

**Purple Line FEIS - RECORD #111 DETAIL**

**Comment Date :** 10/3/2013  
**First Name :** Valerie  
**Last Name :** Ervin  
**Address :** 100 Maryland Avenue  
**City :** Rockville  
**State :** MD  
**Zip Code :** 20850

**Submission Content/Notes : MONTGOMERY COUNTY COUNCIL**

ROCKVILLE . MARYLAND

VALERIE ERVIN COUNCILMEMBER DISTRICT 5

October 3, 2013

James T. Smith, Jr., Secretary of Transportation  
Maryland Department of Transportation  
720I Corporate Center Drive  
P.O. Box 548  
Hanover, Maryland 21076

Dear Mr. Smith,

I am writing regarding the Purple Line project's Final Environmental Impact Statement and Draft Section 4(t) Evaluation (FEIS). As the district councilmember who represents the Silver Spring area, I would like to identify several issues for the Maryland Transit Administration (MTA) to address.

Since my election to the County Council in 2006, I have met with numerous residents, businesses and organizations regarding the Purple Line project. Further, I have detailed, personal knowledge of this project, as I live blocks from Wayne Avenue in Silver Spring. Of the 21 stations along the Purple Line's proposed alignment, almost half (eight) are in my council district, from Lyttonsville to the Takoma/Langley area. There is no doubt that this six and a half mile stretch of the Purple Line presents countless policy and quality of life issues.

It is my opinion that the Purple Line will provide Montgomery County with much needed long-term transportation infrastructure and environmental benefits. However, I want to ensure that the implementation of the Purple Line does not negatively impact District 5 residents who live along the alignment.

STELLA 8 WERNER OFFICE BUILDING 0 100 MARYLAND  
AVENUE ROCKVILLE, MARYLAND 20850  
240/777-7960 OR 240/777-7900 • TTY 240/777-7914 • FAX 240/777 -  
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WWW.MONTGOMERYCOUNTYMD.GOV, COUNCIL  
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C.3

First, I urge MTA to work with Montgomery County to design and build the best feasible Capital Crescent Trail in coordination with CSX Corporation, Inc. (CSX). A major component of the County Council's Purple Line Functional Plan, which was unanimously approved in 2010, was the Capital Crescent Trail (CCT), a shared use, off-road trail along a portion of the Purple Line alignment. The Council has already programmed funding in the Capital Improvements Program (CIP) to construct the trail. However, the FEIS includes language that states the CCT between Takoma Avenue and Silver Spring can be finished only with CSX cooperation (p.4-158).

E.1

Montgomery County has been encouraging non-automotive forms of transportation to help ease traffic congestion on our roadways. The County has implemented a bikeshare program and is moving forward with the Metropolitan Branch Trail and the Silver Spring Green Trail that connect to the CCT. While I am hopeful that MTA can get CSX cooperation in completing the Trail, I trust that a suitable alternative can be constructed if an agreement is not reached. As previously conveyed in a separate letter, I ask that you work with the County's Department of Transportation (DOT) to have an acceptable alternative plan in case the State is unable to secure approval from CSX. We need to ensure the viable and safe use of this important trail network.

F.1

Second, MTA should work with the County and surrounding community to ensure that the Wayne Avenue segment from the edge of downtown Silver Spring east to Sligo Creek retains the residential character of its adjacent neighborhoods. While higher density, mixed-use development characterizes many major activity centers such as Bethesda, Silver Spring, Takoma/Langley Park, College Park, and New Carrollton, the planned Dale Drive station (p.4-16) is arguably one of the least dense of any of the stations along the alignment. Impacts of the Purple Line can be more noticeable in these residential areas than in the urban core.

E.2

C.4

Of particular concern is the proposed traction power substation on Wayne Avenue and in other similarly low-density residential areas, such as in Lyttonsville and Long Branch. Specifically, I ask that MTA staff continue to explore an alternative location on Wayne Avenue, including working with the school system to identify a location on MCPS property at Dale Drive and Wayne Avenue to relocate the substation in the parking lot when it is reconfigured during the construction of the Purple Line. For example, MTA staff worked with the Washington Suburban Sanitary Commission (WSSC), DOT and me to find an alternative design for the rail yard and shop in Lyttonsville. I applaud MTA for implementing a better arrangement in Lyttonsville, and I am certain that another one can be found to resolve this issue.

Through unanimous approval of Resolution 16-1470, Purple Line Functional Plan, the County Council indicated that the State should plan for a "potential" future station on Wayne Avenue near Dale Drive in East Silver Spring, but not build a station without further consensus from the community. The Council further indicated its intent and desire, should the station ever be built, that the Purple Line station not be a predicate for "up-zoning" the single-family residential neighborhood around it. Since the Council has not changed its position on this issue, I request that MTA work with the County to devise a means of determining community consensus for a station at this location before a station is ever built.

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WWW.MONTGOMERYCOUNTYMD GOV COUNCIL

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E.3

Third, I respectfully request that the State pursue all feasible measures to reduce the severity of adverse impacts on commercial and residential properties. This includes, but is not limited to: minimizing property acquisition; carefully working with the community to appropriately stage construction zones in a way that is sensitive to neighboring residents; and mitigating emissions and noise. MTA has already identified many measures to minimize or mitigate the impacts of the Purple Line. Please continue to work closely with property owners during this period. For example, the tunnel design in Long Branch generated many comments, and neighbors remain concerned about the alignment. In addition, where there is absolutely no way of avoiding full property acquisitions, I encourage the State to wait to acquire property until the latest time feasible. There is no reason to have land sit vacant for an extended period of time when it could be providing goods and services to the community.

E.4

I completely agree with your statement in the September FEIS press release, asserting the need to ensure we are designing a project that minimizes community and environmental impacts while delivering improved accessibility and transit connectivity that gets people to where they want to go. I am a strong advocate for mass transit improvements and building the infrastructure that the County needs for its future, but this needs to be accomplished in a way that does not adversely impact residents' quality of life. While, at the end of the day, this is a State project, I hope to continue to work with MTA to ensure this proposed route improves the overall mobility of County residents, and delivers the economic and environmental benefits associated with other light rail projects throughout the country.

G.2

Finally, I would like to thank Mike Madden and his staff for their engagement efforts with community stakeholders along the alignment to date. Over the past several years, MTA's Purple Line team has indeed led an extensive public outreach effort with local residents, businesses, non-profits and agency partners. I appreciate their willingness to listen to concerns, openness to suggestions, and responsiveness to correspondence.

Thank you in advance for considering this request. I look forward to continuing to work with MTA staff as new issues and concerns arise throughout the design, planning and implementation of this important project. Please feel free to contact my office at 240-777-7960 with any questions you may have about this letter.

Sincerely,  
(/)  
Valerie Ervin  
Council Member- District 5

Attachments

c: Michael Madden, MTA, Purple Line Project Manager  
Isiah Leggett, County Executive, Montgomery County  
Montgomery County Councilmembers  
Christopher Barclay, President, Board of Education, Montgomery County Public Schools  
Arthur Holmes, Director, Montgomery County Department of Transportation  
Franc:oise Carrier, Chair, Montgomery County Planning Board, M-NCPPC  
Gwen Wright, Director, Montgomery County Department of Planning, M-NCPPC  
Glenn Orlin, Deputy Administrator, Montgomery County Council

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MONTGOMERY COUNTY COUNCIL  
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DISTRICT I

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MEMORANDUM TO:Isiah Leggett, County Executive  
FROM:Roger Berliner, Chair, Transportation, Infrastructure, Energy and Environment Committee  
Nancy Floreen, Member, Transportation, Infrastructure, Energy and Environment Committee  
Hans Riemer, Member, Transportation, Infrastructure, Energy, and Environment Committee  
Valerie Ervin, Councilmember, District 5

DATE:September 13, 2013

RE:Capital Crescent Trail and the Purple Line's Final Environmental Impact Statement

As you know, the Final Environmental Impact Statement (FEIS) for the Purple Line was recently published. It not only describes how the Purple Line will significantly improve east-west mobility by providing frequent light rail service, it also discusses the Capital Crescent Trail - which, for the first time, provides a paved, separated trail from Bethesda to Silver

Spring. Chapter 3, Page 13 of the FEIS reads:

"Using funding to be provided by Montgomery County, the eastern 4.3 miles of the Capital Crescent Trail from Bethesda to Silver Spring would be constructed and paved, replacing the existing Georgetown Branch Interim Trail between Bethesda and Stewart Avenue. The Capital Crescent Trail would provide a permanent trail, separate from the roadways, from Stewart Avenue into downtown Silver Spring."

It is the footnote that follows which causes great concern for members of the Council and our constituents:

"Preferred Alternative assumes that the permanent Capital Crescent Trail between Talbot Avenue and Silver Spring would be located in CSXT right-of-way in accordance with the County's land use plan. The completion of the trail in the CSXT corridor is contingent on agreement between Montgomery County and CSXT on the use of CSXT property on the north side of the CSXT tracks for the trail. If agreement is not reached by the time the Purple Line construction occurs, MTA would construct the trail from Bethesda to Talbot Avenue. From Talbot Avenue to Silver Spring, an interim signed bike route on local streets would be used."

This is indeed a troubling forecast for the future of this section of the trail. Reaching downtown Silver Spring via a permanent trail separate from the roadway is vital in order to maximize the trail's utility. Yet the availability of the property needed, as the trail is currently planned, is very much in question. We believe we absolutely must do everything we can to work with CSXT toward completing this section of the trail: the FEIS makes it clear it is up to Montgomery County to do so. The current, signed bike route through local streets crosses a significant number of intersections and would greatly reduce the trail's value to pedestrians and bicyclists. On any kind of permanent basis, this is simply unacceptable.

STELLA B. WERNER OFACE BUILDING •100 MARYLAND AVENUE,  
6th FLOOR, ROCKVILLE, MARYLAND 20850  
140-777-7828 OR 240-777-7900, TTY 240-777-7914, FAX 240-777-7989  
WWW.MONTGOMERYCOUNTYMD.GOV

In the meantime, at least one alternative to the route currently planned does exist, using available right of way on Fourth Avenue. Council staff is familiar with this alternative and agrees that it deserves serious exploration. We urge you to work with MTA to give this and any other possible alternatives serious consideration.

We must act with a strong sense of urgency in engaging CSXT to provide our residents with the best trail experience possible. Meanwhile, we urge you to work with MTA to thoroughly examine the feasibility of existing off-road alternatives, so that if CSXT is unwilling to cooperate we at least have other options available that deliver on the promise of the Capital Crescent Trail as an off-road trail from Bethesda to Silver Spring.

Thank you for your ongoing commitment to the Purple Line and to the Capital Crescent Trail. We look forward to your response.

CC: Art Holmes, Director, Montgomery County Department of Transportation  
Mike Madden, Purple Line Project Manager, Maryland

Transit Administration Franc;oise Carrier, Chair, Montgomery County  
Planning Board  
Glenn Orlin, Deputy Council Administrator, County Council  
Ron Tripp, Chair, Coalition for the Capital Crescent Trail  
Valerie Ervin.pdf (717 kb)

**Attachments :**



MONTGOMERY COUNTY COUNCIL  
ROCKVILLE, MARYLAND

VALERIE ERVIN  
COUNCILMEMBER  
DISTRICT 5

October 3, 2013

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Maryland Department of Transportation  
7201 Corporate Center Drive  
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Glenn Orlin, Deputy Administrator, Montgomery County Council



MONTGOMERY COUNTY COUNCIL  
ROCKVILLE, MARYLAND

ROGER BERLINER  
COUNCILMEMBER  
DISTRICT I

CHAIRMAN  
TRANSPORTATION, INFRASTRUCTURE  
ENERGY & ENVIRONMENT COMMITTEE

MEMORANDUM

TO: Isiah Leggett, County Executive

FROM: Roger Berliner, Chair, Transportation, Infrastructure, Energy and Environment Committee  
Nancy Floreen, Member, Transportation, Infrastructure, Energy and Environment Committee  
Hans Riemer, Member, Transportation, Infrastructure, Energy, and Environment Committee  
Valerie Ervin, Councilmember, District 5

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Thank you for your ongoing commitment to the Purple Line and to the Capital Crescent Trail. We look forward to your response.

