutes if we build this train. That seems extremely unlikely, especially given that the same data seem to suggest that I save 24 minutes just within Bethesda along.
- * If the table is incomprehensible, why should we trust recommendations that are based on it? I'm open to the possibility that the problem is me – that's why I'm requesting clarification.
- * If the household growth in the transit corridor is 3% by 2040 (Table 3), and the employment growth is 4% (Table 4), why are the number of daily person trips in the corridor forecasted to grow by 20% (Page 20)?
- * Table 18 – Why is Walk Time included in the forecasts for the No-build alternative? Is this the average amount of time people take to walk to their cars? It does not take me 6.4 minutes to walk to my car.
- * Normally, future forecasts are presented as ranges of possibility, yet this document is very specific about the numbers. The specificity makes me question the actual validity of the forecasts.

* What is the impact of the assumptions on the outcome of the numbers? For example, if I assume a 2% growth in households instead of 3%, what does that do the forecasts

* Would the MTA make their data and calculations public so we can evaluate them? After looking at the ICC, which seems to be nearly empty nearly all the time, I feel like we need to be especially diligent of forecasts of demand. A pilot program?

* The document makes this assertion: "If the Purple Line existed in 2005 (Build-up #1) and the demand remained unchanged, the system would experience a ridership level of nearly 56,300 daily riders or 80 percent of the future year forecasted riders. This shows that the project can stand alone without the future demand." (Page 60)

* This seems like a testable hypothesis. Since there is considerable cost and disruption required for this project, and questionable forecasts, why not create a pilot program to really gauge demand? Perhaps some sort of dedicated bus system that mimics what the final LRT would look like? Run it for a year and actually see the demand?

Negligible impact on air quality

The project seems to have a negligible improvement in air quality and greenhouse gas emissions over the alternative of not doing anything. The

following points refer to this document:

http://www.purplelinemd.com/images/studies_reports/feis/volume_03/01_PL-Tech-Report_Air%20Quality_August%202013.pdf

* The table on page 31 indicates that there is virtually no decrease in emissions as a result of this project. The amount of change ranges from -0.1 - 0.3%, from now until 2040. This seems likely to be well within the range of modeling error. A more cost-effective approach to pollution reduction may be to encourage bike lanes. I'm sure creative people could come up with other solutions.

* "No violations of the NAAQS are predicted for either the Preferred Alternative or the No Build Alternative." Page 31

* Table 11, page 38, also shows a negligible impact on greenhouse gas emissions.

It will be loud and change the visual character of many neighborhoods

· My personal experience living next to above-ground trains is that they are loud, they squeak, and they shake the earth as they go by.

· On top of those points, the proposed train is apparently required to sound a horn every time it enters a station (page 16, http://www.purplelinemd.com/images/studies_reports/feis/volume_03/04_PL-Tech-Report_Noise%20Technical_August%202013.pdf). Since I live a short distance from a station, the table on page 16 of the previously-referenced document implies that I can

K.5

K.2

E.8

E.9

expect to hear 139 horn blasts each day, between the hours of 5 AM and 1 AM. Please don't do this to me.

· The overhead contact systems used for light rail are, frankly, ugly. If this must be built, I would request that these items be underground or otherwise not visible. (page 21, http://www.purplelinemd.com/images/studies_reports/feis/volume_03/05_PL-Tech-Report_Section%20106%20Effects_August%202013.pdf)

E.10

· The vibration report does not clearly indicate the question I'm sure most people have, which is how strongly will we feel the vibrations from the trains? This report needs a map that clearly shows all the affected properties along the route, and that clearly indicates the likely vibrations they will feel. My personal experience living near other trains is that they cause significant vibrations. (http://www.purplelinemd.com/images/studies_reports/feis/volume_03/011_PL-Tech-Report_Vibration_August%202013.pdf)

Wayne Avenue TPSS is Problematic

C.4

While my comments above have been about the project in general, I have a specific observation about something in my neighborhood. I object to the proposal for the Wayne Avenue Traction Power Substation (TPSS) for the following reasons:

- * It will be an eyesore in the neighborhood
 - * Attempts to disguise it with walls, fake houses, or other facades, could create a haven for potential criminals or squatters
 - * I'm concerned about the safety of power generating facilities in our neighborhood. The neighbors don't want it, as communicated through the SOECA community association
 - * If this thing absolutely must be built, then my alternate proposal would be to put this substation near the houses of our county and state leaders who are pushing for the Purple Line to be built. Or, if this is going to go to a "public/private partnership" funding scheme, then I would propose that all substations be split between the leadership of the private company, and our elected officials.
- Thank you for the opportunity to comment on this proposal. I hope that you will treat my comments with thought, and not discount them because I make critical points or request more clarification. I am someone who has advocated public transportation projects in the past. However, after looking at this particular proposal I have strong concerns about its viability.
- Sincerely,
Tom Flaherty

Purple Line FEIS - RECORD #783 DETAIL

First Name : Ralph
Last Name : Bennett
Email Address : ralph@bfmarch.com
Submission Content/Notes : This message is a response to the Final Environment Impact Statement as published on the MTA website.

A.1

Purple Line NOW is an advocacy group whose Founder, Harry Sanders, along with some foresighted Montgomery County residents first conceived of a light rail line between Bethesda and Silver Spring. As the organization has grown, so has the scope of the project. We include Chambers of Commerce, Businesses, Civic Groups and individuals among supporters of the project.

Purple Line NOW would like to convey to the federal decision makers the extraordinary unity of support for this project on the part of the elected officials from Prince George's and Montgomery Counties, the Governor and his administration, and the communities that the Purple Line will serve.

We would also like you to know that we applaud the manner in which the Maryland Transit Administration has done extensive community outreach and responded to local concerns as they have designed an outstanding project.

I wish to communicate enthusiastic support for the project and its conduct by the Maryland Transit Administration.

Ralph Bennett
President
Purple Line NOW

115 Southwood Avenue
Silver Spring, MD
20901
301.593.6411

Purple Line FEIS - RECORD #784 DETAIL

First Name : Julia
Last Name : Randall
Email Address : jrandall@rcn.com
Submission Content/Notes : timeless beauty--do not destroy

A.2

Purple Line FEIS - RECORD #785 DETAIL

First Name : Kathleen
Last Name : McChesney
Email Address : kmcc20815@yahoo.com
Submission Content/Notes : Dear MTA:

A.1

I write to express my support for the Purple Line project because I support the accompanying work to complete the Capital Crescent Trail between Bethesda and Silver Spring.

C.3

The CCT must be completed as part of this project as a paved, grade-separated, safe connection between downtown Bethesda and downtown Silver Spring. This should be done regardless the details of the alignment and the ownership of the necessary right-of-way, and the FEIS should more clearly state that MTA will work with MCDOT and necessary stakeholders to ensure that the trail is built as promised.

While I support the Purple Line as a means of providing alternatives to the use of single occupancy vehicles for east-west transportation in the region, the completion of the CCT as a viable bicycling connection is critical.

Thank you.

Kathleen McChesney
3223 Leland Street
Chevy Chase, MD 20815

Purple Line FEIS - RECORD #786 DETAIL

Last Name : Melanie
Email Address : mellssp@hotmail.com

Submission Content/Notes : The Capital Crescent Trail is a great resource to the Montgomery County community. I have enjoyed walking, running, and just enjoying the nature views provided by the trail. If this natural resource is altered in any way it will take away from the serenity and peacefulness of this spot. With constant construction and traffic in the DC area, there are not many places where the citizens of Montgomery County can go to "de stress". Please don't take this venue away from us!!

C.3

Purple Line FEIS - RECORD #787 DETAIL

First Name : Richard
Last Name : Pottern
Email Address : rpottern@aol.com

Submission Content/Notes : As a recreational cyclist, I am an avid user of the Capital Crescent trail, especially the more rustic Georgetown Branch between Bethesda and Silver Spring. For 20 years, I have enjoyed the unique qualities of this park... the shade and coolness in summer provided by the magnificent tree canopy, the company of other cyclists and joggers, and the quiet environment where the sound of birds and rustling squirrels is a joyous relief in this high-decibel urban area. Like many trail users, I have been longing for the "future capital crescent trail" refinements that have been promised for years by markers along the path.

