



# Record of Decision Attachment E

## Agency Correspondence

The following relevant correspondence with federal and state agencies is provided in Attachment E:

- NEPA—National Capital Planning Commission
- Section 106—Maryland State Historic Preservation Officer
- Section 4(f)—M-NCPPC Montgomery County Department of Parks; M-NCPPC Prince George’s County Department of Parks and Recreation; National Park Service
- Section 7—US Fish and Wildlife Service

Memoranda of meetings with agencies since the August 30, FEIS are also provided in this attachment.



**Commission Members**

*Presidential Appointees*

L. Preston Bryant, Jr., Chairman  
John M. Hart  
Elizabeth A. White

*Mayoral Appointees*

Arrington Dixon  
Robert E. Miller

*Ex Officio Members*

Secretary of Defense  
The Honorable Charles "Chuck" Hagel

Secretary of the Interior  
The Honorable Sarah "Sally" Jewell

Acting Administrator  
General Services Administration  
The Honorable Daniel Tangherlini

Chairman  
Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
The Honorable Thomas R. Carper

Chairman  
Committee on Oversight  
and Government Reform  
U.S. House of Representatives  
The Honorable Darrell Issa

Mayor  
District of Columbia  
The Honorable Vincent C. Gray

Chairman  
Council of the District of Columbia  
The Honorable Phil Mendelson

*Executive Director*  
Marcel C. Acosta

IN REPLY REFER TO:  
NCPC File No. 6884

January 6, 2014

Ms. Brigid Hynes-Cherin  
Federal Transit Administration  
1760 Market Street, Suite 500  
Philadelphia, PA 19103-4124

Re: Maryland Transit Administration Purple Line Transit Project – Section 106 of the National Historic Preservation Act

Dear Ms. Hynes-Cherin:

The National Capital Planning Commission (NCPC) has been participating in consultation under Section 106 of the National Historic Preservation Act (NHPA) for the Maryland Transit Administration Purple Line Transit Project (Purple Line Project). The Purple Line Project is a planned 16.3 mile light rail transit line between Bethesda and New Carrollton in Maryland. Though the Maryland Transit Administration (MTA) is the sponsor of the Purple Line Project, MTA may receive federal funding from the Federal Transit Administration (FTA) to implement the project, and therefore FTA is the lead federal agency for compliance with Section 106 of NHPA.

As the central planning agency for the federal government in the National Capital Region, NCPC has review authority over portions of the Purple Line Project that will affect federal parkland, or county parkland that was initially acquired under the authority of the Capper-Cramton Act of 1930. Based on the current engineering and design, the following six parks will be affected by the project: Sligo Creek Stream Valley Park, Anacostia Stream Valley Park, Northwest Branch Stream Valley Park, Paint Branch Stream Valley Park, Rock Creek Stream Valley Park, and the Baltimore-Washington Parkway. Pursuant to the Capper-Cramton Act, NCPC has approval authority over those portions of the project crossing the following three parks: Sligo Creek Stream Valley Park, Anacostia Stream Valley Park, and Northwest Branch Stream Valley Park, and therefore has an independent Section 106 responsibility for our permitting action. NCPC has an advisory role over the section of Purple Line Project crossing the

Baltimore-Washington Parkway pursuant to our authority over projects on federal land under the National Capital Planning Act. It is our understanding that the portions of the project crossing Rock Creek Stream Valley Park and Paint Branch Stream Valley Park will occur within existing county or state-owned right-of-way, and therefore, would not be subject to NCPC jurisdiction.

The purpose of this letter is to designate FTA as lead federal agency pursuant to 36 CFR 800.2(a)(2) to fulfill our collective Section 106 responsibilities for the design and construction of the Purple Line Project. As noted above, NCPC has been participating in the Section 106 process as a consulting party and we will continue to do so as the project moves forward through design development and construction. Of the properties where NCPC has a Section 106 responsibility, only Sligo Creek Stream Valley Park contains a historic property, the Sligo Creek Parkway, within the area of potential effect. Sligo Creek Parkway encompasses a long, linear area that includes both the parkway itself and the surrounding viewshed. Designed in the 1920s, the parkway consists of a two-lane road and access to several recreational sites including a golf course, playgrounds, pedestrian paths, and Sligo Creek. As indicated in the Section 106 Assessment of Effect for Historic Properties report (August 2013), the Preferred Alternative for the Purple Line Project would be built down the center of Wayne Avenue, an existing transportation corridor, which intersects Sligo Creek Parkway. FTA determined that the Purple Line Project would have no adverse effects on Sligo Creek Parkway and the Maryland Historical Trust concurred with that determination on November 6, 2013. Upon independent review, we agree with the findings of the Section 106 Assessment of Effect for Historic Properties report and concur that the Purple Line Project will have no adverse effects on Sligo Creek Parkway.

In closing, as noted in the Section 106 Assessment of Effect for Historic Properties report and concurred upon by the Maryland Historical Trust, FTA determined that the Purple Line Project would have an adverse effect on three historic properties including the Falkland Apartments, the Talbot Avenue Bridge, and the Metropolitan Branch of the B&O Railroad. However, these three properties are not on lands under NCPC's jurisdiction. FTA and MTA are developing a Programmatic Agreement with the Maryland Historical Trust and other appropriate parties including the National Park Service to reduce and resolve the adverse effects. As there are no adverse effects on properties where NCPC has jurisdiction and a Section 106 responsibility, NCPC will not participate as a signatory on the Programmatic Agreement being negotiated among FTA, MTA, the Maryland Historical Trust, and the National Park Service.

We look forward to continuing to work together on the Purple Line Project and will continue to participate as a consulting party in the Section 106 process. If you have any questions or need additional information on NCPC's involvement, please contact Mike Weil at (202) 482 - 7253 or [michael.weil@ncpc.gov](mailto:michael.weil@ncpc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Marcel Acosta". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Marcel Acosta  
Executive Director

cc: J. Rodney Little, State Historic Preservation Officer, Maryland Historical Trust



Maryland Department of Planning  
Maryland Historical Trust

Sustainable \_\_\_\_\_ Attainable

November 6, 2013

Mr. John Newton, Manager  
Environmental Planning Division  
Maryland Transit Administration  
6 Saint Paul Street  
Baltimore, Maryland 21202-1614

Re: Purple Line Project  
Section 106 Assessment of Effects for the Historic Built Environment  
Montgomery and Prince George's Counties, Maryland

Dear Mr. Newton:

Thank you for providing the Maryland Historical Trust (Trust) with the Maryland Transit Administration's (MTA) assessment of effects on historic properties for the above-referenced undertaking. MTA's submittal represents ongoing consultation to assess the project's effects on historic properties, pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, and the Maryland Historical Trust Act of 1985, as amended, State Finance and Procurement Article §§ 5A-325 and 5A-326 of the Annotated Code of Maryland. We conducted a thorough review of the materials and we are writing to provide our comments and concurrence.

**Assessment of Effects:** The MTA's extensive efforts to identify and evaluate historic properties along the proposed Purple Line corridor spanned ten years and resulted in the evaluation of 278 properties for listing in the National Register of Historic Places (National Register). A total of 22 built historic properties were found to be listed in or eligible for the National Register and one potentially significant archeological site was identified within the Area of Potential Effects (APE) for this undertaking. The Trust completed a thorough review of the information presented in the *Section 106 Assessment of Effects for Historic Properties / Light Rail Alignment Areas Associated with the Purple Line Project* (FTA and MTA 2013), the *Final Environmental Impact Statement and Draft Section 4(f) Evaluation* (FTA and MTA 2013) and took into consideration the views of the public and the Section 106 Consulting Parties provided at the various project and consulting parties meetings. Based upon the results of the MTA's studies and consultation, the Trust agrees with the MTA that the undertaking will have an **adverse effect** on the following historic properties since they will be totally or partially demolished: the Falkland Apartments (MIHP No. M: 36-12), the Talbot Avenue Bridge (MIHP No. M: 36-30) and the Metropolitan Branch of the B&O Railroad (MIHP No. M: 37-16). The Trust has no objection to the MTA's effect determinations for the remaining historic properties within the undertaking's APE.

**Continuing Section 106 Consultation:** The Trust agrees that it is appropriate to develop a Programmatic Agreement (PA) for this undertaking, in accordance with 36 CFR 800.14(b)(1)(ii). The PA would include measures to reduce and resolve the undertaking's adverse effect on historic properties, monitor the effects of the undertaking on historic and archeological properties as the design develops, establish procedures for ongoing coordination among the various signatory and consulting parties, and provide for appropriate public interpretation as an integral part of project design. The Trust's comments on the draft PA are forthcoming.

Mr. John Newton  
Purple Line Project  
November 6, 2013  
Page 2 of 2

We look forward to further coordination with MTA and other involved parties to successfully complete the Section 106 review and execute an effective agreement document for this undertaking. If you have questions or need further assistance, please contact Beth Cole at 410-514-7631 / [bcole@mdp.state.md.us](mailto:bcole@mdp.state.md.us) or Tim Tamburrino at 410-514-7637 or [ttamburrino@mdp.state.ms.us](mailto:ttamburrino@mdp.state.ms.us). Thank you for providing us this opportunity to comment.

Sincerely,



J. Rodney Little  
Director / State Historic Preservation Officer  
Maryland Historical Trust

JRL/TJT/EJC  
201303986

Distribution List:

Mr. Daniel Koenig (FTA)  
Mr. Tim Lidiak (FTA)  
Mr. Steve Hawtof (Gannett Fleming)  
Ms. Stephanie Foell (PB)  
Mr. Bob Pillote (Columbia Country Club)  
Ms. Katherine Birmingham (NPS National Capital East)  
Mr. David Hayes (NPS National Capital Region)  
Mr. Brenda D. Testa (University of Maryland Department of Facilities Planning)



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION III  
Delaware, District of  
Columbia, Maryland,  
Pennsylvania, Virginia,  
West Virginia

1760 Market Street  
Suite 500  
Philadelphia, PA 19103-4124  
215-656-7100  
215-656-7260 (fax)

Ms. Mary R. Bradford, Director of Parks  
Maryland-National Capital Park and Planning Commission  
Montgomery County Department of Parks  
9500 Brunett Avenue  
Silver Spring, MD 20901

NOV 27 2013

**RE: MTA Purple Line Project: Section 4(f) Temporary Occupancy Exception  
Determination for Elm Street Urban Park, Montgomery County, Maryland**

Dear Ms. Bradford:

The purpose of this letter is to seek your concurrence, as the official with jurisdiction over the Elm Street Urban Park, with the Federal Transit Administration's (FTA) intent to make a temporary occupancy exception determination for this property pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, now codified at 49 U.S.C. 303 et seq. and implemented in 23 CFR Part 774.

The Maryland Transit Administration (MTA), in cooperation with the FTA as the lead Federal agency, has prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation for the Purple Line project (project). MTA and FTA provided public notice of the proposed project and opportunity for public comment on our intent to make a temporary occupancy exception determination for the Elm Street Urban Park during the FEIS and Section 4(f) public comment period that ended on October 21, 2013.

One comment was received pertaining to the Section 4(f) Evaluation for Elm Street Park. The commenter felt that the FEIS/Draft Section 4(f) Evaluation did not acknowledge potential effects of the project on the park. Among their concerns were: the introduction of a wide path through the park and the future redevelopment of the park (both separate planned projects by M-NCPPC); noise and visual effects; and the potential changes due to a minor master plan amendment currently under consideration by Montgomery County. The comments have been reviewed and the concerns raised were already considered in the FEIS/Draft Section 4(f) Evaluation in the design development and mitigation for the park. The fact that the comments were already considered in the FEIS/Draft 4(f) Evaluation will be clarified in the Record of Decision.

The project would be aligned directly north of Elm Street Urban Park, under the existing Air Rights Building and along the Georgetown Branch right-of-way. MTA's proposes to reconstruct the existing connection between Elm Street Park and the proposed Capital Crescent Trail, which would require temporary use of approximately 0.02 acre of land on an existing pathway within the 2.1 acre park. The land to be temporarily used includes a portion of an existing path, an undeveloped corner of a playground, and a grassy area adjacent to the path. The proposed trail

connection would be reconstructed with an Americans with Disabilities Act-compliant connection. The location and design of the trail connection have been coordinated with Montgomery County Department of Transportation and M-NCPPC Montgomery County Department of Parks. MTA will continue this coordination as the project design advances. See **Enclosure 1** for details on the mitigation commitments for this park and **Attachments A** and **B**, which show overviews of the project and park.

There are two features of design alongside the park that would mitigate potential visual and noise effects and increase safety for park users. A ventilation structure would be located between the park and the transitway, limiting views of the transitway and acting as a barrier for noise from the passing trains. The trail connection would climb on retained fill over the ventilation structure to a point where the connection crosses over the transitway. The only access from the park would be via the trail connection, which would be fenced to provide safe passage over the transitway.

MTA's design of the ventilation structure, retaining wall, and proposed landscaping adjacent to Elm Street Urban Park, as well as the design of the trail connection, are being coordinated with both M-NCPPC – Department of Parks and Department of Planning to ensure interim functionality of the park as well as long-term compatibility with the planned upgrade to the park

MTA expects to complete construction of the trail connection in less time than the overall project construction schedule. The proposed work is confined to a small area of the park; the disturbed area will be restored after project completion in coordination with M-NCPPC Montgomery County Department of Parks. The Purple Line project would not adversely affect or otherwise restrict the public's use of the existing park resources. 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. MTA will use a temporary construction easement; no change in ownership of the park land will occur.

Pursuant to 23 CFR 774.3(b) and based on a review of information presented in the FEIS, FTA proposes a temporary occupancy exception determination for the project, as it satisfies the five criteria for temporary occupancy set forth in 23 CFR 774.13(d). Specifically, (1) the duration of the proposed work is temporary, less than the overall project construction period, and no change in property ownership would occur; (2) the work is confined to a small area of the park and would result in minimal changes to the park; (3) no permanent adverse impacts to the park and no interference with the protected activities, features, or attributes of the park would occur; (4) the disturbed land would be fully restored to at least as good condition; and (5) the officials with jurisdiction are providing documented agreement to these findings.

At this time, FTA requests M-NCPPC concurrence with the Section 4(f) temporary occupancy exception determination for expected temporary impacts to Elm Street Urban Park as a result of the construction of the proposed trail connection from the park to the proposed Capital Crescent Trail. Pursuant to 23 CFR 774.5, if concurring, M-NCPPC must provide a written response to FTA stating that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection. A concurrence clause is provided at the end of this letter for this purpose. If M-NCPPC objects to or if comments raise new concerns about the proposed Section 4(f) temporary occupancy exception determination, FTA will require a formal

Ms. Mary R. Bradford  
**RE: MTA Purple Line Project**

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Section 4(f) evaluation.

We respectfully request your reply to this matter within two weeks of receipt of this letter. We look forward to continuing our successful working relationship with you and should you have any questions or need additional information, please feel free to contact Mr. Timothy Lidiak, Community Planner, at (215) 656-7084, or Mr. Daniel Koenig, Environmental Protection Specialist, at (202) 219-3528.

Sincerely,

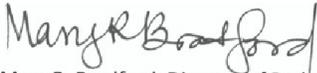


Brigid Hynes-Cherin  
Regional Administrator

cc: Michael Madden, MTA  
John Newton, MTA

**CONCURRENCE:**

We, the undersigned, concur that the existing activities, features, and attributes at the Elm Street Urban Park would not be adversely impacted by the proposed Purple Line and that the Purple Line's proposed temporary use of a portion of the park meets the criteria for a temporary occupancy exception under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



Mary R. Bradford, Director of Parks

Maryland-National Capital Park and Planning  
Commission, Montgomery County Department of Parks

12/17/2013  
Date

## **Enclosure 1**

### **Elm Street Urban Park Coordination and Minimization and Mitigation Measures**

#### **Coordination Activities**

Beginning in January 2012, MTA and M-NCPPC staff met on several occasions to discuss the proposed Purple Line and the potential impacts it would have on Elm Street Urban Park. Specific meetings were held on January 25, 2012, May 16, 2012, November 21, 2012, February 1, 2013, and February 26, 2013. In addition to discussing anticipated impacts, staff from MTA and M-NCPPC discussed ways to minimize and mitigate impacts to the Park. The minimization and mitigation measures agreed upon at these agency coordination meetings are provided below. At the time of the January 25, 2012 meeting, design refinements were still under investigation in the Bethesda area. These refinements were completed by the May 16, 2012 meeting, and at that meeting, the M-NCPPC determined that the proposed project would not adversely affect Elm Street Urban Park. Additional coordination occurred throughout the Fall of 2013 and has resulted in the mitigation measures outlined below and verbal concurrence of FTA's intent to make a temporary occupancy exemption determination. MTA and FTA will continue to coordinate with M-NCPPC to develop the mitigation in more detail throughout the design and construction phases of the project.

#### **Mitigation and Minimization**

Two features of the Purple Line design alongside the park that would mitigate potential visual and noise effects and increase safety for park users. A ventilation structure would be located between the park and the transitway, limiting views of the transitway and acting as a barrier for noise from the passing trains. The trail connection would climb on retained fill over the ventilation structure to a point where the connection crosses over the transitway. The only access from the park would be via the trail connection, which would be fenced to provide safe passage over the transitway.

MTA's design of the ventilation structure, retaining wall, and proposed landscaping adjacent to Elm Street Urban Park, as well as the design of the trail connection, are being coordinated with both M-NCPPC – Department of Parks and Department of Planning to ensure interim functionality of the park as well as long-term compatibility with the planned upgrade to the park.

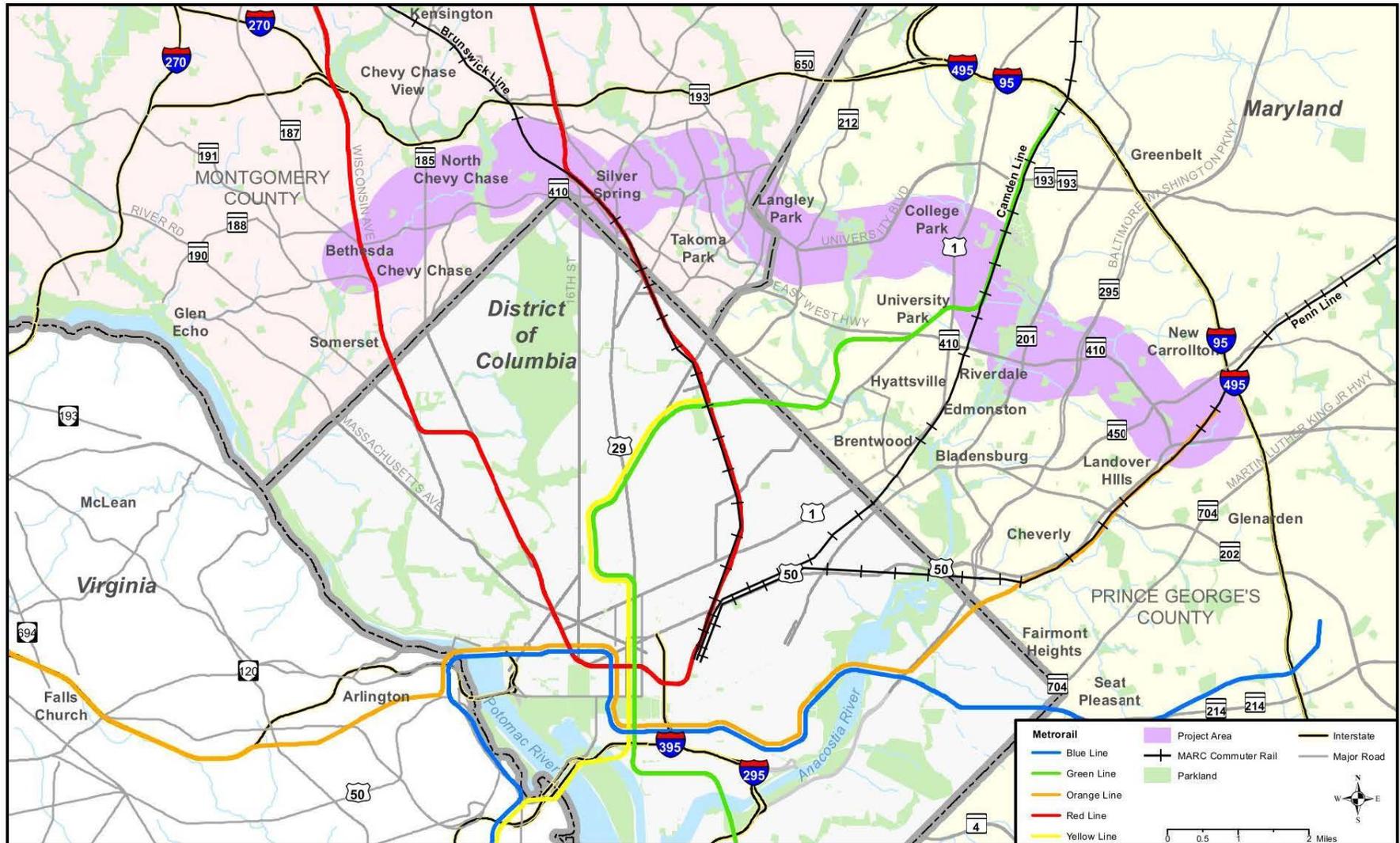
Other mitigation measures include:

- MTA will maintain access to the park during construction;
- MTA will provide a functional interim condition for the park, reviewed and approved by M-NCPPC, prior to its planned redevelopment;
- MTA will design the proposed trail connection to the proposed Capital Crescent Trail to meet ADA requirements;
- MTA will not construct stormwater management facilities within the boundaries of the Park;
- Land disturbed during construction of the proposed project would be returned to preconstruction conditions or better; and
- Land upon which a temporary construction easement is placed will be returned to M-NCPPC upon completion of the construction of the proposed trail connection.

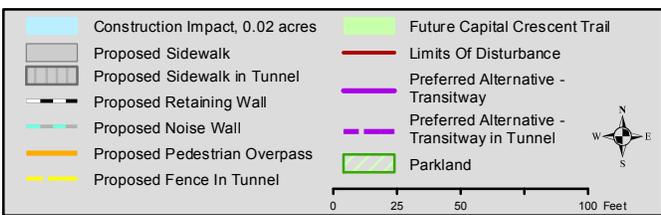
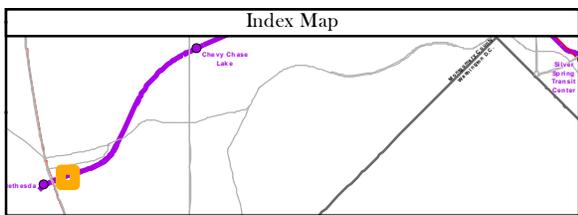
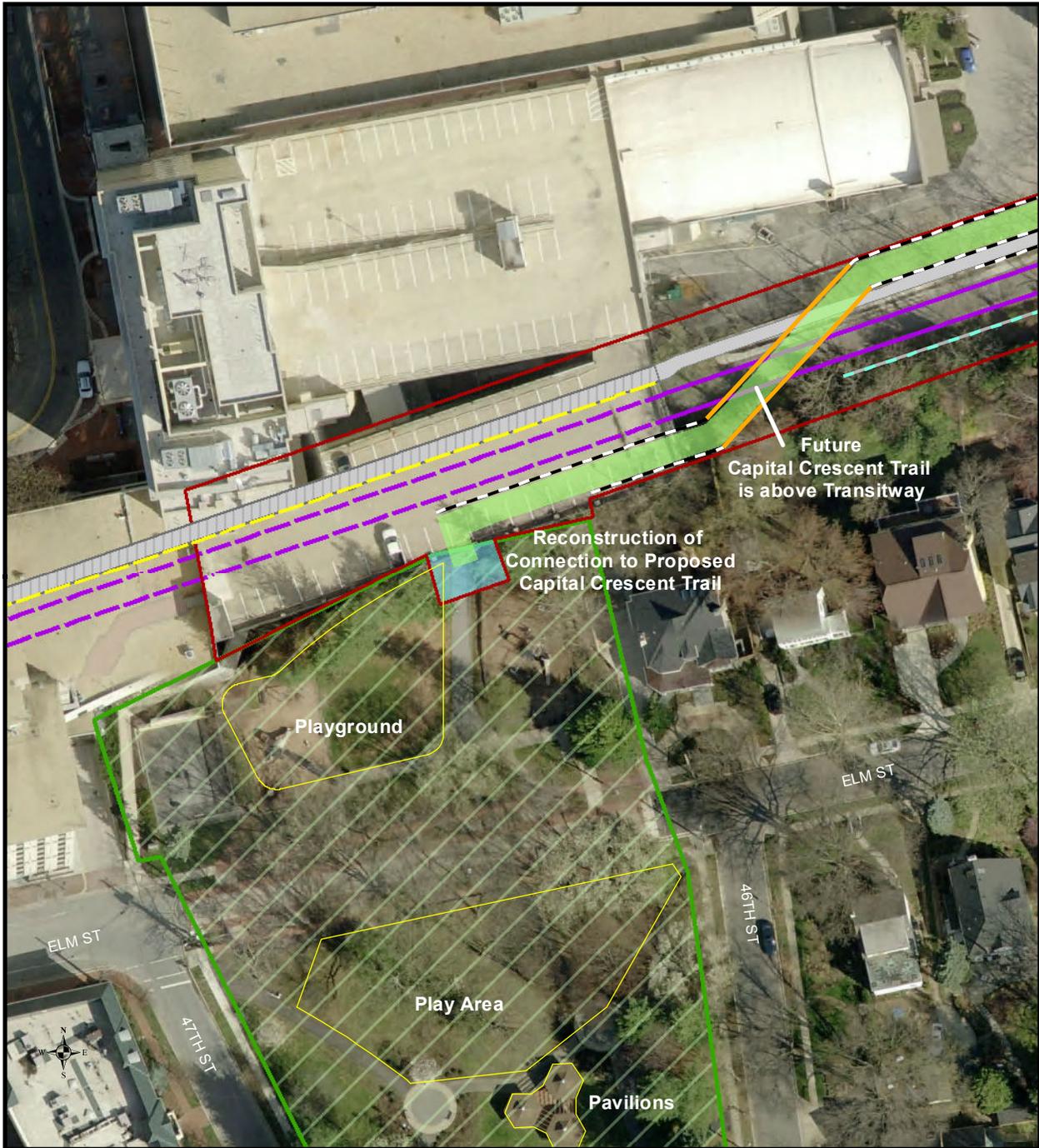
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Attachment A: Purple Line Project Alignment and Section 4(f) Resources Overview Map  
Attachment B: Detailed Map of Proposed Park Impacts

# ATTACHMENT A



# ATTACHMENT B



## Elm Street Urban Park

Source: Maryland-National Capital Park and Planning Commission, Montgomery County Department of Parks, Maryland Transit Administration



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

REGION III  
Delaware, District of  
Columbia, Maryland,  
Pennsylvania, Virginia,  
West Virginia

1760 Market Street  
Suite 500  
Philadelphia, PA 19103-4124  
215-656-7100  
215-656-7260 (fax)

Ms. Mary R. Bradford, Director of Parks  
Maryland-National Capital Park and Planning Commission  
Montgomery County Department of Parks  
9500 Brunett Avenue  
Silver Spring, MD 20901

**RE: MTA Purple Line Project: Section 4(f) Temporary Occupancy Exception  
Determination for Rock Creek Stream Valley Park and Rock Creek National  
Recreational Trail, Montgomery County, Maryland**

Dear Ms. Bradford:

The purpose of this letter is to seek your concurrence, as the official with jurisdiction over the Rock Creek Stream Valley Park and Rock Creek National Recreational Trail, with the Federal Transit Administration's (FTA) temporary occupancy exception determination for this property pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, now codified at 49 U.S.C. 303 et seq. and implemented in 23 CFR Part 774.