CC: Art Holmes, Director, Montgomery County Department of Transportation  
Mike Madden, Purple Line Project Manager, Maryland Transit Administration  
Françoise Carrier, Chair, Montgomery County Planning Board  
Glenn Orlin, Deputy Council Administrator, County Council  
Ron Tripp, Chair, Coalition for the Capital Crescent Trail

**Purple Line FEIS - RECORD #127 DETAIL**

**Comment Date :** 10/15/2013  
**Business/Agency/Association Name :** City of Takoma Park  
**State :** MD

**Submission Content/Notes :** Introduced by: Councilmember Seamens

CITY OF TAKOMA PARK, MARYLAND RESOLUTION 2013-64

Commenting on the Purple Line Final Environmental Impact Statement (FEIS)

A.1

WHEREAS, on August 5, 2013, Governor Martin O'Malley announced \$680 million in state funding for the Purple Line, with the remainder to be paid for with a combination of federal grants, state and local financial contributions, and private investment; and

WHEREAS, the State of Maryland has completed studying the alignment and mode alternatives for the Purple Line and has written the Final Environmental Impact Statement; and

WHEREAS, the Purple Line Final Environmental Impact Statement (FEIS) was transmitted to the City of Takoma Park for official review, and is available for public comment through October 21, 2013; and

WHEREAS, the "Takoma Park Neighborhood" described on Pages 4-25 and 4-27 of the FEIS, is based on the Metropolitan Washington Council of Governments' Traffic Analysis Zones, which include sections of East Silver Spring that are not within the City boundaries, and does not include sections of Wards 1, 2, 3, and 6 in Takoma Park; and

WHEREAS, the environmental, transportation, and economic development benefits documented in the FEIS are recognized and supported by the City of Takoma Park; and

WHEREAS, the Planning Boards of Montgomery County and Prince George's County have recently adopted Sector Plans that recommend changes and rezoned the area around the Takoma/Langley Transit Center stop, in each respective County, in preparation for transit oriented development; and

WHEREAS, the Takoma/Langley Crossroads Sector Plan, adopted by Montgomery County in June 2012, recommends 15-foot sidewalks along University Boulevard, achieved through a dedicated Public Improvement Easement on private property; and

WHEREAS, the New Hampshire Avenue Corridor Concept Plan and Takoma/Langley Crossroads Sector Plan recommend a multi-way boulevard for New Hampshire Avenue in Takoma Park, transforming it into a pleasant and attractive regional destination and community asset, by reducing traffic speeds, enhancing pedestrian safety, and increasing bicycle usage; and

WHEREAS, the Takoma/Langley Crossroads Sector Plan outlines several economic development recommendations for the commercial area impacted by the Purple Line, to support the dynamic range of existing businesses and encourage mixed-use redevelopment; and

WHEREAS, the Maryland Transit Administration and State Highway Administration have proposed reducing University Boulevard to two automobile lanes in each direction, in response to community concerns over pedestrian safety and circulation, as well as right-of-way impacts to private property, and subsequent business displacements; and

WHEREAS, properties identified for land acquisition in "Takoma Park

Neighborhood" discussed on Pages 4-25,4-27, and 4-161 of the FEIS, are not within the City boundaries; and

WHEREAS, demographic information discussed in the FEIS for Takoma Park also refer to the "Takoma Park Neighborhood" area, and does not reflect the City's corporate limits; and

WHEREAS, a "Green Track" consisting of plant material for aesthetic and stormwater management purposes is one of four track options being considered for the Purple Line, outlined on page 2-29 of the FEIS; and

WHEREAS, the areas in Takoma Park and Langley Park adjacent to the Takoma/Langley Transit Center Purple Line station have been identified as Environmental Justice Areas in FEIS, defined by their higher proportions of low-income and minority populations; and

WHEREAS, Federal guidance under the National Environmental Protection Act (NEPA) requires a specialized outreach strategy and meetings to document and address the needs of the community in these Environmental Justice Areas; and

WHEREAS, the residential and business community identified housing affordability and the displacement of existing small businesses around Purple Line stations as specific concerns during Purple Line meetings; and

WHEREAS, the Maryland Transit Administration will implement a Business Impact Minimization Plan after evaluation of best practices and lessons learned from other light rail construction projects.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Takoma Park expresses appreciation to the State of Maryland and the Maryland Transit Administration for the high-quality work in planning the Purple Line transit way and engaging the community; to the Executives and Councils of Montgomery County and Prince George's County for their support

of the Purple Line transit way; and commends the decision by Maryland Transit Administration and Maryland State Highway Administration to reduce University Boulevard to two lanes in each direction with the Purple Line construction; and

BE IT FURTHER RESOLVED that the City Council of the City of Takoma Park urges the use of a "Green Track" in commercial areas such as Takoma/Langley Crossroads and Long Branch; and

BE IT FURTHER RESOLVED that the City Council of the City of Takoma Park urges the Maryland Transit Administration to implement its Business Impact Minimization Plan in coordination with other State and County agencies, and business organizations in the Takoma/Langley Crossroads area, and encourages Montgomery and Prince George's Counties to implement housing affordability strategies around the Takoma/Langley Transit Center, Piney Branch Road, and Long Branch Purple Line stations; and

BE IT FURTHER RESOLVED that the City Council of the City of Takoma Park urges the Secretary of Transportation to continue working with the State Highway Administration to develop transit areas that enhance comfort, beauty, accessibility, and safety standards for all transit users, especially pedestrians and bicyclists; and

BE IT FURTHER RESOLVED that the City Council of the City of Takoma Park strongly supports a request for federal funding that will result in the construction of the entire Purple Line rather than breaking construction into lengthy phases.

Adopted this 7th day of October, 2013. Attest:

-•'

essie Carpenter, CMC  
City Clerk

**Attachments :**

Takoma Park.pdf (28 kb)

Introduced by: Councilmember Seamens

**CITY OF TAKOMA PARK, MARYLAND  
RESOLUTION 2013-64**

**Commenting on the Purple Line Final Environmental Impact Statement (FEIS)**

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of the Purple Line transit way; and commends the decision by Maryland Transit Administration and Maryland State Highway Administration to reduce University Boulevard to two lanes in each direction with the Purple Line construction; and

BE IT FURTHER RESOLVED that the City Council of the City of Takoma Park urges the use of a "Green Track" in commercial areas such as Takoma/Langley Crossroads and Long Branch; and

BE IT FURTHER RESOLVED that the City Council of the City of Takoma Park urges the Maryland Transit Administration to implement its Business Impact Minimization Plan in coordination with other State and County agencies, and business organizations in the Takoma/Langley Crossroads area, and encourages Montgomery and Prince George's Counties to implement housing affordability strategies around the Takoma/Langley Transit Center, Piney Branch Road, and Long Branch Purple Line stations; and

BE IT FURTHER RESOLVED that the City Council of the City of Takoma Park urges the Secretary of Transportation to continue working with the State Highway Administration to develop transit areas that enhance comfort, beauty, accessibility, and safety standards for all transit users, especially pedestrians and bicyclists; and

BE IT FURTHER RESOLVED that the City Council of the City of Takoma Park strongly supports a request for federal funding that will result in the construction of the entire Purple Line rather than breaking construction into lengthy phases.

Adopted this 7th day of October, 2013.

Attest:

  
Jessie Carpenter, CMC  
City Clerk

**Purple Line FEIS - RECORD #595 DETAIL**

**Comment Date :** 10/18/2013  
**First Name :** Terry  
**Last Name :** Schum  
**Business/Agency/Association Name :** City of College Park  
**Address :** 4500 Knox Road  
**City :** College Park, Maryland  
**State :** MD  
**Zip Code :** 20740  
**Email Address :** tschum@collegeparkmd.gov

**Submission Content/Notes :** The Mayor and Council of the City of College Park reviewed the FEIS and continue to support construction of the Purple Line. They would like to call the following to your attention:

1. On page 4-27, the population of College Park is reported at 28,200 when according to the 2010 census it is 30,413. Racial distribution is also incorrectly reported and should be 63% white, 14% African American, 13% Asian, 6% some other race and 12% Hispanic.
2. Table 4.2 on page 4-19 lists Planned Developments and includes the UMD East Campus Redevelopment Initiative and the College Park Metro Development. The descriptions of future development appear to be overstated as East Campus is no longer envisioned as a College Town Center and less development is proposed on the WMATA property at the station. The transit district development plan for the entire area is currently being updated by the M-NCPCC and will contain more current projections of actual development potential.
3. An extensive amount of property will be taken from the American Center of Physics and University of Maryland in order to provide the exclusive transitway on the south side of River Road. Additional analysis is recommended to determine if a more pedestrian-friendly and transit-oriented development on-road solution is feasible without negatively impacting travel times. Consideration should be given to shared lanes, a center platform and alternative stormwater treatments in order to minimize the ultimate right-of-way and acquisition impacts. Placement of the line within the roadway would maximize the flexible and hybrid nature of light rail and help to create the more urban environment that is desired in this area.

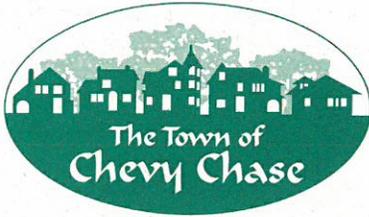
**Purple Line FEIS - RECORD #625 DETAIL**

**First Name :** Todd  
**Last Name :** Hoffman  
**Business/Agency/Association Name :** Town of Chevy Chase  
**Email Address :** thoffman@townofchevychase.org  
**Submission Content/Notes :** Please see attached comments from the Town of Chevy Chase

---

Todd Hoffman  
Town Manager  
Town of Chevy Chase, Maryland  
4301 Willow Lane  
Chevy Chase, MD 20815  
301-654-7144 (P)  
301-718-9631 (F)  
thoffman@townofchevychase.org<mailto:thoffman@townofchevychase.org>

**Attachments :** TOCC PL FEIS Comments.pdf (9 mb)



Patricia Burda, *Mayor*  
Kathy Strom, *Vice Mayor*  
Al Lang, *Secretary*  
David Lublin, *Treasurer*  
John Bickerman, *Community Liaison*

**Executive Summary**  
**Town of Chevy Chase Purple Line FEIS Comments**  
**October 21, 2013**

The Town of Chevy Chase asserts that conducting a Final Environmental Impact Statement (FEIS) at this time is also not appropriate because of 1) fundamental changes in estimated costs for the proposed Purple Line light rail project; and 2) flaws in the FEIS technical analysis that negatively affect the quality of the analysis and related decision making.

Therefore, the Town calls for MTA to perform a new DEIS with consideration of new alternatives or to perform a supplemental DEIS comparing the same alternatives but with corrected cost information and any other new information.

1) **Projected Purple Line Costs:**

K.2

- The estimated costs for the locally preferred alternative (“LPA”) selected in 2009 after MTA’s preparation of the DEIS in 2008 have skyrocketed. At that time, the Town stated, “MTA understates the costs of the Light Rail Transit (LRT) alternatives.” Cost estimates of the LPA have been increasing well beyond the low inflation levels of the past four years.
- In the most recently published annual FTA report, capital costs for the selected light rail project jumped over 10%, by nearly \$200 million between 2011 and 2012. Capital costs have been increasing at this pace since MTA selected the LPA in 2009, with an increase of over \$600 million in the period between 2009 and 2012.
- This significant factual change after the preparation of the DEIS and after the selection of the light rail LPA shows that the comparison of alternatives in the DEIS in 2008 and the selection of the LPA in 2009 were based upon fundamentally inaccurate cost information.
- With the costs currently being cited for the LPA, it is possible the Purple Line light rail option in the FEIS would not have qualified as a reasonable alternative for study in the DEIS under MTA’s own reasoning at that time.

The following table shows available cost estimates between 2007 and 2012:

Date	Estimated Cost In Billions	Source for Estimate
June 2007	Approximately \$1.0	MTA Representative at Town of Chevy Chase Public Meeting
August 2009	\$1.517	Announcement of Locally Preferred Alternative
September 2011	\$1.925	FTA Annual Report
September 2012	\$2.151	FTA Annual Report and FEIS

The following table shows the estimates adjusted to 2012 dollars:

Date	Estimated Cost In Billions
June 2007	Approximately \$1.1 (in 2012 dollars)
August 2009	\$1.62 (in 2012 dollars)
September 2011	\$1.96 (in 2012 dollars)
September 2012	\$2.151

## 2) Flaws in the Technical Analysis:

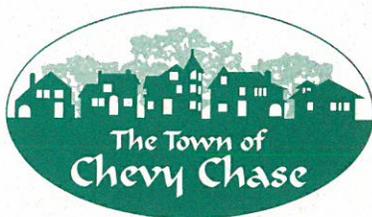
The Town of Chevy Chase submitted a response to the Purple Line AA/DEIS in 2008 that highlighted concerns with the MTA's assessment of the environmental impacts that will likely be imposed by the project. The Town of Chevy Chase was *and still is* of the opinion that the AA/DEIS failed to accomplish the following:

- Fully and fairly evaluate the Low Investment BRT alternative, including an accurate quantification of its ridership potential.
- Analyze the environmental impacts associated with each alternative separately and comparably to form a basis for comparison.
- Reasonably estimate the costs and benefits of light rail alternatives.
- Analyze the socio-economic aspects of potential growth, as well as the environmental impacts that such growth may spur.