C.3

To have all this destroyed by a high-speed rail line with the accompanying noise, loss of thousands of trees, commercial and residential sprawl at all stops and crossings, property condemnations, etc, is a tragedy for our otherwise enlightened community. The values of this community, and the care Montgomery County has otherwise taken with its undeveloped land areas, is one of the reasons I choose to live in this state.

C.1

I strongly encourage routing of this rail line somewhere else...preferably along an existing roadway, or putting it underground (as part of Metro!) ...as should have been done 40 years ago.

C.2

Respectfully,

Richard A. Pottern
Bethesda

Purple Line FEIS - RECORD #788 DETAIL

First Name : Jim
Last Name : Whetzel
Email Address : jmwhetzel@verizon.net

Submission Content/Notes : How are you going to mitigate, noise, vibration, headlights lighting up citizen's back yards throughout most of the night.

E.9

Will the catenary wires spark, creating more after dark light pollution?

E.10

Does the term "stress induced illness" mean anything to you?

Purple Line FEIS - RECORD #789 DETAIL

First Name : Susan

Last Name : Gorman

Email Address : Ssgchch@aol.com

Submission Content/Notes : There should not be a train through these neighborhoods. My family bikes, walks and runs on the trail. Cutting down trees and having noisy trains will ruin the tranquility of the trail.

C.3

Purple Line FEIS - RECORD #791 DETAIL

First Name : Sean G.
Last Name : Kulkarni
Email Address : sean.g.kulkarni@gmail.com

Submission Content/Notes : DON'T DESTROY THE PARK - The FEIS is flawed. For more than 20 years the Capital Crescent Trail has been enjoyed as a Park. The FEIS doesn't acknowledge the trail as an irreplaceable 20 acre natural resource. Shouldn't the Final Environmental Impact Statement recognize how invaluable parks are in people's lives?

C.3

270 TRAINS A DAY - Another flaw in the document is its failure to recognize the noise disturbance a walker, runner or biker will endure alongside trains traveling 50mph. The peaceful, tranquil setting it is today will be harmfully impacted by a train sound as often as every three minutes.

E.9

>From the New York Times:"...the scientific evidence shows that loud sound is physically debilitating. A recent World Health Organization report on the burden of disease from environmental noise conservatively estimates that Western Europeans lose more than one million healthy life years annually as a consequence of noise-related disability and disease."

Shouldn't a Final Environmental Impact Statement reveal this potential environmental degradation?

Purple Line FEIS - RECORD #792 DETAIL

First Name : Katherine
Last Name : davies
Email Address : Ka_davies@yahoo.com

Submission Content/Notes : It is inconceivable to me that a government that is dedicated to the welfare of its citizens would destroy a much beloved park to serve the interests of a real estate company, but that is what is happening in the case of the Purple line project. The rest of the Purple line is on roadways, as it should be, until it gets to the capital crescent trail, when it zooms into the woods to meet the needs of the Chevy Chase Land Company at Connecticut Ave.

C.3

>From the beginning of this project the public has been assured, over and over, that the trail could coexist with the light rail. This assertion has always defied reason, and it continues to do so. The width of the trail, the speed, noise and frequency of the trains, all combine to make it unlikely that the trail can continue as it is today. In addition, the significant loss of trees will make the trail less attractive, and should raise environmental issues.

E.5

Finally, the trail is already an important public transportation option in its own right. Bikers already use the trail to commute, so, by putting the Purple line on the trail the public transportation option to commute by bicycle instead of using a transportation option that uses fuels is being destroyed. Shouldn't the environmental impact of this be considered?

Purple Line FEIS - RECORD #793 DETAIL

First Name : mark
Last Name : willcher
Email Address : mark@markwillcherco.com

Submission Content/Notes : I love the trail. It is a green lung and a wonderful space to walk and bike in the middle of a very urban area. We are going to lose an irreplaceable asset if the Purple Line gets built. The train is going to run so close to the space left for walking and biking no one is going to be able to use it and we will have lost all the tree cover and habitat. Obviously we also need better urban transit. The Purple Line is a case of one good thing ruining another good thing. We used to have a trolley system that ran on the roads and D.C is now doing that on H St and the re is the proposal in Arlington for Columbia Rd. I think we need to pursue an option that preserves mass transit with out destroying the trail to do it.