The Maryland Transit Administration (MTA), in cooperation with the FTA as the lead Federal agency, has prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation for the Purple Line project (project). MTA and FTA provided public notice of the proposed project and opportunity for public comment on our intent to make a temporary occupancy exception determination for the Rock Creek Stream Valley Park and Rock Creek National Recreational Trail during the FEIS and Section 4(f) Evaluation public comment period that ended on October 21, 2013. Two comments were received during the public comment period on FTA's intent to make a temporary occupancy exemption determination for Rock Creek Stream Valley Park and Rock Creek National Recreational Trail. One commenter expressed general concern for potential impacts to the park and the other commenter expressed concerns that overall park impacts were not acknowledged in the Draft Section 4(f) Evaluation. The comments have been reviewed and the concerns raised were considered in the FEIS/Draft Section 4(f) Evaluation in the design development and proposed mitigation for the park. The fact that the comments were already considered in the FEIS/Draft 4(f) Evaluation will be clarified in the Record of Decision.

The project would cross Rock Creek Stream Valley Park, completely within Montgomery County Department of Transportation right-of-way. MTA proposes to replace the existing bridge over Rock Creek with two new bridges (one for the transitway and one for the Capital Crescent Trail) within the county right-of-way through the park. This work would improve connections to the Rock Creek National Recreational Trail, as the Capital Crescent Trail bridge would lead to a new ramp connection from the Capital Crescent Trail to the existing Rock Creek National Recreational

Trail. See **Enclosure 1** for details on the mitigation commitments for this park and **Attachments A and B**, which show overviews of the project and park.

For short periods of time during construction, MTA would temporarily detour the portion of Rock Creek National Recreational Trail in the immediate vicinity of the bridges. The detour route would begin to the north of the proposed project area and use Susanna Lane to Jones Mill Road, south to East-West Highway, then east to Meadowbrook Lane, where the Rock Creek National Recreational Trail would be accessed to the south of the proposed project area. While Rock Creek National Recreational Trail would be temporarily detoured during the construction of the bridges, the trail would remain open. MTA expects the temporary trail detour to occur for less time than the overall Purple Line construction schedule. The portion of the trail to be detoured is small compared to the overall length of the trail (19 miles) and the size of the park (3,960 acres). The original trail alignment across the county right-of-way will be restored. The project would not adversely affect or otherwise restrict the public's use of the existing Rock Creek National Recreational Trail, and it would not adversely affect the activities, features, or attributes—trails, lakes, historic plantation, athletic fields, playgrounds and picnic areas—of the park. No change in ownership of the park land will occur.

Extensive coordination has occurred between the MTA, M-NCPPC, Montgomery County Department of Transportation, as well as the National Capital Planning Commission (NCPC), regarding the design and construction of the Rock Creek bridges and the trail connection to the Rock Creek National Recreational Trail. The proposed Capital Crescent Trail bridge would be at a lower elevation than the proposed transitway bridge to provide views from the new trail bridge north and south into the park. Retaining walls will be used to reduce impacts and maximize planting areas. MTA will develop design and landscaping plans in consultation with M-NCPPC. Coordination has and will continue as the project advances. Through this coordination, MTA developed several minimization and mitigation measures.

Pursuant to 23 CFR 774.3(b) and based on review of the information contained in the FEIS, FTA proposes a temporary occupancy exception determination for the trail detour, as it satisfies the five criteria for temporary occupancy set forth in 23 CFR 774.13(d). Specifically, (1) the duration of the proposed work is temporary, less than the overall project construction period, and no change in property ownership would occur; (2) the work is confined to a small area of the park and would result in minimal changes to the park; (3) no permanent adverse impacts to the park and no interference with the protected activities, features, or attributes of the park would occur; (4) the disturbed land would be fully restored to at least as good condition; and (5) the officials with jurisdiction are providing documented agreement to these findings.

FTA has determined that the project would not adversely affect or otherwise restrict the public's use of the existing resources; will not adversely affect the features, attributes, or activities that make Rock Creek Stream Valley Park and Rock Creek National Recreational Trail eligible for Section 4(f) protection as a park. Pursuant to 23 CFR 774.5, M-NCPPC- Montgomery County Department of Parks must concur in writing to FTA stating that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection as a park. A concurrence clause is provided at the end of this letter for this purpose. If M-NCPPC objects to or if comments raise new concerns about the proposed Section 4(f) temporary occupancy

Ms. Mary R. Bradford  
**RE: MTA Purple Line Project**

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exception determination, FTA will require a formal Section 4(f) evaluation.

We respectfully request your reply to this matter within two weeks of receipt of this letter. We look forward to continuing our successful working relationship with you and should you have any questions or need additional information, please feel free to contact Mr. Timothy Lidiak, Community Planner, at (215) 656-7084, or Mr. Daniel Koenig, Environmental Protection Specialist, at (202) 219-3528.

Sincerely,

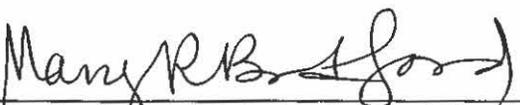


Bfigid Hynes-Cherif  
Regional Administrator

cc: Michael Madden, MTA  
John Newton, MTA  
Mike Weil, NCPC

**CONCURRENCE:**

We, the undersigned, concur that the existing facilities, activities, and purposes at the Rock Creek Stream Valley Park and Rock Creek National Recreational Trail would not be adversely impacted by the proposed Purple Line and that the Purple Line's proposed temporary use of the park meets the criteria for a temporary occupancy exception under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



Mary R. Bradford  
Maryland-National Capital Park and Planning  
Commission, Montgomery County Department of Parks

1/31/2014  
Date

## **Enclosure 1**

### **Rock Creek Stream Valley Park and Rock Creek Recreational Trail Minimization and Mitigation Measures**

#### **Coordination Activities**

Extensive coordination has occurred between the MTA, M-NCPPC, Montgomery County Department of Transportation, as well as the National Capital Planning Commission (NCPC), regarding the design and construction of the Rock Creek bridges and the trail connection to the Rock Creek National Recreational Trail. The proposed Capital Crescent Trail bridge would be at a lower elevation than the proposed transitway bridge to provide views from the new trail bridge north and south into the park. Retaining walls will be used to reduce impacts and maximize planting areas. MTA will develop design and landscaping plans in consultation with M-NCPPC. Through this coordination, MTA developed several minimization and mitigation measures. Coordination will continue as the project advances.

Meetings were held between MTA and M-NCPPC on January 25, 2012, May 16, 2012, November 21, 2012, February 1, 2013, and February 26, 2013 regarding the Rock Creek Stream Valley Park and Rock Creek National Recreational Trail. During the initial meeting, the design of the proposed Purple Line through the park was discussed. M-NCPPC requested additional information as to the nature of potential temporary impacts, particularly with regard to the trail connection from the proposed Capital Crescent Trail to Rock Creek National Recreational Trail. Since that time, refinements have been made to the design of the trail connection that would minimize impacts to the park. At the May 16, 2012 meeting, M-NCPPC determined that the proposed project would not adversely affect Rock Creek Stream Valley Park or Rock Creek National Recreational Trail. Additional coordination occurred throughout the Fall of 2013 and FTA's intent to make a temporary occupancy exemption determination was discussed in addition to the mitigation measures outlined below. MTA and FTA will continue to coordinate with M-NCPPC to develop the mitigation in more detail throughout the design and construction phases of the project.

#### **Mitigation and Minimization**

To minimize impacts, MTA would construct all elements of the proposed project completely within Montgomery County right-of-way. The proposed detour of the Rock Creek National Recreational Trail will be temporary and for short periods of time during the construction of the proposed project through Rock Creek Stream Valley Park.

Within the county right-of-way, the Rock Creek National Recreational Trail would be raised out of the one-year floodplain on an elevated wooden boardwalk to reduce flooding and siltation that currently plague the trail. MTA coordination with M-NCPPC will be ongoing regarding the design of the raised section of trail.

Selective tree clearing would occur within the Montgomery County right-of-way adjacent to Rock Creek Stream Valley Park. Replanting and restoration of disturbed areas would occur within the Montgomery County right-of-way to the extent reasonably feasible to mitigate for tree removal. MTA would not construct stormwater management ponds or structures within Rock Creek Stream Valley Park.

MTA and the Purple Line Team has been and will continue to work extensively with NCPC, M-NCPPC, and Montgomery County to improve the aesthetics of the proposed transitway and trail bridges through Rock Creek Stream Valley Park. The bridges will be designed as signature facilities with aesthetic considerations for park users.

Contingent upon approval by regulatory permitting agencies, as part of the removal of the existing bridge over Rock Creek, the pier foundation within the existing stream channel would be removed 12-18 inches below existing grade. The stream will be stabilized with appropriate stream design methods that factor hydrology, hydraulics, and existing conditions both upstream and downstream of the pier and aquatic passage. The design of the pier removal and stream improvements will be further refined as the design of the project progresses.

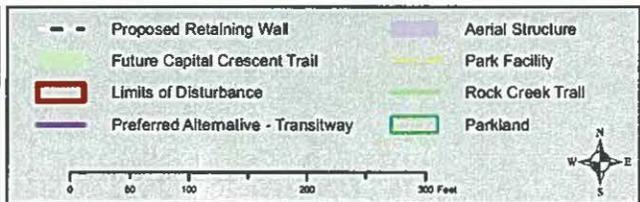
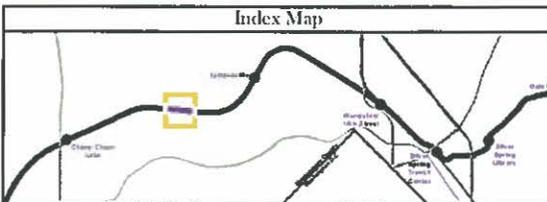
Other mitigation includes:

- MTA will maintain access to the park and Rock Creek National Recreational Trail during construction.
- MTA will design the proposed Capital Crescent Trail and the connection to Rock Creek National Recreational Trail to meet ADA requirements.
- MTA will develop design of retaining walls and landscaping plans through the Park in consultation with M-NCPPC.
- MTA will not construct stormwater management facilities within the boundaries of the park.

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Attachment A: Purple Line Project Alignment and Section 4(f) Resources Overview Map  
Attachment B: Detailed Park Impact Map

# ATTACHMENT B



## Rock Creek Stream Valley Park and Rock Creek National Recreational Trail

Source: Maryland-National Capital Park and Planning Commission, Montgomery County Department of Parks, Maryland Historical Trust, National Register of Historic Places, Maryland Transit Administration



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

NOV 27 2013

REGION III  
Delaware, District of  
Columbia, Maryland,  
Pennsylvania, Virginia,  
West Virginia

1760 Market Street  
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Philadelphia, PA 19103-4124  
215-656-7100  
215-656-7260 (fax)

Ms. Mary R. Bradford, Director of Parks  
Maryland-National Capital Park and Planning Commission  
Montgomery County Department of Parks  
9500 Brunett Avenue  
Silver Spring, MD 20901

**RE: MTA Purple Line Project: Section 4(f) De Minimis Impact Determination for Sligo Creek Stream Valley Park, Montgomery County, Maryland**

Dear Ms. Bradford:

The purpose of this letter is to seek your concurrence, as the official with jurisdiction over the Sligo Creek Stream Valley Park, with Federal Transit Administration's (FTA) *de minimis* impact determination for this property pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, now codified at 49 U.S.C. 303 et seq. and implemented in 23 CFR Part 774.

The Maryland Transit Administration (MTA), in cooperation with FTA as the lead Federal agency, has prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation for the Purple Line project (project). MTA has provided public notice of the proposed project and opportunity for public comment on our intent to make a *de minimis* impact determination for the Sligo Creek Stream Valley Park during the FEIS and Section 4(f) Evaluation public comment period that ended on October 21, 2013. No comments were received during the public comment period on FTA's intent to make a *de minimis* impact determination for Sligo Creek Stream Valley Park.

The project would cross Sligo Creek Stream Valley Park in the median of Wayne Avenue, primarily within Montgomery County Department of Transportation right-of-way. MTA would permanently use 0.24 acre of the 543-acre Sligo Creek Stream Valley Park to widen Wayne Avenue and replace the existing Wayne Avenue bridge with a wider, single span structure to accommodate the transitway and the proposed Green Trail. The decision to operate the transitway in mixed-traffic lanes on Wayne Avenue was done to minimize impacts to the community, including the use of park property. See **Enclosure 1** for details on the mitigation commitments for this park and **Attachments A and B**, which show overviews of the project and park.

MTA would temporarily use 1.68 acres of Sligo Creek Stream Valley Park to access the work area. The park land to be temporarily used is primarily grassy or wooded and undeveloped. Approximately three of 25 parking spaces in the park parking lot west of the stream would be temporarily used by MTA for access and staging. These parking spaces would be restored upon completion of project construction.

MTA is committed to designing an environmentally sensitive stream crossing when designing the Wayne Avenue bridge. The bridge will be designed to provide the least amount of environmental impact and improve the hydraulics of Sligo Creek through the proposed project area. Sligo Creek would be realigned as part of the bridge replacement. MTA would not use or affect developed recreational facilities associated with the park or affect the retaining walls along Sligo Creek Parkway; no use of the Sligo Creek National Recreational Trail is proposed.

Ms. Mary R. Bradford  
**RE: MTA Purple Line Project**

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FTA's intent to make a *de minimis* impact determination was discussed at several coordination meetings between the Purple Line Team and M-NCPPC- Montgomery County Department of Parks, beginning in January 2012. These meetings were established for coordination purposes on the project and have led to the incorporation of specific avoidance, minimization, and mitigation measures to reduce the impact to the M-NCPPC owned parks within the proposed project corridor. Coordination between MTA and M-NCPPC is ongoing and will continue; however, replacement land has been identified adjacent to the New Hampshire Estates Neighborhood Park which will serve as mitigation for the use of parkland throughout Montgomery County.

The FTA has determined that the project would not adversely affect or otherwise restrict the public's use of the park not will it adversely affect the features, attributes, or activities - playgrounds, athletic field, picnic areas, and aesthetic features - that make the Sligo Creek Stream Valley Park eligible for Section 4(f) protection as a park. Pursuant to 23 CFR 774.5, M-NCPPC- Montgomery County Department of Parks must concur in writing to FTA stating that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection as a park. A concurrence clause is provided at the end of this letter for this purpose. If M-NCPPC objects to or if comments raise new concerns about the proposed Section 4(f) *de minimis* impact determination, FTA will require a formal Section 4(f) evaluation.

We respectfully request your reply to this matter within two weeks of receipt of this letter. We look forward to continuing our successful working relationship with you and should you have any questions or need additional information, please feel free to contact Mr. Timothy Lidiak, Community Planner, at (215) 656-7084, or Mr. Daniel Koenig, Environmental Protection Specialist, at (202) 219-3528.

Sincerely,

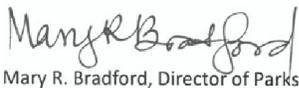


Brigid Hynes-Cherin  
Regional Administrator

cc: Michael Madden, MTA  
John Newton, MTA  
Mike Weil, NCPC

**CONCURRENCE:**

We, the undersigned, concur that the existing activities, features, or attributes at Sligo Creek Stream Valley Park would not be adversely impacted by the proposed Purple Line; the right-of-way impacts of the Purple Line to the park would be minimal; permanent impacts would be minor including widening Wayne Avenue and replacing the existing Wayne Avenue bridge and making drainage improvements; temporary impacts would be minor and would be limited to providing equipment access and work area; MTA will plant trees and provide replacement parkland for land it permanently uses, convey land to the park, and replace disturbed guiderails, signs and structures it disturbs in the work area; and therefore, we agree that the Purple Line's proposed use of portions of the park meet the criteria for a *de minimis* impact determination under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



Mary R. Bradford, Director of Parks

12/17/2013

Maryland-National Capital Park and Planning  
Commission, Montgomery County Department of Parks

Date

## **Enclosure 1**

### **Sligo Creek Stream Valley Park Coordination and Minimization and Mitigation Measures**

#### **Coordination Activities**

Beginning in January 2012, MTA and M-NCPPC's Montgomery County Department of Parks staff met several times to discuss the proposed Purple Line and the potential impacts it would have on the Sligo Creek Stream Valley Park. Specific meeting dates were January 25, 2012, May 16, 2012, November 21, 2012, February 1, 2013, and February 26, 2013. During those meetings, the potential use of portions of the park by the Purple Line was discussed. At the May 16, 2012 meeting, M-NCPPC requested that additional information be provided regarding access roads and tree loss. In addition to discussing anticipated impacts, staff discussed avoidance measures and ways to minimize and mitigate impacts to the park. The minimization and mitigation measures discussed at these meetings were intended to reduce the potential impacts to the park to the maximum extent practicable and provide replacement parkland. After the November 21, 2012 meeting, the M-NCPPC determined that the proposed project would not adversely affect the Sligo Creek Stream Valley Park. Additional coordination occurred throughout the Fall of 2013 and has resulted in the mitigation measures outlined below and verbal concurrence with the *de minimis* use finding. MTA and FTA will continue to coordinate with M-NCPPC to develop the mitigation in more detail throughout the design and construction phases of the project.

#### **Mitigation and Minimization**

In coordination with M-NCPPC-Montgomery County Department of Parks, MTA has agreed to provide replacement parkland to mitigate the permanent use of land at Sligo Creek Stream Valley Park. MTA will consolidate its mitigation for permanent use of parkland in Montgomery County at a single site adjacent to New Hampshire Estates Neighborhood Park. MTA will continue to coordinate with M-NCPPC-Montgomery County Department of Parks regarding the design and implementation of this mitigation plan.

MTA will minimize impacts on Sligo Creek Stream Valley Park by constructing retaining walls to limit the land area required for grading and vegetation removal, selectively clear trees in the work area to minimize tree loss, and stabilize temporarily disturbed stream banks. Specifically, MTA will work with M-NCPPC-Montgomery County Department of Parks as the project moves forward to identify significant or champion trees in the construction area. Trees to be preserved will be marked with protective fencing to avoid impacts or removal during construction. In addition, MTA would build its construction access road to the south of Wayne Avenue on an existing Washington Suburban Sanitary Commission (WSSC) utility easement to minimize tree removal. MTA will plant trees within Sligo Creek Stream Valley Park, where reasonable and feasible to mitigate tree loss that occurs as a result of the proposed project. MTA will replace guardrail, signs, and other existing structures on park land it disturbs with new structures designed to match the existing elements in the park.

Upon completion of the Purple Line, approximately 0.04 acre of property currently owned by Montgomery County Department of Public Works abutting the park will be converted to green space.

A work group will be formed between M-NCPPC and MTA to further study and recommend appropriate design and mitigation for the stream realignment at Sligo Creek with the goal of ensuring long-term stability and reducing stress on the stream. The group will work together, hold field visits, and coordinate with the appropriate resource agencies to gain approval for the recommended improvements. The work group will collect and assess data on the competing issues in the area including a downstream project by WSSC, specimen trees, existing utilities, floodplain connectivity, structural requirements for the new bridge, stream hydraulics, and existing habitat. They will also consider the effects of widening the bridge to accommodate a wider Green Trail. Finally, the work group will weigh the cost (impacts and financial) and benefits of the proposals and recommend specific mitigation. The final recommended mitigation measure is contingent

upon approval from the regulatory agencies.

MTA is committed to designing an environmentally sensitive stream crossing when designing the Wayne Avenue bridge. The bridge will be designed to provide the least amount of environmental impact and improve the hydraulics of Sligo Creek through the proposed project area. Sligo Creek will be realigned as part of the bridge replacement.

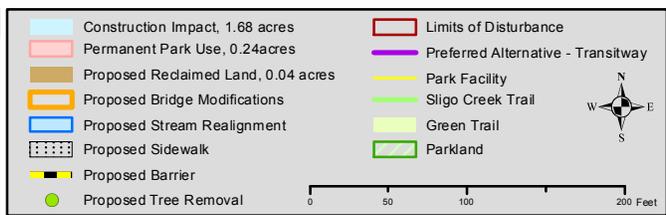
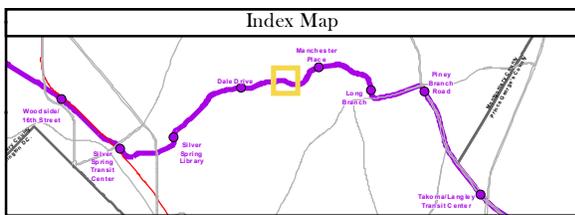
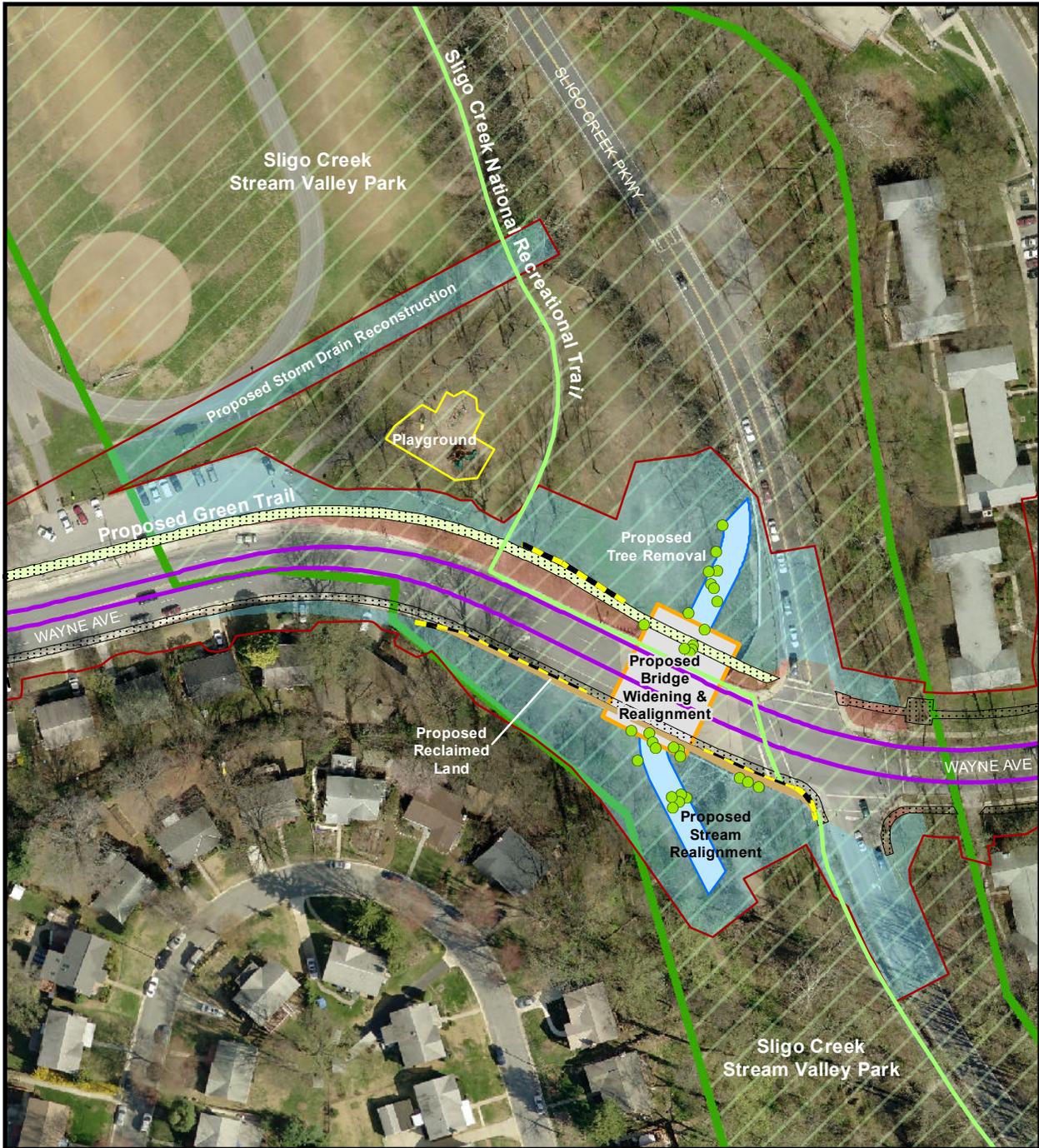
Other mitigation includes:

- MTA will maintain access to recreational facilities, including the existing playground within Sligo Creek Stream Valley Park and Sligo Creek National Recreational Trail during construction.
- Impacts to significant trees will be avoided within the park, where practicable.
- MTA will design sidewalk improvements along Wayne Avenue to meet ADA requirements.
- MTA will complete the design and construction of the proposed Green Trail, to be funded by Montgomery County Department of Public Works, and constructed in conjunction with the Purple Line.
- MTA will restore the parking lot west of the stream to a condition equal to or better than the existing condition.

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Attachment A: Purple Line Project Alignment and Section 4(f) Resources Overview Map  
Attachment B: Detailed Park Impact Map

# ATTACHMENT B



## Sligo Creek Stream Valley Park & Sligo Creek National Recreational Trail

Source: Maryland-National Capital Park and Planning Commission, Montgomery County Department of Parks, Maryland Historical Trust, National Register of Historic Places, Maryland Transit Administration



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

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REGION III  
Delaware, District of  
Columbia, Maryland,  
Pennsylvania, Virginia,  
West Virginia

1760 Market Street  
Suite 500  
Philadelphia, PA 19103-4124  
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215-656-7260 (fax)

Ms. Mary R. Bradford, Director of Parks  
Maryland-National Capital Park and Planning Commission  
Montgomery County Department of Parks  
9500 Brunett Avenue  
Silver Spring, MD 20901

**RE: MTA Purple Line Project: Section 4(f) De Minimis Impact Determination on the Long Branch Stream Valley Park, Montgomery County, Maryland**

Dear Ms. Bradford:

The purpose of this letter is to seek your concurrence, as the official with jurisdiction over the Long Branch Stream Valley Park, with Federal Transit Administration's (FTA) *de minimis* impact determination for this property pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, now codified at 49 U.S.C. 303 et seq. and implemented in 23 CFR Part 774.