Today we raise additional technical concerns with the publication of the Purple Line FEIS.

- All design elements of the Preferred Alternative are not presented in the FEIS, and thus the public is not allowed the opportunity to review and comment on all aspects of the proposed action.
- In addition, the FEIS does not allow for full assessment of the Preferred Alternative, as some significant design element modifications have been proposed, and some continue to be proposed since the publication of the FEIS.

C.1



Patricia Burda, *Mayor*  
Kathy Strom, *Vice Mayor*  
Al Lang, *Secretary*  
David Lublin, *Treasurer*  
John Bickerman, *Community Liaison*

SUBMITTED BY E-MAIL

October 21, 2013

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

Re: Town of Chevy Chase Comments on Purple Line FEIS

Dear Sir or Madam:

The Town of Chevy Chase, a community of over 1000 households and 2800 residents adjacent to the western most portion of the Georgetown Branch of the Capital Crescent Trail, submits the following comments, and a separate technical report, regarding the Final Environmental Impact Statement and Draft Section 4(f) Evaluation ("FEIS") for the Maryland Transit Administration's Purple Line Project. The Federal Transit Administration ("FTA") is the lead federal agency for the FEIS, the Maryland Transit Administration ("MTA") is the project sponsor for the FEIS and the National Park Service and the National Capital Planning Commission are cooperating agencies. For ease of reference throughout these comments, we will refer to MTA as the author of the FEIS since MTA is the project sponsor.

The Town contends that its comments previously submitted on January 13, 2009 regarding the Draft Environmental Impact Statement ("DEIS") for the Purple Line continue to be valid since a number of important concerns expressed therein have not been adequately addressed in the FEIS, and we continue to have a range of concerns about the manner in which project alternatives were analyzed during the DEIS stage of the environmental process. For example and as explained below, the alternatives analysis favored light rail during the NEPA environmental process prior to the selection of the locally preferred alternative. Additionally, MTA did not properly evaluate the impacts of the development at Chevy Chase Lake so that it could be compared with the environmental effects of other proposals that will not foster such development. These flaws have negatively affected the quality of the

environmental analysis as well as decision-making based upon that analysis, including the decision to conduct an FEIS rather than a new DEIS or supplemental DEIS, notwithstanding fundamentally changed project information.

Conducting an FEIS at this time is also not appropriate because of fundamental changes in projected costs for the proposed Purple Line light rail project. These changes require either a new DEIS that reconsiders reasonable alternatives for the Purple Line corridor or a supplemental DEIS with updated, correct cost estimates and a comparison of alternatives based upon this information. Further, because of the cost implications of any project selected for the Purple Line corridor, a new environmental justice analysis for the corridor is necessary in either the new DEIS or supplemental DEIS in order to consider whether project costs will cause degraded local bus service in the corridor because of tightened resources.

Finally, the FEIS is not appropriate at this time because of the new design features of the locally preferred alternative (“LPA”) which are raised for the first time in the FEIS and have not been subject to appropriate analysis. The attached detailed technical report identifies some of these features, and addresses significant specific impacts on the Town and mitigation measures identified in the FEIS. The technical report addresses particular elements of the FEIS and makes recommendations for appropriate actions based upon the FEIS; however, our preference is that MTA first take one of the actions we describe below.

### **Summary**

Estimated project costs have been important in MTA’s decision making for the Purple Line Corridor since the beginning of the environmental process under the National Environmental Policy Act (“NEPA”). For example, MTA eliminated projects with a heavy rail component from study in the DEIS because MTA viewed their estimated costs as “prohibitive.” Having valid estimated costs of alternatives is built into the NEPA environmental process in that, under the relevant NEPA regulation, only “reasonable alternatives” may be evaluated in a DEIS. 23 CFR 771.123(c).

The estimated costs for the locally preferred alternative (“LPA”) selected in 2009 after MTA’s preparation of the DEIS in 2008 have skyrocketed. At that time, the Town stated, “MTA understates the costs of the Light Rail (LRT) alternatives.” Cost estimates of the LPA have been increasing well beyond the low inflation levels of the past four years. For example, in the most recently published annual FTA report, capital costs for the selected light rail project jumped over 10%, by nearly \$200 million between 2011 and 2012. Capital costs have been increasing at this pace since MTA selected the LPA in 2009, with an increase of over \$600 million in the period between 2009 and 2012.

This significant factual change after the preparation of the DEIS and after the selection of the light rail LPA shows that the comparison of alternatives in the DEIS in 2008 and the selection of the LPA in 2009 were based upon fundamentally

inaccurate cost information. For some transportation projects, this problem could be corrected in an FEIS that continues to evaluate the cost of a full range of alternatives and then allows this updated, accurate information to form the basis for selection of a project after the conclusion of the FEIS. However, for projects following FTA's process for major capital investments (also known as the FTA "New Starts" process), this is not a realistic option since local decision makers select a single project for advancement in FTA's New Starts process prior to the FEIS. The project selection is based upon the comparison of alternatives in a DEIS.

A DEIS with flawed cost information, and a subsequent project selection from a range of project alternatives based upon that flawed information, can only be repaired at the DEIS level rather than the FEIS level since the FEIS does not continue to compare the "build" alternatives from the DEIS. Therefore, given the faulty cost estimate in the DEIS, an FEIS is not appropriate at this stage, and, as explained below, MTA should perform a new DEIS with consideration of new alternatives or perform a supplemental DEIS comparing the same alternatives but with corrected cost information and any other new information.

Increased cost projections also raise increased environmental justice concerns since the high cost of the project may deplete resources to such an extent that bus service for transit-dependent low income and minority riders could be degraded in the Purple Line corridor. A new DEIS or a supplemental DEIS should evaluate the extent to which these populations could suffer degraded service in the Purple Line corridor because of the cost of the Purple Line project.

In the four numbered sections below, we explain these matters in greater detail.

### **1. Estimated Costs Were Significant NEPA-Driven Considerations In Selecting Reasonable Alternatives For Study In The DEIS And In Comparing The Selected Alternatives In The DEIS.**

In the DEIS, MTA explains the scoping process it followed for identifying the alternatives that would be further studied in the DEIS. MTA explains in the DEIS: "Alternatives identified during the scoping process that did not support the purpose and need for the Purple Line were not considered 'reasonable alternatives.' Alternatives that did not pass the reasonableness standard were eliminated from further consideration." DEIS, Page 2-1. MTA further explains: "Heavy Rail (Metrorail) and monorail were eliminated from consideration for the Purple Line corridor due to prohibitive costs and the availability of other viable alternatives." *Id.* If cost is a reason for eliminating an alternative for detailed study, the relevant FTA NEPA regulation requires that the DEIS provide a discussion of this reason. See 23 CFR 771.123. Based upon this NEPA requirement, it is clear that the discussion of cost in the DEIS was NEPA-driven from the very start of the DEIS process. Since the cost estimates for the DEIS were so integral it, and, as explained below in Section 2, have proven to be fundamentally incorrect, we believe this must be repaired through the NEPA actions we describe below in Section 3.

In the FEIS, MTA contends that the level of cost information it provided in comparing alternatives in the DEIS is due to an FTA requirement for alternatives analysis (which has subsequently been eliminated). However, detailed cost information in a DEIS complies with Council on Environmental Quality ("CEQ") NEPA requirements. See 40 CFR 1502.23 ("indicate those considerations, including factors not related to environmental quality, which are likely to be relevant and important to a decision"). For example, in the 2008 DEIS for the Honolulu High-Capacity Transit Corridor Project, a project proposed for FTA funding, the project sponsor referred to this particular CEQ provision as requiring detailed cost information in evaluating alternatives in the DEIS. The detailed cost information MTA considered in evaluating alternatives in the DEIS meets this CEQ NEPA requirement and was an important factor in selecting the locally preferred light rail alternative.

## **2. MTA's Projected Costs For The Purple Line Have Fundamentally Changed Since MTA Compared Project Alternatives In The DEIS.**

In 2007, MTA believed the capital cost for the Purple Line would be approximately \$1 billion. The DEIS was completed in 2008 and studied three bus rapid transit ("BRT") alternatives and three light rail ("LRT") alternatives and developed cost estimates for each of these alternatives. The capital cost estimate for the medium investment LRT alternative was \$1.22 billion, and the capital cost investment for the high investment LRT was \$1.63 billion. In August 2009, MTA selected a locally preferred alternative based upon the medium investment LRT with some elements of the high investment LRT. At that time, MTA estimated the cost of the locally preferred alternative at \$1.517 billion. The cost estimate for this same project as of September 2012 is \$2.15 billion, a capital cost increase of \$634 million (\$531 million in constant 2012 dollars) over the three years and one month since the selection of the LPA.<sup>1</sup> The \$634 million increase over this period represents an increase of over 11% per year in a period of inflation averaging less than 3%. Further, the cost of the project has nearly doubled (even accounting for inflation) based upon MTA's informal estimate of what was an affordable project in 2007.

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<sup>1</sup> We understand MTA may attempt to bring in a private partner and this could affect how the project is financed. Available information regarding this plan does not allow us to determine if such a plan could reduce the capital or operating costs of the project. Any private partner would seek reasonable economic terms that would have to be closely scrutinized.

The following table shows available cost estimates between 2007 and 2012:

<b>Date</b>	<b>Estimated Cost In Billions</b>	<b>Source for Estimate</b>
June 2007	Approximately \$1.0	MTA Representative at Town of Chevy Chase Public Meeting
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The following table shows the estimates adjusted to 2012 dollars:

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June 2007	Approximately \$1.1 (in 2012 dollars)
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September 2011	\$1.96 (in 2012 dollars)
September 2012	\$2.151

To put these increases in capital cost estimates in perspective, it is critical to consider some project options that MTA eliminated for study in the DEIS because of their cost. The Purple Line Loop would have been a heavy rail project between Bethesda and Silver Spring, and could have been built in connection with light rail between Silver Spring and New Carrollton. It was among the heavy rail options eliminated from study in the DEIS. According to a January 31, 2003 Memorandum attached to the DEIS from the Montgomery County Department of Park and Planning to the Montgomery County Planning Board, the Purple Line Loop would have increased project costs by \$375 million. This amount was viewed as too costly. Further, at a June 6, 2007 Town of Chevy Chase Public Meeting, a representative of MTA with considerable knowledge of the project explained that a tunneling option proposed for two miles of the project that would have increased the project cost by \$150 million was “unaffordable” and would not be studied in the DEIS.

In short, cost increases of between \$150 million and \$375 million were considered to be unacceptable during a time the project was believed to cost approximately \$1 billion. Now, the project is nearly twice that amount in constant 2012 dollars and MTA continues to face cost increases of over \$200 million a year, totaling well over \$634 million (\$531 million in constant 2012 dollars) for the period between August 2009 and September 2012. The project appears to be well beyond costs that were previously considered unaffordable and perhaps unthinkable.

The project’s most recent cost increase over a one-year period (between September 2011 and September 2012) caused the project to lose standing with FTA. FTA’s

2013 Annual Report on Funding Recommendations for FTA's Capital Investment Grant program shows the recent major capital cost increase for the project of close to \$200 million, along with a substantial increase in operating costs of over 10%. This cost increase caused FTA to change the project's cost effectiveness rating from "medium" to medium low."<sup>2</sup>

With the costs currently being cited for the LPA, it is possible the Purple Line light rail option in the FEIS would not have qualified as a reasonable alternative for study in the DEIS under MTA's own reasoning at that time. One might reasonably ask whether cost increases have placed the selected Purple Line light rail project evaluated in the FEIS in the same category as heavy rail alternatives that were eliminated from study in the DEIS. Regardless, the cost increases are of such a magnitude that they invalidate the cost estimates, which formed the basis for comparing alternatives in the DEIS and subsequently selecting a locally preferred alternative light rail project. This problem can be solved by taking appropriate steps to re-evaluate alternatives in accordance with the NEPA environmental process, as described below.