C.3

Purple Line FEIS - RECORD #794 DETAIL

First Name : James
Last Name : Karson
Email Address : jjkarson@gmail.com

Submission Content/Notes : I am in favor of Saving the Trail for all the reasons noted.

B.1

As a homeowner that borders Rock Creek Park (which is the reason we purchased this home) and a Chevy Chase resident since 1984, I find it hard to believe that the proposed Purple Line will relieve the east-west commuting traffic.

C.3

This serene, quiet trail should not be violated with the rail traffic and its noise that will do little to address the fact that the DC area has the "WORST TRAFFIC" in our nation, IN OUR NATION'S CAPITAL.

In my opinion, Montgomery County Master Development Plan did not address the need for infrastructure when they allowed developers to build without being assessed the appropriate infrastructure fees to ensure the quality of life for future residents and commuters.

Purple Line FEIS - RECORD #795 DETAIL

First Name : Wayne
Last Name : Phyllaier
Business/Agency/Association Name : Coalition for the Capital Crescent Trail
Email Address : phylla1@gmail.com

Submission Content/Notes : Please accept the Coalition for the Capital Crescent Trail comments on the Purple Line FEIS, attached as a pdf file.

The FEIS statements about CSXT right-of-way show a need for MTA and MCDOT to coordinate more carefully on the design of the Capital Crescent Trail. Some aspects of the proposed trail design point to a need for the MTA and MCDOT design team to bring in designers who have specific trail design training, experience, and responsibility.

Submitted by Wayne Phyllaier, on behalf of the CCCT Board

Attachments : FEIScomments.pdf (91 kb)



P.O. Box 30703, Bethesda, MD 20824-0703

October 21, 2013

TO: Purple Line FEIS Comment, Maryland Transit Administration
FROM: Ron Tripp, Chair, Coalition for the Capital Crescent Trail (CCCT)
RE: Completing the Capital Crescent Trail integral with the Purple Line

FEIS COMMENTS

C.3

The Coalition for the Capital Crescent Trail (CCCT) is an all volunteer organization founded as a 501c3 charitable organization. We organized in 1986 when the B&O Railroad ceased operations in the Georgetown Branch Corridor. Our mission is to convert the abandoned corridor into a high quality shared use trail, to complete the trail into Silver Spring, and to provide education and amenities to make the trail safe and attractive to use. We have over 2000 supporters and we are widely regarded as the leading regional organization to speak on behalf of trail users.

CCCT takes no position to support or oppose shared use of the trail with transit in the Georgetown Branch Corridor between Bethesda and Silver Spring, but if the public does choose to build the Purple Line then the CCCT insists that the trail be built integral with the Purple Line as a high quality, full width trail continuous from Bethesda to Silver Spring. The trail should be fully integrated into the Purple Line at all transit stations to develop the full potential of the trail to support pedestrian and cycling in mixed-mode transportation uses. The trail must be built in a manner consistent with its being a critical part of the regional shared use trail network.

CSXT right-of-way:

A right-of-way agreement is essential to the Purple Line/CCT project because the Purple Line and CCT are both planned to be in the CSXT operating corridor between Talbot Avenue and downtown Silver Spring. The FEIS states at Chapter 2, Alternatives Considered, pp. 25-27:

“The Preferred Alternative as shown in the FEIS includes completing the Capital Crescent Trail in CSXT right-of-way in accordance with the County’s plan. The completion of the trail along the CSXT corridor, however, is contingent on agreement

between Montgomery County and CSXT on the use of their property on the north side of the CSXT tracks for the trail. If agreement is not reached by the time the Purple Line construction occurs, MTA would construct the trail from Bethesda to Talbot Avenue. From Talbot Avenue to Silver Spring an interim signed bike route on local streets would be used...”