The Maryland Transit Administration (MTA), in cooperation with FTA as the lead Federal agency, has prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation for the Purple Line project (project). MTA and FTA provided public notice of the proposed project and opportunity for public comment on our intent to make a *de minimis* impact determination for the Long Branch Stream Valley Park during the FEIS and Section 4(f) Evaluation public comment period that ended on October 21, 2013. No comments were received during the public comment period on FTA's intent to make a *de minimis* impact determination for Long Branch Stream Valley Park.

The project would be aligned in the median of Piney Branch Road, just north of Long Branch Stream Valley Park. MTA would permanently use 0.11 acre from the 41-acre Park to widen Piney Branch Road to accommodate the transitway, lengthen the existing culvert conveying Long Branch under Piney Branch Road, reconstruct sidewalks along the roadway, and improve signalized pedestrian crossings along Piney Branch Road, which would benefit Long Branch Trail users wanting to cross Piney Branch Road. No park amenities would be affected by the proposed project. The roadway widening is primarily to the south to minimize impacts to the access driveway of Long Branch Community Center to the north, the portion of the Long Branch Trail within the park, and the businesses east and west of the park. The portion of the park to be permanently used is undeveloped and wooded. See **Enclosure 1** for details on the mitigation commitments for this park and **Attachments A and B**, which show overviews of the project and park.

The culvert that conveys Long Branch Stream beneath Piney Branch Road would be lengthened, and a new parallel pipe would be constructed to better convey the stream and mitigate flooding.

The headwalls and wingwalls associated with the proposed culvert extension and new pipe would be raised to accommodate future sidewalk widening to 10 feet without the need for further culvert extension. New guardrails, signs, railings, or other structures on Piney Branch Road within the Park would match existing elements throughout the park, as reasonably feasible.

MTA would temporarily use 0.36 acre of park property for access to the work area along Piney Branch Road. This work area is necessary to enable construction of the widened roadway and culvert extension. The temporary work area is currently wooded and undeveloped. Most of the construction would occur from Piney Branch Road in order to minimize impacts to the park. Some tree removal would be necessary within the park along Piney Branch Road and the stream adjacent to the road for grading. MTA will remove invasive species within its construction work area and replant the disturbed area.

Long Branch Local Park is located to the north side of Piney Branch Road. Therefore, the culvert extension would affect both parks. If specific work activities in Long Branch Stream Valley Park necessitate work or access through Long Branch Local Park, MTA will avoid affecting park access and parking within Long Branch Local Park during construction within Long Branch Stream Valley Park during June and July to minimize operational impacts to Long Branch Community Center.

FTA's intent to make a *de minimis* impact determination was discussed at several coordination meetings between MTA's Purple Line Team and M-NCPPC- Montgomery County Department of Parks, beginning in January 2012. These meetings were established for coordination purposes on the project and have led to the incorporation of specific avoidance, minimization, and mitigation measures to reduce the impact to the M-NCPPC owned parks within the proposed project corridor. Coordination between MTA and M-NCPPC is ongoing and will continue and replacement land has been identified adjacent to the New Hampshire Estates Neighborhood Park which will serve as mitigation for the use of parkland throughout Montgomery County. MTA will consolidate its mitigation for permanent use of parkland in Montgomery County at a single site adjacent to New Hampshire Estates Neighborhood Park.

FTA has determined that the project would not adversely affect or otherwise restrict the public's use of the existing resources nor will it adversely affect the features, attributes, or activities - playgrounds, athletic field, picnic areas, natural areas, and a paved recreational/commuter trail - that make the Long Branch Stream Valley Park eligible for protection under Section 4(f). Pursuant to 23 CFR 774.5, M-NCPPC- Montgomery County Department of Parks must concur in writing to FTA stating that the project will not adversely affect the activities, features, or attributes that make the property eligible for protection under Section 4(f). A concurrence clause is provided at the end of this letter for this purpose. If M-NCPPC objects to the proposed Section 4(f) *de minimis* impact determination, FTA will require a formal Section 4(f) evaluation.

Ms. Mary R. Bradford  
**RE: MTA Purple Line Project**

3

We respectfully request your reply to this matter within two weeks of receipt of this letter. We look forward to continuing our successful working relationship with you and should you have any questions or need additional information, please feel free to contact Mr. Timothy Lidiak, Community Planner, at (215) 656-7084, or Mr. Daniel Koenig, Environmental Protection Specialist, at (202) 219-3528.

Sincerely,

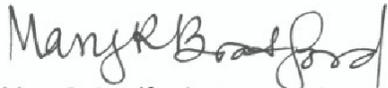


Brigid Hynes-Cherin  
Regional Administrator

cc: Michael Madden, MTA  
John Newton, MTA

**CONCURRENCE:**

We, the undersigned, concur that the existing activities, features, and attributes at Long Branch Stream Valley Park would not be adversely impacted by the proposed Purple Line; the right-of-way impacts of the Purple Line to the park would be minimal; permanent use of land would be limited to widening Piney Branch Road and extending the culvert; temporary access to the work area would be located along Piney Branch Road; and the project would include reconstructing sidewalks and providing signalized pedestrian crossing improvements along Piney Branch Road; the MTA will coordinate with M-NCPPC-Montgomery County Department of Parks to provide replacement parkland, remove invasive species and replant the work area, and avoid construction activity effects on park access and parking at Long Branch Local Park during June and July; and therefore, we agree that the Purple Line's proposed use of portions of the park meet the criteria for a *de minimis* impact determination under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



Mary R. Bradford, Director of Parks

12/17/2013

Maryland-National Capital Park and Planning  
Commission, Montgomery County Department of Parks

Date

## **Enclosure 1**

### **Long Branch Stream Valley Park Coordination and Minimization and Mitigation Measures**

#### **Coordination Activities**

Beginning in January 2012, MTA and M-NCPPC's Montgomery County Department of Parks staff met several times to discuss the proposed Purple Line and the potential impacts it would have on the Long Branch Stream Valley Park. Specific meeting dates were January 25, 2012, May 16, 2012, November 21, 2012, February 1, 2013, and February 26, 2013. In addition to discussing anticipated impacts, staff discussed avoidance measures and ways to minimize and mitigate impacts to the park. The minimization and mitigation measures discussed at these meetings were intended to reduce the potential impacts to the park to the maximum extent practicable and provide replacement parkland. At the May 16, 2012 meeting, the M-NCPPC concurred that the proposed project would not adversely affect the Long Branch Stream Valley Park. Additional coordination occurred throughout the Fall of 2013 and has resulted in the mitigation measures outlined below and verbal concurrence with the *de minimis* use finding. MTA and FTA will continue to coordinate with M-NCPPC to develop the mitigation in more detail throughout the design and construction phases of the project.

#### **Mitigation and Minimization**

In coordination with M-NCPPC-Montgomery County Department of Parks, MTA has agreed to provide replacement parkland to mitigate the permanent use of land at the Long Branch Stream Valley Park. MTA will consolidate its mitigation for permanent use of parkland in Montgomery County at a single site adjacent to New Hampshire Estates Neighborhood Park. MTA will continue to coordinate with M-NCPPC-Montgomery County Department of Parks regarding the design and implementation of this mitigation plan.

A work group will be formed between M-NCPPC and MTA to further study and recommend appropriate design and mitigation at Long Branch with the goal of enhancing long-term stream stability and improving the health of the resource. The group will work together, hold field visits, and coordinate with the appropriate resource agencies to gain approval for the recommended improvements. The work group will collect and assess data on the health of downstream resources and the presence of fish and other species. While an existing gravity sewer line under the existing culvert limits the ability to lower the culvert, the work group will study the viability of raising the stream to facilitate fish passage. They will also review the capacity of the planned conveyance and study appropriate stream improvements upstream and downstream of the road crossing. Finally, the work group will weigh the cost (impacts and financial) and benefits of the proposals and recommend specific mitigation. The final recommended mitigation measure is contingent upon approval from the regulatory agencies.

MTA is committed to designing an environmentally sensitive stream crossing with the goal of maximizing capacity and reducing stream velocity. Early in the coordination process, M-NCPPC stated that there are issues within Long Branch Stream Valley Park with invasive plant species. Invasive species will be removed in the immediate project area and a management plan will be developed for review by M-NCPPC. Areas that are cleared as a result of invasive species removal would be replanted with native vegetation.

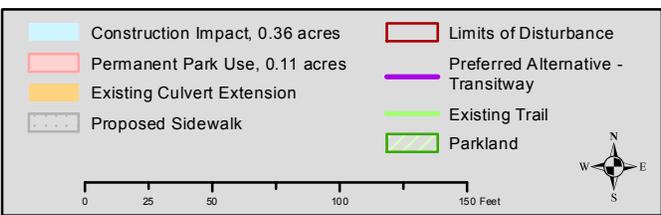
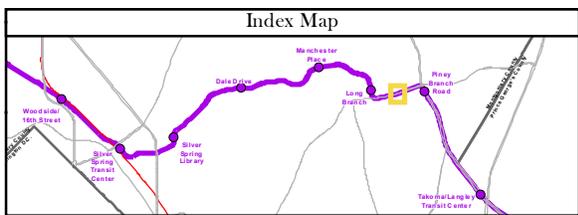
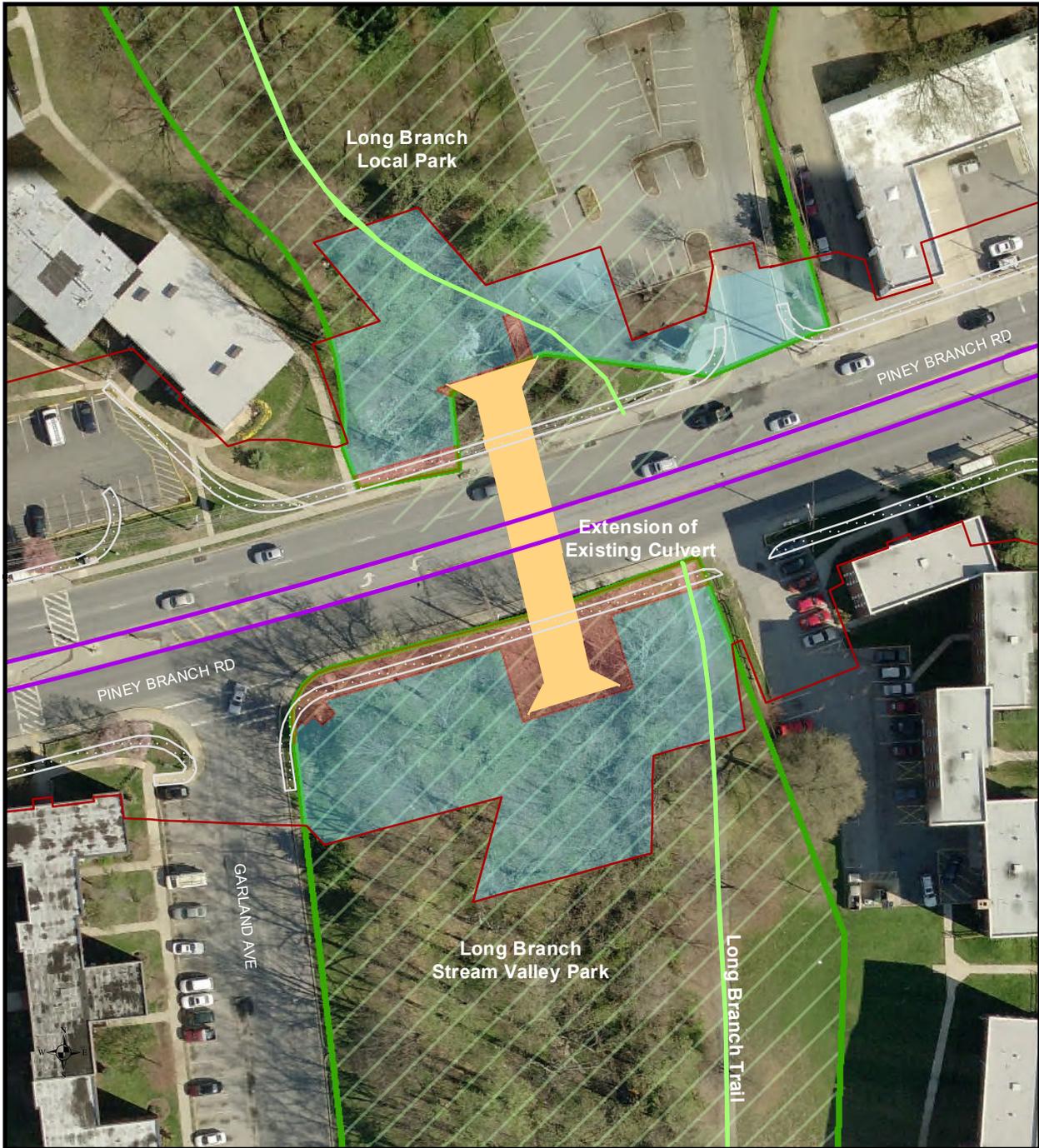
Other mitigation includes:

- MTA will maintain access to Long Branch Trail during construction.
- Impacts to significant trees will be avoided within the park, where reasonably feasible.
- MTA will design sidewalk improvements along Piney Branch Road to meet ADA requirements. The headwalls and wingwalls associated with the proposed culvert extension and new pipe would be raised to accommodate future sidewalk widening to 10 feet without impacting the need for additional culvert extension.
- If specific work activities in Long Branch Stream Valley Park necessitate work or access through Long Branch Local Park, MTA will avoid affecting park access and parking within Long Branch Local Park during construction within Long Branch Stream Valley Park during June and July to minimize operational impacts to Long Branch Community Center.

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Attachment A: Purple Line Project Alignment and Section 4(f) Resources Overview Map  
Attachment B: Detailed Park Impact Map

# ATTACHMENT B



## Long Branch Stream Valley Park

Source: Maryland-National Capital Park and Planning Commission, Montgomery County Department of Parks, Maryland Transit Administration



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

NOV 27 2013

REGION III  
Delaware, District of  
Columbia, Maryland,  
Pennsylvania, Virginia,  
West Virginia

1760 Market Street  
Suite 500  
Philadelphia, PA 19103-4124  
215-656-7100  
215-656-7260 (fax)

Ms. Mary R. Bradford, Director of Parks  
Maryland-National Capital Park and Planning Commission  
Montgomery County Department of Parks  
9500 Brunett Avenue  
Silver Spring, MD 20901

**RE: MTA Purple Line Project: Section 4(f) *De Minimis* Impact Determination on the New Hampshire Estates Neighborhood Park, Montgomery County, Maryland**

Dear Ms. Bradford:

The purpose of this letter is to seek your concurrence, as the official with jurisdiction over the New Hampshire Estates Neighborhood Park, with the Federal Transit Administration's (FTA) *de minimis* impact determination for this public park property pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, now codified at 49 U.S.C. 303 et seq. and implemented in 23 CFR Part 774.

The Maryland Transit Administration (MTA), in cooperation with FTA as the lead Federal agency, has prepared a Final Environmental Impact Statement (FEIS) and Draft Section 4(f) Evaluation for the Purple Line project (project). MTA and FTA provided public notice of the proposed project and opportunity for public comment on our intent to make a *de minimis* impact determination for the New Hampshire Estates Neighborhood Park during the FEIS and Section 4(f) Evaluation public comment period that ended on October 21, 2013. No comments were received during the public comment period on FTA's intent to make a *de minimis* impact determination for the New Hampshire Estates Neighborhood Park.

MTA's Purple Line project would be aligned in the median of Piney Branch Road. The alignment would turn right onto University Boulevard, where it would be aligned within the median. Directly east of the Piney Branch Road-University Boulevard intersection, the Piney Branch Station would be constructed within the median. MTA would permanently use approximately 0.20 acre of the 4.7 acre New Hampshire Estates Neighborhood Park to widen University Boulevard to accommodate the dedicated transitway and station, while maintaining two lanes of traffic eastbound and three lanes westbound on University Boulevard, as well as turn lanes. Park amenities affected by the proposed project would include some sitting areas and aesthetic features, such as landscaped structures, artwork and decorative bricks adjacent to University Boulevard, as well as an existing parking lot that would be removed during construction. See **Enclosure 1** for details on the mitigation commitments for this park and **Attachments A and B**, which show overviews of the project and park.

The project would temporarily use approximately 0.35 acre of the park to undertake the roadway widening and stream and culvert upgrades. The park land used temporarily includes grassy and landscaped areas, paved walkways, and an existing parking lot. MTA would provide temporary parking and park access during construction directly to the north of the park behind its proposed staging area in the southeast quadrant of the Piney Branch Road/University Boulevard intersection.

FTA's intent to make a *de minimis* impact determination was stated at coordination meetings between the Purple Line Team and M-NCPPC- Montgomery County Department of Parks, beginning in January 2012. These meetings were established for coordination purposes on the project and have led to the incorporation

Ms. Mary R. Bradford  
**RE: MTA Purple Line Project**

2

of specific avoidance, minimization, and mitigation measures to reduce the impact to the M-NCPPC owned parks within the proposed project corridor. Coordination between MTA and M-NCPPC is ongoing and will continue; however replacement land has been identified adjacent to the New Hampshire Estates Neighborhood Park which will serve as mitigation for the use of parkland throughout Montgomery County.

The FTA has determined that the Purple Line would not adversely affect or otherwise restrict the public's use of the existing resources nor will it adversely affect the features, attributes, or activities - playgrounds, athletic field, picnic areas, and aesthetic features - that make the New Hampshire Estates Neighborhood Park eligible for protection under Section 4(f). Pursuant to 23 CFR 774.5, M-NCPPC- Montgomery County Department of Parks must concur in writing to FTA stating that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection as a park. A concurrence clause is provided at the end of this letter for this purpose. If M-NCPPC objects to or if comments raise new concerns about the proposed Section 4(f) *de minimis* impact determination, FTA will require a formal Section 4(f) evaluation.

We respectfully request your reply to this matter within two weeks of receipt of this letter. We look forward to continuing our successful working relationship with you and should you have any questions or need additional information, please feel free to contact Mr. Timothy Lidiak, Community Planner, at (215) 656-7084, or Mr. Daniel Koenig, Environmental Protection Specialist, at (202) 219-3528.

Sincerely,

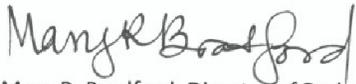


Brigid Hynes-Cherin  
Regional Administrator

cc: Michael Madden, MTA  
John Newton, MTA

**CONCURRENCE:**

We, the undersigned, concur that the existing activities, features, and attributes at the New Hampshire Estates Neighborhood Park would not be adversely impacted by the proposed Purple Line; the right-of-way impacts of the Purple Line to the park would be minimal; temporary impacts would be minor and would be limited to property needed to undertake the roadway widening and stream and culvert upgrades; MTA would provide replacement parkland adjacent to the park; and therefore, we agree that the Purple Line's proposed use of portions of the park meet the criteria for a *de minimis* impact determination under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



Mary R. Bradford, Director of Parks

12/17/2013

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Maryland-National Capital Park and Planning  
Commission, Montgomery County Department of Parks

Date

## **Enclosure 1**

### **New Hampshire Estates Neighborhood Park Coordination and Minimization and Mitigation Measures**

#### **Coordination Activities**

Beginning in January 2012, MTA and M-NCPPC's Montgomery County Department of Parks staff met several times to discuss the proposed Purple Line and the potential impacts it would have on the New Hampshire Estates Neighborhood Park. Specific meeting dates were January 25, 2012, May 16, 2012, November 21, 2012, February 1, 2013, and February 26, 2013. In addition to discussing anticipated impacts, staff discussed avoidance measures and ways to minimize and mitigate impacts to the Park. The minimization and mitigation measures discussed at these meetings were intended to reduce the potential impacts to the park to the maximum extent practicable and provide replacement parkland. The minimization and mitigation measures agreed upon at these agency coordination meetings are provided below. At the February 1, 2013 meeting, the M-NCPPC determined that the proposed project would not adversely affect the New Hampshire Estates Neighborhood Park. Additional coordination occurred throughout the Fall of 2013 and has resulted in the mitigation measures outlined below and verbal concurrence with FTA's intent to make a *de minimis* use finding. MTA and FTA will continue to coordinate with M-NCPPC to develop the mitigation in more detail throughout the design and construction phases of the project.

#### **Mitigation and Minimization**

To minimize impacts, MTA would eliminate the space between the expanded roadway curb and sidewalk and implement a closed drainage system. In addition, MTA would address a drainage issue on the eastern edge of the park by upgrading an existing stormwater culvert and grading the associated stream for a short distance. New guardrails, signs, railings or other structures on University Boulevard within or adjacent to the park would match existing park elements, as reasonably feasible.

In coordination with M-NCPPC-Montgomery County Department of Parks, MTA has agreed to provide replacement parkland to mitigate the permanent use of land at the New Hampshire Estates Neighborhood Park. MTA will consolidate its mitigation for permanent use of parkland in Montgomery County at a single site adjacent to the New Hampshire Estates Neighborhood Park. M-NCPPC-Montgomery County Department of Parks would accommodate the replacement land in their future redevelopment plan for the park. MTA will continue to coordinate with M-NCPPC-Montgomery County Department of Parks regarding the design and implementation of this mitigation plan and effects on park amenities.

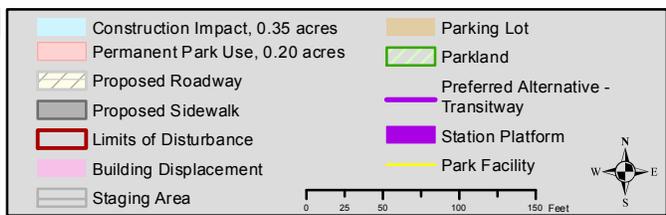
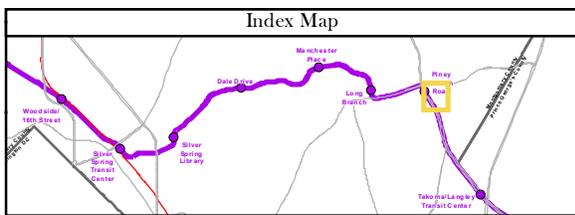
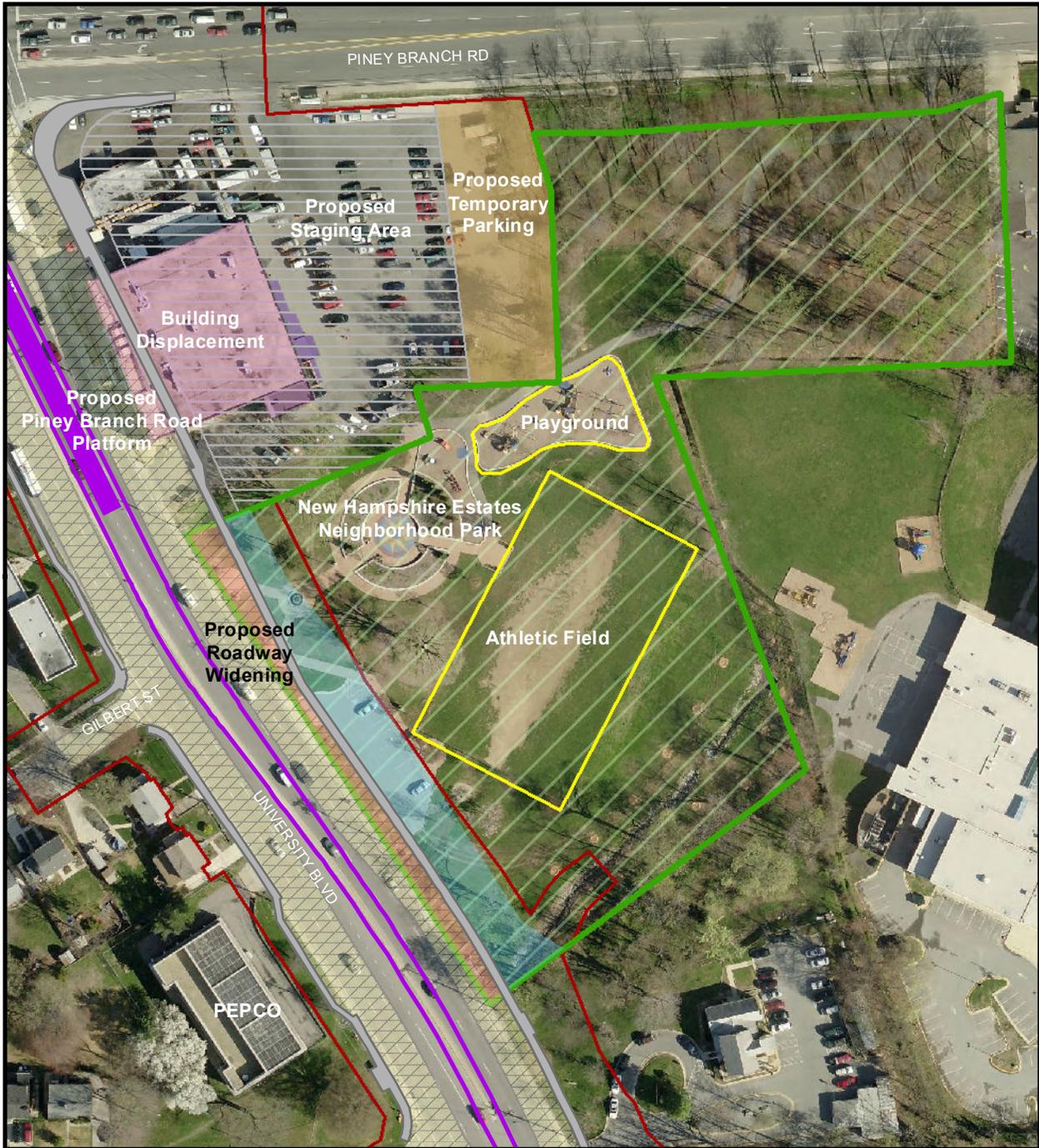
Additional mitigation includes:

- MTA will maintain access to the park during construction including temporary parking and access, as appropriate.
- MTA will provide a functional interim condition, for review and approval of M-NCPPC-Montgomery County Department of Parks, for the park prior to its planned redevelopment.
- MTA will design sidewalk improvements along University Boulevard to meet ADA requirements.
- MTA will not construct stormwater management facilities within the boundaries of the Park (beyond the retrofit of the existing drainage ditch).