### **3. The Appropriate Next Step In The Environmental Process Is Either A New DEIS Or A Supplemental DEIS.**

MTA compared two alternatives in the FEIS: the locally preferred alternative and a "no build" alternative. It did not continue to study and compare a range of alternatives carried forward from the DEIS. It is typical for FTA New Starts projects to follow a process in which several New Starts alternatives are compared in a DEIS and for only one of the New Starts projects to survive into the FEIS. This is different than other transportation projects that often continue to study many alternatives in an FEIS and therefore continue to weigh the relative costs of the different alternatives. FTA New Starts projects are different because under FTA's New Starts process, a single project enters the FTA New Starts process prior to an FEIS.<sup>3</sup> Since FTA projects are not compared to a full range of alternatives as part of an FEIS, incorrect cost assumptions underlying comparisons during a DEIS cannot be

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<sup>2</sup> Until January 2010, FTA policy mandated that any project receiving a "medium low" or "low" cost effectiveness rating could not be funded by FTA. FTA has changed this restrictive policy; however, cost effectiveness continues to be an important part of FTA's overall rating of a project. Under current law, FTA may not fund a project that has an overall project rating of lower than "medium." In part, because of the Purple Line project's declining cost effectiveness rating, the project's overall rating declined from "medium high" to "medium" in FTA's 2013 Annual Report on Funding Recommendations. Unless the trend on cost increases changes, the current LPA for the project is at risk of losing its qualification for federal funding.

<sup>3</sup> While legislation changed some aspects FTA's New Starts process in 2012, a single preferred project will continue to be selected by local decision makers during the NEPA environmental process.

repaired during an FEIS. Therefore, some other remedial action must be taken to repair this defect since cost is an important part of selecting reasonable alternatives, comparing project alternatives and selecting a locally preferred alternative. The appropriate remedial action depends upon why cost estimates have changed so significantly.

If costs have increased so significantly because the earlier cost estimates were simply in error, then the basis for the comparison of alternatives in the DEIS was inherently flawed. See 40 CFR 1502.9(a). The only solution to such a fundamental problem would be to conduct a new DEIS with reconsideration at the scoping stage of what projects constitute reasonable alternatives since costs were so fundamental to the selection of reasonable alternatives. More expensive projects might be eliminated from study and less expensive alternatives than those that were studied may be worthy of study.

If costs have increased so significantly because further study of the project has revealed costly new details that were not apparent during the DEIS stage, then a supplemental DEIS may be appropriate as contemplated by the NEPA regulation. See 23 CFR 771.130(e) (“supplemental draft EIS may be necessary ... if there is a substantial change in the level of detail on project impacts during project planning and development”).

A new DEIS or a supplemental DEIS also provides MTA the ability to select a project that is likely to receive FTA New Starts funding. The current light rail LPA faces increasing risks of not receiving FTA funding because of its significant increases in capital and operating costs. If MTA is not able to pay for the increasing cost of the project from non-federal sources,<sup>4</sup> and demonstrates to FTA it has a plan to do so, FTA will not commit funds to the project. However, because of the nature of the FTA New Starts process, FTA’s decision not to commit federal funds to the project could be made in over a year from now rather than at the time of the next project approval.<sup>5</sup> That would mean a loss of valuable time in pursuing an alternative project much more likely to obtain FTA funding.

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<sup>4</sup> MTA currently projects FTA will provide funds for approximately 50% of the capital costs of the project. However, the amount of funds available to FTA for New Starts projects has not been increasing in any significant fashion for several years, and this trend does not appear likely to change. Therefore, it is unlikely FTA will be able to provide a 50% contribution as the capital costs of the project increase. Regardless, any FTA contribution would be capped, and all cost overruns after any FTA commitment would be borne by the state.

<sup>5</sup> After the NEPA process is complete, the project will attempt to enter FTA’s Engineering phase of project development. Since FTA does not scrutinize a project’s local financial commitment at this stage in the same way it would when the project later seeks a “Full Funding Grant Agreement,” there is a realistic scenario in which the project is admitted into Engineering but is nonetheless later denied a Full

The increasing costs of the project present another risk to the project's potential for full FTA funding. The project's FTA cost effectiveness rating could continue to decline from its current "medium low" rating (which dropped from "medium" in an FTA report this year because of increasing project costs). Further, this year FTA will begin to scale its environmental benefits rating for New Starts projects to a project's cost and this could cause the Purple Line's environmental benefits rating to drop considerably. Both the cost effectiveness rating and the environmental benefits rating contribute in a significant way to the project's overall FTA project rating. If the overall project rating drops from its current "medium" level, FTA would decline to provide full funding to the project. The project is at significant risk of this happening as long as cost estimates for the project continue to climb.

In short, if MTA continues with the current LPA, it faces a significant risk that in 2014 or 2015, FTA will decide not to fund the project because of the project's lack of local funding and/or poor cost effectiveness or environmental benefits ratings. MTA would then need to begin a new process for selecting a different, less costly locally preferred alternative for the Purple Line Corridor, having lost a significant amount of time pursuing a costly project at considerable risk of not obtaining federal funds.

#### **4. A New DEIS Or A Supplemental DEIS Should Include An Environmental Justice Analysis Addressing Whether the Cost Of The Purple Line Will Cause a Degradation Of Bus Service In The Purple Line Corridor.**

The environmental justice sections of the DEIS and FEIS do not consider whether the high cost of the Purple Line project will cause a degradation of local bus service in the Purple Line corridor. MTA should consider whether the high cost of the project will divert public resources in such a way that there will be adverse effects on transit-dependent users of the bus system in the Purple Line Corridor. Further, MTA should attempt to determine if transit-dependent users of the local bus system are disproportionately low income and minority riders.

FTA considers the area one half of a mile from a rail alignment to be a reasonable area to analyze for impacts on environmental justice populations. See FTA Circular 4703.1, Page 44. Therefore, MTA should consider whether public transportation users in this area, who will not necessarily use the Purple Line, would experience adverse impacts because of declining local bus service, and whether these users are disproportionately low income and minority users. FTA explains that adverse impacts from a project can include disruption of the availability of public and private facilities and services, and increased traffic congestion. FTA Circular 4703.1 at 45. If the cost of the Purple Line adversely impacts local bus service in the Purple Line, this may have an environmental justice impact and MTA should analyze this as part of the NEPA environmental process.

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Funding Grant Agreement due to the absence of a realistic plan to fund the non-federal share of the project's capital costs and fund the project's operating costs.

## Conclusion

The passage of time since the 2008 DEIS for the Purple Line corridor has shown project cost estimates in the DEIS were fundamentally incorrect at that time. In just three recent years, cost estimates for the alternative selected after the DEIS increased at a rate of over \$200 million a year, an increase of over well over \$500 million in 2012 dollars. This places cost increases beyond those considered acceptable at the time of the DEIS and shows that the assumptions and basis for comparing alternatives in the DEIS were inadequate. The concerns expressed by the Town of Chevy Chase in 2008 in its DEIS comments regarding the flaws in the estimated costs of light rail project alternatives have been proven correct by subsequent cost estimates. An FEIS is premature given the fundamental flaws now apparent with the DEIS. We believe that MTA should initiate a new DEIS or prepare a supplemental DEIS so that reasonable project alternatives can be evaluated and compared based upon correct information, and so the environmental justice effects of strained resources in the Purple Line corridor can be properly analyzed.

We thank you for your consideration of these comments.

Sincerely,



Patricia Burda  
Mayor

Of Counsel: Patrick W. Reilly, Law Offices of Patrick W. Reilly

Attachment: FEIS Technical Analysis

cc: Congressman Chris Van Hollen  
Maryland State Senator Richard Madaleno  
Montgomery County Executive Isiah Leggett  
Montgomery County Council President Nancy Navarro  
Montgomery County Councilmember Roger Berliner

**Technical Analysis of Purple Line  
Final Environmental Impact Statement (FEIS)  
Town of Chevy Chase, Maryland  
October 21, 2013**

The Purple Line is a proposed 16-mile light rail line extending from Bethesda in Montgomery County to New Carrollton in Prince George's County. As required by the National Environmental Policy Act (NEPA), decision-makers must consider the environmental impacts of proposed actions. The Purple Line Alternatives Analysis (AA)/ Draft Impact Environmental Statement (DEIS) was published by the Maryland Transit Administration (MTA) in 2008. The Town of Chevy Chase submitted a response to the AA/DEIS that highlighted concerns with the MTA's assessment of the environmental impacts that will likely be imposed by the project. The Town of Chevy Chase was and is of the opinion that the AA/DEIS failed to accomplish the following:

- Fully and fairly evaluate the Low Investment BRT alternative, including an accurate quantification of its ridership potential.
- Analyze the environmental impacts associated with each alternative separately and comparably to form a basis for comparison.
- Reasonably estimate the costs and benefits of light rail alternatives.
- Analyze the socio-economic aspects of potential growth, as well as the environmental impacts that such growth may spur.

On September 6, 2013, the MTA published the Final Environmental Impact Statement (FEIS) for the Purple Line and initiated a 45-day public comment period to provide stakeholders with an opportunity to review and respond to the FEIS. While the Purple Line FEIS addresses some comments and concerns submitted in response to publication of the AA/DEIS, all design elements of the Preferred Alternative are not presented in the FEIS, which does not allow the public the opportunity to review and comment on all aspects of the proposed action. In addition, the FEIS does not allow for full assessment of the Preferred Alternative, as some significant design element modifications have been proposed, and some continue to be proposed since the publication of the FEIS. Examples include the following:

- Failure to disclose and list properties that will be affected by the removal of trees or other encroachments for construction purposes.
- Failure to employ the accurate number of noise events [vehicle pass-by events or trips per day (278, per Table 4, Section 4(f) appendix)] in discussions of noise impacts.
- Failure to clearly and consistently disclose the existence and location of the noise walls, as well as the heights and materials to be used to construct the noise walls.
- Failure to consider the noise impact to the Capital Crescent Trail.
- Failure to disclose the number of actual vibration events per day (278) in the text discussion.
- Failure to disclose the exact number of residences that would be affected by vibration.
- Failure to include the final design for, and analysis of, the Bethesda Station and the Capital Crescent Trail, including the post-publication proposal for a second ventilation shaft that will discharge near ground level towards and within the Town.
- Failure to include and evaluate the final design for the Lynn Drive Capital Crescent Trail crossing. This is a long-standing, direct route to the High School for which alternatives proposed in the FEIS are now being withdrawn.
- Failure to fully examine and evaluate the environmental impacts of construction activities.