The FEIS implies that it is the responsibility of Montgomery County to get CSXT right-of-way for the trail. This is contrary to the understanding that the County Executive and MCDOT has always had with MTA on this issue, and is a position that is completely unacceptable to CCCT. County Executive Ike Leggett addressed this issue in an October 10, 2013 letter to the Montgomery County Council, stating in part:

“I am just as concerned as the County Council as to how this stalemate between MTA and CSXT occurred. It is clearly MTA’s responsibility to negotiate and obtain the necessary right-of-way from CSXT. The completion of a continuous Capital Crescent Trail has always been an integral part of the Purple Line project. After receiving your memorandum, I directed MCDOT to have discussions with MTA about our deep concerns and to explore ways to resolve the matter. The Department insisted on the position it was MTA’s full responsibility to complete these negotiations, requested additional engineering details and offered engineering assistance on the matter.”

The FEIS also implies that if CSXT right-of-way is not available then it would be necessary and acceptable for the trail to use a signed bike route on local streets. This is wrong. There are alternatives to using CSXT right-of-way that will support an off-road trail that would be far superior to an on-road route. Trail planners have known of these alternatives for many years. They were documented and approved by the Planning Board in the “Capital Crescent Trail/Metropolitan Branch Trail Facility Plan”, M-NCPPC 2001 report. Most recently these alternatives have been evaluated by the trail design consultants Toole Design Group (TDG) and reported in a Sept. 16, 2013 Memorandum to M-NCPPC: “Peer Review of Trail Projects – Capital Crescent Trail and Silver Spring Green Trail”. CCCT agrees with the finding of TDG in their “Peer Review” memorandum that the trail alignment in the CSXT right-of-way is to be preferred as giving the best and most direct trail, but an alignment that uses Lyttonsville Road and the west side of 16th Street is a feasible alternative. That alignment could avoid CSXT right-of-way and would support a reasonably good off-road trail.

MTA has recently received correspondence from CSXT that states it will allow the trail to use CSXT right-of-way, provided that a 50 foot offset is maintained. MTA has stated it can satisfy this requirement by making some adjustments in

the trail alignment, and is proceeding to develop the trail design along the CSXT corridor as shown in the Purple Line concept plan. The issue of completing the trail without CSXT right-of-way remains important, however, because right-of-way negotiations could still collapse. CSXT has been difficult to negotiate with and there are still significant issues such as cost and liability to be resolved. It is important that MTA accept responsibility to negotiate CSXT right-of-way. It is important that MTA be prepared to build an off-road trail on one of the alternative alignments in the unfortunate event that right-of-way negotiations collapse.

Trail design at Talbot Avenue:

MTA has recently presented Purple Line design drawings that show a new trail alignment in the vicinity of Talbot Avenue. This new alignment has the trail adjacent to the north side of Talbot Avenue and crossing the CSXT tracks on a new two-lane vehicle bridge across the CSXT tracks in the same area where the historic single-lane bridge is today. The trail would then continue east toward Silver Spring on Fourth Avenue. This new alignment avoids the problem of needing CSXT right-of-way that would violate the 50 foot offset requirement.

The Toole Design Group presented a technical assessment of the new trail design at Talbot Avenue in its Sept. 16 "Peer Review" memo to M-NCPPC. TDG notes that the nominal 10 foot wide trail is immediately against a wall on one side and the Talbot Avenue curb on the other, with no buffer or shy spaces. This seriously violates current trail design guidelines and best practices. The effective trail width would be only 6 feet here because two feet at the curb and also at the wall cannot be effectively used. This new proposed trail design is not acceptable and must be reworked.

TDG recommends several trail design alternatives at Talbot Avenue that would better meet trail design requirements. One alternative would use bike lanes on Talbot Avenue, another would use a "fully shared" redesigned Talbot Avenue for trail traffic. While CCCT agrees with TDG that these alternatives would be better than a trail with only a 6 foot effective width, nonetheless CCCT cannot support these proposed alternatives because a regional off-road trail like the CCT must be consistently off-road over its length to achieve its full potential.