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Attachment A: Purple Line Project Alignment and Section 4(f) Resources Overview Map  
Attachment B: Detailed Park Impact Map

# ATTACHMENT B



## New Hampshire Estates Neighborhood Park

Source: Maryland-National Capital Park and Planning Commission, Montgomery County Department of Parks, Maryland Transit Administration



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

NOV 27 2013

REGION III  
Delaware, District of  
Columbia, Maryland,  
Pennsylvania, Virginia,  
West Virginia

1760 Market Street  
Suite 500  
Philadelphia, PA 19103-4124  
215-656-7100  
215-656-7260 (fax)

Ms. Eileen Nivera  
Planner-Coordinator / Park Planning and Development Division  
Prince George's Department of Parks and Recreation  
Maryland-National Capital Park and Planning Commission  
6600 Kenilworth Avenue  
Riverdale, Maryland 20737

**RE: MTA Purple Line Project: Section 4(f) De Minimis Impact Determination on the Northwest Branch Stream Valley Park and Northwest Branch Trail, Prince George's County, Maryland**

Dear Ms. Nivera:

The purpose of this letter is to seek your concurrence, as the official with jurisdiction over the Northwest Branch Stream Valley Park and Northwest Branch Trail, with the Federal Transit Administration's (FTA) *de minimis* impact determination for this public park property pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, now codified at 49 U.S.C. 303 et seq. and implemented in 23 CFR Part 774.

The Maryland Transit Administration (MTA), in cooperation with FTA as the lead Federal agency, has prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation for the Purple Line Project (project). MTA and FTA provided a public notice of the project and opportunity for public comment on our intent to make a *de minimis* impact determination for the Northwest Branch Stream Valley Park and Northwest Branch Trail during the FEIS and Section 4(f) Evaluation public comment period that ended on October 21, 2013. No comments were received during the public comment period on FTA's intent to make a *de minimis* impact determination for the Northwest Branch Stream Valley Park and Northwest Branch Trail.

The project would be aligned in the median of University Boulevard. MTA would permanently use 0.8 acres of the 510-acre Northwest Branch Stream Valley Park and Northwest Branch Trail to widen University Boulevard to accommodate the proposed project and replace the existing bridge over the Northwest Branch of the Anacostia River with a new, wider bridge to accommodate the transitway. The permanent use would be confined to an area along and adjacent to University Boulevard where the parkland is grassy or wooded and undeveloped. See **Enclosure 1** for details on the mitigation commitments for this park and **Attachments A and B**, which show overviews of the project and park.

Ms. Eileen Nivera  
RE: MTA Purple Line Project  
2

The main access to the park from West Park Drive would remain unchanged. Access to other portions of the park would change with the permanent closure of the median on University Boulevard between West Park Drive and Adelphi Road, eliminating left-turning movements. The median closure is necessitated by the Purple Line using the median and the prohibition of unsignalized turns across the transitway. Vehicles traveling west on University Boulevard would have to make a U-turn at West Park Drive to access the existing playground within Northwest Branch Stream Valley Park, east of Lane Manor Community Recreation and Aquatic Center. Eastbound vehicles would have to make a U-turn at Adelphi Road to access the archery range located to the north of University Boulevard and west of Temple Street.

MTA would temporarily use 3.45 acres of park property to access the work area and address drainage issues. These activities are intended to improve the water quality of and drainage flows to the Northwest Branch of the Anacostia River. The Northwest Branch Trail would be temporarily relocated from the eastern side to the western side of West Park Drive during construction. Access to the trail and park facilities would be maintained during construction.

The Northwest Branch of the Anacostia River would be temporarily impacted approximately 125 feet upstream to 125 feet downstream of University Boulevard to temporarily divert the stream while the new University Boulevard bridge is built and grading refinements are made to the stream channel north of University Boulevard. These refinements would provide positive drainage to the Northwest Branch of the Anacostia River and the existing swale that conveys stormwater from University Boulevard to the stream. These actions would require temporary construction easements.

FTA's intent to make a *de minimis* impact determination was discussed during a series of coordination meetings between FTA, MTA, and M-NCPPC-Prince George's County Department of Parks and Recreation that began in January of 2012. These meetings were established for coordination purposes on the project and have led to the incorporation of greater avoidance, minimization, and mitigation measures to reduce the impact from the project. Coordination between MTA and M-NCPPC-Prince George's County Department of Parks and Recreation is ongoing and will continue. MTA will enter into a land exchange agreement with M-NCPPC-Prince George's County Department of Parks and Recreation as mitigation for use of land within the Northwest Branch Stream Valley Park and Northwest Branch Trail.

FTA has determined that the project would not adversely affect or otherwise restrict the public's use of Northwest Branch Stream Valley Park and Northwest Branch Trail, and the project would not adversely affect the activities, features, or attributes--playgrounds, athletic fields and courts, community centers and trails--that make the Northwest Branch Stream Valley Park and Northwest Branch Trail eligible for Section 4(f) protection as a park. Pursuant to 23 CFR 774.5, M-NCPPC-Prince George's County Department of Parks and Recreation must concur in writing to FTA stating that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection as a park. A concurrence clause is provided at the end of this letter for this purpose. If M-NCPPC objects to or if comments raise new concerns about the proposed Section 4(f) *de minimis* impact determination, FTA will require

Ms. Eileen Nivera

**RE: MTA Purple Line Project**

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a formal Section 4(f) evaluation.

We respectfully request your reply to this matter within two weeks of receipt of this letter. We look forward to continuing our successful working relationship with you and should you have any questions or need additional information, please feel free to contact Mr. Timothy Lidiak, Community Planner, at (215) 656-7084, or Mr. Daniel Koenig, Environmental Protection Specialist, at (202) 219-3528.

Sincerely,

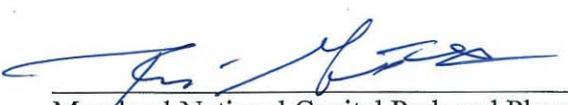


Brigid Hynes-Cherin  
Regional Administrator

cc: Michael Madden, MTA  
John Newton, MTA  
Mike Weil, NCPC

**CONCURRENCE:**

We, the undersigned, concur that the existing activities, features, or attributes at Northwest Branch Stream Valley Park and Northwest Branch Trail would not be adversely impacted by the proposed Purple Line; the right-of-way impacts of the Purple Line to the park would be minimal; impacts would be minor and would be limited to widening University Boulevard to accommodate the proposed Purple Line and to replacing the existing bridge over the Northwest Branch of the Anacostia River with a new, wider bridge to match the wider roadway; and the MTA will coordinate with M-NCPPC-Prince George's County Department of Parks and Recreation regarding providing replacement parkland and will replace disturbed guiderails, signs, and other structures within the park it disturbs. Therefore, we agree that the Purple Line's proposed permanent and temporary use of portions of the park meet the criteria for a *de minimis* impact determination under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



\_\_\_\_\_  
Maryland-National Capital Park and Planning Commission  
Prince George's Department of Parks and Recreation

1/29/14  
\_\_\_\_\_  
Date

**Enclosure 1 (revised 12/16/13 to incorporate M-NCPPC, Department of Parks and Recreation, comments)**

**Northwest Branch Stream Valley Park and Northwest Branch Trail Coordination and Minimization and Mitigation Measures**

**Coordination Activities**

On January 6, 2012, August 7, 2012, October 8, 2012, and March 15, 2013 meetings, MTA met with the M-NCPPC's Prince George's Department of Recreation and Parks (DPR) to discuss the proposed Purple Line and the potential impacts it would have on the Northwest Branch Stream Valley Park and Northwest Branch Trail. MTA discussed with you FTA's intent to make a *de minimis* impact determination for these properties. During the initial meetings, the potential use of portions of the park and trail by the Purple Line was discussed, and the M-NCPPC requested additional information as to the nature of potential impacts. Since that time, refinements have been made to the design that would minimize impacts to the park. After the August 7, 2012 meeting, the M-NCPPC determined that the proposed project would not adversely affect the Northwest Branch Stream Valley Park and Northwest Branch Trail. M-NCPPC re-affirmed this determination at the October 2012 meeting. In addition to discussing anticipated impacts, staff from MTA and M-NCPPC discussed avoidance measures and ways to minimize and mitigate impacts to the park and trail. Additional coordination occurred in the Fall of 2013 and has resulted in the mitigation measures outlined below and verbal concurrence with the *de minimis* use finding. MTA and FTA will continue to coordinate with M-NCPPC to develop the mitigation in more detail throughout the design and construction phases of the project.

**Summary of Work within Northeast Branch Trail**

MTA will permanently and temporally use land from Northwest Branch Trail as summarized below:

- The project would be aligned in the median of University Boulevard. MTA would permanently use 0.8 acres of the 510-acre Northwest Branch Stream Valley Park and Northwest Branch Trail to widen University Boulevard to accommodate the proposed project and replace the existing bridge over the Northwest Branch of the Anacostia River with a new, wider bridge to accommodate the transitway. The permanent use would be confined to an area along and adjacent to University Boulevard where the parkland is grassy or wooded and undeveloped.
- The main access to the park from West Park Drive would remain unchanged. Access to other portions of the park would change with the permanent closure of the median on University Boulevard between West Park Drive and Adelphi Road, eliminating left-turning movements. The median closure is necessitated by the Purple Line using the median and the prohibition of unsignalized turns across the transitway. Vehicles traveling west on University Boulevard would have to make a U turn at West Park Drive to access the existing playground within Northwest Branch Stream Valley Park, east of Lane Manor Community Recreation and Aquatic Center. Eastbound vehicles would have to make a U turn at Adelphi Road to access the archery range located to the north of University Boulevard and west of Temple Street.
- MTA would temporarily use 3.45 acres of park property to access the work area and address drainage issues. These activities are intended to improve the water quality of and drainage flows to the Northwest Branch of the Anacostia River. The Northwest Branch Trail would be temporarily relocated from the eastern side to the western side of West

Park Drive during construction. Access to the trail and park facilities would be maintained during construction.

- The Northwest Branch of the Anacostia River would be temporarily impacted approximately 125 feet upstream to 125 feet downstream of University Boulevard to temporarily divert the stream while the new University Boulevard bridge is built and grading refinements are made to the stream channel north of University Boulevard. These refinements would provide positive drainage to the Northwest Branch of the Anacostia River and the existing swale that conveys stormwater from University Boulevard to the stream. These actions would require temporary construction easements.

### **Mitigation and Minimization**

MTA will implement the following mitigation commitments:

- 1) MTA shall prepare the appropriate technical documentation and provide administrative support to obtain approvals from the National Capital Planning Commission for disposals of Capper–Cramton funded parkland and from Maryland Department of Natural Resources for Program Open Space funded parkland.
- 2) MTA shall enter into a Right of Entry/Land Exchange Agreement with DPR regarding the permanent disposal of parkland, its replacement and temporary use of park property. In consultation with DPR, mitigation for park impacts throughout Prince George’s County may be consolidated in one or more locations as approved by the regulating agencies. The financial valuation and compensation of the permanent and temporary uses will be determined through an approved appraisal process between DPR and MTA following all applicable Federal and State laws and practices.
- 3) MTA and the FTA shall continue to coordinate with DPR to minimize impacts to the Park and develop mitigation in more detail throughout the design and construction phases of the Project including the following:
  - a. MTA shall assist DPR with the identification of replacement parkland to mitigate the permanent use of parkland.
  - b. MTA shall determine if Tree Conservation Plan (TCP) 2-119-92 and TCP 2-032-13 are affected by the proposed construction in the Park, revise the TCPs as necessary, and provide mitigation as required by the plan revision.
  - c. In consultation with DPR, MTA shall replace disturbed guiderails, signs and other existing structures that are disturbed within the Park with new structures that match existing elements within the Park, where reasonably feasible and disturbed parkland shall be fully restored.
  - d. MTA shall coordinate with DPR on the development of the landscape plan, include those plans within the Project plans and specifications for review and approval by DPR at major milestones during the project development process, and implement the landscape plan. The landscape plan shall include:
    - i. An invasive species management plan to help ensure the success of proposed plantings. The management plan will identify the presence of invasive species in all areas where vegetation will be disturbed and develop a two-year invasive species avoidance and removal program within the project limits.
    - ii. Identification of specimen or champion trees.
    - iii. Limits of selective tree clearing.
    - iv. Establishment of tree protection buffer zone that will be indicated on the plans and marked in the field to protect significant or champion

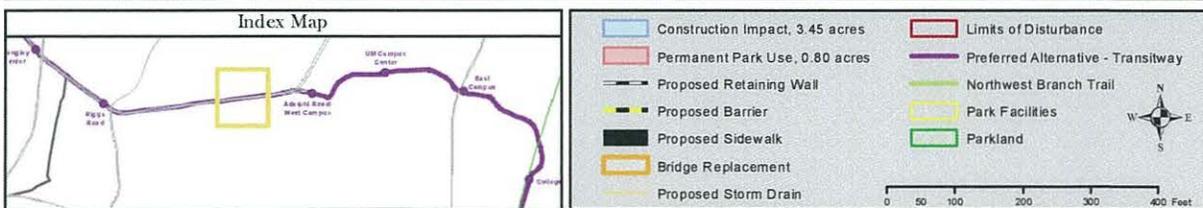
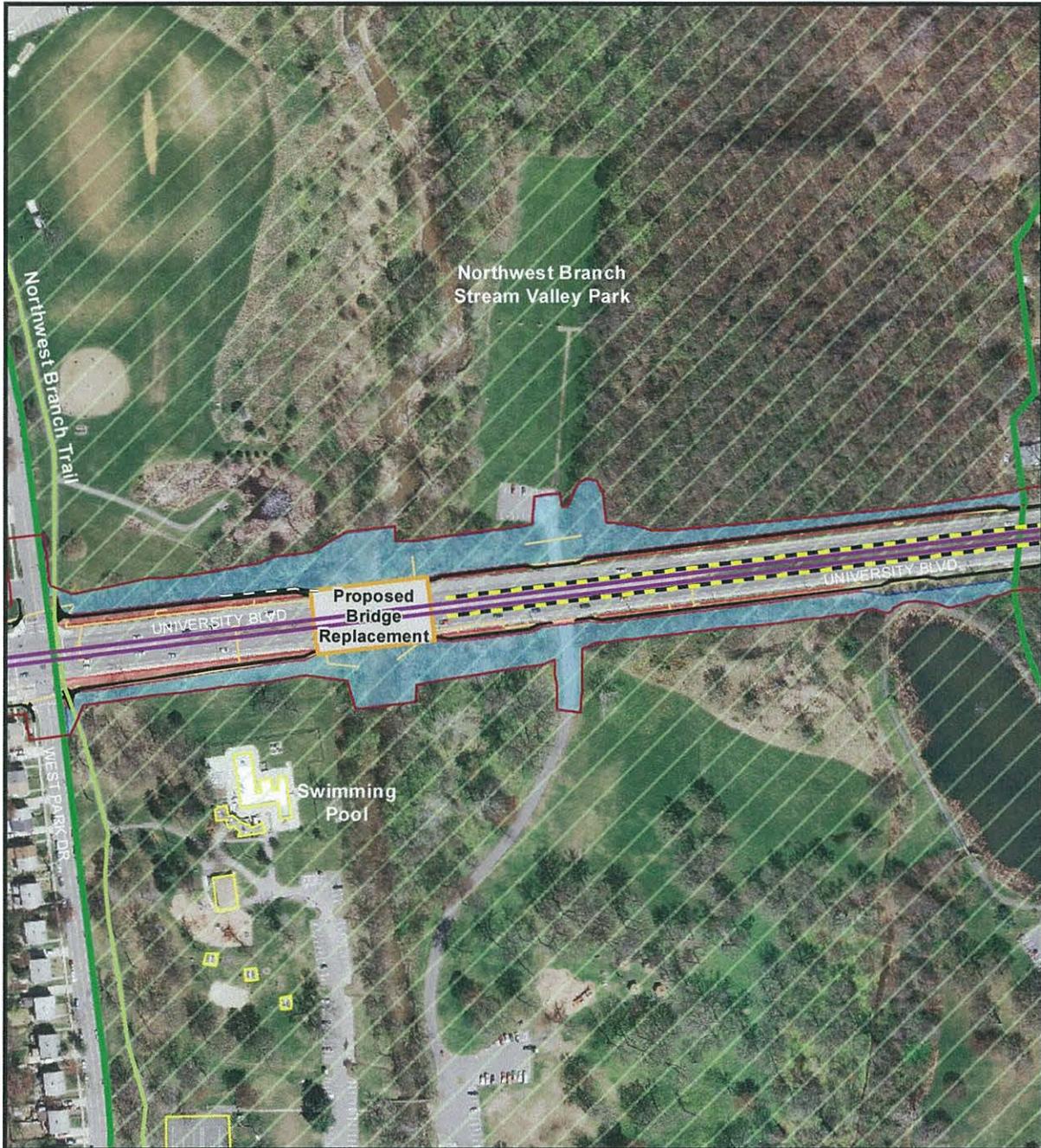


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**Attachment A:** Purple Line Project Alignment and Section 4(f) Resources Overview Map

**Attachment B:** Proposed Permanent and Temporary impacts of the Purple Line project upon the Northwest Branch Stream Valley Park and Northwest Branch Trail

# ATTACHMENT B



## Northwest Branch Stream Valley Park and Northwest Branch Trail

Source: Maryland-National Capital Park and Planning Commission, Prince George's County Department of Parks and Recreation, Maryland Transit Administration



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

NOV 27 2013

REGION III  
Delaware, District of  
Columbia, Maryland,  
Pennsylvania, Virginia,  
West Virginia

1760 Market Street  
Suite 500  
Philadelphia, PA 19103-4124  
215-656-7100  
215-656-7260 (fax)

Ms. Eileen Nivera  
Planner-Coordinator / Park Planning and Development Division  
Prince George's Department of Parks and Recreation  
Maryland-National Capital Park and Planning Commission  
6600 Kenilworth Avenue  
Riverdale, Maryland 20737

**RE: MTA Purple Line Project: Section 4(f) De Minimis Impact Determination on the Anacostia River Stream Valley Park and Northeast Branch Trail, Prince George's County, Maryland**

Dear Ms. Nivera:

The purpose of this letter is to seek your concurrence, as the official with jurisdiction over the Anacostia River Stream Valley Park and Northeast Branch Trail, with the Federal Transit Administration's (FTA) *de minimis* impact determination for this public park property pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, now codified at 49 U.S.C. 303 et seq. and implemented in 23 CFR Part 774.

The Maryland Transit Administration (MTA), in cooperation with FTA as the lead Federal agency, has prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation for the Purple Line Project (project). MTA and FTA provided a public notice of the project and opportunity for public comment on our intent to make a *de minimis* impact determination for the Anacostia River Stream Valley Park and Northeast Branch Trail during the FEIS and Section 4(f) Evaluation public comment period that ended on October 21, 2013. No comments were received during the public comment period on FTA's intent to make a *de minimis* impact determination for the Anacostia River Stream Valley Park and Northeast Branch Trail.

The project would be aligned adjacent to and south of River Road. MTA would permanently use 1.36 acres of the 794-acre park abutting River Road to the south and extending from Haig Drive to the end of M-NCPPC-Prince George's County Department of Parks and Recreation property, just west of Kenilworth Avenue and east of the Northeast Branch of the Anacostia River. The land to be permanently used is partly grassy and partly wooded and undeveloped. See **Enclosure 1** for details on the mitigation commitments for this park and **Attachments A and B**, which show overviews of the project and park.

MTA's construction activities would occur primarily to the south of River Road, including a staging and storage area for bridge construction. MTA would use a currently undeveloped portion of park land at the southeast quadrant of the River Road-Haig Drive/University Research Court intersection as the temporary construction staging area. MTA would temporarily use 2.58 acres of park land.

FTA's intent to make a *de minimis* impact determination was discussed during a series of coordination meetings between FTA, MTA, and M-NCPPC-Prince George's County Department of Parks and Recreation that began in January of 2012. These meetings were established for coordination purposes on the project and have led to the incorporation of specific avoidance, minimization, and mitigation measures to reduce the impact from the project. Coordination between MTA and M-NCPPC-Prince George's County Department of Parks and Recreation is ongoing and will continue. MTA will enter into a land exchange agreement with M-NCPPC-Prince George's County Department of Parks and Recreation as mitigation for use of land within the Anacostia River Stream Valley Park and Northeast Branch Trail.

Ms. Eileen Nivera  
**RE: MTA Purple Line Project**

2

FTA has determined that the project would not adversely affect or otherwise restrict the public's use of the park, including the Northeast Branch Trail, and the project would not adversely affect the activities, features, or attributes--playgrounds, athletic fields, and courts, community centers and trails--that make the Anacostia River Stream Valley Park and Northeast Branch Trail eligible for Section 4(f) protection as a park. Pursuant to 23 CFR 774.5, M-NCPPC- Prince George's County Department of Parks and Recreation must concur in writing to FTA stating that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection as a park. A concurrence clause is provided at the end of this letter for this purpose. If M-NCPPC objects to or if comments raise new concerns about the proposed Section 4(f) *de minimis* impact determination, FTA will require a formal Section 4(f) evaluation.

We respectfully request your reply to this matter within two weeks of receipt of this letter. We look forward to continuing our successful working relationship with you and should you have any questions or need additional information, please feel free to contact Mr. Timothy Lidiak, Community Planner, at (215) 656-7084, or Mr. Daniel Koenig, Environmental Protection Specialist, at (202) 219-3528.

Sincerely,



Brigid Hynes-Cherin  
Regional Administrator

cc: Michael Madden, MTA  
John Newton, MTA  
Mike Weil, NCPC

**CONCURRENCE:**

We, the undersigned, concur that the existing activities, features, or attributes at Anacostia River Stream Valley Park and Northeast Branch Trail would not be adversely impacted by the proposed Purple Line; the right-of-way impacts of the Purple Line to the park would be minimal; impacts would be minor and would be limited to constructing the proposed transitway south of River Road; relocating the unnamed trail connection to Kenilworth Avenue, providing a temporary construction staging area; replacing the current traffic circle along River Road with a signalized intersection; and the MTA will coordinate with M-NCPPC-Prince George's County Department of Parks and Recreation regarding providing replacement parkland and will replace disturbed guiderails, signs, and other structures within the park it disturbs. Therefore, we agree that the Purple Line's proposed permanent and temporary use of portions of the park meet the criteria for a *de minimis* impact determination under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



Maryland-National Capital Park and Planning Commission  
Prince George's Department of Parks and Recreation

1/24/15  
Date

**Enclosure 1 (revised 12/16/13 to incorporate M-NCPPC, Department of Parks and Recreation, comments)**

**Anacostia River Stream Valley Park and Northeast Branch Trail Coordination and Minimization and Mitigation Measures**

**Coordination Activities**

On January 6, 2012, June 7, 2012, October 8, 2012, and March 15, 2013, MTA met with the M-NCPPC's Prince George's Department of Recreation and Parks (DPR) to discuss the proposed Purple Line and the potential impacts it would have on the Anacostia River Stream Valley Park and Northeast Branch Trail. MTA discussed with you FTA's intent to make a *de minimis* impact determination for these properties. During the January 6 and June 7 meetings, the potential use of portions of the park and trail by the Purple Line was discussed, and the M-NCPPC requested additional information as to the nature of potential impacts. Since that time, refinements have been made to the design that would minimize impacts to the park. After the October 8, 2012 meeting, the M-NCPPC determined that the proposed project would not adversely affect the Anacostia River Stream Valley Park or Northeast Branch Trail. In addition to discussing anticipated impacts, staff from these respective agencies discussed avoidance measures and ways to minimize and mitigate impacts to the Park and Trail. Additional coordination occurred in the Fall of 2013 and has resulted in the mitigation measures outlined below and verbal concurrence with the *de minimis* use finding. MTA and FTA will continue to coordinate with M-NCPPC to develop the mitigation in more detail throughout the design and construction phases of the project.

**Summary of Work** MTA will permanently and temporarily use land from Anacostia River Stream Valley Park as summarized below:

- MTA will permanently relocate the unnamed trail connection to Kenilworth Avenue that is currently located east of the stream on the south side of River Road. MTA will use 1.36 acres of the park abutting River Road to the south and extending from Haig Drive to the end of M-NCPPC-Prince George's County Department of Parks and Recreation property, just west of Kenilworth Avenue and east of the Northeast Branch of the Anacostia River. The land to be permanently used for the trail is partly grassy and partly wooded and undeveloped. Permanent impacts would be a result of the proposed trail relocation and the construction of the transitway.
- MTA will remove the traffic circle at the intersection of Haig Drive and University Research Court with River Road and replace it with a signalized intersection prior to construction to allow for safe pedestrian access and vehicular traffic crossing the Purple Line transitway.
- MTA's construction activities will occur primarily to the south of River Road, including a staging and storage area for bridge construction. MTA would use 2.58 acres of currently undeveloped park land at the southeast quadrant of the River Road-Haig Drive/University Research Court intersection as the temporary construction staging area.

**Mitigation and Minimization**

MTA will implement the following mitigation commitments:

- 1) MTA shall prepare the appropriate technical documentation and provide administrative support to obtain approvals from the National Capital Planning Commission for disposals of Capper-Cramton funded parkland and from Maryland Department of Natural Resources for Program Open Space funded parkland.
- 2) MTA shall enter into a Right of Entry/Land Exchange Agreement with DPR regarding the permanent disposal of parkland, its replacement and temporary use of park property. In consultation with DPR, mitigation for park impacts throughout Prince George's County may be consolidated in one or more locations as approved by the regulating agencies. The financial valuation and compensation of the permanent and temporary uses will be determined through an approved appraisal process between DPR and MTA following all applicable Federal and State

laws and practices.