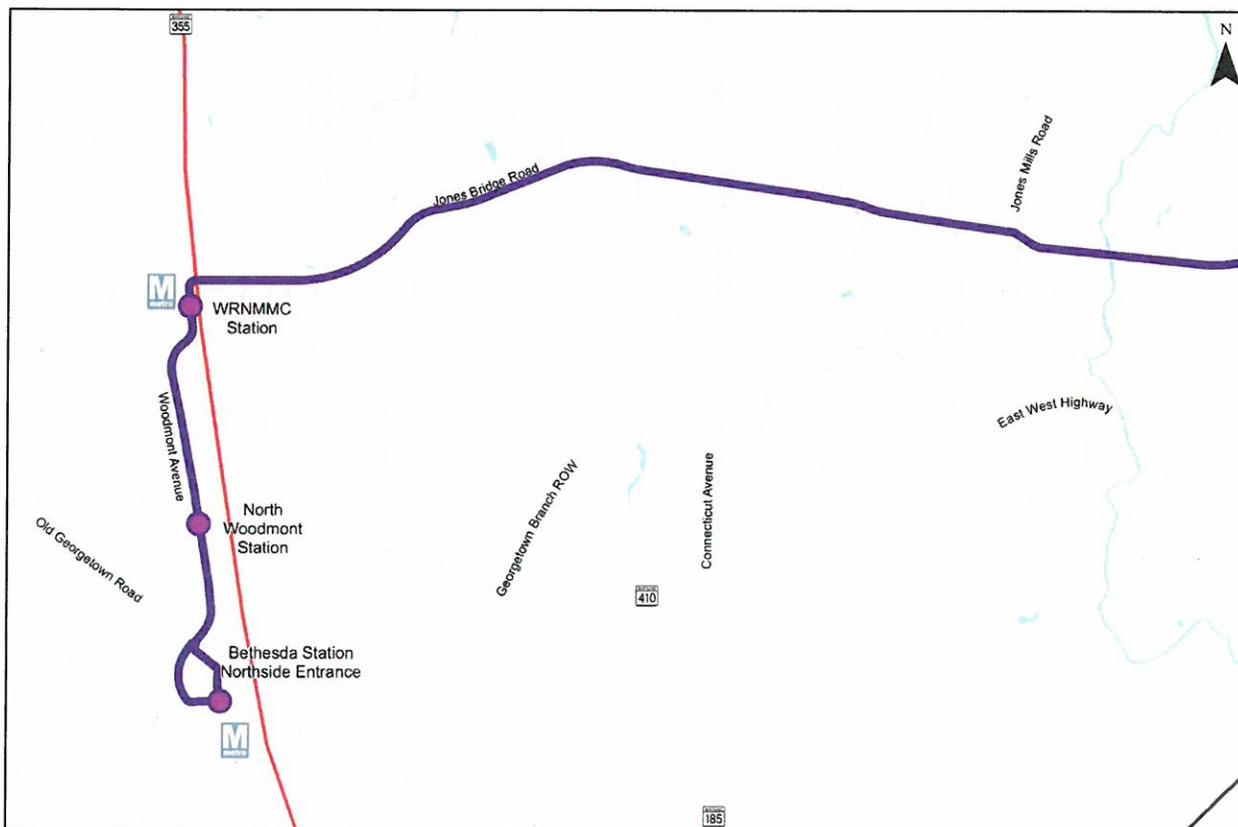
### Responses to 2009 AA/DEIS Comments

#### Full and Fair Evaluation of Low Investment BRT

Build alternatives evaluated in the AA/DEIS included alignments for Bus Rapid Transit (BRT) and light rail transit (LRT) at different levels of investment. A BRT alignment on Jones Bridge Road was included as a low-cost BRT alternative, making use of existing roadways without upgrades. An alignment on Jones Bridge Road would provide direct service to the significant amount of employment at and visitors to Walter Reed National Military Medical Center (WRNMMC) – the former National Naval Medical Center, and the National Institutes of Health. As an alignment on Jones Bridge Ridge was only considered as a low-cost BRT alternative, the Town of Chevy Chase was of the opinion that the alignment was not fully and fairly evaluated. The Town requested an evaluation of a BRT option that uses Jones Bridge Road. According to the FEIS, the “MTA and FTA developed a medium investment [BRT] option aligned on Jones Bridge Road that [would serve] the WRNMMC directly” and then follow Woodmont Avenue to the Bethesda Metro station (see Figure 1).

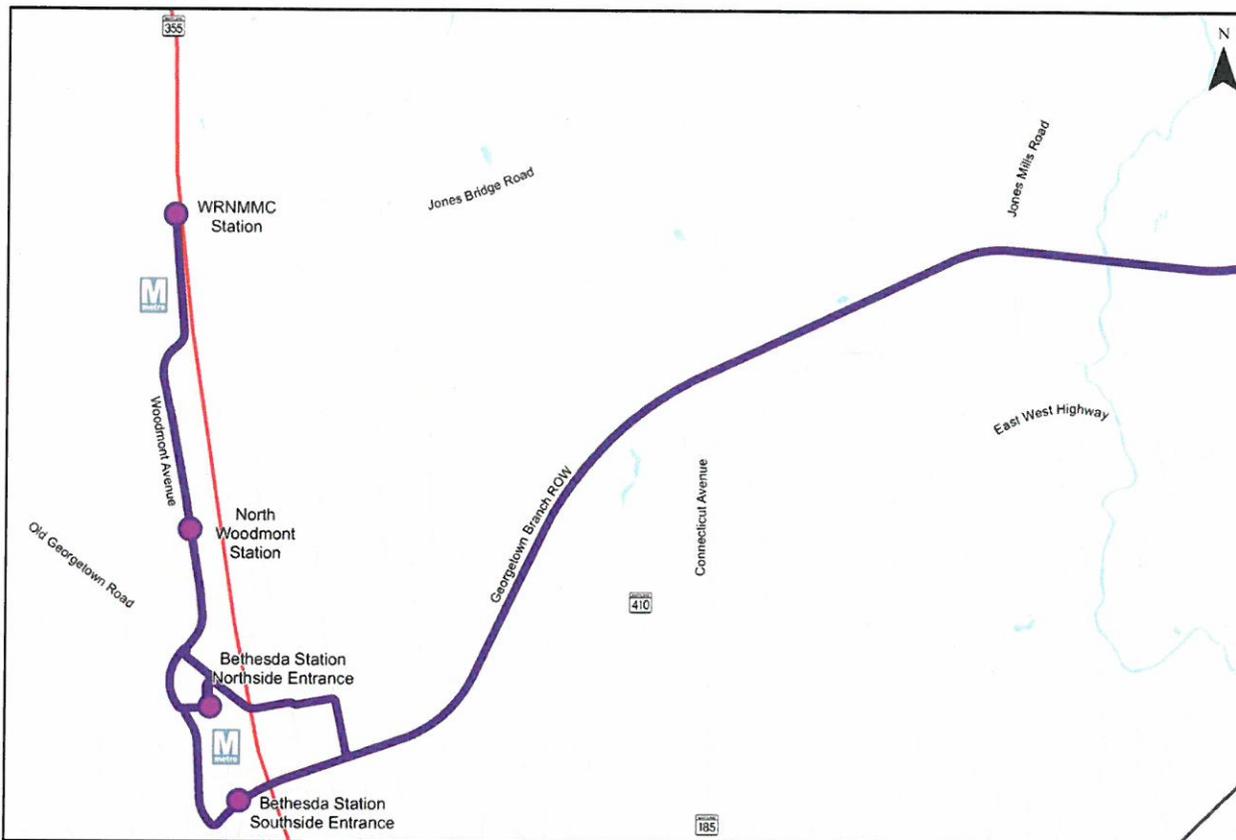
Although not requested by the Town, the MTA evaluated an alignment that routed the medium-investment BRT service on the Georgetown Branch right-of-way to Bethesda and then north along Woodmont and Wisconsin Avenues to WRNMMC (see Figure 2).

**Figure 1: Medium Investment BRT Option 1**



Source: Purple Line FEIS

Figure 2: Medium Investment BRT Option 2



Source: Purple Line FEIS

An abbreviated summary of both options is included in the Medium Investment BRT Variations to the Medical Center section of *Supporting Documentation on Alternatives Development*, which is included as a technical report in the FEIS. The FEIS discussion appears unchanged from the “white paper” MTA issued on August 14, 2008. MTA claims this reflected “discussions with the Town and SSE,” but none were held during their review or through release of the FEIS. The results continue to incorporate errors that were made known to MTA in advance, including:

- No formula penalties assigned to LRT trips to the medical centers, therefore artificially inflating LRT ridership. Omitted penalties include:
  - Extra Red Line fare required between Bethesda and medical centers
  - Transfer penalty
  - Substantial walking time between modes at Bethesda
- For the Town/SSE – proposed Medium Investment BRT (Option 1)
  - Failure to include WRNMMC growth due to BRAC
  - Failure to include ridership from North Woodmont Station, which is not in the LRT catchment area
  - Failure to incorporate low-cost BRT lanes west of Connecticut Avenue
  - Positioning the Medical Center Station in an undesirable location that increased travel time
  - Failure to credit the shorter travel time to Medical Center vs. the LRT option
  - Failure to incorporate recommended BRT priority treatments on Woodmont Avenue

Carrying over these errors and omissions into the FEIS means that the alternatives review preceding the Governor's selection of the locally preferred alternative (LPA) was based on an inaccurate comparison of LRT with Jones Bridge BRT Medium Investment Alternative 1.

### **Selection of the Locally Preferred Alternative**

After considering information presented in the AA/DEIS and subsequent comments, Governor Martin O'Malley identified the Medium Investment LRT Alternative presented in the AA/DEIS along with some elements of the High Investment LRT Alternative as the LPA in August 2009. The following High Investment LRT Alternative elements were included to improve travel times and enhance the pedestrian experience at a relatively affordable cost:

- Maintenance of the Capital Crescent Trail in the Bethesda underpass.
- Lengthening of Baltimore-Washington Parkway bridges over Riverdale Road.
- Crossing under Annapolis Road.

In addition, an above-grade crossing of the intersection of Kenilworth Avenue and East West Highway was not evaluated in the AA/DEIS, but was included in the LPA.

The selection of the LPA was based on the following factors:

- LRT alternatives would generate more user benefits and reduce more automobile trips than BRT alternatives.
- Medium Investment LRT Alternative had the second highest ridership, new transit trips, and improved travel times.
- BRT alternatives offered limited capacity with little room to handle increases in ridership.

The failure of MTA to conduct a complete and comparable analysis of Medium Investment BRT Option 1 and the other alternatives calls into question the above section conclusions.

### **Modifications to the Preferred Alternative and New Project Developments**

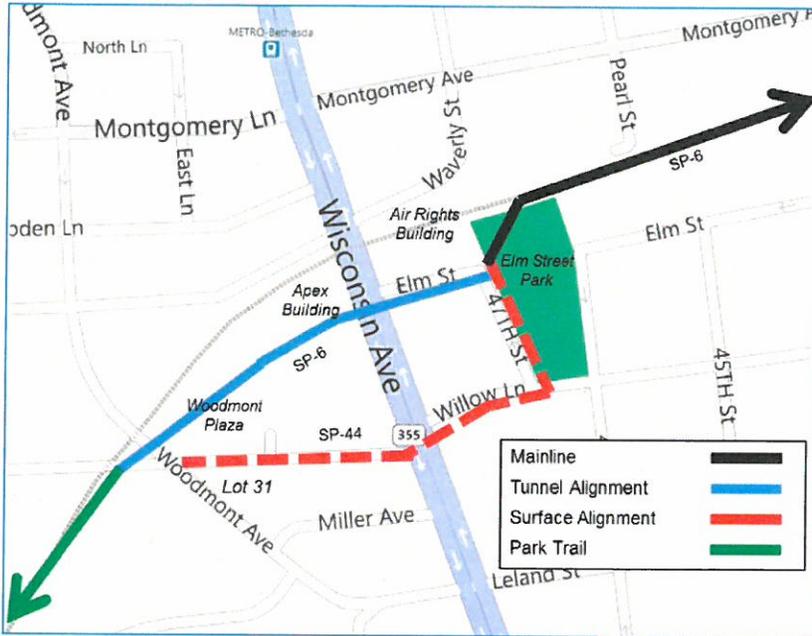
#### Purple Line Bethesda Station and the Capital Crescent Trail

Between Elm Street Park and Woodmont Avenue, the Capital Crescent Train (CCT) currently diverges into two segments – a tunnel under Wisconsin Avenue and an at-grade crossing of Wisconsin Avenue at Willow Lane, still under design (see Figure 4). The 2009 AA/DEIS proposed the construction of a full-width section of the CCT above the tracks in the existing tunnel beneath Wisconsin Avenue. The Town questioned the viability of such a design at the time. Due to high costs and risks associated with such an alignment, the Montgomery County Council decided against the construction of a full-width trail in this section. As an alternative, trail users would be directed to the surface branch of the CCT.

As an alternative to the default design, the MTA subsequently developed an option in Fall, 2012 that would provide a 5- to 7-foot sidewalk connection from the trail to the platform at Bethesda Station (see Figure 5). An illustration of this design is included in Chapter 2.0 of the FEIS. However, the design for the CCT near Bethesda Station shown on the Environmental Resource Map included in the FEIS, contradicts the design described and illustrated in Chapter 2.0. Although the FEIS mentions the need for an emergency ventilation system for the enclosed transitway in Bethesda, it fails to disclose the details of the system's components and evaluate challenges and impacts associated with additional station design elements. According to the Montgomery County Council, such challenges and impacts include impediments to pedestrian flows, gaps between the platform and the train, maintenance tracks that would

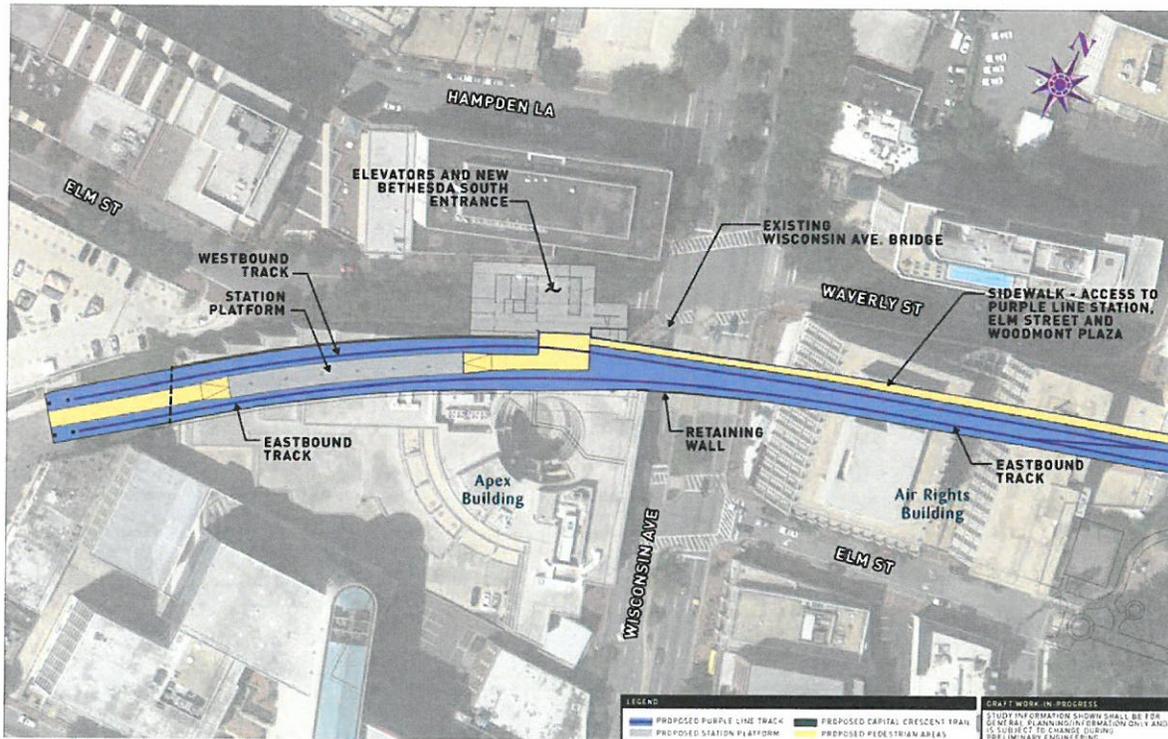
extend approximately 100 feet west of the Apex building and encroach upon the Woodmont Plaza public space, and a 90-foot high ventilation tower located in Woodmont Plaza.