TDG recommended another trail alternative at Talbot Avenue that can work, if modified. That is to return to an earlier concept that would use a new trail bridge built on a diagonal across the CSXT tracks several hundred feet west of the Talbot Avenue vehicle bridge. The trail would use some CSXT right-of-way and property from several private yards on the north side of the railbed to reach the trail bridge, and the bridge would land at Michigan Avenue on the south side. But this would violate the 50 foot offset rule for CSXT right-of-way. CCCT suggests a modification - the bridge can be built near Hanover Street on the north side, and land at Lanier Drive on the south side. This could avoid all CSXT right-of-way and would need property from only one private side yard. A trail ramp would be

needed along the north side of Talbot Avenue from Lanier Drive to Michigan Drive and beyond. We can modify this block of Talbot Avenue to become a one-way street to make space for a full width ramp.

CCCT is not advocating for this trail bridge alternative at this time – it needs to be evaluated by the MCDOT/MTA Purple Line design team. But CCCT strongly supports the TDG conclusion that the current trail design at Talbot Avenue is unacceptable and must be redone.

Bethesda Purple Line Station:

The FEIS presents only one design concept for the Purple Line and CCT at Bethesda. That concept would build the Purple Line station platform under the APEX building and would divert the CCT onto a surface route through Elm Street Park and across Wisconsin Avenue at-grade. CCCT believes this design concept fails badly. It does not preserve the off-road crossing of busy Wisconsin Avenue that the trail has today. An off-road crossing is needed for the trail in this heavily trafficked area.

The Montgomery County Planning Dept. is developing a Master Plan Amendment that would enable the APEX Building to be torn down before the Purple Line is built, and then be replaced by a new building designed to incorporate the station platforms, a larger, more open transit plaza and also a potential bike station. MTA has developed concept plans that show the Purple Line station would be much better if the APEX building is torn down before Purple Line construction begins. A new trail tunnel under Wisconsin Avenue would be possible with this concept. CCCT urges MTA to continue to work with Montgomery County to accommodate this new Bethesda Purple Line Station concept. While the trail tunnel at Wisconsin Avenue will be the responsibility of the County, it is in the interests of the Purple Line project to have this improved station design and to have a fully functional CCT that provides direct access to the Purple Line platforms.

Other CCT design issues:

There are many smaller CCT design details in the FEIS that should be improved if the Purple Line design proceeds to final design and construction. Many of these issues relate to local pedestrian and cyclist access between the CCT and the Purple Line stations along the route, and trail access to local streets. The TDG “Peer Review” addresses many of these access design issues. In general, sidewalks and trail ramps at access points are sometimes stingy in width or do not follow “desire lines” as well as possible. Bike parking at Purple Line stations and lighting along the trail are also identified as needing more attention.

While CCCT is not had time to examine the TDG recommendations and is not prepared to endorse their recommendations at this time, the TDG assessment does serve to show that more careful design work is needed at trail access points. We also agree with TDG that a more systematic evaluation of bike parking and trail lighting is warranted.

MCDOT/MTA trail design resources:

Several major trail design issues have surfaced in the FEIS that cause CCCT to ask whether the MCDOT/MTA design team has the commitment and the resources needed to properly design a multi-use trail of high regional importance like the CCT. MTA asserts in the FEIS that MCDOT has responsibility to get CSXT right-of-way, yet MCDOT strongly disputes this. Neither MTA nor MCDOT appear to realize there are better alternatives to using CSXT right-of-way than to dump the CCT onto local streets, even though off-road alternatives are apparent and have been known to many trail planners for years. MCDOT and MTA are proposing a trail design at Talbot Avenue that fails to meet basic trail design guidelines and best practices.

MCDOT has the responsibility to provide to MTA the trail design criteria for the CCT. MTA has the responsibility to negotiate right-of-way with CSXT, and to design and build the CCT integral with the Purple Line. Montgomery County is responsible for providing the funds to pay for the CCT. MCDOT and MTA must act well together as a CCT design team if we are going to realize the potential of the CCT. If the Purple Line proceeds to final design, the design team should include designers who have professional training and experience specific to multi-use trail design, and who have the responsibility to design the CCT to meet or exceed current trail design guidelines and best practices.

Thank you for the opportunity to comment on the FEIS.