- 3) MTA and the FTA shall continue to coordinate with DPR to minimize impacts to the Park and develop mitigation in more detail throughout the design and construction phases of the Project that includes the following:
  - a. MTA shall assist DPR with the identification of replacement parkland to mitigate the permanent use of parkland.
  - b. MTA shall determine if Tree Conservation Plan (TCP) 1-009-90 is affected by the proposed construction in the Park, revise the TCP and provide mitigation as required by the regulatory agency.
  - c. In consultation with DPR, MTA shall replace disturbed guiderails, signs and other existing structures that are disturbed within the Park with new structures that match existing elements within the Park, where reasonably feasible and fully restore disturbed parkland.
  - d. MTA shall not locate stormwater management facilities within the Park.
  - e. MTA shall construct the proposed Purple Line bridge to the south of River Road at least 10 feet from the existing River Road bridge to allow ambient light to reach the river, Northeast Branch Trail, and vegetation below the structures.
  - f. MTA shall continue to coordinate with DPR regarding the project design and development of mitigation measures. This includes the design of the proposed bridge as visual amenities in the Park due to its very visible location in the Park and from the Northeast Branch Trail.
  - g. MTA shall coordinate with DPR on the development of the landscape plan, include those plans within the Project plans and specifications for review and approval by DPR at major milestones during the project development process, and implement the landscape plan. The landscape plan shall include:
    - i. An invasive species management plan to help ensure the success of proposed plantings. The management plan will identify the presence of invasive species in all areas where vegetation will be disturbed and develop a two-year invasive species avoidance and removal program within the project limits.
    - ii. Identification of specimen or champion trees.
    - iii. Limits of selective tree clearing.
    - iv. Establishment of tree protection buffer zone that will be indicated on the plans and marked in the field to protect significant or champion trees.
    - v. Landscaping or reforestation within areas cleared in the Park for construction
    - vi. Preference given to approved native plant species.
  - h. MTA shall permanently relocate the unnamed trail connection to Kenilworth Avenue that is currently located east of the Northeast Branch.
  - i. At the intersection of Haig Drive and University Research Court with River Road, MTA shall remove the traffic circle and replace it with a signalized intersection prior to construction to allow for safe pedestrian access and vehicular traffic crossing of the Purple Line transitway.
- 4) To minimize construction impacts on the Park, MTA shall:
  - a. Provide appropriate barriers, signage and notification of construction activities to inform and keep the public safe.
  - b. Maintain safe access to Park facilities every day. This includes keeping Haig Drive and the parallel multi-use trail open and safe from adjacent construction operations.
  - c. Coordinate the construction schedule with DPR to avoid impacts to events scheduled in the Park.
  - d. Obtain written permission from the University of Maryland to locate the Northeast Branch Trail temporary detour through the University Research Park prior to construction. If permission is denied and no feasible detour exists, the Northeast Branch Trail shall remain open in place during construction with appropriate protections and

warning signs in place. With a detour, appropriate signage and pavement markings shall be provided along the detour and River Road for an at-grade crossing of River Road.

- e. Restore the Northeast Branch Trail to its original configuration when the bridge construction is completed.
- f. Coordinate with DPR and provide advance notification and on-site signage to provide a safe detour to the Northeast Branch Trail during construction. The temporary detour shall meet current Americans with Disabilities guidelines and best practices, such as the AASHTO Guide for the Development of Bicycle Facilities.
- g. Upon completion of construction, clear, re-grade and stabilize with grass the construction staging area in the Park that will be developed as an active recreational facility in the future.
- h. Restore work areas temporarily disturbed during construction.

**CONCURRENCE:**

We, the undersigned, concur that the existing activities, features, or attributes at Anacostia River Stream Valley Park and Northeast Branch Trail would not be adversely impacted by the proposed Purple Line; the right-of-way impacts of the Purple Line to the park would be minimal; impacts would be minor and would be limited to constructing the proposed transitway south of River Road; relocating the unnamed trail connection to Kenilworth Avenue, providing a temporary construction staging area; replacing the current traffic circle along River Road with a signalized intersection; and the MTA will coordinate with M-NCPPC-Prince George's County Department of Parks and Recreation regarding providing replacement parkland and will replace disturbed guiderails, signs, and other structures within the park it disturbs. Therefore, we agree that the Purple Line's proposed permanent and temporary use of portions of the park meet the criteria for a de minimis impact determination under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



Mr. Ronnie Gathers  
Maryland-National Capital Park and Planning Commission  
Prince George's Department of Parks and Recreation



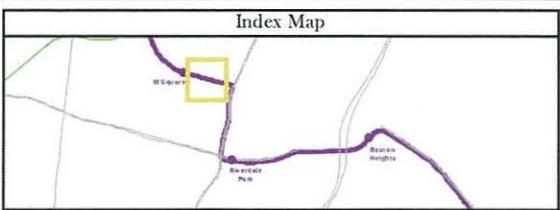
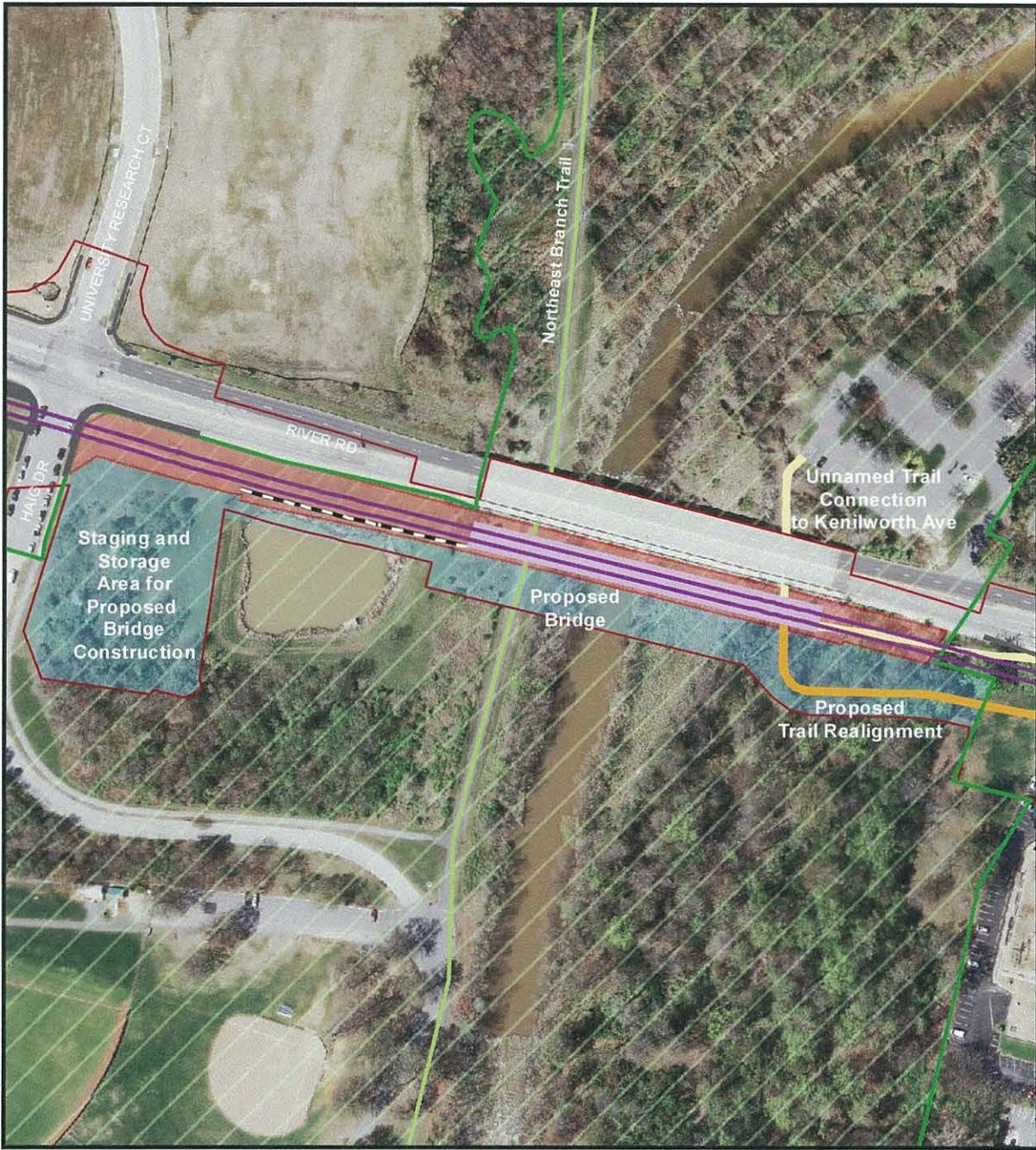
Date

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**Attachment A:** Purple Line Project Alignment and Section 4(f) Resources Overview Map

**Attachment B:** Proposed Permanent and Temporary impacts of the Purple Line project upon the Anacostia River Stream Valley Park and Northeast Branch Trail

# ATTACHMENT B



Construction Impact, 2.58 acres	Preferred Alternative - Transitway
Permanent Park Use, 1.36 acres	Northeast Branch Trail
Proposed Retaining Wall	Existing Trail Connection
Proposed Sidewalk	Parkland
Proposed Bridge	
Proposed Trail Realignment	
Limits of Disturbance	



**Anacostia River Stream Valley Park and Northeast Branch Trail,  
American Discovery Trail and East Coast Greenway**

Source: Maryland-National Capital Park and Planning Commission, Prince George's County Department of Parks and Recreation, Maryland Transit Administration



U.S. Department  
of Transportation  
**Federal Transit  
Administration**

NOV 27 2013

REGION III  
Delaware, District of  
Columbia, Maryland,  
Pennsylvania, Virginia,  
West Virginia

1760 Market Street  
Suite 500  
Philadelphia, PA 19103-4124  
215-656-7100  
215-656-7260 (fax)

Ms. Eileen Nivera  
Planner-Coordinator / Park Planning and Development Division  
Prince George's Department of Parks and Recreation  
Maryland-National Capital Park and Planning Commission  
6600 Kenilworth Avenue  
Riverdale, Maryland 20737

**RE: MTA Purple Line Project: Section 4 (f) Temporary Occupancy Exception Determination for West Lanham Hills Neighborhood Recreation Center, Prince George's County, Maryland**

Dear Ms. Nivera:

The purpose of this letter is to seek your concurrence, as the official with jurisdiction over the West Lanham Hills Neighborhood Recreation Center, with the Federal Transit Administration's (FTA) temporary occupancy exception determination for this property pursuant to Section 4(f) of the U.S. Department of Transportation Act of 1966, now codified at 49 U.S.C. 303 et seq. and implemented in 23 CFR Part 774.

The Maryland Transit Administration (MTA), in cooperation with the FTA as the lead Federal agency, has prepared a Final Environmental Impact Statement (FEIS) and Section 4(f) Evaluation for the Purple Line project (project). MTA and FTA provided public notice of the proposed project and opportunity for public comment on our intent to make a temporary occupancy exception determination for the West Lanham Hills Neighborhood Recreation Center during the FEIS and Section 4(f) Evaluation public comment period that ended on October 21, 2013.

Pursuant to 23 C.F.R. 774.3(b), FTA proposes to make a temporary occupancy exception determination based on review of the information contained in the FEIS. The project would be aligned along the west side of Veterans Parkway. It would cross Veterans Parkway, onto Ellin Road where the transitway would be in a mixed use lane. MTA would raise the elevation of Ellin Road approximately one to two feet to meet the transitway design criteria. The sidewalks along Ellin Road would be rebuilt. Due to the change in roadway elevation and the steep slopes alongside Ellin Road, MTA would re-contour the land immediately adjacent to Ellin Road to meet existing grades. MTA would require a temporary construction easement of approximately 0.08 acres on the West Lanham Hills Neighborhood Recreation Center land to grade the slope and associated construction activities alongside Ellin Road. The proposed work area is undeveloped. See **Enclosure 1** for details on the mitigation commitments for this park and **Attachments A and B**, which show overviews of the project and park.

MTA expects to complete construction of the slope grading in less time than the overall project construction schedule. The proposed work is confined to a small area of the park; the disturbed area will be restored after project completion. The proposed project would not result in the closure of West Lanham Hills Neighborhood Recreation Center at any time during or after construction. The project would not adversely affect the activities, features, or attributes - playground, recreational center, athletic courts, trail, and picnic areas - of the park, nor would it adversely affect or otherwise restrict the public's use of the facilities associated with the park. MTA will use a temporary construction easement; no change in ownership of the park land will occur.

Ms. Eileen Nivera  
**RE: MTA Purple Line Project**

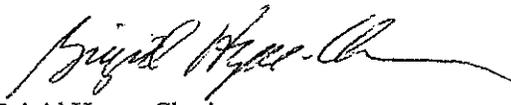
2

Pursuant to 23 C.F.R. 774.3(b) and based on a review of information presented in the FEIS, FTA proposes a temporary occupancy exception determination for the project, as it satisfies the five criteria for temporary occupancy set forth in 23 CFR 774.13(d). Specifically, (1) the duration of the proposed work is temporary, less than the overall project construction period, and no change in property ownership would occur; (2) the work is confined to a small area of the park and would result in minimal changes to the park; (3) no permanent adverse impacts to the park and no interference with the protected activities, features, or attributes of the park would occur; (4) the disturbed land would be fully restored to at least as good condition; and (5) the officials with jurisdiction are providing documented agreement to these findings.

At this time, FTA requests M-NCPPC concurrence with the Section 4(f) temporary occupancy exception determination for expected temporary impacts to West Lanham Hills Neighborhood Recreation Center. Pursuant to 23 CFR 774.5, if concurring, M-NCPPC must provide a written response to FTA stating that the project will not adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection. A concurrence clause is provided at the end of this letter for this purpose. If M-NCPPC objects to or if comments raise new concerns about the proposed Section 4(f) temporary occupancy exception determination, FTA will require a formal Section 4(f) evaluation.

We respectfully request your reply to this matter within two weeks of receipt of this letter. We look forward to continuing our successful working relationship with you and should you have any questions or need additional information, please feel free to contact Mr. Timothy Lidiak, Community Planner, at (215) 656-7084, or Mr. Daniel Koenig, Environmental Protection Specialist, at (202) 219-3528.

Sincerely,

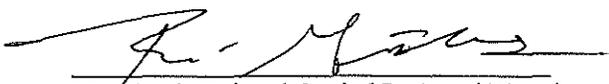


Brigid Hynes-Cherin  
Regional Administrator

cc: Michael Madden, MTA  
John Newton, MTA

**CONCURRENCE:**

We, the undersigned, concur that the existing activities, features, and attributes at the West Lanham Hills Neighborhood Recreation Center would not be adversely impacted by the proposed Purple Line and that the Purple Line's proposed temporary use of a portion of the park meets the criteria for a temporary occupancy exception under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



Maryland-National Capital Park and Planning Commission  
Prince George's Department of Parks and Recreation

6/24/19  
Date

**Enclosure 1 (revised 12/16/13 to incorporate M-NCPPC, Department of Parks and Recreation, comments)**

**West Lanham Hills Neighborhood Recreation Center Coordination and Minimization and Mitigation Measures**

**Coordination Activities**

This letter is a follow up to January 6, 2012, June 7, 2012, October 8, 2012, and March 15, 2013 meetings between MTA, the Maryland-National Capital Park and Planning Commission's (M-NCPPC) Prince George's Department of Recreation and Parks, and Prince George's County Department of Public Works. During the initial meeting, no use of the West Lanham Hills Neighborhood Recreation Center was proposed. Since that meeting, refinements have been made to the proposed alignment that would require the temporary occupancy of an undeveloped portion of the park. On June 7, 2012, the MTA's Purple Line Team met with M-NCPPC to discuss design refinements along the proposed alignment and discuss potential impacts to the park. At the June 7, 2012, October 8, 2012, and March 15, 2013 meetings, the M-NCPPC determined that the proposed project would not adversely affect the West Lanham Hills Neighborhood Recreation Center.

**Summary of Work**

- The project would be aligned along the west side of Veterans Parkway. It would cross Veterans Parkway, onto Ellin Road where the transitway would be in a mixed use lane.
- MTA would raise the elevation of Ellin Road approximately one to two feet to meet the transitway design criteria. The sidewalks along Ellin Road would be rebuilt.
- Due to the change in roadway elevation and the steep slopes alongside Ellin Road, MTA would re-contour the land immediately adjacent to Ellin Road to meet existing grades. MTA will raise the elevation of Ellin Road approximately one to two feet to meet the transitway design criteria. The sidewalks along Ellin Road will be rebuilt due to the change in roadway elevation and the steep slopes alongside Ellin Road.

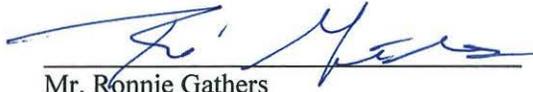
**Minimization and Mitigation**

MTA will implement the following mitigation commitments:

- MTA will continue coordination with Prince George's County Department of Parks and Recreation (DPR) throughout design and construction.
- MTA will enter into a right of entry agreement with DPR for approximately 0.08 acres on the West Lanham Hills Neighborhood Recreation Center land to grade the slope and associated construction activities alongside Ellin Road. The proposed work area is an undeveloped area of the park and no change in ownership of the park land will occur.
- MTA will coordinate with DPR to determine if Tree Conservation Plan (TCP) 2-088-90 is affected by the proposed construction in the park, revise the TCP as necessary, and provide mitigation as required.
- MTA will coordinate with DPR to restore the disturbed parkland. Restoration of the disturbed area within West Lanham Hills Neighborhood Recreation Center will be completed after project completion.
- MTA will maintain access to the West Lanham Hills Neighborhood Recreation Center at all times during and after construction:
  - The project will not adversely affect the activities, features, or attributes - playground, recreational center, athletic courts, trail, and picnic areas - of the West Lanham Hills Neighborhood Recreation Center and
  - The project will not adversely affect or otherwise restrict the public's use of the activities, features, or attributes of the West Lanham Hills Neighborhood Recreation Center.

CONCURRENCE:

We, the undersigned, concur that the existing activities, features, and attributes at the West Lanham Hills Neighborhood Recreation Center would not be adversely impacted by the proposed Purple Line and that the Purple Line's proposed temporary use of a portion of the park meets the criteria for a temporary occupancy exception under Section 4(f) of the USDOT Act of 1966 (49 U.S.C. 303 et seq.).



Mr. Ronnie Gathers  
Maryland-National Capital Park and Planning Commission  
Prince George's Department of Parks and Recreation

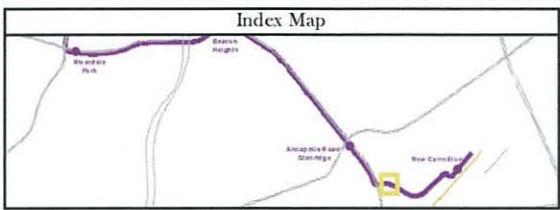


Date

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Attachment A: Purple Line Project Alignment and Section 4(f) Resources Overview Map  
Attachment B: Detailed Map of Proposed Park Impacts

# ATTACHMENT B



Construction Impact, 0.08 acres	Preferred Alternative - Transitway
Limits of Disturbance	Parkland
Proposed Sidewalk	

0 25 50 100 150 Feet



**West Lanham Hills  
Neighborhood Recreation Center**

Source: Maryland-National Capital Park and Planning Commission, Prince George's County Department of Parks and Recreation, Maryland Transit Administration



# United States Department of the Interior

## NATIONAL PARK SERVICE

National Capital Parks-East  
1900 Anacostia Drive, S.E.  
Washington, D.C. 20020

IN REPLY REFER TO:

L30a(NCR-NACE/EPS)

March 14, 2014

Mr. Adam Stephenson  
Environmental Protection Specialist  
Federal Transit Administration  
Office of Planning and Environment  
1200 New Jersey Avenue, SE  
Washington, D.C. 20590

RE: MTA Purple Line Project: Section 4(f) *De Minimis* Impact Determination for the Baltimore-Washington Parkway, Prince George's County, Maryland

Dear Mr. Stephenson:

This letter is in response to your letter dated November 7, 2013, requesting the National Park Service's (NPS) concurrence with the *de minimis* impact determination for the Maryland Transit Administration's (MTA) Purple Line project. The Purple Line is a proposed 16.2-mile long light rail line that would link Bethesda and New Carrollton, in Montgomery and Prince's George's Counties (respectively) in Maryland. The proposed project corridor crosses the Baltimore-Washington Parkway (BW Parkway), and therefore potentially impacts that NPS property, listed on the National Register of Historic Places. The Federal Transit Administration (FTA), a model agency of the U.S. Department of Transportation, MTA, and Maryland Department of Transportation, has released the Final Environmental Impact Statement (FEIS) and draft Section 4(f) evaluation for the construction of the Purple Line.

The NPS has reviewed the draft Section 4(f) evaluation, and submits the following comments in accordance with the provisions of the National Transportation Act of 1966, as amended 23 U.S.C. 138, and 49 U.S.C. 303, referred to as Section 4(f), and the applicable regulations at 23 C.F.R. 774, and other regulations and guidance.

As part of the FEIS and draft Section 4(f) process, a number of preliminary concepts were developed. Following an evaluation of these concepts, the study was advanced to six build alternatives, including Bus Rapid Transit (BRT) alternatives, and Light Rail Transit (LRT) alternatives. The alignments for the BRT and LRT alternatives extend the full length of the corridor between the Bethesda Metro station and the New Carrollton Metro station. For each mode, the alternatives are differentiated from one another mainly by the level of investment that would be required for construction (low, medium, or high). Because the alternatives generally follow the same alignment, the varying levels of investment offer a comparison of the benefits and costs of different elements of the alternatives.

Of the three build alternatives considered, the Light Rail Transit was identified as being a preferred alternative in the FEIS and draft Section 4(f). The preferred alternative will be aligned directly south of and parallel to Riverdale Road (MD 410), on two dedicated transit way lanes. In coordination with the NPS, FTA would construct two temporary bridges to accommodate north and south-bound parkway traffic during construction. These bridges will be constructed on the outside of the existing BW Parkway bridges, maintaining two lanes of traffic in each direction. The roadway approaches to the bridges will be temporarily shifted to align with the temporary bridges. The preferred alternative requires approximately 6.72 acres of BW Parkway property for temporary use during construction. Throughout the duration of construction, full access to the BW Parkway from Riverdale Road will be maintained.

The alignment of the preferred alternative along the southern side of Riverdale Road will require permanent use of approximately 0.61 acres of property from the BW Parkway. The MTA has coordinated with the NPS during refinement of the preferred alternative, including strategies to minimize harm to the parkway and its landscape.

After a thorough study of both the FEIS and draft Section 4(f), the NPS concludes that this project will result in either the permanent or temporary uses of Section 4(f) resources, which include the following:

**The Baltimore-Washington Parkway (Gladys Noon Spellman Parkway)** – The BW Parkway was constructed, developed, and administered to be a limited access road primarily to provide a protected, safe, and suitable approach for passenger-vehicle traffic to the National Capital and for an additional means of access between the several Federal establishments adjacent thereto and the seat of government in the District of Columbia. It was legislated to be an extension of the park system of the federal city. Encompassing nearly 1400 acres and approximately 19 miles long, the NPS portion of the BW Parkway (MD 295) (PG: 69-26) was listed in the National Register of Historic Places in 1991. The divided parkway extends from Anacostia Park at the Washington DC border, north to MD 175 (Jessup Road). For most of its length, the roadway is four lanes wide. Built between 1950 and 1954 and opened in 1954, the parkway has a variable-width median and is bounded by a buffer of natural forest and landscaped vegetation. The roadway follows gently rolling terrain and has modest vistas. The median varies between 15 to 200 feet wide and the right-of-way ranges from 400 to 800 feet wide. The median vegetation ranges from mown grass to dense woodland.

In the study area, the BW Parkway passes over Riverdale Road on two bridges separated by a wide median. The land around the bridges consists of sparsely treed and grassed slopes within the interchange, with a denser, forested median to the north and south of the interchange and denser forests along the eastern and western boundaries of the parkway to the north of Riverdale Road. Denser forests exist along the eastern and western boundaries of the BW Parkway, to the south of Riverdale Road, and residential development abutting both sides of the park property.

Through coordination with NPS, the FTA has determined that the permanent and temporary uses by the preferred alternative will not adversely affect the features, attributes, activities or setting of the BW Parkway that qualify it for Section 4(f) protection. FTA has made a *de minimis* use

determination for the preferred alternative at the BW Parkway because of the mitigation measures and the coordination undertaken with the NPS to avoid and/or minimize harm.

For the BW Parkway, the FTA is proposing a *de minimis* use determination, based upon the findings of “no adverse effect” for these properties in the Section 106 consultation process. The MTA and the MHT, in coordination with consulting parties, are preparing a Programmatic Agreement (PA) that outlines commitments and mitigations concerning historic properties and archeological sites under Section 106. All conditions and mitigations agreed to in the PA have to be met in order to maintain the findings of “no adverse effect.” The MTA will implement the project in accordance with the Section 106 Programmatic Agreement. The NPS, as the official with jurisdiction over the BW Parkway, is in concurrence with a *de minimis* impact finding under section 4(f), so long as the mitigations outlined in the PA, attachment E (also attached to this letter), are adhered to. The mitigations will also be a part of the issued special use permit.

For continued coordination with the NPS, please contact Robert Mocko, Environmental Protection Specialist, at 1900 Anacostia Drive S.E., Washington, D.C. 20020. Mr. Mocko can be reached by phone at (202) 690-5170 or email [robert\\_mocko@nps.gov](mailto:robert_mocko@nps.gov).

The NPS appreciates the opportunity to provide these comments.

Sincerely,



Gopaul Noojibail  
Acting Superintendent

Attachment

## **Attachment - Baltimore-Washington Parkway Minimization Measures**

Beginning in January 2012, MTA, FTA, and NPS National Capital Region (NCR) staff met monthly with representatives of the NPS, National Capital Parks – East (NACE) to discuss the proposed Purple Line and the potential impacts it would have on the Baltimore-Washington Parkway. In addition to discussing anticipated impacts, staff from these respective agencies discussed avoidance measures and ways to minimize and mitigate impacts to the Parkway. Many of the minimization measures discussed at these monthly meetings were intended to reduce the impact to the forest area in the median of the Parkway, maintain traffic flow on the Parkway, minimize effects from construction, and decrease potential visual impacts to the maximum extent possible. The minimization measures agreed upon at these agency coordination meetings are provided below.

### **Maintenance of Traffic (MOT)**

After evaluating several options to maintain traffic flow, MOT Option 3 was developed and selected in consultation with the NPS-NCR and NACE at the June 22, 2012 agency coordination meeting. MOT Option 3 will be implemented during construction and would avoid impacts to trees in the median. This MOT option also includes construction of temporary bridges on the outside of the existing bridges, between the existing roadway and the ramps. These temporary bridges would maintain two lanes of traffic in each direction during construction and would avoid the forest area and archeological site in the median of the Parkway.

### **Permanent Replacement Bridge Structures**

Permanent replacement bridge structures would have a similar arch design as the existing bridge structures. The new structures would be constructed on the same horizontal alignment as the existing Parkway roadways and would be the same width (across the roadway) as the existing bridges. The bridges would include horizontal arched concrete shields above the transitway overhead wires. The design of these shields was developed in consultation with the NPS. The design of the shields would match the shape of the existing arch of the bridge structure, blending in visually as vehicles approach the bridges on Riverdale Road. In addition, the shields would not extend above the bridge railings so as to maintain views from the Parkway to the adjacent landscape.

MTA will re-use the stone façade on bridge abutments to maintain the appearance of the abutments as practicable. The existing stone would be removed from the existing abutments, stored during construction to maintain the integrity, and be re-used to the extent practicable. If additional stone is required, it would come from the same source, if possible. MTA will identify new stone, if needed in consultation with the NPS to match the existing stone.

MTA will attach catenary wires to the bridges as agreed upon during consultation with NPS at the June 22, 2012 meeting. Attaching the catenary wires to the bridge will reduce the number of catenary poles within the Park. Final specifications for bridge design will be subject to review by the NPS.