**Figure 3: Capital Crescent Trail Segments**



Source: Bethesda Purple Line Station Minor Master Plan Amendment Draft

**Figure 4: Capital Crescent Trail at the Bethesda Station**



Source: Purple Line FEIS

In April 2013, the County developed additional design options that would require the redevelopment of the Apex Building. A new pedestrian tunnel could be built under Wisconsin Avenue to provide an exclusive right-of-way for the trail. A tunnel option is favorable as traffic volumes on Wisconsin Avenue may increase the possibility of vehicle-pedestrian conflicts. In September 2013, the Montgomery County Planning Board approved the Bethesda Purple Line Station Minor Master Plan Amendment Staff Draft in an effort to meet the MTA's early-2014 deadline. The amendment proposes an alternative design that would allow for unrestricted pedestrian flows, a straight platform, a newly constructed, separate tunnel for the Capital Crescent Trail, and the integration of the ventilation tower into a new building (see Figure 6). That ventilation tower appears to exhaust horizontally into or near Elm Street Park. Potential environmental impacts of that have not been addressed in the FEIS. These are major design changes that have not been subject to public review prior to the FEIS, and are not part of the FEIS.

The tunnel segment of the CCT should meet American with Disability Act (ADA) requirements, which limit slopes to a maximum of five percent. According to the Bethesda Purple Line Station Minor Master Plan Amendment Staff Draft, the current tunnel concept is constrained by a driveway serving 4610 Elm Street and would require an eight percent slope. As this slope would exceed ADA limitations, an elevator could be installed at the southeast corner of Wisconsin Avenue and Elm Street. A less steep slope would necessitate the closing or relocation of the 4610 Elm Street driveway.

The design for the trail in the Bethesda Purple Line Station Minor Master Plan Amendment Staff Draft appears to elevate the trail over the transitway east of Elm Street Park. However, no elevations are included in the plan.

Subsequent to the publication of the FEIS, the County is now moving forward with a new, and heretofore unheard of, plan to offer incentives for private replacement of the Apex building which will reduce the cost of Bethesda Station, and reposition it to transfer more conveniently to the Red Line. As the new design for the Bethesda Station will be substantially different from the Preferred Alternative's station design presented in the FEIS, an examination of environmental impacts, cost and benefits should ensue. The results should be submitted to the FTA, published and presented to the public to allow for comments and responses before continuing onto the next phase in the project's development.

#### Lynn Drive Crossing

The Town of Chevy Chase is foremost in favor of a safe at-grade crossing at this location with lower train speeds. Yet, the Town also continues to work with the MTA to arrive at the best design for a grade-separated crossing. The Town understands that the MTA believes there are water and safety concerns with a below-grade pedestrian crossing, yet there is a trail access tunnel planned at Sleaford Road and it is unclear why water and safety concerns are less of a concern there. Currently, the MTA is proposing at Lynn Drive retaining walls of approximately 22 feet (approximately 28 feet including the noise wall) for a pedestrian crossing under tracks that are further elevated to accommodate the crossing. Based on the plans included in the March 18<sup>th</sup>, 2013 presentation to the Town of Chevy Chase (Pedestrian Underpass Options 1 and 2), this plan appears to include additional track height in order to allow pedestrians traversing the underpass to connect at the same elevation as the trail on the north side of the tracks. However, it is unclear in the section drawings provided in this presentation why the trail cannot be lowered by approximately seven or more feet inside the adjacent retaining wall to allow for a lower elevation pedestrian underpass, thus decreasing the required retaining wall height on the south side of the tracks. If possible, it is important to lower the proposed retaining wall height at the crossing location in order to minimize the effect on adjacent property. A retaining wall and noise wall totaling 28 feet high decreases sunlight to the adjacent private back yard and creates a more closed-in environment that is undesirable and lowers property value.

The design for the crossing at this location is on-going and what is included in the FEIS is not final. As such, further collaboration between the MTA and the Town of Chevy Chase on the final design is needed and amended, final drawings should then be included in the FEIS, including the agreed-upon six-foot noise walls.

## **Analysis of FEIS Environmental Impacts**

### Natural Habitat

Chapter 4.0 of the FEIS, *Environmental Resources, Impacts and Mitigations*, defines the types of habitat and wildlife within the Purple Line study area (the Purple Line Limit of Disturbance (LOD) with an additional 50-foot buffer for forests). These types of habitat include forests, specimen trees, and aquatic habitat and biota. In *The Forest Stand Delineation Report for the Purple Line Transit Connection* (2011), all forests within the study area were characterized and specimen trees were identified. Specimen trees and forest stands were mapped and are included in Volume 2 of the FEIS – *Environmental Resource Mapping*. Partial property acquisitions required for the Preferred Alternative would impact forest and specimen trees. The FEIS concludes that a total of 48 acres of forested habitat and 194 specimen trees would be impacted. These impacts are presented by project element, but the exact geographical locations of the impacted resources are not listed in the FEIS. In addition, short-term impacts associated with construction activities would cause the removal of trees.

Although Chapter 5.0 of the FEIS provides information on the anticipated construction activities, the FEIS does not give specific details on areas of impact and mitigations. Of specific concern to the Town of Chevy Chase are three specimen trees located along the Capital Crescent Trail on private properties along Elm Street. To fulfill the purpose of a final environmental impact statement, this information should have been included and clearly disclosed to the public.

The Maryland Department of Natural Resources (MDNR) has established a policy for final forest planting where forest impacts occur. The MTA will comply with these obligations and offset these impacts with reforestation and afforestation from sites in close proximity to the project area, where possible. The MTA has identified, but not disclosed, reforestation sites with available resources that could be used to mitigate impacts. Although these sites have been preliminarily identified, their resources should be disclosed to the public for the purposes of determining if, in fact, these sites can provide suitable resources to mitigate the loss of natural habitat.

### Noise

Reportedly, none of the Representative Noise Monitoring and Assessment Locations within the Chevy Chase area is expected to experience noise impacts from the Purple Line project. A summary of findings is listed in Table 5 in *Technical Report: Noise*. Impacts were assessed according to FTA criteria and assumed the existence of mitigation measures. The Representative Noise Monitoring and Assessment Locations within Chevy Chase can be found on page 9 of the noise technical report. Locations M-1 through M-14 are residential or institutional locations and P1 through P3 are parks in, or adjacent to, the Town of Chevy Chase.

The noise technical report provides details of potential Purple Line operating characteristics, listing headways for different periods of the day and determining the overall number of trips per period in Table 4. Based on the table, the total number of trips per day would be 139, but this is actually only half the actual total number of trips, since the table does not double the number of trips per period to account for both directions of operation. Based on the headways given in the table, there would actually be 278 trips

per day, and thus 278 noise events per day. This is, also, almost four times the number of trips that is mentioned as occurring per day on page 24 of *Technical Report: Vibration*.

According to the FEIS, the transitway between Bethesda and Rock Creek Stream Valley Park will feature a four-foot high noise wall on the south side. On the north side, either the trail will be elevated more than four feet above the tracks or a four-foot high noise wall would be included between the Capital Crescent Trail and the adjacent community. This description matches what was described in the presentation from MTA on February 27, 2013. However, the concept plan drawings included in the FEIS do not match this statement, and there are several places where the retaining wall on the south side of the transitway is labeled merely “retaining wall” and not “retaining/noise wall,” as it is in other locations. Some examples of this are: Drawing CV-03, just north of East West Highway, and Drawings CV-09 and CV-10, near Jones Mill Road. Nowhere in any of the documents, new or old, or on the Web, is it specified what material this particular noise wall will be made of. *Section 106: Assessment of Effects for Historic Properties* just states on page 52 that the noise wall will be “solid parapet” in style. In addition, the FEIS states in section 4.11.3 that the noise wall will be four feet high. However, it is the Town’s understanding that noise wall in the area of Lynn Drive would be six feet high. This should be clarified and specified in the FEIS.

No noise measurements were taken or estimated at the Riviera of Chevy Chase, which is one of the largest residential developments in the Chevy Chase area, located at 4242 East-West Highway. The Riviera is immediately adjacent to the right-of-way on the north side. While measurements were taken nearby, at the location labeled “M-8”, 7602 Lynn Drive, the noise conditions at the Riviera, which is on the other side of the right-of-way from “M-8,” could potentially be quite different. The Riviera building is a high-rise, which can create the potential for an echo effect, especially considering the retaining/noise wall on the opposite side of the right-of-way from the building. The retaining wall in this location is planned to be approximately 22 feet high, to account for the elevation of the tracks over the Lynn Drive pedestrian underpass. There is a planned 4-foot-high noise wall on top of the retaining wall, but this still allows 22 feet of solid surface on which to create an echo across the tracks.

Notably, the noise impact to the Capital Crescent Trail that will run immediately alongside the Purple Line alignment is not examined or evaluated in the FEIS, even though impacts to other park areas are discussed. Environmental impacts to trail users must be examined and should have been evaluated in the FEIS, as the trail is a valuable community amenity.

### Vibration

According to *Technical Report: Vibration*, included in the FEIS, vibration would occur both during construction of the Purple Line and when operation commences. Once the Purple Line is in operation, it will add “70 more pass-by events per day.” Other parts of the report correctly assert that Purple Line operations will add *more* than 70 pass-by events per day, which places the impact in the most severe category—“Frequent Events”—according to the FTA. However, “more than 70” and “70 more” are quite different in this case, since, according to the potential Purple Line operating characteristics provided in Table 4 in the noise technical report, the actual number of pass-by events would be 278. Nowhere in the vibration technical report is the exact number of assumed pass-by events explicitly stated.

Vibration-sensitive land uses are simply buildings with primarily residential or institutional uses near or within the project corridor. Although it should, the FEIS does not clearly state the exact number of residences that would be affected by vibration. Instead the FEIS uses vague language such as “additional” and “several.” Vibration monitors were installed at representative locations along the corridor and existing conditions were measured. None of the monitors at sites within the Chevy Chase area read

existing vibration levels over the level of human perception, which is said to be 65 VdB. However, project-related vibration levels were estimated at the monitoring sites.

### Property Acquisition

According to Section 4.4 of the FEIS, three properties within the Town of Chevy Chase could be acquired. Property acquisitions and easements were identified by comparing the project's LOD, aerial photography, project engineering design and county land parcel data. Field reconnaissance was performed to verify information, where necessary. All three acquisitions listed in the FEIS are residential properties; one is a full taking and two are partial takings (a partial taking may simply be an easement). In addition, The FEIS states that no displacements will occur from these takings, but does not disclose the addresses of the affected properties or the extent to which these properties would be impacted.

The FEIS did not note that any properties within Chevy Chase would be temporarily affected by construction easements. However, due to the proximity of several properties to the Capital Crescent Trail, construction easements will likely be necessary.