On behalf of the CCCT Board:

Ron Tripp, CCCT Chair

Greg Drury, CCCT Light Rail Committee Chair

Wayne Phyllaier, CCCT Treasurer

cc. by email to:

County Executive Ike Leggett

MCDOT (Holmes, Erinrich)

Montgomery County Council

Montgomery County Planning Board

MTA (Madden)

M-NCPPC Planning (Anspacher, Autrey)

WABA (Farthing)

Purple Line FEIS - RECORD #796 DETAIL

First Name : kevin

Last Name : reed

Email Address : kreed@dowlohnes.com

Submission Content/Notes : I am a resident of Bethesda and live a few miles from the Capital Crescent Trail. I have enjoyed using it for many years and hope that those state officials responsible for these decisions come to their senses and recognize that the higher and better community use is to preserve the trail as it is.

C.3

Purple Line FEIS - RECORD #797 DETAIL

First Name : Charlotte
Last Name : Coffield
Business/Agency/Association Name : Lyttonsville CommunityCivic Association
Email Address : cacoffield@aol.com

Submission Content/Notes :

Dear Maryland Transit Administration:

Thank you for the opportunity to comment on the Purple Line's Final Environmental Impact Statement (FEIS) on behalf of the Lyttonsville Community Civic Association. We do support the Purple Line, which runs through our community. Also we have a good relationship with the MTA staff and look forward to continuing that as the PL project moves forward. However, the FEIS document raises some concerns about the construction period and the long term operations.

J.1

F.4

Within our community are public institutions and parks, and the Pilgrim Baptist Church. The construction period does not appear to recognize the special needs of our community. The three required ways adverse environmental impacts must be addressed by FEIS are: Avoidance of identified adverse impacts; Minimization of adverse impacts; Mitigation of all/partial adverse impacts not avoided or minimized acceptably—noise, vibration, air pollution, water, traffic/roadbeds, etc.

However, FEIS does not include Lyttonsville or the rest of our Census Tract in its Section 4(f) segment (in Chapters 4, 5 and 6) even though this is an essential requirement for the Purple Line to receive up to one billion dollars of Federal funding.

Our population and residences are included within the Purple Line Corridor defined as 500 feet on either side of the light rail alignment and/or one-half mile radius of the future Lyttonsville Light Rail Station. Based on the FEIS study area demographic analysis, Lyttonsville is an environmental justice (minority) population that needs special attention from the MTA Purple Line project.

Our comments relate to the Purple Line short-term construction period and the long-term Purple Line operations.

Construction Period - 2015 - 2020

We request that MTA respond to the following issues related to adverse environmental impacts;

Construction period activities at and near the future Lyttonsville Rail Yard and Station are expected to create impacts on adjacent location.

-- Truck haulage of materials and spoil on a twenty-four-seven basis through our community.

-- Construction and operation of a construction period staging area on the future Lyttonsville Rail Yard and use of the staging area for construction activity six days a work week year round.

-- Construction of the Lyttonsville Station and Purple Line tracks including replacement of the Lyttonsville Place Bridge, replacement of the Talbot Avenue Bridge, and including a secondary staging area in the Lyttonsville community between Kansas Avenue and Michigan Avenue on CSX property.

-- Construction of a Purple Line Operations Center attached to Lyttonsville Place Bridge and the Lyttonsville Storage and Operations Yard.

-- Use of front and/or side yards of several homes along the alignment on Talbot Avenue, as well as facilities on the grounds of an apartment complex and the Albert Stewart Lane cul-de-sac.

E.9

--Address disturbance of animal habitat impact on the community due to vibration, noise and spoil removal.

E.10

-- We expect that the above-mentioned activities will cause adverse impact that calls for concurrent MTA avoidance, mitigations which may include compensation and offsetting accommodations and benefits, especially important in our environmental justice community.

These specifics are a description of our concerns:

G.2

Avoidance of noise, vibration, dust and harmful chemical compounds in the ambient environment and where avoidance is not possible, minimize noise, vibration and air pollution. What cannot be avoided or minimized, mitigate the effects by means of community accommodation in public facilities, parklands and recreation areas including the Gwendolyn Coffield Recreation Center, as well as the Pilgrim Baptist Church and the Rosemary Hills Elementary School.