## **Landscaping and Invasive Species**

MTA will develop landscape plans including tree and vegetation replacement (at agreed upon ratios in consultation with NPS) using native and approved species to mitigate the temporary and permanent removal of vegetation and trees. Landscape plans for areas within the Park will be included in the project plans and specifications, and will be made available for review and approval by NPS at milestones in the project development process (i.e., 60% design and 90% design).

MTA will conduct a survey prior to construction in all areas where vegetation will be disturbed to identify the presence of invasive species. A two year invasive species avoidance and removal program within the project limits will be developed, submitted to NPS for approval and implemented by MTA.

The maintenance of traffic plan calls for temporary bridges and approach roadways to be constructed between the existing mainline roadway and bridges and the ramps between the Parkway and MD 410. Upon completion of construction, all temporary roadway, structures and construction materials will be removed and the ground will be returned to pre-construction grade using stockpiled materials from the site, or similar, to support vegetation. Any residual structures or pavements will be removed. The area will be stabilized and planted with appropriate species. The final landscape plan for the slope between the mainline roadway and ramps will be determined in consultation with the NPS.

## **Protected and Sensitive Resources**

Sensitive natural and built resources, including trees and archeological resources, would be identified and a buffer area will be established and marked in the design plans and in the field to protect the resources. MTA will also identify the sensitive resources on the project design plans, including the buffer area required for protection. NPS will be consulted and MTA will locate the resources and buffer in the field prior to construction activities. The NPS National Capital Region tree guidelines will be incorporated into project specifications, contract documents and the NPS Special Use Permit.

## **Design Elements**

- MTA will design sidewalk improvements along Riverdale Road to meet ADA requirements.
- MTA will not construct stormwater management facilities within the boundaries of the Parkway.
- During design reviews, MTA will provide NPS with plans for the material, colors and finishes for permanent traffic signals and roadway lighting poles and fixtures within the Parkway. NPS will approve the plans prior to final design.

## **Land Exchange Agreement and Measures for Temporary Impacts**

A land exchange agreement will be executed between MTA and NPS to mitigate for the permanent use of approximately 0.6 acres of park land along Riverdale Road. The financial

valuation and exchange of the permanent land will be determined through an approved appraisal process between NPS and MTA following all applicable Federal and State laws and practices. The general steps of the land exchange include the following:

- 1) The property being exchanged is identified by NPS.
- 2) NPS National Capital Region Lands Office contacts the U.S. Department of the Interior (DOI) Office of Valuation Services (OVS) and provides details of exchange.
- 3) OVS prepares Statement of Work (SOW) to be used by contract appraiser.
- 4) OVS provides SOW and a list of qualified & DOI approved appraisers to MTA.
- 5) MTA hires appraiser from list.
- 6) Appraiser prepares appraisal based on DOI SOW.
- 7) OVS reviews appraisal for conformance with SOW and applicable regulations.
- 8) Once appraisal is approved OVS informs NCR Lands of appraisal acceptance.
- 9) Proceed with transaction..

To mitigate for temporary impacts, MTA will replace sections of metal guardrail that were previously installed along the Baltimore-Washington Parkway. The guardrail was installed to address immediate safety concerns and does not meet the design aesthetic or guidelines of the NPS. Guardrail will be replaced with an approved FHWA Crash Tested longitudinal barrier system, such as the Stone Masonry Guardwall (TL-3) system which is an approved design for FHWA EFL roadways, including the NPS Baltimore-Washington Parkway. This can be found in the Design Elements Guidelines at <http://www.evl.fhwa.dot.gov/technology/abs.aspx>.

The exact location and limits of this work will be determined in consultation with the NPS and the MD SHPO and will be selected in areas that do not result in adverse effects to the Park .

To establish equitable compensation, the scope of the mitigation including the cost of design, overhead, fees, mitigation, construction, and other attributable items will be commensurate with the value of temporary use of NPS property by the Purple Line in accordance with all applicable Federal and State laws. To support this work, NPS will waive fees associated with construction permits and temporary lease agreements, design reviews, and other administrative or other fees that may be required for the mitigation. In addition, NPS will facilitate design review and approval including construction access and maintenance of traffic plans.

Bcc: Supt's Office; RM Files

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# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

Chesapeake Bay Field Office  
177 Admiral Cochrane Drive  
Annapolis, Maryland 21401  
<http://www.fws.gov/chesapeakebay>

January 7, 2014

Mr. Daniel Koenig  
Office of Planning and Environment  
U.S. Department of Transportation  
Federal Transit Administration  
1900 K Street, N.W., Suite 310  
Washington, DC 20006

*RE: MD Transit Purple Line Project, Montgomery and Prince Georges Counties, MD*

Dear Mr. Koenig:

As requested, we are sending you an updated endangered species review of the referenced project, previously commented upon in our letter of October 27, 2011. We are updating our comments in light of additional information provided in the August 2013 Final Environmental Impact Statement for the Purple Line project and information received during our December 16, 2013 meeting with you and representatives of the Maryland Transit Authority and Coastal Resources consulting firm. These comments are provided in accordance with Section 7 of the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).

Our previous letter indicated that except for occasional transient individuals, no Federally proposed or listed endangered or threatened species are known to exist within the impact area of the proposed Purple Line Project. Following our discussion with you and the project engineers concerning project construction methods and measures to minimize siltation and other effects of the project, it remains our conclusion that the project will have no effect on the Hay's Spring Amphipod (*Stygobromus hayi*). This species occurs in seeps and springs fed by groundwater coming from small, localized aquifers on the slopes adjacent to Rock Creek within Rock Creek Park in Washington, DC. The nearest (northernmost) spring known to support the species is West Rapids Spring, near Rock Creek approximately 4.5 miles downstream of the Purple Line crossing of Rock Creek. No effect on the groundwater systems supporting the Hay's Spring Amphipod is expected because of the miles separating these systems from the project construction area. We also do not anticipate any adverse effects on this species from changes in the flow or water quality in Rock Creek related to the Purple Line construction.

A second rare amphipod species, Kenk's amphipod (*Stygobromus kenki*), which is a candidate for Federal listing, does occur within a quarter mile of the Purple Line project. While candidate



species have no legal protection under the Endangered Species Act, we do recommend that measures be taken to protect them, where appropriate. Therefore, we have taken a close look at the potential for this project to affect Kenk's amphipod. This species is known to occur in a spring south of Coquelin Run near Chevy Chase in Montgomery County, Maryland. This spring is approximately 40 vertical feet above the level of Coquelin Run and is fed by a small catchment basin completely separated from the groundwater sources to the north of Coquelin Run, where the Purple line is to be constructed. Therefore, ground and surface water draining from the area where the Purple line is to be constructed is expected to have no effect on this spring site or Kenk's amphipod.

Our recent meeting with you and other involved agencies facilitated a better understanding of the construction materials and methods to be used for this project and the potential impacts to aquatic resources. Should you have any questions regarding this letter, please contact Andy Moser of my Endangered Species Program at (410) 573-4537.

Sincerely,



Genevieve LaRoche  
Supervisor

cc: Tim Larney, Maryland Department of Natural Resources, Annapolis, MD  
Dan Feller, Maryland Department of Natural Resources, Frostburg, MD  
John Newton, Maryland Transit Administration, Baltimore, MD  
Bridgette Garner, Coastal Resources, Annapolis, MD



**Purple Line Team**  
**Maryland-National Capital Park and Planning Commission – Prince George's County Recreation and Parks**  
**Formal Stream, Wetland, and Forest Mitigation Meeting**  
**M-NCPPC Prince George's County Headquarters**  
**6600 Kenilworth Avenue**  
**Riverdale, Maryland**  
**Thursday, November 7, 2013 at 10:30 AM**

**MEETING SUMMARY**

**ATTENDEES:** Mr. Darin Conforti, M-NCPPC- Prince George's County Department of Recreation and Parks  
Ms. Laura Connelly, M-NCPPC-Prince George's County Department of Recreation and Parks  
Ms. Bridgette Garner, Purple Line Team  
Mr. Steve Hawtof, Purple Line Team  
Ms. Kristi Hewlett, Purple Line Team  
Mr. Chuck Montrie, M-NCPPC-Prince George's County Department of Recreation and Parks  
Mr. Steve Morsberger, Purple Line Team  
Ms. Eileen Nivera, M-NCPPC - Prince George's County Department of Recreation and Parks  
Mr. Justin Reel, Purple Line Team

**LIST OF HANDOUTS:**

- Spreadsheet with mitigation sites
- Aerial graphics with potential mitigation sites
- Agenda

The meeting opened with brief introductions, followed by a brief overview of the purpose of the meeting. Coordination was initiated with M-NCPPC – Prince George's County Department of Recreation and Parks to discuss potential mitigation on Prince George's County- M-NCPPC property for forest, stream, and wetland impacts throughout Prince George's County that would result from the construction of the proposed Purple Line project. Ms. Laura Connelly stated that through discussions with the Purple Line Team, it was determined that the team was looking for proposed reforestation and forest conservation sites within the Anacostia River Watershed. She stated that while the Purple Line Team and M-NCPPC can propose mitigation on M-NCPPC property, M-NCPPC cannot commit to mitigation sites without the approval of the planning board.

**1. Overview of the Purple Line Project**

Mr. Steve Hawtof provided an overview of where the proposed project is in the planning process. He stated that the Record of Decision for the Final Environmental Impact Statement (FEIS) was expected in December 2013. The Public-Private Partnership (P3) has been approved by the Board of Public Works. Anticipated impacts to parkland have been discussed at length in previous meetings with M-NCPPC. A brief update of where the Purple Line Team is in the *de minimis* process was provided to the attendees.



## **2. Mitigation Requirements**

Ms. Bridgette Garner stated that there would be 48 acres of forest impacts that would result from the construction of the proposed Purple Line. Of that total, 17 acres of forest impacts would occur within Prince George's County. The project would require 66 acres of total forest mitigation. Any forest mitigation sites would require a Maryland Department of Natural Resources (DNR) Forest Conservation Easement. Ms. Connelly stated that M-NCPPC does not accept DNR forest mitigation easements on M-NCPPC property. A conservation easement on M-NCPPC property would prevent M-NCPPC from potentially using that property in the future if desired. Ms. Connelly stated that much of the area within the Beltway is a Priority Funding Area. As such, much of the park property would either be developed with or subject to development with Program Open Space funding, which provides funding primarily for park activities.

Mr. Hawtof explained that with regard to mitigation, the Purple Line Team would first investigate mitigation opportunities within the proposed project corridor, then near the project area and work their way outward, if necessary, to find other mitigation locations within the County. He stated that in addition to the required forest mitigation, 2,355 linear feet of stream mitigation would be required within Prince George's County. A total of 5,183 linear feet of stream mitigation would be required project-wide. Ms. Garner stated that the proposed project would result in 0.77 acres of wetland impacts within the corridor, almost all of which would be within Prince George's County. Mitigation requirements for wetland impacts would be 1.29 acres, of which 1.04 acre of palustrine forested wetland mitigation would be required.

## **3. Potential Mitigation Opportunities within Prince George's County M-NCPPC**

The Team presented three stream and wetland mitigation sites within Prince George's County for consideration. While six forest mitigation sites were also identified, they were not discussed since M-NCPPC does not allow DNR easements on their property. An aerial photograph and site summary was provided for each location identified.

## **4. Potential Wetland and Stream Mitigation Site on Brier Ditch**

The first site discussed was on Brier Ditch, southeast of the intersection of Kenilworth Avenue and Good Luck Road in Riverdale. The parcel that was evaluated is 46.39 acres in size and is currently forested. The stream corridor is forested with adjacent residential and commercial development. The site presents multiple mitigation opportunities, including wetland creation on the site of an abandoned parking lot and stream restoration and stabilization within Brier Ditch. Within Brier Ditch, opportunities include 1.42 acres of wetland creation and 4,000 linear feet of stream restoration, as well as the installation of stormwater management best management practices.

According to M-NCPPC staff, mitigation at Brier Ditch would be problematic, as mitigation measures are already planned. The Anacostia Watershed Society (AWS), a non-profit environmental organization dedicated to the restoration and protection of the Anacostia River and its watershed, has secured a two million dollar grant from DNR to restore Brier Ditch. While AWS has secured the grant, Washington Suburban Sanitary Commission (WSSC) will complete the work for them.

While mitigation measures are already planned, it is not out of the question to further enhance mitigation within Brier Ditch. Steve Morsberger stated that it is an option to contact AWS and potentially take over the restoration efforts for WSSC. Several stream stabilization measures are necessary to enhance Brier Ditch. Issues within the stream include significant erosion and deposition. Some additional enhancement measures could include adding

vegetation while protecting existing infrastructure around Brier Ditch. If the Purple Line Team would be able to move forward with enhancements to Brier Ditch, an agreement would be needed with each adjacent property owner to protect the stream. While no right-of-entry (ROE) agreements would be required to conduct studies within Brier Ditch or any other streams on M-NCPPC property, a ROE agreement with M-NCPPC would be necessary to construct and maintain any mitigation.

#### **5. Potential Wetland and Stream Mitigation Site on Cattail Branch**

The second stream and wetland mitigation site discussed was Cattail Branch, located to the east and west of the intersection of Martin Luther King, Jr. highway and Greenleaf Road in Landover. The parcel that was evaluated is 77.03 acres in size and is currently forested and parkland. The site can be described as a stream valley. Cattail Branch is a tributary of Beaverdam Run. There are several opportunities for mitigation at this site. Several fish barriers exist along the corridor at road and utility crossings. Stream banks are vertical and eroding, particularly along park areas where there is little riparian buffer. Severe bank and channel erosion exists downstream of the culverts under Landover Road and Barlowe Road. An open field located at the end of East Forest Road currently exhibits a perched hydrology suitable for wetland creation.

M-NCPPC stated that of the sites evaluated, this site is the United States Corps of Engineer's (COE) preferred wetland mitigation site. Prince George's County Department of Environmental Resources (DER) is currently investigating wetland mitigation opportunities at a grassy area near Green Leaf Road. However, their plans would have no impact on potential stream and wetland mitigation at Cattail Branch. Ms. Connelly stated that she would evaluate this potential wetland mitigation area. She said she has another site in mind as well.

#### **6. Potential Wetland Mitigation Site at the Northwest Branch Stream Valley Park Archery Range**

The final site evaluated by the Purple Line Team was located on the Northwest Branch Stream Valley Park Archery Range, north of University Boulevard and east of the Northwest Branch of the Anacostia River, behind the Archery Range. This site is unavailable, as DER is currently doing wetland mitigation at this location. In addition, no forest mitigation opportunities are available within Northwest Branch Stream Valley Park. The only potential mitigation measure is to potentially add safety measures around the duck pond, located directly south of the archery range and south of University Boulevard. However, it is unlikely that the Purple Line Team would receive credit for mitigation.

#### **7. Potential Mitigation Sites Recommended by M-NCPPC**

The favorite potential mitigation site of M-NCPPC is along Paint Branch. Necessary stream restoration measures would be from US Route 1 to the confluence of the Northeast Branch of the Anacostia River. M-NCPPC stated that there is compensatory storage opportunity behind the College Park Airport in an area that is braided. However, it is important to stay away from the airport's runway safety area and runway protection zone in an effort to prevent potential bird strikes.

A specific location that was identified was north of runway end 33 and an existing trail, north and west of a footbridge to the Lake Artemesia Trail. Another opportunity was identified near runway end 15. Mr. Darin Conforti stated that a mitigation area of that size could combine benefits. It was suggested that the east campus development and Purple Line teams could combine mitigation efforts to get combined credit. It was also suggested that the Purple Line Team could partner with others needing TDML credit. Another area that was mentioned for stream and wetland mitigation was The Gorges of Prince George's, behind the Moose Lodge.



Some figures were discussed regarding mitigation costs. It would cost approximately \$12,000 per acre for forest mitigation. It would cost at least \$500 per linear foot for stream mitigation and restoration.

## **8. Coordination Requirements**

After the conclusion of the meeting, the Purple Line Team will write a letter to Mr. Ronnie Gathers, Director of Prince George's County M-NCPPC Department of Parks and Recreation requesting to evaluate the sites discussed at the meeting and questioning placing a DNR Forest Conservation Easement on the site. M-NCPPC will respond to the request, officially documenting what the restrictions are and why there are restrictions. Mr. Chuck Montrie stated that if we are conducting studies that could need a ROE, we need to request a ROE and M-NCPPC will write back with a ROE letter. If a study is a noninvasive as a wetland delineation, where flags will be placed in the ground, a ROE is not required. The Purple Line Team would contact Ms. Connelly prior to any field investigations so M-NCPPC is aware that the team is doing the study and where. M-NCPPC staff stressed that the Purple Line Team use caution when visiting Brier Ditch.

At the conclusion of the meeting, M-NCPPC stated that their preference of stream restoration locations, from most to least favorable, was Paint Branch, Cattail Branch, and a Brier Ditch restoration with an AWS partnership. Any of those stream mitigation projects could also include wetland mitigation at Cattail Branch.



**ACTION ITEM SUMMARY**

<b>Task #</b>	<b>Action Item</b>	<b>Due Date</b>	<b>Status</b>
1.	Prepare for letter to M-NCPPC from Purple Line Team to request information on DNR easements, etc		
2.	M-NCPPC to respond to letter documenting specific reasons as to why there are restrictions.		
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			



**SIGN IN SHEET**

<b>Name</b>	<b>Company</b>	<b>Phone Number</b>	<b>E-mail Address</b>
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Steve Hawtof	Purple Line Team	443-348-2017	shawtof@gfnet.com
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Chuck Montrie	M-NCPPC, Prince George's Department of Recreation and Parks	301-699-2520	chuck.montrie@pgparks.com
Steve Morsberger	Purple Line Team	443-852-6614	stevem@coastal-resources.net
Eileen Nivera	M-NCPPC, Prince George's Department of Recreation and Parks	301-699-2522	eileen.nivera@pgparks.com
Justin Reel	Purple Line Team	410-462-9348	jreel@rkk.com





**Forest, Wetland, and Stream Mitigation Opportunities  
within M-NCPPC Properties  
Prince George's County, Maryland  
November 7, 2013**

**Agenda**

- I. Introductions
- II. Overview of the Purple Line Project
- III. Mitigation Requirements
  - Forest- MDNR Forest Conservation Easements
  - Wetland
  - Stream
- IV. Prior coordination with PG County M-NCPPC
- V. Potential mitigation opportunities within M-NCPPC properties
  - Forest Mitigation- Sites 38, 50, 51, 52, 58, 59
  - Cattail Branch
  - Brier Ditch
  - Adelphi Manor Archery Range
- VI. Agreements required for mitigation activities  
*ROE needed to further investigate or do work in specific areas*



Purple Line Project  
Potential Mitigation Sites within PG County M-NCPPC Properties

Site ID	Map Sheet Index	Type of Mitigation	Watershed	County	Location	Existing Site (ICC)	Potential Mitigation Acreage/Linear feet	Ownership
38	10	Forest	Northwest Branch	Prince George's	Northwest Branch Park south of University Blvd	No	2.69	M-NCPPC
50	11	Forest	Sligo Creek	Prince George's	LB of Sligo Creek north of Dayton Rd	No	1.33	M-NCPPC
51	13	Forest	Northwest Branch	Prince George's	At Ray Rd and Cypress Creek Dr	No	10.23	M-NCPPC
52 <i>DESERV</i>	12	Forest	Northwest Branch	Prince George's	At Avalon Pl and West Park Dr	No	2.45	M-NCPPC
58	10	Forest	Northwest Branch	Prince George's	Northwest Branch Park north of University Blvd	No	2.04	M-NCPPC
59	10	Forest	Northwest Branch	Prince George's	Northwest Branch Park north of University Blvd	No	7.97	M-NCPPC
Cattail Branch	15	Wetland Stream	Beaverdam Creek	Prince George's	East and west of the intersection of Martin Luther King Jr. Highway and Greenleaf Road.	No	0.7 4,570	M-NCPPC
Brier Ditch	14	Wetland Stream Stream	Northeast Branch	Prince George's	Southeast of the intersection of Kenilworth Avenue and Good Luck Road	No	1.42 2,266 1,948	M-NCPPC Private- 4 different owners
Adelphi Manor Archery Range	10	Wetland	Northwest Branch	Prince George's	North of University Boulevard, approximately 850 feet east of West Park Drive	No	2.13	M-NCPPC

50 - looked at for CO2 planting - possible site?



**Purple Line**

Potential Mitigation Sites  
Purple Line Project  
Montgomery & Prince George's  
Counties, Maryland

Scale  
1 inch = 300 feet

November 2013      Sheet 11 of 15

**Legend**

 Purple Line Project Area	 Forest Mitigation Site
 Property Boundary	 Wetland Mitigation Site
 Stream	 Stream Mitigation Site

Image courtesy of USGS State of Michigan © 2010 NOAA © 2010



Forest Mitigation Site 52

Potential Mitigation Sites  
Purple Line Project  
Montgomery & Prince George's  
Counties, Maryland

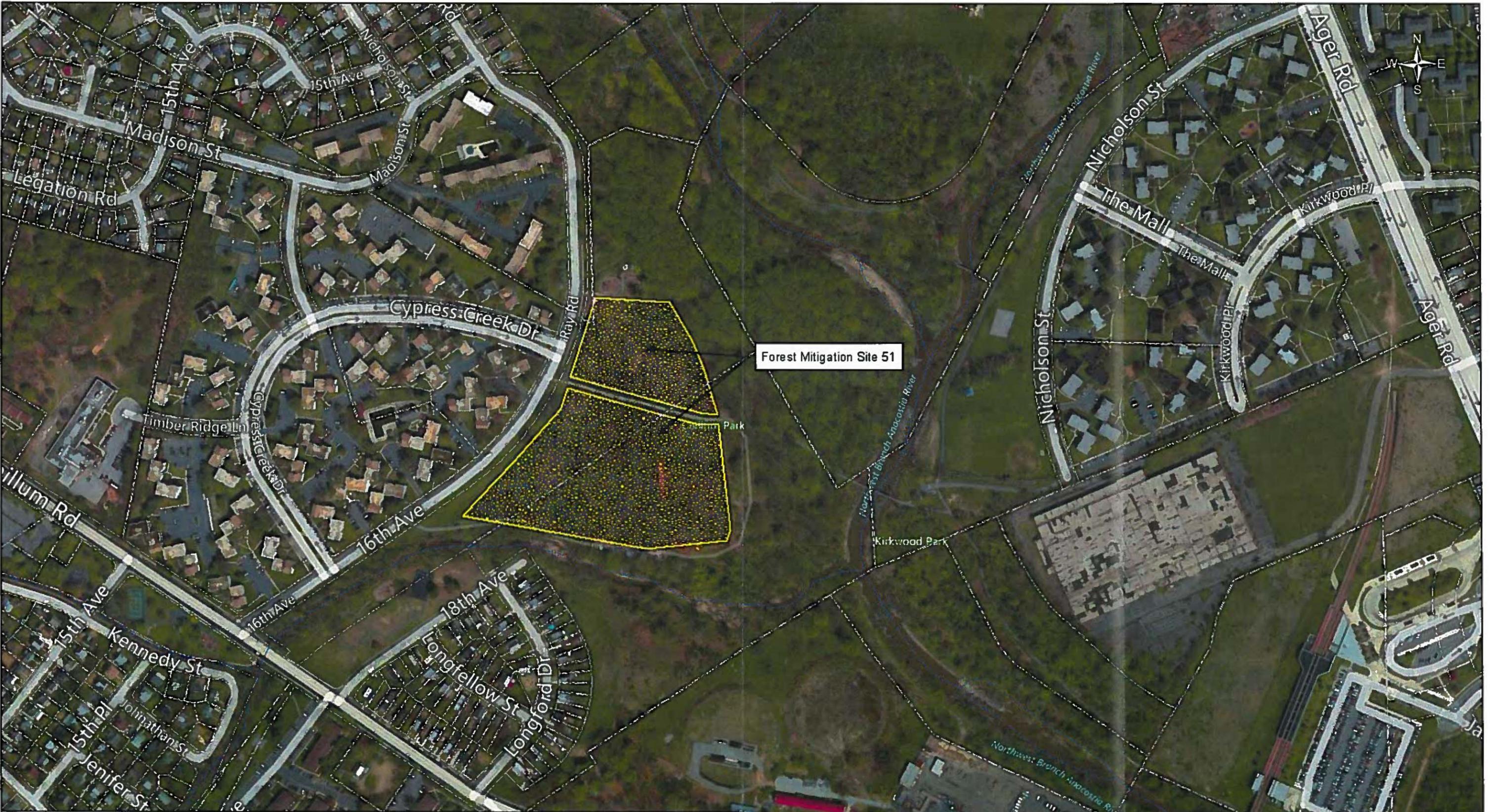
Legend	
	Purple Line Project Area
	Forest Mitigation Site
	Property Boundary
	Wetland Mitigation Site
	Stream
	Stream Mitigation Site



Scale  
1 inch = 300 feet

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Image courtesy of U.S. State of Michigan © 2010 Dea © AND



Forest Mitigation Site 51

**Purple Line**  
 Potential Mitigation Sites  
 Purple Line Project  
 Montgomery & Prince George's  
 Counties, Maryland  
 Scale  
 1 inch = 300 feet  
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Legend	
	Purple Line Project Area
	Forest Mitigation Site
	Property Boundary
	Wetland Mitigation Site
	Stream
	Stream Mitigation Site

Image courtesy of USGS State of Maryland © 2013 NOAA © A110

**Purple Line Project**  
**Potential Stream and Wetland Mitigation Site on Cattail Branch**  
**(AR-2, AR-3, AR-4, AR-8, AR-9)**

**Existing Conditions Summary**

***Location Information***

**County:** Prince George's  
**Watershed:** Beaverdam Creek  
**Coordinates:** 38°55'10.24"N / 76°52'32.59"W USGS Quad: Washington East / Lanham  
**Location:** East and West of the intersection of Martin Luther King Jr. Hwy and Greenleaf Rd, Landover, MD  
**Property Ownership:** Public (Maryland-National Capital Park and Planning)  
**Constraints:** Utilities

***Site Conditions***

**Parcel Area:** 77.03 Ac                      **Existing Land Use:** Forest, Parkland  
**Landscape Position:** Stream Valley                      **Adjacent Land Use:** Residential, Commercial  
**Drainage Area:** 1,792 Ac  
**Habitat Location:** Contiguous to wetland/upland forest, 25 to 100 Acres  
**Mapped Soils:** Issue-urban land complex; Christiana-Downer-Urban land complex; Zekiah and Issue soils; Zekiah-urban land complex; Christiana-Downer complex  
**Mapped Wetlands:** NWI and DNR wetlands mapped on site  
**Green Infrastructure:** Not located adjacent to Green Infrastructure

This wetland creation and stream restoration site is located east and west of the intersection of Martin Luther King Jr. Highway and Green Leaf Rd. This site is associated with Cattail Branch, a tributary of Beaverdam Run. The stream corridor is forested (the downstream end is within the Kentland Park area), with adjacent residential and commercial development. Several fish barriers exist along the corridor at road and utility crossings. Stream banks are vertical and eroding, particularly along park areas where there is little riparian buffer. Severe bank and channel erosion exists downstream of the culverts under Landover Rd (AR-2) and Barlowe Rd (AR-9). An open field located at the end of E. Forest Rd currently exhibits a perched hydrology suitable for wetland creation.