The FEIS should fully disclose all required property takings and easements including those temporary easements due to construction. With construction of +/- 18-foot retaining walls taking place at the exact edge of the right-of-way there will almost certainly be some necessary construction easements. These need to be included in the FEIS.

### Construction Activity

In Chapter 5.0 of the FEIS, *Overview of Construction Activities*, the method by which construction of the Preferred Alternative might be undertaken and steps taken to minimize construction impacts are described. The FEIS summarizes activities by construction area, including construction limits, structures, and affected roadways.

As the duration of construction activities is not anticipated to exceed five years, "any impact incurred during construction would be considered a temporary impact [and] analyses are not required for construction-related activities that cause temporary increases in emission," according to the FEIS. While the impacts that can be expected to occur as a result of construction activities are addressed in the FEIS, they are not fully examined and analyzed in the environmental impact studies. These environmental impacts should be evaluated in the FEIS for the benefit of the decision-makers and the public.

## **Conclusion**

Following a review of the FEIS, it is clear that all design elements of the Preferred Alternative are not presented in the FEIS and several environmental impacts that will likely be associated with the project have not been identified or evaluated. As the purpose of a FEIS is to fully examine and evaluate all impacts associated with a proposed action, the Purple Line FEIS must be deemed as inadequate. In this case, the preparation of a Re-evaluation or Supplemental Environmental Impact Statement (EIS) to re-examine the proposed action and accurately evaluate the full combined effect of all environmental impacts is warranted.

The Town looks forward to reviewing and responding to the next Purple Line document that the MTA publishes that provides the public with a full and proper assessment of the environmental impacts of the Preferred Alternative before project development continues.

**Purple Line FEIS - RECORD #719 DETAIL**

**First Name :** Roger  
**Last Name :** Berliner  
**Email Address :** Roger.Berliner@montgomerycountymd.gov

**Submission Content/Notes :**

**Attachments :** CouncilmemberBerlinerCommentsOnPurpleLineFEIS.pdf (162 kb)



MONTGOMERY COUNTY COUNCIL  
ROCKVILLE, MARYLAND

ROGER BERLINER  
COUNCILMEMBER  
DISTRICT 1

CHAIRMAN  
TRANSPORTATION, INFRASTRUCTURE  
ENERGY & ENVIRONMENT COMMITTEE

October 21, 2013

James T. Smith, Secretary of Transportation  
Maryland Department of Transportation  
7201 Corporate Center Drive  
P.O. Box 548  
Hannover, MD 21076

Dear Secretary Smith,

I am writing in response to the Maryland Transit Administration's Final Environmental Impact Statement (FEIS) on the Purple Line project. I serve as the Chairman of the Montgomery County Council's Transportation, Infrastructure, Energy and Environment Committee and represent many residential neighborhoods impacted by the Purple Line's construction.

When I first sought the privilege of serving on the County Council, I indicated my support for the Purple Line. My assessment then and now was that on balance the Purple Line is in the larger public interest. That said, I was and remain keenly aware that communities I represent are being asked to make a very large sacrifice. They mourn the loss of the bucolic trail they love, the peace and quiet of their neighborhoods, and for those living immediately adjacent to the route, they are rightly concerned about the daily impacts on their homes and lives.

In my work on the Council, I have committed to the communities affected by the Purple Line that I will do everything within my power to mitigate, to the maximum extent possible, the adverse impacts resulting from the construction of this important state project. Fundamentally, Mr. Secretary, that is your job now. As important as it is to obtain federal support for this project in a timely manner, it is equally important that you satisfactorily address the legitimate issues raised by my constituents.

That responsibility is even greater now after the successful negotiations with the Columbia County Club became public, a process which regrettably created the impression that the concerns of the well heeled and powerful are given priority. Moreover, the prospect of a public private partnership has also raised concerns that legitimate community interests may be sacrificed on the altar of profitability.

These factors, when combined with the substantive issues that have been raised by adjacent neighborhoods, require binding commitments from the state to mitigate to the maximum extent possible the adverse consequences of this important state project. As the Coquelin Run

Citizens Association points out in their comments on the FEIS, our County’s Parks Department has stated that

“[o]ne lesson learned from working on the Intercounty Connector (ICC) was that *commitments for minimization and mitigation measures should be well defined during the FEIS process and confirmed in the record of decision (ROD).*”

Coquelin Run Citizens Association comments, p. 2 (emphasis added).

## **I. Community-based Concerns**

A number of neighborhoods that I represent on the County Council have submitted detailed comments on the FEIS, including the Kentbury Drive Residents Group (“KDRG”); the Coquelin Run Citizens Association; the East Bethesda Citizens Association; and the Town of Chevy Chase. Their comments set forth a wide range of concerns, including, but not limited to, noise, vibration, access points to the trail, construction impacts, trees and landscaping, aesthetic and visual impacts, safety, and water runoff.

I will not repeat here all of the details of what these parties have put before the state. Suffice it to say, they buttress their concerns with serious and sophisticated argumentation. I request that you respond to these concerns in a similar manner and that you set forth the appropriate mitigation measures you are prepared to undertake as a result.

Below I add some further commentary to what has otherwise been forcefully presented by the community, and some additional areas that should be explored going forward.

## **II. Noise/Vibration**

Noise and vibrations from the Purple Line’s daily operation are a primary concern for neighborhoods and homeowners along the proposed route. See KDRG comments at pgs. 3-9; Coquelin Run Citizens Association comments, pgs. 3-6; East Bethesda Citizens Association comments at pgs. 3-4.

E.9

E.10

Among other issues related to noise, these neighborhoods challenge the use of the “hourly equivalent sound level as the sole metric for impacts on adjacent residences”, KDRG comments at p. 3; the related failure to include “maximum sound levels ...despite the recommendation from the FTA”, *ibid.*, p. 4; and the alleged “failure to describe the actual noise levels”, Coquelin Run Citizens Association comments at p. 4.

For some communities, vibrations pose “an even greater threat [than noise] to the well-being and quality of life of nearby residents.” Coquelin Run Citizens Association comments, p. 3. Neighborhoods cite a “lack of specific detail” in the FEIS that address the concerns regarding the impact of vibrations on nearby homes.

The nature of these concerns are very serious and do not appear to be adequately addressed by the measures committed to by the state thus far, measures that I understand will, among other things, reduce noise levels by 12 decibels. Indeed, the FEIS identifies in Table 4.31 “*Impacted Property Locations*” several properties where the vibration of the Purple Line will exceed the maximum federal standards for vibration. However, the FEIS only references “potential mitigation measures.” It does not indicate what these measures will be and if they will be mandated.

If the state does not believe that these concerns justify a supplement to the FEIS, it is incumbent upon the state to fully set forth why and to demonstrate clearly how the concerns that the community has raised will be responsibly addressed. As is set forth more fully below, there is a potential technological fix here that should be explored that would address both noise and vibration issues – the use of fuel cells to power the Purple Line.

In addition, one of the other issues raised with my office by constituents was the concern regarding the use of bells or horns by Purple Line trains while traveling through communities. In section 4.11.3 “*Noise Sources Related to LRT Vehicle Operations*”, MTA states:

*“MTA is currently developing a Bell and Horn Policy for the Purple Line which would indicate standard operating procedures for horn and bell use in different types of locations”*

The FEIS does not address what those “standard operating procedures” may be. I would strongly advocate for MTA to work with local community leaders to determine where and how bells/horns are to be used. While I understand that there may be occasions when the use of these technologies is unavoidable, such as when trains are entering a tunnel or during scheduled track work, we need a policy that strictly limits their use, but for exceptional circumstances, and minimize the use of bells/horns such as other communities have done.

For example, I would urge MTA to consider modeling their bell/horn policy for the Purple Line off of the Baltimore Light Rail (BLR) model, especially when it comes to at-grade crossings. The Baltimore Light Rail system carries 8.6 million riders annually through residential and commercial areas and has an exemplary safety record. The BLR uses a mixture of flashing lights and chimes to alert pedestrians of its approach. If the Purple Line could incorporate flashing lights and chimes as a warning measure for at-grade crossings, as opposed to horn blasting techniques, I believe residents, homeowners, and pedestrians alike would benefit.

### **III. Trees**

#### **A. Reforestation**

E.11

In Chapter 4.13.3 “*Long-Term Operational Effects*” of the FEIS, MTA states:

*“Where forest impacts occur, MTA will comply with MDNR requirements for final planting obligation.”*

The Maryland’s Department of Natural Resources (MDNR) requires that any project accepting \$1 or more of state funds must perform mitigation efforts to minimize forest disturbance. MDNR’s requirement states:

*“Replacement of forest cleared...must be accomplished on an acre-for-acre, one-to-one ratio on public lands and within a year of completion. Attempting to locate reforestation sites within the same county...is given the first priority.”*

Trees are a resource that I have long fought to protect and are cherished by the communities I represent. See KDRG comments, pgs 12-14; Coquelin Run Citizens Association comments, p. 6. Regrettably, trees and the tree canopy are among the biggest casualties of this project. That does not mean these trees must be lost forever. However, a one-to-one ratio does

not guarantee that tree canopy will be restored to its pre-construction levels. A variety of factors result in a large percentage of replanted trees dying before reaching maturity.

It is precisely for this reason that our County has adopted a three-to-one replacement ratio as its standard tree replacement policy. We recently passed two separate bills to ensure our tree canopy was protected: Bill 41-12, the Roadside Tree Bill, which established firm protection plans for trees within the County's Rights-of-Way and Bill 35-12, which established a replacement formula for new development on both public and private property. Accordingly, I urge the MTA to not only comply with the reforestation efforts mandated by MDNR, but to instead adopt a three-to-one replacement ratio.

More broadly, the state should, as we require anyone working in our right of way to do, incorporate "tree protection plans" in its ongoing work. Not only do the trees along the right of way require protection, but the state must work equally hard to ensure that the root zones of those trees on private property are protected as well.

### **B. Alternatives to Overhead Wires**

C.1

From its inception, the Purple Line was engineered to be powered by overhead lines. *The use of overhead lines will prevent the restoration of a full canopy.* This is why I have previously and consistently urged the state to explore alternatives to overhead wires. I continue to do so and I believe alternatives do exist. One such alternative to overhead wires is battery packs. Battery packs allow trains to travel without the need for overhead wires.

There are several examples of light rail systems using battery packs. The Japanese government began using the NiMH battery to power trains in 2007. The NiMH battery is an extremely powerful and reliable alternative to overhead wires and was engineered by Kawasaki. Kawasaki also developed the SWIMO battery, an even smaller battery that should be considered as an alternative to overhead wires. These batteries are capable of powering a train's entire operating system, while maintaining an impressive range. Additionally, there are examples of batteries being used to power trains along the Landches Line near Frankfurt, Germany and the Espresso Tiradentes in Sao Paolo, Brazil. These lines use battery packs not only for fuel efficiency reasons, but also as a mitigation measure to avoid damaging architectural and environmental surroundings.

Accordingly, I urge the state, when it issues its RFP for the planned Public Private Partnership (PPP) that the state intends to use for this project, to request bids that include the use of battery packs and other alternatives to overhead wires.

## **IV. Alternative Fuels & Technologies**

E.8

In Table 4-41, "*Direct Transportation Energy Consumption*" MTA's charts indicate that by 2040, the Purple Line will consume 8,402,952 kWh of electricity annually. I would respectfully urge the state to include in its RFP a request for proposals that include the following alternatives to traditional electricity consumption.

### **A. Fuel Cells**

Recently, the China North Vehicle Yongji Electric Motor Corporation (YEMC) and the Southwest Jiaotong University jointly launched China's first energy fuel cell light rail train. The country's first energy fuel cell light rail train utilizes hydrogen and a YEMC-developed

permanent-magnet synchronous motor and frequency converter as its main source of power. The reported advantages of the synchronous motor are high power, high efficiency, remarkable energy conservation, *low vibration and minimal noise*. All of these qualities would serve our state, the environment, and the communities along the Purple Line route, but given the concerns regarding vibration and noise, for those reasons alone this technology deserves serious exploration. Accordingly, I would request that MTA include in the RFP for the P3 bids the feasibility of utilizing fuel cells as an alternative to electricity.

## **B. Wind/Solar Farms**

If electricity must be used, clean renewable energy, such as wind and solar, should be used to power the Purple Line. To that end, I request that the MTA and its PPP designee examine the benefits of entering into a long-term Power Purchase Agreement with a wind farm or solar farm to acquire the energy needed to power the Purple Line.