Because of our community environmental justice status, additional accommodations and special attention by MTA is necessary for our community's well-being. To achieve this, we request that an MTA Purple Line working group be established with Lyttonville during the entire construction period. The purpose for this working group would be to negotiate acceptable levels of construction noise, vibration, air pollution and road traffic by Purple Line contractors hauling materials and spoil to and from staging areas in Lyttonville and re-routing traffic around closed bridges and roads during construction. If an acceptable noise level cannot be reached, it may be necessary to relocate some residents during construction.

The Rosemary Hills and Lyttonville Park and the Coffield Community Center will bear the burden of use of large numbers of off-duty construction contract workers during meal breaks and leisure-time activities as has happened in previous construction activities at the Montgomery County Ride-On bus depot, causing increasing amounts of refuse, litter and extra use of athletic fields, parks, and open area recreational facilities.

The Coffield Community Center is likely to have added use during the construction period which may require added park police duties and on-site extra staff for maintenance and upkeep of the Center. The parking lots may also be burdened with construction workers' personal vehicles as has happened in the past.

G.1

It is anticipated that noise from blasting, vibrations and spoil removal will drive animals and pests from their dwelling places and into the community and possibly into the homes of residents. There has been no discussion about how MTA will address that issue.

E.14

Environmental Justice - Direct community benefits

1. Compensation for use of front/side yards on Talbot Avenue during the construction period and returned in improved condition, as well as the yards of the Albert Stewart Lane cul-de-sachomes and the facilities on the grounds of the Claridge House Apartment complex.

C.4

2. Locate the substation to a site north of the Purple Line away from homes on Kansas Avenue.

3. Establish a working group between MTA and the Lyttonsville residents to meet monthly throughout the construction period.

4. Provide assistance to small businesses along Brookville Road to allow continued customer access.

5. Provide security around all construction sites to prevent entry by non-MTA authorized workers, especially children.

E.3

6. Acquire former E.C. Keys property at Brookville Road and Stewart Avenue for a permanent museum to house the Exhibit of the History of Lyttonsville and historic artifacts.

7. Preserve an historic portion of Talbot Ave Bridge for future use as part of the Lyttonsville community history.

8. (And lastly, the project must) adhere to ADA regulations and guidelines throughout the project.

C.3

Special Note: We agree with access to the Crescent Trail and the Lyttonsville Station via Stewart Avenue by residents of the community. However, the residents on Kansas Avenue are concerned about users of the Trail parking on that street to gain access to the trail. We request that MTA work with DOT to prevent that from happening.

For follow-up information, you may contact:

Charlotte A. Coffield

President, Lyttonsville Community Civic Association

301/ 587-5512

cacoffield@aol.com

Patricia A. Tyson

Secretary, Lyttonsville Community Civic Association

301/588-1475

patriciatysnnn@aol.com

Purple Line FEIS - RECORD #798 DETAIL

First Name : Susan K.

Last Name : Claffey

Email Address : susankclaffey@gmail.com

Submission Content/Notes : I am a resident of the Seven Oaks-Evanswood neighborhood and my home is one block from the proposed Wayne Avenue Power Substation site. My house is located at Pershing and Cloverfield.

C.4

I am requesting that MTA keep the issue of the Power Substation at Wayne and Cloverfield OPEN for continued discussion and resolution satisfactory to the residents of the neighborhood.

Several options such as concealment as a house, breaking the one larger unit into two smaller power substations, and burial of the unit(s) have been floated but no definite mitigation has been proposed and agreed upon. This issue needs to be finalized with an acceptable solution to the majority in the neighborhood. That solution must be consistent with the character of the neighborhood.

We are not there yet, so the issue needs to remain open.

Attachments : Thank you,
image003.jpg (5 kb)

Purple Line FEIS - RECORD #799 DETAIL

First Name : Joey

Last Name : Leus

Email Address : masoncapwell1856@hotmail.com

Submission Content/Notes : Find a compromise, you are not Congress.

Comment
noted

Purple Line FEIS - RECORD #800 DETAIL

First Name : Tobey

Last Name : Lane

Email Address : TobeyLane@verizon.net

Submission Content/Notes : Save the trail for all of the people who love to walk, run enjoy the trail. Let nature be expecially for the animals. This is such a busy area, we need this trail for all of us.

C.3