**Summary of Opportunities**

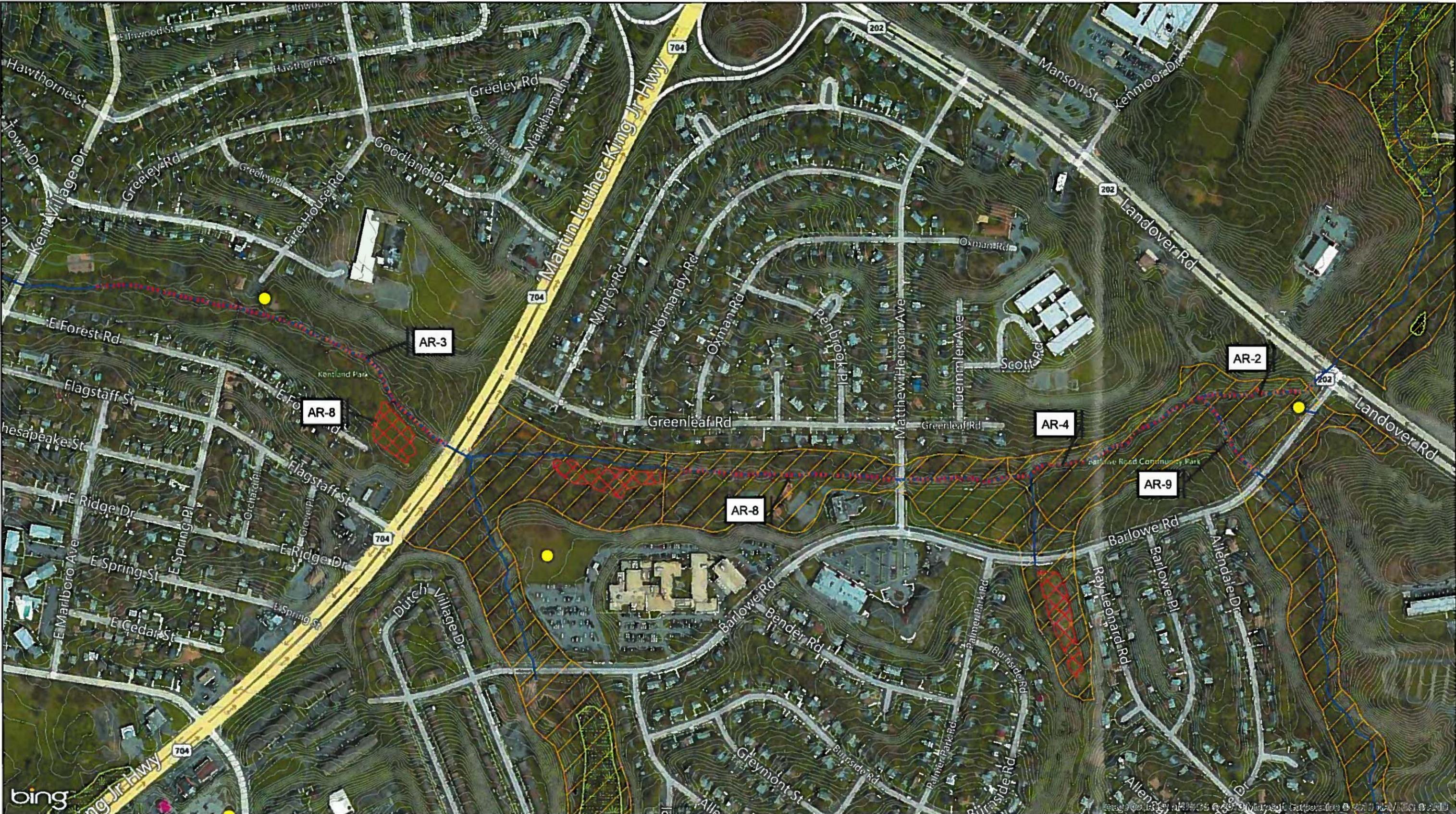
- Stream Restoration – Approximately 4,570 Linear Feet
- Wetland Creation – Approximately 0.70 Acres
- SWM BMP Installation

**Restoration Objectives**

- Stream Stabilization and Floodplain Reconnection, Protection of Utilities and Park Assets
- Fish Passage
- Wetland Creation

**Restoration Concept**

- Installation of in-stream structures and bank grading to improve channel stability, reduce sediment loading, provide floodplain connection, and improve in-stream habitat
- Provide fish passage over barriers and through culverts to allow unrestricted access through the 1.8 miles of forested, natural stream corridor owned by M-NCPPC
- Minor grading/compaction and wetland planting in the field at the end of E. Forest Rd.
- Installation of BMP's at stormwater outfalls and parking lots to provide water quality and quantity improvements



	Potential Stream Sites Streams 2" Contours Potential BMPs	Potential Wetland Sites DNR/NWI Wetlands Hydric Soils	 N 1 in = 400 feet 0 200 400 800 Feet	<b>ASSOCIATED SITE ID:</b> AR-2 AR-8 AR-3 AR-9 AR-4	<b>Purple Line Phase I Potential Mitigation Sites</b> Cattail Branch January 2013



**Purple Line**

**Potential Mitigation Sites**  
Purple Line Project

Montgomery & Prince George's  
Counties, Maryland

Scale  
1 inch = 300 feet

November 2013      Sheet 15 of 15

**Legend**

Purple Line Project Area	Forest Mitigation Site
Property Boundary	Wetland Mitigation Site
Stream	Stream Mitigation Site

**Purple Line Project**  
**Potential Wetland Mitigation Site at Adelphi Manor Archery Range**  
**(AR-24)**

**Existing Conditions Summary**

***Location Information***

**County:** Prince George's  
**Watershed:** Northwest Branch  
**Coordinates:** 38°59'11.23"N / 76°57'47.48"W      **USGS Quad:** Washington East  
**Location:** North of University Boulevard (MD 193), approximately 850 feet east of West Park Drive, Riverdale, MD  
**Property Ownership:** Public  
**Constraints:** Park Property

***Site Conditions***

**Parcel Area:** 6.66 Acres      **Existing Land Use:** Park, Forested  
**Landscape Position:** Topographically Intermediate **Adjacent Land Use:** Commercial, Residential, Forested

**Drainage Area:** 28.6 square miles  
**Habitat Location:** Contiguous to wetland/upland forest > 100 Acres  
**Mapped Soils:** Codorus-Hatboro-Urban land complex, frequently flooded  
**Mapped Wetlands:** NWI and MDNR wetlands mapped along north and east sides of site  
**Green Infrastructure:** Located within a Green Infrastructure Corridor

This wetland mitigation site is located north of University Boulevard (MD 193) and approximately 850 feet east of West Park Drive. The site is within the 100-year floodplain of the Northwest Branch of the Anacostia River. The stream corridor is forested with adjacent commercial and residential development. Currently the site is used as an archery range. Forested wetlands border the north and east sides of the site.

**Summary of Opportunities**

- Wetland Creation – Approximately 2.13 Acres

**Restoration Objectives**

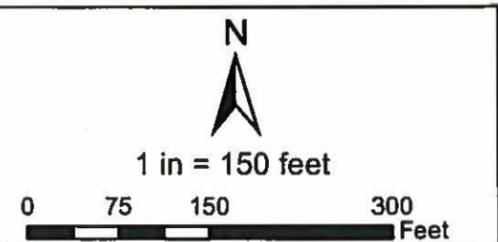
- Flood Flow Alteration - enhancing floodplain connection and storage of flood waters
- Groundwater Recharge - increased retention time will allow for surface water infiltration
- Sediment/Toxicant Retention - sediment storage with connected floodplain
- Nutrient Removal - nutrient uptake/assimilation in floodplain and wetlands
- Stream Stabilization

**Restoration Concept**

- Ditch plugging to increase retention
- Minimal grading to intercept groundwater
- Removal of parking lot to reduce impervious surface

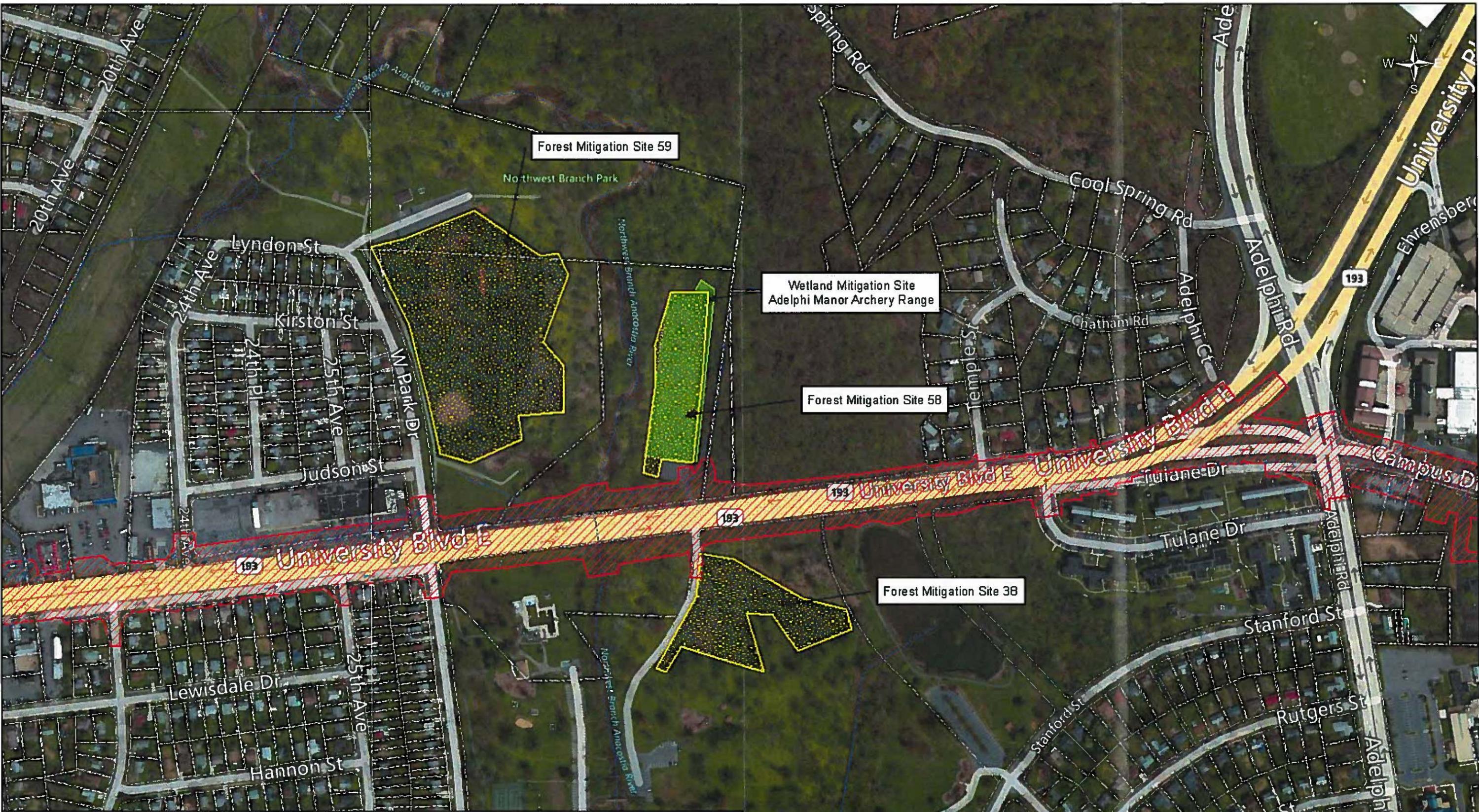


- ..... Potential Stream Sites
- Streams
- 2' Contours
- ▣ Potential Wetland Sites
- ▣ MDNR/NWI Wetlands
- ▣ Hydric Soils



ASSOCIATED  
SITE ID:  
  
AR-24

Purple Line  
Phase I Potential Mitigation Site  
Adelphi Manor Archery Range  
  
January 2013



**Purple Line**

Potential Mitigation Sites  
Purple Line Project

Montgomery & Prince George's  
Counties, Maryland

Scale  
1 inch = 300 feet

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Legend	
	Purple Line Project Area
	Forest Mitigation Site
	Wetland Mitigation Site
	Stream Mitigation Site
	Property Boundary
	Stream

Image courtesy of USGS State of Maryland © 2013 NOAA SAIC

**Purple Line Project**  
**Potential Wetland and Stream Mitigation Site on Brier Ditch**  
**(AR-23)**

**Existing Conditions Summary**

***Location Information***

**County:** Prince George's  
**Watershed:** Brier Ditch  
**Coordinates:** 38°58'13.93"N / 76°54'41.85"W      **USGS Quad:** Washington East  
**Location:** Southeast of the intersection of Kenilworth Avenue, and Good Luck Road, Riverdale, MD  
**Property Ownership:** Public and Private  
**Constraints:** Unknown

***Site Conditions***

**Parcel Area:** 46.39 Acres      **Existing Land Use:** Forested  
**Landscape Position:** Stream Valley, Topographically Intermediate      **Adjacent Land Use:** Commercial, Residential Institutional  
**Drainage Area (wetland):** 9.68 Acres  
**Drainage Area (stream):** 2,688 Acres  
**Habitat Location:** Contiguous to wetland/upland forest > 100 Acres  
**Mapped Soils:** Codorus-Hatboro-Urban land complex; Zekiah and Issue soils; Sassafras sandy loam; Russett-Christiana complex; Issue-Urban land complex  
**Mapped Wetlands:** NWI and MDNR wetlands mapped along a portion of site  
**Green Infrastructure:** Located within a Green Infrastructure Corridor and Gap

This mitigation site is located southeast of the intersection of Kenilworth Avenue and Good Luck Road. The site is associated with Brier Ditch, a tributary of the Anacostia River. The stream corridor is forested with adjacent commercial and residential development. Two schools are also adjacent to the stream reach. An abandoned parking lot within the 100-year floodplain remains wet for most of the year due to groundwater seeps in the adjacent hillside and runoff. The site presents multiple mitigation opportunities for the Purple Line project. Opportunities include wetland creation at the abandoned parking lot, and stream restoration/stabilization in Brier Ditch.

**Summary of Opportunities**

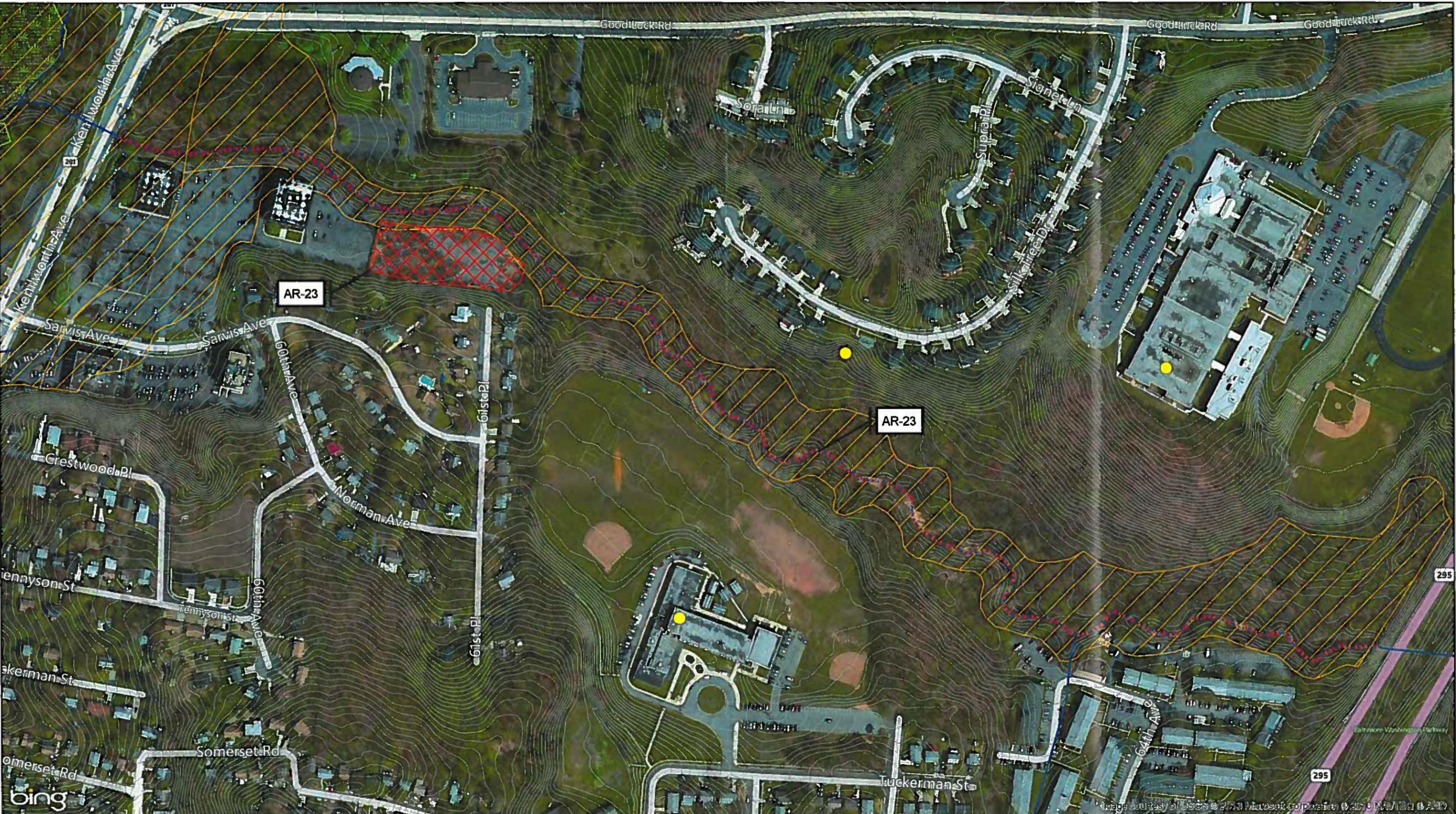
- Wetland Creation – 1.42 Acres
- Stream Restoration – 4,000 Linear Feet
- SWM BMP Installation

**Restoration Objectives**

- Flood Flow Alteration – enhancing floodplain connection and storage of flood waters
- Groundwater Recharge – increased retention time will allow for surface water infiltration
- Sediment/Toxicant Retention – sediment storage with connected floodplain
- Nutrient Removal – nutrient uptake/assimilation in floodplain and wetlands

**Restoration Concept**

- Removal of pavement to create a floodplain wetland fed by groundwater seeps and runoff
- Installation of in-stream structures and bank grading to improve channel stability, reduce sediment loading, protect existing utilities, and improve in-stream habitat
- Installation of BMP's at stormwater outfalls and parking lots to provide water quality and quantity improvements



	<p>..... Potential Stream Sites</p> <p>— Streams</p> <p>— 2" Contours</p> <p>● Potential BMPs</p>	<p>▨ Potential Wetland Sites</p> <p>▨ DNR/NWI Wetlands</p> <p>▨ Hydric Soils</p>	<p>N</p> <p>1 in = 250 feet</p> <p>0 125 250 500 Feet</p>	<p>ASSOCIATED SITE ID:</p> <p>AR-23</p>	<p>Purple Line Phase I Potential Mitigation Sites</p> <p>Brier Ditch</p> <p>January 2013</p>



Solid Rock Church Property  
(690 linear feet stream)

M-NCPPC Property

Ethel Messersmith Properties  
(333 linear feet stream)

Wetland & Stream Mitigation Site  
Brier Ditch  
Jemals Calvert Kenilworth LLC Property  
(1.42 acres wetland, 339 linear feet stream)

M-NCPPC Property

Parkview Gardens LTD Partnership Property  
(587 linear feet stream)

295

**Purple Line**

Potential Mitigation Sites  
Purple Line Project  
Montgomery & Prince George's  
Counties, Maryland

Scale  
1 inch = 300 feet

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Legend

 Purple Line Project Area	 Forest Mitigation Site
 Property Boundary	 Wetland Mitigation Site
 Stream	 Stream Mitigation Site

Image courtesy of USGS State of Maryland © 2010 NOAA/AHJ



**Purple Line GEC**  
**Maryland-National Capital Park and Planning Commission - Montgomery County Parks and Recreation**  
**Formal Agency Coordination Meeting**  
**Parkside Headquarters**  
**9500 Brunett Avenue**  
**Silver Spring, Maryland**  
**Wednesday, November 13, 2013 at 9:00 AM**

**MEETING SUMMARY**

**ATTENDEES:**

- Ms. Megan Chung, M-NCPPC
- Ms. Jai Cole, M-NCPPC
- Mr. Jason Cosler, Purple Line Team
- Mr. Andy Frank, M-NCPPC
- Ms. Bridgette Garner, Purple Line Team
- Mr. Jim Guinther, Purple Line Team
- Mr. Steve Hawtof, Purple Line Team
- Mr. John E. Hench, M-NCPPC
- Ms. Kristi Hewlett, Purple Line Team
- Mr. Charles Kines, M-NCPPC
- Ms. Harriet Levine, Purple Line Team
- Mr. Robert Loskot, Purple Line Team
- Mr. Mike Madden, MTA
- Mr. Glenn Marschke, Purple Line Team
- Mr. Steven Morsberger, Purple Line Team
- Ms. Mitra Pedoeem, M-NCPPC
- Mr. Justin Reel, Purple Line Team
- Mr. Stephen Reid, M-NCPPC
- Mr. Charles Wallace, Purple Line Team

**LIST OF HANDOUTS:**

- Agenda

**1. Meeting Purpose, Overview, and Introductions**

The meeting opened with introductions of each meeting attendant, with a brief description of each person's role within the project team or M-NCPPC. The purpose of this meeting was to coordinate anticipated park impacts, discuss potential mitigation measures, and discuss MTA commitments for mitigating any potential impacts to parks and natural resources within or directly adjacent to these parks. The goal of the meeting was for M-NCPPC to gain a better understanding of the design of the proposed project through park properties and for the Purple Line Team to gain a better understanding of M-NCPPC mitigation goals. It was stated in previous meetings that the Purple Line Team intended to reach an agreement with M-NCPPC regarding *de minimis* impact determinations for each affected park by December 5, 2013.





Ms. Mitra Pedoeem stated that the coordination of potential impact mitigation measures would aid in M-NCPPC issuing a park permit, which is required for construction within park properties. Ms. Harriet Levine provided an overview of the previous coordination meeting between M-NCPPC and MTA where M-NCPPC provided a presentation to MTA outlining mitigation requests. The goal of these coordination meetings is to establish a Memorandum of Agreement (MOA) between MTA and M-NCPPC regarding impact mitigation measures. The consensus was that if specific mitigation measures cannot be agreed upon at this time, M-NCPPC and the Purple Line Team would outline a path moving forward that would ultimately result in an agreement between the agencies, enabling M-NCPPC to agree to a *de minimis* impact determination for each of the parks.

Mr. Mike Madden provided a brief overview of what is to be expected from this point with regard to the *de minimis* coordination process. A letter would be provided from the Federal Transit Administration to Ms. Mary Bradford, the M-NCPPC Director of Parks. The *de minimis* letters would outline the specific mitigation measures agreed to between the Purple Line Team and M-NCPPC. If specific mitigation measures are not agreed upon, the letters would outline the process moving forward.

Mr. Andy Frank stated that the major role of M-NCPPC's Department of Parks was as stewards to natural resources. M-NCPPC Department of Parks, in addition to protecting park property, is involved extensively in watershed management. M-NCPPC, DEP, and COG work together to improve the Anacostia Watershed. They have partnered with the Maryland State Highway Administration (SHA), the United States Army Corps of Engineers (COE), WSSC, and other agencies on various watershed improvement projects. Their goal is to enable existing and proposed infrastructure projects to work with the watershed. There has been a lot of focus on stormwater and impervious surface. In addition to watershed management, there is a lot of focus on how each park is used now and how it will be used in the future including the park user experience. Ms. Pedoeem stated that the M-NCPPC wants a partnership between the agency and MTA that would protect parks while moving the project forward. At this point, the meeting shifted to a location-specific discussion of anticipated impacts and proposed mitigation measures.

## **2. Rock Creek Stream Valley Park**

The group was given a brief background. Through Rock Creek Stream Valley Park, the proposed project would be aligned completely within Montgomery County right-of-way. The existing bridge over Rock Creek would be removed, as it could not support the proposed transitway. M-NCPPC presented a GIS map illustrating the existing trestle bridge over Rock Creek. They initiated a discussion of existing conditions within Rock Creek. For numerous reasons, M-NCPPC would like to see the concrete pier that currently supports center of the trestle removed as part of the proposed construction of the Purple Line. The concrete pier is located in the middle of Rock Creek. As currently designed, the proposed project does not include the removal of the pier in order to avoid changes to stream flow.

M-NCPPC presented their reasons for wanting to see the pier removed. They feel it will reduce stresses on the stream, remove an obstruction and associated litter build-up and future maintenance, and improve aesthetics. They feel the removal of the pier could present a stream stabilization opportunity. Several photographs were presented by M-NCPPC that illustrated their concerns. Rocks and debris have collected around the pier. Each time a storm of any significance occurs, debris, such as tree limbs, needs to be removed from around the pier by M-NCPPC staff. In addition, several large rocks have been deposited around the pier over the years.

M-NCPPC requests that the pier be taken down to 18 inches below the existing grade. There is no use for the pier to remain in the stream if it would not support the proposed Purple Line. The removal of the pier would remove



an obstruction within the stream that causes the collection of debris. M-NCPPC requests that, in addition to the removal of the pier, a riffle grade control be constructed approximately 100 feet south of the proposed bridges.

At the previous meeting, M-NCPPC stated that they wanted the concrete center pier removed and associated stream stability measures taken. Ms. Levine stated that there were several factors that were considered when the team decided to not include the removal of the piers in the proposed project, including environmental, structures, and stormwater. Mr. Jim Guinther gave an overview of the removal of the existing structure. The trestle will be removed, along with the supports. The concrete piers located on the left and right banks of Rock Creek would be removed completely, as it is necessary to construct the new structures. The concrete for the center pier is not planned for removal, as it would not affect the ability to construct the new structures. In addition, it would provide temporary support during construction.