Governor O'Malley, a strong supporter of the Purple Line, led the effort to pass the Maryland Offshore Wind Energy Act of 2013. Additionally, the Maryland Renewable Portfolio Standard (RPS) requires that Maryland obtain 20% of its electricity from renewable sources by 2022. Maryland's offshore wind farms, when completed, will generate 200 megawatts (MW). By using wind power, MTA and the Purple Line can work towards achieving this goal and take full advantage of one of the Governor's signature initiatives.

Maryland's solar farms, which rank 14<sup>th</sup> in the nation in size and output, are another alternative that I urge you to examine. The Maryland Solar Farm in Hagerstown, the Mount Saint Mary's University Solar Farm, and Nixon's Farm in Columbia, will be generating 1,250 MW of electricity by 2015, when the Purple Line is set to begin construction. Using even a portion of this solar-generated power would greatly reduce the amount of coal-powered electricity that would otherwise be used to power the Purple Line.

## **C. Microgrid**

The US Department of Energy, New Jersey Transit (NJT), Sandia National Laboratories, and the New Jersey Board of Public Utilities have partnered to develop a new project known as the NJ TransitGrid. When developed, the NJ TransitGrid will be the first system of its kind to incorporate microgrid usage into a major civilian transit system. Currently, the project has a \$1 million budget from the federal government to plan and develop how the system will work and what assets it will employ.

Microgridding is the energy infrastructure of the future. They provide distributed, clean, reliable and consumer friendly power to their users. I had the privilege of being with the Governor on Wednesday of this week when he cut the ribbon for the first commercial solar microgrid using technology developed by two Montgomery County companies. He spoke eloquently of the importance of innovation to our state's economy. This project has similar potential to serve as a catalyst for innovation in the realm of clean distributed energy, innovation that creates jobs, reduces emissions, and lowers the dependence on the grid. Accordingly, I recommend MTA and its P3 partners investigate the feasibility of a microgrid project, similar to the NJ TransitGrid, as a way to power the Purple Line.

C.2

Mr. Secretary, the benefits and burdens of this critically important state project are not dispersed equally. Those that are being asked to sacrifice on behalf of the larger public good need your help. Their concerns need to be addressed, and the adverse impacts need to be mitigated to the maximum extent feasible. My goal, which I am sure you share, is to provide a state-of-the-art transit system that will serve us well into the future and that minimizes and mitigates adverse impacts on neighboring communities and our environment.

Sincerely,



Councilmember, District 1  
Chair, Transportation, Infrastructure, Energy &  
Environment Committee

cc: Michael Madden, MTA, Purple Line Project Manager  
Glenn Orlin, Deputy Administrator, Montgomery County Council  
Montgomery County Councilmembers  
Isiah Leggett, Montgomery County Executive  
Arthur Holmes, Director, Montgomery County Department of Transportation  
Francoise Carrier, Chair, Montgomery County Planning Board M-NCPPC

**Purple Line FEIS - RECORD #1001 DETAIL**

**First Name :** Al  
**Last Name :** Carr  
**Email Address :** alfred.carr@gmail.com

**Submission Content/Notes :** Purple Line FEIS comments submitted by Delegate Al Carr

Maryland's 18th Legislative District

B.2

Comment #1:

According to the FEIS, the purpose of the Purple Line project includes the following:

“Provide faster, more direct, and more reliable east-west transit service connecting the major activity centers in the Purple Line corridor at Bethesda, Silver Spring, Takoma/Langley Park, College Park, and New Carrollton,

Provide better connections to Metrorail services located in the corridor, and

Improve connectivity to the communities in the corridor located between the Metrorail lines”

Unfortunately the implementation of the purple line will worsen north-south travel along the Connecticut Avenue corridor for pedestrians, transit users and motor vehicles.

Over the objections of citizens and communities along the Connecticut Avenue corridor, the Montgomery County Council approved the Chevy Chase

Lake Sector plan which includes a large increase in the intensity of development contingent upon construction of the purple line. This land use

plan was found to be “out of balance” regarding the sufficiency of the local roadway network. The plan calls for widening of Connecticut

Avenue and East West highway which will hurt pedestrian safety, especially for students of nearby public schools. The County has not identified plans to improve north south transit service on Connecticut Avenue and instead allowed WMATA to reduce the frequency of the L7/L8 bus service in 2009.

Rather than improving transit service in the Connecticut Avenue corridor, the Maryland Department of Transportation facilitated the growth of single

occupancy vehicle traffic by devoting scarce state funding to the widening

of Connecticut Avenue near Jones Bridge Road. This project proceeded over

the objections of local communities, state legislators, the planning board and despite the availability of newer, more accurate traffic count data questioning the need for the widening.

Comment #2:

The implementation of the purple line will come at the expense of fares and improvements to MARC commuter rail service in Montgomery County.

The MARC Brunswick line provides access to Metrorail, downtown Silver Spring and other destinations for thousands of riders. Despite consistent increases in ridership, the Maryland Transit Administration eliminated holiday service and cut mid-afternoon Brunswick line train service from five days per week to Friday only. The Maryland Transit Administration has also diverted capital funds from MARC to the purple line. If ridership and revenue on the purple line fall short of projections, payments to the private partner will be made up by increasing fares on other state transit services which include MARC. The Maryland Department of Transportation has also scaled back long-term plans to improve MARC commuter rail service in Montgomery County when you compare the 2007 MARC Growth and Investment Plan with a revision published in 2013.

Comment #3:

The purpose and need statement states that bus service “is often slow and unreliable because it operates on a congested roadway system ... The constraints of traffic congestion, lack of opportunity to increase roadway capacity, ... limit the solutions which could be used to address the needs described above.”

Congestion on corridor roadways and the reliability of bus service are areas that the state and county could choose to address. The state and the county have failed to implement or advance improvements for the east west J1, J2, J3 and J4 bus lines identified by the Washington Metropolitan Area Transit Authority in its Priority Corridor Network report. Improvements proposed in the report include: “transit signal priority and queue jumpers. Branding to create a unique transit identity”

Comment #4:

The purple line could result in reduced funding for Montgomery County’s Ride On Bus service. The MTA is negotiating with Montgomery County for a \$110M contribution toward the up-front funding required to implement the purple line. If Montgomery County contributes tens of millions of dollars toward purple line construction, this could come at the expense of the preservation and expansion of Ride On Bus service. If the purple line overruns its construction budget, this could require additional contributions from Montgomery County which could further hurt Ride On Bus service as well as other county funded transportation services.

**Purple Line FEIS - RECORD #1032 DETAIL**

**Comment Date :** 10/29/2013  
**First Name :** Vernon  
**Last Name :** Archer  
**Business/Agency/Association Name :** Town of Riverdale Park  
**Address :** 5008 Queensbury Road  
**City :** Riverdale Park  
**State :** MD  
**Zip Code :** 20737

**Submission Content/Notes :** Dear Mr.Madden:

On behalf of the Town of Riverdale Park Mayor and Council I would like to share with you concerns we have about the currently planned placement of the Purple line as it is currently planned along River Road. For reasons I will further elaborate below, we the Town of Riverdale Park ask that you reconsider the placement of the Purple line along River Road so as to enable the emerging vision of a dense Urban pedestrian oriented development to move forward.

As you are likely aware Prince George's County is currently revising the Transit District Development Plan (TDDP) for the area between the College Park Metro Station and the Northeast Branch River. The clear direction of this exercise is to produce a mixed use, transit-oriented, pedestrian-friendly community with on-street parking, and narrower streets. This urban design model will encourage walking, biking, shopping and dining in the context of retail, office, restaurant and residential development. The county and its consultants have shown many illustrations of light rail as fully integrated features of mixed-use neighborhoods and the public is clearly excited about integrated light rail as part of the transportation mix.

Many of the light rail lines that enhance mixed-use development are located in public roadways with rail sharing the roadways with vehicles and pedestrians. Such designs are welcomed by pedestrians and are an integral part of the street environment. Such placement of the rail within the existing roadway is of course planned for Paint Branch Parkway and Kenilworth Avenue sections of the Purple Line project.

It therefore seems prudent to the Town of Riverdale Park that the placement of the rail line along River Road be reconsidered. The currently proposed alignment is too wide to encourage pedestrian traffic and further requires taking land from adjacent land owners. Both of these undesirable effects might be mitigated by placing the Purple Line directly in the existing roadway.

Telephone (301) 927-6381 FAX (301) 864-8090

Mr. Michael Madden  
Page 2  
October 22, 2013

We are aware that there are likely to be some impediments to changing this placement, but we are optimistic that they can be overcome. We believe that an in-road alignment would improve the likelihood of the Purple line being a successful addition to urban, mixed use vision for this neighborhood.

Vernon Archer, Mayor  
Town of Riverdale Park  
Riverdale Park.pdf (62 kb)

**Attachments :**



# Town of Riverdale Park

5008 Queensbury Road  
Riverdale Park, Maryland 20737

October 22, 2013

Mr. Michael Madden  
Project Manager, Purple Line  
Maryland Transit Administration  
100 S. Charles Street  
Baltimore, MD 21201

Dear Mr. Madden:

On behalf of the Town of Riverdale Park Mayor and Council I would like to share with you concerns we have about the currently planned placement of the Purple Line as it is currently planned along River Road. For reasons I will further elaborate below, we the Town of Riverdale Park ask that you reconsider the placement of the Purple Line along River Road so as to enable the emerging vision of a dense Urban pedestrian oriented development to move forward.

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Mr. Michael Madden  
Page 2  
October 22, 2013

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Sincerely,



Vernon Archer, Mayor  
Town of Riverdale Park

cc: University of Maryland (President Wallace Loh, Vice President for Administration and Finance Carlo Colella)  
Prince George's County Executive (Rushern Baker, Brad Frome)  
Prince George's County Planning Department (Chad Williams)  
American Center for Physics (Beth Cunningham)

**Purple Line FEIS - RECORD #1042 DETAIL**

**Comment Date :** 1/8/2014  
**First Name :** Chris  
**Last Name :** Van Hollen  
**Business/Agency/Association Name :** Congress of the United States, House of Representatives  
**Address :** 51 Monroe Street  
**Apt./Suite No. :** 507  
**City :** Rockville  
**State :** MD  
**Zip Code :** 20850  
**Submission Content/Notes :** I am writing on behalf of many of my constituents who have submitted comments about the Maryland Transit Administration's Final Environmental Impact Statement (FEIS) on the Purple Line project. Specifically, I am writing to draw your attention to the comments submitted by, among others, the East Bethesda Citizens Association, Kentbury Drive Residents, the Town of Chevy Chase, the Coquelin Run Citizens Association, the North Woodside-Montgomery Hills Citizens Association, the Lyttonsville Community Civic Association, and the East Silver Spring Citizens Association. I have long expressed serious concerns about the impact of portions of the Purple Line on the neighborhoods through which it passes. I believe that the comments of these residential communities identify a number of very serious issues that deserve prompt and thorough attention, including noise and vibration levels, preservation of trees, visual impacts, and assistance to the small businesses that will be displaced by the project. Given that the project may be managed through a public-private partnership, it is crucial that these matters be fully addressed now by the MTA before a final agreement is reached with a contractor. I am aware that the MTA is under serious time pressure to address these concerns and, at the same time, submit its report to the Federal Transit Administration (FTA) in time for a Decision of Record to be included in the FTA's report to Congress in January 2014. While I fully understand the importance of this timeline, it is equally important that appropriate mitigation efforts be made to the many residents and neighborhoods that will be so dramatically affected by this project. I appreciate your prompt attention to these concerns.  
Member of Congress

**Attachments :** Van Hollen 49561.pdf (70 kb)

CHRIS VAN HOLLEN  
8TH DISTRICT, MARYLAND

COMMITTEE ON THE BUDGET

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(301) 829-2181

[www.vanhollen.house.gov](http://www.vanhollen.house.gov)

**Congress of the United States**  
**House of Representatives**

Washington, DC 20515

October 23, 2013

MTA

Hon. James T. Smith, Jr.  
Secretary  
Maryland Department of Transportation  
7201 Corporate Center Drive  
Hanover, MD 21076-1415

Dear Secretary Smith:

I am writing on behalf of many of my constituents who have submitted comments about the Maryland Transit Administration's Final Environmental Impact Statement (FEIS) on the Purple Line project.

Specifically, I am writing to draw your attention to the comments submitted by, among others, the East Bethesda Citizens Association, Kentbury Drive Residents, the Town of Chevy Chase, the Coquelin Run Citizens Association, the North Woodside-Montgomery Hills Citizens Association, the Lyttonsville Community Civic Association, and the East Silver Spring Citizens Association.

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I appreciate your prompt attention to these concerns.

Sincerely,

  
Chris Van Hollen  
Member of Congress