Mr. Frank stated that if the pier has no use, there is no reason to keep it. Mr. Jason Cosler explained the decision to keep the pier. While the pier is an obstruction within Rock Creek, it is not the problem. Rock Creek is restricted through the project area because of the existing embankment where the eastern pier is located. The removal of the pier would result in an increase in sheer stress upstream from the proposed project area, which could affect the stream function.

Mr. Frank stated that the increase in sheer stress upstream as a result of the removal of the pier would be negligible. This was based on his professional opinion, not as a result of any hydraulic analyses or studies that have been conducted within Rock Creek. He stated that the improvement to the stream channel as a result of the removal of the pier would be greater than any resulting sheer stress. In addition, the pier would be an eyesore and it is unnecessary to litter the landscape with an unusable structure. This could lead to a stream stability issue. Operational costs have increased because of the pier. Each time a storm occurs, M-NCPPC has to go to Rock Creek to remove debris that has collected around the pier, resulting in increased operational costs.

Mr. Robert Loskot stated that this is an issue between M-NCPPC and regulatory agencies, not MTA. Ms. Pedoeem asked if it was possible to include the removal of the pier as part of the project if the regulatory agencies agree to it. Mr. Cosler stated that the stream is currently stable. Ms. Bridgette Garner stated that correspondence received from the US Fish and Wildlife Service indicates that there are no rare, threatened, or endangered species within the proposed project area. Information indicates that the Hay's Spring amphipod, a Federally listed endangered crustacean, has been found within Rock Creek. However, it has not been documented within the immediate project area. It has been documented within the District of Columbia, approximately 4.5 miles south of the proposed project area. As such, this species would not be affected by the proposed project, including the removal of the concrete pier if it is determined that it should be removed. However, this should be confirmed with the agency, if considered.

Mr. Steve Morsberger has accompanied the regulatory agencies into the field during the jurisdictional determination review. He indicated that a riffle grade control could be constructed just south of the existing structure. He recommended the removal of the concrete pier. If the pier would be removed and accompanying mitigation measures incorporated, mitigation off-site for stream impacts would not be required. Ms. Levine added that any changes to the proposed design that have not been included in the FEIS would need to be assessed.

M-NCPPC requested that the concrete pier be removed to 18 inches below grade. If regulatory agencies support the removal of the pier, M-NCPPC would work with the Purple Line Team regarding design and any mitigation measures. Mr. Guinther stated that the maintenance of stream flow during construction would be a little different with the removal of the pier than what is included in the FEIS and studies would be needed to determine if changes to Purple Line documents would need to occur in order to incorporate this change. A new temporary



impact line would need to be identified within Rock Creek. Any permitting changes would need to be incorporated as well. MTA would need to include the cost and schedule of this change in the contract documents.

Additional details were provided regarding the removal of the existing structure. The left pier would be removed to approximately one foot below the existing ground. A sediment tank and sandbagging procedures would be used for the removal of the concrete piers. The structure would be dismantled and removed from the top down. The trestle would be removed and taken to another location for potential use elsewhere in the County. Cranes would be located on either side of the trestle.

With regard to permitting, Ms. Pedoeem stated that a JPA would need to be prepared for the removal of the existing structure regardless of whether the center pier would be removed. Ms. Levine summarized the discussion stating that as long as environmental permits and approvals can be secured, the center concrete pier would be removed to approximately 18 inches below grade, as requested by M-NCPPC with appropriate stream stabilization.

The conversation turned to potentially relocating Rock Creek Trail slightly to the east within the Montgomery County right-of-way, out of the one year floodplain. Mr. Guinther explained that the trail can't be shifted because of the proposed abutment for the transitway. The design of the transitway would minimize impacts to the southern slope. The existing slopes on that side of Rock Creek are greater than 2:1. A significant amount of land would need to be cleared in order to shift the trail, potentially resulting in impacts to the park. Temporary walls would need to be constructed in order to avoid additional impacts to tree roots in this area. However, as discussed in previous meetings, Ms. Levine stated that within the Montgomery County right-of-way, the trail would be raised on a wooden boardwalk to elevate the trail out of the one-year floodplain, which would improve the functionality of the trail. Mr. Chuck Kines stated that a similar project was constructed within Little Falls Park, near Massachusetts Avenue if the Purple Line Team would like to see an example of an elevated boardwalk in the area. The group agreed with elevating the trail rather than shifting it to the east.

### **3. Sligo Creek Stream Valley Park**

The proposed project is aligned through the median of Wayne Avenue in the vicinity of Sligo Creek Stream Valley Park. In addition, the proposed Green Trail would be constructed from Silver Spring to Sligo Creek Parkway in this area, abutting Wayne Avenue to the north. Anticipated impacts to Sligo Creek Stream Valley Park were discussed with M-NCPPC. As currently designed, the proposed project would result in 0.24 acre of permanent impacts, as well as 1.68 acre of temporary impacts. In addition, a 0.04 acre sliver of land currently owned by Montgomery County that abuts Wayne Avenue to the south would be incorporated into the park. Not only will the bridge on Wayne Avenue need to be reconstructed to accommodate the transitway, it would be moved slightly to the west to accommodate the realignment of Sligo Creek. Full access to the park and facilities would be maintained at all times during construction. No park facilities would be affected by the proposed project.

At the previous meeting between M-NCPPC and MTA, M-NCPPC requested that the Purple Line Team evaluate making improvements to the proposed Green Trail and connections to Sligo Creek National Recreational Trail. After evaluating the FEIS, M-NCPPC was concerned about the proposed reconstruction of the Wayne Avenue bridge and the stream improvements. Some of the concerns included the proposed bridge skew, length of stream improvements upstream and downstream from Wayne Avenue, and potentially tying into the existing drainage outfall located upstream of Wayne Avenue.

A GIS graphic was provided that showed a more linear alignment of the stream. M-NCPPC proposes that the Purple Line Team evaluate connecting the realigned stream from the outfall with a much more linear alignment, as opposed to the sharp bend that is currently illustrated. They propose that the Purple Line Team include stream



improvements further upstream than what is proposed. They would like to see the stream channel straightened and include a much more gradual bend than what is currently proposed. They suggest that the channel realignment begin at the existing outfall, as this would deal with the outfall as well. Sewer lines currently parallel Sligo Creek, so additional channel improvements and straightening could present a problem.

WSSC is in the process of fixing downstream crossings, including fixing the grade and raising the stream bed. Mr. Morsberger stated that this section of the stream is stable. In addition, the regulatory agencies want the Purple Line Team to focus on decreasing impacts to Sligo Creek. If the stream is realigned in the manner suggested by M-NCPPC, sewer and utility lines would need to be relocated.

Mr. Frank stated that the Sligo Creek Parkway walls north of Wayne Avenue were reconstructed due to sheer stress. The proposed stream alignment is tight and there are opportunities to improve the floodplain in the vicinity of the proposed project. They also feel that it may be possible to minimize the proposed improvements to the south.

Mr. Cosler explained that the area of Sligo Creek Stream Valley Park through which the proposed project would traverse is subject to frequent flooding. There is a significant problem within the floodplain downstream of the proposed project area. In the vicinity of the proposed project, most of the flooding issues are a result of dealing with backwater from downstream within the channel. The focus on Sligo Creek within the proposed project area should be stabilization, not restoration. As such, the design as it relates to the stream is focused on minimizing impacts based on agency coordination.

Mr. Frank stated that MDE would request that we look for mitigation opportunities upstream of Wayne Avenue. As currently designed, M-NCPPC feels that the proposed geometry of the stream would result in additional impacts to the stream and additional work would be required upstream. Downstream impacts, especially as it relates to potential tree impacts, would be more significant than the field north of Wayne Avenue, just north of the roadway and west of Sligo Creek. Agencies have been vocal regarding the fact that they would like to minimize tree removal. Friends of Sligo, a non-profit organization focused on improving and protecting the Sligo Creek Stream Valley, is opposed to tree removal and is in favor of the improvement and restoration of stream function.

Ms. Levine noted that the graphic provided with M-NCPPC's suggested stream and bridge alignment illustrates that their proposed stream and bridge alignment is further west than what the Purple Line Team has designed. Mr. Guinther discussed the rationale for the proposed bridge design and accompanying stream realignment. There needs to be a balance between maintenance of traffic, geometry of the track and roadway, and hydraulics. Transit criteria are less flexible than highway design criteria. In order to properly design the transitway, such factors as grade and radius, to name a few, cannot exceed a specific limit. Through Sligo Creek Stream Valley Park, the proposed transitway would be embedded into the bridge and roadway. There would be no joints in the rail on the structure. It would be a continuously welded rail embedded into the deck. There would be no "give" in the railway due to this design. Mr. Guinther also explained why the bridge had to be "skewed". While it appears skewed from the stream perspective, it is square to the roadway which is needed in this location. When designing the bridge, the center pier was proposed for removal in an effort to minimize stream impacts. A different design would result in hydraulics issues. For example, constructing the superstructure to a higher elevation would result in an increase in impacts. One of the commitments that the Purple Line Team has made is to maintain traffic on Sligo Creek Parkway and Wayne Avenue during construction. The focus is to keep impacts to a minimum. Wingwalls for the bridge would tie into the existing walls.

M-NCPPC stated that the Purple Line Team needs to make the stream work with bridge limitations and that stream restoration and the stream channel are more important issues. Mr. Cosler explained that detailed hydraulic



studies have been conducted for Sligo Creek. Ms. Jai Cole stated that as currently designed, Mr. Frank, who has a role in the permit approval process, would not approve the park permit with the proposed alignment. Hydraulic studies indicate that the proposed project is within the 10 to 25 year floodplain and a flood event would result in flooding topping the bridge railing in this area.

M-NCPPC stated that, while they own the property in this area, they have been involved in restoration plans but they have not seen the design of the bridge. They indicated that a sufficient limit of disturbance (LOD) should be provided to enable more extensive stream restoration efforts. They stated that the LOD from the proposed storm drain replacement should be connected to the stream. They stated that the proposed structural design in this area will perpetuate the current stream issues.

Mr. Steve Hawtof asked M-NCPPC what functions they are looking to address that are not currently there. As an example, he stated that floodplain access currently exists. Mr. Frank stated that M-NCPPC would like to see the Purple Line Team expand the LOD upstream of Wayne Avenue and decrease the LOD of the stream impacts downstream of Wayne Avenue. In addition, M-NCPPC would like to see enhanced aquatic habitat, existing stress issues addressed, increased floodplain connectivity, and reduced stresses on Sligo Creek Parkway as a result of Sligo Creek. Mr. Cosler stated that by pulling Sligo Creek slightly to the west and away from the Parkway, as currently proposed, the new tangent should pull stresses away from the wall and, in turn, Sligo Creek Parkway. Mr. Justin Reel stated that the technical provisions do not box in the design of the bridge or realigned stream. The design includes, at a minimum, stabilization or enhancement measures for the stream. Mr. Frank indicated that his biggest concern is that, once the ROD is signed, the LOD can never expand to include additional stream enhancements, if desired. He stated that he wanted the RFP proposal to include the drain from Wayne Avenue. It was explained that there is a process to consider changes after the ROD.

Team members shared other issues that need to be considered in the evaluation. These include existing sewer and other utility lines, specimen trees, and other resources that may affect the stream alignment. Therefore, the group agreed to a process to move forward that would consider all of the issues identified and consultation with the resource agencies. The group will work together to make recommendations for the design in this area.

The discussion moved on to include the proposed Green Trail. The Wayne Avenue bridge and the Green Trail would both be owned by Montgomery County Department of Transportation. There was a brief discussion of potentially widening the proposed structure. However, widening the proposed bridge beyond what is currently designed would exacerbate many of the previously mentioned issues. Mr. Frank suggested that the bridge shift slightly to the north. However, that is not a feasible option from a constructability standpoint. In addition, it would result in a drastic increase in environmental impacts to the stream, park and tree removal. Montgomery County Planning wanted the proposed Green Trail to be 14 feet wide, including a 10-foot wide usable trail with two-foot offset on either side. A question was raised as to whether a cantilever could be used to widen the trail. Mr. Guinther explained that a cantilever would result in problems with the barrier (i.e., guardrails, etc.). Mr. Chuck Kines asked if the barrier could be moved so that it would be located between the trail and roadway. Mr. Guinther stated that in order to do so, the barrier would need to be constructed to include a blunt end. This cannot happen, so moving the barrier between the road and trail is not a viable option. Mr. Madden stated that Montgomery County Department of Transportation would need to be involved with the design of the trail and any modifications made to the design, as the trail would belong to them when it is constructed. Since this is where the proposed Green Trail would intersect with the existing Sligo Creek National Recreational Trail, safety is a priority.

Mr. Kines stated that moving forward, the concessionaire would need to know who was involved in the early planning meetings in an effort to fully meet any mitigation and minimization commitments made to M-NCPPC.



The concessionaire would need to know the process and how the Purple Line Team, in consultation with M-NCPPC, determined the appropriate design, minimization, and mitigation included in the current design of the proposed project.

Ms. Jai Cole asked if the Purple Line Team had coordinated with Silver Spring International Middle School regarding the athletic fields and parking lots that would be impacted by the proposed project. It was explained that coordination with the school has been ongoing and that the reconstruction of the school parking was included in the design of the project.

Finally, a last question regarding the process to determine the width of the proposed Green Trail was raised. It was agreed that the working group would include this issue when considering the design of the stream and bridge.

#### **4. Long Branch Stream Valley Park and Long Branch Local Park**

The Preferred Alternative is aligned through the median of Piney Branch Road, which abuts Long Branch Stream Valley Park and Long Branch Local Park. Right-of-way would be required for the widening of Piney Branch Road to accommodate the proposed Purple Line. The roadway widening would include two dedicated lanes for the transitway, one in each direction, an 11-foot wide vehicle lane and a 16-foot wide shared use lane for vehicle and bicycle use in each direction. Five-foot wide sidewalks would be constructed on both the north and south sides of Piney Branch Road.

As currently designed, the Preferred Alternative would require the acquisition of approximately 0.11 acre of property and approximately 0.36 acre of temporary construction easements from Long Branch Stream Valley Park. In addition, the Preferred Alignment would require the acquisition of approximately 0.07 acre of property and approximately 0.24 acre of temporary construction easements from Long Branch Local Park. As part of the proposed project, the culvert that currently conveys Long Branch Stream beneath Piney Branch Road would be lengthened and a new parallel pipe would be constructed in an effort to better convey the stream and mitigate flooding that currently occurs frequently in this location. A majority of the proposed construction, including the extension of the culvert and construction of the new pipe, would occur from Piney Branch Road in an effort to minimize impacts to the park. Five-foot wide sidewalks currently exist on either side of Piney Branch Road. The proposed project would include the construction of five-foot wide sidewalks to replace those that would be displaced as a result of the proposed project. Some tree removal would be required within the park along Piney Branch Road and the stream directly adjacent to the road for grading. In addition, some material storage and access through the existing parking lot may be required.

At previous meetings, M-NCPPC indicated that there are a lot of problems within Long Branch Stream. The stream has a lot of erosion issues. In addition, flooding is frequent in the vicinity of Long Branch Stream Valley Park. M-NCPPC indicated that there are problems with non-native invasive tree species growing along the stream banks. Mr. Frank discussed the existing culvert and issues presented by it. The culvert is problematic, as it disconnects upstream of Piney Branch Road from downstream in terms of fish passage. M-NCPPC would like the opportunity to connect upstream and downstream as part of the proposed Purple Line. On the south side of Piney Branch Road, there is currently a three- to four foot drop from the bottom of the existing culvert to the Long Branch stream bed. As part of the proposed project, M-NCPPC would like to see improvements made to the culvert that would accommodate the functionality of the stream and provide adequate fish passage. Mr. Guinther stated that the existing culvert was constructed over an existing gravity sewer line. As such, the culvert could not be lowered, as it would impact the sewer line. He asked if the stream bed could be raised to meet the bottom of the culvert to eliminate the drop from the culvert to the stream bed and enable fish passage. From an engineering standpoint, the design of this option may be more feasible than lowering the culvert.

Ms. Garner stated that there is no existing Maryland Biological Stream Survey information for Long Branch Stream. Ms. Cole stated that M-NCPPC would like to open connectivity from Long Branch to the rest of the Anacostia River watershed. She stated that it is not what is present that is important, but the fact that there is nothing present within the stream. Ms. Garner stated that if there are no species present, the MTA would not likely receive mitigation credits per the regulatory agencies. It is also important to determine exactly how far downstream any proposed mitigation measures might extend with regard to grading, etc. Ms. Cole stated that when the proposed Purple Line is constructed, the decision made regarding the Long Branch Stream would be a generational decision. If the stream is not mitigated as a result of the proposed Purple Line, it would likely never happen. If there are no species located downstream from the existing blockage, mitigating the stream would not be cost effective. It may be difficult to get regulatory agency approval, especially if there are no species to the south of Piney Branch Road that would utilize the stream to the north of the existing blockage. However, if there are species present within Long Branch Stream to the south of Piney Branch Road, this mitigation measure is possible. It was decided that the Purple Line Team and M-NCPPC would commit to a process agreement to further explore mitigation within Long Branch Stream. A working group will evaluate the factors; weigh the impacts, costs and benefits; coordinate with agencies; and make recommendations.

As currently designed, access to the Long Branch Community Center would be limited to right turns into and out of the community center. The reason for the restricted access is that traffic cannot cross the transitway at an unsignalized intersection. In addition, there is not enough room on Piney Branch Road to construct left turn lanes without substantially impacting adjacent buildings. Therefore, patrons utilizing the community center from the west would need to make a u-turn at University Boulevard to access the community center. In addition, patrons wishing to travel eastbound from the community center would need to turn right onto Piney Branch Road and make a u-turn at Arliss Street to proceed eastbound on Piney Branch Road. The restricted access to Long Branch Community Center has been a major concern for M-NCPPC. In order to help address this issue, M-NCPPC purchased the property currently housing the Miles Glass Company located on the parcel of land north of Piney Branch Road, directly east of the entrance to Long Branch Community Center. At a previous meeting, M-NCPPC stated that they would like to be reimbursed for the purchase of Miles Glass Company and they would like to reroute and reconstruct the park entrance through the parcel on which Miles Glass Company currently exists. The entrance would connect to the signalized intersection of Piney Branch Road and Barron Road, which would enable left turns out of the community center. The MTA could not reimburse M-NCPPC for the purchase of Miles Glass Company, but as part of the proposed project and a mitigation measure to alleviate impacts to access, MTA would be willing to construct a new community center access road on an unencumbered site.

M-NCPPC stated that given the proposed reconstructed access to the community center and a commitment to further explore stream mitigation measures, they would be willing to issue a de minimis impact determination. A discussion ensued regarding potential tree mitigation. M-NCPPC does not usually approve DNR easements on park property, as they prohibit potential park projects in the future. Ms. Garner explained that the Purple Line Team has been having problems finding potential tree mitigation areas in southern Montgomery County. She stated that they would like to find potential conservation areas within the proposed project corridor, but that has proven to be difficult. Ms. Pedoeem explained that there is a deficit of open space in the down County area and that they do not want to encumber limited parkland with forest easements. They have a stated priority for open space.

M-NCPPC stated that they were confused by the varying levels of clarity regarding mitigation. For example, the Purple Line Team has indicated exactly where the proposed replacement parkland would be located. There are general ideas of where there would be stream mitigation and restoration measures. However, no sites have been identified within Montgomery County for anticipated forest mitigation. M-NCPPC requested that the process for



the review of design and mitigation timing be incorporated into the Memorandum of Agreement and stressed that they wanted to be included in mitigation discussions. The process and status of the various mitigation measures was explained for the group.

## **5. Potential Additional Projects and/or Mitigation Measures**

There were additional mitigation projects that were suggested and recommended. If the MTA can get credit and M-NCPPC can provide locations, it would be feasible to include additional stormwater management projects as part of mitigation. All of the meeting attendees came to the consensus that while M-NCPPC would like the benefit of the proposed project, the Purple Line Team would like to receive stormwater credit. For example, if stormwater management retrofitting was completed for an M-NCPPC parking lot along the proposed project corridor, it would occur on their property, but the Purple Line Team would receive credit. At this point, this would only be feasible for park properties, as they could not speak for Montgomery County Department of Transportation or plans, such as Maryland's National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System Permits (MS4).

There was a discussion of specific stormwater management measures would be taken. The requirements state that both new and reconstructed pavement must be treated. Ms. Levine stated that no stormwater management facilities would be constructed within parks, as agreed upon in several previous meetings with M-NCPPC. Mr. Cosler stated that while no stormwater management facilities would be constructed, several measures would be taken to treat runoff, including the use of green track and bioswales through Rock Creek Stream Valley Park. Stormwater would discharge to the green tracks, then to bioswales that would be located on either side of the tracks. Mr. Glenn Marschke stated that through Sligo Creek Stream Valley Park, stormwater could be treated with the use of planter boxes, potentially underground sand filters, and a small bioswale. Mr. Charles Wallace stated that any area treated outside of the limit of disturbance would be treated if it counts as mitigation toward the project. Mr. Marschke stated that the team is currently working to finalize stormwater management mitigation computations. In addition, he stated that we would treat ESD volume for everything within the limit of disturbance.

Ms. Levine clarified that we would only treat impacts that would directly result from the construction of the proposed Purple Line and that we would be meeting mitigation requirements. It was again stated that the proposed project would not receive ICC level mitigation and that any facilities within parks would be maintained by M-NCPPC Montgomery County Department of Parks. Stormwater management retrofit sites would be looked at, but would not be considered above and beyond mitigation. Ms. Pedoeem stated that outflows that eventually drain into a park must be properly mitigated. It was then determined that M-NCPPC would meet separately to discuss necessary stormwater management requirements.

## **6. Meeting Recap and Wrap Up**

Ms. Levine provided a recap of the discussions at the meeting. Within Rock Creek Stream Valley Park, it was determined that the center pier of the existing trail bridge over Rock Creek would be removed to 18 inches below grade, contingent upon the ability to receive permitting. It was also determined that the Rock Creek National Recreational Trail would be raised on a boardwalk through the Montgomery County right-of-way in an effort to move the trail out of the one-year floodplain, which would mitigate existing flooding and siltation issues currently plaguing the trail. Mr. Kines reiterated that the project team should visit Little Falls Trail for an example of a similar project.



Within Sligo Creek Stream Valley Park, it was determined that a working group would be created to determine the proper design of the Wayne Avenue bridge and stream relocation through the park. An interagency meeting would be held to work through the issues and come to an agreement to which all parties can agree. It was again stated that the Wayne Avenue bridge needs to be at a 90 degree angle from Sligo Creek. There would need to be trade-offs, such as the width of the Green Trail through the park, as discussed above. M-NCPPC insisted that the language within the request for proposals must be robust. It was stated that the issues that are currently ongoing must be listed and must stated that the concessionaire must consult with M-NCPPC to resolve these issues.

Within Long Branch Stream Valley Park and Long Branch Local Park, it was determined that the culvert relaying Long Branch Stream under Piney Branch Road could not be lowered because of the existing gravity sewer line that currently exists under the culvert. There is the possibility that the stream could be raised, but that is contingent upon agency coordination. The regulatory agencies would need to see that it would be cost and impact effective to do a long stream restoration project. Mr. Frank stated that he wanted to see a 48 inch culvert under Piney Branch Road. It was stated that the a new, relocated entrance road to the Long Branch Community Center and relocated Long Branch Trail would be constructed on the site of the existing Miles Glass Company, provided that the site is unencumbered. Provided that a new entrance can be constructed through the parcel on which Miles Glass Company is located, M-NCPPC stated that they would be willing to approve a *de minimis* impact finding on Long Branch Local Park.

M-NCPPC stated that they would have internal discussions on several issues. Mr. Frank and Mr. Reid stated that they would discuss stormwater management retrofits within park properties and the Silver Spring library. Mr. Marschke stated that he was currently working toward completing stormwater management mitigation requirements, which are expected to be complete by Thanksgiving.

Language within the Memorandum of Agreement needs to include that M-NCPPC will be involved with design reviews and the identification of mitigation sites. Language also needs to state that there is a demand for open space within southern Montgomery County (also known as "down county") and that community open space areas need to be identified and protected.

The next meeting will be a working group meeting where attendees will work to resolve outstanding issues discussed above. Mr. Rob Loskot stated that the first meeting would likely be between the issuance of the Record of Decision and Christmas. Ms. Garner stated that a mitigation meeting was also necessary. The meeting was adjourned.



**ACTION ITEM SUMMARY**

<b>Task #</b>	<b>Action Item</b>	<b>Due Date</b>	<b>Status</b>
1.	Create working groups to come to a consensus on all outstanding issues		
2.	Contact regulatory agencies to determine if removal of center pier within Rock Creek Stream Valley Park is a viable option, long stream mitigation within Long Branch		
3.	Investigate potentially raising Long Branch culvert under Piney Branch Road		
4.	Working group to potentially design new entrance to Long Branch Community Center		
5.	De minimis letters to M-NCPPC		
6.	Strengthen MOU language		
7.	Schedule mitigation meeting		
8.			
9.			
10.			
11.			
12.			
13.			



SIGN IN SHEET

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**M-NCPPC – Montgomery County Parks Coordination Meeting  
Montgomery County, Maryland  
November 13, 2013**

**Agenda**

- I. Introductions
- II. Purpose of Meeting
- III. Confidentiality Agreement
- IV. Sligo Creek Stream Valley Park and Wayne Avenue Bridge Over Sligo Creek
- V. Rock Creek Stream Valley Park
- VI. Other (as time permits)
  - a. Approach to Stormwater Management
  - b. Stormwater Management Retrofits
  - c. Rock Creek Bridge
  - d. Long Branch
- VII. Conclusion

**Purple Line FEIS  
Coordination of Park Impacts and Mitigation Measures**

Date/Time: Wednesday November 13, 2013/9:00 a.m.

Location: Parkside Headquarters Executive Conference Room

**Meeting Agenda**

**Purpose:**

This meeting is to coordinate the Park impacts, MTA commitments, and proposed mitigation to achieve a de minimis finding for the project. The Planning Board provided MTA with comments on conditions and mitigation related to the project impacts based on information received via FEIS process, and this effort is to achieve a better understanding of MTA's current design and Parks' goals. MTA's goal is to achieve agreement on de minimis finding by December 5, 2013.

**Discussion Items:**

1. Introductions and roles
2. Overview of general goals for Parks
3. Discussion of individual sites
  - Rock Creek Trestle Removal
  - Wayne Avenue Bridge and Sligo Creek Restoration
  - Piney Branch Road and Long Branch Restoration
4. Discuss SWM Concepts – MS4 goals to retrofit existing impervious areas
5. Review MTA's proposed mitigation program
6. Additional Issues, Action Items, and Next Meeting
7. Opportunity for Site Visit

11/13/13

MTA/Parks Project Coordination Mtg

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